

**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 269

Held at :

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

Tuesday, August 26, 2008

Tenue à:

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

Mardi, le 26 août 2008

Appearances/Comparutions

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Ms. Julie Gauthier	Registrar
Ms. Brigitte Beaulne	
Ms. Suzanne Sinnamon	Commission Counsel
Mr. Peter Manderville	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Gia Williams	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Juda Strawczynski	
Mr. Rob Talach	Victims' Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
M ^e Gisèle Levesque	
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Ms. Kimberly Ishmael	Upper Canada District School Board
Mr. Ian Paul	Coalition for Action
Monseigneur Eugène LaRocque	Monseigneur Eugène LaRocque

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1 --- Upon commencing at 9:01 a.m./

2 L'audience débute à 9h01

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

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Thank you.

10 Mr. Engelmann, good morning.

11 **MR. ENGELMANN:** Good morning, Mr.

12 Commissioner. Good morning, Monsignor.

13 **MSGR. LAROCQUE:** Good morning.

14 **MR. SHERRIFF-SCOTT:** Good morning, sir. I
15 just have -- there's some comments I would like to make if
16 the witness could be excused, please?

17 **THE COMMISSIONER:** Certainly.

18 Monseigneur, si vous voulez sortir s'il vous
19 plaît?

20 Yes, sir?

21 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. SHERRIFF-SCOTT:

22 **MR. SHERRIFF-SCOTT:** Thank you. Good
23 morning, sir.

24 I just rise to express a concern about the
25 process that was followed in connection with the concluding

1 evidence last night and in particular with respect to the
2 witness C-4 and the interactions of the witness with the
3 parents of that individual in December ---

4 **THE COMMISSIONER:** Yes.

5 **MR. SHERRIFF-SCOTT:** --- of 1997.

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

7 **MR. SHERRIFF-SCOTT:** The witness testified,
8 if you'll recall Commissioner, that basically, he doesn't
9 remember anything other than the fact of the meeting with
10 the family and then calling Father MacDonald. He may or
11 may not have asked him to write a letter or express some
12 regret, et cetera.

13 **THE COMMISSIONER:** Right.

14 **MR. SHERRIFF-SCOTT:** Basically, that's where
15 the sort of details of his memory appear to falter. In
16 that environment, my friend, Mr. Engelmann, put to him the
17 proposition that he ought to have reported the matter to
18 the police and the witness really didn't have an answer for
19 that. I think the premise embedded in the line of
20 questioning is that the police didn't know. And, in fact,
21 Exhibit 446 indicates, which is already in the record, that
22 C-4 had given a statement on October 28, 1997, nearly two
23 months in advance of that to the OPP which was, I believe,
24 videotaped and transcribed. It is captured in that
25 exhibit. It details all of C-4's allegations which were

1 the subject of charges in February of 1998, some two months
2 after this meeting with the parents.

3 The unfairness of what I consider the
4 process to have been is that none of the idea of the fact
5 of the communications by the parents with the Bishop were
6 canvassed and, indeed, he may not remember that. I think
7 it might be quite improbable that they didn't tell him that
8 they had gone to the police or that their son had. Who
9 knows?

10 **THE COMMISSIONER:** Who knows?

11 **MR. SHERRIFF-SCOTT:** But I think it's not
12 fair to a person of this age and stage who's obviously at
13 times befuddled by the details, that the premise of the
14 question, "You ought to have gone to the police", I think
15 implies that the police didn't know and that, in the
16 circumstances, it behooved him to go when they were already
17 in possession of a full statement with a subject of charges
18 two months later.

19 **THE COMMISSIONER:** Well, I think the proper
20 question then would have been, following your line, is,
21 "Were you aware that the police were involved?" And if he
22 says no then it's fair game to say "Why not?"

23 **MR. SHERRIFF-SCOTT:** Fair enough.

24 **THE COMMISSIONER:** Okay.

25 **MR. SHERRIFF-SCOTT:** Fair enough, but the

1 questions indicated so far as we advanced in the evidence
2 yesterday that he had no memory beyond the points that I've
3 described ---

4 **THE COMMISSIONER:** Right.

5 **MR. SHERRIFF-SCOTT:** --- and so I take your
6 point. I wanted to express the concern that I did.

7 Thank you.

8 **THE COMMISSIONER:** Fine. Thank you.

9 Mr. Engelmann, any comments?

10 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. ENGELMANN:**

11 **MR. ENGELMANN:** No, I don't think the
12 question was improper. I think if it was, my friend would
13 have objected at the time.

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

15 **MR. ENGELMANN:** In any event, I think we
16 should have the witness back.

17 **THE COMMISSIONER:** It clears the air, I
18 know.

19 **MR. ENGELMANN:** Yeah. I certainly asked him
20 what he did.

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

22 **MR. ENGELMANN:** And whether he thinks he
23 should have done something differently. And I still think
24 that that is important to know whether or not the
25 individual in question had gone to the police.

1 But in any event ---

2 **THE COMMISSIONER:** All right. It stands as
3 it stands.

4 Have the witness come back.

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **MR. ENGELMANN:** Sir, I assume we'll continue
7 with the process we did yesterday.

8 **THE COMMISSIONER:** Yes.

9 **MR. ENGELMANN:** --- Go for an hour and ---

10 **THE COMMISSIONER:** Yeah.

11 **MR. ENGELMANN:** Okay.

12 **MONSIGNOR EUGÈNE LAROCQUE:** Resumed/Sous le même serment

13 --- **EXAMINATION BY/INTERROGATOIRE PAR MR. ENGELMANN**

14 **(cont'd/suite):**

15 **THE COMMISSIONER:** Here we go.

16 Rebonjour, Monseigneur Larocque.

17 **MONS. LAROCQUE:** Rebonjour, monsieur.

18 **THE COMMISSIONER:** While you were away, we
19 discussed some administrative matters and so you should not
20 take it as a reflection on you or what you've testified to.
21 Sometimes we do ask witnesses to wait outside while we have
22 a general discussion.

23 **MSGR. LAROCQUE:** Thank you.

24 **THE COMMISSIONER:** All right. Thank you.

25 **MR. ENGELMANN:** Monsignor, this morning I'm

1 going to ask you some questions about, to start with,
2 questions about your contacts with OPP officers ---

3 **MSGR. LAROCQUE:** Yes.

4 **MR. ENGELMANN:** --- during their
5 investigation known as Project Truth. And you had some
6 contacts with them during that period of time?

7 **MSGR. LAROCQUE:** I did.

8 **MR. ENGELMANN:** And then I'm going to ask
9 you some questions about your knowledge and your
10 interaction with a few priests in your Diocese who were
11 investigated and/or charged with some offences.

12 **MSGR. LAROCQUE:** Right.

13 **MR. ENGELMANN:** Okay? So that's where we're
14 going to start.

15 And, sir, with respect to the Project Truth
16 mandate and the OPP investigation, would you have been
17 advised of the Project Truth mandate or the purpose at some
18 point by one of the officers?

19 **MSGR. LAROCQUE:** I'm not sure, but I believe
20 before the first interrogation with David Scott something
21 was said, but I can't remember at that specific ---

22 **MR. ENGELMANN:** Okay. Would the first time
23 you would have been interviewed was back in 1994?

24 **MSGR. LAROCQUE:** Yes.

25 **MR. ENGELMANN:** And the Project Truth

1 mandate was when the OPP came back again in '97, '98, '99.

2 MSGR. LAROCQUE: Oh, I see, okay.

3 MR. ENGELMANN: And you had some
4 interactions with them. And I just want to read something
5 to you very briefly.

6 MSGR. LAROCQUE: Okay.

7 MR. ENGELMANN: It's Exhibit 331 but it's
8 two short paragraphs. So maybe I'll just read it if I can.

9 MSGR. LAROCQUE: Right.

10 MR. ENGELMANN: It says:

11 "Project Truth mandate: The
12 investigation is being conducted into
13 pedophile activity, both historic and
14 ongoing, in the Cornwall area. The
15 alleged suspects are prominent and
16 respected citizens of Cornwall and
17 include lawyers, catholic priests, a
18 catholic bishop, teachers, probation
19 officers, businessmen, a former chief
20 of police and the present Crown
21 Attorney. The alleged offences
22 occurred and are occurring both in the
23 City of Cornwall and the outlying area.
24 In addition, it is alleged the suspects
25 were able to terminate investigations

1 and prosecutions against them by
2 abusing their positions of trust within
3 the community. It is alleged the Crown
4 Attorney, the Diocese of Cornwall and
5 the Cornwall Police Service conspired
6 to obstruct justice in these matters."

7 So that's been set out for us as a mandate
8 of the team of officers, including an Inspector Smith and a
9 fellow by the name of Pat Hall ---

10 **MSGR. LAROCQUE:** Yes.

11 **MR. ENGELMANN:** --- who also became a
12 detective inspector.

13 **MSGR. LAROCQUE:** Right.

14 **MR. ENGELMANN:** And I think you would have
15 had some interactions with one of more of those
16 individuals.

17 **MSGR. LAROCQUE:** With both of them, yes.

18 **MR. ENGELMANN:** All right. And do you
19 recall if that mandate was ever explained to you just as
20 I've read it or in similar terms?

21 **MSGR. LAROCQUE:** I don't recall, no.

22 **MR. ENGELMANN:** All right.

23 Sir, then I just want to ask you about some
24 interactions that you had with them. And I thought perhaps
25 we could start with -- it's Document Number 702967.

1 Mr. Commissioner, it is a list of names;
2 there's a date at the top in handwriting that's the 20th of
3 March, 1998, and it says "Information required on the
4 following persons: full name, date of birth, present
5 location, previous locations".

6 **THE COMMISSIONER:** Very well. That will be
7 Exhibit 2114.

8 **---EXHIBIT NO./PIÈCE NO. P-2114:**

9 (702967) List of Names of priests dated
10 March 20, 1998

11 **MR. ENGELMANN:** Now, sir, this would appear
12 to be a list of names of primarily priests and/or
13 religious. Do you recall, sir, having been paid a visit by
14 Pat Hall and Tim Smith of the OPP at which time they would
15 have given you a copy of this list?

16 **MSGR. LAROCQUE:** I don't recall the visit,
17 but that is my handwriting on the list.

18 **MR. ENGELMANN:** All right. So would the
19 typed information have been information that was all there
20 and you would have added the handwritten portions?

21 **MSGR. LAROCQUE:** The handwritten is mine and
22 the other typed was -- came from the police, yes.

23 **MR. ENGELMANN:** All right. There is a note
24 in the one of the officers' notebooks that indicates an
25 attendance at your residence at about 9:30 on March 20th

1 wherein you were presented with this list of 27 names and
2 that you made some verbal comments and/or handwritten notes
3 about them.

4 Does that seem accurate, sir, that you would
5 have had a meeting from these two officers at or about that
6 time?

7 **MSGR. LAROCQUE:** I would imagine so, but I
8 can't recall.

9 **MR. ENGELMANN:** All right. And the
10 information that you would have provided, would that have
11 been information you would have provided while they were in
12 your presence?

13 **MSGR. LAROCQUE:** I don't believe so, but I'm
14 not sure.

15 **MR. ENGELMANN:** All right.

16 **MSGR. LAROCQUE:** I think that they left me
17 the list, and I returned it to them as soon as possible
18 afterwards.

19 **MR. ENGELMANN:** All right. Do you have a
20 sense as to how long you might have spent filling in what
21 you did on this form?

22 **MSGR. LAROCQUE:** It wouldn't be very long
23 because it would be knowledge that I would have had. I
24 wouldn't have had to check for that knowledge.

25 **MR. ENGELMANN:** All right. So you believe

1 you would have given it back to them either the same day or
2 shortly thereafter?

3 **MSGR. LAROCQUE:** That's right, yes.

4 **MR. ENGELMANN:** All right. So I just -- and
5 when they gave you the list and asked you to provide the
6 information that you did provide; did they tell you why
7 they wanted this information?

8 **MSGR. LAROCQUE:** Yes, I believe so, because
9 I knew that they were -- from the newspapers and others, we
10 knew that this Operation Truth was going on and so this --
11 I saw it within that context.

12 **MR. ENGELMANN:** All right. So you knew that
13 they were investigating allegations of historical ---

14 **MSGR. LAROCQUE:** A wide investigation.

15 **MR. ENGELMANN:** --- sexual abuse; they were
16 looking at this conspiracy issue; some of the things that
17 we talked about when I read the mandate?

18 **MSGR. LAROCQUE:** That's right, yes.

19 **MR. ENGELMANN:** All right. I'll just be a
20 moment.

21 So that was in March of 1998, and sir I
22 believe they would have made a further request of you in
23 October of 1998. I would like you to just take another
24 look at a document. It's ---

25 **MSGR. LAROCQUE:** There were many requests

1 actually.

2 MR. ENGELMANN: Yes, I am going to go
3 through them, sir.

4 MSGR. LAROCQUE: Okay.

5 MR. ENGELMANN: And hopefully in order;
6 702886 is the next document. It's in the cross documents.

7 (SHORT PAUSE/COURTE PAUSE)

8 THE COMMISSIONER: We don't have it.

9 So can we put it on the screen and then
10 we'll deal with it? Is there anything in there that should
11 not be put on the screen?

12 MR. ENGELMANN: No. It's fine.

13 THE COMMISSIONER: All right. So I'm going
14 have to see it -- that will be Exhibit 2115.

15 Madam clerk, could I see it on the screen?
16 Yes, great. Thank you.

17 --- EXHIBIT NO./PIÈCE No P-2115:

18 (702886) List of Names of priest dated 27
19 Oct 98

20 MR. ENGELMANN: This appears to be a similar
21 but much shorter list, sir.

22 Madam Clerk, if you could scroll down for a
23 moment, aside from the six names, you'll see information
24 required about three others and then some photographs that
25 they were looking for ---

1 MSGR. LAROCQUE: Right.

2 MR. ENGELMANN: --- for various priests.

3 MSGR. LAROCQUE: Right.

4 MR. ENGELMANN: Okay? And again, sir, it
5 would appear just from looking at the top that this was a
6 request that would have been given to you by Officer Hall.
7 There's a date and I'm assuming the handwriting is his not
8 yours?

9 MSGR. LAROCQUE: If I could see the top.
10 I've got the bottom on my screen.

11 MR. ENGELMANN: I'm sorry?

12 MSGR. LAROCQUE: If I could see the top.
13 You're referring to the top?

14 MR. ENGELMANN: Yes.

15 THE COMMISSIONER: Just scroll back.

16 MSGR. LAROCQUE: I just have the bottom on
17 my screen.

18 MR. ENGELMANN: Yes.

19 MSGR. LAROCQUE: Thank you. The handwriting
20 is not mine.

21 MR. ENGELMANN: You have to keep going up.

22 MSGR. LAROCQUE: Royer, is not mine --
23 that's not my handwriting.

24 MR. ENGELMANN: All right. So sir it's my
25 understanding ---

1 **MSGR. LAROCQUE:** Kelvin is misspelled,
2 number six should be K-e-l-v-i-n.

3 **MR. ENGELMANN:** All right. So again, the --
4 just so we're clear on the information on the form, this is
5 information they're giving you when they're making a
6 request?

7 **MSGR. LAROCQUE:** That's right.

8 **MR. ENGELMANN:** So if there are errors in
9 any of the information that's typed, that would be their
10 error?

11 **MSGR. LAROCQUE:** Their error, yes.

12 **MR. ENGELMANN:** All right. And it appears,
13 at least at this time, one of the priests they are asking
14 you about is Reverend Stone?

15 **MSGR. LAROCQUE:** Yes.

16 **MR. ENGELMANN:** Do you see that, number
17 three?

18 **MSGR. LAROCQUE:** That's right, Carl Stone.

19 **MR. ENGELMANN:** Yes. And sir, there's no
20 handwriting of yours on this document, but if we look at
21 Exhibit 1993, this appears to be your response, the
22 following day, to this request.

23 **MSGR. LAROCQUE:** Right.

24 **MR. ENGELMANN:** And it's a handwritten
25 document with letterhead from the Diocese dated October

1 28th, 1998. I'll just wait until you have it sir.

2 (SHORT PAUSE/COURTE PAUSE)

3 MR. ENGELMANN: Sir, if you have both of
4 these documents, Exhibit 1993 appears to be your response -
5 --

6 MSGR. LAROCQUE: It is, yes.

7 MR. ENGELMANN: --- to Exhibit 2115?

8 MSGR. LAROCQUE: It is, yes. It's my
9 handwriting.

10 MR. ENGELMANN: Right. And so, for example,
11 when we see next to René Dubé, George Maloney, Kelvin
12 Maloney, your reference "See card" would that be the index-
13 type card?

14 MSGR. LAROCQUE: The Curriculum Vitae card,
15 yes.

16 MR. ENGELMANN: Yes. Okay.

17 MSGR. LAROCQUE: It was included with this
18 report.

19 MR. ENGELMANN: I'm sorry?

20 MSGR. LAROCQUE: Which was included with
21 this.

22 MR. ENGELMANN: All right. So there would
23 have been some cards, there may have been photographs.
24 There would have been some inclusions with Exhibit 1993,
25 your handwritten letter?

1 **MSGR. LAROCQUE:** That's right.

2 **MR. ENGELMANN:** All right. And sir, if we
3 look at it, with respect to, for example, Reverend Stone,
4 you provide some tombstone data, if I can call it that; in
5 the sense that you talk about where he was employed?

6 **MSGR. LAROCQUE:** Right.

7 **MR. ENGELMANN:** All right. And for example,
8 you told them he was a former member of the Montfort
9 Fathers, Diocese of Ogdensburg and that he held an
10 appointment in the Diocese in '57 through '63 at St. John
11 Bosco and then also from '81 to '85 at St. Joseph's, and
12 you would have provided a card for him as well?

13 **MSGR. LAROCQUE:** That's what it says, yes.

14 **MR. ENGELMANN:** All right. Now, aside from
15 this, sir, you didn't give them any information about his
16 past. Is that fair?

17 **MSGR. LAROCQUE:** I don't believe that they
18 requested it. So I mean if they had asked, I would have
19 given it to them.

20 **MR. ENGELMANN:** All right. So you
21 essentially gave them simply what they asked for?

22 **MSGR. LAROCQUE:** Exactly.

23 **MR. ENGELMANN:** All right.

24 Sir, given what they were investigating at
25 the time, did you not think that you should have provided

1 them a little bit more information about someone like
2 Father Stone, given your own knowledge of his past?

3 **MSGR. LAROCQUE:** I would have willingly
4 given it to them, but I didn't -- this was the beginning of
5 an investigation. So I mean I -- it was no attempt on my
6 part to hide anything. It was just a matter that I
7 answered the request that they made as to identifying these
8 people.

9 **MR. ENGELMANN:** Well, in the past, you
10 talked, at least when we looked at the CAS and we talked
11 about the need to -- and when we met with -- when you met
12 with Inspector Smith back in 1994 in the presence of Mr.
13 Scott, you talked about your desire for a complete and
14 thorough investigation?

15 **MSGR. LAROCQUE:** Yes.

16 **MR. ENGELMANN:** They're starting Project
17 Truth; they're asking you for some background information
18 about a number of priests from your Diocese and I'm
19 wondering, sir, if you didn't think it appropriate to
20 provide them more information, given your knowledge about
21 someone like Father Stone and his background?

22 **MSGR. LAROCQUE:** I would have willingly
23 given it to them if they had requested it, but I didn't
24 think that that was part of their request.

25 **MR. ENGELMANN:** All right.

1 I'd like to take, then, another document
2 out. It's Document Number 114317.

3 Mr. Commissioner, this is a letter from
4 Detective Sergeant P.R. Hall to Bishop Eugene Larocque,
5 dated 23 November 1998.

6 **THE COMMISSIONER:** Exhibit 2116.

7 **--- EXHIBIT NO./PIÈCE NO. P-2116:**

8 (114317) Letter from P.R. Hall to Bishop
9 Larocque dated November 23, 1998

10 **MR. ENGELMANN:** Sir, to understand the
11 document, there's a cover letter from Detective Sergeant
12 Hall on the first page.

13 **MSGR. LAROCQUE:** Right.

14 **MR. ENGELMANN:** And he attaches a list of
15 requests and I believe the list is on the final page where
16 he's got, "Information requested on the following topics or
17 persons". He's got number one, the Cornwall Classical
18 College; number two, photographs of clergy -- he lists
19 several, and he gives you dates as to when he wants, you
20 know, the photograph of the clergy from.

21 He also then asks -- he says:

22 "The following photographs are also
23 required and were never disclosed to
24 Project Truth."

25 And then he describes an issue under

1 paragraph four as well where he's asking for, in
2 particular, name of a person.

3 Sir, my understanding is that you responded
4 on the very same day with information?

5 **MSGR. LAROCQUE:** That's what my note says,
6 yes.

7 **MR. ENGELMANN:** And that's what we see in
8 the handwritten form in the middle two pages; correct?

9 **MSGR. LAROCQUE:** My response, yes.

10 **MR. ENGELMANN:** Yes.

11 And, sir, again would it be fair to say that
12 there would have been attachments; you would have provided
13 some photographs? I just note at the bottom of the third
14 page it says:

15 "P.S., kindly return all photos after
16 you've finished with them."

17 So you would have provided some photographs
18 with your response?

19 **MSGR. LAROCQUE:** Those that would have been
20 available I would have provided, yes.

21 **MR. ENGELMANN:** Yes.

22 **MR. SHERRIFF-SCOTT:** Just so the
23 Commissioner knows, and it will be difficult from the point
24 of view of entering exhibits, there are over 130 documents
25 that comprise hundreds of pages of disclosure of line cards

1 and photographs and documentation. So my friend and I have
2 struggled with how we might enter that in an efficient way;
3 but so that you know that's coming at some point and
4 hopefully we can manage it in a short way, rather than have
5 the witness go through every single document.

6 **THE COMMISSIONER:** I look forward to that
7 time.

8 **MSGR. LAROCQUE:** I do too.

9 **MR. ENGELMANN:** We did not want to do this
10 with the witness on the stand. We didn't think it was
11 necessary.

12 **THE COMMISSIONER:** Right.

13 **MR. ENGELMANN:** And, sir, again they're
14 asking for information about a number of priests and,
15 again, we see several of the same names if we look at Bates
16 page 204 and, again, one of those names is Reverend Carl
17 Stone, where they're asking for a photograph and you say
18 there's no photo available. And you indicate when he left
19 the Diocese, in August of '63, and then the fact that after
20 June of '85 that he returned to the USA?

21 **MSGR. LAROCQUE:** Right.

22 **MR. ENGELMANN:** Correct? So again you
23 provide the information requested but no other information
24 about his past?

25 **MSGR. LAROCQUE:** I didn't think that they

1 requested it at that time.

2 **THE COMMISSIONER:** Well, Monsignor, don't
3 you think that if they're looking for people who may have
4 sexually abused your parishioners or people from the
5 Diocese that you would volunteer that information?

6 **MSGR. LAROCQUE:** I may very well have
7 verbally but I can't remember, you see.

8 **THE COMMISSIONER:** Okay.

9 **MSGR. LAROCQUE:** And I felt that I had to
10 follow what they requested and I was following their -- you
11 know.

12 **THE COMMISSIONER:** Okay.

13 **MSGR. LAROCQUE:** Hindsight is nice.

14 **THE COMMISSIONER:** Whoa -- I hear that. I
15 understand that, Monsignor.

16 **MSGR. LAROCQUE:** But at the time, the
17 pressures of the time, I did what I was asked to do. In
18 hindsight, yes, maybe I should have indicated in a written
19 form.

20 **THE COMMISSIONER:** You're the leader of the
21 Diocese, are you not?

22 **MSGR. LAROCQUE:** I am, yes.

23 **THE COMMISSIONER:** All right.

24 **MSGR. LAROCQUE:** I was.

25 **THE COMMISSIONER:** You were, and they're

1 looking for priests who may have sexual abused ---

2 **MSGR. LAROCQUE:** Well, this is Operation
3 Truth. They're looking for a whole matter of things,
4 including myself in this ---

5 **THE COMMISSIONER:** Absolutely.

6 **MSGR. LAROCQUE:** --- you see. And it was a
7 very difficult time for -- not only for myself but for the
8 whole clergy, many of whom were innocent, as you know.

9 **MR. ENGELMANN:** Sir, one of the issues was
10 allegations that they were investigating not just sexual
11 abuse but also issues of conspiracy or collusion ---

12 **MSGR. LAROCQUE:** Exactly.

13 **MR. ENGELMANN:** --- between institutions.

14 **MSGR. LAROCQUE:** That's right.

15 **MR. ENGELMANN:** I would have thought at the
16 time, to ensure there's no doubt about that, that you want
17 to be as forthcoming as you could be?

18 **MSGR. LAROCQUE:** I was as forthcoming as I
19 possibly could. I answered everything that was asked for
20 practically on the same day. How much more forthcoming can
21 I be?

22 **MR. ENGELMANN:** Well, sir, what you gave
23 them was information about when people worked at the
24 Diocese or their background that came from cards and things
25 of that nature.

1 **MSGR. LAROCQUE:** That's what they asked me
2 at the time.

3 **MR. ENGELMANN:** I know, but if you had
4 knowledge -- that you had knowledge of why Father Stone was
5 asked to leave, you had knowledge ---

6 **MSGR. LAROCQUE:** And they knew that I had
7 that knowledge. They could have required it, asked for it.

8 **MR. ENGELMANN:** How would they know that you
9 had that knowledge, sir?

10 **MSGR. LAROCQUE:** Well ---

11 **MR. ENGELMANN:** How would they know?

12 **MSGR. LAROCQUE:** Well, maybe they didn't;
13 I'm sorry.

14 **MR. ENGELMANN:** All right.

15 Let's move on then to another request for
16 information, and it's Document Number 702879.

17 We may have to put this on the screen as
18 well, sir. It's a cross document. I don't know if we have
19 it.

20 **THE COMMISSIONER:** Exhibit 2117 is a
21 document with a date on top of 18th December, 1998 and it's
22 entitled "Further Information Requested on the Following
23 Topics or Persons".

24 --- **EXHIBIT NO./PIÈCE NO. P-2117:**

25 (702879) Document entitled "Further

1 Information Requested on the Following
2 Topics or Persons", dated December 18, 1998

3 **MR. ENGELMANN:** Sir, we have requests for
4 photos of five individuals and -- the first five, including
5 yourself, and then there's some other requests for photos
6 as well, and at the bottom on number seven -- sorry, number
7 six, they're also asking for curriculum vitae for Father
8 Henri Quimet, Monsignor Bougie and Father Lalonde, all of
9 whom are deceased.

10 They're also looking for a photograph and CV
11 for Father Percy, and lastly they're looking for a
12 curriculum vitae for Reverend Houde, deceased; Reverend
13 Gauthier, deceased; and Reverend Carl Stone. And they say
14 they left this with you on that particular day, according
15 to the handwritten note.

16 **MSGR. LAROCQUE:** Yes.

17 **MR. ENGELMANN:** All right.

18 And then it would appear, sir, if I could
19 have you look at -- it's Document Number 702910.

20 Mr. Commissioner, it's the same document
21 that we just looked at, Exhibit 2117, now with some
22 handwriting on it.

23 **THE COMMISSIONER:** That would be Exhibit
24 2118.

25 --- **EXHIBIT NO./PIÈCE NO. 2118**

1 (702910) Document entitled "Further
2 Information Requested on the Following
3 Topics or Persons", dated December 18, 1998,
4 with handwritten notes.

5 **MR. ENGELMANN:** Sir, this would appear to be
6 your response. It's received on January 11th, 1999, by the
7 OPP. Would this be your handwriting on the document, sir?

8 **MSGR. LAROCQUE:** It is, yes.

9 **MR. ENGELMANN:** All right. And would this
10 then likely be your answer to the previous request?

11 **MSGR. LAROCQUE:** I suspect so, yes.

12 **MR. ENGELMANN:** All right. And can you just
13 indicate to us what you've written, just so that we're
14 clear.

15 For example, under Father Bernard Cameron,
16 you've got ---

17 **BISHOP LAROCQUE:** The question mark -- first
18 of all, under Father Kenneth Martin ---

19 **MR. ENGELMANN:** Oh, yes.

20 **MSGR. LAROCQUE:** "If you didn't have one
21 in your possession, please advise us
22 the location of such a photo."

23 I don't even know Father Ken Martin. He was
24 gone from the Diocese before I -- before I arrived.

25 **MR. ENGELMANN:** Yes. Did he leave in

1 approximately 1972, sir?

2 MSGR. LAROCQUE: I believe that was the
3 date, yes.

4 MR. ENGELMANN: All right, but he was still
5 incardinated in the diocese?

6 MSGR. LAROCQUE: He was incardinated and he
7 was living in Montreal and working in the Diocese of
8 Montreal.

9 MR. ENGELMANN: All right. And the question
10 mark indicates what, sir?

11 MSGR. LAROCQUE: How to get the photo that
12 they want of that particular date.

13 MR. ENGELMANN: You just don't know?

14 MSGR. LAROCQUE: I just don't know.

15 MR. ENGELMANN: All right. And then under
16 Father Bernard Cameron?

17 MSGR. LAROCQUE: They wanted a photo of
18 approximately 1956 but he was ordained only in 1958, and so
19 there I put question marks as well.

20 MR. ENGELMANN: And under Monsignor Donald
21 McDougald?

22 MSGR. LAROCQUE: "We have searched the
23 archives and cannot find one. I
24 suggest that you ask Monsignor for
25 one."

1 **MR. ENGELMANN:** Okay, so you're suggesting
2 that they go directly to him?

3 **MSGR. LAROCQUE:** That's right.

4 **MR. ENGELMANN:** All right.
5 Father Gary Ostler?

6 **MSGR. LAROCQUE:** Was born in 1946 and they
7 wanted a photo of 1955 when he would have been 10 years
8 old.

9 **MR. ENGELMANN:** All right.
10 Bishop Eugene LaRocque?

11 **MSGR. LAROCQUE:** In the University of
12 Western (sic) Yearbook, 1967.

13 **MR. ENGELMANN:** Yes, so you would have
14 provided them with that?

15 **MSGR. LAROCQUE:** I think so, yes.

16 **MR. ENGELMANN:** Yes. Okay.

17 And then what happens when we see checkmarks
18 next to the individuals indicated for number six. Does
19 that mean that you would have provided a photo ---

20 **MSGR. LAROCQUE:** I suspect I provided those
21 photographs, yes.

22 **MR. ENGELMANN:** Number seven, you've got
23 "Unknown"?

24 **MSGR. LAROCQUE:** I don't know any Father
25 Percy OSM.

1 **MR. ENGELMANN:** All right.

2 And then on number eight, the checkmarks
3 next to the three ---

4 **MSGR. LAROCQUE:** When we date -- apparently
5 I had the photographs from some place for those three I
6 would imagine.

7 **MR. ENGELMANN:** All right. Thank you.

8 Then, sir, if we could have a look at --
9 it's Document Number 702873. It's also in the cross
10 documents.

11 This is a letter from now Detective
12 Inspector Pat Hall to you dated July 22nd, 1999.

13 **THE COMMISSIONER:** Thank you.

14 That will be Exhibit 2119.

15 **--- EXHIBIT NO./PIÈCE NO. 2119:**

16 (702873) Letter from Pat Hall to Eugene
17 LaRocque dated July 22, 1999

18 **MSGR. LAROCQUE:** Thank you.

19 **MR. ENGELMANN:** Sir, this again appears to
20 be another request for information from the OPP?

21 **MSGR. LAROCQUE:** Yes.

22 **MR. ENGELMANN:** And you have again responded
23 by making handwritten notes on the letter?

24 **MSGR. LAROCQUE:** Right.

25 **MR. ENGELMANN:** And if you can, if you could

1 help us with those handwritten notes?

2 **MSGR. LAROCQUE:** Right. Okay.

3 Number one, Father Yvon, I was able to find
4 his first name, Royer. I called Three Rivers and Father
5 Parent, who was the head of his order, said that -- or the
6 -- no, he wasn't -- he was the VG of the Trois-Rivières,
7 said they have not heard from him in over 30 years.

8 **MR. ENGELMANN:** All right.

9 **MSGR. LAROCQUE:** The floor plan or the
10 residents at 36-4th Street ---

11 **MR. ENGELMANN:** Was this connected ---

12 **MSGR. LAROCQUE:** That would be the Rectory
13 of St. Columban's Church.

14 **MR. ENGELMANN:** St. Columban's, okay. So
15 they were asking questions about the layout of the Rectory
16 at St. Columban's?

17 **MSGR. LAROCQUE:** And I told them to contact
18 Father Kelvin Maloney who was the pastor at that time.

19 **MR. ENGELMANN:** All right.

20 And what do you say on the left, sir?

21 **MSGR. LAROCQUE:** "Sherbrooke Chancery to
22 phone back on the 27th of July. No
23 record of such a priest. No record
24 found in catholic priest directory for
25 Canada."

1 That's still with regard to Royer I suppose.

2 **MR. ENGELMANN:** Thank you. Okay.

3 And then again you have a note next to "D":

4 "We require the original document re
5 meeting of the Senates of Priests of
6 the Diocese of Alexandria-Cornwall
7 dated 11th and 12th of September, 1978."

8 **MSGR. LAROCQUE:** Yes.

9 **MR. ENGELMANN:** "Copy supplied".

10 **MSGR. LAROCQUE:** The "Okay" was that we sent
11 it to them.

12 **MR. ENGELMANN:** All right.

13 And under "E"?

14 **MSGR. LAROCQUE:** They had the copy and they
15 wanted the original, yes.

16 **MR. ENGELMANN:** And it says:

17 "We require the original parish
18 bulletin dated September 10th, 1978.
19 Copy supplied."

20 **MSGR. LAROCQUE:** Yeah.

21 **MR. ENGELMANN:** And you're telling them ---

22 **MSGR. LAROCQUE:** "It's not in our
23 archives. Contact Apple Hill at the
24 following number."

25 **MR. ENGELMANN:** And you give them the

1 telephone number?

2 MSGR. LAROCQUE: Yes.

3 MR. ENGELMANN: All right. So they were
4 looking for originals of some of these documents ---

5 MSGR. LAROCQUE: That's right.

6 MR. ENGELMANN: --- but they had copies?

7 MSGR. LAROCQUE: That's right.

8 MR. ENGELMANN: And, lastly, they were
9 looking for an original CV of Father Charles MacDonald?

10 MSGR. LAROCQUE: Right.

11 MR. ENGELMANN: And the "Okay" means
12 presumably that you would have provided it?

13 MSGR. LAROCQUE: We gave it to them, yes.

14 MR. ENGELMANN: All right.

15 All right, then let's take a look at a
16 further document and it is -- again, it is a letter from
17 Pat Hall. The Document number is 702871. It's dated
18 October 28th, 1999.

19 THE COMMISSIONER: Exhibit 2120.

20 --- EXHIBIT NO./PIÈCE NO. 2120:

21 (702871) Letter from Pat Hall to

22 Eugene LaRocque dated October 28, 1999

23 MR. ENGELMANN: Does the witness have a hard
24 copy?

25 Sir, this is again a further request for

1 information from the OPP that you have responded with some
2 handwritten notes?

3 BISHOP LAROCQUE: Right.

4 MR. ENGELMANN: And at point number one,
5 they're asking you for information about Father Major and,
6 in particular, they're asking you for a copy of his
7 curriculum vitae?

8 MSGR. LAROCQUE: That's right.

9 MR. ENGELMANN: And there's some handwritten
10 notes next to that paragraph. What do they indicate, sir?

11 MSGR. LAROCQUE: That's my handwriting.

12 "No list available of the altar boys
13 and girls during the period 1965,
14 1979."

15 MR. ENGELMANN: All right. So they were
16 looking for the names of the altar boys and the altar
17 girls?

18 MSGR. LAROCQUE: That's right.

19 MR. ENGELMANN: When you indicated there was
20 no list available, did you suggest any alternatives that
21 might have provided that information?

22 MSGR. LAROCQUE: Probably the bulletins that
23 would have listed the names of the -- that would have been
24 available at St. Martyr's Church where he was pastor, yes.

25 MR. ENGELMANN: Yes, we've seen the

1 bulletins from the mass, the services, and they often
2 indicate the names of the altar servers.

3 **MSGR. LAROCQUE:** That's right. Yeah.

4 **MR. ENGELMANN:** Do you know whether you
5 would have suggested that to them or provided it?

6 **MSGR. LAROCQUE:** I might have. I can't
7 remember at all, no.

8 **MR. ENGELMANN:** And can you give us a sense,
9 sir -- I can't read ---

10 **MSGR. LAROCQUE:** Okay, yes, the ---

11 **MR. ENGELMANN:** --- on the following page?

12 **MSGR. LAROCQUE:** It's with regard to Father
13 Royer again. The only confirmation from the pastor of that
14 time, Monsignor Bernard Guindon, whose office is at the
15 Diocesan Centre, 220 Montreal Road, that he left in 1969.

16 **MR. ENGELMANN:** All right. Then ---

17 **MSGR. LAROCQUE:** Which was before my time of
18 course and ---

19 **MR. ENGELMANN:** Yes, and then again next to
20 "B":

21 "Please advise if there's anyone that
22 you believe could assist us further
23 with this request."

24 You say, "Not to my knowledge"?

25 **MSGR. LAROCQUE:** That's right.

1 **MR. ENGELMANN:** All right. So, again, you
2 respond directly to the requests that are made?

3 **MSGR. LAROCQUE:** That's right.

4 **MR. ENGELMANN:** Now, sir, I understand -- I
5 just -- these lists of priests and/or religious that you
6 were being asked about, whether they were from before your
7 time or during your time, you understood that the OPP were
8 interested in getting information about these individuals?

9 **MSGR. LAROCQUE:** Well, absolutely, yes.

10 **MR. ENGELMANN:** Yeah. And you understood
11 that in some cases these individuals might be suspects?

12 **MSGR. LAROCQUE:** Yes. We were all suspect.

13 **MR. ENGELMANN:** All right. And did you --
14 did you undertake any investigation, either directly or
15 through your designate, of any of these individuals just --
16 on behalf of the Diocese?

17 **MSGR. LAROCQUE:** Well, Father Royer, yes, I
18 phoned to find out whatever I could find about the
19 gentleman because I didn't know him, and in my mind I
20 wanted to cooperate fully and I acted as quickly as
21 possible to help them.

22 **MR. ENGELMANN:** Right. Now, I'm just
23 wondering, sir, if the Diocese itself would have conducted
24 any form of investigation about any of these individuals
25 because of concerns that they might have breached ---

1 **MSGR. LAROCQUE:** The Diocese ---

2 **MR. ENGELMANN:** I'm sorry? Under your
3 protocols or just under any other -- whether you would have
4 undertaken any form of internal investigation or at this
5 point whether you were simply leaving things with the OPP.

6 **MSGR. LAROCQUE:** I was leaving things with
7 the OPP at that point for sure, yes.

8 **MR. ENGELMANN:** All right. Now, sir, I
9 understand that you were interviewed by the OPP again in --
10 you'd been interviewed in September of '94. We talked
11 about that. I understand you were also interviewed by them
12 on December 18th, 1998 at your residence here in Cornwall
13 and that you had a lawyer present by the name of Brian
14 Saunderson.

15 **MSGR. LAROCQUE:** Yes.

16 **MR. ENGELMANN:** And you were interviewed by
17 both Officers Hall and Smith.

18 **MSGR. LAROCQUE:** That's correct, yes.

19 **MR. ENGELMANN:** Do you recall that, sir?

20 **MSGR. LAROCQUE:** Yes.

21 **MR. ENGELMANN:** All right.

22 **MSGR. LAROCQUE:** It was with regard to the
23 Leroux accusations, I believe.

24 **MR. ENGELMANN:** Yes, exactly.

25 And that is Exhibit 680, if the witness

1 could be provided a copy.

2 (SHORT PAUSE/COURTE PAUSE)

3 MR. ENGELMANN: Sir, it indicates the date
4 of the interview was December 18th, 1998.

5 MSGR. LAROCQUE: That's correct.

6 MR. ENGELMANN: And it indicates that the
7 time the interview commenced was 10:51. Presumably that's
8 in the morning.

9 MSGR. LAROCQUE: Yes.

10 MR. ENGELMANN: And that it ended
11 approximately, well, 19 minutes later at 11:10. Do you see
12 that?

13 MSGR. LAROCQUE: Not 19 minutes. Oh, yeah,
14 excuse me, yes. All right.

15 MR. ENGELMANN: Now that may just be the
16 part that's taped, sir.

17 MSGR. LAROCQUE: M'hm.

18 MR. ENGELMANN: Because if we look at the
19 second page of the document, it's Bates page 771, next to
20 Detective Inspector Smith's name near the bottom it says:

21 "We're conducting an audiotaped
22 interview of Bishop Eugene Larocque
23 concerning allegations of historical
24 sexual abuse involving members of the
25 clergy and other prominent members of

1 the public in the Cornwall area."

2 And this is when they ask you whether you'll
3 agree to have it audiotaped. So they give you some
4 indication as to why they want to do this.

5 **MSGR. LAROCQUE:** Right.

6 **MR. ENGELMANN:** And he says at the bottom of
7 the page:

8 "We've briefly gone through some of the
9 questions we want to ask you but I'll
10 turn it over to Pat Hall and he can
11 complete them. The time as shown by my
12 watch is 10:51."

13 **MSGR. LAROCQUE:** Right.

14 **MR. ENGELMANN:** So would it be fair to say,
15 sir, that before they turned the audiotape on they would
16 have explained to you some of the questions they wanted to
17 ask of you?

18 **MSGR. LAROCQUE:** I would suppose so but I
19 can't remember.

20 **MR. ENGELMANN:** All right. And so the time
21 you spent with them may well have been longer than the 19
22 minutes because there was ---

23 **MSGR. LAROCQUE:** If they took all this down
24 it had to be, yes.

25 **MR. ENGELMANN:** This is from an audiotape,

1 sir.

2 MSGR. LAROCQUE: I see.

3 MR. ENGELMANN: Yeah. And, sir, you recall
4 them -- and perhaps this was off the audiotape -- making
5 reference to the fact that they would be asking you about
6 some statements from a fellow by the name of Ron Leroux?

7 MSGR. LAROCQUE: Yes.

8 MR. ENGELMANN: All right. Just a couple of
9 questions then, if I can, about the interview itself and
10 some of what's contained therein. If you could look at --
11 it's Bates page 776.

12 MSGR. LAROCQUE: Yes.

13 MR. ENGELMANN: There's a reference at the
14 bottom of the page to a family by the name of Lefebvre.

15 MSGR. LAROCQUE: Yes.

16 MR. ENGELMANN: And whether they contacted
17 you about the conduct of Father MacDonald.

18 MSGR. LAROCQUE: Right.

19 MR. ENGELMANN: You answer that you
20 essentially can't recall ---

21 MSGR. LAROCQUE: M'hm.

22 MR. ENGELMANN: --- but that if you have a
23 date you could look it up in your agenda.

24 MSGR. LAROCQUE: Right.

25 MR. ENGELMANN: And you essentially tell

1 them that you can't remember whether they came in to see
2 you.

3 **MSGR. LAROCQUE:** Right.

4 **MR. ENGELMANN:** Were they parishioners of
5 yours, sir, of the Diocese?

6 **MSGR. LAROCQUE:** I would suppose they were
7 but I'm not sure.

8 **MR. ENGELMANN:** Do you know, sir, whether
9 they were parishioners of a parish that Father MacDonald
10 was the Priest at?

11 **MSGR. LAROCQUE:** I don't know.

12 **MR. ENGELMANN:** All right. Do you know,
13 sir, whether the OPP got back to you with a date or any
14 further information to assist with that inquiry?

15 **MSGR. LAROCQUE:** Not to my recollection.

16 **MR. ENGELMANN:** All right. Do you know if
17 they ever asked you to provide them your agendas or to get
18 back to them with this particular information?

19 **MSGR. LAROCQUE:** I don't know that either.

20 **MR. ENGELMANN:** All right.

21 Now, the bulk of the statement seems to be
22 asking you whether you were in attendance at certain areas
23 or certain places here in Cornwall.

24 **MSGR. LAROCQUE:** Right.

25 **MR. ENGELMANN:** And also in the State of

1 Florida in a city by the name of Fort Lauderdale.

2 MSGR. LAROCQUE: Right.

3 MR. ENGELMANN: And you've given a number of
4 answers in this statement with respect to whether you've
5 seen certain people there or whether you've been to certain
6 places.

7 MSGR. LAROCQUE: Right.

8 MR. ENGELMANN: And was this your best
9 effort at the time to be as complete and accurate as you
10 could be, sir?

11 MSGR. LAROCQUE: Absolutely.

12 MR. ENGELMANN: And to your knowledge is
13 there anything about the information you gave the police at
14 that time that was inaccurate?

15 MSGR. LAROCQUE: Not to my knowledge, no. I
16 would like to stress, though, that the main accusation
17 levelled against me by Mr. Leroux states the date 1961. I
18 was never a priest here in the Diocese; I was not even here
19 in 1961. I was teaching at Kings College at the University
20 of Western Ontario.

21 MR. ENGELMANN: And you indicate that in
22 this statement, do you not, sir?

23 MSGR. LAROCQUE: That's right.

24 MR. ENGELMANN: I'm looking at the bottom --

25 -

1 **MSGR. LAROCQUE:** I want to emphasise that.

2 **MR. ENGELMANN:** --- seven seven seven.

3 **MSGR. LAROCQUE:** Seven seven ---

4 **MR. ENGELMANN:** Where you say:

5 "I was never a priest in the Diocese as
6 he states. I was a priest in the
7 Diocese -- I was never a priest in the
8 Diocese of Alexandria. I was a priest
9 in the Diocese of London and came here
10 only as Bishop."

11 **MSGR. LAROCQUE:** That's right.

12 **MR. ENGELMANN:** All right. So you didn't
13 work here until 1974?

14 **MSGR. LAROCQUE:** I didn't come here until
15 1974, that's right.

16 **MR. ENGELMANN:** You never visited Cornwall
17 before then, sir?

18 **MSGR. LAROCQUE:** I was here for the
19 enthronement or possession of Bishop Proulx. I drove the
20 Rector of the Seminary, as principal of the college -- I
21 drove him here. He was representing the Bishop of London
22 at that ceremony.

23 We stayed in Kingston. We came to the
24 Cathedral in Alexandria for two or three o'clock in the
25 afternoon. We stayed for supper at Sacred Heart Church and

1 went back to Kingston for supper. That's the only time
2 that I was in this Diocese.

3 **MR. ENGELMANN:** Prior to your becoming
4 Bishop?

5 **MSGR. LAROCQUE:** And I was here during the
6 Montreal Fair with my parents and slept at a motel in
7 Cornwall on our way to Montreal.

8 **MR. ENGELMANN:** Sir, I'd like to then ask
9 you a few questions about individual priests who were
10 incardinated in the Diocese.

11 **MSGR. LAROCQUE:** Right.

12 **MR. ENGELMANN:** I believe in most cases they
13 were charged with some form of offence alleging that they
14 had sexually abused young people.

15 The first person I wanted to ask you a
16 couple questions about was Father René Dubé.

17 **MSGR. LAROCQUE:** Right.

18 **MR. ENGELMANN:** If I may. And I'll just be
19 a moment.

20 If the witness could be shown document
21 number 727751.

22 This is a note of Officer Hall of the OPP,
23 sir, and although this particular page is not dated, we
24 know the date to be March the 5th, 1999. This is not your
25 handwriting, sir, so I'm not going to be asking you to

1 decipher it. Maybe I'll try and summarise what I believe
2 it says that is pertinent.

3 It appears it says, "11:20". I'm not sure
4 if it's "talk with" or "meet with Bishop Larocque re
5 Martin"?

6 **THE COMMISSIONER:** Wait a minute. This
7 might not be it. I'm sorry, 11:20?

8 **MR. ENGELMANN:** Yes.

9 **THE COMMISSIONER:** There's no 11:20 on this
10 thing. Could be the wrong excerpt.

11 **MR. ENGELMANN:** I've got Bates page 082.

12 **THE COMMISSIONER:** Zero-eight-nine (089).

13 **THE REGISTRAR:** It's a different document;
14 747.

15 **MR. ENGELMANN:** I have Document Number
16 727751. I have two Bates pages and one of them is Bates
17 page 7110082 and that's the page that I'm in.

18 **MSGR. LAROCQUE:** This one is 089.

19 **MR. ENGELMANN:** Yeah, that doesn't help you,
20 sir.

21 I can just perhaps summarize. It's very
22 brief.

23 There's an indication from Detective
24 Inspector Hall that he speaks with you regarding Martin.
25 It says:

1 "Call back. Requested to have Kenneth
2 Martin report to Long Sault OPP on 11
3 March '99, 10:30, to be processed."

4 Sir, do you have any recall of Detective
5 Inspector Hall asking you to communicate to a Father Martin
6 that he should turn himself in to be processed at the Long
7 Sault detachment?

8 **MSGR. LAROCQUE:** I don't recall it but as
9 the note said so, I must have done so because ---

10 **MR. ENGELMANN:** All right. And again, sir -
11 --

12 **MSGR. LAROCQUE:** --- the note that I have in
13 front of me says that he didn't show.

14 **MR. ENGELMANN:** Yes.

15 **MSGR. LAROCQUE:** And that they called my
16 office; secretary said that he had received the message
17 from me.

18 **MR. ENGELMANN:** Yes. So you had attempted
19 to get him to show up but you don't know why he didn't?

20 **MSGR. LAROCQUE:** No.

21 **MR. ENGELMANN:** All right. And, again, sir,
22 he was living in Montreal and although he was incardinated
23 in your Diocese he'd not been in active ministry since
24 before your time in the Diocese?

25 **MSGR. LAROCQUE:** That's right.

1 **MR. ENGELMANN:** All right.

2 It also says:

3 "Advised him about Father René Dubé and
4 Lapierre being investigated by the
5 Montreal Police."

6 Apparently you requested to know if you
7 could contact Dubé, and they suggested that you wait until
8 the Montreal Police had dealt with him, but they indicate
9 that they cannot prevent you from contacting him if you so
10 choose, or words to that effect?

11 **MSGR. LAROCQUE:** M'hm.

12 **MR. ENGELMANN:** There's an indication that
13 Dubé is a loved priest, and I think this is you indicating
14 this to them.

15 So do you recall being advised by Detective
16 Inspector Hall that Father Dubé and Father Lapierre were
17 under investigation by the Montreal Police?

18 **MSGR. LAROCQUE:** Yes. I was shocked to know
19 that Father Dubé ---

20 **MR. ENGELMANN:** All right. Were you also
21 shocked about Father Lapierre?

22 **MSGR. LAROCQUE:** No.

23 **MR. ENGELMANN:** Why is that, sir?

24 **MSGR. LAROCQUE:** Because I knew from the
25 background that he has that it could be possible.

1 **MR. ENGELMANN:** All right. Sir, with Father
2 Lapierre, he had -- although he was incardinated in your
3 Diocese he had left before you became Bishop?

4 **MSGR. LAROCQUE:** That's right.

5 **MR. ENGELMANN:** Do you know approximately
6 when?

7 **MSGR. LAROCQUE:** Nineteen-sixty-seven
8 (1967). I think I saw that some place.

9 **MR. ENGELMANN:** So your knowledge of his
10 background, would that have been from others or would that
11 have been from him directly, from your own personal
12 observations?

13 **MSGR. LAROCQUE:** Well, it would have been
14 from knowledge that I received from Bishop Nevin of Florida
15 some time before.

16 **MR. ENGELMANN:** And that would have been
17 information you would have received from him on a trip to
18 Florida, sir?

19 **MSGR. LAROCQUE:** No, no. He contacted me
20 because Father Lapierre was working in his diocese at the
21 time.

22 **MR. ENGELMANN:** Okay. That would have been
23 on a temporary basis, sir, because he was incardinated here
24 in Cornwall?

25 **MSGR. LAROCQUE:** Well, he was -- from '67

1 until -- I don't know, even early 80s or mid-80s, he was
2 kind of a freelance mission retreat preacher throughout
3 Canada and the United States.

4 **MR. ENGELMANN:** All right.

5 **MSGR. LAROCQUE:** And he was a very powerful
6 and dramatic ---

7 **MR. ENGELMANN:** I'm sorry?

8 **MSGR. LAROCQUE:** Very powerful and dramatic
9 speaker and gave retreats to priests throughout the United
10 States and used to spend most of his winters in Florida,
11 and I think Bishop Nevin was -- Naples in Florida.

12 **MR. ENGELMANN:** All right.

13 **MSGR. LAROCQUE:** So I had some background
14 knowledge from that particular bishop.

15 **MR. ENGELMANN:** All right. Can you give us
16 a sense of what he might have told you about Father
17 Lapierre that ---

18 **MSGR. LAROCQUE:** Well, it had appeared in
19 the press actually, a short article, that he was -- what
20 was it now? That he was picked up by a police (sic) on
21 whom he had tried to make advances of an homosexual nature.

22 **MR. ENGELMANN:** With a young person, sir?

23 **MSGR. LAROCQUE:** No, this was with a police
24 officer who was in one of these places where they
25 apparently go for whatever it is that they -- for screens

1 or images or something like that, and this had happened at
2 that particular -- with a police officer himself, and so I
3 ---

4 MR. ENGELMANN: Just ---

5 MSGR. LAROCQUE: So I mean that's the only
6 knowledge that I had about some kind of background of
7 Father Lapierre.

8 MR. ENGELMANN: So this was some kind of
9 illegal sexual activity?

10 MSGR. LAROCQUE: That's right, homosexual
11 activity.

12 MR. ENGELMANN: But illegal sexual activity
13 presumably because homosexual activity would not have been?

14 MSGR. LAROCQUE: Well, in the States
15 apparently it was and still is, is it not?

16 MR. ENGELMANN: Do you have any idea when
17 this would have been, sir?

18 MSGR. LAROCQUE: No, but it could be
19 ascertained. It could be ascertained. I don't remember
20 the dates, I'm sorry, no.

21 But that was why I was not surprised with
22 regard to Father Paul Lapierre, but I was absolutely
23 shocked and ---

24 MR. ENGELMANN: All right.

25 MSGR. LAROCQUE: --- with Father René Dubé.

1 **MR. ENGELMANN:** But just on the issue with
2 Father Paul Lapierre, would you have provided this
3 information to the OPP; this information about what Bishop
4 Nevin might have shared with you?

5 **MSGR. LAROCQUE:** I can't remember that, no.

6 **MR. ENGELMANN:** But you knew that he again
7 was one of the priests that was incardinated in the Diocese
8 ---

9 **MSGR. LAROCQUE:** Yes.

10 **MR. ENGELMANN:** --- that they were looking
11 at as well.

12 **MSGR. LAROCQUE:** That's right.

13 **MR. ENGELMANN:** All right.

14 **MSGR. LAROCQUE:** They were co-accused.

15 **MR. ENGELMANN:** All right.

16 Now, with respect to Father Dubé, do you
17 recall them telling you that they thought you shouldn't
18 contact him, you should wait until the Montreal Police did?

19 **MSGR. LAROCQUE:** I can't recall that but if
20 they say so it must be so.

21 **MR. ENGELMANN:** Do you know if in fact you
22 did or did you -- did you wait or did you contact Father
23 Dubé right away to let him know?

24 **MSGR. LAROCQUE:** I think he contacted me as
25 soon as he realised that he was being investigated.

1 MR. ENGELMANN: This is Father Dubé?

2 MSGR. LAROCQUE: Father Dubé, yes.

3 MR. ENGELMANN: All right.

4 MSGR. LAROCQUE: Because he was so upset.

5 MR. ENGELMANN: All right.

6 And there were a number of people that were
7 upset about the charges against Father Dubé; correct?

8 MSGR. LAROCQUE: Well, the whole parish was,
9 yes.

10 MR. ENGELMANN: A number of his parishioners
11 were quite upset about this?

12 MSGR. LAROCQUE: M'hm.

13 MR. ENGELMANN: Is that fair?

14 MSGR. LAROCQUE: Yes. Not only his
15 parishioners; he was well known throughout Cornwall because
16 he had been pastor at the cocathédrale was well.

17 MR. ENGELMANN: And he'd been a member of
18 the Diocese here for many years?

19 MSGR. LAROCQUE: Yes, he was ordained before
20 I even arrived here.

21 MR. ENGELMANN: Sir, I know there was an
22 article that appeared -- or may have been several -- in the
23 Standard Freeholder, but I just wanted to refer you to one
24 if I might. It's 720193.

25 THE COMMISSIONER: No, that's not an

1 exhibit. You should take that back. And so the Standard
2 Freeholder -- the next exhibit should be 2121. All right?
3 And that will be the Standard Freeholder, Saturday, June
4 26th, 1999.

5 ---EXHIBIT NO./PIÈCE NO P-2121:

6 (720193) Standard Freeholder Articles
7 "Priest tells parishioners he's innocent"
8 and "The judicial process will unveil the
9 truth" dated June 26, 1999

10 **MR. ENGELMANN:** Sir, on the back page, there
11 are -- well, there's an article by a reporter named Frank
12 MacEachern and there's also a letter to the editor from a
13 Gerard Labrecque. Do you see those?

14 **MSGR. LAROCQUE:** Yes.

15 **MR. ENGELMANN:** The letter to the editor
16 indicates that Father Dubé spoke to his parishioners at the
17 end of June, 1999 and told them that he had been charged in
18 Montreal with a sexual assault on a young male many, many
19 years -- incident which allegedly occurred many years
20 previously?

21 **MSGR. LAROCQUE:** That's right.

22 **MR. ENGELMANN:** Sir, did you discuss with
23 Father Dubé this announcement that he then -- that he made
24 to his parishioners in church that day? Would you have
25 talked to him about that before he did that?

1 **MSGR. LAROCQUE:** I may have, but I can't
2 recall.

3 **MR. ENGELMANN:** All right. Were you aware,
4 sir, that he was going to do it in any event?

5 **MSGR. LAROCQUE:** I may very well have been
6 because ---

7 **MR. ENGELMANN:** And would you have agreed
8 with that process?

9 **MSGR. LAROCQUE:** Yes.

10 **MR. ENGELMANN:** All right. And in fact,
11 sir, do you know if you were present in church when he ---

12 **MSGR. LAROCQUE:** No, I was not.

13 **MR. ENGELMANN:** --- spoke to his
14 parishioners?

15 **MSGR. LAROCQUE:** I was not, no.

16 **MR. ENGELMANN:** All right. Do you recall if
17 you would have spoken directly to some of his parishioners
18 about whether or not you should allow him to continue as
19 their priest during the judicial process?

20 **MSGR. LAROCQUE:** I not only -- I went to
21 visit the parish council along with the finance council who
22 are the elected representative of the parish, and I faced
23 them with the fact that I was morally certain because of a
24 conversation that I had had with Father Paul Lapierre that
25 he was completely innocent.

1 **MR. ENGELMANN:** Okay. So you would have
2 shared that with the lay people who were the
3 representatives of that parish?

4 **MSGR. LAROCQUE:** I wouldn't have mentioned
5 Father Paul Lapierre's name. And I would have said from a
6 reliable source I knew and I was morally convinced that he
7 was innocent.

8 **MR. ENGELMANN:** All right.

9 **MSGR. LAROCQUE:** And ask their permission if
10 they would allow me to break the protocol and allow him to
11 him to minister under -- with certain reservations during
12 the time that he was being investigated.

13 **MR. ENGELMANN:** Had he ---

14 **MSGR. LAROCQUE:** And to a person, they
15 agreed.

16 **MR. ENGELMANN:** All right. Had he already,
17 at that stage, tendered his resignation to you in
18 accordance with the protocol?

19 **MSGR. LAROCQUE:** He had attempted to, yes.

20 **MR. ENGELMANN:** All right. And had you, at
21 that stage, refused it or were you seeking their advice
22 before responding?

23 **MSGR. LAROCQUE:** I sought their advice
24 beforehand.

25 **MR. ENGELMANN:** All right. So just so we're

1 absolutely clear on the record, your -- and I think you use
2 the term moral certainty ---

3 **MSGR. LAROCQUE:** Certitude.

4 **MR. ENGELMANN:** --- certitude -- I apologize
5 -- your moral certitude about his innocence was as a result
6 of ---

7 **MSGR. LAROCQUE:** Conversations -- telephone
8 conversations I had ---

9 **MR. ENGELMANN:** With Paul Lapierre?

10 **MSGR. LAROCQUE:** --- with Father Paul
11 Lapierre, yes.

12 **MR. ENGELMANN:** All right. And that would
13 have been at a time after you were aware that both he --
14 both these priests, Paul Lapierre and René Dubé, were
15 jointly charged with sexual abuse of ---

16 **MSGR. LAROCQUE:** To the same person, yes.

17 **MR. ENGELMANN:** --- of the same person.

18 And how was it, sir, that you came to speak
19 to Paul Lapierre about that? Did you call him or did he
20 call you?

21 **MSGR. LAROCQUE:** I called him.

22 **MR. ENGELMANN:** All right. And what was
23 your purpose in calling him after you were aware that they
24 were both jointly charged?

25 **MSGR. LAROCQUE:** My purpose was to find out

1 the truth if I possibly could, if he would tell me.

2 MR. ENGELMANN: All right. And what were
3 you told, sir?

4 MSGR. LAROCQUE: I was told that he was not
5 -- definitely was not the person involved.

6 MR. ENGELMANN: Again, it's a bit cryptic,
7 "he" being who?

8 MSGR. LAROCQUE: Father Dubé.

9 MR. ENGELMANN: All right. So he told you
10 that Father Dubé wasn't involved in the sexual abuse/sexual
11 assault of ---

12 MSGR. LAROCQUE: Yes.

13 MR. ENGELMANN: --- this particular person?

14 MSGR. LAROCQUE: This particular person,
15 right.

16 MR. ENGELMANN: And we -- this person has
17 testified here, a fellow by the name of Claude Marleau.
18 Did you ask him how he knew that, sir?

19 THE COMMISSIONER: How did Father Lapierre
20 know that Father Dubé was innocent?

21 MSGR. LAROCQUE: Because he told me who the
22 other person was.

23 MR. ENGELMANN: So he indicated to you that
24 it wasn't Father Dubé but that it was himself and another
25 person?

1 **MSGR. LAROCQUE:** That's right.

2 **MR. ENGELMANN:** All right. And was that
3 another priest, sir?

4 **MSGR. LAROCQUE:** Yes.

5 **MR. ENGELMANN:** All right.

6 And so it was after you had that information
7 that you then spoke to the parish council and the finance
8 council?

9 **MSGR. LAROCQUE:** Right.

10 **MR. ENGELMANN:** All right. And that would
11 have been some time in June of 1999?

12 **MSGR. LAROCQUE:** I would suppose so, but I
13 don't -- I can't recall the date.

14 **MR. ENGELMANN:** Okay. Well, he tendered a
15 resignation letter to you on June 20th and you would have
16 responded on June 23rd and we'll look at that.

17 **MSGR. LAROCQUE:** Okay.

18 **MR. ENGELMANN:** All right.

19 **MSGR. LAROCQUE:** Before I responded, I would
20 have met with the parish councils then.

21 **MR. ENGELMANN:** Yes. No, you've indicated
22 it to us.

23 So it would have been, to the best of your
24 knowledge, some time between June 20th and June 23rd when you
25 would have received that information then from Father

1 Lapierre?

2 MSGR. LAROCQUE: Probably, yes.

3 MR. ENGELMANN: All right.

4 Now, you'd agree, sir, that that information
5 would be important for the police to know about; correct?

6 MSGR. LAROCQUE: Yes.

7 MR. ENGELMANN: And it might also be
8 important for a Crown Attorney to know about?

9 MSGR. LAROCQUE: Yes.

10 MR. ENGELMANN: Because if you had
11 information that a co-accused was saying, "My fellow co-
12 accused is not guilty, it's really someone else" that that
13 information could avoid a criminal process for an innocent
14 person; correct? If it's ---

15 MSGR. LAROCQUE: I had written to the lawyer
16 for Father Dubé. I think you have a copy of that letter
17 some place, saying that I was ready to testify to the
18 conversation that I'd had with Father Lapierre.

19 MR. ENGELMANN: You know, that would be some
20 time later; correct? Because that would have been ---

21 MSGR. LAROCQUE: In the preparations for the
22 trial.

23 MR. ENGELMANN: Right. And that would have
24 been at least a year-and-a-half, two years later would it
25 not, sir?

1 **MSGR. LAROCQUE:** I'm not sure.

2 **MR. ENGELMANN:** But there was a preliminary
3 inquiry and then there was a trial in Montreal?

4 **MSGR. LAROCQUE:** I don't -- I'm not aware of
5 the procedure.

6 **MR. ENGELMANN:** All right.

7 **MSGR. LAROCQUE:** But I know that there was a
8 trial and that I had written to the lawyer -- Montreal
9 lawyer to say that I would be ready to testify if that was
10 necessary.

11 **MR. ENGELMANN:** But why not, sir, contact
12 the police or contact a Crown Attorney's office?

13 **MSGR. LAROCQUE:** It didn't enter my mind at
14 that time.

15 **MR. ENGELMANN:** Did it enter your mind at
16 any time between June of 1999 and whenever René Dubé ---

17 **MSGR. LAROCQUE:** No, the only initiative
18 that I took was to say that I would be ready to testify to
19 the conversation that I had had on the telephone.

20 **MR. ENGELMANN:** But you only told that to
21 Father Dubé's defence lawyer?

22 **MSGR. LAROCQUE:** That's right.

23 **MR. ENGELMANN:** You didn't tell it ---

24 **MSGR. LAROCQUE:** I was never contacted by
25 anyone else and I didn't take the initiative, I'm sorry.

1 **MR. ENGELMANN:** You'd agree with me, sir,
2 that that initiative might have been very helpful to Father
3 Dubé himself, would it not, if you had gone to the police
4 or to the Crown?

5 **MSGR. LAROCQUE:** It didn't enter my mind to
6 interfere with the judicial process that way, but maybe I
7 would have been assisting rather than interfering. But it
8 didn't enter my mind at that time, I'm sorry.

9 **THE COMMISSIONER:** But what about reporting
10 to the police that there's another priest that's not
11 charged that's walking around free. Did you ever report
12 that?

13 **MSGR. LAROCQUE:** That priest was dead.

14 **THE COMMISSIONER:** Was dead, okay.

15 **MR. ENGELMANN:** Perhaps we can take a break,
16 sir.

17 **THE COMMISSIONER:** Okay.

18 **MR. ENGELMANN:** Thank you.

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

21 The hearing will resume at 10:20 a.m.

22 --- Upon recessing at 10:10 a.m. /

23 L'audience est suspendue à 10h10

24 --- Upon resuming at 10:25 a.m. /

25 L'audience est reprise à 10h25

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

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

5 **MONSIGNOR EUGÈNE LAROCQUE:** Resumed/Sous le même serment
6 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
7 **ENGELMANN (cont'd/suite):**

8 **THE COMMISSIONER:** Thank you.
9 Mr. Engelmann?

10 **MR. ENGELMANN:** Monsignor, just before the
11 break, you spoke to us about a telephone conversation that
12 you'd had with Father Paul Lapierre.

13 **MSGR. LAROCQUE:** Right.

14 **MR. ENGELMANN:** In or around June of 1999.

15 **MSGR. LAROCQUE:** Right.

16 **MR. ENGELMANN:** Who was the other individual
17 he mentioned to you that he claimed was involved in this
18 abuse?

19 **MSGR. LAROCQUE:** Do I have to answer this?

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

21 **MSGR. LAROCQUE:** Don Scott.

22 **MR. ENGELMANN:** And Father Scott had been
23 incardinated here in the Diocese?

24 **MSGR. LAROCQUE:** Yes, before my time. Yes.

25 **MR. ENGELMANN:** Yeah. Sir, quite aside from

1 fairness issues with respect to René Dubé and having this
2 over his head for a couple of years in the criminal courts,
3 were you at all concerned about former parishioners who
4 might have been abused by Don Scott?

5 **MSGR. LAROCQUE:** Yes, I was.

6 **MR. ENGELMANN:** All right. Did you take any
7 steps to try and find out who they might be or do anything
8 else with the information that you had gleaned from Father
9 Lapierre?

10 **MSGR. LAROCQUE:** Not at that -- no, I
11 didn't. I'm sorry.

12 **MR. ENGELMANN:** What about Mr. Marleau? He
13 ---

14 **MSGR. LAROCQUE:** I never met the man and I
15 really don't know him at all.

16 **MR. ENGELMANN:** Well, you know, sir that ---

17 **MSGR. LAROCQUE:** All I was told he's a
18 lawyer in Quebec City.

19 **MR. ENGELMANN:** Yeah. He came here and
20 testified about the fact he alleged he was abused by
21 several people here in the City of Cornwall. And one of
22 them was Father Lapierre and in fact Father Lapierre was
23 convicted ---

24 **MSGR. LAROCQUE:** That's right.

25 **MR. ENGELMANN:** --- of abusing him in

1 Montreal but not here in Cornwall. Do you not think that
2 the information you had might not have been assistance to,
3 not just to Mr. Marleau but to judges and prosecutors here
4 in Cornwall who were dealing with Mr. Marleau and his
5 allegations?

6 **MSGR. LAROCQUE:** I wasn't aware that there
7 were judges dealing with it here in Ontario. And all I
8 thought was it was in Montreal. But in hindsight, I should
9 have let people know I would imagine but I didn't think of
10 it.

11 **MR. ENGELMANN:** Well, sir, there was a lot
12 of press about Mr. Marleau's -- he -- there was a trial
13 here in Cornwall where a -- Father Lapierre was charged and
14 there was a judicial decision on this right here in
15 Cornwall, lots of publicity about it.

16 **MSGR. LAROCQUE:** I see.

17 **MR. ENGELMANN:** You must have known that he
18 was a complainant in other cases. He was a complainant in
19 the case against Father Ken Martin. He was a complainant
20 in the case against Father Paul Lapierre here. He was a
21 complainant in a case against other individuals and
22 business people.

23 Did you not think that this information
24 might have been of assistance, not just to Mr. Marleau, but
25 to the police and the prosecutors who were dealing with his

1 cases?

2 **MSGR. LAROCQUE:** I really -- in hindsight,
3 yes but I ---

4 **MR. ENGELMANN:** All right. I want to ask
5 you a couple of questions then about the process with
6 Father Dubé and in doing so I want to ask you about a
7 document that's written in the French language.

8 It is Document Number 737917. It's a
9 document entitled "Assez c'est assez". And it also says
10 "Ébauche" at the top.

11 **THE COMMISSIONER:** Merci. That will be
12 Exhibit 2122.

13 **---EXHIBIT NO./PIÈCE NO P-2122**

14 (737917) Annonce des paroissiens datée le
15 19 juin 99

16 **MR. ENGELMANN:** Just before we look at the
17 document, sir, there's some handwriting on it that I
18 believe is yours and I'm just asking if you could decipher
19 that for us.

20 **MSGR. LAROCQUE:** Yes.

21 « Présenté par Huguette Burroughs une
22 rencontre avec moi et Paul Vincent chez
23 moi le 19 ou 17 juin '97. »

24 **M. ENGELMANN:** Je pense que c'est '99 mais
25 on peut pas voir le neuf.

1 **MONS. LAROCQUE:** Non, ça pas l'air d'être un
2 neuf.

3 **MR. ENGELMANN:** Okay. I'm pretty sure
4 because ---

5 **MSGR. LAROCQUE:** Maybe when it was copied --
6 -

7 **MR. ENGELMANN:** The issues around ---

8 **MSGR. LAROCQUE:** '99 yeah.

9 **MR. ENGELMANN:** --- René Dubé were in '99
10 were they not sir?

11 **MSGR. LAROCQUE:** Yeah. It looks like a
12 seven but it could be a nine.

13 **MR. ENGELMANN:** All right. So what you've
14 written then is that this document was presented to you by
15 Huguette Burroughs?

16 **MSGR. LAROCQUE:** Who was the editor of the
17 French newspaper in Cornwall.

18 **MR. ENGELMANN:** What is the name of the
19 newspaper, sir?

20 **MSGR. LAROCQUE:** Journal de Cornwall, I
21 think, if I remember correctly.

22 **MR. ENGELMANN:** Was she also involved in the
23 Diocese?

24 **MSGR. LAROCQUE:** No.

25 **MR. ENGELMANN:** Was she involved in a parish

1 of the Diocese?

2 **MSGR. LAROCQUE:** I believe so, yes. I
3 believe she was a parishioner at Nativity Co-Cathedral.

4 **MR. ENGELMANN:** Okay. And that -- and was
5 she on the personnel committee of that Cathedral or of the
6 Diocese, sir, do you know?

7 **MSGR. LAROCQUE:** She certainly was not --
8 personnel committee?

9 **MR. ENGELMANN:** Yes.

10 **MSGR. LAROCQUE:** There's no personnel
11 committee in the parish.

12 **MR. ENGELMANN:** Okay. All right. I think I
13 saw that reference in another document, that's all. Did
14 she have some kind of standing within either the Diocese or
15 one of the parishes?

16 **MSGR. LAROCQUE:** She may have been on the
17 parish counsel, I'm not sure but ---

18 **MR. ENGELMANN:** All right. And I apologize,
19 sir, you said she was either a reporter or the editor?

20 **MSGR. LAROCQUE:** She is the editor. She was
21 blind as well.

22 **MR. ENGELMANN:** Okay.

23 **MSGR. LAROCQUE:** And she used her computer
24 to be able to edit the paper.

25 **MR. ENGELMANN:** All right. And who was Paul

1 Vincent?

2 MSGR. LAROCQUE: I can't remember.

3 MR. ENGELMANN: All right. And so do you
4 remember having a meeting with them about this draft
5 document that ---

6 MSGR. LAROCQUE: She wanted to consult me on
7 this before running it in the paper.

8 MR. ENGELMANN: All right. And it
9 essentially says "Enough is enough."

10 MSGR. LAROCQUE: Yeah.

11 MR. ENGELMANN: And it's about essentially -
12 - correct me if I'm wrong -- but this is unfair, this is
13 unjust about Father Dubé and about other priests here in
14 the Diocese.

15 MSGR. LAROCQUE: That's right.

16 MR. ENGELMANN: If you want to take a
17 minute, sir to have a look at it.

18 MSGR. LAROCQUE: M'hm.

19 (SHORT PAUSE/COURTE PAUSE)

20 MR. ENGELMANN: Sir, you've had an
21 opportunity to read the document?

22 MSGR. LAROCQUE: I have, yes.

23 MR. ENGELMANN: All right. Now just -- do
24 you remember meeting with Madame Burroughs and ---

25 MSGR. LAROCQUE: Very hazily.

1 **MR. ENGELMANN:** All right. Did she, in
2 fact, publish something of this nature in her paper?

3 **MSGR. LAROCQUE:** I think so, yes.

4 **MR. ENGELMANN:** Yeah. And it would have
5 been very similar to what we've seen here?

6 **MSGR. LAROCQUE:** I suspect so, yes.

7 **MR. ENGELMANN:** Yeah. And did you suggest
8 to her any revisions or did you express any concerns about
9 anything that she said here?

10 **MSGR. LAROCQUE:** I can't recall.

11 **MR. ENGELMANN:** All right. Would you have
12 had similar concerns to hers in looking at ---

13 **MSGR. LAROCQUE:** She expresses many of my
14 concerns, yes.

15 **MR. ENGELMANN:** I'm sorry.

16 **MSGR. LAROCQUE:** She expresses many of the
17 concerns that I had at that time.

18 **MR. ENGELMANN:** All right.

19 **MSGR. LAROCQUE:** Especially the condemnation
20 of the innocent.

21 **MR. ENGELMANN:** I'm sorry, the ---

22 **MSGR. LAROCQUE:** Especially the condemnation
23 of the innocent.

24 **MR. ENGELMANN:** Right. And one way to
25 ensure that doesn't happen, sir, would be to root out

1 perhaps those priests that perhaps aren't innocent;
2 correct?

3 **MSGR. LAROCQUE:** Correct.

4 **MR. ENGELMANN:** So that others aren't tarred
5 with the same brush.

6 **MSGR. LAROCQUE:** Correct.

7 **MR. ENGELMANN:** And sir, in this document,
8 there's a reference to the fact that Father Dubé has
9 offered to step down until his matter is resolved.

10 **MSGR. LAROCQUE:** That's right.

11 **MR. ENGELMANN:** But that you've decided not
12 to remove him.

13 **MSGR. LAROCQUE:** That's right.

14 **MR. ENGELMANN:** And a big part of the
15 concern that appears to be set out here is the fact that
16 some of the alleged victims are coming forward so far after
17 the fact.

18 **MSGR. LAROCQUE:** She does say that, yes.

19 **THE COMMISSIONER:** Well, not some victims; -
20 --

21 **MSGR. LAROCQUE:** This one.

22 **THE COMMISSIONER:** --- la soi; Mr. Marleau
23 took 32 years and you had concerns about that as well?

24 **MSGR. LAROCQUE:** I suppose I could share
25 that concern to a certain extent, yes.

1 **MR. ENGELMANN:** And the article suggests
2 that there should be some -- again, I'm -- my translation
3 may not be very accurate, but ---

4 **MSGR. LAROCQUE:** Something like in the
5 United States with a grand jury.

6 **MR. ENGELMANN:** Okay. But it -- sure and
7 that would have interesting results here in our legal
8 system. But in any event, it talks about perhaps some time
9 limits; does it not?

10 And it suggests that alleged victims who
11 come forward much after the fact like Mr. Marleau should
12 not be allowed to come forward. There should be limits in
13 the law.

14 **MSGR. LAROCQUE:** She does state that, yes.

15 **MR. ENGELMANN:** It also says that allowing
16 older allegations to come forward will mean that a great
17 number of people will not hesitate to use these complaints
18 to obtain some kind of financial gain, financial
19 compensation; correct?

20 **MSGR. LAROCQUE:** I don't know if she says a
21 great number but a certain number.

22 **MR. ENGELMANN:** All right. And that it will
23 allow them to condemn innocent people.

24 **MSGR. LAROCQUE:** That's right.

25 **THE COMMISSIONER:** « Il y a tellement de

1 personnes ; » that's not a few.

2 **MSGR. LAROCQUE:** No, there are so many
3 people -- « tellement » is "so many".

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

5 **MR. ENGELMANN:** And it suggests that the
6 allegations against Father Dubé are totally unacceptable.
7 And that allegations against priests are nothing more than
8 a deliberate method to orchestrate the financial ruin of
9 the Church as an institution.

10 **MSGR. LAROCQUE:** That's what she says, yes.

11 **MR. ENGELMANN:** And it suggests in closing,
12 not only do we need to defend people like Father Dubé but
13 also all of those like him who have been unjustly accused.

14 **MSGR. LAROCQUE:** That's what she says, yes.

15 **MR. ENGELMANN:** And again, sir ---

16 **MSGR. LAROCQUE:** Including myself.

17 **MR. ENGELMANN:** Yes. Yes. At the time when
18 you say she says, you were in agreement with what she was
19 saying.

20 **MSGR. LAROCQUE:** Exactly.

21 **MR. ENGELMANN:** Right. But at/or about that
22 time, sir, you knew about Father Deslauriers; correct?

23 **MSGR. LAROCQUE:** Yes.

24 **MR. ENGELMANN:** You knew about Father Stone?

25 **MSGR. LAROCQUE:** Yes.

1 **MR. ENGELMANN:** And right about this time
2 you certainly knew about Father Lapierre and Father Scott -
3 --

4 **MSGR. LAROCQUE:** Yes.

5 **MR. ENGELMANN:** --- if not sooner? And you
6 may have known of others. And did you not think, sir, that
7 it was important to send that message that you know maybe
8 there are priests who are problems here?

9 **MSGR. LAROCQUE:** Yes, that message should
10 have gone out, yes.

11 **MR. ENGELMANN:** It did not; did it?

12 **MSGR. LAROCQUE:** I'm not sure.

13 **MR. ENGELMANN:** Well ---

14 **MSGR. LAROCQUE:** We'd have to ---

15 **MR. ENGELMANN:** Sorry.

16 **MSGR. LAROCQUE:** --- see the article. This
17 is a draft of an article.

18 **MR. ENGELMANN:** Fair enough.

19 **MSGR. LAROCQUE:** And I can't comment on what
20 the actual article was and I don't know -- I can't remember
21 whether that was added or not. We'd have to check -- and I
22 think in all fairness, we should get the article rather
23 than -- and it's available because Journal de Cornwall must
24 be -- it's a public paper and it must be available.

25 **THE COMMISSIONER:** Well, sir maybe ---

1 **MR. ENGELMANN:** Forget about the article for
2 a minute.

3 **THE COMMISSIONER:** Yeah.

4 **MR. ENGELMANN:** I just want to talk about
5 the public image of the Diocese.

6 **THE COMMISSIONER:** No, no.

7 **MSGR. LAROCQUE:** Right.

8 **THE COMMISSIONER:** This lady came to you
9 with this document. You reviewed it with her. I take it
10 she asked you ---

11 **MSGR. LAROCQUE:** If I have any objection to
12 it being published.

13 **THE COMMISSIONER:** Right. So you endorsed
14 it.

15 **MSGR. LAROCQUE:** To a certain extent.

16 **THE COMMISSIONER:** Right. And in that
17 document, it says that people shouldn't wait 32 years.
18 They should treat it like a traffic accident, once they get
19 hurt they should proclaim it.

20 **MSGR. LAROCQUE:** Right.

21 **THE COMMISSIONER:** That they're looking for
22 money.

23 **MSGR. LAROCQUE:** Some are looking for money.
24 « Tellement ».

25 **THE COMMISSIONER:** « Tellement. » Many of

1 them.

2 **MSGR. LAROCQUE:** Yeah.

3 **THE COMMISSIONER:** Yeah. That the
4 psychologists are tampering with these people to come back
5 with memories and that the justice system is too fast to
6 make decisions, « sans avoir toutes les preuves
7 suffisantes. »

8 **MSGR. LAROCQUE:** Yeah.

9 **THE COMMISSIONER:** Right. You're sitting
10 with « les preuves suffisantes » to come to Father Dubé's
11 aid. You have sufficient evidence to report that Father
12 Lapierre admitted to you that he had sexually abused this
13 boy.

14 And he tells you who the other perpetrator
15 is ---

16 **MSGR. LAROCQUE:** M'hm.

17 **THE COMMISSIONER:** --- and you let this
18 letter go.

19 **MSGR. LAROCQUE:** So I should have publicly
20 denounced one of the priests that's in my Diocese?

21 **THE COMMISSIONER:** Reported him to the
22 police. It's a criminal offence; isn't it?

23 **MSGR. LAROCQUE:** Yes.

24 **THE COMMISSIONER:** Then why wouldn't you?

25 **MSGR. LAROCQUE:** Because he was already in

1 the hands of the police.

2 THE COMMISSIONER: Father Scott?

3 MSGR. LAROCQUE: Lapierre.

4 THE COMMISSIONER: Father Scott?

5 MSGR. LAROCQUE: Father Scott was dead.

6 THE COMMISSIONER: Well, what about his
7 possible other victims that were in your Diocese? Did you
8 go out and seek them out and see if you could help these
9 people? Did you ever tell anybody that Father Scott had
10 abused these children, other than the lawyer?

11 MSGR. LAROCQUE: What do you mean by these
12 children?

13 THE COMMISSIONER: Well, any other children
14 that ---

15 MSGR. LAROCQUE: Well, how was I to know
16 that he had abused other children. I had -- from Father
17 Lapierre, I had the fact that he had abused this particular
18 fellow.

19 THE COMMISSIONER: And you didn't think well
20 maybe he's abused other people?

21 MR. ENGELMANN: In fact, you knew, sir that
22 there were concerns expressed to you directly by ---

23 MSGR. LAROCQUE: Yeah.

24 MR. ENGELMANN: --- another Bishop about
25 Father Lapierre as well. You told us that.

1 MSGR. LAROCQUE: Yes.

2 MR. ENGELMANN: Sir, what about ---

3 MSGR. LAROCQUE: For homosexual acts.

4 MR. ENGELMANN: Well, illegal homosexual
5 acts; correct?

6 MSGR. LAROCQUE: I guess.

7 MR. ENGELMANN: He was trying to buy sex.

8 MSGR. LAROCQUE: No, he wasn't buying it,
9 I'm sorry.

10 MR. ENGELMANN: He was propositioning an
11 undercover police officer, words to that ---

12 MSGR. LAROCQUE: That's what it was, yes.

13 MR. ENGELMANN: Sir, knowing what you did,
14 did you ever seek out Mr. Marleau after these trials, did
15 you ever seek him out to talk to him about this in any way?

16 MSGR. LAROCQUE: No, I never did.

17 MR. ENGELMANN: Never sought to provide him
18 with any counselling or support, or financial assistance of
19 any kind because of what he went through?

20 MSGR. LAROCQUE: I had no contact with him
21 whatsoever.

22 MR. ENGELMANN: Sir, very quickly then if we
23 could just look at a couple of letters. Document Number
24 737918. This is a letter you wrote to Père René, le 23
25 juin 1999.

1 If that could be the next exhibit sir?

2 **THE COMMISSIONER:** Certainly.

3 Thank you. Exhibit 2123 is a letter dated
4 23rd of June 1999 to Père René from Évêque LaRocque.

5 --- **EXHIBIT NO./PIÈCE No P-2123:**

6 (737918) Lettre d'Eugène LaRocque à René
7 Dubé datée le 23 juin 99

8 **MR. ENGELMANN:** Very quickly if I may, sir,
9 it appears you're acknowledging receipt of a letter from
10 Father Dubé dated ---

11 **MSGR. LAROCQUE:** His letter of resignation,
12 yes.

13 **MR. ENGELMANN:** Right. And you are
14 indicating that you are not required to accept it?

15 **MSGR. LAROCQUE:** That's right.

16 **MR. ENGELMANN:** And you're indicating that
17 you have moral certitude that he is innocent?

18 **MSGR. LAROCQUE:** Right.

19 **MR. ENGELMANN:** And that you do not want to
20 add a further injustice to the one he is already suffering
21 ---

22 **MSGR. LAROCQUE:** That's right.

23 **MR. ENGELMANN:** --- by removing him from his
24 responsibilities?

25 **MSGR. LAROCQUE:** That's right.

1 **MR. ENGELMANN:** And you're asking him to
2 remain with the acceptance of his pastoral counsel and his
3 parishioners?

4 **MSGR. LAROCQUE:** That's right.

5 **MR. ENGELMANN:** All right. We don't have
6 the June 20th letter, but I'm assuming, sir, that he would
7 have written to you on that date tendering his resignation?

8 **MSGR. LAROCQUE:** I suspect also since I'm
9 responding to that letter.

10 **MR. ENGELMANN:** Yes.

11 And sir, would he have been aware of the
12 protocol and the need for him to do so?

13 **MSGR. LAROCQUE:** He would have been, yes.

14 **MR. ENGELMANN:** All right.

15 **MSGR. LAROCQUE:** And I consulted with Father
16 Vaillancourt to make sure that I was not breaking the
17 protocol by making this exception, and he told me that I
18 had the right to do so within the protocol.

19 **MR. ENGELMANN:** And Father Vaillancourt
20 would have indicated to you that you did?

21 **MSGR. LAROCQUE:** That's right.

22 **MR. ENGELMANN:** All right. And if we just
23 look very briefly at the protocol for a minute; it's
24 Exhibit 58, Tab 32, the second volume of the exhibit.
25 Bates page 816. Oh, there may not be a Bates page there.

1 Yeah. It's under the -- it's the inter-agency or external
2 protocol; the one pager, Phase 4, Decision of the Bishop.

3 **MSGR. LAROCQUE:** Yes.

4 **MR. ENGELMANN:** What it suggests, sir, if
5 I'm reading it correctly, is if any of the conditions that
6 are in the parentheses are present that you should remove
7 the suspected aggressor. See that?

8 "If the situation warrants it, (because
9 there is a risk to the alleged
10 aggressor or the possibility of a risk
11 to other members of the community;
12 because the events have become public;
13 because charges will be laid; because a
14 trial will take place), the Bishop
15 removes the suspected aggressor from
16 Church duties."

17 **MSGR. LAROCQUE:** Right.

18 **MR. ENGELMANN:** And of course by this point,
19 the matter had become public. I'm not sure if charges had
20 been laid yet, but they were laid; correct?

21 **MSGR. LAROCQUE:** That's correct.

22 **MR. ENGELMANN:** So those conditions were
23 present. Yet, you decided that you were not breaching the
24 protocol, sir?

25 **MSGR. LAROCQUE:** According to the one who

1 wrote the protocol, I was not.

2 **MR. ENGELMANN:** All right. And would it be
3 fair to say that your reason was because of your telephone
4 conversation with Father Lapierre and your moral certitude?

5 **MSGR. LAROCQUE:** That's right.

6 **THE COMMISSIONER:** Did you advise Father
7 Vaillancourt of what that moral certitude consisted of,
8 that telephone conversation with Lapierre?

9 **MSGR. LAROCQUE:** I may have, but I'm not
10 certain.

11 **MR. ENGELMANN:** Sir, the other indication,
12 if we could flip the page, under Protocol for Priests where
13 the subject matter of criminal proceedings or civil
14 litigation, under paragraph 3:

15 "Should there be an allegation of an
16 indictable offence with one or more of
17 the following conditions present, the
18 accused priest will be removed from his
19 position and placed on a leave of
20 absence. After six months, the removal
21 becomes permanent."

22 And under "C", this is one of them:

23 "The events have become public."

24 **MSGR. LAROCQUE:** Yeah.

25 **MR. ENGELMANN:** "D) Because charges will be

1 laid."

2 And,

3 "E) Because a trial will take place."

4 **MSGR. LAROCQUE:** Right.

5 **MR. ENGELMANN:** And those all happened with

6 Father Dubé?

7 **MSGR. LAROCQUE:** Right.

8 **MR. ENGELMANN:** Yet you did not follow the

9 protocol here?

10 **MSGR. LAROCQUE:** No because, as I said, I

11 consulted the writer of the protocol.

12 **MR. ENGELMANN:** Right. And because you had

13 moral certitude?

14 **MSGR. LAROCQUE:** I didn't want a double

15 indemnity, if you want to call it, where a person who is

16 innocent is punished even by the Church.

17 **MR. ENGELMANN:** And you were relying in a

18 large fashion on this acknowledgement by Father Lapierre?

19 **MSGR. LAROCQUE:** Entirely.

20 **MR. ENGELMANN:** Okay.

21 **MSGR. LAROCQUE:** And Father Dubé's own claim

22 of innocence and the background of Father Dubé himself.

23 **MR. ENGELMANN:** All right. But you would

24 agree with me that at least under paragraph 3 you did not

25 follow that protocol?

1 **MSGR. LAROCQUE:** Yes, I didn't follow this
2 protocol. It's quite obvious.

3 **MR. ENGELMANN:** Now, aside from speaking to
4 Paul Lapierre, did you undertake any other investigation or
5 interviews to inform yourself of the allegations against
6 Father Dubé?

7 **MSGR. LAROCQUE:** Not that I can recall, no.

8 **MR. ENGELMANN:** Sir, I would like you to
9 look at another document. It's a letter from Richard Abell
10 to yourself about this matter.

11 **MSGR. LAROCQUE:** Right.

12 **MR. ENGELMANN:** It's an excerpt of Document
13 Number 721620.

14 Madam Clerk, Bates page 7080476.

15 **THE COMMISSIONER:** Merci. Exhibit 2124 is a
16 letter dated June 30th, 1999 addressed to Monseigneur
17 LaRocque from Richard Abell.

18 **--- EXHIBIT NO./PIÈCE No P-2124:**

19 (721620) Letter from Richard Abell to Eugène
20 LaRocque dated 30 Jun 99

21 **MR. ENGELMANN:** Do you recall receiving a
22 letter from Richard Abell, sir, about this matter?

23 **MSGR. LAROCQUE:** I don't recall, but I have
24 it here in front of me.

25 **MR. ENGELMANN:** All right. And do you have

1 any recollection of speaking to him about this matter as
2 well?

3 **MSGR. LAROCQUE:** Yes, I do.

4 **MR. ENGELMANN:** All right. In the letter,
5 he indicates that he's been hoping to speak to you about
6 recent developments that were reported in last Saturday's
7 Standard Freeholder, and we looked at those articles.

8 And he's writing to provide you with some
9 thoughts, and he's concerned about -- he understands your
10 need or your wish to support your priest. He is also
11 concerned about public safety, and he says that these types
12 of charges are serious.

13 And on the third paragraph, he says:

14 "On that basis, I urge you to accept
15 Father Dubé's offer to step down from
16 his parish duties until such time as a
17 court has given its judgment on the
18 allegations against him."

19 He talks about a reading in the protocol for
20 the five situations met. He says though you have some
21 discretion and he does say if you decide to maintain Father
22 Dubé in his present assignment, despite what he said above,
23 that you take some measures -- put some measures in place.

24 **MSGR. LAROCQUE:** Which I did take.

25 **MR. ENGELMANN:** All right.

1 **THE COMMISSIONER:** And what were those
2 measures, sir?

3 **MSGR. LAROCQUE:** I believe they're recorded
4 in some letter that I ---

5 **MR. ENGELMANN:** Yes, we'll come to that.

6 **THE COMMISSIONER:** Okay. Thank you.

7 **MR. ENGELMANN:** Sir, you didn't take his
8 advice though about having him step down?

9 **MSGR. LAROCQUE:** I did not, no.

10 **MR. ENGELMANN:** All right.

11 **MSGR. LAROCQUE:** And he admits that I had
12 the discretion to do so.

13 **MR. ENGELMANN:** That's what he says.

14 Now, sir, I -- if we could look at Document
15 Number 108975.

16 **THE COMMISSIONER:** Thank you. Exhibit 2125
17 is a letter, second day of July 1999 to Father René from
18 Bishop LaRocque.

19 --- **EXHIBIT NO./PIÈCE NO P-2125:**

20 (108975) Lettre d'Eugène LaRocque à René
21 Dubé datée le 02 juillet 99

22 **MR. ENGELMANN:** Sir in this letter, you
23 write to Father Dubé. You tell him about a phone
24 conversation you've just had with Richard Abell the day
25 before and the reference to an article in The Freeholder.

1 You indicate that Abell agrees with you that
2 you have the liberty or the right to refuse his
3 resignation; correct?

4 **MSGR. LAROCQUE:** That's right.

5 **MR. ENGELMANN:** You indicate that Abell has
6 asked for certain precautions to avoid rumours of scandal?

7 **MSGR. LAROCQUE:** Right.

8 **MR. ENGELMANN:** And you request that he not
9 be in the company of youths without adults present?

10 **MSGR. LAROCQUE:** Except for the sacrament of
11 reconciliation.

12 **MR. ENGELMANN:** Except for what, sir?

13 **MSGR. LAROCQUE:** Sacrament of -- confession
14 of reconciliation.

15 **MR. ENGELMANN:** Right, and then you indicate
16 essentially, "Let us carry together the weight of this
17 false accusation", et cetera?

18 **MSGR. LAROCQUE:** Right.

19 **MR. ENGELMANN:** All right.

20 And, sir, lastly Document Number 711917.

21 **THE COMMISSIONER:** Exhibit 2126 is -- what,
22 these are notes from Mr. Abell again?

23 **MR. ENGELMANN:** Yes.

24 **THE COMMISSIONER:** Thank you. First date,
25 July 5th also 1999?

1 --- EXHIBIT NO./PIÈCE NO. P-2126:

2 (711917) Notes of Richard Abell dated July
3 5, 1999

4 MR. ENGELMANN: There may be some confusion
5 about these dates and that's essentially what I want to ask
6 Monsignor Larocque.

7 Because what we see here appears to be what
8 you relate to Father Dubé in a letter of July 2nd and you
9 talk about a conversation you have with Richard Abell the
10 day before, which would have been the 1st of July.

11 MSGR. LAROCQUE: Yeah.

12 MR. ENGELMANN: Do you know if you had two
13 conversations with him, sir, or just one and perhaps one of
14 these documents is misdated?

15 MSGR. LAROCQUE: I can't recall. I suspect

16 ---

17 MR. ENGELMANN: Fair enough.

18 MSGR. LAROCQUE: I suspect that his
19 document, of course, is misdated, rather than mine but ---

20 MR. ENGELMANN: Fair enough.

21 MSGR. LAROCQUE: I can't ---

22 MR. ENGELMANN: No problem, but you'd agree
23 that what's indicated here is very similar to what you put
24 in the letter?

25 MSGR. LAROCQUE: I believe that these are

1 the notes, yes.

2 MR. ENGELMANN: Fair enough.

3 THE COMMISSIONER: So, I'm sorry, just to be
4 clear, these are Abell's notes?

5 MR. ENGELMANN: Yes, they are.

6 THE COMMISSIONER: All right.

7 MR. ENGELMANN: So let's then talk about
8 another priest if we can. I want to ask you a few
9 questions about a priest by the name of Romeo Major.

10 MSGR. LAROCQUE: Yes.

11 MR. ENGELMANN: He was a priest here in the
12 Diocese of Alexandria-Cornwall?

13 MSGR. LAROCQUE: When I arrived, yes.

14 MR. ENGELMANN: Yes, so he was incardinated
15 before you became Bishop here?

16 MSGR. LAROCQUE: That's right.

17 MR. ENGELMANN: And he was an active priest
18 while you were Bishop?

19 MSGR. LAROCQUE: Yes.

20 MR. ENGELMANN: And throughout ---

21 MSGR. LAROCQUE: Throughout my time, yes.

22 MR. ENGELMANN: Right.

23 Sir, you became aware of allegations that
24 were made against ---

25 MSGR. LAROCQUE: One allegation. One.

1 **MR. ENGELMANN:** You only became aware of one
2 allegation, sir?

3 **MSGR. LAROCQUE:** That's as far as I
4 remember, yes.

5 **MR. ENGELMANN:** All right. And would that
6 have been the allegation that ---

7 **MSGR. LAROCQUE:** Of a woman. I don't
8 remember her name.

9 **MR. ENGELMANN:** All right. So you were only
10 made aware of one allegation by one woman?

11 **MSGR. LAROCQUE:** That's right.

12 **MR. ENGELMANN:** All right.

13 **MSGR. LAROCQUE:** As my memory recalls it.

14 **MR. ENGELMANN:** And is that the allegation
15 that was the subject matter of a charge against Father
16 Major?

17 **MSGR. LAROCQUE:** I don't believe he was ever
18 charged. He was investigated but I don't think he was ever
19 charged.

20 **MR. ENGELMANN:** I think he was, and we'll go
21 through that.

22 **MSGR. LAROCQUE:** Oh, I'm sorry.

23 **MR. ENGELMANN:** It ended before there was a
24 full adjudication of the matter.

25 **MSGR. LAROCQUE:** She withdrew the charges, I

1 believe, because she became mentally incompetent.

2 **MR. ENGELMANN:** Well, yes, there was a
3 withdrawal or stay of the charges for those reasons.

4 So just by way of background, though -- if I
5 could just have a minute?

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

7 **MR. ENGELMANN:** Sir, I'm wondering when you
8 first became aware of any allegations against Father Major
9 and, in particular, I'd like you to take a look at a note
10 from the police officer, the OPP officer by the name of
11 Genier, and the document number -- it's an excerpt of
12 Document Number 727734, Bates page 7107859.

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

14 **THE COMMISSIONER:** Exhibit Number 2127 is an
15 excerpt of notes of Constable Genier, and the first date on
16 the top it says, "Continuation, Thursday 13th of April,
17 2000".

18 **--- EXHIBIT NO./PIÈCE NO. P-2127:**

19 (727734) Excerpt of notes of Constable
20 Genier dated April 13, 2000

21 **MR. ENGELMANN:** I'm not going to read the
22 name that's listed there but in the -- it's about a third
23 of the way down the page -- it's the name of a person it
24 appears was told by his sister in approximately 1990 -- no,
25 hang on, just above that this fellow says:

1 "He states his sister was abused by
2 Major when she was a teenager; was told
3 by his sister in approximately 1990.
4 Their mother is also aware of abuse but
5 are not aware of any details. In 1990,
6 this individual contacted Bishop
7 Larocque, asked him if there was any
8 complaints on Major at that time.
9 Bishop said no. The sister did not
10 want to come forward at that time.
11 Yesterday the person's mother called
12 him, mentioned hearing Father Major has
13 been charged. Person -- mother
14 suggested that he doesn't tell his
15 sister."

16 Do you have any recollection, sir, of a
17 parishioner coming to you back in 1990, asking you about
18 concerns or any complaints of sexual abuse against Father
19 Major?

20 **MSGR. LAROCQUE:** Not sexual abuse but I had
21 many complaints about Father Major and his character. He
22 was a very difficult man to get along with, and I want to
23 thank publicly Mr. and Mrs. Robert Charbonneau who helped
24 me a great deal with trying to maintain some peace in the
25 parish.

1 But I don't recall -- to answer your
2 question -- I don't recall in 1990 having been advised, no.

3 **MR. ENGELMANN:** All right. So did you hear
4 of any complaints against Father Major prior to his being
5 charged in the spring of 2000?

6 **MSGR. LAROCQUE:** Not complaints of sexual
7 assault but other complaints, as I said.

8 **MR. ENGELMANN:** Those are the kind that I
9 was interested in.

10 **MSGR. LAROCQUE:** Yes, yeah.

11 **MR. ENGELMANN:** Now, I'd like the witness to
12 be shown Document Number 711914, and these are notes from a
13 worker at the Children's Aid Society by the name of Lorenzo
14 Murphy. They are dated November 1st, 1999. Sir, these
15 would have been in the cross documents. If we don't have
16 them just on the screen, fine.

17 **THE COMMISSIONER:** Any concerns about
18 confidentiality if we put it on the screen?

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

20 **THE COMMISSIONER:** Thank you.

21 **MR. ENGELMANN:** I'm going to read them as
22 brief ---

23 **THE COMMISSIONER:** I'm sorry. Yes, Madam
24 Clerk? It's Exhibit -- no, 2127 is here. This is what we
25 have already. Okay, so it will be Exhibit 2128.

1 --- EXHIBIT NO./PIÈCE NO. P-2128:

2 (711914) Notes of Lorenzo Murphy from CAS,
3 dated November 1, 1999

4 **THE COMMISSIONER:** Can we put it on the
5 screen, Madam Clerk?

6 **MR. ENGELMANN:** It says, "Telephone call
7 from Bishop Larocque," and the office number and the home
8 number are there. "He was calling to speak to Richard
9 Abell, who was ---"

10 **MSGR. LAROCQUE:** I'm sorry, I don't have it.

11 **THE COMMISSIONER:** No, we don't have it on
12 the screen yet.

13 **MR. ENGELMANN:** You could blow it up.

14 **THE COMMISSIONER:** Well, I don't have it on
15 the screen yet.

16 **MR. ENGELMANN:** I've an abundance of riches,
17 sir, I have it on my screen. Right, good to go?

18 **THE COMMISSIONER:** Okay. No, I don't have
19 it but keep on going.

20 **MR. ENGELMANN:** All right. It's brief.

21 "Telephone call from Bishop LaRocque,
22 office number or home number. He was
23 calling to speak to Richard Abell who
24 was away this week. Inspector Hall had
25 been in to speak to him regarding

1 investigation into allegations about
2 Father Romeo Major, St. Martyr's
3 Church."

4 **MSGR. LAROCQUE:** Right.

5 **MR. ENGELMANN:** "Allegations involved
6 touching a girl approximately 25 years
7 ago. He was sharing information as
8 requested. I explained that I was not
9 involved in ongoing investigation but
10 would pass this information on to
11 Richard Abell and Bill Carriere."

12 All right. So that's it.

13 Sir, can you tell us -- do you have some
14 recollection of Inspector Hall bringing forward to you
15 allegations about Father Romeo Major of this nature in the
16 fall of 1999?

17 **MSGR. LAROCQUE:** I can't remember that
18 distinct -- no.

19 **MR. ENGELMANN:** You can't remember. You're
20 not saying that it didn't happen?

21 **MSGR. LAROCQUE:** No, no, not at all.

22 **MR. ENGELMANN:** All right.

23 **MSGR. LAROCQUE:** It's just that my memory --

24 -

25 **MR. ENGELMANN:** Fair enough.

1 **MSGR. LAROCQUE:** --- is not what it used to
2 be.

3 **MR. ENGELMANN:** Do you have any idea of why
4 you would have been calling to speak to Mr. Abell about
5 that matter?

6 **MSGR. LAROCQUE:** Yes, because that was part
7 of the protocol as I understood it.

8 **MR. ENGELMANN:** All right. So you'd gotten
9 information from Inspector Hall and you were sharing it
10 with Richard Abell?

11 **MSGR. LAROCQUE:** That's right.

12 **MR. ENGELMANN:** All right.

13 Do you know if he or his colleague, Bill
14 Carriere, got back to you to speak about this matter?

15 **MSGR. LAROCQUE:** I don't recall. I think we
16 acted rather quickly to take Father Major out of the parish
17 and put him into Southdown, but I'm not -- I can't recall
18 the exact dates.

19 **MR. ENGELMANN:** All right. Well, I've got
20 some documents that indicated that that happened a few
21 months later. So I'll just show that to you.

22 If we could look at Document Number 738421?

23 And --

24 **THE COMMISSIONER:** Thank you.

25 Exhibit 2129 is a letter dated 10th of April,

1 2000 addressed to Monsignor from Romeo Major.

2 --- EXHIBIT NO./PIÈCE NO. 2129:

3 (738421) Lettre de Roméo Major à Eugène
4 LaRocque datée 10 avr 00

5 MR. ENGELMANN: So, sir, it would appear
6 that he's informing you that he's been arrested and that
7 now that the charge against him is public he's asking that
8 you relieve him of his duties as a priest ---

9 MSGR. LAROCQUE: Pastor.

10 MR. ENGELMANN: A pastor of the parish;
11 pardon me.

12 MSGR. LAROCQUE: Yeah.

13 MR. ENGELMANN: Of the Parish of ---

14 MSGR. LAROCQUE: SS-Martyrs-Canadiens.

15 MR. ENGELMANN: Yes.

16 So it would appear, sir, now about five
17 months later when he's actually charged and it's public
18 that he asks you to remove him?

19 MSGR. LAROCQUE: Yes.

20 MR. ENGELMANN: All right. And, again, at
21 that point-in-time that would be in accordance with the
22 protocol?

23 MSGR. LAROCQUE: That's right.

24 MR. ENGELMANN: And, sir, in this particular
25 case, do you know if he did that on his own accord or

1 whether you would have asked him for this letter?

2 **MSGR. LAROCQUE:** I can't recall.

3 **MR. ENGELMANN:** All right. And in this
4 particular case, you respond the following day. If we
5 could look at Document Number 108990?

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

7 **THE COMMISSIONER:** Thank you.

8 Exhibit 2130, letter dated April 11th, 2000
9 from Eugene LaRocque to -- not -- no one addressed, but a
10 copy to Huguette Burroughs.

11 **--- EXHIBIT NO./PIECE NO. 2130:**

12 (108990) Letter from Eugene LaRocque re
13 Romeo Major dated April 11, 2000

14 **MR. ENGELMANN:** All right. And in this
15 letter you're -- it's not written to anyone in particular.
16 Was it sent to Father Major?

17 **MSGR. LAROCQUE:** I would imagine that I had
18 a letter specifically addressed to him.

19 **MR. ENGELMANN:** All right.

20 **MSGR. LAROCQUE:** And since this was copied
21 to Huguette Burroughs, this was a media release.

22 **MR. ENGELMANN:** All right.

23 I was just going to ask you why it was
24 copied to her and you referenced the personnel committee
25 and perhaps this is why I thought that she had something to

1 do with it.

2 MSGR. LAROCQUE: No.

3 MR. ENGELMANN: So this is something that
4 you are sending to the media?

5 MSGR. LAROCQUE: That's right.

6 MR. ENGELMANN: All right. And ---

7 MSGR. LAROCQUE: Well, not only to the
8 media, it's a public ---

9 MR. ENGELMANN: Fair enough. Fair enough.

10 MSGR. LAROCQUE: --- disclosure.

11 MR. ENGELMANN: And in this particular case,
12 did you take any efforts or make any efforts to do any form
13 of investigation personally as you had done in the case of
14 Father Dubé?

15 MSGR. LAROCQUE: Not that I can recall, no.

16 MR. ENGELMANN: So you didn't -- you simply
17 accepted the resignation and let the courts deal with it?

18 MSGR. LAROCQUE: And was anxious to send him
19 away for treatment ---

20 MR. ENGELMANN: I'm sorry?

21 MSGR. LAROCQUE: I was anxious to send him
22 away for treatment, not only for this but for his character
23 -- his difficult character.

24 MR. ENGELMANN: All right.

25 And, sir, it appears that you would have

1 spoken with Mr. Abell at some point because it does say in
2 the letter that you have consulted with the Director of the
3 Children's Aid Society concerning ---

4 **MSGR. LAROCQUE:** That's what it says, yes.

5 **MR. ENGELMANN:** All right.

6 Now then, there's a further letter that is
7 sent to -- I'm sorry, there is a further letter that's sent
8 to Father Major, sir, and that's Document 108989. And it's
9 dated the 11th of April, 2000.

10 **MSGR. LEROCQUE:** The same day as the news
11 release?

12 **MR. ENGELMANN:** Yes.

13 **THE COMMISSIONER:** Thank you.

14 Exhibit 2131.

15 --- **EXHIBIT NO./PIÉCE NO. 2131:**

16 (108989) Lettre d'Eugène LaRocque à Roméo
17 Major datée le 11 avr 00

18 **MR. ENGELMANN:** Sir, in this letter, you're
19 accepting his resignation in accordance with the
20 requirements of your protocol?

21 **MSGR. LAROCQUE:** Right.

22 **MR. ENGELMANN:** And you're indicating to him
23 who will be replacing him?

24 **MSGR. LAROCQUE:** Right.

25 **MR. ENGELMANN:** And in the third paragraph

1 you're hoping that he won't have to wait too long until
2 this matter is resolved ---

3 **MSGR. LAROCQUE:** Right.

4 **MR. ENGELMANN:** --- in the courts?

5 **MSGR. LAROCQUE:** Right.

6 **MR. ENGELMANN:** Words to that effect?

7 **MSGR. LAROCQUE:** Right.

8 **MR. ENGELMANN:** And you're saying that in
9 the interim, the Diocese will continue to pay his salary --
10 -

11 **MSGR. LAROCQUE:** Pay his salary, and he had
12 requested to remain in the Rectory, without any public
13 functions.

14 **MR. ENGELMANN:** All right. So -- and that
15 was allowed as well?

16 **MSGR. LAROCQUE:** With -- the administrator
17 was coming in to take over the ---

18 **MR. ENGELMANN:** Right.

19 **MSGR. LAROCQUE:** --- the administration.

20 **MR. ENGELMANN:** And presumably, sir, in
21 accordance with the policy that we've looked at earlier,
22 any costs or legal costs associated with a criminal or a
23 civil matter would be covered by the Diocese?

24 **MSGR. LAROCQUE:** I believe so, yes.

25 **MR. ENGELMANN:** All right.

1 Sir, I just want to show you another letter
2 that you would have written to Father Major. It's Document
3 Number 738424 and I believe that you mentioned you were
4 anxious to send Father Major to Southdown?

5 MSGR. LEROCQUE: Yes.

6 MR. ENGELMANN: You in fact did so, sir. Is
7 that correct?

8 MSGR. LAROCQUE: Yes I did.

9 MR. ENGELMANN: And I think that this is the
10 letter that talks about that. It's a letter dated November
11 2nd, Mr. Commissioner, 2000.

12 THE COMMISSIONER: Thank you.

13 Exhibit 2132.

14 --- EXHIBIT NO./PIÉCE NO. 2132:

15 (738424) Lettre d'Eugène LaRocque à Roméo
16 Major datée le 02 nov 00

17 MR. ENGELMANN: In it, sir, you mention the
18 Charbonneaus. I believe you mentioned them this morning?

19 MSGR. LAROCQUE: That's right, yes.

20 MR. ENGELMANN: He's to move on the 3rd of
21 November, the following day?

22 MSGR. LAROCQUE: Right.

23 MR. ENGELMANN: To another presbytery and
24 there was an indication, sir, that on the 16th and 17th
25 there's some kind of a preliminary process. Is that a

1 criminal matter? A preliminary inquiry or ---

2 **MSGR. LAROCQUE:** Preliminary inquiry I
3 believe, yes.

4 **MR. ENGELMANN:** And he's to go for a week of
5 assessment or analysis at Southdown?

6 **MSGR. LAROCQUE:** That's right.

7 **MR. ENGELMANN:** and do you know why this was
8 only happening now -- this is about seven months after he's
9 charged. Do you know why he's being sent to Southdown for
10 assessment at this time?

11 **MSGR. LAROCQUE:** I can remember my main
12 preoccupation was to try to see what they would say with
13 regard to his character defaults.

14 **MR. ENGELMANN:** All right.

15 **MSGR. LAROCQUE:** I was also concerned about
16 -- if there was any truth with regard it because he always
17 denied the allegations. If I remember correctly he said he
18 remembers he was involved with the Scouts and the Cubs and
19 that; he remembers that kids used to come and sit on his
20 lap, and he said, "Maybe that was indiscreet on my part"
21 but he said, "I don't remember ever deliberately touching
22 anyone in this way."

23 **MR. ENGELMANN:** Well, this is an allegation
24 of sexual abuse of a girl; correct?

25 **MSGR. LAROCQUE:** That's right.

1 **MR. ENGELMANN:** A teenage girl?

2 **MSGR. LAROCQUE:** That's right, yes.

3 **MR. ENGELMANN:** And I was just wondering if
4 there was some additional information that had come to your
5 attention between the date of his charge and your sending
6 him to Southdown?

7 **MSGR. LAROCQUE:** Not to my recollection and,
8 as I say, the main reason, in my mind at least at the time,
9 was to try to get some help with regard to his character
10 defects and his very -- how should I -- his way of annoying
11 people.

12 **MR. ENGELMANN:** But, sir, you would have
13 also been concerned, presumably, about an allegation of
14 sexual misconduct ---

15 **MSGR. LAROCQUE:** Oh, absolutely sure.

16 **MR. ENGELMANN:** --- with a young person.

17 **MSGR. LAROCQUE:** And that information was
18 given to Southdown as well.

19 **MR. ENGELMANN:** And he went for a week of
20 assessments, sir, and I understand that he was also there
21 for several weeks some time in -- from April till June of
22 2001.

23 **MSGR. LAROCQUE:** I believe so, yes.

24 **MR. ENGELMANN:** All right. You know that he
25 was there for some time as an inpatient?

1 **MSGR. LAROCQUE:** That's right.

2 **MR. ENGELMANN:** Sir, next document is
3 738432.

4 **(SHORT PAUSE/COURTE PAUSE)**

5 **THE COMMISSIONER:** Exhibit 2133 is a letter
6 to Monsignor LaRocque, May 29th, 2001, from the Southdown
7 Institute.

8 **--- EXHIBIT NO./PIÈCE No. P-2133:**

9 (738432) Letter to Msgr. LaRocque from
10 Southdown Institute, dated 29 May '01

11 **MR. ENGELMANN:** Sir, the copy that you have
12 has some blackout and what I propose doing is -- this would
13 relate to matters not touching upon sexual misconduct but
14 other psychological and other tests, and what I'm
15 proposing, sir, is -- I've just spoken to Mr. Sherriff-
16 Scott.

17 What I'm proposing to do is I will obtain a
18 clean copy without any blackout, and propose that perhaps
19 it go in as a confidential exhibit, given some of the other
20 material there, but I prefer to do it that way so that you
21 have a full copy of the document.

22 **THE COMMISSIONER:** I will require a full
23 copy and once I read it I'll determine whether or not it
24 deserves confidentiality.

25 **MR. ENGELMANN:** Fair enough. We can speak

1 to it at that time.

2 **THE COMMISSIONER:** I don't see any reason
3 why not but I'm not going to prejudge something.

4 **MR. SHERRIFF-SCOTT:** Ms. Morris was given a
5 clean copy, so the Commission has a clean copy and I'm
6 content with that course of action.

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

8 So for now this is 2133, subject to being
9 replaced by a clean copy and addressing the issue of
10 confidentiality.

11 **MR. ENGELMANN:** Fair enough, and it's my
12 understanding that portions that I may want to ask
13 questions about are available here at this point.

14 **THE COMMISSIONER:** All right. Fine, go
15 ahead.

16 **MR. ENGELMANN:** So this would indicate, sir,
17 you're getting a report from Donna Markham. We've seen her
18 name before.

19 **MSGR. LAROCQUE:** That's right.

20 **MR. ENGELMANN:** And it's been approved by
21 Father Major and it is then sent to you, and this is dated
22 May 29th, 2001.

23 **MSGR. LAROCQUE:** Right.

24 **MR. ENGELMANN:** Do you recall, sir,
25 receiving reports from time to time or a report from

1 Southdown concerning Father Major?

2 **MSGR. LAROCQUE:** Yes, I had reports from
3 them. Yes.

4 **MR. ENGELMANN:** And, sir, amongst the
5 treatment goals they list on Bates page 066, the objective
6 of treatment is to explore sexuality and address issues
7 related to allegations of sexual misconduct. So that was
8 one of the issues that they were looking at.

9 **MSGR. LAROCQUE:** That's right.

10 **MR. ENGELMANN:** All right. And again, as he
11 was with you, Father Major denied any wrongdoing with his
12 therapists as well?

13 **MSGR. LAROCQUE:** That's right.

14 **MR. ENGELMANN:** All right.

15 And, sir, were you aware that the charges
16 against Father Major were eventually withdrawn by a Crown
17 prosecutor on October 10th, 2001. You may not remember the
18 date but ---

19 **MSGR. LAROCQUE:** Yes. Well, as I told you
20 before, because of the incompetency, it seems to me, are
21 the one that was accusing him.

22 **MR. ENGELMANN:** All right. And, sir, my
23 understanding -- were you aware, sir, that the complainant
24 in the case had, I believe, brain cancer or some serious
25 illness?

1 **MSGR. LAROCQUE:** That's right, that's ---

2 **MR. ENGELMANN:** And as a consequence ---

3 **MSGR. LAROCQUE:** That's what I recall.

4 **MR. ENGELMANN:** --- was no longer able to
5 remember the events in sufficient detail to be able to
6 testify.

7 **MSGR. LAROCQUE:** Yeah. My recollection was
8 she had the brain cancer even when she -- when she made the
9 accusation.

10 **MR. ENGELMANN:** We'll come to a document,
11 sir, but I think it was ---

12 **MSGR. LAROCQUE:** It's afterwards?

13 **MR. ENGELMANN:** The accusation was when she
14 was a youth; correct?

15 **MSGR. LAROCQUE:** The ---

16 **THE COMMISSIONER:** The event she was
17 reporting occurred when she was a youth.

18 **MR. ENGELMANN:** That's what I meant.

19 **MSGR. LAROCQUE:** Yes, but the accusation was
20 not made when she was a youth.

21 **MR. ENGELMANN:** No. It was a historical
22 complaint about something that had happened to her as a
23 youth.

24 **MSGR. LAROCQUE:** Yes, but when she made the
25 complaint I believe she already had the brain cancer.

1 **MR. ENGELMANN:** All right.

2 And, sir, my understanding is shortly after
3 the charges were withdrawn you would have sent a letter to
4 the parishioners at his church, at SS. Martyrs.

5 **MSGR. LAROCQUE:** That's right.

6 **MR. ENGELMANN:** And that document is 108994.

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

8 **THE COMMISSIONER:** Thank you.

9 Exhibit Number 2134 is a letter dated
10 October 13th, 2001 to the parishioners of SS. Martyrs from
11 Bishop LaRocque.

12 **--- EXHIBIT NO./PIÈCE No. P-2134:**

13 (108994) Letter from Bishop LaRocque to
14 parishioners of SS. Martyrs, dated 13 Oct
15 '01

16 **MR. ENGELMANN:** So, sir, it's my
17 understanding on the 10th, which I believe was a Wednesday,
18 these charges were withdrawn in court and then on the
19 Saturday the 13th you're writing to the parishioners of his
20 church.

21 **MSGR. LAROCQUE:** At his request, I think,
22 yes.

23 **MR. ENGELMANN:** I'm sorry?

24 **MSGR. LAROCQUE:** At his request, I believe.

25 **MR. ENGELMANN:** All right. Now, would he

1 have told you what to say in this letter, sir?

2 MSGR. LAROCQUE: Not at all. No.

3 MR. ENGELMANN: No. You would decide what
4 to say and you would decide whether or not you sent the
5 letter; correct?

6 MSGR. LAROCQUE: Yes.

7 MR. ENGELMANN: All right. And in the first
8 paragraph -- and my French is not nearly as good as the
9 Commissioner's or yours, so I just want to make sure that
10 I've understood the gist of it, but you appear to be
11 expressing either joy or elation ---

12 MSGR. LAROCQUE: Well, not elation but
13 restricted joy. It's an expression really, more than
14 anything else.

15 THE COMMISSIONER: No, let me -- it's "with
16 joy".

17 MSGR. LAROCQUE: Yes, that's ---

18 THE COMMISSIONER: Well ---

19 MR. ENGELMANN: That you're returning him to
20 his ---

21 MSGR. LAROCQUE: Functions as pastor.

22 MR. ENGELMANN: Right, so he's coming back
23 to his full duties as the pastor of the church, and you say
24 that after ---

25 MSGR. LAROCQUE: Remember that he was

1 actually -- he was always pastor, even in his ---

2 MR. ENGELMANN: Yes, it was a temporary
3 suspension.

4 MSGR. LAROCQUE: It was an -- yes. I mean
5 there was an administrator put in his place; not a pastor
6 put in his place but an administrator, which is a different
7 situation.

8 MR. ENGELMANN: Okay. So did he continue in
9 active ministry then, sir?

10 MSGR. LAROCQUE: Not at all. No, no. He
11 continued though having ---

12 THE COMMISSIONER: He had the title.

13 MSGR. LAROCQUE: The title but not ---

14 MR. ENGELMANN: All right.

15 MSGR. LAROCQUE: --- being able to exercise
16 it.

17 MR. ENGELMANN: All right. And you say that
18 after a year and a half the court has found ---

19 THE COMMISSIONER: Well, ask him to explain
20 that.

21 MR. ENGELMANN: Yeah.
22 Can you tell us what it says?

23 MSGR. LAROCQUE: "After a year and a half
24 the court finds that there is no juridical case."

25 MR. ENGELMANN: Okay, so what ---

1 **MSGR. LAROCQUE:** That's my lack of legal
2 expertise, I suppose, but all I'm saying is that the
3 allegations against Father Major have been withdrawn.

4 **MR. ENGELMANN:** The way I -- I mean, you are
5 writing to the parishioners. You are expressing joy about
6 the fact that he's coming back to his full functions, and
7 you're suggesting that after a year and a half, essentially
8 the court found there was no legal case against him?

9 **MSGR. LAROCQUE:** Right. That's right.

10 **MR. ENGELMANN:** All right, sir.

11 And I don't know if you would have seen this
12 document. It's Document Number 102636.

13 **THE COMMISSIONER:** Thank you. Exhibit 2135
14 is a document called House Book Notes, October 8th, 2001.

15 **--- EXHIBIT NO./PIÈCE No P-2135:**

16 (102636) House Book Note dated 08 Oct 01

17 **MR. ENGELMANN:** We've seen house notes
18 before, Mr. Commissioner. You remember with the Ministry
19 of Corrections?

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

21 **MR. ENGELMANN:** Sort of like advisories,
22 sometimes internally, sometimes to the media?

23 Sir, do you know if you have ever seen this
24 document before?

25 **MSGR. LAROCQUE:** No, I never have.

1 **MR. ENGELMANN:** All right.

2 I'm just going to ask you then about some of
3 the information in the document. It indicates that there
4 was a preliminary inquiry held in Cornwall on September 19th
5 and 20th, 2001.

6 Would you have been aware of that, sir, that
7 there would have been a preliminary inquiry involving
8 Father Major?

9 **MSGR. LAROCQUE:** I may have been, but I
10 can't recall and I was not involved in it myself.

11 **MR. ENGELMANN:** All right.

12 Did you have a policy, sir, of either
13 personally or delegating someone to monitor the preliminary
14 inquiries that were going on of priests who were
15 incardinated in your Diocese?

16 **MSGR. LAROCQUE:** I don't believe there was
17 such a policy, no.

18 **MR. ENGELMANN:** You didn't have, like, a
19 delegate or a designate just keeping track of the different
20 priests who were going through preliminary inquiries or
21 trials?

22 **MSGR. LAROCQUE:** No.

23 **MR. ENGELMANN:** So how did you keep abreast
24 of that type of information? That would have been
25 important to you, would it not, as Bishop if you had

1 priests who were incardinated that were going through
2 criminal charges, a serious matter before the courts?

3 **MSGR. LAROCQUE:** Yes, it would have been
4 important.

5 **MR. ENGELMANN:** Do you know how you kept up
6 with that information or did you simply rely on the media?

7 **THE COMMISSIONER:** I'm sorry. Yes, Mr.
8 Sherriff-Scott?

9 **MSGR. LAROCQUE:** I can't recall.

10 **MR. SHERRIFF-SCOTT:** As my friend in the
11 back row will corroborate, he was -- Mr. Neville was
12 retained as counsel for Father Major and I don't think it's
13 matter of any controversy from the point of view of
14 admitting the facts that he was paid by the Diocese. And
15 so there would have been interaction at that level.

16 **THE COMMISSIONER:** Well, I don't know that
17 we can say that.

18 **MR. SHERRIFF-SCOTT:** Well, I know, but I'm
19 not sure the witness remembers, sir.

20 **THE COMMISSIONER:** Oh, no, no. If he
21 doesn't remember, but just because the Diocese is paying
22 the fees -- I mean, we're dealing with criminal procedures.
23 So I don't ---

24 **MR. SHERRIFF-SCOTT:** No, I know. I
25 appreciate ---

1 **THE COMMISSIONER:** --- know that there would
2 be a report going to ---

3 **MR. SHERRIFF-SCOTT:** I appreciate your
4 point, but my friend might explore that with the Bishop to
5 see if there's anything to it.

6 **THE COMMISSIONER:** Sure. Well, maybe after
7 a break.

8 **MR. ENGELMANN:** I'm in your hands, sir.

9 **THE COMMISSIONER:** Yes, let's take a break.
10 Thank you.

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

13 The hearing will resume at 11:40 a.m.

14 --- Upon recessing at 11:30 a.m./

15 L'audience est suspendue à 11h30

16 --- Upon resuming at 11:41 a.m./

17 L'audience est reprise à 11h41

18 **THE REGISTRAR:** The hearing is now resumed.
19 Please be seated. Veuillez vous asseoir.

20 **THE COMMISSIONER:** Thank you.

21 **MR. ENGELMANN:** I went out to bring people
22 in.

23 **THE COMMISSIONER:** All right, Mr. Engelmann.

24 **MONSIGNOR EUGÈNE LAROCQUE, Resumed/Sous le même serment:**

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

1 **ENGELMANN (cont'd/suite):**

2 **MR. ENGELMANN:** Sir, we were looking at a
3 house note 2135, and I realized, sir, that you hadn't seen
4 this document before, but in it, on the second page, Bates
5 page 722, under "Background", it says:

6 "The complainant suffers from a
7 malignant brain tumor that has had a
8 significant impact on her memory. The
9 negative impact is of such a degree
10 that there's no longer a reasonable
11 prospect of obtaining a conviction.
12 Complainant and OPP have been consulted
13 regarding the decision by the Crown to
14 withdraw the charge."

15 It talks a little bit about the background
16 when the alleged indecent assault occurred, that at the
17 alleged offence date, the complainant was a child between
18 eight and eleven years of age. She provided a statement to
19 the police that supported the laying of the charge against
20 Roméo Major.

21 "Sometime since the alleged incident,
22 the complainant was diagnosed with
23 cancer and has received extensive
24 medical treatment for her condition.
25 This has included brain surgery to

1 remove a cancerous tumor."

2 And they talked about:

3 "Prior to the preliminary hearing, the
4 complainant was interviewed by Crown
5 counsel, was both willing and able to
6 give evidence. However, while
7 testifying at the preliminary hearing
8 in Cornwall on September 19th and 20th,
9 2001, it became apparent that the
10 memory of the complainant was
11 negatively impacted upon by her illness
12 and subsequent treatment."

13 And they talk about the fact that the Crown
14 has determined the quality of her memory is such as to lead
15 to the conclusion that there's no longer a reasonable
16 prospect of conviction and then that the charge will be
17 withdrawn on October 10th, 2001. And this is dated on
18 October 8th.

19 Sir, I know you hadn't seen this document,
20 but I understand that this was reported in the media that
21 this was going to happen and there was a report about the
22 withdrawal. You were aware that the charges were being
23 withdrawn because of the illness of the complainant and the
24 effect that that had on her memory, were you not?

25 **MSGR. LAROCQUE:** That's what I was told,

1 yes.

2 **MR. ENGELMANN:** Yes. So you would have been
3 aware then, sir, that the case was never actually
4 adjudicated?

5 **MSGR. LAROCQUE:** That's correct.

6 **MR. ENGELMANN:** And therefore what you told
7 your parishioners or the parishioners wasn't completely
8 accurate, was it, sir, in the sense that you said there was
9 no legal case? You didn't talk about the charges were
10 withdrawn and why they were withdrawn?

11 **MSGR. LAROCQUE:** Well, how could I when I
12 didn't no the legal -- the legal words to use?

13 **MR. ENGELMANN:** Well, sir, you didn't say,
14 sir, did you, that ---

15 **MSGR. LAROCQUE:** That was my knowledge of
16 the facts as I knew them at that time.

17 **MR. ENGELMANN:** When I read your letter, it
18 seems to suggest that he was found not guilty or there had
19 been some kind of adjudication.

20 **MSGR. LAROCQUE:** It doesn't say that.

21 **MR. ENGELMANN:** No, it says there's no legal
22 case. The courts determined there's no legal case or words
23 to that effect.

24 **MSGR. LAROCQUE:** Well, in my mind, that
25 explains the situation, but I mean I'm not a lawyer.

1 MR. ENGELMANN: All right.

2 MSGR. LAROCQUE: I'm sorry.

3 MR. ENGELMANN: Well, you knew the police
4 felt they had sufficient grounds to arrest him and charge
5 him; correct?

6 MSGR. LAROCQUE: Yes.

7 MR. ENGELMANN: And you knew that the Crown,
8 at least initially, was proceeding and that there was a
9 preliminary inquiry; correct?

10 MSGR. LAROCQUE: That's correct. Right.

11 MR. ENGELMANN: And you knew that ---

12 MSGR. LAROCQUE: That's why he was taken out
13 of the parish.

14 MR. ENGELMANN: And you knew that because of
15 her medical condition, the matter was then withdrawn?

16 MSGR. LAROCQUE: Right.

17 MR. ENGELMANN: All right.

18 MSGR. LAROCQUE: I also knew that he
19 insisted throughout that he had never done it.

20 MR. ENGELMANN: Right. Which is consistent
21 with each and every one ---

22 MSGR. LAROCQUE: That's right.

23 MR. ENGELMANN: --- of the priests that you
24 ever spoke to about these types of charges?

25 MSGR. LAROCQUE: That's right. You're

1 correct, yes.

2 MR. ENGELMANN: With one exception.

3 MSGR. LAROCQUE: Father Dubé.

4 MR. ENGELMANN: Sorry?

5 MSGR. LAROCQUE: Father Dubé.

6 MR. ENGELMANN: Well, when you called Father
7 Lapierre that you told us about this morning. Correct?
8 Where he acknowledged that he had been involved in the
9 abuse of Claude Marleau with his ---

10 MSGR. LAROCQUE: But he would probably deny
11 that, I would imagine.

12 MR. ENGELMANN: Fair enough. Fair enough.

13 Despite what you knew of this matter and how
14 it came to be withdrawn, you felt comfortable in
15 reinstating Father Major to his parish duties almost
16 immediately?

17 MSGR. LAROCQUE: Right, with certain
18 precautions, as you noticed in the letter, that there are
19 many people involved and that they are going to take their
20 responsibilities because we had an operation Church Renewal
21 2000 which sought to involve all the laypeople in parishes
22 much more than before.

23 MR. ENGELMANN: All right. So let me just
24 look back at your letter then because I didn't quite
25 understand that.

1 **MSGR. LAROCQUE:** I still don't have that
2 letter, I'm sorry.

3 **MR. ENGELMANN:** It's -- and I've lost the --
4 -

5 **THE COMMISSIONER:** Which letter are we
6 looking for?

7 **MR. ENGELMANN:** It's the letter that was
8 written to the parishioners, October 13th, 2001.

9 **THE COMMISSIONER:** It's ---

10 **MR. ENGELMANN:** I believe it's 2134.

11 **THE COMMISSIONER:** Just a minute.

12 **MSGR. LAROCQUE:** Is it in the binder?

13 **THE COMMISSIONER:** Yeah, it would be in the
14 binder now, 2134.

15 **MSGR. LAROCQUE:** Yes. That's right. That's
16 it.

17 « La paroisse est prise en charge,
18 plusieurs paroissiens se partagent des
19 responsabilités importantes. »

20 **MR. ENGELMANN:** Right. So, sir, I'm
21 wondering, you've reinstated him to his full duties but
22 you're saying that this letter sets out sort of protections
23 or precautions that are in place?

24 **MSGR. LAROCQUE:** I wouldn't call them
25 precautions but that it is a new situation in this parish

1 from the time that he left a year and a half before. We
2 had started this attempt to involve lay people as much as
3 we possibly could in the life of the parish.

4 **MR. ENGELMANN:** All right. But the
5 allegation against him had been that he had abused a girl
6 who was between the ages of eight and eleven.

7 **MSGR. LAROCQUE:** Right.

8 **MR. ENGELMANN:** The matter was not fully
9 adjudicated as I explained. The charges were withdrawn.

10 **MSGR. LAROCQUE:** That' right.

11 **MR. ENGELMANN:** I'm wondering, you felt
12 comfortable reinstating him. Did you consult with anyone
13 else in the Diocese about that reinstatement?

14 **MSGR. LAROCQUE:** I can't remember.

15 **MR. ENGELMANN:** Did you or anyone on your
16 behalf at the Diocese do any form of internal investigation
17 concerning these allegations or any other allegations about
18 Father Major before reinstating him?

19 **MSGR. LAROCQUE:** I know that I spoke
20 extensively with Mr. and Mrs. ---

21 **MR. ENGELMANN:** The Charbonneau's that you
22 mentioned earlier?

23 **MSGR. LAROCQUE:** --- Charbonneau, yes.

24 **MR. ENGELMANN:** Did they have anything to do
25 with allegations of sexual abuse against youth?

1 **MSGR. LAROCQUE:** Not at all.

2 **MR. ENGELMANN:** All right.

3 **MSGR. LAROCQUE:** But they were very involved
4 parishioners and they had been good friends with Father --
5 so that they were able to, how should I say, talk to him
6 where others could not talk to him.

7 **MR. ENGELMANN:** I just want to be clear,
8 sir, if -- you're the employer of priests, you as the
9 Bishop of the Diocese, do you not feel any need to examine
10 what takes place in a Court matter particularly a criminal
11 court matter before reinstating a priest charged with
12 sexual abuse of youth to a position of trust and authority?

13 **MSGR. LAROCQUE:** How can I answer a question
14 put that way? Certainly I have to be ---

15 **MR. ENGELMANN:** And that's why I would have
16 thought as the employer that you would have done some
17 investigation of your own before reinstating someone to
18 those types of duties?

19 **MSGR. LAROCQUE:** Well I sent him to
20 Southdown and they analyzed the case.

21 **MR. ENGELMANN:** Sir, you ---

22 **MSGR. LAROCQUE:** And I have the report.

23 **MR. ENGELMANN:** --- weren't very happy with
24 the work Southdown had done for you earlier with Father
25 MacDonald.

1 **MSGR. LAROCQUE:** So what has that got to do
2 with the report of this man here?

3 **MR. ENGELMANN:** Sir, again I'm just asking
4 you, you're the employer ---

5 **MSGR. LAROCQUE:** You're trying to back me to
6 the wall as you've tried to do so often, I'm sorry.

7 **MR. ENGELMANN:** No, sir this has ---

8 **MSGR. LAROCQUE:** I'm compared the way you're
9 questioning me with the way you questioned Mr. Leroux.
10 Very interesting the difference between the two ways of
11 questioning. I'm sorry.

12 **MR. ENGELMANN:** Is there anything else you'd
13 like to say about it, sir?

14 **MSGR. LAROCQUE:** No, thank you.

15 **MR. ENGELMANN:** So I just -- you were the
16 head of an institution. I'm concerned about the ---

17 **MSGR. LAROCQUE:** You've said that before and
18 I acknowledged the fact that I may have lacked a certain
19 wisdom of prudence but I acted according to the knowledge
20 that I had at the time. And the knowledge that I had at
21 the time was that this man was not dangerous to any of his
22 parishioners or to anyone else.

23 **MR. ENGELMANN:** And what did you do to
24 investigate that, sir?

25 **MSGR. LAROCQUE:** I sent him to Southdown.

1 **MR. ENGELMANN:** And that's it.

2 **MSGR. LAROCQUE:** And I consulted with some
3 of the parishioners.

4 **MR. ENGELMANN:** Let's talk about Father
5 Martin. He was a priest incardinated in your Diocese and I
6 understand he moved away from here in 1972 and never
7 returned.

8 **MSGR. LAROCQUE:** And I don't know him. I've
9 never met the man.

10 **MR. ENGELMANN:** Right. Well, you would
11 agree that he was incardinated in your Diocese?

12 **MSGR. LAROCQUE:** Oh, yes. Yes, he was.

13 **MR. ENGELMANN:** And that he moved away
14 before you became Bishop?

15 **MSGR. LAROCQUE:** That's right.

16 **MR. ENGELMANN:** And did you maintain any
17 contact with him at all, sir?

18 **MSGR. LAROCQUE:** None whatsoever, except
19 when I got letters concerning him or I don't know whether I
20 got letters with -- concerning him or not but I didn't even
21 know where he was working to tell you the truth.

22 **MR. ENGELMANN:** Well, we looked at a
23 document earlier. You agreed that the police, in fact,
24 Inspector Hall may have asked you to have him report.

25 **MSGR. LAROCQUE:** That's right.

1 **MR. ENGELMANN:** And you made some effort to
2 do that.

3 **MSGR. LAROCQUE:** That's right.

4 **MR. ENGELMANN:** But for some reason, he
5 didn't.

6 **MSGR. LAROCQUE:** That's right. I don't know
7 whether he eventually did or not.

8 **MR. ENGELMANN:** Now did you or someone on
9 your behalf follow the preliminary inquiry and trial of
10 Father Martin?

11 **MSGR. LAROCQUE:** Not to my knowledge, no.

12 **MR. ENGELMANN:** All right. And presumably
13 he would have been provided with a lawyer by the Diocese as
14 ---

15 **MSGR. LAROCQUE:** He was not provided by a
16 lawyer from the Diocese.

17 **MR. ENGELMANN:** You did fund his legal ---

18 **MSGR. LAROCQUE:** No.

19 **MR. ENGELMANN:** --- defence?

20 **MSGR. LAROCQUE:** No. Because he had been
21 away from the Diocese for so long, he was not funded by the
22 Diocese, in the same way that Father Lapierre was not
23 funded by the Diocese.

24 **THE COMMISSIONER:** So what you're saying is
25 that incardination is not the test as to whether or not you

1 pay the legal fees?

2 **MSGR. LAROCQUE:** Not necessarily, no.

3 Because we didn't pay the legal fees for -- what's his name
4 -- I have a memory blank, sorry.

5 **THE COMMISSIONER:** No, that's okay.

6 **MSGR. LAROCQUE:** For Gilles ---

7 **THE COMMISSIONER:** Deslauriers.

8 **MSGR. LAROCQUE:** --- Deslauriers. I don't
9 think. I can be corrected on that but I don't think we
10 did.

11 **MR. ENGELMANN:** Your '96 policy which is
12 Exhibit 58, Tab 32 -- Bates -- oh, sorry you are on a Bates
13 page.

14 **THE COMMISSIONER:** Well, there's only four
15 pages so ---

16 **MR. ENGELMANN:** Yeah.

17 **THE COMMISSIONER:** --- page 39.

18 **MR. ENGELMANN:** Excerpt 38.

19 **THE COMMISSIONER:** Okay.

20 **MR. ENGELMANN:** It says accused Priest A.
21 Number 1, Right to seek legal counsel. Number 2, Legal
22 counsel of choice within reason should be provided to the
23 priest upon receipt of an allegation against him by civil
24 or religious authorities.

25 Civil authorities being state, correct? This

1 is not a civil lawsuit. This could be a criminal or --
2 right? It says civil authorities. Civil or religious
3 authorities. Costs incurred will be paid by the Diocese.

4 **MSGR. LAROCQUE:** Right. At the discretion
5 of the Bishop. It's not there. But I'm quite sure that we
6 did not pay the costs for Martin nor Lapierre.

7 **MR. ENGELMANN:** Okay.

8 **THE COMMISSIONER:** Again just to complete
9 it, you say it's in the discretion of the Bishop but I
10 don't see ---

11 **MSGR. LAROCQUE:** It's not there.

12 **THE COMMISSIONER:** It's not there?

13 **MSGR. LAROCQUE:** No.

14 **THE COMMISSIONER:** So you're reading it in?

15 **MSGR. LAROCQUE:** That's right.

16 **THE COMMISSIONER:** All right.

17 **MSGR. LAROCQUE:** Because these people were
18 absent from the Diocese for so long that they made really
19 no contribution to the Diocese.

20 **MR. ENGELMANN:** Right. So even though they
21 were incardinated, they were treated differently than
22 incardinated priests who were in active ministry.

23 **MSGR. LAROCQUE:** Who were active in ministry
24 in the Diocese. That is my recollection.

25 **MR. ENGELMANN:** All right. So you did not

1 follow the trial or preliminary inquiry of Ken Martin,
2 Father Ken Martin?

3 **MSGR. LAROCQUE:** No, I did not.

4 **MR. ENGELMANN:** Were you aware, sir, that he
5 was eventually found not guilty by a trial judge?

6 **MSGR. LAROCQUE:** I didn't know, no.

7 **MR. ENGELMANN:** All right. I was going to
8 ask you a few questions about that. I won't now.

9 I'm going to ask you a few questions about
10 Father Scott, Don Scott.

11 **MSGR. LAROCQUE:** Yes.

12 **MR. ENGELMANN:** Was he a priest in the
13 Diocese when you arrived, sir?

14 **MSGR. LAROCQUE:** He was, yes.

15 **MR. ENGELMANN:** All right. And I understand
16 he was a pastor at St. Raphael's Parish.

17 **MSGR. LAROCQUE:** When I arrived he was
18 pastor at Maxville. I moved him to St. Raphael's.

19 **MR. ENGELMANN:** All right. And that's in
20 Williamstown, sir, or near Williamstown?

21 **MSGR. LAROCQUE:** St. Raphael's, yes, is the
22 parish next to Williamstown.

23 **MR. ENGELMANN:** All right. If we could look
24 at Document Number 120705.

25 **THE COMMISSIONER:** Exhibit 2136 is a letter

1 addressed to Monseigneur LaRocque. There's not date but it
2 says "Received February 18th, 1976" and it's from Donald E.
3 Scott.

4 ---EXHIBIT NO./PIÈCE NO P-2136:

5 (120705) Letter from Don Scott to Eugène
6 LaRocque dated 18 Feb 76

7 **MR. ENGELMANN:** Sir, the handwriting at the
8 top of the page, would that be your handwriting?

9 **MSGR. LAROCQUE:** That's right.

10 **MR. ENGELMANN:** And can you just tell us
11 what it says, sir?

12 **MSGR. LAROCQUE:** "Acknowledged with
13 invitation to a further meeting of
14 minds and hearts, March the 3rd, 1976."

15 **MR. ENGELMANN:** And it appears the letter
16 was received by you on February 18th, 1976?

17 **MSGR. LAROCQUE:** Apparently, yes. That's my
18 handwriting as well.

19 **MR. ENGELMANN:** All right.

20 It's a long letter, sir, but if you look at
21 the second page -- I'm just trying to find it -- I was
22 going to tell you it appears to be a resignation letter.

23 **MSGR. LAROCQUE:** It says "desire", I think,
24 "to leave the Diocese ---

25 **MR. ENGELMANN:** Yes.

1 **MSGR. LAROCQUE:** --- and to go into the
2 Dominican community."

3 **MR. ENGELMANN:** All right.

4 And that's a religious order, sir?

5 **MSGR. LAROCQUE:** It is, yes.

6 **MR. ENGELMANN:** All right.

7 And do you know Father Scott wanted to leave
8 the Diocese and join the Dominicans?

9 **MSGR. LAROCQUE:** Well, I believe it was --
10 eventually it was because of a meeting that I had with him
11 in Toronto at the restaurant La Chaumière where he,
12 consistent with his past, stayed in a place for one or two
13 years then wanted to do something else.

14 And I asked him that I needed his help to
15 set up this new retreat house at St. Raphael's and he had
16 had experience in retreat work and I urged him to stay.
17 And he wanted to go off to do something else, and so I
18 finally put my foot down and said "No, I need you there and
19 you're going to stay there." And I think this letter is a
20 result of that meeting that I had with him at that time.

21 **MR. ENGELMANN:** All right.

22 Well, it starts by saying:

23 "It is now nearly two weeks since we
24 met in rather strained circumstances."

25 **MSGR. LAROCQUE:** That would be the reference

1 to the ---

2 **MR. ENGELMANN:** All right.

3 And that a disagreement between you about --

4 -

5 **MSGR. LAROCQUE:** About his -- not his work,
6 his availability to do, in a sustained way, the work that
7 is assigned to him. If you look at his curriculum vitae,
8 it's like a butterfly. It goes from one place to another.
9 And that was my main bone of contention.

10 **MR. ENGELMANN:** All right.

11 I just want to ask you a couple more
12 questions then about the letter. You say just in that
13 first paragraph:

14 "I understand your concern for the
15 needs of the Diocese as you express
16 them, but you never gave me a chance at
17 that time to really express myself. I
18 was so surprised by intensity..."

19 I guess it should say by "the intensity".

20 "...with which you expressed them that
21 I withdrew."

22 Again, this is just with respect to ---

23 **MSGR. LAROCQUE:** That meeting we had, yes.

24 **MR. ENGELMANN:** All right.

25 Now, he says a bit later in that first page,

1 just below the halfway point, he says:

2 "And so after much prayer and
3 reflection and consultation with those
4 who best know the state of my life, I
5 have requested entry and have been
6 accepted by the Dominicans. I have
7 been perfectly frank with them as to
8 the unravelling of my life and they do
9 not feel that any of it is an
10 indication of instability on my part."

11 Do you know what he's talking about there,
12 sir, when he talks about the state of his life and the
13 unravelling of his life?

14 **MSGR. LAROCQUE:** Well, I can tell you about
15 the instability because that was the main subject of our
16 conversation. I don't know what he means by the
17 instability -- the unravelling of his life.

18 **MR. ENGELMANN:** He says a little bit later -
19 - he says:

20 "I have been perfectly frank with them
21 as to the unravelling of my life and
22 they do not feel any of it is an
23 indication of instability on my part.
24 What man can judge that?"

25 **MSGR. LAROCQUE:** Yeah.

1 **MR. ENGELMANN:** You don't know what he's
2 speaking about there?

3 **MSGR. LAROCQUE:** Yeah, he is referring to
4 me.

5 **MR. ENGELMANN:** All right.

6 A little later on, he says:

7 "I can be judged by others in a limited
8 way and a general way on my performance
9 and behaviour, but my motives are
10 hidden in the depths of myself and can
11 be known only to God and to those to
12 whom I reveal them. I always shared
13 them with Bishop Proulx and he believed
14 me. I choose now to share them, though
15 I find it difficult, with you. I ask
16 only that you believe me sincere. I
17 never acted without believing that I
18 was acting with fidelity. The fidelity
19 we must now have first of all to
20 ourselves and the voice of God within."

21 Again, do you know what he is referring to
22 there, sir?

23 **MSGR. LAROCQUE:** I'm sorry, I don't know.

24 **MR. ENGELMANN:** You do not?

25 **MSGR. LAROCQUE:** Well, he is trying to, I

1 suppose, justify himself.

2 **MR. ENGELMANN:** It almost suggests that
3 there are some issues or difficulties or falling out?

4 **MSGR. LAROCQUE:** Well, I've already told you
5 that.

6 **MR. ENGELMANN:** All right.

7 If we can look at Document 120706; this is a
8 letter from yourself, sir, to Reverend Donald Scott, April
9 28th, 1976.

10 **THE COMMISSIONER:** Thank you. Exhibit
11 Number 2137 is a letter dated April 28th, 1976 to Father
12 Scott from Monsignor LaRocque.

13 **---EXHIBIT NO./PIÈCE NO P-2137:**

14 (120706) Letter from Eugène LaRocque to Don
15 Scott dated 28 Apr 76

16 **MR. ENGELMANN:** Sir, if I'm correct, you're
17 confirming his decision to leave the Diocese and join the
18 Dominican Brothers later that year in August?

19 **MSGR. LAROCQUE:** Yes, I'm giving him
20 permission for him to do so, yes.

21 **MR. ENGELMANN:** Right. Okay.

22 And you're not sure whether that's going to
23 be a permanent leave or not as indicated in your final
24 paragraph?

25 **MSGR. LAROCQUE:** No, because the Dominican

1 Order, like any religious order, has, I think it's two
2 years, of novitiate ---

3 MR. ENGELMANN: Yes.

4 MSGR. LAROCQUE: --- followed by four years
5 of studies with regard to their community. You don't take
6 final vows until I think it's seven or eight years after
7 they've entered.

8 MR. ENGELMANN: All right.

9 MSGR. LAROCQUE: They take simple vows or
10 temporary vows.

11 MR. ENGELMANN: Okay. Sir, just very
12 briefly then, another letter, if I may, this from Don Scott
13 to yourself -- Father Scott. It's Document Number 120717.

14 THE COMMISSIONER: Thank you. Exhibit 2138.

15 ---EXHIBIT NO./PIÈCE NO P-2138:

16 (120717) Letter from Don Scott to Eugène
17 LaRocque dated 1977

18 MR. ENGELMANN: Just a couple of points on
19 this letter, sir. In the third paragraph on the first
20 page, it says:

21 "I understand from Paul and a couple of
22 the brethren that you were a little
23 concerned about my 'status', so I
24 apologize for not clarifying it sooner
25 and will attempt to do so at this

1 point."

2 He has been gone for about a year. It
3 appears that you've spoken to -- is this Paul Lapierre, by
4 the way?

5 **MSGR. LAROCQUE:** I suspect so, yes.

6 **MR. ENGELMANN:** Yeah. They were in touch
7 with one another?

8 **MSGR. LAROCQUE:** They were friends, yes.

9 **MR. ENGELMANN:** Yes. And now and then you
10 were in touch with Paul Lapierre?

11 **MSGR. LAROCQUE:** Not very -- no, not very
12 often.

13 **MR. ENGELMANN:** But he is suggesting -- he
14 says:

15 "I understand from Paul and a couple
16 of the brethren that you were a
17 little concerned about my status."

18 **MSGR. LAROCQUE:** Yes.

19 **MR. ENGELMANN:** All right.

20 **MSGR. LAROCQUE:** Paul would have gotten that
21 from his brother that would have been ---

22 **MR. ENGELMANN:** All right. All right.

23 And does that just mean you're concerned
24 about his status with the Dominicans and/or with your
25 Diocese? Is that what you're referring to?

1 **MSGR. LAROCQUE:** Both are involved.

2 **MR. ENGELMANN:** Right. And, of course, even
3 though he is at the Dominical Order, he is still a priest
4 in your Diocese?

5 **MSGR. LAROCQUE:** That's right, yes.

6 **MR. ENGELMANN:** All right.

7 And you still have some responsibility for
8 him. And I think that's what you're saying on the second
9 page of the letter where you say, near the bottom -- or he
10 says:

11 "So I guess maybe I am canonically
12 under your jurisdiction enjoying a
13 leave of absence, but I morally belong
14 to the Sons and Daughters of Dominican.
15 Certainly, I have no desire to return
16 to the diocese or..." ---

17 **MSGR. LAROCQUE:** Parochial life ---

18 **MR. ENGELMANN:** "...parochial life. I want to
19 be a preacher. If you find this
20 unclear...", et cetera.

21 So he's expressing to you his views at the
22 time.

23 **MSGR. LAROCQUE:** Yeah. Right.

24 **MR. ENGELMANN:** And you agree that he is
25 still under your jurisdiction?

1 **MSGR. LAROCQUE:** Yes. Until he takes the
2 vows, he's under my jurisdiction.

3 **MR. ENGELMANN:** All right.

4 **THE COMMISSIONER:** You're not paying him or
5 anything like that; are you?

6 **MSGR. LAROCQUE:** I don't -- no. No, we're
7 not.

8 **MR. ENGELMANN:** Then sir, the next note, if
9 I may -- it's 120719. It's a letter from you to Reverend
10 Scott, November 25th, '77.

11 **THE COMMISSIONER:** Exhibit 2139.

12 **---EXHIBIT NO./PIÈCE NO P-2139:**

13 (120719) Letter from Eugène LaRocque to Don
14 Scott dated 25 Nov 77

15 **MR. ENGELMANN:** I am going to ask you about
16 the first paragraph, if I may. It says:

17 "Thank you for your letter in which you
18 helped to place my conscience somewhat
19 more at ease. There are so many
20 rumours and bits of information, which
21 come to me from time to time that I
22 really didn't know what your status
23 was."

24 Right? So what are you referring to there,
25 sir? Is that just, whether he's going to stay there or

1 what he wants to do, that type of thing?

2 MSGR. LAROCQUE: That's right.

3 MR. ENGELMANN: All right.

4 MSGR. LAROCQUE: The butterfly situation.

5 MR. ENGELMANN: All right.

6 And again, in the third paragraph, the
7 paragraph at the bottom of the page you are saying to him,
8 that if -- you would welcome him back to the Diocese if the
9 experience with the Dominicans proves unsuccessful.

10 MSGR. LAROCQUE: Well, I have to, yes. He's
11 incardinated there.

12 MR. ENGELMANN: And sir, if I could refer
13 you to another letter. This is from Father Scott to
14 yourself. It is document number 120730. It's dated the 5th
15 of June 1984. So this is now several years later, sir,
16 about seven years later. Actually, I'm not sure if it's
17 '84 or '81. I'll have you take a look at it sir.

18 THE COMMISSIONER: Probably -- so what is --
19 -

20 MSGR. LAROCQUE: It looks like ---

21 MR. ENGELMANN: It looks like a four to me,
22 sir, at least your note ---

23 MSGR. LAROCQUE: There's a little -- whether
24 it's a four or a seven.

25 THE COMMISSIONER: Perhaps if you can look

1 at your handwritten notes; if those are your handwritten
2 notes on top.

3 **MSGR. LAROCQUE:** Yes.

4 **THE COMMISSIONER:** It says June 6th, ---

5 **MSGR. LAROCQUE:** Oh, '84, yes, that's right.

6 **THE COMMISSIONER:** --- '84. So that would
7 be '84.

8 **MR. ENGELMANN:** I'm quite sure it's '84 from
9 another document I just read.

10 **MSGR. LAROCQUE:** That's right.

11 **THE COMMISSIONER:** All right. So Exhibit
12 number 2140 is a letter from Don Scott to Monsignor dated
13 the 5th of June 1984.

14 **--- EXHIBIT NO./PIÈCE NO P-2140:**

15 (120730) Letter from Don Scott to
16 Eugène LaRocque dated 05 Jun 84

17 **MR. ENGELMANN:** Sir, I'm particularly
18 interested in the handwritten note.

19 **MSGR. LAROCQUE:** Yes.

20 **MR. ENGELMANN:** It's your handwriting?

21 **MSGR. LAROCQUE:** That's right.

22 **MR. ENGELMANN:** Can you tell us what it
23 says?

24 **MSGR. LAROCQUE:** "Recommendation..." -- And I
25 don't know what that is there -- seems to be something --

1 "June 6th, '84 was..." ---

2 MR. ENGELMANN: It might be easier on the
3 screen, sir.

4 MSGR. LAROCQUE: "He cannot..." ---

5 MR. ENGELMANN: Because they blow it up a
6 little bit.

7 MSGR. LAROCQUE: I still don't understand
8 what that is. Before the "June 6th" I'm not sure what that
9 is.

10 THE COMMISSIONER: So I take it my screen
11 doesn't work, Madam Clerk? I can't see anything. Okay.

12 MR. ENGELMANN: It appears to be about
13 pension?

14 MSGR. LAROCQUE: No. "He cannot be a vagi."
15 A vagi is a vagrant.

16 MR. ENGELMANN: Oh, okay.

17 MSGR. LAROCQUE: Unattached.

18 MR. ENGELMANN: Oh, sorry, I was reading
19 further down, sir. Okay. Yes.

20 MSGR. LAROCQUE: "Partie personnelle plus
21 trois pour cent. La refuse mais une
22 partie personnelle. Six ans au service
23 du diocèse. Intention de messe envoyée
24 ne lui appartient pas. Quick claim,
25 annuity of \$3,000 when he reaches the

1 age of 65."

2 MR. ENGELMANN: So can you just give us the
3 gist of what this is about, sir.

4 MSGR. LAROCQUE: It sounds a little bit like
5 he has left the Dominicans; is living in Montreal and is
6 asking for his pension.

7 MR. ENGELMANN: Yes.

8 MSGR. LAROCQUE: That's what I surmise
9 anyway.

10 MR. ENGELMANN: All right.

11 And in his letter, I'm curious about -- he's
12 telling you where he's living in the first paragraph ---

13 MSGR. LAROCQUE: That's right.

14 MR. ENGELMANN: --- since the middle of May.
15 He is referring to a letter he's received from you and he's
16 thanking you for that?

17 MSGR. LAROCQUE: Right.

18 MR. ENGELMANN: And I'm not sure what else
19 is being said in that second paragraph. It's hard for me
20 to read.

21 MSGR. LAROCQUE: "...et pour le ton et..." ---

22 THE COMMISSIONER: "L'esprit", non?

23 MSGR. LAROCQUE: "...l'esprit que les mots
24 révèlent ainsi pour l'intérêt et..." --

25 THE COMMISSIONER: "...les soucis".

1 **MSGR. LAROCQUE:** "...les soucis que tu
2 apportés à mon égard. Soyez assuré
3 aussi que le style de vie que nous
4 avons discuté est pour moi plutôt une
5 question de la position du Magisterium
6 que d'un engagement personnel."

7 **MR. ENGELMANN:** Let me stop you there, sir.
8 Did you have some sense as to what he meant
9 there about this new style of life?

10 **MSGR. LAROCQUE:** Homosexual.

11 **MR. ENGELMANN:** Okay. So he's indicated
12 that to you in a conversation, that he's in a relationship
13 or ---

14 **MSGR. LAROCQUE:** I remember visiting him. I
15 don't know if it was before this or after.

16 **MR. ENGELMANN:** All right.

17 **MSGR. LAROCQUE:** And he was living with
18 another man there, yes.

19 **MR. ENGELMANN:** All right.

20 **MSGR. LAROCQUE:** And so he's saying that
21 he's not in accord with the position or the teaching of the
22 Church, the Magisterium.

23 **MR. ENGELMANN:** All right.

24 Then if we could take a look at -- it's
25 document number 120732.

1 **THE COMMISSIONER:** Exhibit 2141 is a letter
2 dated August 9th, 1984, "Dear Bishop" from Don.

3 **MR. ENGELMANN:** This is from Father Scott
4 again.

5 **---EXHIBIT NO./PIECE NO. 2141**

6 (120732) Letter from Don Scott to
7 Eugène LaRocque dated 09 Aug 84.

8 **MR. ENGELMANN:** Now sir, he's still
9 incardinated in your Diocese, correct?

10 **MSGR. LAROCQUE:** Yes.

11 **MR. ENGELMANN:** I'm just looking at the
12 second page. It's Bates page 835. It says,

13 "I appreciate your efforts on my
14 behalf. Let me explain my reasoning.
15 You know [question] I am rather proud
16 and would find it difficult to seek
17 charity."

18 And he goes on. And on the next page, he
19 says:

20 "I always understood that the clerical
21 salaries were so fixed (at a low scale)
22 because the benefits, immediate and
23 long term, were part of the total
24 compensation package."

25 So it appears he's writing to you about

1 concerns about income?

2 MSGR. LAROCQUE: That's right.

3 MR. ENGELMANN: Issues of that nature?

4 MSGR. LAROCQUE: Right.

5 MR. ENGELMANN: All right. And it appears
6 he's seeking some kind of financial assistance.

7 MSGR. LAROCQUE: That's correct.

8 MR. ENGELMANN: Correct. And just on the
9 last page, he says,

10 "I have matured quite a bit in the last
11 years. I realize when one makes
12 decisions, one accepts the unforeseen
13 consequences...", et cetera.

14 And he's thanking you for your efforts. And
15 he closes by saying that:

16 "Paul Lapierre has invited me to a
17 celebration of his twenty-five years of
18 service in Sherbrooke in September. If
19 I can arrange to go, perhaps I will see
20 you there. I understand you are to be
21 present."

22 Okay?

23 MSGR. LAROCQUE: M'hm.

24 MR. ENGELMANN: All right. So it's
25 primarily about financial compensation issues?

1 **MSGR. LAROCQUE:** Right.

2 **MR. ENGELMANN:** And it appears from the
3 letter that you turned him down or had to turn him down?

4 **MSGR. LAROCQUE:** I consulted with the bursar
5 and the finance committee and we turned him down, yes.

6 **MR. ENGELMANN:** All right.

7 Is there an obligation, sir, to support
8 priests in the Diocese when they are still incardinated,
9 even if they are not working in the Diocese?

10 **MSGR. LAROCQUE:** Within reasonable balance,
11 yes.

12 **MR. ENGELMANN:** All right.

13 Did you, in fact, go to the celebration of
14 twenty-five years for Paul Lapierre?

15 **MSGR. LAROCQUE:** No, not that I can recall.

16 **MR. ENGELMANN:** No, all right.

17 Sir, another document, 120736 is a letter
18 from Father Scott to yourself dated June 2nd, 1986; if that
19 could be the next exhibit sir?

20 **THE COMMISSIONER:** Just a minute. In the
21 letter it says: "I understand you are to be present." Had
22 you made plans to attend there, sir?

23 **MSGR. LAROCQUE:** Not that I can recall, no.

24 **THE COMMISSIONER:** Okay.

25 Exhibit Number 2142 is a letter to

1 Monseigneur LaRocque dated June 2ndm 1986 from -- signed R,
2 presumably, or Don.

3 **MSGR. LAROCQUE:** Don.

4 **THE COMMISSIONER:** Don? Okay, Don Scott.

5 **--- EXHIBIT NO./PIÈCE NO P-2142:**

6 (120736) Letter from Don Scott to Eugène
7 LaRocque dated 02 Jun 86

8 **MR. ENGELMANN:** It's another letter from
9 Father Scott, sir?

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **MR. ENGELMANN:** Sir, this is a letter you
12 would have received from Father Scott?

13 **MSGR. LAROCQUE:** Yes.

14 **MR. ENGELMANN:** It would have been just
15 after the matters involving Gilles Deslauriers?

16 **MSGR. LAROCQUE:** That's right.

17 **MR. ENGELMANN:** And he's become aware of
18 that and perhaps it's one of the reasons he's writing to
19 you?

20 **MSGR. LAROCQUE:** Right.

21 **MR. ENGELMANN:** In the fourth paragraph, he
22 says:

23 "I have been made aware of the recent
24 unfortunate happenings that have
25 touched the Diocese with scandal which

1 will, if past patterns are repeated,
2 touch the brother priests who are
3 innocent."

4 So he's talking about the Deslauriers
5 scandal?

6 **MSGR. LAROCQUE:** That's right.

7 **MR. ENGELMANN:** Do you know what he means by
8 "if past patterns are repeated"?

9 **MSGR. LAROCQUE:** No, I have no idea.

10 **MR. ENGELMANN:** In the fifth paragraph, he
11 says:

12 "I must tell you, however, that I
13 experience a certain anger when I hear
14 of all of this, and I will be very
15 honest with you when I told you why I
16 knew I needed time, you at least knew
17 that I had spared the Diocese and the
18 Church."

19 What is being referred to there, sir?

20 **MSGR. LAROCQUE:** I have no idea.

21 **THE COMMISSIONER:** Well, did he tell you --
22 I guess that refers back to the initial conversation where
23 he said that he needed time. Did he tell you at that time
24 something -- you know, that it was because of his sexual
25 orientation, or he needed to be away?

1 **MSGR. LAROCQUE:** No. No, he never mentioned
2 that to me. Sorry.

3 **THE COMMISSIONER:** Okay.

4 **MR. ENGELMANN:** Again, in the fifth
5 paragraph, he says:

6 "And I asked you for help, some kind of
7 pension money so I could have some
8 sense of security for the future. I
9 was dismissed with the vague assurance
10 that if I would still be around at 65,
11 I would get \$3,000 to see me through my
12 old age."

13 **MSGR. LAROCQUE:** Right.

14 **MR. ENGELMANN:** Do you know if he was ill at
15 the time, sir?

16 **MSGR. LAROCQUE:** I don't know if he was ill
17 at that time but I suspect he was. He died, as you know,
18 of AIDS.

19 **MR. ENGELMANN:** Do you know, sir, when he
20 would have made that earlier request of you, if he was
21 already suffering from the effects of the AIDS?

22 **MSGR. LAROCQUE:** That, I don't know, no.

23 **MR. ENGELMANN:** He says:

24 "Now, we hear of men who bring scandal
25 and..." --

1 There's a Latin term there that I don't know, sir. Do you
2 know what that means?

3 **MSGR. LAROCQUE:** Excuse me -- *admiratio*
4 *populi*, which would mean, well, admiration of the people.
5 "Admiration" in the wrong sense -- it would be scandal,
6 another word for a scandal in Latin.

7 **MR. ENGELMANN:** All right.

8 "...and they are offered help with
9 psychiatrists and they can return to
10 the ministry and their old age is
11 secured. I paid for my own counselling
12 and took myself where I couldn't hurt
13 the faithful and I'm treated
14 punitively. I see former colleagues
15 here in the city taking advantage of
16 what they see as the best of both
17 worlds and I know they will return to
18 their parishes the next day and they
19 are secure and their future assured."

20 **MSGR. LAROCQUE:** Yeah, the city is Montreal
21 I would imagine.

22 **MR. ENGELMANN:** Yes. Do you know what he is
23 referring to there, sir?

24 **MSGR. LAROCQUE:** Well, quite obviously
25 priests who are not living their priestly vows.

1 **MR. ENGELMANN:** All right. So they are
2 coming to Montreal where they live a second life?

3 **MSGR. LAROCQUE:** Apparently.

4 **MR. ENGELMANN:** And they return to their
5 parishes and get the best of both worlds?

6 **MSGR. LAROCQUE:** Yes.

7 **MR. ENGELMANN:** Did you explore that with
8 him, sir, to find out what he was talking about?

9 **MSGR. LAROCQUE:** No, I did not.

10 **MR. ENGELMANN:** Well, you just had the issue
11 with Deslauriers and abuse of youth, did you not think that
12 he might be talking about the same thing, perhaps sex with
13 young people, and that it was something that you should
14 look into?

15 **MSGR. LAROCQUE:** I never made that analysis.
16 I'm sorry.

17 **MR. ENGELMANN:** He says on the second page:

18 "I don't understand those who hurt the
19 church are protected and embraced..." --

20 And he says:

21 "...(as well they should be) but one who
22 distant himself in order to assure
23 himself that he is doing the will of
24 God and who thus protects the church is
25 forced to live in insecurity and

1 uncertainty."

2 Do you know what he is referring to there,
3 sir?

4 **MSGR. LAROCQUE:** Just what the words state.

5 **MR. ENGELMANN:** And he says:

6 "I know this is not a good time to be
7 honest with you."

8 This is of course just after the Deslauriers
9 matter. He says:

10 "But I've never been less than honest
11 with you."

12 A little later down, he says:

13 "This is a time of healing and
14 searching that I'm passing through, and
15 I just want you to know that I feel
16 badly that I'm treated differently than
17 the others."

18 Did you explore that with him in any way,
19 sir?

20 **MSGR. LAROCQUE:** I may have when I visited
21 him just before he died.

22 **MR. ENGELMANN:** Sir, do you know if he was
23 making a comparison between himself and Father Deslauriers
24 or ---

25 **MSGR. LAROCQUE:** Probably, yes.

1 MR. ENGELMANN: Or other priests?

2 MSGR. LAROCQUE: No, that was just Father
3 Deslauriers at the time.

4 MR. ENGELMANN: All right.

5 Now, when did he die, sir?

6 MSGR. LAROCQUE: I can't recall the date. I
7 should, but I don't.

8 MR. ENGELMANN: All right.

9 THE COMMISSIONER: The year, any idea like
10 that?

11 MSGR. LAROCQUE: My counsel might -- the
12 counsel for the Diocese probably knows, but I don't know.
13 I can't remember. I'm sorry.

14 MR. ENGELMANN: All right.

15 MSGR. LAROCQUE: But I know ---

16 MR. ENGELMANN: Yeah, I'm sure we have it
17 somewhere.

18 MSGR. LAROCQUE: --- I know I was at the
19 funeral and I ---

20 MR. ENGELMANN: Yes.

21 MSGR. LAROCQUE: --- I took the funeral.

22 THE COMMISSIONER: I'm sorry?

23 MR. ENGELMANN: But in any event, it was ---

24 THE COMMISSIONER: I'm sorry, you went to
25 the funeral?

1 **MSGR. LAROCQUE:** I was the celebrant of the
2 funeral.

3 **THE COMMISSIONER:** The celebrant, okay.

4 **MSGR. LAROCQUE:** At St. Dominic's Church, I
5 think it was St. Dominic's church in Montreal.

6 **MR. ENGELMANN:** He died obviously before
7 June of 1999 when Paul Lapierre ---

8 **MSGR. LAROCQUE:** Oh, absolutely.

9 **MR. ENGELMANN:** --- told you what he did?

10 **MSGR. LAROCQUE:** I'm quite sure he did.

11 **MR. ENGELMANN:** He'd been dead for a few
12 years before then?

13 **MSGR. LAROCQUE:** Yeah.

14 **MR. TALACH: (off mic)** If it assists, I
15 believe the date is the 11th of April 1988. The document is
16 120747 gives the Diocese (inaudible).

17 **MSGR. LAROCQUE:** Thank you.

18 **MR. ENGELMANN:** Sir, there is one more
19 letter, if I may. And that is 120739.

20 **THE COMMISSIONER:** Thank you. Exhibit
21 number 2143 is a letter to Father Don dated August 10th,
22 1987 from Bishop Eugene LaRocque.

23 **---EXHIBIT NO./PIECE NO. P-2143**

24 Letter from Eugene LaRocque to Don Scott
25 dated 10 Aug 87

1 **MR. ENGELMANN:** Sir, in that first paragraph
2 are you referring back to that same meeting you told us
3 about?

4 **MSGR. LAROCQUE:** That's right. That's
5 right.

6 **MR. ENGELMANN:** All right. And you do, in
7 the second paragraph, offer him some form of return to the
8 Diocese?

9 **MSGR. LAROCQUE:** It seems to ---

10 **MR. ENGELMANN:** Or some arrangement --
11 sorry.

12 **MSGR. LAROCQUE:** --- be that way, yes.

13 **MR. ENGELMANN:** Or to offer to arrange some
14 kind of work for him in Montreal?

15 **MSGR. LAROCQUE:** M'hm. That's right.

16 **MR. ENGELMANN:** And, sir, at Document Number
17 120741, it's a letter dated November 5th, 1987 from yourself
18 to the Most Reverend Leonard Crowley.

19 **MSGR. LAROCQUE:** He was the Auxiliary Bishop
20 of Montreal.

21 **MR. ENGELMANN:** Yes.

22 **MSGR. LAROCQUE:** For the English-speaking
23 sector of Montreal.

24 **THE COMMISSIONER:** Thank you. Exhibit
25 Number 2144, letter dated November 5th, '87 from Eugene

1 LaRocque to Auxiliary Bishop Leonard Crowley.

2 ---EXHIBIT NO./PIECE NO. P-2144

3 Letter from Eugene LaRocque to Leonard
4 Crowley dated 05 Nov 87

5 MR. ENGELMANN: And in the second paragraph
6 you're writing on Father Scott's behalf, asking if this
7 Auxiliary Bishop would accept him into the Diocese of
8 Montreal?

9 MSGR. LAROCQUE: Right.

10 MR. ENGELMANN: And you receive a letter
11 back from Auxiliary Bishop Crowley, 120742.

12 THE COMMISSIONER: Thank you. Exhibit
13 Number 2145, a letter of December 31st, '87 to Monseigneur
14 LaRocque from Auxiliary Bishop Crowley.

15 ---EXHIBIT NO/PIECE NO. P-2145

16 Letter from Leonard Crowley to Eugene
17 LaRocque dated 21 Dec 87

18 MR. ENGELMANN: And sir, if I may, just to
19 summarise, he's asking if you can provide him some
20 information.

21 MSGR. LAROCQUE: That's right.

22 MR. ENGELMANN: Before he decides whether to
23 accept Father Scott.

24 MSGR. LAROCQUE: That's right.

25 MR. ENGELMANN: All right. And then lastly

1 ---

2 MSGR. LAROCQUE: He will represent his
3 recommendation to the Archbishop in Montreal who has the
4 final say.

5 MR. ENGELMANN: And then you write back to
6 him, 120743, and you provide him with a dossier.

7 THE COMMISSIONER: Thank you.

8 MR. ENGELMANN: That gives some background
9 on his work with the Diocese of Alexandria-Cornwall, I
10 believe.

11 MSGR. LAROCQUE: Yes.

12 THE COMMISSIONER: Exhibit 2146.

13 ---EXHIBIT NO./PIECE NO. P-2146

14 (120743) Letter from Eugene LaRocque to
15 Leonard Crowley dated 08 Jan 88

16 MR. ENGELMANN: Sir, at or around this time,
17 aside from your knowledge of his sexual orientation, did
18 you have any knowledge or suspicions that Father Scott was
19 engaged in any sexual abuse of young people?

20 MSGR. LAROCQUE: No, I did not.

21 MR. ENGELMANN: That's something that only
22 came to your attention later?

23 MSGR. LAROCQUE: That's right.

24 THE COMMISSIONER: Did you relate to
25 Monsignor Crowley the fact that Mr. -- that Father Lapierre

1 was homosexual?

2 **MSGR. LAROCQUE:** Father Lapierre?

3 **THE COMMISSIONER:** I'm sorry, Father Scott.

4 Father Scott, sorry. Did you tell him that?

5 **MSGR. LAROCQUE:** I must have but I can't
6 recall. Is that something that he should know?

7 **THE COMMISSIONER:** He should.

8 **MSGR. LAROCQUE:** Yeah.

9 **MR. ENGELMANN:** Sir, I had questions about
10 one more priest and that being Paul Lapierre.

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

12 **MR. ENGELMANN:** And a couple of other
13 questions about other people and ---

14 **THE COMMISSIONER:** We'll go for lunch.

15 **MR. ENGELMANN:** Yeah.

16 **THE COMMISSIONER:** Let's have lunch. We'll
17 come back at two o'clock.

18 **THE REGISTRAR:** Order; all rise. A l'ordre;
19 veuillez vous lever. The hearing will resume at 2:00 p.m.

20 --- Upon recessing at 12:32 p.m./

21 L'audience est suspendue a 1231

22 --- Upon resuming at 2:04 p.m./

23 L'audience est reprise a 1404

24 **THE REGISTRAR:** Order; all rise. A l'ordre;
25 veuillez vous lever.

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

3 **MONSIGNOR EUGENE LAROCQUE, Resumed/Sous le meme serment:**

4 **---EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR**

5 **MR. ENGELMANN (cont/suite):**

6 **MR. ENGELMANN:** Good afternoon, Mr.
7 Commissioner. Good afternoon, Monseigneur LaRocque. I
8 just have a few more questions for you, sir.

9 I wanted to ask you about a priest who was
10 incardinated in your Diocese, Paul Lapierre.

11 **MSGR. LAROCQUE:** Yes.

12 **MR. ENGELMANN:** We've had some discussion
13 about him already. I have a few questions to ask you.

14 **MSGR. LAROCQUE:** Right.

15 **MR. ENGELMANN:** As I said, in my
16 understanding he left the Diocese shortly before you
17 arrived as Bishop in or about 1972.

18 **MSGR. LAROCQUE:** Be two years ---

19 **MR. ENGELMANN:** I'm sorry.

20 **MSGR. LAROCQUE:** Two years before.

21 **MR. ENGELMANN:** Oh, I'm confusing him with
22 Ken Martin. It would have been in the late sixties, I
23 believe.

24 **MSGR. LAROCQUE:** I think so, yes.

25 **MR. ENGELMANN:** I apologize. But he

1 remained incardinated in the Diocese -- well, he remains
2 incardinated in the Diocese.

3 **MSGR. LAROCQUE:** He still is, yes.

4 **MR. ENGELMANN:** Yes. And we saw from the
5 correspondence with Father Scott that you had some contact
6 with Paul Lapierre.

7 **MSGR. LAROCQUE:** Some, but very little
8 really.

9 **MR. ENGELMANN:** All right. It was
10 infrequent?

11 **MSGR. LAROCQUE:** That's right.

12 **MR. ENGELMANN:** All right. And you were
13 aware, sir, that he was investigated and then charged as
14 part of the Project Truth investigation?

15 **MSGR. LAROCQUE:** I believe so, yes.

16 **MR. ENGELMANN:** All right. And I don't just
17 mean in Montreal, jointly charged with Father Dubé, but I
18 also mean charged here in Cornwall.

19 **MSGR. LAROCQUE:** That's less clear in my
20 memory but ---

21 **MR. ENGELMANN:** All right.

22 I just want to show the witness a document.
23 It's Document Number 704669. And this is a statement form
24 number 1. It is an interview of Paul Lapierre by Officers
25 Genier and Dupuis of the Ontario Provincial Police.

1 I'm not sure if we have this document. It
2 was late notice so can you put it on the screen there. I'd
3 ask that it be copied.

4 **THE COMMISSIONER:** Thank you. Exhibit 2147
5 is a statement of Paul Lapierre on the 17th of March of 1998
6 taken by ---

7 **MR. ENGELMANN:** It's Officers Genier and
8 Dupuis.

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

10 ---EXHIBIT NO./PIECE NO. P-2147

11 (704669) Statement from Paul Lapierre
12 dated 17 Mar 98

13 Sir, just by way of context, this is not the
14 charge involving Father Dubé in Montreal. This is a charge
15 that allegedly took place in Ontario, in the town of
16 Alexandria. The complainant is the same though; it's Mr.
17 Marleau; Claude Marleau.

18 And essentially, sir, Father Lapierre
19 refuses to answer their questions about the incident and
20 says he wants to -- well, I'll ask you a couple questions
21 about it.

22 He says at the beginning, when the -- when
23 it's read to him what he may be charged with, he's asked if
24 he understands and he says:

25 "Yes, I understand the allegation.

1 Bishop told me not to say anything."

2 **MSGR. LAROCQUE:** That I would never have
3 said, I'm sorry.

4 **MR. ENGELMANN:** Right, so you're saying that
5 that would be inaccurate?

6 **MSGR. LAROCQUE:** I deny that, yes.

7 **MR. ENGELMANN:** All right.

8 And again, later on, he's asked:

9 "Do you wish to call a lawyer?"

10 "No, I'll call the Bishop when you
11 leave."

12 It's at the bottom of the page.

13 **MSGR. LAROCQUE:** Right.

14 **MR. ENGELMANN:** And when he's asked
15 questions on several occasions he says -- for example, the
16 middle of the second page, Bates page 794, when the sexual
17 act is put to him he says:

18 "I can't, I will not, oh my God. I
19 would have to speak to the lawyers of
20 the Diocese and the Bishop."

21 **MSGR. LAROCQUE:** M'hm.

22 **MR. ENGELMANN:** And then a little later, the
23 following page, 795, the second question on the page.

24 "Would you like to call your lawyer?"

25 "No, it's lunchtime. I'll call the

1 Bishop's office when you leave."

2 So, sir, he makes repeated references to
3 wanting to call you about this. Do you recall having
4 discussions with him? This is in 1998 now, this is not the
5 call that you had in 1999, in June. This is in '98 with
6 Paul Lapierre about the OPP investigation about whether or
7 not you would provide counsel; things of that nature.

8 **MSGR. LAROCQUE:** Well, I know we refused to
9 provide counsel on both occasions for him.

10 **MR. ENGELMANN:** The charges here in Cornwall
11 and the ---

12 **MSGR. LAROCQUE:** In Montreal.

13 **MR. ENGELMANN:** --- charges in Montreal?

14 **MSGR. LAROCQUE:** In Montreal, yes.

15 **MR. ENGELMANN:** Yes, okay. So you deny
16 telling him not to speak to the police?

17 **MSGR. LAROCQUE:** Absolutely.

18 **MR. ENGELMANN:** But do you recall him
19 seeking advice?

20 **MSGR. LAROCQUE:** Yes, he did phone. Yes.

21 **MR. ENGELMANN:** All right.

22 And, sir, we looked at a note earlier from
23 March 5th of 1999, in Pat Hall's notes, where you were being
24 informed by Hall that Dubé and Lapierre were going to be
25 investigated, possibly charged by the Montreal Police.

1 **MSGR. LAROCQUE:** That's right.

2 **MR. ENGELMANN:** Aside from the conversation
3 you told us about this morning, when Dubé admitted his own
4 involvement and someone else's, did you have any ---

5 **MSGR. LAROCQUE:** Dubé never admitted
6 anything.

7 **MR. ENGELMANN:** Sorry, I apologise. I
8 apologise.

9 When Lapierre admitted to you his own
10 involvement and someone else's ---

11 **MSGR. LAROCQUE:** That's right.

12 **MR. ENGELMANN:** --- and said that Father
13 Dubé was not involved.

14 **MSGR. LAROCQUE:** Yes.

15 **MR. ENGELMANN:** Did you have any other
16 discussions with him about the allegations in Montreal?

17 **MSGR. LAROCQUE:** Not to my knowledge, sorry.

18 **MR. ENGELMANN:** Sir, you didn't fund the
19 counsel for him in either location. Did you have someone
20 monitoring the trials? By that I mean either his trial in
21 Cornwall or his joint trial with Father Dubé in Montreal,
22 so that you could stay abreast of those cases.

23 **MSGR. LAROCQUE:** Not to my recollection.

24 **MR. ENGELMANN:** All right. There was some
25 press about his case here and I just want to show you a

1 couple of documents if I may. It's Exhibit 1022.

2 (SHORT PAUSE/COURTE PAUSE)

3 THE COMMISSIONER: Is this the letter from
4 Garry Guzzo?

5 MR. ENGELMANN: No. It's ---

6 THE COMMISSIONER: One zero two two, Exhibit
7 1022?

8 MR. ENGELMANN: That's what I have, sir,
9 yes. It's an article from the Ottawa Citizen.

10 THE COMMISSIONER: No, not even close.

11 MR. ENGELMANN: It's exhibit -- sorry,
12 Document Number 125435.

13 MSGR. LAROCQUE: Oh, it's in behind the
14 Guzzo thing.

15 MR. ENGELMANN: There's a series of ---

16 MSGR. LAROCQUE: If you turn from the Guzzo,
17 right behind it is the one from the Ottawa Citizen.

18 THE COMMISSIONER: There's a number of them.
19 Yeah, okay. So Exhibit 1022, yeah?

20 MR. ENGELMANN: The page I'm looking at is
21 Bates page 605.

22 THE COMMISSIONER: Six zero five (605).

23 MR. ENGELMANN: It says "605 front".

24 THE COMMISSIONER: Yep. Third page in.

25 MSGR. LAROCQUE: Yes, I have it.

1 **MR. ENGELMANN:** I think he was there before
2 you.

3 **(LAUGHTER/RIRES)**

4 **MR. ENGELMANN:** Sir, it's Bates page 605.
5 This is a story about -- this is coverage of the -- of his
6 trial here in Cornwall and the headline is, "Others
7 Involved in Sex Abuse: Priest. Catholic priest admits
8 others in Diocese confided in him about abuse of boys in
9 Cornwall."

10 Would this evidence have been brought to
11 your attention, or this media article been brought to your
12 attention?

13 **MSGR. LAROCQUE:** It may have been but I
14 can't recall it.

15 **MR. ENGELMANN:** All right. It starts with:
16 "A prominent Roman Catholic priest
17 charged with sex crimes under Project
18 Truth confessed in court yesterday that
19 he has long been aware of a group of
20 paedophiles in the Cornwall community."

21 It says:

22 "Under cross-examination while
23 testifying in his own defence, Father
24 Paul Lapierre, 72, repeatedly denied
25 taking part in a sex ring but told

1 court that priests in the tightly-knit
2 Diocese, along with others, confided in
3 him over the years about the sexual
4 abuse of boys in Eastern Ontario."

5 Now, I would think, sir, as Bishop at the
6 time that a story of that nature reported in the press
7 would have been brought to your attention -- likely.

8 **MSGR. LAROCQUE:** I'm, yes, quite sure that
9 it would have been.

10 **MR. ENGELMANN:** Right.

11 **MSGR. LAROCQUE:** Especially with Operation
12 Truth, which was investigating that very ---

13 **MR. ENGELMANN:** Right. And, sir, I'm
14 wondering -- two pages in, at Bates page 607, it's about
15 the fourth or fifth paragraph down:

16 "Father Lapierre did not comment on
17 other conversations he said he had
18 about the sexual abuse, saying the
19 information was exchanged during
20 religious confessions and was therefore
21 privileged. Asked if he ever reported
22 the sexual abuse he learned of, Father
23 Lapierre said he discussed it with the
24 Bishop of the Roman Catholic
25 Archdiocese of Cornwall-Alexandria."

1 And then he puts in quotes:

2 "It's privileged. You're dealing with
3 moral, ethical things."

4 Father Lapierre said.

5 **MSGR. LAROCQUE:** I deny that. Never did he
6 speak to me about this.

7 **MR. ENGELMANN:** All right. So you're saying
8 that if in fact he said what he is reported to have said,
9 that that is not true?

10 **MSGR. LAROCQUE:** Absolutely.

11 **MR. ENGELMANN:** All right.

12 **MSGR. LAROCQUE:** If he had told me that --
13 excuse me.

14 (SHORT PAUSE/COURTE PAUSE)

15 **MR. ENGELMANN:** So, sir, you're saying that
16 to your knowledge, aside from the one conversation that
17 you've talked to us about, you hadn't had discussions with
18 ---

19 **MSGR. LAROCQUE:** Not on this subject, I'm
20 sure.

21 **MR. ENGELMANN:** All right. Do you know,
22 sir, if the Bishop he's referring to there is you or one of
23 your predecessors?

24 **MSGR. LAROCQUE:** I wouldn't know.

25 **MR. ENGELMANN:** All right. And you wouldn't

1 know if he might have had a discussion with one of them?

2 MSGR. LAROCQUE: I wouldn't know.

3 MR. ENGELMANN: All right.

4 MSGR. LAROCQUE: Sorry.

5 MR. ENGELMANN: Because it doesn't name you,
6 sir, and I was just curious whether that -- whether you had
7 had any discussions with him before then or not.

8 Now, after learning of this did you seek to
9 speak to him or have someone speak to him about some of the
10 things that he said here?

11 MSGR. LAROCQUE: I can't recall, but I
12 should have if I didn't, but -- because this is very
13 disturbing.

14 MR. ENGELMANN: Yes, especially the part
15 that, you know, pedophile ring or group of pedophiles.

16 MSGR. LAROCQUE: That's right, exactly.

17 MR. ENGELMANN: And saying that ---

18 MSGR. LAROCQUE: And then hiding behind the
19 seal of confession too is ---

20 MR. ENGELMANN: Yes. Okay.

21 There was a similar article ---

22 MSGR. LAROCQUE: Which, by the way, he
23 wouldn't be able to reveal to the Bishop anyway.

24 MR. ENGELMANN: I'm sorry?

25 MSGR. LAROCQUE: The seal of confession

1 binds him so that he can't reveal it to the Bishop either.

2 MR. ENGELMANN: Yes, if -- those things that
3 were told to him at that time.

4 MSGR. LAROCQUE: That's right.

5 MR. ENGELMANN: But if they were told to him
6 outside?

7 MSGR. LAROCQUE: Outside of it, then that's
8 a different matter, yes.

9 MR. ENGELMANN: Yes. So you don't know
10 whether he said things like that to, for example, former
11 Bishop Proulx?

12 MSGR. LAROCQUE: I don't know.

13 MR. ENGELMANN: Yes. But what I'm really
14 concerned about is what, if anything, you did or your
15 designate did when you would have found out about what he
16 said in court in 2001.

17 MSGR. LAROCQUE: Well, all I know is that we
18 -- the whole Clergy was very upset at this testimony. I
19 can remember that.

20 MR. ENGELMANN: Yes.

21 MSGR. LAROCQUE: Because I was meeting with
22 priests who, like myself, had been accused. I would meet
23 with them, I think it was every Friday for about an hour to
24 pray together and to bolster them, to encourage them
25 because it was a very difficult time that we were going

1 through. And I -- and we discussed, I think, the
2 allegations and the priests were absolutely dumbfounded and
3 upset.

4 **MR. ENGELMANN:** I'm sure that you and others
5 were interested in getting to the bottom of it; were you
6 not, sir?

7 **MSGR. LAROCQUE:** Yes and we felt that
8 Operation Truth was going to do that I suppose, but I can't
9 remember any measures that we have taken directly.

10 **MR. ENGELMANN:** All right. Sir, there was
11 another article as well -- I'll just turn to it very
12 briefly -- in The Ottawa Sun. It is Document Number
13 701171.

14 **THE COMMISSIONER:** What's the date of the
15 article; do you know?

16 **MR. ENGELMANN:** The date of the article is -
17 - it's right around the same time. It's the same day,
18 actually, September 8th, 2001.

19 **MSGR. LAROCQUE:** What is the date October
20 16th at the top; do you know what that is?

21 **THE COMMISSIONER:** No. Right, so it might
22 be just two pages down in the same exhibit; is it?

23 **MR. ENGELMANN:** Yes, that's another version
24 of it.

25 **THE COMMISSIONER:** Oh, okay.

1 Take whatever you wish.

2 MR. ENGELMANN: Yes. No, let's just use
3 that. We don't need to add another document to the record.
4 Let's just use that document.

5 THE COMMISSIONER: Do you have it
6 Monseigneur?

7 MR. ENGELMANN: So I'm still in the same
8 Exhibit 1022, Bates page 611.

9 MSGR. LAROCQUE: Yes, I have it.

10 MR. ENGELMANN: Yes. Now, there seems to be
11 a reference here that one of the priests that he would have
12 spoken about was his brother. And I understand that there
13 was a priest by the name Hollis Lapierre but he was not the
14 brother of Paul Lapierre?

15 MSGR. LAROCQUE: No, his brother was Laurier
16 Lapierre.

17 MR. ENGELMANN: Right.

18 MSGR. LAROCQUE: I taught with him at King's
19 College.

20 MR. ENGELMANN: All right. So Paul Lapierre
21 was the brother of Laurier Lapierre?

22 MSGR. LAROCQUE: That's right.

23 MR. ENGELMANN: But not related to Hollis
24 Lapierre?

25 MSGR. LAROCQUE: No relationship whatsoever.

1 **MR. ENGELMANN:** All right. So there's a
2 discussion in this article about some of the evidence. For
3 example, that Hollis Lapierre had revealed sexual activity
4 between priests and boys.

5 There is also evidence in here about the
6 destruction of photographs that Scott was asked to do as
7 the executor of Hollis -- Don Scott, Father Don Scott, as
8 the executor of Hollis Lapierre's will, et cetera. And
9 again sir, this type of evidence would have been of concern
10 to you and your colleagues here at the Diocese of
11 Alexandria-Cornwall?

12 **MSGR. LAROCQUE:** Absolutely.

13 **MR. ENGELMANN:** All right. And again to
14 your knowledge sir, this was not followed up by any
15 internal investigations?

16 **MSGR. LAROCQUE:** Father Lapierre was dead, I
17 believe, at this time.

18 **MR. ENGELMANN:** I'm sorry?

19 **MSGR. LAROCQUE:** Father -- Hollis Lapierre
20 was dead at this time.

21 **MR. ENGELMANN:** Fair enough.

22 **MSGR. LAROCQUE:** And so was Don Scott.

23 **MR. ENGELMANN:** Yes, but whether they were
24 deceased or not, there were many issues that were raised by
25 the evidence of Paul Lapierre?

1 **MSGR. LAROCQUE:** Yes, very much so.

2 **MR. ENGELMANN:** All right. So you do not
3 recall, sir, speaking then with Paul Lapierre at any time
4 after this evidence was given in 2001 by him?

5 **MSGR. LAROCQUE:** I don't remember any
6 conversation, no.

7 **MR. ENGELMANN:** All right. I want to ask
8 you very briefly about a couple of other matters.

9 Are you familiar with a Father François
10 Lefebvre?

11 **MSGR. LAROCQUE:** Yes. Manley Lefebvre. He
12 was an elderly priest when I came here.

13 **MR. ENGELMANN:** All right. And sir if I
14 could just have you very briefly turn -- it's Document
15 Number 119192.

16 **THE COMMISSIONER:** Thank you. Exhibit 2148
17 is a letter to Bishop LaRocque dated May 5th, 1995 from
18 Howard Yegendorf.

19 **--- EXHIBIT NO./PIÈCE NO P-2148:**

20 (119192) Letter from Howard Yegendorf to
21 Eugene LaRocque dated 05 May 95

22 **THE COMMISSIONER:** Is this subject to --
23 just a second now.

24 It's not in here. It's not subject to a
25 moniker.

1 **MR. ENGELMANN:** No.

2 **MR. SHERRIFF-SCOTT:** It's not, Commissioner,
3 and the individual was a litigant and there was a public
4 Statement of Claim with his name on it. I don't think
5 there is any confidentiality.

6 **THE COMMISSIONER:** Okay. Thank you.

7 **MR. ENGELMANN:** Sir, in this letter, there's
8 an allegation that Father Lefebvre sexually abused this
9 particular individual for some 20 years.

10 **MSGR. LAROCQUE:** M'hm.

11 **MR. ENGELMANN:** Do you see that?

12 **MSGR. LAROCQUE:** Yes, I do.

13 **MR. ENGELMANN:** And this was written to you,
14 sir, in May of '95?

15 **MSGR. LAROCQUE:** That's right.

16 **MR. ENGELMANN:** Did you have any knowledge
17 of this yourself sir in the -- when you became Bishop or
18 shortly after you became Bishop?

19 **MSGR. LAROCQUE:** No. My first knowledge, if
20 I recall correctly was when Mr. Gauthier came to see me on
21 the recommendation of the psychologist at the General
22 Hospital.

23 **MR. ENGELMANN:** All right. And that would
24 have been before you had received this letter?

25 **MSGR. LAROCQUE:** I'm not sure whether it was

1 before or after, but I would suspect that it would be
2 before.

3 **MR. ENGELMANN:** All right. And sir, if I
4 could also show you -- it's Document Number 737923. It's a
5 letter from Gordon Bryan to Mr. Peter Annis. I think that
6 will help with the date, sir, as to when he came to see
7 you.

8 **THE COMMISSIONER:** It's already Exhibit 1981
9 -- twenty-one ---

10 **THE REGISTRAR:** The last one we entered.

11 **THE COMMISSIONER:** Yes.

12 **THE REGISTRAR:** It's already -- entered
13 already.

14 **THE COMMISSIONER:** All right. That's fine.
15 We'll leave it at that. Let's keep going; 2149 will be ---

16 **THE REGISTRAR:** It's 1980.

17 **MR. ENGELMANN:** Nineteen-eighty (1980) is
18 the exhibit. Okay, thank you. I apologize. Document
19 Number, counsel, 737923.

20 **MSGR. LAROCQUE:** Nineteen-eighty (1980)?

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

22 **MR. ENGELMANN:** Sir, it appears from the
23 first paragraph of the letter that this -- the individual,
24 the alleged victim, came to see you in or around February
25 of 1994.

1 **MSGR. LAROCQUE:** Yes. From this, yes.

2 **MR. ENGELMANN:** All right. And at that time
3 did you offer him any assistance?

4 **MSGR. LAROCQUE:** Yes, I did.

5 **MR. ENGELMANN:** And do you recall what that
6 was, sir?

7 **MSGR. LAROCQUE:** I have notes that I made of
8 this. I don't know if you have them or not. It seems to
9 me that I have notes. But I remember asking him
10 forgiveness on the part of the church because the priest in
11 question was already dead.

12 **MR. ENGELMANN:** Yes.

13 **MSGR. LAROCQUE:** And to try to get him not
14 to blame himself, because I'd been told that sometimes this
15 is what is part of their difficulty.

16 And second is I asked him -- because I've
17 seen this note and that's what's in the back of my mind
18 here. I asked him to pray for Father Many Lefebvre, as we
19 knew him -- the same man -- and that the pray for him could
20 possibly help him to forgive and to heal as well.

21 And thirdly that -- I think there was a
22 third one, that if he needed extra help we would be ready
23 to help him.

24 **MR. ENGELMANN:** What type of help, sir?

25 **MSGR. LAROCQUE:** I guess it would be in

1 keeping with the policy of financial help, for psychiatric
2 help.

3 MR. ENGELMANN: For counselling?

4 MSGR. LAROCQUE: That's right.

5 MR. ENGELMANN: Now, this priest is -- dies
6 in or around 1978. Do you know if you would have followed
7 up in any way to find out whether the individual in
8 question was the lone victim or lone alleged victim of this
9 priest? Do you know if there would have been any follow-up
10 on that by the Diocese?

11 MSGR. LAROCQUE: Since he was Chaplain at a
12 Sacred Heart Brothers for seven years and there are young
13 boys there from -- it was a grade 9 and grade 10 private
14 high school -- I believe that I did ask there if they had
15 had any complaints, but I'm not positive of that.

16 MR. ENGELMANN: Okay. Would you have
17 advised the alleged victim, when he met with you, that the
18 priest in question had -- was deceased?

19 MSGR. LAROCQUE: Oh yes. He knew it at the
20 time.

21 MR. ENGELMANN: Oh, he did? Okay.

22 MSGR. LAROCQUE: Yes.

23 MR. ENGELMANN: All right, I want to ask you
24 a little bit about some civil litigation that you were
25 involved in.

1 Sir, you talked about a difficult time in
2 2001. In or around the year 2000 did you become aware of a
3 website that had allegations about yourself and many other
4 individuals from the Cornwall area?

5 **MSGR. LAROCQUE:** Yes, I was told about it.
6 I never looked at it myself but I was told that it existed.

7 **MR. ENGELMANN:** All right. And there was a
8 website operator by the name of Dick Nadeau?

9 **MSGR. LAROCQUE:** That's right, yes.

10 **MR. ENGELMANN:** Is that someone who was
11 known to you, sir, or ---

12 **MSGR. LAROCQUE:** No, not at all.

13 **MR. ENGELMANN:** All right.

14 As a result of being advised that your name
15 and the names of others were on this website, did you
16 initiate any kind of legal action?

17 **MSGR. LAROCQUE:** It seems to me I instructed
18 our law firm in Ottawa to begin libel -- a suit against
19 them.

20 **MR. ENGELMANN:** All right. And would that
21 have been on your behalf and on the behalf of other priests
22 in the Diocese who were named on this website?

23 **MSGR. LAROCQUE:** That's right.

24 **MR. ENGELMANN:** And do you know how this
25 came about? Did you just make that decision yourself as

1 Bishop or do you know if there was some kind of a meeting
2 to determine what action to take?

3 MSGR. LAROCQUE: I think it was in
4 consultation with the lawyers.

5 MR. ENGELMANN: All right. And would that
6 have been just with you, sir, or with the group of priests
7 as well?

8 MSGR. LAROCQUE: I believe it was just with
9 myself.

10 MR. ENGELMANN: All right. And would that
11 decision then, to take that course of action, have been
12 funded by the Diocese?

13 MSGR. LAROCQUE: It would, yes.

14 MR. ENGELMANN: And do you know what
15 eventually happened as a result of this lawsuit?

16 MSGR. LAROCQUE: I believe we dropped the
17 libel suit when he was told to take the material off the
18 computer.

19 MR. ENGELMANN: All right.

20 MSGR. LAROCQUE: That's my recollection.
21 I'm not sure of that though.

22 MR. ENGELMANN: Do you have any other
23 recollection or you remember any other details about how
24 the matter was resolved?

25 MSGR. LAROCQUE: That's about all that I can

1 remember, I'm sorry.

2 **MR. ENGELMANN:** Sir, were you also aware of
3 an Ontario member of the provincial Parliament by the name
4 of Garry Guzzo? Is that name familiar to you?

5 **MSGR. LAROCQUE:** It is because of the phone
6 call that I received from CBC one Sunday night, announcing
7 the fact that Mr. Guzzo was going to name me in Parliament
8 and asking me if I wanted to use the CBC to counteract this
9 way of protecting himself by attacking me in the
10 Parliament.

11 **MR. ENGELMANN:** Did they advise you as to
12 what he was planning to say about you?

13 **MSGR. LAROCQUE:** That he was going to name
14 me as one of the heads of the paedophile ring in Cornwall.

15 And so they came on the Monday to my home
16 and they interviewed on the front lawn of the -- of my
17 house, and that is where I stated that the basis of all
18 this accusation was a Leroux sworn statement, and that I
19 could prove that he was lying because he says in that sworn
20 statement that I abused him personally when I was a priest
21 in the Diocese of Alexandria in 1961 or thereabouts.

22 So I merely stated on television that in
23 1961 I had never set foot in Alexandria and I was teaching
24 at King's College.

25 **MR. ENGELMANN:** That's what you told us this

1 morning.

2 MSGR. LAROCQUE: Yes.

3 MR. ENGELMANN: Yes, okay.

4 MSGR. LAROCQUE: And that he was either
5 mistaken in his identity or lying.

6 MR. ENGELMANN: Now, aside from responding
7 to what you'd heard Mr. Guzzo was about to say, were you
8 aware that he'd been calling for a public inquiry here in
9 Cornwall for some time before that as well?

10 MSGR. LAROCQUE: No, I was not.

11 MR. ENGELMANN: All right. Did you, as a
12 result of this threatened action or what you had been told
13 might happen in the legislature -- did you take any form of
14 legal action against Mr. Guzzo?

15 MSGR. LAROCQUE: No, I did not.

16 MR. ENGELMANN: Well, might you have
17 instructed your lawyers to at least threaten legal action
18 against Mr. Guzzo?

19 MSGR. LAROCQUE: I could have, yes, but I
20 didn't.

21 MR. ENGELMANN: Well, let me just show you a
22 document; it might refresh your memory.

23 MSGR. LAROCQUE: Okay. It needs refreshing.

24 MR. ENGELMANN: Exhibit 1014.

25 MSGR. LAROCQUE: Especially at this time of

1 the day.

2 THE COMMISSIONER: Yeah.

3 Exhibit?

4 MR. ENGELMANN: Ten fourteen (1014).

5 THE COMMISSIONER: We have it.

6 MR. ENGELMANN: I don't intend to take you
7 through this document, sir, just maybe the first page and
8 the last page. But on the front page it says Notice of
9 Libel.

10 MSGR. LAROCQUE: Right.

11 MR. ENGELMANN: And it lists the person
12 that's going to receive it as Garry Guzzo.

13 On the final page it's dated the 28th of June
14 2001 and it's issued by solicitors at Borden Ladner Gervais
15 and they're listed as solicitors for you.

16 MSGR. LAROCQUE: The ---

17 MR. ENGELMANN: The very last page, sir.

18 MSGR. LAROCQUE: Okay. Yes.

19 MR. ENGELMANN: Does this refresh your
20 memory, sir, that you at least threatened legal action,
21 notice of libel, against Mr. Guzzo?

22 MSGR. LAROCQUE: I guess so, yes, through my
23 legal counsel, yes.

24 MR. ENGELMANN: All right. Again this would
25 have been something that you would have decided on. Did

1 you have consultation with colleagues or is this just
2 something you would have decided to do as Bishop?

3 **MSGR. LAROCQUE:** I think this was the
4 recommendation of the ---

5 **MR. ENGELMANN:** I'm sorry.

6 **MSGR. LAROCQUE:** I think it was the
7 recommendation of my legal counsel.

8 **MR. ENGELMANN:** All right. And do you know,
9 sir -- we understand that that action never took place.

10 **MSGR. LAROCQUE:** That's correct.

11 **MR. ENGELMANN:** All right. And sir, just
12 while we're on the recommendation of legal counsel, I
13 wanted to ask you a question that arose from this morning.

14 After you had that phone call with Father
15 Lapierre in June of 1999 and he spoke to you about you know
16 why he knew it wasn't René Dubé, et cetera, did you seek
17 any legal advice at that time about what you should do
18 about this admission that you had received from Father
19 Lapierre.

20 Do you recall?

21 **MSGR. LAROCQUE:** No, I didn't.

22 **MR. ENGELMANN:** All right. Monsignor
23 LaRocque I just have some final questions for you, dealing
24 with institutional response, impact on yourself and
25 recommendations that you might have.

1 And on the institution response for a
2 moment, allegations against you were investigated by the
3 Ontario Provincial Police. Correct?

4 **MSGR. LAROCQUE:** Correct, yes.

5 **MR. ENGELMANN:** Sir, did you think in your
6 dealings with them, that you were dealt with fairly by the
7 OPP?

8 **MSGR. LAROCQUE:** I was always impressed by
9 their thoroughness and by their competence, yes. Both
10 Inspector Smith and Inspector Hall were, I would say, very
11 professional.

12 **MR. ENGELMANN:** You had no concerns about
13 how they dealt with you, sir?

14 **MSGR. LAROCQUE:** Not at all, no.

15 **MR. ENGELMANN:** And did you have any
16 concerns about how they or their colleagues dealt with some
17 of your priests?

18 **MSGR. LAROCQUE:** Not that I can recall, no.

19 **MR. ENGELMANN:** All right. I want to ask
20 you about some of the impact that this might have had on
21 your personally. If you have a statement, sir, that you've
22 prepared that's fine but you've talked a couple of times
23 about the Leroux allegation.

24 **MSGR. LAROCQUE:** Yes.

25 **MR. ENGELMANN:** And you've spoken to us

1 about the fact that you're named on a website.

2 MSGR. LAROCQUE: Yes.

3 MR. ENGELMANN: Can you give us some
4 indication as to the impact that might have had on you?
5 You don't have to ---

6 MSGR. LAROCQUE: You're never a judge in
7 your own case really but it wasn't just on me. It was on
8 the Church, it was on my family. And as I said, it wasn't
9 just myself.

10 It was other good priests who were tarred
11 with the same brush. And I felt a great injustice had been
12 done. And I didn't see any way that the thing would ever
13 do away; people will always believe, I suppose that I was
14 guilty or that somebody else was guilty even though the
15 investigation proved otherwise.

16 MR. ENGELMANN: Did the concern you had
17 about yourself and the accusations against you, did that
18 have any impact on how you viewed allegations perhaps
19 against some of your priests?

20 MSGR. LAROCQUE: I suppose it would have
21 influenced it, yes. It's the time I started taking high
22 blood pressure pills.

23 MR. ENGELMANN: I'm sorry, sir, I'm having
24 trouble hearing you.

25 MSGR. LAROCQUE: It is the time that I

1 started taking high blood pressure pills.

2 MR. ENGELMANN: Now, sir you've talked to us
3 about -- well, we know that you were the Bishop of this
4 Diocese for approximately 27 or 28 years.

5 MSGR. LAROCQUE: Twenty-eight years, yes.

6 MR. ENGELMANN: And we've looked at some of
7 the evolutions of protocols that were in place ---

8 MSGR. LAROCQUE: Yes.

9 MR. ENGELMANN: --- both internal and inter-
10 agency.

11 MSGR. LAROCQUE: Right.

12 MR. ENGELMANN: And some of the practices
13 and the implementation of these protocols ---

14 MSGR. LAROCQUE: Right.

15 MR. ENGELMANN: --- and you've told us on
16 several occasions, in hindsight, you might have done some
17 things differently.

18 MSGR. LAROCQUE: Right.

19 MR. ENGELMANN: Do you have any
20 recommendations to make to this Inquiry knowing that we're
21 looking at how institutions should respond to allegations
22 of sexual abuse against youth?

23 MSGR. LAROCQUE: I think really that as soon
24 as a priest or anyone else receives information of an
25 accusation; that should be, immediately, be transferred to

1 the police department.

2 And I would suppose then that they would
3 begin the investigation because if I'm not mistaken, there
4 are certain facts, especially I'm talking now of, not
5 historical, but actual abuse taking place.

6 **THE COMMISSIONER:** Recent?

7 **MSGR. LAROCQUE:** Recent, yes.

8 And if it is recent, then it seems to me the
9 police should be notified so that they can begin their
10 investigation as quickly as possible to get the facts and
11 the clues that might be present.

12 And it might be erased by time. And the
13 police I would surmise would be then responsible for
14 contacting the CAS. It seems to me that the Church has to
15 be seen as entirely open and not trying to hide something.

16 And in this way, I think it -- they would
17 achieve that purpose.

18 **MR. ENGELMANN:** So would you agree that it
19 would be important to report historical allegations as well
20 to the police so they can investigate?

21 **MSGR. LAROCQUE:** Absolutely, yes. But with
22 less perhaps urgency but it would have to be reported.
23 There's no doubt about it.

24 **MR. ENGELMANN:** Given your ---

25 **MSGR. LAROCQUE:** And I suppose somehow, and

1 I don't know how this could be done, to protect the
2 innocent. It seems to me that also there are victims, you
3 know, those who are incorrectly or deliberately accused of
4 something of which they are not guilty.

5 And I know that for a fact. And so it seems
6 to me that too is a victim.

7 **MR. ENGELMANN:** Any other comments or
8 recommendations?

9 **MSGR. LAROCQUE:** I believe that's all I have
10 to say.

11 **MR. ENGELMANN:** Just then maybe one final
12 thought as a Bishop, as a religious leader, I'm sure you've
13 engaged in pastoral care for much of your life, helping
14 individuals who have suffered with healing and
15 reconciliation.

16 Is that fair?

17 **MSGR. LAROCQUE:** Yes.

18 **MR. ENGELMANN:** And I'm wondering, sir,
19 whether you believe apologies or expressions of regret are
20 important from Church leaders when we have situations of
21 clergy abuse?

22 **MSGR. LAROCQUE:** Well, I did that with some
23 people especially with Deslauriers victims who came to see
24 me. I did it with Mr. Gauthier as I just said. Certainly
25 there's an apology due on the part of the Church because

1 these priests are acting on behalf of the Church. And I
2 think because most of them are fellow Catholics and even if
3 they're not, if they believe in Christ at all and the words
4 of Christ well then you know, forgive us our trespasses as
5 we forgive those who trespass against us.

6 And somehow that has to find its expression
7 I think in this whole matter as well.

8 **MR. ENGELMANN:** Those are all my questions
9 unless you have anything else.

10 **THE COMMISSIONER:** You had something -- were
11 you intending on reading something at some point?

12 **MSGR. LAROCQUE:** I was intending to read
13 that at the beginning ---

14 **THE COMMISSIONER:** Yes.

15 **MSGR. LAROCQUE:** --- but I don't think I'll
16 do so at the present time.

17 **THE COMMISSIONER:** Thank you. So we'll take
18 the afternoon break. And then we'll come back with the
19 cross-examination.

20 **MR. ENGELMANN:** Sir, when people ask you
21 questions, they will identify themselves. They will let
22 you know who they are representing.

23 **MSGR. LAROCQUE:** Thank you.

24 **THE COMMISSIONER:** Pardon. Oui, quinze
25 minutes. O.k. Une pause.

1 **THE REGISTRAR:** Order; all rise. A l'ordre;
2 veuillez vous lever.

3 The hearing is will resume at 3:00 p.m.

4 --- Upon recessing at 2:47 p.m./

5 L'audience est suspendue a 14h47

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

7 L'audience est reprise a 15h04

8 **THE REGISTRAR:** Order; all rise. A l'ordre;
9 veuillez vous lever.

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

12 **THE COMMISSIONER:** Mr. Wardle, Good
13 Afternoon.

14 **MR. WARDLE:** Good Afternoon Mr.
15 Commissioner.

16 **THE COMMISSIONER:** Go ahead.

17 **BISHOP EUGÈNE LAROCQUE, Resumed/Sous le même serment:**

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

19 **MR. WARDLE:**

20 **MR. WARDLE:** Bishop LaRocque, my name is
21 Peter Wardle and I represent an organization called
22 Citizens for Community Renewal.

23 **MSGR. LAROCQUE:** Based in Cornwall, for the
24 community of Cornwall?

25 **MR. WARDLE:** Based in Cornwall and it is an

1 organization of concerned Cornwall citizens determined to
2 promote needed institutional reforms so as to ensure the
3 protection of children and justice for all.

4 And I want to start out, if I may, Bishop,
5 with some very general questions which I hope you will be
6 able to agree with me on.

7 First of all, can we agree that throughout
8 the tenure, your tenure as Bishop and even today, the Roman
9 Catholic Diocese is an important institution in the
10 Cornwall community?

11 **MSGR. LAROCQUE:** I think that would be a
12 true statement, yes.

13 **MR. WARDLE:** And would you also agree with
14 me that it is important for the community as a whole that
15 the institution is seen to be credible and forthright?

16 **MSGR. LAROCQUE:** Otherwise it won't be
17 effective.

18 **MR. WARDLE:** Correct.

19 And can you agree with me as well that
20 allegations of the kind that we have been discussing over
21 the past many months here, if they are not handled
22 appropriately by an institution, it can affect the
23 community at large in a detrimental way?

24 **MSGR. LAROCQUE:** And affect the Church and
25 the community at large as well, yes.

1 **MR. WARDLE:** Yes.

2 And can we also agree that if those -- if
3 allegations of this kind, sexual abuse of a historical
4 nature involving minors, if they are not handled correctly
5 by local institutions, it can prove a breeding ground for
6 rumour and innuendo?

7 **MSGR. LAROCQUE:** It has, yes.

8 **MR. WARDLE:** And do you accept that in
9 retrospect the Diocese bears some responsibility -- and I
10 emphasize the word "some" because this is a very
11 complicated matrix -- for allowing Cornwall to become a
12 breeding ground for rumour and innuendo?

13 **MSGR. LAROCQUE:** That's a question that has
14 so many possibilities, I don't know how to answer it,
15 really.

16 **MR. WARDLE:** All right.

17 Well, let me put it slightly differently.
18 Do you accept that had the Church acted differently in the
19 past -- and I'm going to focus in a minute on Deslauriers
20 and on the allegations involving Father Charles MacDonald -
21 --

22 **MSGR. LAROCQUE:** Right.

23 **MR. WARDLE:** Had those allegations been
24 acted and dealt with differently by your institution, it
25 might have had an impact later on on the cloud of rumour

1 and innuendo that began to hang over this community?

2 **MSGR. LAROCQUE:** Yes, that's a statement
3 that I could agree with, yes.

4 **MR. WARDLE:** All right.

5 So let me start then, if I may, and I'm
6 really going to focus on these two matters and I'm sure
7 some of my colleagues will deal with some of the other
8 matters that Mr. Engelmann touched in his examination. But
9 I want to start with the Deslauriers matter.

10 And, first of all, as I understand it, that
11 was really your first experience as a Bishop of this
12 Diocese of something of that nature?

13 **MSGR. LAROCQUE:** That's true.

14 **MR. WARDLE:** And you had no prior training
15 or experience in dealing with allegations of that kind;
16 correct?

17 **MSGR. LAROCQUE:** Absolutely not, no.

18 **MR. WARDLE:** Nor is it fair to say no one
19 else in the Dioceses really had that training or experience
20 at that time?

21 **MSGR. LAROCQUE:** No, that's true.

22 **MR. WARDLE:** And there was no protocol or
23 national policy to follow; correct?

24 **MSGR. LAROCQUE:** None whatsoever, no.

25 **MR. WARDLE:** This was well before From Pain

1 to Hope; correct?

2 **MSGR. LAROCQUE:** That's right.

3 **MR. WARDLE:** And as I understand it from
4 your evidence the first week that you were here, one of
5 your concerns throughout was to avoid scandal for the
6 Diocese. Is that correct?

7 **MSGR. LAROCQUE:** The first week I was here
8 as Bishop?

9 **MR. WARDLE:** No, ---

10 **MSGR. LAROCQUE:** Sorry.

11 **MR. WARDLE:** --- my question is a little
12 overly complicated. You told us the first week you
13 testified ---

14 **MSGR. LAROCQUE:** Oh, I'm sorry.

15 **MR. WARDLE:** It's my fault, not yours, sir.
16 You told us the first week that you
17 testified that one of your concerns throughout the
18 Deslauriers matter was to avoid scandal for the Diocese;
19 correct?

20 **MSGR. LAROCQUE:** Yes, that would be true.
21 That was one of my preoccupations.

22 **MR. WARDLE:** And I'm just going to read, if
23 I may -- and maybe I'll give you the extract from your
24 testimony. It's July 30th, Volume 265 of the transcript at
25 page 3 and this was a comment you made in response to

1 Maitre Dumais, "d'éviter le scandale", which I take it
2 means to avoid scandal.

3 **MSGR. LAROCQUE:** Right.

4 **MR. WARDLE:** Okay. And just to walk you
5 through some of the events involving this quickly, this
6 began in January of 1986 with the first complaint received
7 not by yourself but by other priests in the Diocese from
8 the Brisson family; correct?

9 **MSGR. LAROCQUE:** Correct, yes.

10 **MR. WARDLE:** And you were made aware of it
11 very quickly through one or two of those priests; correct.

12 **MSGR. LAROCQUE:** On my return from my -- to
13 my office, yes.

14 **MR. WARDLE:** And as I understand it, you had
15 an initial meeting with Father Deslauriers dealing only
16 with the single allegation that you had at that time;
17 correct?

18 **MSGR. LAROCQUE:** That's correct.

19 **MR. WARDLE:** And he denied it?

20 **MSGR. LAROCQUE:** He said that it was a
21 superficial touching over the clothes.

22 **MR. WARDLE:** And you did not take any
23 significant action at that time; correct?

24 **MSGR. LAROCQUE:** No. As I explained, I was
25 pretty well under his -- I wouldn't say domination, but he

1 had my confidence at that time.

2 MR. WARDLE: He had your confidence and you
3 were inclined to accept his explanation?

4 MSGR. LAROCQUE: At that time, yes.

5 MR. WARDLE: Okay. And then, as we've heard
6 from a number of witnesses, within a very few days there
7 are more complainants coming forward and one of those, of
8 course, is Father Thibault; correct?

9 MSGR. LAROCQUE: That's right, yes.

10 MR. WARDLE: And am I right that once you
11 were aware that there was an allegation involving one of
12 your priests and you met with Father Thibault and learned
13 the full detail of that allegation, you felt at that point
14 that you had to act?

15 MSGR. LAROCQUE: I had to act, yes.

16 MR. WARDLE: Okay. And so within a very
17 short period of time, mid-February of 1986, you asked
18 Father Deslauriers to leave the Diocese; correct?

19 MSGR. LAROCQUE: Yes.

20 MR. WARDLE: And ---

21 MSGR. LAROCQUE: And to seek help.

22 MR. WARDLE: And to seek help.

23 And we know, and we've gone through this
24 with you and with other witnesses, that the matter was not
25 reported to any outside agency at that time; correct?

1 **MSGR. LAROCQUE:** Not to my knowledge, no.

2 **MR. WARDLE:** The school where Father
3 Deslauriers had worked was not notified?

4 **MSGR. LAROCQUE:** Well, it would have been
5 notified because he went to the principal of the school
6 when I told him he could not go back to the rectory. So
7 the principal of the school would have known; probably one
8 of the first ones to know.

9 **MR. WARDLE:** The principal of the school
10 would have had to have known that Father Deslauriers was
11 leaving ---

12 **MSGR. LAROCQUE:** Yes.

13 **MR. WARDLE:** --- but would he have known why
14 he was leaving?

15 **MSGR. LAROCQUE:** She would probably not have
16 known because he would not have told her.

17 **MR. WARDLE:** Okay. And we know there was no
18 formal investigation by the Diocese by that point; correct?

19 **MSGR. LAROCQUE:** That's correct, yes.

20 **MR. WARDLE:** Okay. And as I understand it,
21 you didn't take any steps to prevent him from exercising
22 ministry elsewhere?

23 **MSGR. LAROCQUE:** I did, yes, but I wasn't
24 successful.

25 **MR. WARDLE:** Okay. You attempted to put

1 some limits around him?

2 **MSGR. LAROCQUE:** Yes, at the request of the
3 parents.

4 **MR. WARDLE:** Okay. And what exactly did you
5 try to do with respect to exercise of ministry?

6 **MSGR. LAROCQUE:** I tried to get him out of
7 parish work in the Diocese of Hull ---

8 **MR. WARDLE:** Okay.

9 **MSGR. LAROCQUE:** --- where he had been under
10 Bishop Proulx's jurisdiction and put back into a temporary
11 assignment in a parish in Hull.

12 **MR. WARDLE:** All right.

13 Well, you're getting a little bit ahead of
14 me. I'm still in February.

15 **MSGR. LAROCQUE:** Okay.

16 **MR. WARDLE:** And remember this is a long
17 time ago.

18 **MSGR. LAROCQUE:** Right.

19 **MR. WARDLE:** You asked him to leave. As I
20 understand it, he goes for a period of time to a cottage.
21 Is that right?

22 **MSGR. LAROCQUE:** That belonged to Bishop
23 Proulx and to his sister, yes.

24 **MR. WARDLE:** Right. And then and we're
25 going to come to this -- within a short period of time

1 parishioners begin to report that he's actually celebrating
2 mass in Hull; correct?

3 **MSGR. LAROCQUE:** And the students -- some of
4 the students were in Ottawa, yes.

5 **MR. WARDLE:** So I want to just -- I just
6 want to take this in pieces. I'm still talking about the
7 period before that happened, before you became aware that
8 he was celebrating mass.

9 **MSGR. LAROCQUE:** Right.

10 **MR. WARDLE:** When you asked him to leave the
11 Diocese, did you put any restrictions on him at that point?

12 **MSGR. LAROCQUE:** I told him he no longer had
13 the faculties of the Diocese.

14 **MR. WARDLE:** Okay, and what does that mean?

15 **MSGR. LAROCQUE:** That he could not exercise
16 active ministry in the Diocese of Alexandria-Cornwall.

17 **MR. WARDLE:** All right. And then, as I
18 understand it, he goes to Bishop Proulx and Bishop Proulx
19 allows him to exercise ministry in the Ottawa-Hull Diocese.

20 **MSGR. LAROCQUE:** No, just in Hull.

21 **MR. WARDLE:** Just in Hull?

22 **MSGR. LAROCQUE:** Hull had been separated
23 from Ottawa.

24 **MR. WARDLE:** All right, and is Bishop Proulx
25 responsible at that point for Hull?

1 **MSGR. LAROCQUE:** He is, yes.

2 **MR. WARDLE:** Okay.

3 **MSGR. LAROCQUE:** And Archbishop Plourde was
4 the Archbishop of Ottawa at the time.

5 **MR. WARDLE:** Now just stopping there, before
6 we get to the complaints that begin to surface, had you
7 intended at that point to take any other steps with respect
8 to Father Deslauriers?

9 **MSGR. LAROCQUE:** I had -- if I recall
10 correctly, I had told him that he would have to make a
11 spiritual retreat, which was the way in which most of these
12 cases were handled at that time, and get some psychological
13 counselling.

14 **MR. WARDLE:** And in those early days, once
15 you'd talked to Father Thibault and you had suspended him,
16 did you have any sense at that point as to how many people
17 might have been affected?

18 **MSGR. LAROCQUE:** I think it went from Father
19 Thibault and the Brissons to two or three others, and then
20 to 10 others and then to 30, and then the final analysis, I
21 think, if I'm not mistaken, was 42.

22 **MR. WARDLE:** And that happened over a period
23 of time, I take it, that you learned this ---

24 **MSGR. LAROCQUE:** That would have been right
25 up to almost the trial that it went.

1 **MR. WARDLE:** Okay.

2 Now, I know some of this has been covered
3 with you and with other witnesses. But we know that the
4 Brissons and other parishioners and some of the students
5 learn that Father Deslauriers is celebrating mass in Hull
6 and he's seen at the local Caisse in Cornwall and he's seen
7 at the hospital and people begin to be very upset that no
8 further steps are being taken. Correct?

9 **MSGR. LAROCQUE:** I suppose so, yes.

10 **MR. WARDLE:** And the Brissons, do you recall
11 that they actually write a letter of complaint at one point
12 which is -- it's sent to a number of senior religious in
13 other ---

14 **MSGR. LAROCQUE:** I remember that letter very
15 well, yes.

16 **MR. WARDLE:** All right, and perhaps we could
17 just turn it up for a minute. Now, I believe it's already
18 been made an exhibit.

19 **THE COMMISSIONER:** Yes, it has.

20 **MR. WARDLE:** Mr. Commissioner, I have it as
21 118848 but I don't have the exhibit number.

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

23 **MR. WARDLE:** I gather that -- Mr. Sherriff-
24 Scott is telling me it's actually been made an exhibit
25 because it's part of the Ad Hoc Committee Report, which is

1 Exhibit 72.

2 THE COMMISSIONER: Okay. Yes, yes, it would
3 have been. Yep, you're right.

4 MR. WARDLE: So I'm just wondering if we can
5 turn that up.

6 THE COMMISSIONER: Just be patient for a
7 moment there, Mr. Wardle.

8 Thank you. So Exhibit 72 -- so do you want
9 to start at -- is it 7168 would be the last four digits?

10 MR. WARDLE: I'm just going to check that.

11 THE COMMISSIONER: I mean, it's the letter.
12 Monseigneur, si vous voulez aller au 7168.

13 MONS. LAROCQUE: Sept un?

14 LE COMMISSAIRE: Les quatre derniers
15 chiffres, c'est 7168.

16 MSGR. LAROCQUE: Yes.

17 LE COMMISSAIRE: C'est une lettre écrite à
18 la main.

19 MONS. LAROCQUE: Oui.

20 LE COMMISSAIRE: Et puis si vous retournez
21 au début, the first page just before that says,
22 « Monseigneur Larocque, here is a letter that we've sent to
23 Cardinal Spence, l'archevêque de Kingston, » et cetera,
24 et cetera.

25 Is that the one, Mr. Wardle?

1 Well, we'll see it on the ---

2 **MR. WARDLE:** You're right on, Mr.
3 Commissioner. You're way ahead of me. That's the letter.

4 **THE COMMISSIONER:** I've been here longer
5 than you have.

6 **MR. WARDLE:** You have, sir. We can debate
7 the relative merits of that another time.

8 **THE COMMISSIONER:** Okay, we're there.

9 **MR. WARDLE:** And really, sir -- Bates page,
10 I don't -- what's the Bates page for this? One six seven
11 (167) is the first -- yeah.

12 So there's a cover letter to you and then a
13 letter dated March 21st, 1986 to Monsignor Spence, Monsignor
14 Gantin and Monsignor Palmas. And at least one of those
15 gentlemen is in Rome, and I gather from reading this that
16 the Brissons had been encouraged to complain to senior
17 religious about what had taken place. Correct?

18 **MSGR. LAROCQUE:** Yes. Excuse me, yes.

19 **MR. WARDLE:** I'm not going to take you
20 through the letter but you'll see they have a -- in the
21 letter dated March 21st, they have a bit of a chronology.
22 And one of the things they list in the chronology is the
23 fact that Father Deslauriers has been seen celebrating mass
24 one week after his departure, in Hull; that he's been seen
25 at the Caisse Populaire in Cornwall on several occasions

1 and at the hospital.

2 MSGR. LAROCQUE: On two occasions.

3 MR. WARDLE: Yes.

4 MSGR. LAROCQUE: That was probably to
5 regulate his bank accounts.

6 MR. WARDLE: Yes, and I'll have some
7 questions for you later about the bank accounts.

8 And then very, very quickly, as I understand
9 it, you get a letter or a report from Father Menard, and
10 that's in the same document. And I have it as Bates page
11 101; same exhibit. Bates page 101 and it's dated March
12 25th, 1986.

13 Are you able to find that, sir, in the
14 committee report?

15 MSGR. LAROCQUE: Not with the references
16 you've given me, no, I can't.

17 THE COMMISSIONER: The last three numbers
18 are 101.

19 MSGR. LAROCQUE: One zero one?

20 THE COMMISSIONER: Yeah.

21 MSGR. LAROCQUE: Yes, I have it.

22 MR. WARDLE: We have it on the screen now,
23 sir.

24 MSGR. LAROCQUE: "Four days are the
25 Brissons."

1 **MR. WARDLE:** Correct.

2 And you'll see he indicates here that -- he
3 indicates that not only has he talked to Father Deslauriers
4 but he's listened to a number of individuals, including
5 priests, youth, other laypersons, et cetera.

6 And in the second -- third paragraph on the
7 first page, he suggests -- and my French translation may
8 not be that great but he suggests that the matter is on the
9 verge of bursting into the public realm.

10 **MSGR. LAROCQUE:** That's right.

11 **MR. WARDLE:** Do you see that?

12 **MSGR. LAROCQUE:** That's right, yes. It's
13 underlined, yes.

14 **MR. WARDLE:** Yeah. And then he indicates in
15 the indented paragraphs that there are now several dozen
16 youths directly involved. There's around 100 parents and
17 family members who are discussing, in an increasingly open
18 manner, their suffering and deception. Do you see that?

19 **MSGR. LAROCQUE:** Yes.

20 **MR. WARDLE:** The general public is chatting
21 about it and starting rumours with respect to the clergy.
22 Do you see that a couple of items down?

23 **MSGR. LAROCQUE:** Yes, that's right.

24 **MR. WARDLE:** And then, in fact, he even
25 indicates that there are journalists who are asking

1 questions. Do you see that?

2 **MSGR. LAROCQUE:** That's right.

3 **MR. WARDLE:** Okay. And going through to the
4 third page of the letter, there is a reference to the fact
5 that the Brisson family has written a letter of complaint.
6 Do you see that?

7 **MSGR. LAROCQUE:** In which paragraph is that?

8 **MR. WARDLE:** This is on page 3 of the
9 letter, the first large paragraph, right in the middle.

10 **MSGR. LAROCQUE:** Yes, okay. J'ai pris
11 connaissance, yes.

12 **MR. WARDLE:** And then a little further down
13 the next paragraph, there's a reference to the fact that he
14 seems to be concerned that some of the people involved
15 might consider a civil suit, which no doubt would be very
16 painful for Gilles Deslauriers, the youth called to
17 testify, and the Church.

18 **MSGR. LAROCQUE:** M'hm.

19 **MR. WARDLE:** And then he says in that
20 situation there would only be losers. Do you see that?

21 **MSGR. LAROCQUE:** That's right, yes.

22 **MR. WARDLE:** Okay. So I really wanted to
23 orient you. Just in terms of the formation of the ad hoc
24 committee, you testified, as I understand it, here that the
25 ad hoc committee came into effect as a result of Father

1 Menard's recommendations.

2 **MSGR. LAROCQUE:** That's correct.

3 **MR. WARDLE:** Yeah. And is it correct that
4 the concern at that time was that this matter had
5 escalated, it was becoming larger and larger, and it was
6 about to burst into the public domain?

7 **MSGR. LAROCQUE:** That was one of the -- and
8 also to get to the truth of the matter.

9 **MR. WARDLE:** All right.

10 **MSGR. LAROCQUE:** Because remember the
11 character of the person we're dealing with.

12 **MR. WARDLE:** And Father Deslauriers had
13 steadfastly refused to accept any responsibility or to make
14 any admissions. Correct?

15 **MSGR. LAROCQUE:** That's right, yes.

16 **MR. WARDLE:** Okay.

17 **MSGR. LAROCQUE:** It was his therapy.

18 **MR. WARDLE:** And is it fair to say that one
19 of the concerns that's raised in this letter and in the
20 setting up of the committee was the desire to prevent this
21 from becoming public so that there wouldn't be a public
22 scandal involving the Church?

23 **MSGR. LAROCQUE:** That was one of the
24 reasons, yes.

25 **MR. WARDLE:** Okay. And also is it fair ---

1 **MSGR. LAROCQUE:** And to help the young
2 people as well so they could ---

3 **MR. WARDLE:** Okay.

4 **MSGR. LAROCQUE:** --- feel something was
5 being done.

6 **MR. WARDLE:** And so that the young people
7 could feel that something was being done; there were a lot
8 of people who felt that the Church hadn't done enough.
9 Correct?

10 **MSGR. LAROCQUE:** That's right.

11 **MR. WARDLE:** Okay. Now, when you set up the
12 committee, the committee, as we've heard from a number of
13 witnesses -- there was an oath of confidentiality ---

14 **MSGR. LAROCQUE:** That's true.

15 **MR. WARDLE:** --- that was administered not
16 only to the witnesses but also, as I recall the evidence,
17 it had to be taken by the members of the committee
18 themselves.

19 **MSGR. LAROCQUE:** That I can't recall but it
20 may be true; I'm not sure.

21 **MR. WARDLE:** All right. But it was intended
22 to be a confidential process.

23 **MSGR. LAROCQUE:** Yes.

24 **MR. WARDLE:** And the report was
25 confidential. Correct?

1 **MSGR. LAROCQUE:** That's correct, yes.

2 **MR. WARDLE:** And the -- who actually saw the
3 report besides yourself?

4 **MSGR. LAROCQUE:** I think a copy was sent to
5 Rome, and I'm not sure but also to Archbishop Spence, but
6 I'm not sure.

7 **MR. WARDLE:** But would it be correct that it
8 certainly wouldn't have been seen by any of the
9 parishioners involved, any of the families; they wouldn't
10 have seen the report?

11 **MSGR. LAROCQUE:** No, because then it
12 wouldn't be confidential any more.

13 **MR. WARDLE:** Fair enough. I'm just asking
14 the question. But, you know, if I was Mrs. Brisson, for
15 example, I didn't see a copy of the report.

16 **MSGR. LAROCQUE:** She would know what she had
17 said at the meeting when she was interviewed.

18 **MR. WARDLE:** Of course.

19 **MSGR. LAROCQUE:** But she would not have
20 known what the others had said, no, that's true.

21 **MR. WARDLE:** All right. And what about the
22 priests of the Diocese; would they have seen a copy of the
23 report?

24 **MSGR. LAROCQUE:** Not to my knowledge, no.

25 **MR. WARDLE:** Okay. So is it fair that the

1 report was kept to a fairly limited group: yourself, the
2 Archbishop and Rome?

3 **MSGR. LAROCQUE:** I would say that that is
4 true, yes.

5 **MR. WARDLE:** Okay. And it was not shared
6 with the police when the police began to investigate Father
7 Deslauriers. Correct?

8 **MSGR. LAROCQUE:** No, but they were told
9 where the report was and what the report was about and
10 where they could find it if they wished to have it.

11 **MR. WARDLE:** All right. So you're saying
12 that had the police wished to subpoena the report, they
13 could have done so?

14 **MSGR. LAROCQUE:** As they did with the
15 school, yes.

16 **MR. WARDLE:** But it wasn't voluntarily
17 handed over to the police?

18 **MSGR. LAROCQUE:** No, because of the
19 confidentiality.

20 **MR. WARDLE:** And had there not been any
21 police charges against Father Deslauriers, I take it that
22 the recommendations in the report would have remained, you
23 know, held by that very small group who had actually
24 received it. Correct?

25 **MSGR. LAROCQUE:** Well, to be put into

1 effect.

2 MR. WARDLE: To be put into effect. Okay.
3 And you've told us that the intention was to provide for
4 counselling for victims.

5 MSGR. LAROCQUE: That's correct, yes.

6 MR. WARDLE: And you've also told us, and I
7 think we heard from Father Thibault, that he had some
8 interactions with victims on your behalf with ---

9 MSGR. LAROCQUE: I believe I had asked him
10 because he was a victim. It would make it easier for them
11 to talk to him than to others.

12 MR. WARDLE: And we heard from him, and this
13 is some time ago, that he talked to some of the individuals
14 who testified at Father Deslauriers' preliminary hearing.

15 MSGR. LAROCQUE: Right.

16 MR. WARDLE: Now, do you recall how many
17 individuals actually sought and obtained counselling from
18 the Church?

19 MSGR. LAROCQUE: No, I don't, but I know
20 that I talked to, I would say, seven or eight of them
21 myself personally in my office.

22 MR. WARDLE: Now, we've heard, and you'll
23 see it in this report, that the total number of youth
24 affected may have been as high as 40. Were there any
25 efforts made to go out and find those 40 people and make

1 sure they knew that counselling was available?

2 **MSGR. LAROCQUE:** I don't believe so because
3 some were -- some didn't even want to have their names
4 disclosed, they were in professions and it was spread
5 around the world. There were some of them in British
6 Columbia, I'm quite sure -- that I was told at least that
7 there were some there and that they refused to get
8 involved.

9 **MR. WARDLE:** Well, I understand that some
10 people may have been reluctant to get involved but I'm
11 really focussing on the Diocese's efforts.

12 **MSGR. LAROCQUE:** Right.

13 **MR. WARDLE:** Aside from the people that
14 Father Thibault was able to reach, was any effort made to
15 sort of go out and see what the larger group was?

16 **MSGR. LAROCQUE:** It seems to me that one of
17 my statements that I had made was that it was available to
18 all victims, but I get mixed up a little bit between that
19 one and other cases as well, so I'm not sure really.

20 **MR. WARDLE:** Okay. Because we know that
21 later you made a public statement in connection with after
22 -- in 1994 after the events involving Father Charles.

23 **MSGR. LAROCQUE:** Right. That's where I'm
24 getting mixed up a bit, I think, yeah.

25 **MR. WARDLE:** So I'm really asking about an

1 earlier point in time and trying to focus on, you know, we
2 know that there were potentially as many as 40 victims. We
3 know that some of them were contacted and the question is
4 whether the Diocese made an effort to find all of those
5 people and let them know that there was counselling
6 available.

7 **MSGR. LAROCQUE:** Not to my knowledge, but
8 you have to remember that most of these had been students
9 together at La Citadelle High School, so that there was a
10 close-knit type of -- so some would have probably escaped
11 that close-knit communication but -- and it's not an excuse
12 for not having done more but I think, as I recall, I left
13 it up to Father Thibault and his knowledge of those who
14 were under the influence of Father Deslauriers.

15 **MR. WARDLE:** And I take it there was no kind
16 of public process like a newspaper ad or anything like
17 that. That wasn't done at that time?

18 **MSGR. LAROCQUE:** Not at that time, no.

19 **MR. WARDLE:** Okay. And I take it that there
20 was never any -- at that time any apology given to any
21 individuals on behalf of the Diocese.

22 **MSGR. LAROCQUE:** I believe that when they
23 came in to see me I did, yes.

24 **MR. WARDLE:** I'm sorry?

25 **MSGR. LAROCQUE:** When they came in to see me

1 on a personal basis, I believe that I apologized on behalf
2 -- and asked their pardon on behalf of the Diocese.

3 MR. WARDLE: All right. So if an individual
4 came, either the youth concerned or the family perhaps, if
5 they came in to see you ---

6 MSGR. LAROCQUE: They mostly came in
7 themselves. They -- I don't think anyone of them ever came
8 in with their parents.

9 MR. WARDLE: And do you know how many of
10 them you saw in total, roughly?

11 MSGR. LAROCQUE: I would say seven or eight.

12 MR. WARDLE: Okay.

13 MSGR. LAROCQUE: Who asked to see me.

14 MR. WARDLE: And did you ever make any
15 public statement in connection with the Deslauriers matter?
16 Any kind of a press release or statement to the press or
17 anything of that kind?

18 MSGR. LAROCQUE: Not that I can remember,
19 no.

20 MR. WARDLE: With respect to the committee's
21 recommendations, one of the recommendations, as I
22 understand it, was that there be some conditions attached
23 to Father Deslauriers' incardination in another diocese;
24 correct?

25 MSGR. LAROCQUE: That's right.

1 **MR. WARDLE:** And you attempted to follow
2 that up with Bishop Proulx?

3 **MSGR. LAROCQUE:** Unsuccessfully.

4 **MR. WARDLE:** Unsuccessfully and, in fact,
5 I'm not going to take you through all the correspondence,
6 but there's a series of letters back and forth. You
7 attempt to insert these conditions and Bishop Proulx says
8 no, canon law doesn't allow us to do it.

9 **MSGR. LAROCQUE:** I did that at the request
10 of my own canon lawyers. So it became a sort of a battle
11 between two groups of canon lawyers.

12 **MR. WARDLE:** Right. And at the end of the
13 day ---

14 **MSGR. LAROCQUE:** It happens in the church
15 too. I'm sorry ---

16 **MR. WARDLE:** That's fine. A good one.

17 **MSGR. LAROCQUE:** Dismiss that comment.

18 **MR. WARDLE:** At the end of the day, however,
19 you were unsuccessful and he was incardinated into the Hull
20 Diocese without conditions. Is that correct?

21 **MSGR. LAROCQUE:** Yes. At the promise of the
22 Bishop that he would do his best to keep in mind what I had
23 told him.

24 **MR. WARDLE:** Okay.

25 And I understand that at some point in the

1 process, you spoke to Bishop Proulx to ensure that Father
2 Deslauriers would not celebrate mass; correct?

3 **MSGR. LAROCQUE:** That's right. I went to
4 his office to do that.

5 **MR. WARDLE:** And did he take some steps to
6 make sure that that was carried out?

7 **MSGR. LAROCQUE:** I believe within a few
8 weeks; I was told that by Easter of that -- which would
9 have been in April, he was no longer in the parish.

10 **MR. WARDLE:** But one of the problems here,
11 as I understand it, is you kind of lost control of Father
12 Deslauriers once he had left the Diocese?

13 **MSGR. LAROCQUE:** Exactly.

14 **MR. WARDLE:** Okay. And Father Proulx
15 perhaps for whatever reason ---

16 **MSGR. LAROCQUE:** Bishop Proulx.

17 **MR. WARDLE:** Sorry, Bishop Proulx, didn't
18 view the matter with the same urgency as you did. Is that
19 fair?

20 **MSGR. LAROCQUE:** I don't think I ever
21 convinced that there was a problem.

22 **MR. WARDLE:** All right. So Bishop Proulx
23 was prepared to be accommodating to Father Deslauriers in
24 that situation?

25 **MSGR. LAROCQUE:** Well, remember he had

1 brought him from Sudbury himself.

2 MR. WARDLE: Yes.

3 And of course he didn't have to face the
4 angry parishioners. You did, he didn't; correct?

5 MSGR. LAROCQUE: In retrospect, yes, that's
6 true.

7 MR. WARDLE: Okay.

8 Now, I want to ask you a few questions about
9 the money that Father Deslauriers kept in his bank account.

10 MSGR. LAROCQUE: Yes.

11 MR. WARDLE: And you weren't here, but I was
12 here when the bursar gave evidence. And I asked some
13 questions about this to the bursar, and the impression we
14 were left with from his evidence was that he couldn't say
15 for sure, but he thought the money had not be repaid.

16 There certainly is correspondence indicating
17 that you tried to get Father Deslauriers ---

18 MSGR. LAROCQUE: There is correspondence
19 that we saw here ---

20 MR. WARDLE: Yes?

21 MSGR. LAROCQUE: --- that he sent a cheque
22 and, unfortunately, we haven't been able to trace that
23 cheque, but I'm sure that whatever amount that he paid was
24 not that significant.

25 MR. WARDLE: Okay. Well, what we heard from

1 the bursar was that the amount involved was somewhere in
2 the neighbourhood of \$140,000?

3 **MSGR. LAROCQUE:** That would be correct, yes.

4 **MR. WARDLE:** Okay. So ---

5 **MSGR. LAROCQUE:** The total amount that I
6 faced him with and when I faced him with that, he said that
7 was his own personal account along with some of the funds
8 that had been given him for vocations.

9 **MR. WARDLE:** And did you think that answer
10 was a likely -- likely correct?

11 **MSGR. LAROCQUE:** I had my suspicions.

12 **MR. WARDLE:** All right. And what I
13 understand you to be saying is that you think Father
14 Deslauriers made some repayment, but it was nowhere near
15 the amount that -- the total amount?

16 **MSGR. LAROCQUE:** I can't recall it, but
17 because of the letter that I've seen where he mentions he's
18 enclosing a cheque, he must have made some kind of
19 restitution, but I'm not sure what it was.

20 **MR. WARDLE:** And is it fair to say that he
21 had had responsibility for vocations for the French part of
22 the Diocese, and the suspicion was that he had perhaps been
23 raising money for vocations that he had put in his bank
24 account?

25 **MSGR. LAROCQUE:** From my recollection, he

1 was advised by Monsignor Leduc, who was the Chancellor when
2 he first started -- took over vocations, that he should
3 open a bank account for vocations, and I found that strange
4 because we already had an account in our general books for
5 vocations.

6 But that's what he was -- that's what he
7 told me. Now, whether it's true or not, I'm not sure.

8 **MR. WARDLE:** Right.

9 **MSGR. LAROCQUE:** And I know from one person
10 at least that they gave -- well, a few thousand dollars to
11 that account -- to him personally for that account.

12 **MR. WARDLE:** So there was at least one
13 individual you knew of who had given him some money that
14 obviously had gone to this bank account?

15 **MSGR. LAROCQUE:** That's how it all came
16 about. They wanted to know what had happened to that money
17 after he had left.

18 **MR. WARDLE:** All right.

19 And so did you consider taking any steps
20 against him in connection with the money, either by way of
21 a civil process or informing the police?

22 **MSGR. LAROCQUE:** No, because he had promised
23 that he would give it back at that time, and I took his
24 word for it.

25 **MR. WARDLE:** Did you notify anyone else

1 aside from you and the bursar, did anyone else in the
2 Diocese know about this issue?

3 **MSGR. LAROCQUE:** I'm not sure.

4 **MR. WARDLE:** Is there a committee?

5 **MSGR. LAROCQUE:** There's a finance
6 committee, yes.

7 **MR. WARDLE:** There's a finance committee.

8 **MSGR. LAROCQUE:** And there's also a yearly
9 audit by an external audit and I suppose we'd have to look
10 up the audit for that particular year.

11 **MR. WARDLE:** But do you recall raising this
12 with the finance committee?

13 **MSGR. LAROCQUE:** I'm not sure whether that
14 was discussed or not.

15 **MR. WARDLE:** Okay.

16 Is this something that would have been kept
17 to a small group of people, again, because of a concern
18 that it not involve the church in some kind of public
19 scandal?

20 **MSGR. LAROCQUE:** I suppose that would have
21 been one of the reasons, yes.

22 **MR. WARDLE:** Now, when we move from Father
23 Deslauriers to the events involving Mr. Silmsler, we now
24 move forward really over six years in time, from 1986 to
25 the very end of 1992. And by that time, the world had

1 changed a bit from your perspective I would suggest because
2 the catholic -- the CCCB had formulated From Pain to Hope;
3 correct?

4 **MSGR. LAROCQUE:** I'm not quite sure, but I
5 know they were working on it.

6 **MR. WARDLE:** I think it came out in 1992,
7 we've heard from other witnesses.

8 **MSGR. LAROCQUE:** Is that right. I know it
9 was in process for quite some time because we had begun
10 something at the Ontario Conference level and we put that
11 off when we heard that the Canadian Conference was working
12 on it.

13 **MR. WARDLE:** So that document certainly
14 talks about the need for a diocese to investigate, for
15 notification of appropriate authorities, and it certainly
16 speaks to the need for compassion for victims?

17 **MSGR. LAROCQUE:** That's right.

18 **MR. WARDLE:** All of those principles were
19 set out in that document?

20 **MSGR. LAROCQUE:** You're correct, yes.

21 **MR. WARDLE:** And you've also acknowledged
22 that it's a document that talks very directly about the
23 need for openness?

24 **MSGR. LAROCQUE:** Exactly, yes.

25 **MR. WARDLE:** And it acknowledges that in the

1 past the Church had not always acted in an open and
2 forthright fashion. Correct?

3 **MSGR. LAROCQUE:** That's quite true.

4 **MR. WARDLE:** And it also encourages the
5 development of protocols.

6 **MSGR. LAROCQUE:** That's right.

7 **MR. WARDLE:** And your Diocese was one of the
8 earliest that had created a protocol, in part because of
9 the Deslauriers situation?

10 **MSGR. LAROCQUE:** That's correct. It was an
11 ongoing, as I said more than once.

12 **MR. WARDLE:** Okay.

13 So is it fair to say that with the
14 Deslauriers experience behind you, and with From Pain to
15 Hope coming out and the sort of change in atmosphere, that
16 there was a signal that the preferred policy was one of
17 openness and candour with respect to these matters?

18 **MSGR. LAROCQUE:** Exactly, yes.

19 **MR. WARDLE:** Okay.

20 And is it also fair to say that in a diocese
21 like yours the person at the top, namely the Bishop, is the
22 embodiment of any kind of important policy like this?

23 **MSGR. LAROCQUE:** Yes. It has to have his
24 permission at least.

25 **MR. WARDLE:** In other words, if you don't

1 have leadership at the top the people further down the
2 hierarchy aren't going to do their part. Is that fair?

3 **MSGR. LAROCQUE:** Well, not necessarily. You
4 can have a strong leader and still people who don't do
5 their assigned duties.

6 **MR. WARDLE:** I think that's fair, but you
7 would agree with me that if the leader doesn't take the
8 necessary steps then the people below him are not going to
9 take those steps either?

10 **MSGR. LAROCQUE:** Unless they are
11 extraordinary people.

12 **MR. WARDLE:** Is it also fair to say that the
13 Deslauriers matter, once it became public and perhaps even
14 before it became public, had been damaging to the Diocese?

15 **MSGR. LAROCQUE:** Damaging, yes, both
16 spiritually and morally speaking. Yes. I mean, the morale
17 of the -- not moral, morality, but the moral ---

18 **THE COMMISSIONER:** The morale.

19 **MSGR. LAROCQUE:** The morale of the Diocese,
20 yes.

21 **MR. WARDLE:** It has affected morale and it
22 had affected the relationship between parishioners and
23 religious. Correct?

24 **MSGR. LAROCQUE:** To a certain extent. Yes.

25 **MR. WARDLE:** So there had been, to some

1 extent at least, an erosion of confidence?

2 **MSGR. LAROCQUE:** Yes. I would say so.

3 **MR. WARDLE:** Okay.

4 So now we have Mr. Silmser's allegation and
5 first of all, as I understand it, you had some information
6 regarding Father Charles MacDonald at the time Mr. Silmser
7 came forward but those were allegations of adult homosexual
8 encounters and they had been denied by him. Is that
9 correct?

10 **MSGR. LAROCQUE:** I don't believe so.

11 **THE COMMISSIONER:** Is that a two-pronged
12 question?

13 **MR. WARDLE:** Well, maybe I'll -- maybe I'll
14 make it a little -- I'll rephrase it.

15 Mr. Engelmann took you through, the other
16 day, a statement from Monsignor McDougald ---

17 **MSGR. LAROCQUE:** M'hm.

18 **MR. WARDLE:** --- which indicated that in
19 1991 he had spoken to Father Charles MacDonald about one or
20 two incidents at your request and one of those involved a
21 parishioner on a holiday and an allegation that there had
22 been some approach ---

23 **MSGR. LAROCQUE:** Advance, yes.

24 **MR. WARDLE:** --- you might want to call it.

25 **MSGR. LAROCQUE:** Yes.

1 **MR. WARDLE:** Okay.

2 And I'm simply suggesting to you that
3 whatever you knew about those incidents, you knew that they
4 involved adult homosexual activity and Father Charles
5 MacDonald, as far as you knew, had denied them. Correct?

6 **MSGR. LAROCQUE:** Right.

7 **MR. WARDLE:** Okay.

8 So now we have Mr. Silmsner coming forward
9 and, as I understand it, the first thing you got with
10 respect to these allegations were Monsignor Schonenbach's
11 letter. Correct?

12 **MSGR. LAROCQUE:** I believe so, yes.

13 **THE COMMISSIONER:** We'll go for another 10
14 minutes, Mr. Wardle, okay?

15 **MR. WARDLE:** And you knew that Monsignor
16 Schonenbach was the Bishop's delegate in Ottawa to receive
17 allegations of this kind. Did you know that at the time?

18 **MSGR. LAROCQUE:** I would surmise that would
19 be the case if he went to him, yes.

20 **MR. WARDLE:** Okay.

21 And did you know as well that he had some
22 prior experience with these kinds of matters because of
23 some other events that had taken place in Ottawa some years
24 earlier?

25 **MSGR. LAROCQUE:** No, I did not know that.

1 No.

2 **MR. WARDLE:** In any event Monsignor
3 Schonenbach's letter, which you're copied on, indicated
4 clearly, I suggest, that Monsignor Schonenbach thought Mr.
5 Silmser was a credible person.

6 **MSGR. LAROCQUE:** That is what he says, yes.

7 **MR. WARDLE:** Okay.

8 Now, despite that you told us the other day
9 -- and this would have been the last time you were here,
10 not this week -- that your reaction to the letter was that
11 it was "utterly out of character for the Father Charles
12 MacDonald that I knew."

13 Do you recall saying that, or words to that
14 effect?

15 **MSGR. LAROCQUE:** Yes.

16 **MR. WARDLE:** Okay.

17 And in fact from your evidence I took it
18 that you had the impression in the early stages of the
19 investigation that the complainant was not credible. Is
20 that fair?

21 **MSGR. LAROCQUE:** That would be a fair
22 evaluation, yes.

23 **MR. WARDLE:** And I'm going to suggest to you
24 that there were four factors that probably played a role in
25 your thinking. One was the age of the allegations.

1 **MSGR. LAROCQUE:** Yeah, the historical time
2 between. Yes.

3 **MR. WARDLE:** Secondly, that Mr. Silmser was
4 not prepared to give details of the allegations to your
5 committee.

6 **MSGR. LAROCQUE:** And gave various details to
7 the police, as I found afterwards.

8 **MR. WARDLE:** Okay.

9 Three, that it seemed unlikely that Father
10 Charles MacDonald would be involved in a situation
11 involving force or violence.

12 **MSGR. LAROCQUE:** It was out of character.
13 Yes, that's what I thought.

14 **MR. WARDLE:** And finally, that he denied it.

15 **MSGR. LAROCQUE:** Yes.

16 **MR. WARDLE:** Okay.

17 And do you accept now, you know, in -- with
18 the benefit of hindsight that in historical cases, like the
19 kinds of cases we've been looking at at this Commission,
20 that those kinds of factors are not necessarily
21 determinative?

22 **MSGR. LAROCQUE:** For sure, yes.

23 **MR. WARDLE:** Okay.

24 **MSGR. LAROCQUE:** Especially the denial by
25 the one who is accused.

1 **MR. WARDLE:** Correct.

2 You said to my colleague, Mr. Engelmann, the
3 last time you were here, that in assessing whether to
4 remove Father Charles MacDonald from his post -- and this
5 is at the early stage of the investigation, so this would
6 be in 1993 -- you applied the moral certitude test. Do you
7 recall saying that?

8 **MSGR. LAROCQUE:** I remember talking about
9 moral certitude more than once, yes.

10 **MR. WARDLE:** Yes, and maybe I could just
11 read back to you what you said, and this is in Volume 267
12 which is August the 1st at page 12.

13 **THE COMMISSIONER:** Something you want us to
14 read along with or ---

15 **MR. WARDLE:** If that's possible, sir.

16 **THE COMMISSIONER:** Yep, sure is. Sure it
17 is. Sorry, page 12 you said? We'll get it for the --
18 witness's copy is coming up.

19 Page 12. Page douze. M'hm.

20 **MSGR. LAROCQUE:** I have it, yes.

21 **MR. WARDLE:** So if we look at page 12 you'll
22 see at the top Mr. Engelmann is asking you questions about
23 the period after February 9, 1993.

24 **MSGR. LAROCQUE:** Yes.

25 **MR. WARDLE:** And he asks you about oral

1 reports and you'll see he says -- perhaps I'll read the
2 entire passage:

3 "And then you may have had a report-
4 back after the meeting on February 9th,
5 1993, you just can't remember?

6 Answer: That's right.

7 Mr. Engelmann: Presumably even though
8 you didn't have a written report those
9 oral reports would have been important
10 for you in making a decision about what
11 to do with Father MacDonald.

12 Answer: Yes, they were an accumulation
13 of evidence that I needed in order to
14 have moral certitude that he was
15 guilty.

16 Mr. Engelmann: And did you see that as
17 the test, sir, for yourself in deciding
18 whether to remove him from his ministry
19 even on a temporary basis, moral
20 certitude?

21 Answer: Not at that present time
22 because I didn't have the moral
23 certitude that I needed at that time.

24 The Commissioner: No, but that's the
25 test you were applying is moral

1 certitude.

2 Answer: That's right."

3 **MSGR. LAROCQUE:** Yeah.

4 **MR. WARDLE:** And in fact I may have this
5 wrong but I think you used the same term today in dealing
6 with Father Dubé, that this question of in order to remove
7 a priest from his duties, you applied this test of moral
8 certitude and in his case because of the information that
9 you had obtained from Father Lapierre, you were morally
10 certain that he was innocent; correct?

11 **MSGR. LAROCQUE:** That's right, yes.

12 **MR. WARDLE:** Now ---

13 **MSGR. LAROCQUE:** It's a matter -- I don't
14 know if I can explain that way or not but it seems to me
15 it's a matter of conscience that I mean as one responsible
16 for both the victims and the priest that before I take an
17 action that is so -- how should I say ---

18 **THE COMMISSIONER:** Drastic.

19 **MSGR. LAROCQUE:** --- drastic, yes, I have to
20 have some kind of moral certitude.

21 **MR. WARDLE:** Well, let's just -- let's
22 explore that a little bit, sir.

23 **MSGR. LAROCQUE:** Right.

24 **MR. WARDLE:** First of all, it's a high
25 standard and we -- I can't look into your mind, it's your

1 standard but it sounds very similar to almost a criminal
2 standard of, you know, beyond a reasonable doubt.

3 **MSGR. LAROCQUE:** I don't think it would go
4 quite that far.

5 **MR. WARDLE:** But it's a pretty high
6 threshold to meet, a moral certitude.

7 **MSGR. LAROCQUE:** Yeah. Moral of course
8 given the circumstances in that sense but certitude has
9 different levels I suppose. And to be a wise person, a
10 prudent person, it seems to me you have to have a certain
11 level of certitude before you place an act that's going to
12 affect the lives of individuals.

13 **MR. WARDLE:** All right. Well, I think at
14 the moment I'm simply interested that the policy you
15 applied in your own mind was a fairly high threshold.

16 Is that a fair statement that you would have
17 to be pretty satisfied that this individual was guilty of
18 some kind of illegal act before you were prepared to remove
19 them from their duties? Is that fair?

20 **MSGR. LAROCQUE:** I suppose that would be a
21 fair analysis, yes.

22 **MR. WARDLE:** And is it also fair to say that
23 that's not written out in any policy of the Diocese? It's
24 not in the protocol and it's not contained anywhere else.

25 **MSGR. LAROCQUE:** That would be fair, it's

1 not written down as far as I know, yes.

2 MR. WARDLE: And going back to Father
3 MacDonald, you didn't know very much directly at the
4 beginning about the allegations against him. You were
5 hearing this through the committee; correct?

6 MSGR. LAROCQUE: Yes. And remember, too,
7 that I had, how should I say, experience of his work with
8 young people in the core movement because I had been
9 invited there and that there was a deacon and his wife who
10 were working along with him.

11 And never in the years, the many years that
12 he had been working in that in a very generous way that I
13 ever have any comment or suspicion that something like this
14 might be going on.

15 MR. WARDLE: No, no I understand that you --

16 -

17 MSGR. LAROCQUE: That's part of the moral
18 certitude. I had to check that with what was being
19 advanced.

20 MR. WARDLE: You've made it very clear that
21 you had no information to suggest that Father Charles
22 MacDonald could be involved in activities of the kind
23 alleged.

24 MSGR. LAROCQUE: That's right.

25 MR. WARDLE: Okay. But now you have this

1 individual coming forward, you have a senior churchman from
2 Ottawa telling you that he's met with the individual, that
3 he seems credible and he's making quite serious allegations
4 about a member of your Diocese who's in regular contact
5 with youth; correct?

6 **MSGR. LAROCQUE:** That's correct.

7 **MR. WARDLE:** And in dealing with that you
8 applied this moral certitude standard and you were
9 continuing to apply that standard years later when we get
10 to Father Dubé.

11 **MSGR. LAROCQUE:** That's true but I also was
12 waiting for my committee and my representative, my delegate
13 to give me some information.

14 **MR. WARDLE:** Now, your committee as I
15 understand it never actually gave you any recommendations;
16 did they?

17 **MSGR. LAROCQUE:** I can't remember that they
18 did but I know that they met. And so they must have given
19 me recommendations but I can't remember what that was.

20 **MR. WARDLE:** Well, we know that they don't -
21 - there -- it doesn't appear to be a file of the committee.

22 **MSGR. LAROCQUE:** I'm not sure. No, there's
23 no file -- that would be Monsignor McDougald but I don't
24 know whether he had a file or not.

25 **MR. WARDLE:** It doesn't appear that

1 Monsignor McDougald had a file and it's certainly clear
2 that Mr. Leduc didn't have a file.

3 **MSGR. LAROCQUE:** Apparently that's true,
4 yes.

5 **MR. WARDLE:** And am I right, sir, that you
6 didn't have a file with respect to this matter either at
7 that time?

8 **MSGR. LAROCQUE:** Not except the personal
9 file of Father Charles in which I would put most of
10 whatever I received.

11 **MR. WARDLE:** All right. And we also know
12 that Father Vaillancourt destroyed, for reasons that he
13 told us about, his notes of the committee meeting with Mr.
14 Silmsner and he had to reconstruct those afterwards.

15 Do you recall that?

16 **MSGR. LAROCQUE:** Yeah, I recall him telling
17 me that it had been erased from his computer, yes.

18 **MR. WARDLE:** So I don't want to take you
19 right now to the protocol. We can perhaps do that tomorrow
20 morning. But the protocol requires the Bishop's delegate
21 to open a file; correct?

22 **MSGR. LAROCQUE:** I would suppose so, yes.

23 **MR. WARDLE:** And we know that it doesn't
24 appear that there was any file opened either by the
25 Bishop's delegate or by Mr. Leduc.

1 **MSGR. LAROCQUE:** That I couldn't answer. I
2 don't know.

3 **MR. WARDLE:** And there's no recommendation
4 in writing made by the committee to you with respect of
5 this matter; correct?

6 **MSGR. LAROCQUE:** Not that I have found, no.

7 **MR. WARDLE:** And had you had any concerns,
8 sir or any doubts about whether to suspend Father Charles
9 from active ministry, one of the places you could have gone
10 for more information was the Cornwall Police Service;
11 correct?

12 **MSGR. LAROCQUE:** I suppose so, yes.

13 **MR. WARDLE:** In other words, you knew they
14 were carrying on an active investigation. You'd been told
15 that and you could have gone to them for -- to ask for
16 details of the investigation and where it was at.

17 And you didn't do that. You relied on the
18 other people who were giving you advice; correct?

19 **MSGR. LAROCQUE:** That's right. I didn't get
20 actively involved, that's right.

21 **MR. WARDLE:** I wonder, sir, if that's an
22 appropriate point to break for today.

23 **THE COMMISSIONER:** Is that enough for today,
24 Monseigneur?

25 **MSGR. LAROCQUE:** Well, it's just that I'd

1 like to tell you that my brother is celebrating his 80th
2 birthday on Saturday.

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

4 **MSGR. LAROCQUE:** And I have to buy tickets
5 to go back home. I have to get some way to get back home
6 for that because I promised him that I would be there. So
7 ---

8 **THE COMMISSIONER:** And where's --- in
9 Windsor.

10 **MSGR. LAROCQUE:** No, he's at Port Elgin.

11 **THE COMMISSIONER:** Sorry, I don't know my
12 geography. Where would you take a flight.

13 **MSGR. LAROCQUE:** On Lake Huron. And I would
14 have to go to either Windsor or London and then go up to --
15 a three hour motor drive to his cottage.

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

17 **MSGR. LAROCQUE:** So I just wanted you to
18 know that.

19 **THE COMMISSIONER:** I'm happy to go longer if
20 you want to go longer today.

21 **MSGR. LAROCQUE:** I would appreciate it if we
22 could, yes, because ---

23 **THE COMMISSIONER:** Okay.

24 **MSGR. LAROCQUE:** --- I had made a promise
25 and I'd like to be able to keep it.

1 **THE COMMISSIONER:** We can take a ---

2 **MSGR. LAROCQUE:** Maybe that would be
3 prudent.

4 **THE COMMISSIONER:** Sure. Not a problem.
5 Take a break. Ten minutes. Fifteen.

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

8 This hearing will resume at 4:10 p.m.

9 --- Upon recessing at 4:03 p.m. /

10 L'audience est suspendue à 16h03

11 --- Upon resuming at 4:14 p.m. /

12 L'audience est reprise à 16h14

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

15 This hearing is now resumed. Please be
16 seated. Veuillez vous asseoir.

17 **MONSIGNOR EUGÈNE LAROCQUE, Resumed/Sous le même serment:**

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

19 **WARDLE (cont'd/suite):**

20 **THE COMMISSIONER:** Let the record show that
21 Mr. Engelmann actually was trying to find me to start the
22 hearings.

23 **MR. WARDLE:** I wonder if the witness could
24 be shown Exhibit 58 and Tab 26.

25 **THE COMMISSIONER:** That would be Volume 2?

1 **MR. WARDLE:** Yes.

2 **THE COMMISSIONER:** It's the first exhibit.
3 It's the first tab, number 26.

4 I think you want to look at From Pain to
5 Hope?

6 **MR. WARDLE:** Yes.

7 **MSGR. LAROCQUE:** There's nothing at 26.

8 **THE COMMISSIONER:** Madame la greffière, he
9 says there's nothing in it. We're looking for Exhibit 26,
10 From Pain to Hope. No, you can't have mine.

11 **MSGR. LAROCQUE:** Merci.

12 **MR. WARDLE:** So, Bishop LaRocque, I'll just
13 ask you to turn quickly in From Pain to Hope to page 40,
14 and this is the pages in the text at the bottom left
15 corner.

16 **MSGR. LAROCQUE:** Yes.

17 **MR. WARDLE:** So at page 40, under the
18 heading "Summary: Where Does the Church Stand?", the first
19 bullet point -- and I'll just start just before that bullet
20 point:

21 "To conclude this section, let us state
22 where the Catholic Church should stand
23 in the context of this plan for
24 action."

25 First bullet:

1 "On the side of openness and truth.
2 We would like to see our Church guided
3 by a spirit of openness and truth when
4 responding to allegations of child
5 sexual abuse by a priest or a
6 religious. We want our Church to
7 cooperate fully with child protection
8 agencies and the judiciary, not
9 claiming preferential treatment for one
10 of its ministers when suspected or
11 formally accused in such cases."

12 Do you see that?

13 **MSGR. LAROCQUE:** I do, yes. Excuse me.

14 Yes, I do.

15 **MR. WARDLE:** And then just looking at the
16 Diocese' own policy, Exhibit 58, Tab 25 -- I think this is
17 the previous volume of Exhibit 58, Tab 25, sir.

18 **MSGR. LAROCQUE:** Yes.

19 **MR. WARDLE:** This is the protocol or
20 guideline that was in place at the time of the Silmser
21 allegations; correct?

22 **MSGR. LAROCQUE:** I believe so, yes.

23 **MR. WARDLE:** And you'll see under Phase 1,
24 Receiving a Complaint, item (d):

25 "The designated person shall open a

1 file on each case, take note of the
2 events in their chronological order and
3 write a report of the meeting."

4 And that appears to refer to the meeting
5 with the complainant. And then over the page under Phase
6 3, which is "Meeting With the Suspected Aggressor," you'll
7 see item (c):

8 "The designated person files a report
9 of the meeting; (d) the information is
10 transmitted to the Bishop of the
11 Diocese."

12 **MSGR. LAROCQUE:** Correct.

13 **MR. WARDLE:** And then Phase 4, "Meeting of
14 the Advisory Committee", Item (c):

15 "The minutes of the meeting are written
16 down; (d) the Bishop of the Diocese is
17 informed of the meeting."

18 So we seem to have, with respect to the
19 Silmsen matter, almost the antithesis of what From Pain to
20 Hope says and what your own Diocese policy says. We have a
21 committee that's formed. We have no file either by the
22 Chair of the committee, the designated person or the
23 delegate. We have no file by Mr. Leduc. We have no
24 minutes. We have no recommendations made in writing to the
25 Bishop with respect to this matter.

1 Am I right about -- first of all, have I
2 stated those facts ---

3 **MSGR. LAROCQUE:** Well, I can't say about the
4 files of Leduc and Monsignor McDougald. I don't know. All
5 I know is the minutes of the meeting I have been told were
6 on computer and they were erased. That's all that I know
7 with regard to those files. My office -- if there had been
8 reports, they would have been in Father Charles' files.

9 **MR. WARDLE:** And you don't remember any
10 written recommendation from this committee coming to you,
11 do you, sir?

12 **MSGR. LAROCQUE:** I have no recollection of
13 that, I'm sorry.

14 **MR. WARDLE:** And when we move forward -- and
15 the reason I'm exploring this, sir, is because when we move
16 forward to the settlement, the settlement is conspicuous by
17 the lack of documentation, isn't it, sir?

18 **MSGR. LAROCQUE:** How do you mean?

19 **MR. WARDLE:** Well, for example, the money.
20 There's very little documentation dealing with the money.

21 **MSGR. LAROCQUE:** There's a cheque.

22 **MR. WARDLE:** There's the cheque. There's
23 just about nothing else, sir. The payment is never
24 approved by any Diocese committee.

25 **MSGR. LAROCQUE:** That's my mistake, and the

1 bursar's to a certain extent.

2 MR. WARDLE: In fact, the bursar is not even
3 involved ---

4 MSGR. LAROCQUE: Although there is no
5 requirement for -- I mean, I have to -- the \$10,000 I was
6 very confused late in the day when that came up. The
7 \$10,000 limit is for parishes; it is not for the Diocese.
8 The Diocese itself, the only imposition, as far as I know,
9 by canon law -- and it keeps changing from year to year --
10 is how much the Diocese can go into debt, and the Holy See
11 regulates this.

12 MR. WARDLE: M'hm. Well, the bursar told us
13 that the cheque for the settlement, the bookkeeping for
14 that cheque was that it was shown as being an entry for
15 medical expenses for priests.

16 MSGR. LAROCQUE: Well, that's not to my
17 knowledge. I don't know -- I didn't know that, I'm sorry.

18 MR. WARDLE: And we also heard from the
19 bursar that there was no requisition letter from Mr. Leduc
20 for the funds and that all of the transactions were all
21 conducted essentially by Mr. Leduc walking over, seeing the
22 bursar, getting the cheque, going back. There was no flow
23 of paper with respect to the settlement.

24 MSGR. LAROCQUE: He did check with me
25 though, the bursar, in all fairness, to make sure that it

1 had my approval.

2 MR. WARDLE: He did do that. He also told
3 us that he didn't notify the insurers, which you would
4 normally do in a situation like this.

5 MSGR. LAROCQUE: No, he wasn't advised by
6 the lawyer to do so as well.

7 MR. WARDLE: But that's not really fair,
8 sir, is it, to blame it on your lawyer?

9 MSGR. LAROCQUE: No, but it's one of his
10 responsibilities.

11 MR. WARDLE: It's not the lawyer's
12 responsibility, for an important matter like this, to make
13 the decisions, is it? It's your responsibility.

14 MSGR. LAROCQUE: It's his recommendation,
15 that's all.

16 MR. WARDLE: It's his recommendation. It's
17 your responsibility, sir.

18 MSGR. LAROCQUE: It's mine in the final
19 analysis.

20 MR. WARDLE: Right. And you told us just a
21 moment ago you're the person who leads the Diocese. You're
22 the person who has the responsibility ---

23 MSGR. LAROCQUE: But I subdelegate people to
24 do their jobs.

25 MR. WARDLE: You're the person who has the

1 responsibility for leadership, and in connection with these
2 kinds of matters, leadership means that you have to signify
3 by your deeds the principles of From Pain to Hope. Isn't
4 that right?

5 **MSGR. LAROCQUE:** It makes sense, yes.

6 **MR. WARDLE:** Okay. And am I right as well,
7 sir, that with respect to the release, the other -- the
8 release in connection with the Silmsler matter, those
9 documents were not opened by Mr. Leduc, given to the bursar
10 in an envelope and put in a file; never opened by yourself,
11 never shared by or with any other parties; correct?

12 **MSGR. LAROCQUE:** I didn't even know they
13 were there.

14 **MR. WARDLE:** You didn't even know they were
15 there. I think that proves my point, sir.

16 **MSGR. LAROCQUE:** Well, fine. If you're
17 trying to prove a point, I'm sorry.

18 **MR. WARDLE:** Is it fair to say that the
19 entire investigation, negotiation and settlement of the
20 matters relating to Silmsler in 1993 was virtually paperless
21 and it was kept to a very small group of people?

22 **MSGR. LAROCQUE:** Paperless? Yes, because I
23 didn't write anything down except what I've repeated
24 constantly, that I was pressured by the argumentation of
25 the two lawyers in the second meeting.

1 Restricted to a small group? Because of its
2 nature, the two lawyers were drawing up the legal document.

3 **MR. WARDLE:** And one of the reasons, I
4 suggest to you, for keeping it this way was because you and
5 the members of the Committee had decided that this wasn't a
6 credible allegation, and you wanted to keep it secret that
7 you were making this payment.

8 **MSGR. LAROCQUE:** That's not true. Not in my
9 case, anyway. The reason I made the payment was in order
10 help the victim, and that's the reason why I gave in on the
11 second time, and I refused the first time.

12 The argumentation was that this was to help
13 the victim to pay his bills.

14 **MR. WARDLE:** I understand that, sir. That's
15 not really the point of my question.

16 **MSGR. LAROCQUE:** It's part of the point of
17 your question, I believe, in answer to it.

18 **MR. WARDLE:** What I'm suggesting to you is
19 that this transaction was kept to a small group of people
20 and the paper involving this transaction was kept to a
21 minimum, so that it all could be kept secret.

22 **MSGR. LAROCQUE:** That was not my intention.

23 **MR. WARDLE:** Wasn't it your intention, sir,
24 to avoid the risk of scandal and allow Father Charles
25 MacDonald to continue to exercise his ministry?

1 **MSGR. LAROCQUE:** That was -- were some of
2 the reasons, yes, after I agreed to it.

3 **MR. WARDLE:** And you told us the other day,
4 sir, that you were clear with Mr. Leduc and Malcolm
5 MacDonald, at the meetings you had with them, that you did
6 not want to interfere with the criminal process; correct?

7 **MSGR. LAROCQUE:** At the one meeting that I
8 had with them. The first meeting there was no matter of a
9 settlement at all. I refused. The second and only other
10 meeting that I had with them, it was -- I was emphatic on
11 the fact that this was not to be interfering with the
12 criminal process.

13 **MR. WARDLE:** Is it not fair, sir, that at
14 the time of that meeting, it was your impression and the
15 impression of the others who participated that charges were
16 not going to be laid?

17 **MSGR. LAROCQUE:** I don't know whether I was
18 aware of that at that time or not. I can't remember. The
19 only one that would have been able to make me aware of that
20 would be Malcolm McDonnell himself -- or MacDonald -- and I
21 can't remember that in our discussion.

22 **MR. WARDLE:** I am going to ask you to turn
23 up, if we may, Exhibit 1888.

24 **LE COMMISSAIRE:** Je ne l'ai pas.
25 Ah, oui, je l'ai, excuse, 1888.

1 Eighteen eighty-eight (1888) is the
2 statement of Jacques Leduc?

3 **MR. WARDLE:** Correct.

4 **THE COMMISSIONER:** All right.

5 **MR. WARDLE:** Document Number 738055.

6 Sir, I would like to turn you to page 6.
7 And just to give you the context, this is a statement of
8 Mr. Leduc which was prepared in 1994 with respect to these
9 matters. And you will see it's signed by him, if you look
10 at the last page, page 10.

11 **MSGR. LAROCQUE:** Right.

12 **MR. WARDLE:** So if we could turn to page 6
13 at the bottom.

14 **MSGR. LAROCQUE:** Yes.

15 **MR. WARDLE:** You will see under "September
16 1st", the very last paragraph:

17 "The Bishop agreed to meet with Malcolm
18 MacDonald and me a second time to
19 discuss the matter."

20 And then he goes on to say:

21 "At this point ..." ---

22 **MSGR. LAROCQUE:** I agreed. My secretary had
23 taken the appointment while I was away at the Bishops'
24 meetings.

25 **MR. WARDLE:** Fair enough.

1 **MSGR. LAROCQUE:** And it was on my agenda,
2 and I met them because it was on my agenda.

3 **MR. WARDLE:** Fair enough, sir.

4 You will see it then goes into the details
5 and then I wanted to take you to the top of the next page.
6 You will see, it starts by saying:

7 "I told the Bishop it was a good
8 settlement and that it would cost at
9 least that much to defend an action and
10 that we could make this thing go away
11 for \$32,000."

12 And then it says:

13 "I also reiterated to him that this
14 settlement was not hush money. I do
15 not believe that there was any concern
16 about criminal charges at this point
17 because it was our impression that
18 charges were not going to be laid."

19 **MSGR. LAROCQUE:** That does not reflect my --
20 my mentality at that time ---

21 **MR. WARDLE:** Well ---

22 **MSGR. LAROCQUE:** --- because I remember
23 telling them that I did not want to interfere with the
24 criminal process.

25 **MR. WARDLE:** Right, but had a criminal

1 prosecution as opposed to a criminal investigation. Had a
2 criminal prosecution been very likely, you wouldn't have
3 agreed to pay anything because there wouldn't have been any
4 point; isn't that right? And the matter would have been
5 out in the public domain.

6 **MSGR. LAROCQUE:** I mean what you are saying
7 is true but the criminal process was what I was talking
8 about, the criminal investigation.

9 But I did not want to interfere with that
10 because that would be -- and they assured me that this was
11 not part of a civil action. As -- I mean I'm not a lawyer
12 and so the advice that I got was that this was not, in any
13 way, interfere with any criminal process, investigation.

14 **MR. WARDLE:** Okay. I take your point, sir,
15 but my point is a little different.

16 At this point, early September 1993, you
17 were being told by your advisers that a criminal
18 prosecution of Father Charles was unlikely.

19 **MSGR. LAROCQUE:** I don't remember that as
20 being part of our conversation. I'm sorry. They may have
21 had that knowledge and they may have said that this was so,
22 but I can't remember that.

23 **MR. WARDLE:** And I'm also suggesting to you
24 that it wouldn't have made sense to settle the civil matter
25 for \$32,000 if, in fact, you knew that it was likely that

1 Father Charles would be charged in the near future.

2 **MSGR. LAROCQUE:** That makes sense, yes.

3 **MR. WARDLE:** Okay. Because one of the
4 concerns and one of your objectives in this was to avoid
5 scandal and allow Father Charles to continue to practise
6 ministry; isn't that fair?

7 **MSGR. LAROCQUE:** That's fair, yes. That was
8 one of the reasons that made me change my mind.

9 **MR. WARDLE:** Am I also right, sir, that
10 effectively the Diocese was coming up with all but \$5,000
11 of this settlement because it underwrote part of the
12 contribution Father Charles was going to make?

13 **MSGR. LAROCQUE:** Well, as I've said before
14 and I keep repeating, my recollection is that I had agreed
15 to \$20,000 and \$12,000 would come from other sources.
16 That's Malcolm McDonnell's statement.

17 Afterwards, I was approached by the bursar
18 saying that they could only find \$5,000 and we would go up
19 to \$27,000, and I gave my authorization for that.

20 **THE COMMISSIONER:** I'm sorry.

21 **MSGR. LAROCQUE:** Yes.

22 **THE COMMISSIONER:** I thought the evidence
23 was you were sitting at your desk, the bursar comes up, and
24 says, "Look it, is it okay that I cut a cheque for
25 \$27,000?" So I don't know where you -- where does that fit

1 in with the bursar telling you they could come up with
2 \$27,000?

3 We haven't heard that yet. So I ---

4 **MSGR. LAROCQUE:** Let me see. Well, the
5 \$27,000 probably it came -- come from the lawyer's to his
6 office. Because my authorization at first was for \$20,000.

7 **THE COMMISSIONER:** Right.

8 **MSGR. LAROCQUE:** And somewhere along the
9 line, it got changed from \$20,000 to \$27,000 and received
10 my okay.

11 **THE COMMISSIONER:** Okay.

12 **MR. WARDLE:** Do you recall in fact that it
13 was left on the basis that Father Charles would make more
14 contributions over time towards the settlement or do you
15 not recall that?

16 **MSGR. LAROCQUE:** I was not aware of that,
17 no.

18 **MR. WARDLE:** All right. So you did
19 understand, sir, and I think you've testified to this
20 already, that you understood this settlement would involve
21 a confidentiality clause; correct? A standard
22 confidentiality clause?

23 **MSGR. LAROCQUE:** That's what they told me,
24 yes. That's what the lawyers advised me that it would be.

25 **MR. WARDLE:** So had the matter ended there,

1 Bishop LaRocque, had there been none of the other events,
2 the complicated series of events that we've spent so much
3 time dissecting, had Perry Dunlop never gone to the
4 Children's Aid and had all these events never taken place,
5 ---

6 **MSGR. LAROCQUE:** Yes.

7 **MR. WARDLE:** There would have been no
8 criminal prosecution. The release would have sat in your
9 file, and the only people who would have known about the
10 settlement would have been yourself, the bursar, Mr. Leduc,
11 your lawyer, who had an obligation of solicitor/client
12 privilege with respect to this matter, and the lawyer for
13 Father MacDonald, and of course Mr. Silmsler and his lawyer.

14 That would have been all the people who
15 would have known about this resolution; correct?

16 **MSGR. LAROCQUE:** I would suppose so, yes.

17 **MR. WARDLE:** Okay. And would you agree in
18 retrospect that, that doesn't appear very consonant with
19 either the principles of From Pain to Hope or the policy
20 expressed in the own -- your own protocol?

21 **MSGR. LAROCQUE:** I said -- in retrospect,
22 yes, I would agree with you fully.

23 **MR. WARDLE:** And had matters been left
24 there, Father Charles MacDonald would have continued to
25 exercise ministry indefinitely and unless something else

1 came to light, would have continued to have access to
2 youth; correct?

3 **MSGR. LAROCQUE:** I would suppose so, yes.

4 **MR. WARDLE:** Now, you told us yesterday,
5 about the meeting you had with Claude Shaver of the
6 Cornwall Police Service and the telephone call you then had
7 with Father MacDonald that evening or that day?

8 **MSGR. LAROCQUE:** That's right, the same
9 night.

10 **MR. WARDLE:** And as I understand it, Mr.
11 Shaver came to you very unhappy, told you that the police
12 wanted to continue to investigate this, that they had other
13 complainants, and he was concerned ---

14 **MSGR. LAROCQUE:** Two others.

15 **MR. WARDLE:** --- two other complainants?

16 **MSGR. LAROCQUE:** Yes.

17 **MR. WARDLE:** And that he was concerned that
18 Charles MacDonald was still exercising ministry and still
19 had access to young people; correct?

20 **MSGR. LAROCQUE:** That's right.

21 **MR. WARDLE:** And you then had ---

22 **MSGR. LAROCQUE:** He was more concerned about
23 -- he was -- no, that's fine. Thank you. I'm getting a
24 little confused.

25 **MR. WARDLE:** Okay. I'll slow down a little,

1 sir, and if you need clarification, just ask.

2 **MSGR. LAROCQUE:** Thank you, yes.

3 **THE COMMISSIONER:** As well, if at some
4 point, you think you want to call it a day, you can let me
5 know.

6 **MR. WARDLE:** Now, did you actually meet with
7 Charles MacDonald or did you just have a phone call with
8 him?

9 **MSGR. LAROCQUE:** I believe it was a phone
10 call, yes.

11 **MR. WARDLE:** And my friend took you through
12 this yesterday, and I want to make sure I have it right
13 because a number of different things came out. I
14 understood what you said to my friend was that in that
15 phone call, Charles MacDonald admitted that he had engaged
16 in active homosexual behaviour on prior occasions, not
17 anything to do with Mr. Silmsler.

18 **MSGR. LAROCQUE:** That's right.

19 **MR. WARDLE:** Okay. And that was the basis
20 on which you acted in removing him from duty; correct?

21 **MSGR. LAROCQUE:** Yes, the two other
22 allegations that came along gave me the moral certitude, if
23 I can go back to my basis for making judgments, to take him
24 out of active ministry.

25 **MR. WARDLE:** So if I -- I want to be

1 completely fair to you; the reason you removed him from his
2 duties and sent him to Southdown wasn't a concern about Mr.
3 Silmser's or about anything the Chief had told you. It was
4 the admission he made to you in the phone call that he
5 engaged in active homosexual relations with parishioners?

6 **MSGR. LAROCQUE:** Now that's quite true --
7 not quite true.

8 **MR. WARDLE:** Okay, so can you clarify for
9 me.

10 **MSGR. LAROCQUE:** What the Chief told me
11 about two other allegations is what sparked my whole doubts
12 as to him telling me the truth.

13 **MR. WARDLE:** I'm going to go into a new
14 area, sir, and I may be 20 minutes or so. This may be a
15 good point to break, if that's convenient.

16 **THE COMMISSIONER:** All right. That's fair.

17 **MSGR. LAROCQUE:** Is that your last area?

18 **THE COMMISSIONER:** No, no, no, no.

19 **(LAUGHTER/RIRES)**

20 **THE COMMISSIONER:** No, but Mr. Engelmann
21 will be canvassing counsel so that we can figure out the
22 length of cross-examination.

23 **MSGR. LAROCQUE:** Thank you very much.

24 **THE COMMISSIONER:** Would you -- shall we
25 start at 9:00 tomorrow morning? Nine o'clock is fine?

1 Thank you. See you tomorrow.

2 **MONS. LAROCQUE:** Merci.

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

5 This hearing is adjourned until tomorrow
6 morning at 9:00 a.m.

7 --- Upon adjourning at 4:41 p.m./

8 L'audience est ajournée à 16h41

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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-hauts sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CM