

**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 318

Held at :

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

Thursday, December 4, 2008

Tenue à:

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

Jeudi, le 4 décembre 2008

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Brigitte Beaulne	Registrar
Ms. Kelly Doctor	Commission Counsel
Mr. Mark Crane	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff Ms. Diane Lahaie	Ontario Provincial Police
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Ms. Allison Thiele-Callan	Victims' Group
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDougald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Mr. Larry O'Brien	Mr. Randy Millar
Mr. Pat Hall	

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P-2810	(719646) -Table of Contents of Perry Dunlop materials 2 Volumes delivered to Government Offices 07 Apr 97	114
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1 --- Upon commencing at 9:05 a.m./

2 L'audience débute à 9h05

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 **PATRICK HALL, Resumed/Sous le même serment:**

10 **THE COMMISSIONER:** Thank you. Good morning,
11 all. Mr. Engelmann and Mr. Hall.

12 **MR. HALL:** Good morning, Commissioner.

13 **MR. ENGELMANN:** Good morning,
14 Mr. Commissioner, and good morning, Mr. Hall.

15 **MR. HALL:** Good morning, sir.

16 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE IN-CHEF PAR**
17 **MR. ENGELMANN (cont'd/suite):**

18 **MR. ENGELMANN:** Sir, when we left off
19 yesterday we were in the summer of 1998, and I'd like you
20 to turn up -- it's Notebook Number 6, it's Exhibit 2748,
21 and if we could start at the top of Bates page 9855. The
22 date is June the 12th.

23 **THE COMMISSIONER:** Nine eight five five
24 (9855).

25 **MR. ENGELMANN:** And just to situate you,

1 sir, the day before that there's been a cautioned statement
2 taken of Richard Hickerson.

3 **MR. HALL:** Correct.

4 **MR. ENGELMANN:** We ended with that, and can
5 you tell us -- you're obviously doing non-Project Truth
6 things on the 12th as well -- I'm looking at the page -- but
7 you're having a discussion about the cautioned statement,
8 are you, at the top of the page? Does it ---

9 **MR. HALL:** Yes. I'm seeing Constable Genier
10 on it.

11 **MR. ENGELMANN:** All right. And, sir, at
12 this point you've had three alleged victims give
13 statements; correct?

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** We looked at that yesterday.

16 **MR. HALL:** Yes.

17 **MR. ENGELMANN:** And you now have a cautioned
18 statement.

19 **MR. HALL:** Yes.

20 **MR. ENGELMANN:** And you've learned more
21 information as a result of that statement?

22 **MR. HALL:** Yes.

23 **MR. ENGELMANN:** Information that certainly
24 is not going to change your mind about reasonable and
25 probable grounds?

1 **MR. HALL:** Could I see the statement? I
2 can't ---

3 **MR. ENGELMANN:** Okay.

4 **MR. HALL:** --- recall exactly what's on it.

5 **MR. ENGELMANN:** Certainly. Did you have any
6 concerns on June 12th, 1998 about reasonable and probable
7 grounds with respect to Richard Hickerson?

8 **MR. HALL:** No, I don't believe so, but I
9 need to ---

10 **MR. ENGELMANN:** All right. Not much turns
11 on it.

12 Sir, you didn't arrest him then, and he was
13 part of the group that was to be arrested on July 9th. Is
14 that correct?

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** Because the whole group --
17 there had been a decision, either by the Crown prosecutor
18 or Detective Inspector Smith, that all of them would be
19 arrested on July 9th?

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

21 **MR. ENGELMANN:** All right. And it wasn't
22 that you didn't feel you had sufficient grounds; it was
23 just that was the date that had been arranged?

24 **MR. HALL:** That's right.

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

1 And on June 19th -- and this is at Bates page
2 860 of your notes -- you're advised by Inspector Trew of
3 the Cornwall Police -- it's at 1410, near the bottom ---

4 **MR. HALL:** Yes.

5 **MR. ENGELMANN:** --- that Mr. Hickerson has
6 committed suicide.

7 **MR. HALL:** Correct.

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

9 And we've heard that an investigation was
10 conducted by Cornwall Police Service officers into
11 pornographic materials, including Polaroid pictures, things
12 of that nature that were found at the Hickerson residence.

13 **MR. HALL:** Correct.

14 **MR. ENGELMANN:** And were you also aware that
15 a friend of his -- if I can use the term -- had some of
16 these documents in his possession as well?

17 **MR. HALL:** Constable Genier may have been
18 aware of that. He was the ---

19 **MR. ENGELMANN:** Fair enough.

20 **MR. HALL:** --- liaison officer.

21 **MR. ENGELMANN:** Right. And were you aware
22 that Constable Genier would have been involved in reviewing
23 that material with an officer from the Cornwall Police?

24 **MR. HALL:** I'm sure he would have.

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

1 And you would have assigned Genier to that
2 task, and just as a confirmation of that, sir, at Bates
3 page 9869 -- the date is June 24th, 1998 -- right at the top
4 of the page you note that Genier is going to follow-up work
5 on Hickerson with the CPS. Is that correct?

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

7 **MR. ENGELMANN:** And did you have a sense as
8 -- and you -- why was he assigned to that task, sir?

9 **MR. HALL:** Well, he was the lead
10 investigator on the Hickerson allegations pertaining to
11 Project Truth.

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

13 And you have another reference to the
14 Hickerson matter towards the bottom of that page. I think
15 there's a reference to -- well, perhaps you can read that
16 for us. It's about seven, eight lines up from the bottom.

17 **THE COMMISSIONER:** "That's why"? "That's
18 why he committed suicide." Is that what you want him to
19 read?

20 **MR. ENGELMANN:** Just above that, sir.

21 Who are you trying to get a hold of about
22 this matter? Is that a reporter, Frank MacEachern?

23 **MR. HALL:** There was a message on the
24 answering machine from Frank MacEachern. He was a reporter
25 for the Standard Freeholder -- and his phone number there.

1 **MR. ENGELMANN:** Right.

2 **MR. HALL:** And he was -- he wanted to get in
3 touch with either Inspector Edgar or Inspector Grasman.
4 That would be at our headquarters in Orillia. I think he
5 wanted some information, basically is what he wanted, and
6 they were the persons delegated to give it to him.

7 **MR. ENGELMANN:** All right. Can you just
8 read for us what it says after that?

9 **MR. HALL:** "He wanted to know about
10 Hickerson. Said he was told by a
11 number of people that he was to be
12 charged on Monday. That's why he
13 committed suicide."

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

15 **MR. HALL:** "Wanted to call back," and I
16 called Detective Inspector Smith about the same thing.

17 **MR. ENGELMANN:** So although Mr. Hickerson
18 was to be charged, it wasn't going to be that soon. It was
19 going to be on July 9th?

20 **MR. HALL:** That's right.

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

22 **MR. HALL:** He was speculating that he was
23 going to be charged, I believe.

24 **MR. ENGELMANN:** Right.

25 **MR. HALL:** He didn't really know. He was

1 trying to find out.

2 **MR. ENGELMANN:** Right.

3 And we spoke earlier, Mr. Hall, about a
4 concern, and it certainly was a concern of Detective
5 Inspector Smith at the time and I think also yours -- one
6 of the concerns about Dunlop and media contacts was that
7 people who abuse children may often keep trophies or
8 mementoes.

9 **MR. HALL:** Correct.

10 **MR. ENGELMANN:** And if things get out into
11 the media they may decide to destroy evidence.

12 **MR. HALL:** Could, yes.

13 **MR. ENGELMANN:** Right. And in the case of
14 Mr. Hickerson you would have been advised, presumably by
15 Detective Constable Genier, that in fact there were some
16 trophies found -- if I can call it that -- in the form of
17 photographs.

18 **MR. HALL:** There was items found. There was
19 photographs. I'm aware of that.

20 **MR. ENGELMANN:** With children in ---

21 **MR. HALL:** I wouldn't disagree. I didn't
22 see them.

23 **MR. ENGELMANN:** All right. Fair enough.
24 And were you advised that some of these were either
25 partially destroyed or cut up ---

1 MR. HALL: Yes.

2 MR. ENGELMANN: --- when they were located?

3 MR. HALL: Yes.

4 MR. ENGELMANN: All right.

5 Were you at all concerned, sir, by
6 cautioning some of these suspects in advance, that you
7 might be providing them with an opportunity to destroy
8 evidence? Was that a concern or a thought at the time?

9 MR. HALL: No. I was more concerned with
10 identifying them as the proper suspect.

11 MR. ENGELMANN: Okay.

12 MR. HALL: That's the main reason why we
13 interviewed under caution that "you may be charged."

14 MR. ENGELMANN: All right.

15 MR. HALL: Trying to find out information.

16 MR. ENGELMANN: Because in the case of
17 someone like Mr. Hickerson you had a fair bit of
18 information, even before the cautioned statement.

19 MR. HALL: Yes.

20 MR. ENGELMANN: Now, sir, you told us about
21 another suicide that occurred around that time, and that
22 was a man by the name of Nelson Barque.

23 MR. HALL: That's correct.

24 MR. ENGELMANN: And, as I understand it --
25 and, if you wish, the Statement Registry can confirm the

1 dates I'm about to give you, and I'll just tell you what
2 that exhibit is in a moment if I can. It's 2771, if you
3 wish to have it, but I'm just going to give you some dates
4 as to when some statements were taken.

5 Sir, on October 3rd, 1997 C-45 -- you might
6 want to just take a look at that moniker -- gave a
7 statement alleging abuse by Nelson Barque.

8 MR. HALL: Yes.

9 MR. ENGELMANN: All right. And then on June
10 the 2nd, 1998 Robert Sheets -- and we already had him on
11 another matter -- provided a statement containing
12 allegations that he had been abused by Nelson Barque while
13 a probationer.

14 MR. HALL: Yes.

15 MR. ENGELMANN: Then your officers took
16 cautioned statements from Nelson Barque on June 18th, 1998,
17 and that was with respect to both of those alleged victims.

18 MR. HALL: Yes.

19 MR. ENGELMANN: Do you have any
20 recollection, sir, as to why the long gap between those two
21 statements?

22 MR. HALL: Not without seeing the contents
23 of the statement. There may have been information there
24 that we had to follow up on, I'm not certain. I couldn't
25 answer that without ---

1 **MR. ENGELMANN:** Fair enough. It's just
2 there seems to be a period of time, as there was with Mr.
3 Hickerson ---

4 **MR. HALL:** Yeah.

5 **MR. ENGELMANN:** --- between some of the
6 statements.

7 Sir, again, any doubt about reasonable and
8 probable grounds with Mr. Barque after the second
9 statement, in your mind?

10 **MR. HALL:** No.

11 **MR. ENGELMANN:** This being early June of
12 '98.

13 **MR. HALL:** No, he would have been charged.

14 **MR. O'CONNELL:** Yeah. And you knew he had
15 been previously convicted, you had two more statements.
16 Again, the purpose of the caution statement at that point?

17 **MR. HALL:** To obtain information.

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

19 And, sir, as I understand it, you were
20 alerted to the fact that he had committed suicide on June
21 28th. And that's at -- it's in your notes at page 9873,
22 towards the top of the page, I believe, sir.

23 **MR. HALL:** Yes.

24 **MR. ENGELMANN:** It would have been Constable
25 Genier that advised you?

1 MR. HALL: Yes.

2 MR. ENGELMANN: And it says, "Genier
3 regarding Nelson Barque...". I'm not sure what that says
4 "...in bush"?

5 MR. HALL: "...in bush with gun, Lancaster
6 Detachment area. He was called by
7 Sergeant VanderWoude on same. He was
8 calling out ERT."
9 Which means the search team, ERT team.

10 MR. ENGELMANN: Right.

11 MR. HALL: "Suspects suicide."

12 MR. ENGELMANN: And then you got another
13 call from Detective Constable Genier right after that.

14 MR. HALL: "Received another page from
15 Detective Constable Genier. Confirmed
16 that Barque is deceased and requested a
17 detective sergeant attend scene, ensure
18 proper investigation."

19 MR. ENGELMANN: All right.

20 And both Barque and Hickerson were names
21 from the Dunlop or Fantino brief; correct.

22 MR. HALL: Yes.

23 MR. ENGELMANN: And they were both going to
24 be charged on July 9th as per the agreement ---

25 MR. HALL: Yes.

1 **MR. ENGELMANN:** --- between Mr. Pelletier
2 and Mr. Smith.

3 **MR. HALL:** Yes.

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

5 Now, sir, I understand that we still have
6 the date of July 9th for the arrest of the remaining
7 suspects. Those are suspects who were alleged perpetrators
8 of Claude Marleau and C-96 and also C-104 and C-105, that
9 being Lionel Carrier.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** And was it your expectation
12 that by that time there would be a Crown assigned to the
13 Project Truth prosecutions?

14 **MR. HALL:** Was -- repeat that again, please?

15 **MR. ENGELMANN:** Was it your expectation that
16 there would be a Crown prosecutor assigned to the Project
17 Truth prosecutions before then?

18 **MR. HALL:** There was never a specific Crown
19 assigned. My instructions were to deliver the briefs, or
20 if we needed anything, we went through the Regional Crown's
21 office in Ottawa and they decided who was going to be the
22 Crown or who we would consult with or who would do the
23 legal opinions.

24 **MR. ENGELMANN:** Would Detective Inspector
25 Smith have been working with perhaps Mr. Pelletier on that

1 issue?

2 MR. HALL: I'm sure he was.

3 MR. ENGELMANN: All right. And, sir, I note
4 in your notes at July 6th there appears to be an issue --
5 Bates page 9875 -- about contacting a justice of the peace
6 for this purpose?

7 MR. HALL: Bates page, please?

8 MR. ENGELMANN: 9875, 09:00 hours, there's a
9 reference to a justice of the peace by the name of
10 Carmichael. You're asking about her availability to swear
11 an information. According to your notes, she replies she
12 doesn't feel comfortable doing it? If I'm reading it
13 correctly.

14 MR. HALL: Yes.

15 MR. ENGELMANN: What was the issue, sir?

16 MR. HALL: Well, the issue was there that I
17 had sworn to the informations on the Jacques Leduc matter
18 back on the 22nd of June ---

19 MR. ENGELMANN: Right.

20 MR. HALL: --- '98, and I had used her
21 because she was a Brockville justice of the peace.

22 MR. ENGELMANN: Right.

23 MR. HALL: And ---

24 JUSTICE GLAUDE: She was at Brockville,
25 right?

1 **MR. HALL:** Yes, Brockville.

2 And then when I approached her to do the
3 same -- I was going to get some of the informations sworn
4 to there again -- she felt that they should maybe all go --
5 be done in Cornwall.

6 **MR. ENGELMANN:** Oh, fair enough.

7 **MR. HALL:** That's -- that's what ---

8 **MR. ENGELMANN:** Then you used a Cornwall
9 justice of the peace?

10 **MR. HALL:** Then I used a Cornwall justice of
11 the peace.

12 **MR. ENGELMANN:** Okay.

13 Now, sir, on your next Bates page, 9876, are
14 you advised by -- I believe it's the same date, July 6th,
15 1998 -- are you advised by Detective Inspector Smith that a
16 Crown has been assigned, at least to do some of these
17 prosecutions?

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And is that Shelley Hallett?

20 **MR. HALL:** Yes, it is, and it's to do the
21 briefs on Leduc, Peachey and Malcolm MacDonald.

22 **MR. ENGELMANN:** Okay. And, sir, had you
23 ever worked with her before?

24 **MR. HALL:** I hadn't heard of her before.

25 **MR. ENGELMANN:** All right, fair enough. And

1 there's a --

2 **MR. HALL:** She was actually a Crown law in
3 Toronto.

4 **MR. ENGELMANN:** Okay. There's a reference
5 then to another justice of the peace later on on that page,
6 and presumably that's someone from Cornwall by the name of
7 Rauzon.

8 **MR. HALL:** Yes.

9 **MR. ENGELMANN:** Who's available to swear the
10 informations.

11 **MR. HALL:** Exactly.

12 **MR. ENGELMANN:** And there's something about
13 "directs you to contact the suspects personally"? Was that
14 as a result of the recent suicides or do you know what that
15 was about?

16 **MR. HALL:** Well, we were -- we weren't going
17 to the residence to arrest them, we were going to have them
18 come in.

19 **MR. ENGELMANN:** Okay.

20 **MR. HALL:** And arrangements were made for
21 that purpose.

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

23 Sir, according to your notes again, Bates
24 page 882, which the date is July 8th, '98, 9:30, you're
25 advised by Murray MacDonald that another Crown prosecutor

1 is assigned, someone by the name of Kerry Hughes?

2 MR. HALL: Yes.

3 MR. ENGELMANN: And she is going to then
4 work on the remainder of the Project Truth cases? Or
5 that's what you were advised at the time.

6 MR. HALL: That's what I [sic] advised, but
7 there was a -- as you'll read later, I contacted her and
8 she hadn't been told, and make a long story short ---

9 MR. ENGELMANN: It didn't work out.

10 MR. HALL: Didn't work out.

11 MR. ENGELMANN: Fair enough. All right.

12 Then if we move ahead, sir, to 884, that's
13 July 9th, this is the date of the arrests that had been
14 arranged.

15 MR. HALL: Yes.

16 MR. ENGELMANN: It appears at 9:15 in the
17 morning, you're advising Mr. Abell about the names of the
18 people who are going to be charged?

19 MR. HALL: That's correct.

20 MR. ENGELMANN: And then not all of the
21 suspects show up as arranged?

22 MR. HALL: That's correct.

23 MR. ENGELMANN: And a fellow who is not
24 there is a someone by the name of Harvey Latour?

25 MR. HALL: That's correct.

1 **MR. ENGELMANN:** And if memory serves me
2 correctly, he was an alleged perpetrator of C-96?

3 **MR. HALL:** Yes.

4 **MR. ENGELMANN:** All right. And, sir, you
5 were concerned about the fact that he didn't show up?

6 **MR. HALL:** Yes, I instructed the officer to
7 make phone calls to his residence ---

8 **MR. ENGELMANN:** Right.

9 **MR. HALL:** --- and the phone just continued
10 ringing.

11 **MR. ENGELMANN:** And then they checked with
12 Bell Canada and were advised that the phone was off the
13 hook?

14 **MR. HALL:** That's right.

15 **MR. ENGELMANN:** And you then asked them to
16 go to the residence?

17 **MR. HALL:** Yes, I did.

18 **MR. ENGELMANN:** And what did they discover
19 when they arrived?

20 **MR. HALL:** Well, they discovered he was
21 attempting suicide. We got a key from the superintendent
22 and got in the building, got an ambulance, took him to the
23 hospital.

24 **MR. ENGELMANN:** He had taken an overdose of
25 some medication?

1 MR. HALL: I believe that's what it was,
2 yes.

3 MR. ENGELMANN: And he recovered ---

4 MR. HALL: Yes, he ---

5 MR. ENGELMANN: --- fully from ---

6 MR. HALL: He was in the hospital for, I
7 think, a couple of days, maybe. Constable Genier stayed
8 with him for a considerable time.

9 MR. ENGELMANN: And there were different
10 arrangements made to arrest him as a result?

11 MR. HALL: Yes. We did that some days
12 later.

13 MR. ENGELMANN: And you have a note about
14 Constable Genier contacting you on July 9th. This is 887,
15 about the middle of the page, sir. It says:

16 "Genier checked on Latour; appears he's
17 going to be okay. Has taken an
18 overdose of..."

19 MR. HALL: "...Tylenol."

20 MR. ENGELMANN: "...Tylenol"? Or something.

21 MR. HALL: It's Tylenol I have there.

22 MR. ENGELMANN: Yeah. All right.

23 So, sir, with respect then to who was
24 arrested that day, we've heard about the two individuals
25 who committed suicide -- they were both from the Dunlop or

1 Fantino brief -- the seven that were arrested, five related
2 to Claude Marleau?

3 MR. HALL: Yes.

4 MR. ENGELMANN: One to C-96?

5 MR. HALL: Yes.

6 MR. ENGELMANN: And one to C-104 and C-105,
7 that being Carrier?

8 MR. HALL: Yes.

9 MR. ENGELMANN: And none of those actually
10 came from the Fantino brief?

11 MR. HALL: No, I don't believe so.

12 MR. ENGELMANN: Right. I mean, they
13 were -- you determined they were part of your mandate,
14 given the classification, the category, et cetera, but they
15 didn't come from Dunlop's work?

16 MR. HALL: Exactly.

17 MR. ENGELMANN: Okay.

18 MR. HALL: Barque was a probation officer,
19 and Hickerson had worked in child care ---

20 MR. ENGELMANN: Yes.

21 MR. HALL: --- facilities.

22 MR. ENGELMANN: And both of those names were
23 in the Dunlop brief? And you would have ---

24 MR. HALL: Yes.

25 MR. ENGELMANN: Things would have proceeded

1 with them, but for their suicide ---

2 MR. HALL: Yes.

3 MR. ENGELMANN: --- as far as the arrest?

4 And, sir, with respect to those, you
5 had -- you had Ms. Hallett assigned to do the Peachey
6 prosecution, but ---

7 MR. HALL: Yes. Just before we go there,
8 I'd like -- I'd like to make a comment about one other
9 person that we saved as well.

10 MR. ENGELMANN: Who was that, sir?

11 MR. HALL: Mr. Sheets.

12 MR. ENGELMANN: All right. And was that at
13 or about this time?

14 MR. HALL: It was shortly -- shortly after
15 that. He lived in London.

16 MR. ENGELMANN: Yes.

17 MR. HALL: I went with Constable Genier when
18 he was interviewed. Constable Genier had given his
19 business card, and we were in the office in Cornwall one
20 say when Constable Genier got a call from this individual,
21 and he was in the process of attempting suicide in London.

22 I called the London police. The number I
23 had, which was an administrative line, "Leave a message;
24 call 9-1-1." Well, it's rather hard to get 9-1-1 in London
25 when you're in Cornwall, so I called our detachment in

1 London to get a sergeant to head over to the residence, who
2 called the London police, and went to the residence and got
3 him to the hospital.

4 MR. ENGELMANN: And he was -- he was one of
5 the -- we just mentioned, he was one of the alleged
6 victims ---

7 MR. HALL: Hickerson.

8 MR. ENGELMANN: --- of ---

9 MR. HALL: Hickerson.

10 MR. ENGELMANN: --- Hickerson. And, I
11 believe, also Barque, right?

12 MR. HALL: Yes, I believe so.

13 MR. ENGELMANN: I think there were two or
14 three.

15 MR. HALL: Yes.

16 MR. ENGELMANN: Yes. And he ---

17 MR. HALL: There was more than one.

18 MR. ENGELMANN: Yes. And he had
19 spoken -- he had spoken to your officers on June 2nd, to
20 give his statement?

21 MR. HALL: Yes; I was there.

22 MR. ENGELMANN: Yes. All right. He was a
23 fragile individual, sir?

24 MR. HALL: Yes, he was, very. It really was
25 a sad case. He had been in and out of jail for a number of

1 years, and he had great difficulties dealing with his
2 abuse.

3 MR. ENGELMANN: Okay.

4 MR. HALL: And I think the fact that he
5 didn't get his day in court caused him to do what he was
6 attempting to do.

7 MR. ENGELMANN: He had found out about the
8 suicides ---

9 MR. HALL: Yes.

10 MR. ENGELMANN: --- of these ---

11 MR. HALL: Yes.

12 MR. ENGELMANN: --- individuals?

13 MR. HALL: Oh, yes, we -- we had the
14 officers notify the alleged victims right away.

15 MR. ENGELMANN: Yes.

16 MR. HALL: So we lost two but we saved two.

17 MR. ENGELMANN: All right. And, sir, on
18 the -- with respect to those who were charged, as I
19 understand it, they were set for a first appearance in
20 court on July 20th, and you have a note that -- on July 10th,
21 and I'm looking at Bates page 9888 ---

22 MR. HALL: Yes.

23 MR. ENGELMANN: --- where Detective
24 Inspector Smith is calling you, about eight lines down, and
25 he's -- he's been advised by, I believe it's Murray

1 MacDonalld, the local Crown ---

2 MR. HALL: Yes.

3 MR. ENGELMANN: --- about having a Crown
4 attorney assigned?

5 MR. HALL: Yes.

6 MR. ENGELMANN: And indicating:

7 "We were going to deliver the Crown
8 briefs to his office."

9 You needed a place to take them?

10 MR. HALL: Yes.

11 MR. ENGELMANN: You didn't know who the
12 Crown was going to be, so you make a decision that you're
13 going to be leaving them at the local office?

14 MR. HALL: Yes. We dealt with, I think, Guy
15 Simard on a number of occasions to facilitate delivery of
16 briefs to whatever Crown was going to be assigned, rather
17 than send them and then they have to send them back.

18 MR. ENGELMANN: All right. And, in fact, at
19 Bates page 891, it's referred to right at the top of the
20 page that those briefs that are listed there are being left
21 at the local Crown's office?

22 MR. HALL: That's correct.

23 MR. ENGELMANN: And, again ---

24 MR. HALL: I delivered them personally.

25 MR. ENGELMANN: Okay. And then, again,

1 on 893, July 15th, there's a reference to -- oh, just one
2 second.

3 Again, reference to delivering materials,
4 this time Leduc materials, to the local Crown, about
5 two-thirds of the way down the page.

6 And, sir, on July 27th, which is Bates page
7 900, there's a reference at 8:45 that Mr. Murray MacDonald
8 has called and he's trying -- he's advised you to contact
9 Tom Fitzgerald ---

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** --- who's a Crown in
12 Sudbury?

13 **MR. HALL:** He's a regional director for
14 North Region.

15 **MR. ENGELMANN:** And you're looking for,
16 perhaps, a Crown attorney from the Sudbury area to come
17 down and prosecute some of these cases?

18 **MR. HALL:** That's correct.

19 **MR. ENGELMANN:** All right. And, sir, this
20 issue of trying to find a Crown, this carries on for some
21 time, does it not?

22 I mean, there's several references in your
23 notes to calls you have with Robert Pelletier, calls with
24 Tom Fitzgerald, calls with Murray MacDonald, happening in
25 July and in August, and, finally, in September you get a

1 call and you're advised that a fellow by the name of Alain
2 Godin is going to be prosecuting some of these files?

3 MR. HALL: From Fort Frances.

4 MR. ENGELMANN: Right.

5 MR. HALL: And that was -- that was a result
6 of my conversation with Tom Fitzgerald.

7 Actually, there was another Crown he
8 assigned, I think it was on a Thursday or Friday, and
9 the -- the individual passed away over the weekend, the
10 Crown attorney did, so he -- that's why Alain Godin got
11 assigned.

12 MR. ENGELMANN: But there was some
13 difficulty getting ---

14 MR. HALL: Definitely difficulties.

15 MR. ENGELMANN: --- a Crown? And, just as
16 an example, Bates page 903, July 30th, 11:50:

17 "Call from Murray MacDonald, said
18 there are no Crowns in Toronto who
19 want to do Cornwall."

20 MR. HALL: That's correct. And I think -- I
21 think the reason Mr. Godin was assigned is because he was
22 bilingual, and some of the members of the clergy wanted
23 their trials in the French language.

24 MR. ENGELMANN: Right. And, as you know,
25 Mr. Marleau testified at some of his trials in French as

1 well?

2 MR. HALL: Yes.

3 MR. ENGELMANN: Right. So there was
4 difficulty getting a Crown, and there was difficulty
5 getting a bilingual Crown, but ---

6 MR. HALL: There was difficulties after we
7 had the Crown.

8 THE COMMISSIONER: In which way?

9 MR. HALL: Well, in terms of the reviews
10 that we were asked to -- were asking to provide. It took
11 almost up to two years to get some of them done, which they
12 were never done to the -- by the assigned Crown.

13 MR. ENGELMANN: And, just to start this off,
14 if I can, there was a letter, July 24th, 1998; it's Document
15 Number 112886. This is before many of these calls; the
16 date is July 24th.

17 It's a letter from Detective Inspector --
18 the then-Detective Inspector Smith, to Robert Pelletier.
19 It's on the first list.

20 THE COMMISSIONER: When you were getting
21 ready to arrest all these people and have them make
22 arrangements to come in -- shortly thereafter,
23 anytime -- did any of the alleged victims complain about
24 that, saying "How come these people are being treated
25 differently than when I get arrested, and I get put in the

1 back of a car," that kind of thing?

2 MR. HALL: No. We -- not to my knowledge,
3 we had any complaints, but I think the investigators that
4 were dealing with them explained the procedure and what we
5 were doing, and they accepted that.

6 THE COMMISSIONER: Right.

7 MR. HALL: And we were dealing with
8 historic stuff, and it happened many -- many, many years
9 ago, so they realized that; you know, what's another month
10 or two, in the context of 25 or 30 years.

11 THE COMMISSIONER: That's the time part of
12 it. What I'm talking about is, did someone say, "Well,
13 wait a minute here, how come they get the white glove
14 treatment, they can walk in and they're stamped and they're
15 out, whereas, when I get arrested, I get cuffed, I get put
16 in the back of the car?" Anything like that?

17 MR. HALL: Well, the situations are
18 different than -- I know of no complaints, in the historic
19 things. We set a policy, and I know of nobody that
20 complained about it.

21 THE COMMISSIONER: Good. Thank you.

22 Thank you -- Exhibit Number 2808 is a letter
23 to the Regional Director of Crown Attorneys, Robert
24 Pelletier, dated 24th of July, 1998, from Detective
25 Inspector Smith.

1 ---EXHIBIT NO./PIÈCE NO P-2808:

2 (112886) - Letter from Tim Smith to Robert
3 Pelletier dated 24 Jul 98

4 **MR. ENGELMANN:** Sir, the caption is
5 "Assignment of Crown Attorneys Project Truth Prosecutions."

6 You would have been aware of this concern
7 that Detective Inspector Smith, at the time, was referring
8 to in the letter to Mr. Pelletier?

9 **MR. HALL:** Yes. This letter was actually
10 done at our office.

11 **MR. ENGELMANN:** Fair enough.

12 And you've set some of this out already. It
13 starts:

14 "It has been several months since we
15 first attempted to have outside Crown
16 attorneys assigned to prosecute the
17 charges resulting from the
18 investigation "Project Truth."

19 It indicates that Hallett has been assigned
20 and you were advised of that on July 6th, and that's to the
21 prosecutions of Leduc and Peachey. And she's also
22 reviewing the Crown brief on Malcolm MacDonald. So that's
23 okay. He's all right with that, but he says, you know,
24 essentially we've charged all these new people and we don't
25 have a Crown for them.

1 **MR. HALL:** Yes.

2 **MR. ENGELMANN:** And he says, at the bottom,
3 that matters have been -- disclosure briefs have been
4 provided to Murray MacDonald's office and some confusion
5 exists in who will be or who will assign the prosecutor in
6 this case. And that goes into the fact that, you know,
7 there's calls going, not only to Pelletier, but to Tom
8 Fitzgerald and also to Toronto, perhaps, to try and get a
9 Crown.

10 **MR. HALL:** Correct.

11 **MR. ENGELMANN:** Then it says:

12 "I've instructed my officers to have no
13 conversation with, nor release any
14 disclosure to defence counsel who make
15 request to this office."

16 And quite frankly, when people are charged, defence counsel
17 could be making requests immediately; right?

18 **MR. HALL:** They were.

19 **MR. ENGELMANN:** And this was -- was this
20 sort of trying to force the Crown's hand to get someone
21 assigned?

22 **MR. HALL:** I agree with that.

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

24 And he then says:

25 "Unfortunately, I cannot refer them to

1 the Crown in charge of the cases
2 because he/she has yet to be assigned."

3 **MR. HALL:** Correct.

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

5 And despite the strong letter and despite a
6 number of phone calls, it's my understanding -- and we'll
7 look at your notes -- but it isn't until September 17th that
8 you're advised about the availability of a Crown. I'll
9 just find it ---

10 **MR. HALL:** On which -- on which case, sir?

11 **MR. ENGELMANN:** For the Project Truth cases.
12 I mean, you have -- you have Shelley Hallett. She's been
13 assigned on July 6th.

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** But these other cases of the
16 arrests from July 9th?

17 **MR. HALL:** There was -- the date, again,
18 you're giving me, sir?

19 **MR. ENGELMANN:** Well, let's take a look at
20 your notes for a second if we can. We're still on Exhibit
21 2748. It's Notebook 6, Bates pages 9945; the date
22 September 17th, 1998.

23 **MR. HALL:** Yes.

24 **MR. ENGELMANN:** Right in the middle of the
25 page, "Faxed message from Tom Fitzgerald..."

1 MR. HALL: Yes.

2 MR. ENGELMANN: "...indicating Alain Godin."

3 MR. HALL: Yes.

4 MR. ENGELMANN: I'm not sure what it says
5 after that.

6 MR. HALL: "Rainy River."

7 MR. ENGELMANN: I'm sorry?

8 MR. HALL: He's from Rainy River, "...would
9 be the Crown Attorney."

10 MR. ENGELMANN: And then it's two days later
11 when you speak to him for the first time. Yes, it's in
12 your next notebook which is Exhibit 2749, Bates page 9957:

13 "September 22nd, 1600 hours. Received
14 call from Alain Godin. Said he would
15 be arriving in Cornwall..."

16 MR. HALL: Yeah.

17 MR. ENGELMANN: "...on 19th, October area."
18 So he's been assigned to prosecute a number
19 of the Marleau cases, for example.

20 MR. HALL: That's correct.

21 MR. ENGELMANN: All right.

22 MR. HALL: But that -- that wasn't the end
23 of our request for Crowns.

24 MR. ENGELMANN: No.

25 MR. HALL: I -- I had a concern in March of

1 1999. I met with Jim Stewart and Bob Pelletier in Ottawa
2 in regards to Crowns for the conspiracy investigation and
3 for a number of members of the clergy.

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

5 That concern, I understand, was with respect
6 to having Crown briefs looked at ---

7 **MR. HALL:** Well, I had ---

8 **MR. ENGELMANN:** --- over a reasonable period
9 of time.

10 **MR. HALL:** No, I -- nobody was looking at
11 the Ron Leroux one either.

12 **MR. ENGELMANN:** Okay.

13 **MR. HALL:** So as a result of my meeting in
14 March, a meeting was arranged with John Corilli, Director
15 of Special Prosecutions in Toronto, 720 Bay Street.

16 I attended Toronto with both Stewart and
17 Pelletier and as a result of that meeting, Ms. Hallett was
18 assigned to do the reviews on the conspiracy and the -- I
19 believe it was five clergy. I was assigned a Crown by the
20 name of Jim Ramsay to do Ron Leroux, and I'd have to refer
21 to my notes.

22 **MR. ENGELMANN:** Okay.

23 You're now into the spring of '99 though.
24 Is that correct?

25 **MR. HALL:** Yes, but we're still looking for

1 Crowns.

2 MR. ENGELMANN: Yeah.

3 MR. HALL: I mean, we're -- the issues we
4 want, we're investigating so we still need a Crown even
5 though ---

6 MR. ENGELMANN: If you'd had a dedicated
7 Crown from the start, presumably that ---

8 MR. HALL: Well, it certainly would have
9 been helpful.

10 MR. ENGELMANN: Yeah, and a lot of -- were
11 there -- did this lead to some delays?

12 MR. HALL: Well, certainly it led to a major
13 delay, I would say, in us concluding our investigations in
14 Cornwall. I mean, when you wait almost two years for a
15 brief to be -- give you a legal opinion and there was five
16 -- those five plus the conspiracy. Ultimately, Lorne
17 McConnery did in 2001.

18 MR. ENGELMANN: Now, sir, one of the other
19 cases that was being investigated back in '99 -- 1998 --
20 1997/98 were allegations against Malcolm MacDonald.

21 MR. HALL: Yes.

22 MR. ENGELMANN: And you had taken a
23 statement and we've seen this name before, C-5, and we
24 looked at this yesterday; he gave a statement on September
25 30th, 1997, making allegations, not just about Father

1 Charles MacDonald, but also about Malcolm MacDonald. Do
2 you recall?

3 MR. HALL: Yes.

4 MR. ENGELMANN: All right.

5 And again, we determined that he was an
6 individual who was named in the Dunlop brief or the Fantino
7 brief.

8 MR. HALL: Correct.

9 MR. ENGELMANN: And in addition to this
10 allegation, he was still a suspect in your broader
11 conspiracy or obstruct justice investigation; Malcolm
12 MacDonald.

13 MR. HALL: Well, he had already been
14 charged.

15 MR. ENGELMANN: No, he'd been charged with
16 attempt to obstruct, but ---

17 MR. HALL: Yes.

18 MR. ENGELMANN: --- was he someone you were
19 looking at in your broader conspiracy investigation as
20 well?

21 MR. HALL: Yes.

22 MR. ENGELMANN: All right.

23 And was that something that you had to
24 develop a form of strategy on; you were looking at him, not
25 only as an alleged perpetrator of child sexual abuse, but

1 also as part of the conspiracy?

2 MR. HALL: That's correct. Prior -- prior
3 to interviewing, we compiled a number of questions that we
4 were going to ask him, primarily from the Dunlop material
5 where he was -- certain meetings or interactions with
6 certain individuals and allegedly seen with certain places
7 on Cameron's Point and ---

8 MR. ENGELMANN: But was it at all
9 complicated in the sense that you were looking at him for
10 sort of two different things? Or perhaps they weren't
11 different.

12 MR. HALL: Was it -- was it complicated?
13 Not really. I think a good thing we did do is we combined
14 the interviews and as -- fortunately, because he passed
15 away shortly thereafter ---

16 MR. ENGELMANN: And ---

17 MR. HALL: --- prior to his trials.

18 MR. ENGELMANN: All right.

19 Well, he -- you get a statement about him on
20 September 30th, '97.

21 MR. HALL: Yes.

22 MR. ENGELMANN: And I believe, sir, you get
23 another statement where there's allegations made against
24 him with respect to sexual abuse on February 3rd, 1998, and
25 that's a statement you take from C-10; you being Project

1 Truth. If you want to just take a look at C-10.

2 MR. HALL: Yes.

3 MR. ENGELMANN: All right.

4 And he, like C-5, was someone who had been
5 mentioned in Dunlop's materials.

6 MR. HALL: Yes.

7 MR. ENGELMANN: All right.

8 And as I understand it, actually -- sorry, I
9 misspoke -- not in the original Dunlop materials, I
10 understand Dunlop had referred him to Project Truth.

11 MR. HALL: It -- it came in a yellow nine-
12 tab binders.

13 MR. ENGELMANN: Exactly, yeah, which would
14 have been the fall of '97.

15 MR. HALL: Correct.

16 MR. ENGELMANN: October of '97.

17 MR. HALL: Yes.

18 MR. ENGELMANN: Yeah. So it wasn't in the
19 original set that you would have had from the get-go.

20 MR. HALL: Correct, yeah.

21 MR. ENGELMANN: There's also a note -- I'll
22 just be a moment. If we go back in time a bit, I'm in your
23 notebook, 2747. It's Notebook Number 5. The Bates page is
24 793. The date is April 1, '98. You have a reference to a
25 briefs meeting. And it says and perhaps you can -- it's a

1 little cryptic.

2 MR. HALL: It says "briefs". That means I'm
3 considering the briefs. Then it's "meeting on direction of
4 investigation". I'm at the office, I'm talking to the
5 investigators.

6 MR. ENGELMANN: Right.

7 MR. HALL: We're talking about briefs and
8 we're talking about the direction of the investigating --
9 the investigation. I've had a meeting with them on that.

10 MR. ENGELMANN: All right, we know that ---

11 MR. HALL: And then it specifically says,
12 "To proceed on M. MacDonald", which would be Malcolm
13 MacDonald.

14 MR. ENGELMANN: And do you know what that
15 means in that context? I know that on that date you
16 submitted many briefs.

17 MR. HALL: Well, if you look at the next
18 line it says:

19 "Joe..."

20 -- meaning Constable Dupuis:

21 "...to Crown Attorney in L'Orignal with
22 briefs".

23 That would be to Pelletier.

24 MR. ENGELMANN: Yeah, but those were the
25 briefs with respect to the Marleau allegations, C-96

1 et cetera. The Malcolm brief wasn't done by that point,
2 was it?

3 MR. HALL: I'd have to see the date ---

4 MR. ENGELMANN: Yeah, but if you just take
5 it ---

6 MR. HALL: --- in my brief log.

7 MR. ENGELMANN: Yeah.

8 MR. HALL: I could tell you.

9 MR. ENGELMANN: I'll just give you the
10 exhibit number for that, if I can.

11 MR. HALL: It probably was because if you
12 look down on the next line:

13 "Don..."

14 -- meaning Constable Genier:

15 "...went to Montreal area to find
16 Father Martin."

17 So we're working on the Marleau ---

18 MR. ENGELMANN: Two-seven-seven-two (2772).
19 The Marleau briefs were sent in on the 1st, I know, but I'm
20 just curious about the Malcolm MacDonald brief itself.

21 The Malcolm MacDonald brief, 2772, Bates
22 page 7644. The column indicates, sir, Volumes 1, 2, 3 are
23 sent on July 7th, '98 to Hallett for recommendation, and it
24 indicates you get them back on March the 9th, 1999 from
25 Hallett, "Sufficient to proceed". Does that ring a bell,

1 sir?

2 MR. HALL: Yeah, that would ring a bell
3 because she was assigned to Malcolm MacDonald's case. So
4 the briefs going to Pelletier would have been some other
5 ones.

6 MR. ENGELMANN: Now, sir, it's my
7 understanding that aside from making an allegation against
8 Malcolm MacDonald, C-10 also made an allegation against
9 another individual named Carl Allen?

10 MR. HALL: Yes.

11 MR. ENGELMANN: And that your team
12 determined that this allegation did not fall under the
13 Project Truth mandate and it was referred to the Cornwall
14 Police Service. Are you familiar with that?

15 MR. HALL: Could I see my memo on that?

16 MR. ENGELMANN: I think there's a note in
17 your notebook. Let me -- it's in 2747, Bates page 804.
18 It's the 16th of April, 1998 at 15:00.

19 It says:

20 "Meet with Inspector Trew. Given info
21 on two victims..."

22 And then it says "Allen" and another name?

23 MR. HALL: "Columbus."

24 MR. ENGELMANN: Okay, and Allen is in fact
25 an alleged perpetrator?

1 **MR. HALL:** I believe so.

2 **MR. ENGELMANN:** Yeah. And you became aware
3 that the allegations of C-10 -- that Project Truth was
4 handling Malcolm and that Cornwall was handling this
5 allegation he had against Carl Allen?

6 **MR. HALL:** Yes.

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

8 And did you have any concern about having
9 two different forces dealing with the allegations from one
10 alleged victim?

11 **MR. HALL:** I'm looking at Bates 804. It
12 says:

13 "Meeting with Inspector Trew. Given
14 info on two victims."

15 Now, I'm not -- could I see the memo where I
16 turned it over? I may have more information on there.

17 **MR. ENGELMANN:** Sir, I don't -- I don't know
18 where it is. I can tell you, if this will help, in your
19 notes at Bates page 9839 you have another reference and
20 that's May 29th, 1998.

21 I believe it says:

22 "Called on cell phone from Constable
23 Desrosiers on C-10."

24 It's right at the bottom of the page and it
25 goes over to the top of 840:

1 "Wants copy of videotape."

2 And, as I understand it, you had had a
3 videotape interview of C-10?

4 MR. HALL: Yes.

5 MR. ENGELMANN: And he had disclosed about
6 these two alleged perpetrators?

7 MR. HALL: Yes.

8 MR. ENGELMANN: And it appears that you're
9 telling Constable Desrosiers that you're going to have to
10 speak to Detective Inspector Smith about his request?

11 MR. HALL: Yes. If I recall when that
12 alleged victim gave his statement, there was a number of --
13 I believe it's about 18 pages pertaining to that
14 investigation that Cornwall was going to do.

15 MR. ENGELMANN: Fair enough.

16 MR. HALL: And what he was doing is he was
17 asking for the complete statement, and I had difficulty
18 with that so I consulted with Detective Inspector Smith and
19 he told me to just give him the pages concerned, and my
20 recollection is about 18 pages.

21 MR. ENGELMANN: All right. So you didn't
22 actually give him the videotape then. You would have given
23 a transcript?

24 MR. HALL: I know I gave him the transcript
25 -- a copy of our transcript.

1 **MR. ENGELMANN:** All right. And you would
2 have given him the part that dealt with the Carl Allen
3 allegations?

4 **MR. HALL:** Yes.

5 **MR. ENGELMANN:** Not the part that dealt with
6 the Malcolm MacDonald allegations?

7 **MR. HALL:** Exactly. And I would have
8 outlined maybe in my memo to Cornwall why I was turning it
9 over. I don't have a specific recollection of that unless
10 I see the document.

11 **MR. ENGELMANN:** Yeah, okay. And do you have
12 some recollection, though, as to why you thought it was
13 important not to share the whole thing?

14 **MR. HALL:** Well, the reason we didn't share
15 the whole thing is because there was allegations that we
16 were investigating that really were no concern to Cornwall
17 Police Service. So, I mean, we're -- you know, we're
18 trying to stay at arms length. I mean, it's just we're
19 basically giving them -- the proper thing would have been
20 to do -- and Cornwall Police may have done that. They may
21 have went and took their own interview of the alleged
22 victim, outlining just what happened in their area.

23 **MR. ENGELMANN:** But you probably wouldn't
24 want to do that, right? We've heard that you shouldn't
25 interview alleged victims of child sexual abuse more than

1 you need to.

2 **MR. HALL:** Well, there's occasions when
3 you've got to go back and get more information. I mean,
4 it's quite often you come -- you do an interview, you come
5 back and you start reading it. There's some other witness
6 has said something that might be contradictory to what's in
7 there, so you want to clear the point up. So there's times
8 when you have to in order to get your investigation on
9 track, to know exactly what you've got.

10 **MR. ENGELMANN:** Sir, your reference to the
11 18 pages, I might be able to help you in your notebook.
12 You have a reference to it. It's Exhibit ---

13 **MR. HALL:** You could have told me that a
14 while ago, sir.

15 **MR. ENGELMANN:** Sir, I'm ---

16 **MR. HALL:** Well, I'm ---

17 **MR. ENGELMANN:** --- working my way through
18 your notes as best I can.

19 **MR. HALL:** --- going through my memory here
20 and now you're going to tell me you've got it?

21 **MR. ENGELMANN:** No, no, I ---

22 **THE COMMISSIONER:** Well, okay, sir, just a
23 minute. You're going to be here -- you've been here for a
24 few days. We've got a lot of material to go through.

25 **MR. HALL:** Certainly is.

1 **THE COMMISSIONER:** And so I think you can
2 leave -- let the people who are asking you questions ask
3 you questions, and if we have to go back, we go back.

4 **MR. HALL:** Fair enough.

5 **THE COMMISSIONER:** Is that clear? Thank
6 you.

7 **MR. ENGELMANN:** It's not a memory test, sir.
8 I'm not trying to -- okay, so you mentioned 18 pages. I've
9 found a reference. It's June 4th, '98. It's in your next
10 notebook, Exhibit 2748, Bates page 849. I think that's
11 what you've just referred to. It's just under 8:15.

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** Is that -- I believe it
14 says:

15 **MR. HALL:** "Copy of..."

16 **MR. ENGELMANN:** "...C-10's statement
17 dealing with sexual assault by Carl
18 Allen given to René Desrosiers of CPS
19 for his investigation"?

20 **MR. HALL:** Yes, copy of the first 18 pages.

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

22 Now, sir, we talked about the MacDonald
23 brief being submitted to Ms. Hallett for her review on July
24 7th, 1998.

25 I understand that following that in November

1 you would have taken a statement -- or you, Project Truth,
2 would have taken a statement from Malcolm MacDonald. I've
3 got a date of November 18th, 1998.

4 Sir, if you would like to look at it,
5 it's Exhibit 2771 -- sorry, that's the statement log.
6 Exhibit 2771 has a reference to the date of this statement,
7 but my understanding is that at that point you were talking
8 about to him about the conspiracy allegation November 18th,
9 1998.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** Would that make sense? Are
12 you saying at that point you would be asking ---

13 **MR. HALL:** I think there was a ---

14 **MR. ENGELMANN:** --- questions about both?

15 **MR. HALL:** I think there was a preliminary
16 hearing set for January of '99.

17 **MR. ENGELMANN:** On?

18 **MR. HALL:** On his allegations.

19 **MR. ENGELMANN:** I don't think so, because
20 you don't get the Crown brief back until March of '99 from
21 Hallett?

22 **MR. HALL:** Okay, I'm a year behind.

23 **MR. ENGELMANN:** Oh, okay.

24 **MR. HALL:** Okay?

25 **MR. ENGELMANN:** The next year.

1 **MR. HALL:** Yeah, because I'm thinking
2 there's a preliminary hearing coming in January, he goes
3 South in December and he passes away while ---

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

5 **MR. HALL:** --- he's in Florida.

6 **MR. ENGELMANN:** All right. So just again to
7 get our timeline right, you submit the initial brief in
8 July of '98.

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** You don't get it back until
11 March of '99.

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** There's a prelim set in
14 January of 2000.

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** He dies in December of '99.

17 **MR. HALL:** Correct.

18 **MR. ENGELMANN:** All right. And in November
19 of '98, he's being interviewed on the conspiracy
20 investigation?

21 **MR. HALL:** Exactly.

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

23 **MR. HALL:** I --

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

25 **MR. HALL:** I have a memory of, I think it

1 was Constable Seguin said his health wasn't well or
2 something. I think that may have influenced doing the
3 interview.

4 MR. ENGELMANN: Already in November of ---

5 MR. HALL: Yes.

6 MR. ENGELMANN: --- '98? All right.

7 Were you aware, sir, that -- you were aware,
8 I'm sure, that -- just give me a moment.

9 (SHORT PAUSE/COURTE PAUSE)

10 MR. ENGELMANN: Yes, if you could take a
11 look at your moniker binder at C-21.

12 MR. HALL: Yes.

13 MR. ENGELMANN: That name is familiar to
14 you?

15 MR. HALL: Yes, it is.

16 MR. ENGELMANN: It's my understanding that
17 on or about the 16th of December 1998, he would have been
18 interviewed by Project Truth officers.

19 MR. HALL: Yes.

20 MR. ENGELMANN: Okay. And again, if you
21 want to check the date, it's in the log, but --

22 MR. HALL: No, I'm aware of that one.

23 MR. ENGELMANN: All right. And he made
24 allegations about Malcolm MacDonald.

25 MR. HALL: Yes.

1 **MR. ENGELMANN:** And also about a fellow by
2 the name of Jean-Luc LeBlanc?

3 **MR. HALL:** Yes, he did.

4 **MR. ENGELMANN:** All right. And did he
5 allege that Malcolm MacDonald had actually assaulted him at
6 a cottage in Quebec?

7 **MR. HALL:** Yes.

8 **MR. ENGELMANN:** And that cottage was owned
9 by LeBlanc's parents, as I understand it.

10 **MR. HALL:** No, it was -- well, it originally
11 was, but at that time it was owned by LeBlanc and his
12 sister.

13 **MR. ENGELMANN:** All right. So there was
14 some connection between LeBlanc and Malcolm MacDonald.

15 **MR. HALL:** Yes, there was.

16 **MR. ENGELMANN:** All right. And, sir, I know
17 you've got the Crown brief with Shelley Hallett on the
18 child sexual abuse materials as of July.

19 **MR. HALL:** Yes.

20 **MR. ENGELMANN:** Was she sent something about
21 this statement of C-21's to consider with respect to that
22 brief? Because I think when you prepared the brief, there
23 were two alleged victims; there was C-5 and C 10. This
24 would now be a third.

25 **MR. HALL:** I'm sure she was, but I don't

1 have a specific recollection without referring to some
2 records.

3 MR. ENGELMANN: All right. That would
4 be ---

5 MR. HALL: It would be normal procedure.

6 MR. ENGELMANN: Right.

7 MR. HALL: Yes.

8 MR. ENGELMANN: Right. Because you don't
9 get her recommendation until March 9th, '99.

10 MR. HALL: Correct.

11 MR. ENGELMANN: So, likely, something would
12 have been sent.

13 MR. HALL: Yes.

14 MR. ENGELMANN: All right. Now, sir, we
15 talked about this before, but there was an ongoing
16 prosecution against a fellow by the name of Marcel Lalonde.

17 MR. HALL: Yes.

18 MR. ENGELMANN: And just by way of
19 background, and I think you told us this, that there were
20 some initial allegations made by C-68?

21 MR. HALL: Yes.

22 MR. ENGELMANN: And those would have been
23 allegations that were investigated by Constable Genier back
24 in 1996?

25 MR. HALL: That's correct.

1 **MR. ENGELMANN:** And I believe those charges
2 were laid sometime in the fall of '96.

3 **MR. HALL:** Yes.

4 **MR. ENGELMANN:** All right. And would this,
5 in part, be one of the reasons why Constable Genier was
6 chosen for the Project Truth team; he had had some
7 experience in dealing with sexual abuse charges against a
8 teacher? Or do you know?

9 **MR. HALL:** No, I think his primary reason
10 for his being chosen was because he was bilingual; that was
11 the first consideration. We didn't have anybody else.

12 **MR. ENGELMANN:** All right. And, sir, as I
13 understand it, in early 1997, there were allegations made
14 by C-8.

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** January 23rd, '97.

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** And those allegations were
19 against both Father MacDonald and Marcel Lalonde?

20 **MR. HALL:** Yes.

21 **MR. ENGELMANN:** I understand as well that
22 allegations were made by C-45 -- it's a good thing you have
23 that binder -- and his brother?

24 **MR. HALL:** Yes, yes.

25 **MR. ENGELMANN:** And again, those allegations

1 were against Marcel Lalonde and would have been
2 investigated by the Cornwall Police Service.

3 MR. HALL: I believe so, yes.

4 MR. ENGELMANN: That's the evidence we've
5 heard here.

6 MR. HALL: Yes.

7 MR. ENGELMANN: And my understanding is that
8 on April 29th, 1997, just days after your first meeting
9 about Project Truth with Peter Griffiths ---

10 MR. HALL: Yes.

11 MR. ENGELMANN: --- Marcel Lalonde gets
12 charged with offences involving C-45, his brother, C-8,
13 C-66 and C-58. And these are all as a result of Cornwall
14 Police Service investigations.

15 MR. HALL: Those last two names aren't
16 familiar to me, so ---

17 MR. ENGELMANN: Fair enough.

18 MR. HALL: --- I wouldn't know.

19 MR. ENGELMANN: That's fine. That's fine.
20 In any event, there are multiple victims, or alleged
21 victims.

22 MR. HALL: Yes.

23 MR. ENGELMANN: And aside from the first one
24 I talked to you about, C-68, that Constable Genier had
25 investigated, the others had been investigated by the

1 Cornwall Police Service.

2 MR. HALL: That's correct. The OPP was only
3 involved in one alleged victim.

4 MR. ENGELMANN: And, sir, it's my
5 understanding that on the day of his arrest, his residence
6 was searched and a number of photographs were seized. Were
7 you made aware of that?

8 MR. HALL: Yes.

9 MR. ENGELMANN: And it's my understanding
10 that one of your officers, Constable Seguin, told us that
11 he was involved in reviewing a number of these photographs,
12 I believe?

13 MR. HALL: Yes.

14 MR. ENGELMANN: With both Constable Genier
15 and Constable DesRosiers --

16 MR. HALL: Yes.

17 MR. ENGELMANN: -- from the Cornwall Police
18 Service?

19 MR. HALL: Yes.

20 MR. ENGELMANN: Why would Constable Seguin
21 also have been involved?

22 MR. HALL: Probably assisting, I don't know.
23 Genier had other cases on the go before he came; he may
24 have been away at court. I --

25 MR. ENGELMANN: All right.

1 **MR. HALL:** I'd have to check their notebooks
2 to find out.

3 **MR. ENGELMANN:** Sir, did you become aware
4 that one of the photographs seized at Marcel Lalonde's
5 residence was a picture of Father MacDonald with two young
6 people at the rectory?

7 **MR. HALL:** Yes, I'm aware of that.

8 **MR. ENGELMANN:** All right. And one of those
9 young people was identified by Project Truth?

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** And we've used the name
12 earlier and I prefer not to at this point, but I understand
13 that you and Inspector Smith interviewed this individual in
14 December of 1997?

15 **MR. HALL:** You talking about western Canada?

16 **MR. ENGELMANN:** Yes.

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** And you were questioning
19 this individual regarding a friendship that he may have had
20 with Father MacDonald?

21 **MR. HALL:** Yes.

22 **MR. ENGELMANN:** And also with respect to
23 information that he might have had with respect to the
24 identity of the other young person who was in the
25 photograph.

1 MR. HALL: Yes.

2 MR. ENGELMANN: And, sir, although the
3 individual had no issues with Father MacDonald, he did give
4 you information concerning a possible abuse by Mr. Lalonde?

5 MR. HALL: Him being abused?

6 MR. ENGELMANN: Yes.

7 MR. HALL: Yes.

8 MR. ENGELMANN: And, sir, you also confirmed
9 that he believed that these two individuals, Father
10 MacDonald and Marcel Lalonde, knew each other through
11 Bishop Macdonell School?

12 MR. HALL: Yes.

13 MR. ENGELMANN: All right. And I understand
14 that you asked him to provide a written statement and he,
15 in fact, did mail a statement to you after the interview?

16 MR. HALL: Yes. In the course of
17 identifying the pictures, his wife was consulted by him.

18 MR. ENGELMANN: Fair enough.

19 MR. HALL: He was reluctant to come forward
20 on anything.

21 MR. ENGELMANN: Fair enough. Fair enough.
22 And is it your evidence, sir, that he didn't
23 want to pursue criminal charges of his own? Is that your
24 understanding?

25 MR. HALL: Well, I think it went further

1 than that. I think he -- he didn't really believe that he
2 was -- there was only allegations against one person there.

3 **MR. ENGELMANN:** Fair enough.

4 Sir, I note that your investigators took a
5 statement from another Marcel Lalonde victim, and that's C-
6 58.

7 This would have been someone who had already
8 been investigated, allegations already been investigated by
9 the Cornwall Police Services and charges laid; C-58? I
10 don't know if you could remember his name?

11 **MR. HALL:** No, I don't.

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

13 But in your statement registry, which I
14 believe is 2771 -- and just give me a moment, sir?

15 You'll see at Bates page ---

16 **THE COMMISSIONER:** Hold on. Hold on.

17 **MR. HALL:** Can I have more water,
18 Commissioner?

19 **THE COMMISSIONER:** Sure. Here, give him
20 mine, and -- je l'ai pas ce cartable là. C'est pas deux,
21 sept, sept.

22 **MR. HALL:** Thank you.

23 **MR. ENGELMANN:** Sir, it's Bates page 7299.

24 **THE COMMISSIONER:** We're not even there yet,
25 sir.

1 **MR. ENGELMANN:** Oh, I apologize, sir.
2 Seven-zero-zero-seven-two-nine-nine
3 (7007299). Document Number, counsel, 702751.

4 **THE COMMISSIONER:** Okay. So now what page
5 do you want to go to?

6 **MR. ENGELMANN:** Seven-two-nine-nine (7299)?

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

8 **MR. ENGELMANN:** The number on the side
9 is 59. It should be on the screen.

10 **THE COMMISSIONER:** Page 31 of 37.

11 **MR. ENGELMANN:** Yes. It's just where the
12 arrow is, sir.

13 This is the same fellow we've been talking
14 about, C-58?

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** All right. And had
17 you -- I'm just trying to -- I know you don't remember his
18 name.

19 **MR. HALL:** Could you move it over to the
20 right, please; the form? I just want to see what the
21 association is.

22 **MR. ENGELMANN:** He's listed as a victim.

23 **MR. HALL:** A victim, okay.

24 **MR. ENGELMANN:** Okay?

25 **MR. HALL:** Yes.

1 **MR. ENGELMANN:** Would it be helpful to look
2 at one of the other -- the association document, or -- it
3 appears your investigators are interviewing someone who has
4 charges pending -- sorry, his allegations are pending
5 before the court with respect to Marcel Lalonde.

6 **MR. HALL:** You're saying he's a victim of
7 Marcel Lalonde?

8 **MR. ENGELMANN:** Yes, and he's one of the
9 individuals who on April 29th, 1997 ---

10 **MR. HALL:** In a charge by Cornwall Police
11 Services?

12 **MR. ENGELMANN:** Yes.

13 **MR. HALL:** Yes.

14 **MR. ENGELMANN:** Yes. And your investigators
15 are meeting with him to take a statement on November 3rd,
16 '97.

17 **MR. HALL:** Yes.

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

19 And I'm just wondering if you'd given
20 instructions to your investigators to interview the Lalonde
21 victims regarding possible association or information of
22 association?

23 **MR. HALL:** I'd have to see the interview
24 report to see what names came out of that interview.

25 **MR. ENGELMANN:** Okay. Well, I can ---

1 MR. HALL: I mean, I ---

2 MR. ENGELMANN: Okay.

3 MR. HALL: --- can't tell you.

4 MR. ENGELMANN: All right. Sir, presumably
5 if officers are speaking to him, you'd be advising the
6 Crown in the Marcel Lalonde prosecution that you would be
7 doing that?

8 MR. HALL: Well, I think we would want to
9 know -- I would want to know why we were interviewing him
10 and what he said when we did interview him ---

11 MR. ENGELMANN: All right.

12 MR. HALL: --- whether we'd notify a Crown
13 or not.

14 MR. ENGELMANN: All right. Well, you've
15 told us that Marcel Lalonde was not in the Project Truth
16 investigation.

17 MR. HALL: That's correct.

18 MR. ENGELMANN: All right.

19 So I'll see if I can find that at the break
20 and I'll show it to you. I just -- I'm curious why you'd
21 be interviewing him, that's all, sir.

22 MR. HALL: Well, if I had some documents, I
23 could ---

24 THE COMMISSIONER: You'll ---

25 MR. HALL: --- probably tell you, sir.

1 **THE COMMISSIONER:** You'll get them. You'll
2 get them.

3 **MR. ENGELMANN:** Sir, were you aware that the
4 preliminary inquiry in the Marcel Lalonde prosecution took
5 place in January of 1998?

6 **MR. HALL:** Yes.

7 **MR. ENGELMANN:** And you were aware because
8 you would have been told, I believe, that Perry Dunlop was
9 called as a witness in that preliminary inquiry by the
10 defence?

11 **MR. HALL:** Yes.

12 **MR. ENGELMANN:** And he had testified to the
13 effect that he'd turned over all of his notes to police
14 authorities?

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** And, sir, Constable
17 Desrosiers has testified here that at the time of the
18 preliminary inquiry, at least from his perspective, all the
19 Crown and defence had from Dunlop was a Will Say --a short
20 Will Say, that he prepared sometime in the spring of '97?

21 **MR. HALL:** I wouldn't disagree.

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

23 And, again, that's -- it would have been
24 through Cornwall Police in their disclosure?

25 **MR. HALL:** Exactly.

1 **MR. ENGELMANN:** I understand, sir, you have
2 a note in April of '98 -- I'm just going to find it for
3 you -- about meeting with Constable Genier on this issue.
4 It is Exhibit 2747 and the Bates page, I believe, is 812.

5 You have a note, sir, that says:

6 "See Don on interview Ottawa and Marcel
7 Lalonde disclosure of Dunlop's."

8 **MR. HALL:** Yes. What happened there is,
9 Constable Genier prepared a memo for me requesting that I
10 contact Constable Dunlop and ascertain if he had any other
11 information.

12 **MR. ENGELMANN:** And is that what we see here
13 in your note?

14 **MR. HALL:** "I called Perry Dunlop at his
15 residence. Was advised by his wife he
16 was working. Called him at work,
17 advised him about my request from
18 disclosure from a lawyer pertaining to
19 Marcel Lalonde. He had indicated in
20 his evidence that we were in possession
21 of all his notes. Very little
22 provided. He will check his notes
23 again and advise if there was a further
24 information to provide. I read to him
25 what he had on Marcel Lalonde that he

1 had previously provided to me."

2 And that was what Constable Genier had given
3 me. I read it over the phone, and I think on the document
4 I made a handwritten note as to ---

5 **MR. ENGELMANN:** Yes.

6 **MR. HALL:** --- what I did.

7 **MR. ENGELMANN:** I'm just going to show that
8 to you.

9 There's a document, I believe it's from
10 Constable Genier to yourself, that sets out what's in your
11 note here.

12 **MR. HALL:** Correct.

13 **MR. ENGELMANN:** It is Exhibit 1720; counsel,
14 it's Document Number 117109, and it appears to have some
15 handwriting of yours on it.

16 It's very similar to your note but I just
17 want you to confirm that it's your handwriting, sir, and
18 what you said.

19 **MR. HALL:** Yes, it is. The memo is dated
20 29th of April, '98 and it's addressed to both Detective
21 Inspector Smith and myself. And the note is handwritten,
22 it's dated April 29th, '98 and basically says what I just
23 said.

24 **MR. ENGELMANN:** Right, that you called ---

25 **MR. HALL:** That's my handwriting.

1 **MR. ENGELMANN:** You called Constable Dunlop,
2 you:

3 "...read to him the notes we received
4 in relation to Marcel Lalonde. He
5 indicated he would check his notes
6 further and, if anything, he would
7 advise."

8 So in other words, presumably if he found
9 anything he would advise.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** "I indicated we would be
12 providing the disclosure information
13 that we have."

14 **MR. HALL:** Correct.

15 **MR. ENGELMANN:** So in other words the OPP
16 was going to be providing -- or perhaps Project Truth was
17 going to be providing some disclosure into that
18 prosecution.

19 **MR. HALL:** Yes, because I was designated as
20 a go-to person for Dunlop. Constable Genier is a member of
21 the OPP, so he could have very well called and did it
22 himself because he knew I was the person to deal with.
23 That's the only connection with Project Truth.

24 **MR. ENGELMANN:** And, sir, there were a
25 number of the alleged victims of Marcel Lalonde who

1 reported abuse by other alleged perpetrators that you were
2 looking at in Project Truth; correct? I'll just give you a
3 couple of examples, if I may. David Silmser?

4 MR. HALL: Yes.

5 MR. ENGELMANN: C-8?

6 MR. HALL: Yes.

7 MR. ENGELMANN: C-45? Because he's not just
8 Marcel Lalonde; he's also Ken Seguin and Nelson Barque.
9 And you're getting that information in October of '97.

10 MR. HALL: Yes, yes.

11 MR. ENGELMANN: There's his brother ---

12 MR. HALL: Yes.

13 MR. ENGELMANN: --- as well; C-45's brother?

14 MR. HALL: Yes.

15 MR. ENGELMANN: And there's a fellow --
16 another moniker I don't know if we've looked at, C-66?

17 MR. HALL: Yes.

18 MR. ENGELMANN: Okay. So they're all
19 alleged victims of Marcel Lalonde and they're also all
20 alleged victims of people you're investigating from the
21 Dunlop brief?

22 MR. HALL: Correct.

23 MR. ENGELMANN: All right.

24 Given all of the overlapping issues and
25 associations, how did you deal with this? I mean I know

1 you said it's not a Project Truth file, but you certainly
2 have Constable Genier working on both sides. Was this a
3 complicating factor, sir?

4 **MR. HALL:** No, I didn't see anything
5 complicated about it. The investigation was started before
6 Project Truth. There was one alleged victim in OPP area.
7 Constable Genier was assigned. Project Truth started.
8 Constable Genier is on Project Truth. There was a
9 crossover between the alleged victims. We investigated
10 where they fell into Project Truth.

11 **MR. ENGELMANN:** All right. Those
12 associations were things, of course, that you'd want to
13 look at?

14 **MR. HALL:** Well, I looked at it and
15 Constable Genier, being part of Project Truth, also had
16 first-hand knowledge of the Marcel Lalonde case, so if
17 there was anything that he felt that I should know that I
18 didn't know, he would have advised me.

19 **MR. ENGELMANN:** It would be important, given
20 the joint investigative work, that information be shared
21 with the CPS and the Crown?

22 **MR. HALL:** Yes.

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

24 **MR. HALL:** I was dealing with Claudette
25 Wilhelm from Brockville, who was the Crown attorney in the

1 Marcel Lalonde case. She was involved in our cases as
2 well.

3 **MR. ENGELMANN:** Was that at all difficult
4 because you were still -- you still had the outstanding
5 conspiracy investigation and the CPS was involved in that
6 as an alleged suspect?

7 **MR. HALL:** No.

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

9 (SHORT PAUSE/COURTE PAUSE)

10 **MR. ENGELMANN:** Now, we looked at that note
11 and you told us about your efforts to get further
12 information from Constable Dunlop ---

13 **MR. HALL:** Yes.

14 **MR. ENGELMANN:** --- on behalf of Constable
15 Genier and the Crown.

16 **MR. HALL:** Yes.

17 **MR. ENGELMANN:** He would have provided notes
18 that he had in relation to Marcel Lalonde -- Constable
19 Genier. You would be disclosing to the Crown information
20 you had about Marcel Lalonde, whether we call it Project
21 Truth or whether we call it ---

22 **MR. HALL:** Well, Constable Genier would be
23 disclosing.

24 **MR. ENGELMANN:** Fair enough.

25 **MR. HALL:** There was some occasions that we

1 got some material from Constable Dunlop that the officers
2 went and picked up themselves. I mean I made the
3 arrangements and they just facilitated -- you know, they
4 went and picked it up and ---

5 **MR. ENGELMANN:** But if you had information
6 from the Dunlop brief that related in any way to Marcel
7 Lalonde, it was important that you get that to the Crown?

8 **MR. HALL:** Oh yes, yes. Well, Genier was
9 there for that purpose.

10 **MR. ENGELMANN:** Right. And Constable Genier
11 would have identified the notes and statements that
12 referred to Marcel Lalonde for disclosure purposes?

13 **MR. HALL:** I'm sure he would have discussed
14 it with Constable Desrosiers because they were working
15 together. So you know, if Genier wasn't completely
16 familiar with some of it then Desrosiers would probably
17 have the answer if it applied to their case.

18 **MR. ENGELMANN:** And do you know, sir,
19 whether he was given any instruction about providing to the
20 Crown notes that referred to contact between Dunlop and any
21 of the Lalonde victims, even if there was no reference to
22 Marcel Lalonde himself?

23 **MR. HALL:** Could you ---

24 **MR. ENGELMANN:** Would you have instructed
25 Constable Genier to provide notes that referred to contact

1 between Dunlop and any of the Lalonde victims, even if they
2 didn't necessarily refer to Lalonde himself?

3 MR. HALL: I think he would have disclosed
4 only what pertained to that case.

5 MR. ENGELMANN: Okay.

6 And, sir, we've heard here in evidence that
7 Constable Genier actually interviewed Marcel Lalonde on May
8 11th, 1998. Were you aware of that, sir? I can show you --
9 there's a document if you want to see it. That is in
10 evidence. I didn't give notice on it but it's Exhibit --
11 it's a very short statement. It's Exhibit 2692.

12 MR. HALL: My notes for that date?

13 MR. ENGELMANN: I can take a look.

14 THE COMMISSIONER: Is that the statement
15 where he's questioned as to whether or not he's a deacon?

16 MR. ENGELMANN: Yes. Yeah, it's about a
17 page long.

18 Sir, your notes of that date I don't believe
19 have a reference. I was looking for it earlier -- yeah,
20 they would be at 2747. It's Notebook 5. The Bates page is
21 9819 and then on to 9820. I just didn't see any reference
22 to "Don" or "Genier."

23 (SHORT PAUSE/COURTE PAUSE)

24 MR. HALL: No, I don't see any reference but
25 if there was things to do on the Marcel Lalonde case by

1 Constable Genier, he may not have specifically told me what
2 he was doing. Like I knew he was working on it but ---

3 **MR. ENGELMANN:** I'm not sure if it was in
4 relation to -- it may have been in relation to Project
5 Truth work. I believe it was, sir. So let's-- maybe we
6 could just have it.

7 It's a very brief statement. I don't have a
8 copy, but if, Madam Clerk, the witness could be provided --
9 it's 2692.

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **MR. HALL:** Yes, sir.

12 **MR. ENGELMANN:** Okay. Sir, would this have
13 been his work on Marcel Lalonde or would this have been
14 Project Truth work?

15 **MR. HALL:** I believe this would have been
16 Project Truth because he's trying to determine if there's
17 any connection with the Church.

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

19 And I -- I was -- I told you I ---

20 **MR. HALL:** Father Charles MacDonald.

21 **MR. ENGELMANN:** --- I told you I'd try and
22 find that other one that came up earlier and I've already
23 forgotten which -- anyway, I'll find the note and try and
24 get it at the break, but this is another one of the Marcel
25 Lalonde cases where it appears he's looking at associations

1 with individuals you were investigating in Project Truth.

2 MR. HALL: Yes.

3 MR. ENGELMANN: All right.

4 And ---

5 THE COMMISSIONER: But let me get this
6 straight; Marcel Lalonde has already been charged at this
7 time; has he?

8 MR. ENGELMANN: Yes.

9 MR. HALL: Yes.

10 THE COMMISSIONER: The 11th of May, 1998.

11 MR. ENGELMANN: No, he's been charged as of

12 ---

13 THE COMMISSIONER: No, the interview.

14 MR. ENGELMANN: --- October of '96 by the
15 OPP and then April 29th, '97, yeah.

16 THE COMMISSIONER: Okay and so you waltz in
17 now on the 11th of May, 1998, and Genier and Lamoureux are
18 taking a statement with respect to his connection with
19 Father MacDonald and Church officials. Is that the idea?

20 MR. HALL: Yes, I agree with that. That's
21 the first question.

22 THE COMMISSIONER: Yes.

23 MR. HALL: Okay.

24 MR. ENGELMANN: Now, do you -- oh, okay.

25 MR. HALL: I notice with Constable Genier

1 there's a Kevin Lamoureux there. I presume that's a
2 Cornwall Police officer. I don't know who it is.

3 **MR. ENGELMANN:** It's my understanding -- I'm
4 advised by Ms. Lahaie that he was a support person for ---

5 **MR. HALL:** Okay ---

6 **MR. ENGELMANN:** --- Mr. Lalonde.

7 **MR. HALL:** --- that answers it then because
8 I ---

9 **MR. ENGELMANN:** Yeah, not -- not ---

10 **MR. HALL:** --- don't recognize the name.

11 **MR. ENGELMANN:** --- not a person in
12 authority, okay. So I think, for that purpose, Detective
13 Constable Genier was on his own.

14 **MR. HALL:** Yes, okay. That explains it.

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

16 So do you know how this interview came
17 about, sir? Because this is a fellow who's, presumably,
18 before -- well, he is before the courts. We had a
19 preliminary inquiry in January of '98. He's -- he's an
20 accused in child sexual abuse cases and ---

21 **MR. HALL:** Well, I think if -- if you look
22 at the first question, Constable Genier obviously had some
23 indication that he was a deacon and that's why he's asking
24 him. Where he got that information, I don't know, quite
25 frankly, but it appears that's the basis for the interview

1 and if he had have been a deacon, who knows where it would
2 have went.

3 **MR. ENGELMANN:** Okay, so you were looking
4 for association with Father MacDonald. Do I have that
5 right; between Father MacDonald and ---

6 **MR. HALL:** Well, I -- I ---

7 **MR. ENGELMANN:** --- Marcel Lalonde?

8 **MS. JONES:** --- judging -- judging by the
9 first question, he says:

10 "I am investigating historic sexual
11 assault allegations in the City of
12 Cornwall. I understand you were a
13 deacon for Father Charles MacDonald.
14 What, if anything, can you tell me
15 about this?"

16 I mean, he's specifically asking him.

17 **MR. ENGELMANN:** Yes and then he says:

18 "First of all, I wasn't a deacon. I
19 read readings for masses."

20 **MR. HALL:** Yes.

21 **MR. ENGELMANN:** "I never heard anything
22 about Father Charlie."

23 Presumably, anything bad:

24 "I have nothing but good things to
25 say about him.'

1 **MR. HALL:** Yes.

2 **MR. ENGELMANN:** All right.

3 There's no follow-up to that about their
4 friendship, about readings for masses. I mean, did you --
5 did you have some input into what it was that Constable
6 Genier was to be seeking here?

7 **MR. HALL:** Well, I think he -- I think he
8 was trying to find out what his involvement was with the
9 Church and Father Charles MacDonald.

10 **MR. ENGELMANN:** But if you're trying to find
11 out what his involvement with the Church is, presumably,
12 you'd ask a few more questions; how long they'd known each
13 other. You know at this point, sir, you've got -- you've
14 got several victims who have associated these two
15 individuals; you have David Silmser, you have C-8, you have
16 C-45's brother who say that they're all abused by both
17 Father MacDonald and Marcel Lalonde at this stage.

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** So there's one question,
20 there's one answer and that's it. Presumably, you were
21 hoping for a bit more.

22 **MR. HALL:** Well, sir, I wasn't there so I
23 don't know what I was hoping for. Constable Genier's doing
24 the interview.

25 **MR. ENGELMANN:** No, but you read it

1 afterwards, sir.

2 MR. HALL: Yes.

3 MR. ENGELMANN: And presumably, you had
4 something to do with sending Constable Genier to do this
5 association work.

6 MR. HALL: I don't necessarily agree I had
7 something to do with it. It may have come from his
8 knowledge from the investigation he was doing with Cornwall
9 Police; the joint one. I don't know where the information
10 came from that he -- that this person was a deacon.

11 THE COMMISSIONER: But regardless, sir, when
12 you're reading this ---

13 MR. HALL: Yes.

14 THE COMMISSIONER: --- if you're looking at
15 -- if you're sitting back and looking at the big picture
16 and saying, okay, we're looking at different associations -
17 --

18 MR. HALL: Yes.

19 THE COMMISSIONER: --- all right, so we know
20 that Mr. Lalonde's been charged. We know that a lot of the
21 victims are saying they've been used by both so just
22 waltzing in and asking about whether or not he's a deacon -
23 - do you not agree that he could have gone further and as
24 Mr. Engelmann -- how long have you known Father MacDonald,
25 do you socialize together ---

1 **MR. HALL:** He could have, yes.

2 **THE COMMISSIONER:** --- and drawn out a lot
3 more information than he did.

4 **MR. HALL:** Could have, yes. Are there any
5 other statements from this individual?

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

7 **MR. HALL:** Are there any other interviews
8 from this individual?

9 **MR. ENGELMANN:** With Marcel Lalonde?

10 **MR. HALL:** Yeah.

11 **MR. ENGELMANN:** No, not by your officers and
12 this was a Project Truth interview, clearly.

13 **MR. HALL:** Yeah.

14 **MR. ENGELMANN:** And do you know if there
15 were consultations with the Crown about doing this given
16 that he was before the courts on the other matters?

17 **MR. HALL:** I don't know whether Constable
18 Genier provided this to Claudette Wilhelm or not, quite
19 frankly.

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

21 **MR. HALL:** I -- I might be able to determine
22 that if I went and looked in the briefs that he compiled
23 for that prosecution.

24 **MR. ENGELMANN:** We can ask her that.

25 **MR. HALL:** Yes.

1 **MR. ENGELMANN:** Now, the association work
2 you're doing with Marcel Lalonde -- and I gave you the five
3 or so alleged perpetrators where there's a common victim
4 between -- or sorry, Marcel Lalonde and several of the
5 victims you're looking at in Project Truth, there are
6 associations.

7 **MR. HALL:** Yes.

8 **MR. ENGELMANN:** So presumably, that would be
9 something that you'd be looking at during your conspiracy
10 investigation.

11 **MR. HALL:** Question again.

12 **MR. ENGELMANN:** You'd be looking at these
13 associations in the context of your broader conspiracy
14 investigation.

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** So if we -- if we had
17 further interviews with Marcel Lalonde, we might find them
18 there.

19 **MR. HALL:** Possibly.

20 **MR. ENGELMANN:** Because that would be why he
21 was interviewed on May 11th, 1998; correct, with respect to
22 your broader conspiracy and linkages?

23 **MR. HALL:** Well, I think he was interviewed
24 to answer the first question, "Are you a deacon?"

25 **MR. ENGELMANN:** Surely, that's not the only

1 reason you went ---

2 MR. HALL: I didn't go, sir ---

3 MR. ENGELMANN: --- to all the trouble ---

4 MR. HALL: --- I don't -- I can't answer
5 that.

6 MR. ENGELMANN: All right, fair enough.

7 MR. HALL: Constable Genier did the
8 interview. I don't have a conscious recollection of why he
9 was going there ---

10 MR. ENGELMANN: All right.

11 MR. HALL: --- specifically.

12 MR. ENGELMANN: I need to ask this of you.
13 We don't have him available to us, as you know.

14 MR. HALL: That's correct.

15 MR. ENGELMANN: So ---

16 MR. HALL: Unfortunately.

17 MR. ENGELMANN: I -- I agree.

18 And you read every statement, you read every
19 Crown brief. That's why I'm putting the question to you,
20 sir. It's not a trick question.

21 MR. HALL: Yeah.

22 MR. ENGELMANN: All right. Just give me a
23 moment.

24 (SHORT PAUSE/COURTE PAUSE)

25 MR. ENGELMANN: Let's look at -- there were

1 some allegations made against an individual by the name of
2 Bernard Sauv .

3 MR. HALL: Yes.

4 MR. ENGELMANN: And I understand that there
5 was a statement taken from another of the Marcel Lalonde
6 alleged victims -- several of them were confirmed. As you
7 know, he was found guilty in September of 2000, I believe.
8 You're aware of that? Either found or pled guilty. I
9 think he was found guilty.

10 THE COMMISSIONER: Who's that now?

11 MR. ENGELMANN: Marcel Lalonde.

12 THE COMMISSIONER: Found guilty.

13 MR. ENGELMANN: Yeah, in September of 2000.

14 MR. HALL: I'm just thinking -- yeah, I do.

15 MR. ENGELMANN: And not of all -- I think
16 there were seven alleged victims and I think there were
17 about four that -- where there was findings of guilt.

18 MR. HALL: I thought there was five but ---

19 MR. ENGELMANN: Perhaps. Yeah, but there
20 were several findings.

21 MR. HALL: Yes, yes.

22 MR. ENGELMANN: Okay. And I understand,
23 sir, that a statement was taken -- and I'm just going to
24 look at the Statement Registry for a moment -- of C-66.

25 MR. HALL: Yes.

1 **MR. ENGELMANN:** Now, again, he's one of the
2 individuals that the Cornwall Police Service would have
3 investigated his allegations against Marcel Lalonde and
4 charged him, and your officers are taking a statement from
5 him. It's near the time they're meeting with Marcel
6 Lalonde.

7 **MR. HALL:** My recollection is of that
8 particular individual, Constable Desrosiers had dealt with
9 him and he found him to be very fragile, and he -- I don't
10 think -- I have notes on this.

11 **MR. ENGELMANN:** Okay. Well, there's an
12 interview date of May 22nd.

13 **MR. HALL:** Yeah. He was advising against
14 interviewing him, Constable Desrosiers was at the time is
15 my recollection, and we -- Constable Genier interviewed him
16 and I believe he lived around the Smith Falls area, if
17 we're talking about the same fellow but I need some ---

18 **MR. ENGELMANN:** All right. Let me just find
19 that note. The interview takes place May 22nd, '98.
20 Presumably it's ---

21 **MR. HALL:** Can you tell me where it takes
22 place?

23 **MR. ENGELMANN:** I only have the Statement
24 Registry, sir. I don't have the statement.

25 **MR. HALL:** Okay. No, I'm just trying to

1 reference the individual I'm thinking about.

2 **MR. ENGELMANN:** Oh, the statement is
3 actually an exhibit. I don't have a copy of it but it's
4 1591. I don't know if it's in the room, sir. It's
5 Document Number 721121.

6 I believe there's a reference in your notes
7 on May the 12th, sir, to this individual's name. It's Bates
8 page 9820. That would be Notebook 5, Exhibit 2747.

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

10 **MR. HALL:** Bates page again, please?

11 **MR. ENGELMANN:** Nine eight two zero (9820).
12 There's a reference near the bottom of the page to Genier
13 and to C-66's last name. This may be the issue you were
14 talking about. There's a reference to a CPS officer by the
15 name of Snyder. His full name is there actually -- C-66:

16 "Called. Concerned about interview of
17 [C-66]. Fragile witness."

18 **MR. HALL:** That's right.

19 **MR. ENGELMANN:** "Genier to interview
20 [C-66]. Called Snyder on same. Called
21 Genier cell phone. Advised not to do
22 interview tomorrow with [C-66]. Will
23 explain tomorrow."

24 So apparently the interview had been set up.
25 There had been a call from Constable Snyder from the

1 Cornwall Police -- or Sergeant Snyder?

2 MR. HALL: That's correct. I probably was
3 incorrect when I said Constable Desrosiers but I knew it
4 was somebody from Cornwall.

5 MR. ENGELMANN: All right. So -- but he was
6 interviewed approximately 10 days after that on May 22nd ---

7 MR. HALL: Yes.

8 MR. ENGELMANN: --- '98. And, sir, if you
9 wanted, it's -- I believe you've been given a copy of the
10 interview.

11 MR. HALL: Yes, and it is Smith Falls. I
12 had the right fellow.

13 MR. ENGELMANN: Okay. I don't have a copy
14 of it.

15 THE COMMISSIONER: What exhibit again?

16 MR. ENGELMANN: It was Exhibit 1591.

17 THE COMMISSIONER: Right.

18 MR. HALL: Yes, I recall it.

19 MR. ENGELMANN: So it appears, sir, in this
20 case -- I don't know if you're dealing with the association
21 issue as well, but you're certainly dealing with -- or
22 Constable Genier is certainly dealing with allegations
23 against Mr. Sauv e.

24 MR. HALL: Yes.

25 MR. ENGELMANN: Right. And this fellow has

1 already made allegations against Marcel Lalonde that are
2 before the courts.

3 Maybe we can just scroll down. Next page,
4 please. How long is it?

5 **MR. HALL:** Thirty-one (31) pages.

6 **MR. ENGELMANN:** Not going to read it this
7 way. I'll take a look at it at the break.

8 What I'm curious, sir -- and I just don't
9 know if you know -- was he instructed to look at this issue
10 for association purposes?

11 **MR. HALL:** Well, without reading the
12 statement I ---

13 **MR. ENGELMANN:** Fair enough. Fair enough.
14 Let's put it aside.

15 You do have a reference -- it's not on May
16 22nd but on May 21st -- to this issue in your notes; Bates
17 page 9827, 11:15 near the top of the page.

18 **MR. HALL:** "Call to Brian -- Sergeant Brian
19 Snyder"?

20 **MR. ENGELMANN:** Yes.

21 **MR. HALL:** "On interview of" so-and-so.

22 **MR. ENGELMANN:** C-66.

23 **MR. HALL:** Yes.

24 "He called Genier this a.m. Asked
25 about why he did not keep his

1 appointment last week. Apparently [C-
2 66] was not contacted by Snyder. Now
3 wants to give a statement. Snyder said
4 he left a message for him. Apparently
5 didn't get it. Snyder has no problem
6 with us interviewing [C-66]. Genier
7 advised to do the interview. Detective
8 Inspector Smith advised."

9 **MR. ENGELMANN:** All right.

10 Now, as I understand it -- and we've had
11 some evidence here from -- I think it was Detective
12 Sergeant Snyder that C-66 had previously disclosed not just
13 the Marcel Lalonde abuse but also abuse by Bernard Sauvé,
14 but they had no formal statement from him on the abuse by
15 Sauvé. Were you at all aware of that, sir?

16 **MR. HALL:** No, no.

17 **MR. ENGELMANN:** Okay.

18 **MR. HALL:** I don't believe I was.

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

20 Sir, do you remember if there was a question
21 about whether or not this complaint fell under the Project
22 Truth mandate?

23 **MR. HALL:** Are you talking about ---

24 **MR. ENGELMANN:** Sauvé.

25 **MR. HALL:** --- Mr. Sauvé?

1 **MR. ENGELMANN:** Yes.

2 **MR. HALL:** No. We decided it was Project
3 Truth's mandate. I think Inspector Smith would have been
4 involved in that, because I mentioned his name here, at
5 that time.

6 **MR. ENGELMANN:** My understanding is he was a
7 convenience store owner.

8 **MR. HALL:** Yes, he was.

9 **MR. ENGELMANN:** And there was no apparent
10 links to other suspects, and the common victim, if I can
11 call it that -- the suspect there would have been Marcel
12 Lalonde, who ---

13 **MR. HALL:** There was two victims; correct?

14 **MR. ENGELMANN:** Of Bernard Sauvé?

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** Yes.

17 I'm just wondering if there was an issue
18 about whether he should be under the Project Truth mandate.

19 **MR. HALL:** I'd have to interview the -- or,
20 read the interview report to see if he mentioned any other
21 names or whatever.

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

23 **MR. HALL:** There may have been a reason why
24 at the time.

25 **MR. ENGELMANN:** Okay. That would have been

1 a decision that you would have taken in conjunction with
2 Detective Inspector Smith?

3 MR. HALL: Yes.

4 THE COMMISSIONER: Can you pick a spot
5 there, Mr. Engelmann?

6 MR. ENGELMANN: Yeah, I'll just be a moment,
7 if I can, sir.

8 THE COMMISSIONER: Not a problem.

9 MR. ENGELMANN: Sir, just -- it appears that
10 a Crown brief was submitted on the allegations by C-66 on
11 November 2nd and that -- this is in the brief log -- and
12 that Mr. Pelletier recommended proceeding with the charges
13 on February 2nd, 1999, and it's after that that a statement
14 is then obtained from another alleged victim of his.

15 And if I can just get the statement
16 registry, I can give you that name because I think you've
17 told us there was another alleged victim and you're
18 correct. That person came forward on March 17, '99, so it
19 would have been after Mr. Pelletier had recommended going
20 ahead.

21 MR. HALL: Yes.

22 MR. ENGELMANN: Sir, if you would look at
23 Exhibit 2771, which is your Persons With Statement Report -
24 - I can pull it up on the screen. It's the top of Bates
25 page 7280 -- 7007280. Right at the top, sir.

1 MR. HALL: Yes.

2 THE COMMISSIONER: So 2771?

3 MR. ENGELMANN: Top of Bates page 7007280 in
4 2771.

5 THE COMMISSIONER: So 280, okay.

6 MR. ENGELMANN: There's an individual listed
7 there -- a statement dated March 17th, '99 -- as a victim.
8 This was the other alleged victim of Mr. Sauv e?

9 MR. HALL: Yes.

10 MR. ENGELMANN: And, sir, I understand a
11 Crown brief was submitted with respect to that allegation
12 on May 11th, 1999.

13 And if we looked at the log with respect to
14 charges, I understand over three years later the charges
15 against Mr. Sauv e were withdrawn by the Crown at the trial
16 on June 17th, 2002.

17 MR. HALL: They were withdrawn for health
18 reasons.

19 MR. ENGELMANN: Yes. You would have
20 reported on that at the time in one of your CIB reports?

21 MR. HALL: Yes. Actually, I was involved in
22 -- when they first interviewed him, Constable Genier, we
23 determined he wasn't well, of good health, and I went -- I
24 took part in the arrest of him and when we transported him
25 to the office; he was actually legally blind.

1 MR. ENGELMANN: This is the suspect, Mr. ---

2 MR. HALL: Yes ---

3 MR. ENGELMANN: --- Sauvé.

4 MR. HALL: --- Mr. Sauvé. And, ultimately,
5 he wasn't available to participate in his trial.

6 MR. ENGELMANN: So the charges were
7 withdrawn in the summer of 2002 for -- as a result of ---

8 MR. HALL: Health reasons.

9 MR. ENGELMANN: --- his health. All right.
10 Perhaps it would be a good time, sir.

11 THE COMMISSIONER: All right, let's take the
12 morning break.

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

15 This hearing will resume at 11:05 a.m.

16 --- Upon recessing at 10:47 a.m./

17 L'audience est suspendue à 10h47

18 --- Upon resuming at 11:11 a.m./

19 L'audience est reprise à 11h11

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

22 This hearing is now resumed. Please be
23 seated. Veuillez vous asseoir.

24 PATRICK HALL, Resumed/Sous le même serment:

25 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE IN-CHEF PAR

1 **MR. ENGELMANN (cont'd/suite):**

2 **THE COMMISSIONER:** Thank you.

3 Mr. Engelmann?

4 **MR. ENGELMANN:** Thank you, sir.

5 Mr. Hall, before the break, we were talking
6 about some alleged victims of Marcel Lalonde who would have
7 been interviewed by Project Truth officers during the
8 course of ---

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** --- the Project Truth
11 investigation. And you had asked to possibly see a couple
12 of statements, and I'm happy to say we've been able to find
13 a couple.

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** I have nothing to do with
16 the success of recovery of statements.

17 One of them was for C-58.

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And he's an alleged victim
20 or perhaps he was confirmed -- I just can't remember which
21 ones he was found guilty on, but he was certainly at this
22 time an alleged victim of Marcel Lalonde.

23 **MR. HALL:** Yes.

24 **MR. ENGELMANN:** I've looked at your
25 association register over the break. He was the only -- he

1 only named one alleged perpetrator, and he was interviewed
2 by Officers Seguin and Dupuis. The Document Number is
3 713285.

4 Madam Clerk, it's a late notice, so,
5 obviously -- from this morning.

6 **THE COMMISSIONER:** Thank you.

7 Exhibit Number 2809. Does this person have
8 a moniker?

9 **MR. ENGELMANN:** Yes, sir, C --

10 **MR. HALL:** C-58.

11 **MR. ENGELMANN:** C-58.

12 **THE COMMISSIONER:** Thank you.

13 So this is an Interview Report of C-58,
14 dated 3rd of November 1997, taken by Detective Constables
15 Seguin and Dupuis.

16 **--- EXHIBIT NO./PIÈCE NO. 2809:**

17 (713285) - Interview Report of C-58 dated
18 Nov 3, 1997, taken by Detective Constables
19 Seguin and Dupuis

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

21 So, again, just to situate, this is a fellow
22 who has -- whose allegations have been investigated by the
23 Cornwall Police Service?

24 **MR. HALL:** Yes.

25 **MR. ENGELMANN:** Vis-à-vis his alleged abuse

1 by Marcel Lalonde?

2 MR. HALL: Yes.

3 MR. ENGELMANN: And that would have been --
4 charges would have been laid in late April of '97, and we
5 know we've had a preliminary in January of '98 because you
6 get involved with respect to the Dunlop issue, and we have
7 a date of interview being November 3rd, '97.

8 MR. HALL: Yes.

9 MR. ENGELMANN: And, sir, by the question
10 that's being asked, it appears that he's being interviewed
11 with respect to the broader conspiracy issue, if I can call
12 it that?

13 MR. HALL: Yes.

14 MR. ENGELMANN: Is that fair?

15 MR. HALL: Yes.

16 MR. ENGELMANN: All right.

17 And he essentially tells you that he's
18 really only had the involvement with the one suspect.

19 MR. HALL: Investigated by Cornwall Police.

20 MR. ENGELMANN: Right. Fair enough?

21 MR. HALL: Yes.

22 MR. ENGELMANN: Okay.

23 THE COMMISSIONER: Well, just a minute.

24 MR. HALL: The reason --

25 MR. ENGELMANN: Yeah.

1 **MR. HALL:** I want to explain why he would
2 show up as a victim on our documents.

3 Because when we do an interview, we classify
4 everybody into the four categories, so our secretary when
5 she's doing this individual, when she's making her data
6 entry as to association, it's either got to be a suspect, a
7 victim, a witness or other. Now, she lists him as a
8 victim, but not a victim of us.

9 **THE COMMISSIONER:** Okay, but what I'm
10 concerned about is, we have this one question to this
11 fellow. I mean, you know, I would have thought that you'd
12 sit down or whoever would sit down with him and say, look
13 it, I want you to look back in your mind, think of people
14 that you've seen around your abuser. Who were his friends,
15 did you ever to this -- you know, there's a number of
16 questions that could flesh out some little bit of memory
17 from this person.

18 I mean, you know, if you're investigating
19 allegations of historical sexual abuse in Cornwall area
20 involving the clergy and other public officials, I mean,
21 what does that mean to somebody?

22 **MR. HALL:** Well, we put that question to him
23 in the very first questions, Mr. Commissioner:

24 "What can you tell us that may assist
25 our investigation?"

1 Answer:

2 "Honestly, none."

3 He's shutting the door. I mean ---

4 **THE COMMISSIONER:** Just a minute, just a
5 minute.

6 **MR. HALL:** I wasn't there.

7 **THE COMMISSIONER:** No, no, but you know how
8 it is to ask questions and sometimes -- we'll use the
9 example -- it's something like pulling teeth sometimes.
10 And with memory, if you just give the person enough
11 information and keep talking, something might come up. You
12 know that, don't you?

13 **MR. HALL:** I certainly do and I wouldn't
14 disagree with you, but I was not there and they apparently
15 saw fit not to go further in this interview.

16 **THE COMMISSIONER:** Okay. You're the
17 supervisor, right?

18 **MR. HALL:** Yes.

19 **THE COMMISSIONER:** You read this statement
20 over at some point?

21 **MR. HALL:** Most likely did. I don't have a
22 recollection, but --

23 **THE COURT:** And you were satisfied with
24 this?

25 **MR. HALL:** Well, he answered the question

1 they were asking.

2 **THE COMMISSIONER:** Fine. But what about the
3 quality of the question?

4 **MR. HALL:** Well, when the gentleman says --
5 he's replying -- what can you tell us? He says, "Honestly
6 none." So are you suggesting I -- I should ask him about
7 different names or what? What are you suggesting there,
8 Mr. Commissioner?

9 **THE COMMISSIONER:** I'm suggesting that the
10 question is a static one, you know? And I don't know this
11 person, but depending on his education, you know,
12 allegations of historical sexual abuse involving clergy and
13 other public officials, you know, well, he might not know
14 what "public officials" means, that it might be wider than
15 just the mayor and the councillors and MPPs.

16 **MR. HALL:** Yes.

17 **THE COMMISSIONER:** It might mean
18 prosecutors, it might mean public health officials, it
19 might mean a lot of things to a lot of people, and I just
20 thought that -- I'm just asking you, are you satisfied with
21 the question that they put to him?

22 **MR. HALL:** Well, you can always ask more,
23 and, to answer you any further, could I see the notes of
24 Constable Seguin and Constable Dupuis for that day? They
25 may have had some notebook entries in regards to this

1 interview.

2 **MR. ENGELMANN:** Sir, I -- I don't have them.
3 You asked me for a copy of the statement and ---

4 **MR. HALL:** Well, you're asking me for
5 something that I wasn't there, and I'm just ---

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

7 **MR. HALL:** --- trying to determine why they
8 didn't ask any more questions. There may be a reason in
9 their notebooks.

10 **MR. ENGELMANN:** Well, they're -- they're in
11 evidence, sir, I believe, both of the officers' notebooks.

12 Sir, presumably, just in elaborating a bit
13 on the question, if they did want to pry a little further,
14 they could have at least outlined the mandate a bit more to
15 the -- you know, talking about who the alleged suspects
16 are, prominent, respected citizens of Cornwall, include
17 lawyers, Catholic priests, Catholic bishop, teachers,
18 probation officers, and just asked if this fellow knew of
19 connections between his alleged abuser and officials of
20 that type?

21 **MR. HALL:** Well, I don't disagree he could
22 have asked more questions, but there may be -- been a
23 reason why they didn't.

24 I notice this interview took place at 1757.
25 It's basically supertime, and maybe -- maybe the guy had

1 to go somewhere, he didn't want to stay and ask any
2 more -- answer any more questions. I can't -- I can't
3 really answer you, unless I -- there's something else. I
4 don't know.

5 MR. ENGELMANN: On the face of it though ---

6 MR. HALL: On the fact of it, I -- I agree,
7 you could ask more questions.

8 MR. ENGELMANN: And, sir, another -- and
9 this was a fellow where there was no -- what did I use? I
10 used a term about "overlapping," but he's a fellow where
11 he's not alleging multiple -- multiple perpetrators, or
12 alleged perpetrators, and we have that list of several with
13 Marcel Lalonde, where a number of his victims claim to have
14 been victims of people identified by Mr. Dunlop in his
15 brief.

16 MR. HALL: Yes.

17 MR. ENGELMANN: So if questions about the
18 conspiracy were put to C-58, presumably they would or
19 should have been put to individuals who also claim to be
20 abused by -- it says, "suspects from the Dunlop brief," for
21 example, C-45 and his brother, C-66, C-8, and David
22 Silmser?

23 MR. HALL: Yes.

24 MR. ENGELMANN: Yes. And, sir, with respect
25 to C-66, I believe you asked for that statement and that

1 is -- it's Document Number 712362.

2 And, sir, I have a statement, it's dated May
3 22nd, 1998, and this time it's Officer Genier who takes the
4 statement. This is shortly after the statement that we
5 looked at in -- in May of '98; 712362. If we can just have
6 a moment, sir?

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

8 **MR. ENGELMANN:** Yes, 2724. I apologize.
9 It's been made an exhibit.

10 **THE COMMISSIONER:** Two seven two four
11 (2724).

12 **MR. ENGELMANN:** This is the 31-page
13 statement we were dealing with just before the break and I
14 didn't have a hard copy.

15 **(SHORT PAUSE/COURT PAUSE)**

16 **MR. ENGELMANN:** This is C-66. I think we
17 talked earlier about ---

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** --- the fragile witness.

20 **MR. HALL:** Yes.

21 **MR. ENGELMANN:** He's, again, one of the
22 individuals who's an alleged victim at this time of Marcel
23 Lalonde, he's before the courts, and he's being interviewed
24 as part of the Project Truth investigation now, at least
25 according to the Occurrence Number on the front page;

1 correct?

2 MR. HALL: Yes.

3 MR. ENGELMANN: All right. And you're
4 looking at the allegations that he has against Bernard
5 Sauv e?

6 MR. HALL: Yes.

7 MR. ENGELMANN: And towards the end of the
8 statement at page 25 of 31 -- it's Bates page 6662 -- he's
9 asked if he's ever told anybody else about this, and he
10 mentions the Cornwall police officer?

11 MR. HALL: Brian Snyder.

12 MR. ENGELMANN: Right.

13 MR. HALL: Yes.

14 MR. ENGELMANN: Right. Who, of course, has
15 investigated his allegations with respect to Marcel
16 Lalonde?

17 MR. HALL: Yes.

18 MR. ENGELMANN: Now, at this point, I
19 presume, you don't know why Officer Snyder didn't also
20 investigate the allegations against Sauv e?

21 MR. HALL: No, I don't.

22 MR. ENGELMANN: Yes. So that's coming out
23 here, and Officer Genier is asking questions about the
24 allegations against Sauv e, and, sir, I didn't see in that
25 last portion where he says, again at 663 -- he talks about

1 both of the individuals who he says abused him, at the top
2 of the page??

3 MR. HALL: Yes.

4 MR. ENGELMANN: And, sir, the remainder of
5 the pages then -- there's a question on Bates page 6667,
6 the second-last page. It sort of ends there:

7 "Is anybody, being that we're doing
8 an..."

9 It says:

10 "Again, you -- there's a -- is there
11 anybody, being that we're doing an
12 investigation quite in depth in the
13 City of Cornwall, is there anybody
14 you think that we should talk to in
15 relation to anything that could
16 possibly (sic) abused in the past?"

17 That was the only question, sir, that I
18 could find in the statement that would have had anything to
19 do with the association issue. And the association issue
20 that was brought up, was C-58, was the one question:

21 "We are investigating allegations of
22 historical sexual abuse in the
23 Cornwall area involving the clergy
24 and other public officials. During
25 our investigation your name has come

1 to our attention as someone who may
2 be able to assist us. What can you
3 tell us that may assist our
4 investigation?"

5 There's the one question in that statement,
6 and this one, it appears the closest thing to that type of
7 a question on association, would be the one I just read you
8 that says:

9 "We're doing an investigation quite
10 in depth in the City of Cornwall. Is
11 there anything we should talk to in
12 relation to, [et cetera]."

13 **MR. HALL:** He asked the question on Bates
14 663 as well.

15 **MR. ENGELMANN:** Okay.

16 **MR. HALL:** Genier asked:

17 "Is there anyone else that you can
18 think we should talk to about Mr.
19 Sauve, possibly other victims or ---"

20 Answer:

21 "You know, I don't know any. I don't
22 know any names. Like, I really don't.
23 But I know that for a fact that like I
24 heard and like I said from somebody
25 around the store."

1 I don't think I need to carry on, but, you
2 know ---

3 **MR. ENGELMANN:** All right.

4 But he's not told what the Project Truth
5 mandate is, at least by way of a question?

6 **MR. HALL:** I think he's not told right at
7 the beginning. But is he not told in the context of a
8 question later on?

9 **MR. ENGELMANN:** Sir, I didn't see it.
10 Would you agree that if you're asking ---

11 **MR. HALL:** Normally it would be at the very
12 front. You know, that's the introduction.

13 **MR. ENGELMANN:** Yeah, I agree.

14 **MR. HALL:** We are here for blah, blah, blah.

15 **MR. ENGELMANN:** Yeah. And what he says he's
16 there for is allegations of sexual abuse against Bernard
17 Sauv .

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** But with respect to C-58,
20 who's before the courts, CPS charges Marcel Lalonde. It's
21 thought we should talk to him -- "we" being the OPP --
22 about associations looking at the broader conspiracy issue
23 with respect to C-66 who you know has two alleged
24 perpetrators. It doesn't really appear anything's asked
25 about the association other than perhaps that question or

1 two that we both discussed.

2 MR. HALL: Yes.

3 MR. ENGELMANN: And presumably that was
4 something that you would have wanted done, sir. If you've
5 got an association between a victim with two alleged
6 perpetrators, one from your Dunlop brief and one -- well,
7 they're both in the Dunlop brief. Marcel Lalonde was in
8 the Dunlop brief as well. You'd want that looked at on the
9 association. You'd want some questions put.

10 MR. HALL: I still don't understand your
11 question.

12 MR. ENGELMANN: All right.

13 Well, C-58 ---

14 MR. HALL: Yes.

15 MR. ENGELMANN: --- the one-page statement.

16 MR. HALL: Yes.

17 MR. ENGELMANN: He's an alleged victim at
18 this time of Marcel Lalonde. He's before the courts on
19 charges that have been laid by the Cornwall Police Service.

20 MR. HALL: Yes.

21 MR. ENGELMANN: Your officers interview him
22 on the broader conspiracy question; correct?

23 MR. HALL: Is that what it says on the
24 heading that they interview him on?

25 MR. ENGELMANN: Well, what it says is:

1 "We're investigating allegations of
2 historical sexual abuse in the Cornwall
3 area involving the clergy and other
4 public officials."

5 You had an exchange with the Commissioner on
6 this.

7 **MR. HALL:** No, that doesn't mean the
8 conspiracy.

9 **MR. ENGELMANN:** What does it mean?

10 **MR. HALL:** Sexual assault allegations
11 against people. That's what we're investigating in that
12 context.

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

14 **MR. HALL:** Are you suggesting we should have
15 put the word "conspiracy" in there as well?

16 **MR. ENGELMANN:** No, not at all. I'm -- not
17 at all. Not at all. You're investigating the Dunlop
18 issues.

19 **MR. HALL:** Yes.

20 **MR. ENGELMANN:** And as part of that you're
21 investigating -- just as that question cites -- allegations
22 of historical sexual abuse involving clergy and other
23 public officials. It's even broader than that, we know.

24 **MR. HALL:** Yes.

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

1 And part of it is the existence of whether
2 or not there's a group of people engaged in this activity.

3 **MR. HALL:** Eventually, yes, we're aware of
4 that.

5 **MR. ENGELMANN:** Or whether it's being
6 covered up.

7 **MR. HALL:** Yes. Yes.

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

9 So if you're asking questions like that of
10 C-58 -- and I'm not saying you shouldn't be -- presumably
11 you should also be asking questions like that of C-66.

12 **MR. HALL:** Could have, yes.

13 **MR. ENGELMANN:** Yeah, and others where there
14 are multiple -- alleged multiple perpetrators.

15 **MR. HALL:** Yes.

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

17 All right, let's go back to the summer of
18 1998. We've talked about a lot of things that happened
19 that summer but we haven't talked about your meeting with
20 Perry Dunlop; correct? And this is the meeting on July
21 23rd, 1998.

22 **MR. HALL:** Yes.

23 **MR. ENGELMANN:** And this is a couple of
24 weeks after the multiple arrests on July 9th, and your notes
25 indicate a meeting. And this is Exhibit 2748; it's

1 Notebook Number 6, and the Bates page number is 9898.

2 MR. HALL: Yes.

3 MR. ENGELMANN: And, sir, we know from other
4 things we've already gone through that you've had a number
5 of contacts with Helen Dunlop regarding the death threats
6 investigation and brief discussions with respect to the
7 Dunlop brief or the Fantino brief. And we know that you've
8 had a previous meeting with Mr. Dunlop on August 7th, 1997.
9 We know about some disclosure issues in the fall and the
10 disclosure of the yellow binder. We know about further
11 conversations with Constable Dunlop following up on
12 problems with one of his tapes. We know that there's been
13 -- he's been spoken to by you in late April '98 regarding
14 Marcel Lalonde disclosure.

15 And it's my understanding that as at July
16 1998 your relationship with him is friendly.

17 MR. HALL: Yes.

18 MR. ENGELMANN: All right.

19 And can you tell us, sir, perhaps by looking
20 at your notes, what precipitated the meeting on July 23rd?

21 MR. HALL: The main reason, from my point of
22 view, was that Mrs. Dunlop had made comments to the news
23 media about delivering boxes of material to the Ministry of
24 the Attorney General and I think they said the "top cop" is
25 the word they used, and this came out in a newspaper. I

1 was concerned about specifically what they were talking
2 about because at that point all's we had received was one
3 binder ---

4 MR. ENGELMANN: All right.

5 MR. HALL: --- and we also received the -- I
6 believe it was maybe seven or eight pages that went to the
7 Ministry of the Attorney General on April the 7th of '97
8 they delivered.

9 MR. ENGELMANN: That was the cover letter
10 you spoke about ---

11 MR. HALL: Yes.

12 MR. ENGELMANN: --- to Mr. Runciman?

13 MR. HALL: Yes.

14 MR. ENGELMANN: All right.

15 MR. HALL: So ---

16 MR. ENGELMANN: So there were press issues
17 and there were -- in the press there were issues about
18 disclosure and what had been given over?

19 MR. HALL: Exactly.

20 MR. ENGELMANN: All right.

21 And therefore it was thought it was
22 important to have a meeting with Constable Dunlop?

23 MR. HALL: Yes, I believe that was our main
24 reason, because we at that point were trying to determine
25 do we really have all the information he delivered.

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

2 **MR. HALL:** Because I never found out exactly
3 what he delivered until I met with him on July 31st when he
4 gave me the receipts of the deliveries he made to the
5 various ministries.

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

7 So, sir, you might want to have your notes
8 handy and you might also want to have Exhibit 660A, which
9 is your typewritten summary of contacts with Dunlop, and
10 you can use either one.

11 **THE COMMISSIONER:** You probably don't have
12 that one, sir.

13 **MR. ENGELMANN:** We've been using it over the
14 past couple of days; 660A.

15 **(SHORT PAUSE/COURTE PAUSE)**

16 **MR. HALL:** Yes.

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

18 So your notes indicate, as you've said, you:

19 "...discussed issues of disclosure and
20 wanted to ascertain from him if we'd
21 received all his notes, tapes and so on
22 regarding our investigation."

23 **MR. HALL:** Correct.

24 **MR. ENGELMANN:** Then you go on:

25 "I requested a memo from him indicating

1 we had everything. After a discussion
2 we learned that there were three more
3 volumes that apparently did not
4 accompany the original volume that we
5 received. He was to photocopy them and
6 deliver them to us by August 7th, 1998."

7 MR. HALL: Correct.

8 MR. ENGELMANN: And you were at the meeting;
9 Detective Inspector Smith was at the meeting and so was
10 Inspector Trew from the Cornwall Police Service

11 ---

12 MR. HALL: Yes.

13 MR. ENGELMANN: --- and of course Constable
14 Dunlop?

15 MR. HALL: Yes.

16 MR. ENGELMANN: All right.

17 And during the course of the meeting, as
18 you've indicated, three more volumes. The original volume
19 that you're referring to as having received, that would be
20 the Fantino brief?

21 MR. HALL: Yes.

22 MR. ENGELMANN: Which was 74 tabs ---

23 MR. HALL: Yes.

24 MR. ENGELMANN: --- plus an audio cassette
25 or two, I believe?

1 MR. HALL: Yes.

2 MR. ENGELMANN: All right. And ---

3 MR. HALL: The Leroux cassettes.

4 MR. ENGELMANN: I'm sorry?

5 MR. HALL: Leroux?

6 MR. ENGELMANN: Yes, yes. And then you got
7 the Summerstown clan material as well?

8 MR. HALL: Yes.

9 MR. ENGELMANN: Now, at the time when you
10 discussed the fact about additional volumes, did Mr. Dunlop
11 express surprise that you were not already in possession of
12 these documents?

13 MR. HALL: Yes, he did.

14 MR. ENGELMANN: All right.

15 MR. HALL: He basically verbally outlined
16 where he delivered them to.

17 MR. ENGELMANN: All right, and this being
18 the Ministry of the Attorney General, the attempt at the
19 Solicitor General and OCOPS?

20 MR. HALL: Correct.

21 MR. ENGELMANN: All right. And that he had
22 done that back in April of the year before?

23 MR. HALL: Seventh, 8th of April, yes.

24 MR. ENGELMANN: Right, so some 15 months or
25 so ---

1 MR. HALL: Yes.

2 MR. ENGELMANN: --- earlier.

3 And in addition to those issues, my
4 understanding is another issue arose, and that was a
5 concern that Mr. Dunlop was contacting victims and/or
6 witnesses?

7 MR. HALL: Yes.

8 MR. ENGELMANN: And, in particular,
9 Inspector Smith would have questioned Constable Dunlop
10 about his contact with C-16's mother on June 15th, 1998?

11 MR. HALL: Yes.

12 MR. ENGELMANN: And there may have been some
13 discussion about the extent of the contact and the reasons
14 for it?

15 MR. HALL: Yes.

16 MR. ENGELMANN: And presumably -- I don't
17 know if you remember this but that the contact had been
18 brought to the attention of yourself and/or Inspector Smith
19 by Officer Dupuis?

20 MR. HALL: Yes.

21 MR. ENGELMANN: All right.

22 And was it your understanding that at the
23 time, Detective Inspector Smith had a serious concern about
24 this particular contact by Dunlop, or was he using the
25 contact as an example?

1 **MR. HALL:** I didn't know he was going to
2 talk about it, first of all, and when he brought it up it
3 jogged my memory, but we were constantly talking to
4 Constable Dunlop about victims. So it's my view it didn't
5 matter whether it was Joe Blow, the context is victims,
6 you're contacting victims.

7 **MR. ENGELMANN:** All right. It was the fact
8 that it was happening?

9 **MR. HALL:** Exactly.

10 **MR. ENGELMANN:** All right.

11 And you don't note this in your notes of the
12 meeting and neither does Detective Inspector Smith?

13 **MR. HALL:** I know I didn't note it. I
14 wasn't speaking about it.

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

16 And, sir, with respect to the binders or the
17 volumes, I understand that you meet next with -- I believe
18 it's Constable Dunlop on July 31st, '98. I'm just going to
19 try and find your reference. It's also in 660A. It's
20 probably easier to look at there, sir. You prepared 660A
21 by reviewing your notes and then having it transcribed?

22 **MR. HALL:** Yes.

23 **MR. ENGELMANN:** So at Bates page 1778 of
24 660A you talk about receiving a call from Inspector Trew.

25 **MR. HALL:** Yes.

1 **MR. ENGELMANN:** And then you talk about
2 attending at the Cornwall Police Service.

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

4 **MR. ENGELMANN:** And you indicate that you
5 picked up two black binders, Volumes 1 and 2.

6 **MR. HALL:** Well, just before that, he didn't
7 complete the memo on the advice of his lawyer. That's the
8 memo in regards to if we have all his material. That's
9 mentioned in that conversation.

10 **MR. ENGELMANN:** Fair enough. And that was
11 mentioned in your note of July 23rd as well. You requested
12 "a memo from him indicating we had everything"?

13 **MR. HALL:** Yes.

14 **MR. ENGELMANN:** And so that's referred to in
15 the ---

16 **MR. HALL:** Well, Inspector Trew is telling
17 me that he didn't complete the memo on the advice of his
18 lawyer.

19 **MR. ENGELMANN:** Right.

20 And then he says he wants us to prepare a
21 memo and he will sign it?

22 **MR. HALL:** Exactly.

23 **MR. ENGELMANN:** And that would be a -- this
24 is the direction we looked at, or a direction from -- it
25 will come from Trew to Dunlop but he wants your input into

1 it?

2 MR. HALL: No. No, it's a -- it's a memo on
3 OPP letterhead that I draft up for him to sign. I think,
4 well, it's subsequently presented at -- it goes back and
5 forth several times. He wants -- because I initially put
6 the word "criminal" and "civil" in there he had an issue
7 with that.

8 MR. ENGELMANN: Yes. You mentioned this
9 earlier in your testimony. We were able to find that
10 document, so we'll come to it in just a minute if we can.

11 Okay, so I was talking about -- just trying
12 to figure out the issue on the binders, and so if we could
13 just go to that. So I was on July 31st, 14:00.

14 MR. HALL: Yes.

15 MR. ENGELMANN: You're attending at the
16 Cornwall Police Service?

17 MR. HALL: Yes.

18 MR. ENGELMANN: And you pick up two black
19 binders, Volumes 1 and 2, and two plastic-bound binders,
20 Volumes 3 and 4?

21 MR. HALL: Yes.

22 MR. ENGELMANN: It's a copy of a memo to
23 Chief Fantino of the London Police?

24 MR. HALL: Yes.

25 MR. ENGELMANN: And copy of memo to

1 Solicitor General Robert Runciman, and reply. So those are
2 cover letters, sir?

3 MR. HALL: They were actually receipts that
4 he obtained when he delivered his disclosure.

5 MR. ENGELMANN: And a copy of a reply from
6 Regional Crown Attorney Peter Griffiths?

7 MR. HALL: That was a letter advising him
8 that all his matters would be investigated.

9 MR. ENGELMANN: Okay. And a copy of receipt
10 of material from OCOPS ---

11 MR. HALL: Yes.

12 MR. ENGELMANN: --- MAG and the Solicitor
13 General?

14 MR. HALL: Yes.

15 MR. ENGELMANN: Now, the materials that you
16 -- you'd said on July 31st it was then that you realized the
17 extent perhaps of what you were missing from the original
18 material. Is that fair?

19 MR. HALL: Yes.

20 MR. ENGELMANN: And aside from what you had
21 already received in the Fantino brief, the 74 tabs, what
22 more was in those other three binders?

23 MR. HALL: Well, we received basically the
24 same information but it was divided down into two binders.
25 One went from 1 to Tab 42-43, I believe, and the second

1 binder went from 43-44 on to 85, so it was in effect 10
2 more tabs.

3 MR. ENGELMANN: Right, 10 or 11 more tabs.

4 MR. HALL: Exactly. And when I analysed
5 that, the only significant information in that was a
6 statement taken in January of '97 from C-8, I believe, and
7 ---

8 MR. ENGELMANN: Let me just help you with
9 that. I think I have the index for that just so we get it
10 completely right.

11 It's Document Number 719646. So we go from
12 one binder to two with the same material ---

13 MR. HALL: In relation to the brief --
14 Fantino material, yes.

15 MR. ENGELMANN: Right. With the same
16 material with the addition of tabs 75 through 85?

17 MR. HALL: Yes.

18 MR. ENGELMANN: And I just want to show you
19 what I've got in ---

20 MR. HALL: It may have been 74 to 85. I'd
21 have to see exactly.

22 MR. ENGELMANN: Seven-one-nine-six-four-six
23 (719646).

24 THE COMMISSIONER: Thank you.

25 Exhibit 2810 is a Table of Contents of what

1 now? What are we going to call this, Mr. Engelmann?

2 MR. ENGELMANN: Table of Contents of
3 Material ---

4 THE COMMISSIONER: Of Dunlop material.

5 MR. ENGELMANN: Of Dunlop material.

6 THE COMMISSIONER: Delivered to?

7 MR. ENGELMANN: Delivered to government
8 officials, government offices, on April 7th, 1997.

9 THE COMMISSIONER: Okay.

10 --- EXHIBIT NO./PIÈCE NO. P-2810:

11 (719646) - Table of Contents of Perry Dunlop
12 materials, 2 Volumes delivered to Government
13 Offices April 7, 1997

14 MR. ENGELMANN: Now, it's not all of the
15 material ---

16 MR. HALL: No.

17 MR. ENGELMANN: --- that Mr. Dunlop
18 delivered, or Constable Dunlop delivered, but it's two
19 binders of the material, or two volumes.

20 MR. HALL: First two, yes.

21 MR. ENGELMANN: The first two.

22 And, Mr. Hall, could you look at the last
23 page of this document? It's Bates page 1665.

24 MR. HALL: Yes.

25 MR. ENGELMANN: And the material that would

1 be new to you that was not in the Fantino brief, does it
2 start at Tab 75 and work its way through Tab 85?

3 MR. HALL: Number 77, for instance.

4 MR. ENGELMANN: Yes.

5 MR. HALL: That statement wasn't taken until
6 January of '97, so it couldn't be in the '96 brief.

7 MR. ENGELMANN: Right.

8 MR. HALL: Okay.

9 MR. ENGELMANN: And, sir ---

10 THE COMMISSIONER: I didn't do anything.

11 MR. ENGELMANN: Oh, sorry.

12 Sir, I understand -- so '75 through '85 are
13 new and of those, for example, the statement from -- the
14 one at number 77, that was as you say after December 18th,
15 1996?

16 MR. HALL: It was January of '97 and
17 Constable Genier was involved in that and by this time we
18 already had it.

19 MR. ENGELMANN: And that would be true as
20 well of the affidavits of the two brothers at 78 and 79?

21 MR. HALL: Seventy-eight (78) and 79, yes.

22 MR. ENGELMANN: They were in '97?

23 MR. HALL: Yes.

24 MR. ENGELMANN: All right. And then you
25 have some other material there, and you also have a

1 statement of claim from a victim.

2 MR. HALL: Yes.

3 MR. ENGELMANN: All right.

4 So those 10 tabs are new to you?

5 MR. HALL: Yes.

6 MR. ENGELMANN: And, sir, I understand as
7 well there were two other volumes of material that
8 Constable Dunlop delivered on April 7th, '97 to various
9 government offices that you're now getting for the first
10 time as well.

11 THE COMMISSIONER: There you go,
12 Mr. Engelmann.

13 (SHORT PAUSE/COURTE PAUSE)

14 MR. ENGELMANN: I'm sorry, and I'm being
15 corrected, and I think I've misstated something.

16 Sir, you already had, for example -- you
17 already had Tab 77 from another source?

18 MR. HALL: Yeah. By the time ---

19 MR. ENGELMANN: It wasn't ---

20 MR. HALL: By the time we received these on
21 the 31st of July of '98, we already had what's -- there was
22 really only three items, 77, 78 and 79 that were of
23 interest to me and we already had them in our possession.

24 MR. ENGELMANN: Right, okay.

25 The rest of the material wasn't overly

1 helpful for investigative purposes?

2 MR. HALL: Not really.

3 MR. ENGELMANN: All right.

4 And even though 77, 78 and 79 were not in
5 the Fantino brief, we know that, in fact, I think it was
6 Constable Dunlop would have provided at least 78.

7 MR. HALL: Yes.

8 MR. ENGELMANN: And 77 was provided when his
9 lawyer presented with this individual ---

10 MR. HALL: Constable Genier took that
11 statement.

12 MR. ENGELMANN: Right; and 79, you had as
13 well.

14 MR. HALL: Yes.

15 MR. ENGELMANN: All right.

16 So there was really no significant
17 investigative material that was new then?

18 MR. HALL: There was no new allegations from
19 anybody in the additional binders.

20 MR. ENGELMANN: Okay.

21 And were you already aware of the individual
22 in Tab 85 and that ---

23 MR. HALL: Yes.

24 MR. ENGELMANN: Yeah. Mr. Roy?

25 MR. HALL: Yes.

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

2 Now, what about the material in the two
3 volumes -- the other two volumes?

4 **MR. HALL:** The additional two volumes were
5 Constable Dunlop's *Police Service Act* disclosure and it
6 would have -- there's indexes; I don't know if you're going
7 to produce them or do you want me to just talk about it?

8 **MR. ENGELMANN:** Just -- they were, were they
9 not, sir, all of the materials that were put together with
10 respect to the *Police Service Act* charges involving Mr.
11 Dunlop?

12 **MR. HALL:** Yes, they were.

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

14 So that would have been the investigative
15 work that would have been done at the time, I believe by an
16 officer named Brendon Wells ---

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** --- of the Cornwall Police
19 Service.

20 **MR. HALL:** Yes, yes.

21 **MR. ENGELMANN:** Yeah.

22 **MR. HALL:** At that time, it was Brendon
23 Wells, yes.

24 **MR. ENGELMANN:** All right.

25 There were pretty extensive materials from

1 the *Police Service Act* charges.

2 MR. HALL: Yes, I think the -- the main
3 thing I was concerned with was the interview reports of the
4 various police officers.

5 MR. ENGELMANN: Right.

6 And there would have been extensive notes
7 from Staff Sergeant Garry Derochie from the Cornwall Police
8 Service.

9 MR. HALL: Yes, yes.

10 MR. ENGELMANN: And there was other material
11 in there that may have been interesting to you with respect
12 to your broader investigation ---

13 MR. HALL: Yes.

14 MR. ENGELMANN: --- if I can call it that.

15 And did you have any of that material
16 before, to your knowledge?

17 MR. HALL: No.

18 MR. ENGELMANN: All right.

19 So that material was useful to you?

20 MR. HALL: Yes, it was.

21 MR. ENGELMANN: Yeah.

22 MR. HALL: All -- go ahead.

23 MR. ENGELMANN: I'm sorry.

24 MR. HALL: Well, I was going to say, I
25 signed a receipt for that material.

1 **MR. ENGELMANN:** Yes.

2 **MR. HALL:** Are you getting to that or do you
3 want me to ---

4 **MR. ENGELMANN:** In just a moment, if I can.
5 Sir, I just wanted to talk about one of the
6 materials you received because you talked about it earlier
7 and that was a cover letter that had been sent to Mr.
8 Runciman.

9 **MR. HALL:** It was personally delivered.
10 Actually, the same identical material that was presented to
11 the Ministry of the Attorney General and OCOPS back in
12 April of '97 was presented to the Ministry of the Solicitor
13 General, but they didn't take the volumes; they just took
14 the covering six, seven pages or whatever it was.

15 **MR. ENGELMANN:** And you indicated to us that
16 you had that, I believe, with the Fantino brief.

17 **MR. HALL:** No, it got forwarded through
18 channels from the Ministry of the OPP to us.

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

20 So you would have had that early on in your
21 Project Truth investigation.

22 **MR. HALL:** Yes, I believe that Mr. Griffiths
23 would have had that prior to the April 24th, '97 meeting.

24 **MR. ENGELMANN:** And just so we're
25 consistent, it's -- I believe it's Exhibit 730. I'm not

1 sure if that's -- it should be here. It's Document Number
2 716547.

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

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

5 **MR. ENGELMANN:** Is this, in fact, the letter
6 that you would have had right from the start?

7 **MR. HALL:** I believe so.

8 **MR. ENGELMANN:** Want to just take a quick
9 look and confirm that?

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **MR. HALL:** This is the document I was
12 speaking of, possibly yesterday, when I was referring to
13 the Dunlop material; not just the Fantino brief.

14 **MR. ENGELMANN:** Yeah, I -- I thought it was
15 that and that's why I just wanted to have ---

16 **MR. HALL:** Yes.

17 **MR. ENGELMANN:** --- you confirm that.

18 And sir, you've talked about being asked to
19 sign a receipt by Constable Dunlop.

20 **MR. HALL:** Yes, Constable Dunlop presented
21 me with a receipt indicating what I was receiving from him
22 and the date and I signed it and it -- it subsequently
23 ended up in the Ottawa Sun.

24 **MR. ENGELMANN:** I'm just going to try and
25 find it, sir. That was on July 31st ---

1 MR. HALL: Same day.

2 MR. ENGELMANN: --- '98.

3 MR. HALL: Thirty-first (31st) of July '98.

4 MR. ENGELMANN: I believe it's Exhibit 1478.

5 It was in the cross documents.

6 (SHORT PAUSE/COURTE PAUSE)

7 MR. ENGELMANN: All right. Exhibit 1478,
8 Document Number 723586; is this something that Mr. Dunlop -
9 - Constable Dunlop had prepared?

10 MR. HALL: Yes.

11 MR. ENGELMANN: And when he gave you the
12 four volumes, he asked you to sign this for him?

13 MR. HALL: Yes, he did, but also attached
14 was the receipts of his delivery as well.

15 MR. ENGELMANN: All right.

16 MR. HALL: And that's my signature.

17 MR. ENGELMANN: All right.

18 So this was on July 31st, '98.

19 MR. HALL: Subsequently went to the Ottawa
20 Sun and Mr. Guzzo made much of it.

21 MR. ENGELMANN: All right.

22 And sir, did -- are you saying that attached
23 to it were the receipts that he had received from the
24 government ministries or ---

25 MR. HALL: Yes, when he -- when he made a

1 delivery, he got a receipt. There's one from the Solicitor
2 General indicating exactly what they took.

3 MR. ENGELMANN: All right.

4 MR. HALL: There's one from the Ministry of
5 the Attorney General stating the same thing and there's one
6 from OCOPS ---

7 MR. ENGELMANN: Right.

8 MR. HALL: --- basically stating the same
9 thing.

10 MR. ENGELMANN: And he gave you those with
11 this receipt; is that ---

12 MR. HALL: Yes.

13 MR. ENGELMANN: Okay, fair enough.

14 MR. HALL: He's just telling me that he made
15 these deliveries and I should have had this stuff by now.

16 MR. ENGELMANN: Right.

17 And you probably agreed ---

18 MR. HALL: Yeah.

19 MR. ENGELMANN: --- that you should have had
20 it.

21 MR. HALL: Yes.

22 MR. ENGELMANN: Yeah, all right.

23 MR. HALL: And I enquired from Ms. Hallett
24 where the Ministry of the Attorney General material went
25 to, on a number of occasions.

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

2 So he has you acknowledge receipt of the
3 binders. He gives you acknowledgements of receipts he has
4 from MAG, OCOPS, Solicitor General. And the four volumes,
5 as he gave them in April, did not make their way back to
6 you in that form?

7 **MR. HALL:** Again, please.

8 **MR. ENGELMANN:** The four volumes that he
9 gave to those ministries didn't make it back to you in the
10 same form until July 31st, '98?

11 **MR. HALL:** That's right. I hadn't received
12 anything other than the Fantino binder and I don't know
13 exactly how they were bound when he delivered them, but I
14 presume it would have been the same. OCOPS subsequently
15 called me about their copy and wanted to -- they were
16 initially going to send it -- well, they asked me, do we
17 have it and I said, yes, we have all the stuff.

18 **MR. ENGELMANN:** I'm just going to try and
19 find a note of yours, sir, where you talk about this and I
20 believe on August 19th, 1998. And this is -- we're in --
21 it's Exhibit 2748, your sixth notebook, Bates pages 9921.

22 **MR. HALL:** There should be some memos on it,
23 too, because I recall explaining this several times to
24 different people.

25 **MR. ENGELMANN:** All right. You have a

1 reference at the bottom of this page, sir -- sorry, it's
2 your notes, Bates page 7109921.

3 MR. HALL: Nine nine two one (9921).

4 MR. ENGELMANN: The exhibit is 2748. You
5 see right at the bottom on the screen there's a reference,
6 "Call from Grassman"?

7 MR. HALL: Yes.

8 MR. ENGELMANN: And then it says, "Someone
9 of the Ontario -- of OCOPS"?

10 MR. HALL: Yes.

11 MR. ENGELMANN: And if we could flip over on
12 the other page, 922:

13 "At the request of Detective
14 Inspector Grasman, she..."

15 MR. HALL: "...requests to know if we
16 received the four binders that they
17 received from Perry Dunlop. I
18 explained that we received them on
19 the 31st of July, '98, from Perry
20 Dunlop; first one and a half binders
21 were the same as the ones we
22 received from London Police Service.
23 Asked if we would -- if I would fax
24 a copy of the press release to her
25 for their file."

1 And she gave me a fax number, and I did fax
2 it.

3 **MR. ENGELMANN:** All right.

4 **MR. HALL:** And there would be a copy in our
5 files.

6 **MR. ENGELMANN:** All right. So was this, to
7 your knowledge, the first contact they're having with you
8 about those materials?

9 **MR. HALL:** Well, I -- when my receipt made
10 the Ottawa Sun, it just kind of flew everywhere. It
11 was -- Mr. Guzzo was going, it was common knowledge in
12 Toronto, so ---

13 **MR. ENGELMANN:** But, that was '99, right,
14 sir, the spring?

15 **MR. HALL:** Pardon?

16 **MR. ENGELMANN:** That was in the spring
17 of '99?

18 **MR. HALL:** Yes, later on.

19 **MR. ENGELMANN:** So we're in August of
20 '98.

21 **MR. HALL:** Well, I think -- I think
22 Mrs. Dunlop's -- what I'm referring to is Mrs. Dunlop's
23 revelations to the paper, that, "We delivered banker's
24 boxes and where are they?" Why we didn't get it.

25 **MR. ENGELMANN:** Okay. But, presumably, this

1 had concerned you at the time, in the summer of '98, that
2 you hadn't received all the material that the government
3 had received back a year and a bit earlier?

4 MR. HALL: Well, judging by her comments in
5 the newspaper, yes.

6 MR. ENGELMANN: Yes. I'm just talking about
7 you, sir. What I'm saying is, you're having a discussion
8 with Detective Inspector Grasman; you're getting a call
9 from OCOPS.

10 MR. HALL: Yes.

11 MR. ENGELMANN: The summer of '98. Let's
12 forget about the media and '99.

13 MR. HALL: Yes.

14 MR. ENGELMANN: You're concerned that you
15 didn't get all the material?

16 MR. HALL: At that time, yes.

17 MR. ENGELMANN: All right. And you would
18 have reported that issue to Detective Inspector Grasman,
19 there were some concerns that you would have had?

20 MR. HALL: Yes.

21 MR. ENGELMANN: And do you know if OCOPS was
22 responding to concerns being expressed by the OPP, or were
23 they just calling out of the blue, or ---

24 MR. HALL: I think they heard in the media
25 someplace -- I'm not certain how they found out or why they

1 were inquiring, but they just wanted to ensure that we ---

2 MR. ENGELMANN: All right.

3 MR. HALL: --- had the material, because
4 they were prepared to send it to me, but I ---

5 MR. ENGELMANN: All right. Do you know at
6 the time -- you spoke to her at the time?

7 MR. HALL: Yes, I spoke to her on the phone,
8 and after I -- like, at this time I already had the
9 receipts, where it was delivered to her, so I knew exactly
10 what it was, and I compared it to what I received, so it
11 was pretty well identical.

12 MR. ENGELMANN: Did you ask why they hadn't
13 provided this information to you?

14 MR. HALL: They were under the impression
15 that the Ministry of the Attorney General or the Ministry
16 of the Solicitor General would, because they knew that he
17 made the deliveries; he told them he was delivering.

18 And I recall, even when I'm doing the
19 initial contacts with Helen Dunlop, she mentioned in one of
20 the phone calls that, "Perry's gone to Toronto to deliver
21 some material."

22 MR. ENGELMANN: Yes. We looked at that; it
23 was one of the first interviews on the death threats. It
24 was late March ---

25 MR. HALL: Yes.

1 MR. ENGELMANN: --- of '97 ---

2 MR. HALL: Yes.

3 MR. ENGELMANN: --- and said, "He's going
4 next week."

5 MR. HALL: Yes.

6 MR. ENGELMANN: So you would have had some
7 kind of a heads-up that something was happening back then?

8 MR. HALL: Well, I knew he delivered
9 something, but I -- you know ---

10 MR. ENGELMANN: All right. Did you ask
11 OCOPS if they had done anything with this material, whether
12 they had investigated in any way, or done anything?

13 MR. HALL: No, they just simply had it
14 there. The -- actually, she didn't know why they received
15 it, really.

16 MR. ENGELMANN: All right.

17 MR. HALL: It was not their mandate to do
18 investigations.

19 MR. ENGELMANN: And, sir, you've indicated
20 just recently that you had some follow-up on this issue
21 with the Ministry of the Attorney General?

22 MR. HALL: Oh, yes, I did.

23 MR. ENGELMANN: And did that spring, sir,
24 from the ---

25 MR. HALL: Right down to almost when I

1 retired.

2 **MR. ENGELMANN:** And did that start primarily
3 as a result of this negative publicity in the spring about
4 this issue, the spring of '99?

5 **MR. HALL:** Well, it started -- Ms. Hallett
6 had been assigned to our cases in July of '98, in -- Leduc,
7 in particular, and the others, and she didn't actually,
8 physically, come to Cornwall until around the end of
9 September, the beginning of October.

10 But when she did come down I discussed with
11 her, I asked her where it may have went to and as I recall
12 there was a fellow by the name of Michael Chard who
13 received this stuff, and he signed a receipt, and he
14 basically said, "Well, we get tons of material. I don't
15 know, I'll check into it," so ---

16 **MR. ENGELMANN:** Did you ever get an
17 explanation ---

18 **MR. HALL:** No, I have asked her, and ---

19 **MR. ENGELMANN:** --- as to why it didn't get
20 to you?

21 **MR. HALL:** --- and it will be reflected in
22 my notes in different times, and then, when I was doing the
23 conspiracy investigation, I broached the subject with Lorne
24 McConnery.

25 **THE COMMISSIONER:** And ---

1 **MR. ENGELMANN:** Would that be Document
2 Number 726487? We'll jump ahead, sir. You've just
3 mentioned it.

4 **MR. HALL:** There's several memos with Jim
5 Stewart, the regional Crown, on it because I was trying
6 to -- I wasn't accusing him of doing anything wrong, all I
7 wanted to know was an explanation so I could -- could write
8 it off, because as you know or you alluded to a while ago,
9 in '99 there was considerable press came out, especially
10 with Mr. Guzzo, and after that, that ---

11 **MR. ENGELMANN:** All right.

12 **MR. HALL:** --- they didn't receive the
13 material -- "We didn't receive the material."

14 **MR. ENGELMANN:** Sir, I'll ---

15 **MR. HALL:** And the ---

16 **MR. ENGELMANN:** --- take you there, too.

17 **MR. HALL:** Okay.

18 **MR. ENGELMANN:** Let's go to your letter
19 first, because I think this will be helpful. You've
20 mentioned it and I think it sets out some of the
21 background. I'm just looking at it here. It's Document
22 Number 726487.

23 **THE COMMISSIONER:** Thank you. Exhibit 2811
24 is a letter to the Regional Director of Crown Attorneys
25 Lorne McConnery -- well, for the office, anyway -- and it's

1 dated 13th of July, 2001 from Detective Inspector Hall.

2 ---EXHIBIT NO./PIÈCE NO P-2811:

3 (726487) - Letter from Pat Hall to Lorne
4 McConnery re: Project Truth dated
5 13 Jul 01

6 **MR. ENGELMANN:** And, sir, this is a letter
7 you prepare after the fact, sort of setting out the
8 background on this issue?

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** And you say, at the third
11 paragraph

12 "One other issue I intend to discuss
13 with you in the above meeting, but
14 overlooked, is the following..."
15 and that's the issue of these boxes?

16 **MR. HALL:** Yes.

17 **MR. ENGELMANN:** And you say:

18 "On or about April 7th, '97, Constable
19 Perry Dunlop delivered to the
20 Ministry of the Attorney General,
21 Crown Law Office, four binders of
22 what he considered to be
23 investigative material. He was
24 given a receipt for these items in
25 mid-July '98. I read media reports

1 attributed to Helen Dunlop, wife of
2 Perry Dunlop, indicating they had
3 delivered banker's boxes of materials
4 to Ontario Government ministries in
5 Toronto, namely, the Ministry of the
6 Attorney General. During a meeting
7 with Constable Dunlop at the Cornwall
8 Police Service on July 23rd, 1998, I
9 asked Dunlop what his wife was
10 talking about."

11 so that must have been the media you talked
12 about, sir?

13 **MR. HALL:** Yes.

14 **MR. ENGELMANN:** "It became quite apparent
15 that Project Truth had not received
16 any material from the Ministry of the
17 Attorney General. Dunlop was asked
18 to reproduce the four volumes, which
19 he was allowed to do on duty and the
20 cost was incurred by the Cornwall
21 Police Service.
22 I personally received the four volumes
23 on July, 31st, '98, from Constable
24 Dunlop and provided a receipt to Dunlop
25 upon his request. A copy of this

1 receipt appeared in the Ottawa Sun in
2 March, '99, with an accompanying news
3 article attributed to Mr. Garry Guzzo,
4 MPP. He alleged, along with Dunlop and
5 supporters, a cover-up by the Ministry
6 of the Attorney General. This
7 allegation has been reported many times
8 in the last three years with wide media
9 coverage."

10 So you're setting out the fact that it had
11 some legs as of the spring of '99 ---

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** --- in the media:

14 "I've been asked personally by the
15 Mayor of Cornwall, the chairperson of
16 the Cornwall Police Services Board,
17 various media persons, concerned
18 citizens, as well as police officers,
19 'Why did you not receive the material
20 from the Ministry of the Attorney
21 General?' My answer has been, up until
22 the present..."

23 And you're writing this letter in mid-2001?

24 **MR. HALL:** Correct.

25 **MR. ENGELMANN:** Right?

1 "... 'We are looking into it,'
2 or 'I don't know.' These responses
3 cannot be continually repeated. In
4 April, '99, Ms. Hallett was assigned,
5 at a meeting I had with Mr. John
6 Corilli and Mr. James Stewart to
7 provide legal opinions on the alleged
8 conspiracy as well as other matters.
9 I had asked Ms. Hallett to ascertain
10 why the OPP did not receive the
11 Dunlop binders. She said she would
12 look into it. I did not put this in
13 writing as I took her at her word.
14 I asked her several times, in the
15 presence of my investigators, if she
16 had the answer. She stated the
17 Ministry of the Attorney General
18 receives tons of material; she didn't
19 know what had happened to it. This
20 allegation, although not contained in
21 Dunlop's original material, is noted
22 in his Will-State received on April
23 10th, 2001, by myself."

24 And you're saying:

25 "This issue will not go away.

1 It's incumbent upon the Ministry of the
2 Attorney General to conduct an
3 investigation into this matter. Even
4 though Dunlop's information has already
5 been received by Project Truth via
6 London Police Service, it gives the
7 appearance the Ministry of the Attorney
8 General was keeping the Dunlop material
9 from the police. This perception is
10 quite apparent in various media
11 articles even to this day. It is
12 continually reported by Mr. Guzzo."

13 This obviously was causing you concern?

14 **MR. HALL:** Well, it was an issue I felt I
15 had to address and which I was trying to address.

16 **MR. ENGELMANN:** And it kept coming up?

17 **MR. HALL:** Yes. Media constantly --
18 Mr. Guzzo and particularly in the legislature.

19 **MR. ENGELMANN:** All right. And he says --
20 you say:

21 "Perhaps an independent investigation
22 should be done when our investigation
23 has concluded and, in preparation for a
24 media release, an explanation will be
25 required. I consider this allegation

1 is part of the alleged conspiracy
2 against the Crown Attorney, Murray
3 MacDonald, and request you address this
4 matter in your review. I look forward
5 to your response."

6 **MR. HALL:** Well, I presume you have his
7 response.

8 **MR. ENGELMANN:** I don't think I do but I
9 have other news of import to all of us. Parliament has
10 been prorogued.

11 (LAUGHTER/RIRES)

12 **MR. HALL:** Do you want me to comment on
13 this?

14 **MR. ENGELMANN:** Yeah.

15 **MR. HALL:** Okay.

16 **THE COMMISSIONER:** Not on ---

17 **MR. ENGELMANN:** Not on my last comment.

18 **MR. HALL:** No.

19 **MR. ENGELMANN:** We can all have our own
20 opinions about what the Governor General did.

21 **MR. HALL:** I came to the conclusion -- and
22 this was fortified when we did our final press release on
23 Project Truth -- the Ministry of the Attorney General
24 didn't want to acknowledge that there was a conspiracy
25 against them. They didn't want to acknowledge that. That

1 was my view, based on the answers I was getting.

2 **THE COMMISSIONER:** They didn't want to
3 acknowledge what?

4 **MR. HALL:** That they were involved in a
5 conspiracy.

6 **THE COMMISSIONER:** Right, okay.

7 **MR. HALL:** So I wrote my -- well, if you're
8 going to go to the reply there's no use in me talking about
9 it here. You're going to probably put it up and everybody
10 can read it.

11 **MR. ENGELMANN:** All right. You did get a
12 reply, sir?

13 **MR. HALL:** Oh, yes.

14 **MR. ENGELMANN:** Okay.

15 **MR. HALL:** And I replied back and there was
16 another reply.

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

18 Well, why don't I go to something I have at
19 my fingertips, and that is you said there were some media
20 articles -- let's just take a quick look.

21 March 22nd, '99, you wrote a letter to -- I
22 believe it's Detective Superintendent Edgar, explaining the
23 situation at the time, and it's Document Number 726189.

24 **THE COMMISSIONER:** Thank you.

25 Exhibit Number 2812 is a letter dated March

1 22nd, 1999 to Detective Superintendent Edgar from Detective
2 Sergeant, at the time, Hall.

3 --- EXHIBIT NO./PIÈCE NO. P-2812:

4 (726189) - Letter from Pat Hall to L. I.
5 Edgar re: Project Truth, dated March 22,
6 1999

7 MR. ENGELMANN: Sir, I assume you're writing
8 at this time because there is some media coverage in the
9 spring?

10 MR. HALL: Yes.

11 MR. ENGELMANN: And you're explaining what
12 you've explained to us today about what was turned over to
13 you on July 31st, 1998 and the differences between that
14 material and the original Fantino brief.

15 MR. HALL: Correct.

16 MR. ENGELMANN: And Detective Superintendent
17 Edgar was your supervisor's supervisor at the time?

18 MR. HALL: Yes, he was a Director of
19 Criminal Investigation Branch.

20 MR. ENGELMANN: All right.

21 And, sir, as well -- well, actually a couple
22 of days after this letter, there was an article published
23 in the Ottawa Sun; if we could take a really quick look at
24 that. It's Exhibit 992. Counsel, the Document is 728065.

25 (SHORT PAUSE/COURTE PAUSE)

1 **MR. ENGELMANN:** Is this the article you were
2 talking about earlier where your receipt finds its way into
3 the newspaper?

4 **MR. HALL:** Yes, my receipt looks familiar.

5 **MR. ENGELMANN:** I assume when you signed it
6 you had no idea it would end up on the Ottawa Sun?

7 **MR. HALL:** Not from a police officer, no.

8 **MR. ENGELMANN:** And after it came out in the
9 media like this?

10 **MR. HALL:** Took a life of its own.

11 **MR. ENGELMANN:** Sir, I now want to just
12 refer you quickly -- you asked if we could go to them, and
13 I'm jumping out of order but I will -- the responses you
14 got after you wrote your letter about perhaps there should
15 be an independent inquiry or an independent investigation -
16 --

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** --- to Mr. McConnery.

19 You would have received the response -- I
20 believe it is Document Number 732713. It's a letter dated
21 August 15th, 2001 from Lorne McConnery to yourself.

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

23 **THE COMMISSIONER:** Thank you.

24 Exhibit Number 2813 is a letter dated August
25 15th, 2001 and addressed to Detective Inspector Hall from

1 Lorne McConnery, assistant Crown Attorney.

2 --- EXHIBIT NO./PIÈCE NO. P-2813:

3 (732713) - Letter from Lorne McConnery to
4 Pat Hall dated August 15, 2001

5 MR. ENGELMANN: Sir, this would be the --
6 sir, is this 2814?

7 THE COMMISSIONER: Two eight -- just a
8 second -- 2813.

9 MR. ENGELMANN: What was the article from
10 the Sun? Oh, that was a previous -- yeah, that's right.
11 Sorry.

12 So 2813 is a brief response you get from Mr.
13 McConnery, sir?

14 MR. HALL: Yes.

15 MR. ENGELMANN: And he's essentially telling
16 you that the Regional Director of Crown Operations, Mr.
17 Stewart, will be responding.

18 MR. HALL: Exactly.

19 MR. ENGELMANN: And you got a response from
20 Mr. Stewart?

21 MR. HALL: Yes.

22 MR. ENGELMANN: And that is a letter to you
23 dated September 6th, 2001.

24 Madam Clerk, the Document Number is 732785.

25 (SHORT PAUSE/COURTE PAUSE)

1 **THE COMMISSIONER:** Thank you.

2 Exhibit Number 2814 is a letter dated
3 September 6, 2001 addressed to Detective Inspector Pat Hall
4 from James M. Stewart, QC.

5 **--- EXHIBIT NO./PIÈCE NO. P-2814:**

6 (732785) - Letter from James Stewart to Pat
7 Hall dated September 6, 2001

8 **MR. ENGELMANN:** Sir, this is the real
9 response then to your letter?

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** All right. And he's saying
12 among other things -- he's noting that the material's very
13 similar to what was delivered to Chief Fantino.

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** And he's saying on the
16 second page, Bates page 595, he's giving you his opinion
17 that:

18 "A careful examination of the
19 circumstances surrounding the material
20 that was delivered to the Ministry does
21 not support the suggestion that it was
22 somehow being withheld from the
23 police."

24 **MR. HALL:** Yes.

25 **MR. ENGELMANN:** And he talks about the fact

1 that Mr. Griffiths would have been aware of it. Maybe ---

2 MR. HALL: Yes.

3 MR. ENGELMANN: --- not of the material, but
4 of the fact that material was delivered.

5 MR. HALL: That's what he's saying, yeah.

6 MR. ENGELMANN: And he suggests in the
7 second paragraph:

8 "I understand that you have
9 consistently taken the position that
10 the investigation was not prejudiced as
11 a result of the material..."

12 MR. HALL: Yes.

13 MR. ENGELMANN: "...not having been
14 forwarded to the police by the
15 Ministry"?

16 MR. HALL: That's correct.

17 MR. ENGELMANN: Is that -- is that true?

18 MR. HALL: Well, we could have received it
19 sooner, but I -- when I got it from Constable Dunlop, the
20 investigation wasn't prejudiced. What I'm getting at here
21 is I'm trying to explain the allegations that are out in
22 the public domain ---

23 MR. ENGELMANN: Right.

24 MR. HALL: --- and goes to the conspiracy.

25 MR. ENGELMANN: And do you get an

1 explanation for that, sir?

2 MR. HALL: No.

3 MR. ENGELMANN: He does say in the
4 second-last paragraph:

5 "It would appear as though the material
6 may never have been forwarded to the
7 OPP on the assumption that the
8 investigators already had it as a
9 result of Chief Fantino having
10 forwarded his copy of the material to
11 the OPP in early '97."

12 MR. HALL: Mr. Fantino didn't have the
13 *Police Service Act*. And that was -- I found important to
14 me when I'm doing a conspiracy investigation, because I'm
15 going to interview a number of police officers, and it was
16 quite helpful for me to know what they said back in '94 or
17 '95, whenever the interview -- *Police Service Act* was done,
18 I believe it was around '94. It maybe started in '93, I'm
19 not sure.

20 MR. ENGELMANN: So it appears rather than
21 explain why you didn't get it, he's telling you why the
22 fact you didn't get it wasn't that serious.

23 MR. HALL: In his mind, yes. But he didn't
24 have to explain it.

25 MR. ENGELMANN: Did you ever ---

1 MR. HALL: Never.

2 MR. ENGELMANN: --- get an explanation?

3 MR. HALL: No. And there's more memos. Do
4 you have the next one I send to him?

5 MR. ENGELMANN: Sir, did you ever get a
6 satisfactory explanation?

7 MR. HALL: No. When we -- and it became
8 apparent when we come to do our press release, draft it up.
9 We wanted to say there was a conspiracy and the people who
10 were involved in it, we investigated, we didn't find any
11 evidence.

12 And I had to take out -- well, actually, it
13 was -- it was John Pearson, he was sitting in for Murray
14 Segal at the time, and we drafted our press release up and
15 went to Orillia and the Director of CIB at the time was Jim
16 Miller, and they doctored up the press release and it
17 didn't have who the participant was in the alleged
18 conspiracy, it just said the alleged conspiracy was
19 investigated and there was no evidence.

20 So when Lorne McConnery came down and he
21 seen it after -- he was the one that actually did the
22 reviews on the conspiracy and the ones that Ms. Hallett
23 hadn't did, and at that time, he seen a press release and
24 he says, "This is not mine," you know, like, "That's not
25 what I investigated." I replied, "Well, it's your press

1 release under OPP letterhead, is what it is."

2 MR. ENGELMANN: All right. Bottom line with
3 respect to the non-delivery of the boxes to you for 15
4 months or so, you have never received a ---

5 MR. HALL: Never.

6 MR. ENGELMANN: --- satisfactory
7 explanation.

8 MR. HALL: No.

9 MR. ENGELMANN: In your view.

10 MR. HALL: No. And, like, the next two
11 memos will ---

12 MR. ENGELMANN: Sir, I'd rather move to
13 something else, and that is a document you said you
14 prepared with respect to Mr. Dunlop -- Constable Dunlop, in
15 getting him to acknowledge that he had given you
16 everything. And this is something that comes up in your
17 notes about your contacts with Mr. Dunlop ---

18 MR. HALL: Yes, that ---

19 MR. ENGELMANN: --- from July of 1998?

20 MR. HALL: Well, the meeting of the 31st of
21 July ---

22 MR. ENGELMANN: Right.

23 MR. HALL: --- they were asking for
24 something. And then in my subsequent conversation with
25 Inspector True, he said that you asked -- he wants me to

1 prepare something for him to sign. So that's how that came
2 about.

3 **MR. ENGELMANN:** Right. And, sir, I
4 understand this is an issue that you discussed with
5 Detective Inspector Smith ---

6 **MR. HALL:** Yes.

7 **MR. ENGELMANN:** --- on -- it's in
8 Exhibit 2748, which is your sixth notebook, Bates page
9 9912. The date is August 11. You'll see it near the
10 bottom, you put:

11 "9:30, discussed memo to
12 Perry Dunlop on disclosure."

13 And then at 11:15:

14 "Call to Perry Dunlop."

15 **MR. HALL:** Nine-thirty (9:30)?

16 **MR. ENGELMANN:** Yes:

17 "Discussed memo to Perry
18 Dunlop..."

19 **MR. HALL:** Yeah.

20 **MR. ENGELMANN:** "...on disclosure." Just
21 below that.

22 **MR. HALL:** Yes. Yeah, I do now, yeah.

23 **MR. ENGELMANN:** And then at the bottom,
24 "Call to Perry Dunlop..." And then on to the next page,
25 "On memo for..."

1 MR. HALL: "Material received. Meeting
2 in half an hour."

3 MR. ENGELMANN: All right.

4 MR. HALL: "His residence."

5 MR. ENGELMANN: And then you've got:
6 "Attend at the Dunlop residence."

7 MR. HALL: Yes.

8 MR. ENGELMANN: And you have a memo with you
9 at the time.

10 MR. HALL: Yes.

11 MR. ENGELMANN: And he indicates to you he
12 wants to have his lawyer check it over first.

13 MR. HALL: Yes.

14 MR. ENGELMANN: And he had a problem with
15 the civil aspects?

16 MR. HALL: Civil matters:

17 "I left the memo with him."

18 MR. ENGELMANN: Okay.

19 MR. HALL: "He will contact his lawyer
20 and get back to me by fax. He will be
21 away for a week on holidays."

22 MR. ENGELMANN: The memo in question, I
23 believe, sir, is Document Number 723604.

24 THE COMMISSIONER: Exhibit 2815 is a
25 document on OPP -- Ontario Provincial Police letterhead,

1 and it's entitled, "Constable Perry Dunlop, Cornwall Police
2 Service."

3 --- EXHIBIT NO./PIÈCE No. P-2815:

4 (723604) - Note from OPP to Perry
5 Dunlop undated

6 MR. ENGELMANN: And he suggested to you that
7 he had a concern about the reference to "and civil matters"
8 and he was going to talk to his lawyer about it?

9 MR. HALL: Yes.

10 MR. ENGELMANN: All right.

11 MR. HALL: Well, I subsequently produced
12 another one to him ---

13 MR. ENGELMANN: Yeah.

14 MR. HALL: --- taking the word "civil" out.

15 MR. ENGELMANN: Okay.

16

17 MR. HALL: Which that's the one I presented
18 to him when he finally says he was refusing ---

19 MR. ENGELMANN: Right. And I'll be coming
20 to that in just a minute, sir, if I can. I understand the
21 issue arose during one of your calls with Helen Dunlop, and
22 I just want to take you to your note on it. It's August
23 27th, '98, and the Bates page is 9929 and on to 9930. In
24 fact, it's really 9930. The date; August 27th, 1998.

25 MR. HALL: Yes.

1 **MR. ENGELMANN:** "Call to Helen Dunlop.
2 Concerned about..."

3 **MR. HALL:** "Concerned about information
4 we were provided was not investigated.
5 Concerned about conspiracy with
6 Cornwall Police Service."

7 And she says:

8 "Four lawyers wanted to know about
9 her charges of threats. Told her it
10 was..."

11 **MR. ENGELMANN:** Oh, this, we've covered this
12 with the death threats issue.

13 **MR. HALL:** Yeah, I told her it was in the
14 hands of the Crown attorney.

15 **MR. ENGELMANN:** Okay:
16 "Asked about press release on new
17 information we did not receive."

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** Okay. And --

20 **MR. HALL:** She asked me something odd, I
21 think, here.

22 **MR. ENGELMANN:** Odd?

23 **MR. HALL:** If that's in this call.

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

25 **MR. HALL:** Is this the one you're going to

1 where she asked me if Perry signed it?

2 MR. ENGELMANN: Yeah.

3 MR. HALL: Okay. Well, I found that as kind
4 of an odd statement for her to be asking me if her husband
5 signed a document, because I somewhat concluded from that
6 there was a difference of opinion as to whether he should
7 sign or not sign between the two of them.

8 MR. ENGELMANN: Because your note actually
9 says:

10 "Asked if Perry had signed the
11
12 disclosure request."

13
14 MR. HALL: Yeah. Yeah. She asked me
15 and ---

16 MR. ENGELMANN: "She said their lawyer..."
17 I can't -- I can't -- "said not to sign"?

18 MR. HALL: "Asked if Perry had signed
19 the disclosure request. She said their
20 lawyer said not to sign because of civil
21 actions. I explained we were not concerned
22 about civil, only wanted to be assured we
23 had received everything of a criminal
24 nature. Said might be one other tape of Ron
25 Leroux."

1 **MR. ENGELMANN:** All right. So she doesn't
2 appear to know whether her husband has signed this.

3 **MR. HALL:** No, but I found it odd she was
4 asking me whether he did or not. And I, later on down the
5 road, in telephone calls -- and we may go to them, I don't
6 know -- she -- usually, he would agree to something and she
7 would be in the background, "Oh, we better run this by our
8 lawyer," or better do this, better do that. So he -- she
9 was his main legal representative, I think.

10 **MR. ENGELMANN:** All right.

11 Well, let me just ask you a few more
12 questions on that, if I may.

13 I was going to ask you about the fact that
14 you revised the memo to remove the reference to "civil".

15 **MR. HALL:** Yes.

16 **MR. ENGELMANN:** And you again approached
17 Constable Dunlop?

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And at first it appeared he
20 was willing to sign it?

21 **MR. HALL:** Yes.

22 **MR. ENGELMANN:** And when you met with him on
23 September 30th, 1998 he stated that he was advised not to
24 sign it; correct?

25 **MR. HALL:** Well, I think it's the 1st of

1 October, is it not?

2 **MR. ENGELMANN:** Oh, it could be. Just give
3 me a moment.

4 **MR. HALL:** But I called him and asked him if
5 he would sign and he said, "Absolutely, absolutely". So
6 from the time it took me to get from the office in Long
7 Sault down to Cornwall he had changed his mind.

8 **MR. ENGELMANN:** I'm sorry, sir, you're
9 correct, it's October 1st.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** And the document that you
12 amended is Document Number 121290 or so I believe. I'll
13 just have it shown to you.

14 **MR. HALL:** Possibly I could see my notes for
15 that date?

16 **MR. ENGELMANN:** Yeah. I'm just trying to
17 find the right reference. It's in the next notebook, 2749.
18 Yes, it's Bates page 9967.

19 **THE COMMISSIONER:** Thank you.

20 Exhibit 2816 is again on Ontario Provincial
21 Police letterhead, a document entitled "Constable Perry
22 Dunlop, Cornwall Police Service".

23 **--- EXHIBIT NO./PIÈCE NO. P-2816:**

24 (121290) - Amended Note from OPP to Perry
25 Dunlop dated October 1, 1998

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

2 So just before I ask you a question about
3 2186, let's just go to page 9967 of Exhibit 2749. It says
4 at 15:15 you received a call from Constable Perry Dunlop?

5 **MR. HALL:** Yes.

6 **MR. ENGELMANN:** Who said he had the
7 videotape ready?

8 **MR. HALL:** Yes.

9 **MR. ENGELMANN:** "Requested to meet him..."

10 **MR. HALL:** "...in the lobby..."

11 **MR. ENGELMANN:** "...in the lobby at
12 CPS at 15:45."

13 **MR. HALL:** Yes.

14 **MR. ENGELMANN:** "I asked if he would..."

15 **MR. HALL:** "...sign the memo on
16 disclosure".

17 **MR. ENGELMANN:** "He replied..."

18 **MR. HALL:** "...absolutely."

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

20 And then at ---

21 **MR. HALL:** "15:48: Met with
22 Constable Dunlop at the front counter.
23 Gave me a videotape labelled 'Ron
24 Leroux, December 1st, 96, reproduced
25 October 1st, '98'. Said the batteries

1 went dead near the end of the tape.
2 Also stopped for a break partway
3 through.

4 15:50: I provided a memo on disclosure
5 and asked him to sign. He said he was
6 advised not to sign it. Returned his
7 copy of the memo to me. He wrote on
8 the memo, 'Advised not to sign'."

9 **MR. ENGELMANN:** Okay. So at some point
10 between 15:15 or thereabouts when he said absolutely he
11 would sign it and 15:50 when you were meeting with him,
12 he's gotten some advice from someone not to sign. That's
13 what you're being told?

14 **MR. HALL:** That's what I'm being told.

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

16 And, sir, on Exhibit 2186 ---

17 **MR. HALL:** And I believe there's previous
18 conversations where he indicated he would sign it.

19 **THE COMMISSIONER:** It's okay.

20 **MR. ENGELMANN:** Well, that -- we looked at
21 your note here at 9967:

22 "I asked if he would sign the memo on
23 disclosure. He replied, 'Absolutely'."

24 **THE COMMISSIONER:** Yeah.

25 **MR. ENGELMANN:** Is that what you ---

1 MR. HALL: Yes.

2 MR. ENGELMANN: Yeah, and that was
3 35 minutes before you presented this document to him?

4 MR. HALL: That's correct.

5 MR. ENGELMANN: All right. And on the
6 document, which is -- sorry, 2816.

7 MR. HALL: Yes.

8 MR. ENGELMANN: We'll just look at it for a
9 second. You've taken out the word "civil" and it now says:

10 "I, Perry Dunlop, have provided to the
11 Ontario Provincial Police Project Truth
12 copies of all notes, audio/videotapes
13 and interview reports pertaining to all
14 criminal matters that are in my
15 possession. This material is required
16 for disclosure purposes."

17 That's how you've written it up?

18 MR. HALL: Yes.

19 MR. ENGELMANN: And it's on your letterhead.

20 MR. HALL: Yes.

21 MR. ENGELMANN: And there is some printing
22 at the bottom, "Advised not to sign".

23 MR. HALL: That's his writing.

24 MR. ENGELMANN: All right. And there's some
25 writing underneath that.

1 **MR. HALL:** He wrote that in my presence
2 actually.

3 **MR. ENGELMANN:** All right.

4 **MR. HALL:** The writing at the bottom:
5 "1st of October, '98, 15:50 at Cornwall
6 Police Service. The above request was
7 presented to Constable Dunlop who
8 declined to sign, indicating he was
9 advised not to sign. P.R. Hall,
10 Detective Sergeant."

11 **THE COMMISSIONER:** Can you find a spot for
12 lunch, Mr. Engelmann?

13 **MR. ENGELMANN:** One more question and ---

14 **THE COMMISSIONER:** One more question.

15 **MR. ENGELMANN:** Did you ever receive a
16 written acknowledgment from Constable Dunlop that he had
17 provided all the notes, tapes and reports that he had
18 relating to any criminal matters?

19 **MR. HALL:** Never did.

20 **THE COMMISSIONER:** Thank you. Let's have
21 lunch.

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

24 This hearing will resume at 2:00 p.m.

25 --- Upon recessing at 12:33 p.m./

1 L'audience est suspendue à 12h33

2 --- Upon resuming at 2:04 p.m./

3 L'audience est reprise à 14h04

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

6 This hearing is now resumed. Please be
7 seated. Veuillez vous asseoir.

8 **THE COMMISSIONER:** Mr. Engelmann?

9 **MR. ENGELMANN:** Afternoon, Mr. Commissioner.

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

11 **MR. ENGELMANN:** Afternoon, Mr. Hall.

12 **MR. HALL:** Afternoon, sir.

13 **PATRICK HALL Resumed/Sous le même serment:**

14 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE IN-CHEF PAR**

15 **MR. ENGELMANN (cont'd/suite):**

16 **MR. ENGELMANN:** Sir, when we left off before
17 lunch, we were talking about some contact that you had had
18 with Perry Dunlop in the fall of 1998.

19 **MR. HALL:** Yes.

20 **MR. ENGELMANN:** And did you get a sense,
21 sir, at the meeting on October 1st that we talked about with
22 the disclosure note that you wanted signed, that your
23 relationship with Constable Dunlop was changing somewhat at
24 that point?

25 **MR. HALL:** No, I don't think so.

1 MR. ENGELMANN: Okay.

2 MR. HALL: I think our relationship changed
3 drastically on the 16th of November, 2000.

4 MR. ENGELMANN: Sixteenth (16th) of November
5 ---

6 MR. HALL: Two thousand (2000) in a phone
7 call I had with him.

8 MR. ENGELMANN: Okay, 16th of November 1998?

9 MR. HALL: Two thousand (2000).

10 MR. ENGELMANN: Could it be the 16th of
11 November, '98?

12 MR. HALL: No, I don't ---

13 MR. ENGELMANN: Is this with respect to the
14 Marleau issue?

15 MR. HALL: Yeah. It would be '98; exactly.

16 MR. ENGELMANN: All right. Good.

17 MR. HALL: I'm thinking of something else.

18 MR. ENGELMANN: I just want to make sure
19 we're on the same page.

20 MR. HALL: Yeah.

21 MR. ENGELMANN: All right. So although he
22 said he wasn't going to sign that document, that he was
23 advised not to, it was still amicable?

24 MR. HALL: Yeah.

25 MR. ENGELMANN: All right.

1 **MR. HALL:** Look, I -- I was trying to get
2 his disclosure any way I could.

3 **MR. ENGELMANN:** All right.

4 So then let's go to the 16th of November,
5 1998 if we can, and that's in Exhibit 2749. That's
6 notebook number 7 and the Bates page is 9991.

7 **MR. HALL:** Yes.

8 **MR. ENGELMANN:** You see there's a reference
9 to "Call to Dunlop"?

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** At 10:05?

12 **MR. HALL:** Yes.

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

14 So sir, as I understand it, this actually
15 relates to the Marleau matter?

16 **MR. HALL:** Yes, it does.

17 **MR. ENGELMANN:** And were you aware prior to
18 this of involvement that Constable Dunlop had had in any
19 way with the Dunlops -- sorry, Constable Dunlop had had
20 with the Marleau matter?

21 **MR. HALL:** Well, other than Mr. Marleau
22 contacting him back in '97, indicating he was a victim and
23 he -- or indicating he had four victims ---

24 **MR. ENGELMANN:** This is before he comes to
25 you in July ---

1 MR. HALL: Yes.

2 MR. ENGELMANN: --- of '97?

3 MR. HALL: Yes.

4 MR. ENGELMANN: All right.

5 MR. HALL: And I think the officers were
6 trying to get some information from Mr. Marleau. I'm not
7 certain exactly.

8 MR. ENGELMANN: All right.

9 Well, you've got a reference to -- I believe
10 it's a call from Alain Godin?

11 MR. HALL: Right.

12 MR. ENGELMANN: "Updated on information
13 for disclosure."

14 And it says something "to call".

15 MR. ENGELMANN: "Have to call..."

16 MR. HALL: "Have to call Dunlop and
17 Marleau".

18 MR. ENGELMANN: Right.

19 MR. HALL: Well, there's -- exactly.

20 "10:05: Placed a call to Dunlop..."

21 THE COMMISSIONER: "...at work..."

22 MR. HALL: "...at work."

23 I would have been talking to Helen because
24 she said he was on nights.

25 MR. ENGELMANN: All right.

1 **MR. HALL:** "Call to Dunlop residence.
2 Spoke to Helen Dunlop. Perry sleeping.
3 Be up at 15:30 to 16:00 hours. Advised
4 her I needed to know if she had any
5 notes on her dealings with Claude
6 Marleau."

7 **MR. ENGELMANN:** This had come up in the
8 Marleau case; correct?

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** There was a question about
11 the contact that the Dunlops may have had with Claude
12 Marleau?

13 **MR. HALL:** Correct.

14 **MR. ENGELMANN:** And this was being raised by
15 defence counsel in the Marleau -- in one of the Marleau
16 prosecutions; correct?

17 **MR. HALL:** I believe so.

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

19 **MR. HALL:** "At first she didn't reply.
20 I said we have a copy of a letter that
21 went to Marleau dated October 3rd, '97.
22 She said probably have a copy
23 somewhere. Asked her to check with
24 Perry if he had any notes on Marleau's
25 contact with him. Crown Attorney is

1 trying to address defence."

2 **MR. ENGELMANN:** Trying to address what, sir?

3 **MR. HALL:** Address defence.

4 **MR. ENGELMANN:** Okay, yes.

5 **MR. HALL:** Meaning defence counsel.

6 **MR. ENGELMANN:** Yes.

7 **MR. HALL:** I think it says "counsel" on the
8 third page.

9 **MR. ENGELMANN:** And then we're onto the next
10 Bates page.

11 **MR. HALL:** Yes.

12 "Defence counsel reports; told her I
13 would call back. I instructed
14 Constable Dupuis to call Marleau about
15 any notes he may have. Dupuis placed
16 the called. During the conversation
17 Marleau mentioned that he just received
18 a call from Dunlop -- Perry -- who
19 asked him to fax to Dunlop the
20 information that we had requested."

21 **MR. ENGELMANN:** Okay. So let's just put
22 this in perspective. You've just called the Dunlop
23 residence to speak to Constable Dunlop?

24 **MR. HALL:** Yes.

25 **MR. ENGELMANN:** Mrs. Dunlop told you he was

1 asleep?

2 **MR. HALL:** Yes.

3 **MR. ENGELMANN:** You told her why you wanted
4 to speak to him?

5 **MR. HALL:** Yes.

6 **MR. ENGELMANN:** And that it was about the
7 Marleau matter?

8 **MR. HALL:** Yes.

9 **MR. ENGELMANN:** You instruct Officer Dupuis
10 to contact Marleau?

11 **MR. HALL:** Yes.

12 **MR. ENGELMANN:** And when that happens
13 Marleau's advising you that he's just spoken to Perry
14 Dunlop?

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

16 **MR. ENGELMANN:** Just spoken?

17 **MR. HALL:** Just.

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

19 **MR. HALL:** Just got off the phone.

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

21 Go ahead, sir.

22 **MR. HALL:** "At 10:35 I called Dunlop
23 residence. Helen answered. I asked to
24 speak to Perry as I know he's up
25 because he just spoke to Claude

1 Marleau. Perry Dunlop came on the
2 telephone. I asked him why he was
3 calling Marleau to fax notes to him. I
4 asked him if he had notes or was he
5 getting notes from Marleau. His reply
6 was that his wife was dealing with
7 Marleau. He really didn't have an
8 explanation for contacting Marleau. He
9 went on to say that he felt comfortable
10 getting on the stand."

11 I interpret that to be the witness stand.
12 He had mentioned that to me before.

13 **MR. ENGELMANN:** Right.

14 **MR. HALL:** "Repeated 'Put me on the
15 stand.' I said 'It may never get to
16 that if we can't satisfy disclosure
17 issues.'" I said 'You are a police
18 officer. You know we have to disclose
19 everything.' I said 'We are trying to
20 cover your ass as well.' He took
21 exception to that. I further asked him
22 about the notes he was referring to
23 when he interviewed Ron Leroux on tape.
24 I did a photo line-up. He said the
25 photo one is in the binder. I asked

1 about the notes he was referring to
2 during the interview. He became
3 agitated, said he will take the stand
4 on that matter; further stated, 'Don't
5 call me anymore call my lawyer'. Asked
6 who his lawyer was; he said it was a
7 John Morris. I asked for the telephone
8 number. There was a pause; came back;
9 heard Helen in the background. Perry
10 gave me a direct line to the lawyer and
11 there's a phone number there. We also
12 had a conversation about him
13 interfering in the investigation by
14 contacting witnesses and asked for fax
15 information contrary to what we agreed
16 to with Inspector Smith and Trew. The
17 conversation..."

18 **MR. ENGELMANN:** I'm sorry, sir, I'm ---

19 **MR. HALL:** "The conversation ended."

20 **MR. ENGELMANN:** You said asking for
21 something information?

22 **MR. HALL:** "Asking for fax information."

23 **MR. ENGELMANN:** Oh, okay, sorry. Yes. This
24 is the stuff from ---

25 **MR. HALL:** I understood they were faxing

1 stuff back and forth.

2 MR. ENGELMANN: Right.

3 I'm sorry; go ahead.

4 MR. HALL: "...fax information contrary to
5 what he agreed to with Inspector Smith
6 and Trew. The conversation ended.
7 At 11:00 I immediately called Inspector
8 Trew and apprised him of the
9 conversation with Dunlop. Disclosure
10 items on Dunlop from material handled."

11 MR. ENGELMANN: All right.

12 So during the course of the conversation
13 when you're speaking with Constable Dunlop about disclosure
14 issues, he at one point tells you that essentially you're
15 going to have to deal with his lawyer?

16 MR. HALL: Yes, that's how it ended. And,
17 you know, in hindsight maybe I shouldn't have said it was
18 covering his ass but we're talking police officer to police
19 officer here and I'm trying to enforce what I need to get
20 from him.

21 MR. ENGELMANN: The "cover your ass" comment
22 was ---

23 MR. HALL: Well, if he ---

24 MR. ENGELMANN: --- with respect to the
25 issue of disclosure?

1 **MR. HALL:** It would cover him too as well.
2 I mean, "give us your disclosure and we're both covered."

3 **MR. ENGELMANN:** And that is the requirement
4 to give full and proper disclosure?

5 **MR. HALL:** Correct.

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

7 All right, so this is really when the
8 relationship changes?

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** Okay.

11 **MR. HALL:** He basically told me don't call
12 me call my lawyer, so ---

13 **MR. ENGELMANN:** Okay. Sir, I understand
14 that the next contact you would have had with the Dunlops
15 then -- and we've gone through that already -- was the --
16 you had a meeting with them in January of '99 and that was
17 when you advised them that you would not be proceeding or
18 there were not reasonable and probable grounds in the death
19 threats investigation. We've talked about that.

20 **MR. HALL:** Yes.

21 **MR. ENGELMANN:** And, sir, I believe after
22 that, the next direct contact you have is in the following
23 year in January when you're trying to interview him and his
24 wife about the conspiracy issues?

25 **MR. HALL:** Yes, him first and then

1 subsequently him and his wife.

2 MR. ENGELMANN: Right. And were you able to
3 establish the relationship you had previously with him?

4 MR. HALL: Yeah, pretty well, but by the
5 time -- when I called him up for the interview in January
6 of 2000 we were on good terms; I detected that.

7 MR. ENGELMANN: All right.

8 MR. HALL: When he came -- he came and met
9 me and Constable Dupuis and I presented him with I believe
10 it was 44 questions and he wanted time because at this time
11 he had already been ordered by Cornwall Police on January
12 10th to ---

13 MR. ENGELMANN: Right.

14 MR. HALL: --- disclose all his things. So
15 he was working on his Will-State at the time so he asked if
16 he could incorporate the questions into his Will-State.

17 MR. ENGELMANN: All right.

18 MR. HALL: So I said, "Yes, that's not a
19 problem." So I gave him the questions and he left and he
20 subsequently came back on the 23rd of February.

21 MR. ENGELMANN: Okay. So I will come to
22 that. It's a bit later on. But he -- so you didn't have
23 to go through the lawyer with respect to that; you were
24 able to deal with him directly?

25 MR. HALL: Yes.

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

2 So in the fall of 1998, sir, I understand
3 that your officers got involved in the investigation of a
4 fellow by the name of Jean-Luc Leblanc.

5 **MR. HALL:** Yes.

6 **MR. ENGELMANN:** And you've told us that --
7 sorry?

8 **MR. HALL:** When did you say it was, the
9 fall?

10 **MR. ENGELMANN:** I ---

11 **MR. HALL:** December.

12 **MR. ENGELMANN:** Sorry -- yeah, fair enough.
13 In or around mid-December of 1998.

14 **MR. HALL:** The 17th of December.

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

16 And your notes actually indicate on December
17 17th, 1998 that you receive information about possible abuse
18 perpetrated by Jean-Luc Leblanc. And, sir, you'll find
19 that in -- it's Exhibit 2749. It's Bates page 7750.

20 **THE COMMISSIONER:** I'm sorry; Bates page
21 again?

22 **MR. ENGELMANN:** Oh, I'm sorry, that's the
23 doc number. One moment. It's ---

24 **THE COMMISSIONER:** Exhibit 2750?

25 **MR. ENGELMANN:** Yeah, it's -- sorry -- I'm

1 sorry, Mr. Commissioner. It's Exhibit 2749.

2 **MR. HALL:** Same document?

3 **THE COMMISSIONER:** Yeah.

4 **MR. ENGELMANN:** Yeah. The Bates page is
5 017.

6 **MR. HALL:** Yes.

7 **MR. ENGELMANN:** Now, sir, I understand --
8 your notes are there, but I understand you become aware of
9 this individual because of a statement that you receive
10 from an alleged victim the evening before; "you" being a
11 couple of your officers.

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** They take a statement from
14 someone who is known by the moniker C-21, I believe. And
15 if you could just take a look at your binder ---

16 **MR. HALL:** I know who it is.

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

18 C-21?

19 **MR. HALL:** Yes.

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

21 And it's my understanding that C-21 alleges
22 that he's abused by both Jean-Luc Leblanc and Malcolm
23 MacDonald.

24 **MR. HALL:** Yes.

25 **MR. ENGELMANN:** And, sir, your notes

1 indicate -- if I could just have a moment. As I understand
2 it, sir, you had reviewed an OMPPAC report on this
3 individual.

4 MR. HALL: Yes, I -- well, at the bottom of
5 Bates 016 ---

6 MR. ENGELMANN: Yes.

7 MR. HALL: --- I discussed investigation
8 with ---

9 MR. ENGELMANN: Yes.

10 MR. HALL: --- Detective Inspector Smith.

11 It was a new suspect and it was C-21 -- or that was a
12 victim, actually. Suspect was Jean-Luc Leblanc. It gave
13 his date of birth and I ran him on OMPPAC and it came back
14 to Cornwall police with Incident Number 170797-0, dated 9th
15 of August '98.

16 MR. ENGELMANN: All right, so an officer at
17 the Cornwall Police Service had entered this on the OMPPAC
18 system on that date?

19 MR. HALL: Yes.

20 MR. ENGELMANN: And that is something that
21 you would have discovered on the 17th of December?

22 MR. HALL: Yes.

23 MR. ENGELMANN: And would you have also
24 discovered something about his criminal history as well?

25 MR. HALL: Yes.

1 **MR. ENGELMANN:** And what would that have
2 been, sir?

3 **MR. HALL:** Well, he had been previously
4 convicted of a sexual assault. I believe it was in 1986.

5 **MR. ENGELMANN:** Correct. And you were aware
6 that there were a couple of children involved in that case?

7 **MR. HALL:** Yes.

8 **MR. ENGELMANN:** All right. And your note
9 indicates:

10 "Because of suspect's background and
11 information from a victim, Detective
12 Inspector Smith requests surveillance
13 on this person."

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** "And Detective Sergeant
16 Randy Millar contacted re same."

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** "Arrangements made to get"
19 -- I'm not sure what that says. Is that "a car"?

20 **MR. HALL:** Well, that's "a car". I had
21 loaned my unmarked vehicle to Brockville Detachment to do
22 some surveillance.

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

24 **MR. HALL:** And the cars we were leasing
25 didn't have police radios and I had a concern of sending

1 officers out without a radio in the vehicle.

2 MR. ENGELMANN: Fair enough. Sir, were you
3 aware that the concerns that were expressed back in the
4 summer were with respect to this individual being seen with
5 children in the Cornwall area.

6 MR. HALL: Are you referring to the OMPPAC
7 report?

8 MR. ENGELMANN: Yes.

9 MR. HALL: Yes.

10 MR. ENGELMANN: And when you contacted
11 Officer Millar were you aware, sir, that the concern about
12 Jean-Luc Leblanc had been referred to him or to his
13 detachment back in September of 1998?

14 MR. HALL: I didn't contact him.

15 MR. ENGELMANN: I'm sorry?

16 MR. HALL: I didn't contact him. Inspector
17 Smith contacted him.

18 MR. ENGELMANN: All right. Were you
19 apprised of that, sir?

20 MR. HALL: Yes. He was standing beside me,
21 using my phone.

22 MR. ENGELMANN: All right. And what did you
23 become aware of with respect to any actions that might have
24 been taken by Detective Sergeant Millar or his staff as a
25 result of the concern that had been expressed to them?

1 **MR. HALL:** Nothing had been done.

2 **MR. ENGELMANN:** All right. And, sir, did
3 you understand that this matter had been referred to them
4 at some time in September of 1998? By "them", the local
5 detachment?

6 **MR. HALL:** My information came from the
7 OMPPAC report; that's why we were calling.

8 **MR. ENGELMANN:** Right. And the OMPPAC
9 report was from August.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** All right.

12 **MR. HALL:** Cornwall Police's OMPPAC.

13 **MR. ENGELMANN:** Right. And what information
14 did you or -- did you have personally or did you glean from
15 Detective Inspector Smith with respect to Officer Millar
16 and/or his colleagues and when they would have had this
17 information?

18 **MR. HALL:** Well, at that particular time,
19 just from my side of the conversation, he was asking him
20 about this OMPPAC report and about this person and nothing
21 had been done. It was a very short conversation.

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

23 **MR. HALL:** And I think he may have mentioned
24 surveillance to him in the conversation. I'm not certain.

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

1 **MR. HALL:** Because we needed his people to
2 do surveillance as well.

3 **MR. ENGELMANN:** Right. And the issue on
4 conducting surveillance at that time, was that your
5 decision or did you make that decision with Detective
6 Inspector Smith?

7 **MR. HALL:** That was Detective Inspector
8 Smith's decision.

9 **MR. ENGELMANN:** All right. And, sir, the --

10 **MR. HALL:** Actually it's in my notes that he
11 requested it.

12 **MR. ENGELMANN:** All right. And did you
13 agree with that decision at the time?

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** All right. And, sir, did
16 either you or Detective Inspector Smith consider simply
17 arresting Jean-Luc Leblanc on the 17th ?

18 **MR. HALL:** Not from the information I had
19 from the interview.

20 **MR. ENGELMANN:** You didn't think you had
21 sufficient information, sir?

22 **MR. HALL:** No. The only information we had
23 from the interview is that C ---

24 **MR. ENGELMANN:** Twenty-one (21).

25 **MR. HALL:** -- 21 had been sexually abused by

1 Mr. Leblanc, it was back 10, 12 years previous, and there
2 was no indication in the report that I seen that there was
3 any recent exposure to anybody. He knew of the previous
4 convictions of Jean-Luc Leblanc, but there was nothing to
5 indicate he was presently in the company of any young
6 people.

7 MR. ENGELMANN: All right, well --

8 MR. HALL: From the statement.

9 MR. ENGELMANN: -- C-21 didn't talk to you
10 about current abuse, he talked about historical abuse.

11 MR. HALL: Yes, he's talking about what
12 happened back in '86 is what I took from it.

13 MR. ENGELMANN: All right. But you were
14 aware that this man had a record for this type of offence?

15 MR. HALL: Yes.

16 MR. ENGELMANN: And you were aware that a
17 concern had been expressed. Were you aware that the
18 certain that was expressed was from the mother of the two
19 earlier victims?

20 MR. HALL: Yes.

21 MR. ENGELMANN: And that she had called
22 because she had seen him?

23 MR. HALL: Yes.

24 MR. ENGELMANN: She had called the Cornwall
25 Police Service, as I understand it ---

1 MR. HALL: Yes.

2 MR. ENGELMANN: --- because she had seen him
3 in the presence of boys?

4 MR. HALL: Yes.

5 MR. ENGELMANN: All right. So you were
6 concerned -- you knew about historical abuse, you knew
7 about his record ---

8 MR. HALL: Yes.

9 MR. ENGELMANN: --- you had this new
10 complaint of historical abuse in ---

11 MR. HALL: Yes.

12 MR. ENGELMANN: --- and you didn't think you
13 had enough to simply ---

14 MR. HALL: Well, if we ---

15 MR. ENGELMANN: -- arrest or confront him?

16 MR. HALL: Well, if we were going to be
17 arresting him, it would be on the basis of the historic
18 complaint back 10, 12 years earlier.

19 MR. ENGELMANN: Yes.

20 MR. HALL: And the nature of that -- that
21 complaint was -- well, one aspect of it was he was -- it
22 happened, some of it in Quebec, some of it Ontario, and
23 primarily at Mr. Leblanc's cottage in Quebec.

24 And one incident involved -- I believe it
25 was a knife up the rectum and he was bleeding and he got a

1 local woman who he knew, who was a nurse, to stitch him up.
2 And I think with my discussion with Constable Seguin,
3 because he -- first of all, it only happened once and then
4 he related that it happened again, he thought, in Ontario.

5 So all I had at that time in my mind was
6 historic offences. So what I was trying to do, and I
7 actually detailed the officer to take C-21, proceed to
8 Quebec, try to find the cottage; hopefully, we could find
9 the woman that may have done this and what better evidence
10 would you have to corroborate the offence?

11 **MR. ENGELMANN:** All right. Were you aware
12 at that point in time that Mr. Leblanc was a school bus
13 driver?

14 **MR. HALL:** I don't think I knew on that day.
15 I think we probably found out a day after.

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

17 **MR. HALL:** A couple of days after. Because
18 I know Constable Dupuis, I think, went down to the Cornwall
19 police and gathered some reports.

20 **MR. ENGELMANN:** And would the -- and, of
21 course, in that kind of job there'd be access to children?

22 **MR. HALL:** Yes.

23 **MR. ENGELMANN:** And --

24 **MR. HALL:** But --

25 **MR. ENGELMANN:** -- the surveillance that you

1 were ordering, was that surveillance of his home, was that
2 surveillance of him during the day?

3 MR. HALL: Well, it was -- the surveillance
4 commenced on the 21st of December, I believe it was a
5 Monday, it was just before Christmas.

6 MR. ENGELMANN: So by that time, probably
7 into school holidays.

8 MR. HALL: That's right.

9 MR. ENGELMANN: All right.

10 MR. HALL: And -- do you want me to continue
11 on?

12 MR. ENGELMANN: Certainly.

13 MR. HALL: Okay. December 21st, Constable
14 Dupuis -- well, it was arranged, actually, with Sergeant
15 Millar, I believe, on the 18th -- 17th or 18th -- to do
16 surveillance. Detective Sergeant Millar was going on
17 holidays the week of the 21st and he was supplying a couple
18 of officers from his detachment.

19 I believe it was Charlene Davidson,
20 maybe Rhonda McLeod, I'm not sure who the other one was,
21 and Joe and Don Genier for the Monday. They commenced the
22 surveillance. I believe Don had a doctor's appointment and
23 he didn't -- he went for a while. Constable Dupuis called
24 the surveillance off in the afternoon because of freezing
25 rain. And the place we're surveilling, basically, is a --

1 **MR. ENGELMANN:** It's a small town.

2 **MR. HALL:** -- small village -- a small
3 village in Newington, probably not more than four streets
4 at that time. He lived on the main street, white house --
5 I had been there -- and you couldn't use a whole
6 surveillance team, obviously.

7 **MR. ENGELMANN:** So the surveillance was a
8 combination of your officers and Detective Sergeant
9 Millar's officers?

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** And it started on the 21st?

12 **MR. HALL:** Yes. On the --

13 **MR. ENGELMANN:** Here, you might want to look
14 at your notes, sir. Your notes -- there's a reference --
15 and I'm looking at Bates page 18.

16 **MR. HALL:** Yes. Down at the bottom.

17 **MR. ENGELMANN:** You say, "Joe and Don
18 assigned to surveillance on Leblanc" at the bottom, at
19 8:30.

20 **MR. HALL:** Yes.

21 **MR. ENGELMANN:** "Call from Detective
22 Inspector Smith on surveillance."

23 **MR. HALL:** Yes.

24 **MR. ENGELMANN:** You've got a reference to
25 "Joe and Steve on surveillance" with Ghislain, perhaps, or

1 ---

2 MR. HALL: Are you on 019?

3 MR. ENGELMANN: Zero one nine (019).

4 MR. HALL: Okay.

5 MR. ENGELMANN: Charlene and Rhonda?

6 MR. HALL: "OMPPAC" -- "We attempted to
7 contact Richard Abell from CAS. He
8 wasn't in. Gone to the doctor at
9 14:00 hours. Joe and Steve on
10 surveillance with Charlene and
11 Rhonda."

12 That's Charlene Davidson and Rhonda McLeod.
13 He gives the car to Joe, and Joe is in my car, actually ---

14 MR. ENGELMANN: All right.

15 MR. HALL: --- with the radio.

16 MR. ENGELMANN: Then a little bit later on
17 the page you talk about what you've already told us, that,
18 I believe it's "Genier and Steve taking victim to the
19 cottage".

20 MR. HALL: At the cottage, and they believed
21 it was Lachute at the time.

22 MR. ENGELMANN: All right, and ---

23 MR. HALL: Joe was getting some car repairs.

24 MR. ENGELMANN: So is there any surveillance
25 happening on that day, sir, the 22nd?

1 **MR. HALL:** No.

2 **MR. ENGELMANN:** And what about on the 23rd?
3 There's some kind of a reference at 12:45. Maybe that's
4 just arranging for it. I'm on Bates page 020.

5 **MR. HALL:** Yes. Assignments for
6 surveillance.

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

8 **MR. HALL:** Assignments for surveillance. I
9 contacted Chris McDonell. Chris McDonell was a senior
10 officer and he more or less filled in when Detective
11 Sergeant Millar was off.

12 **MR. ENGELMANN:** All right. So sir, as I
13 understand it, there's a few days where there is no
14 surveillance, and then you were off for a while?

15 I'm looking at Bates page 023. We've got a
16 bunch of dates blacked out and then it shows -- you're up
17 on the ---

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** --- December 31st?

20 **MR. HALL:** Well, what happened between
21 Christmas and New Year's ---

22 **MR. ENGELMANN:** Yes.

23 **MR. HALL:** --- I had promised the guys time
24 off because they had worked tirelessly, they gave up a lot
25 of overtime, they came in at noon and worked in the

1 evenings, and we were going to shut down between Christmas
2 and New Year's.

3 MR. ENGELMANN: Right.

4 MR. HALL: So I had given them the time off,
5 and Constable Genier at the time had younger kids, so
6 Constable Dupuis and Constable Seguin agreed to -- they
7 would do some surveillance, do some work on it.

8 Detachments at that time, it was a common
9 policy that you would split your resources up into two;
10 half the people would have Christmas off, half would have
11 New Year's off, so they, you know, decided ahead of time,
12 so you're operating about half-strength. So there wasn't a
13 lot of extra people around, so ---

14 MR. ENGELMANN: All right. But for a
15 portion of this time there was no surveillance?

16 MR. HALL: Yes.

17 MR. ENGELMANN: Yes.

18 MR. HALL: Yes.

19 MR. ENGELMANN: And it came back on on the
20 30th of December or thereabouts?

21 MR. HALL: I believe ---

22 MR. ENGELMANN: Do you have it written down,
23 sir? Right. So this is -- you're on Thursday, the 31st,
24 on Bates page 023? Okay.

25 MR. HALL: It would have been ---

1 **MR. ENGELMANN:** It looks like it's starting
2 on the 29th, on the Tuesday.

3 **MR. HALL:** Yes. I got a call from Constable
4 Dupuis.

5 **MR. ENGELMANN:** Yes -- "Advised they had
6 success in their surveillance".

7 **MR. HALL:** On Tuesday he did some himself,
8 and that's referring to surveillance, so Tuesday would have
9 been the 29th.

10 **MR. ENGELMANN:** Right.

11 **MR. HALL:** And he observed Leblanc come from
12 a house with a young person, followed down a dead-end road.

13 **MR. ENGELMANN:** All right. And Officer
14 Dupuis has testified about this.

15 Sir, there's a reference -- I'll just be a
16 moment. It's just at the top of page 024. Does that
17 say -- what does it say at the top of the page? "Parents"?

18 **MR. HALL:** "Parents were contacted," and
19 that's "of the victim" in brackets.

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

21 **MR. HALL:** "... and advised appears no
22 danger over holiday. Suspect Leblanc
23 drives a school bus. Asked him if he
24 felt there were anyone in danger over
25 the holidays. Said no, not in his

1 opinion. Victim did not indicate
2 anyone else involved at present."

3 **MR. ENGELMANN:** Now, on the previous
4 page ---

5 **MR. HALL:** Yeah.

6 **MR. ENGELMANN:** --- you have the note
7 that ---

8 **MR. HALL:** On Wednesday?

9 **MR. ENGELMANN:** Yes.

10 **MR. HALL:** Okay, on Wednesday ---

11 **MR. ENGELMANN:** He gives a statement.

12 **MR. HALL:** --- Steve Seguin made some
13 inquiries on the road," that would be the dead-end road:

14 "Found out who the victim was.
15 Victim interviewed on Wednesday.
16 Gave seven-page written statement,
17 then after admitting to being
18 assaulted, stopped and went to a
19 video statement."

20 **MR. ENGELMANN:** All right. So on Wednesday
21 the 30th you had -- you now had not just the historical
22 complaint from the 16th, but you had a ---

23 **MR. HALL:** Yeah.

24 **MR. ENGELMANN:** --- complaint of current
25 abuse?

1 **MR. HALL:** Correct.

2 **MR. ENGELMANN:** All right. And the opinion
3 at the top of Bates page 024, that, "There appears to be no
4 danger over the holidays," whose opinion is that?

5 **MR. HALL:** Constable Dupuis'.

6 **MR. ENGELMANN:** Okay. Did you share that
7 opinion, sir?

8 **MR. HALL:** Well, I can only go with what
9 he's told me and I -- you know, I trusted his judgment.

10 **MR. ENGELMANN:** And there was a decision not
11 to arrest Mr. Leblanc until the 5th of January?

12 **MR. HALL:** Well, prior to that I called
13 Detective Inspector Smith.

14 **MR. ENGELMANN:** Yes.

15 **MR. HALL:** And I -- we discussed it. I
16 relayed the information I had to him, and we discussed what
17 action we would take, and I know part of the discussions
18 was, "It's New Year's Eve, it's the wintertime. You know,
19 we'd have to get a -- if we arrest him, we need a bail
20 hearing," et cetera, et cetera, so he decided that we'd
21 leave it until Tuesday morning.

22 And then he called me back shortly after and
23 he wanted me to check to see if there was the availability
24 of doing a search warrant at the Leblanc residence, for
25 paraphernalia -- you know, pornographic books or things of

1 that nature that might be useful in evidence.

2 **MR. ENGELMANN:** So was that done?

3 **MR. HALL:** A search warrant?

4 **MR. ENGELMANN:** Yes.

5 **MR. HALL:** No.

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

7 **MR. HALL:** There was no -- I mean, I didn't
8 know. I'm at my residence in Perth at this time; I'm a
9 hundred miles away, so ---

10 **MR. ENGELMANN:** All right.

11 **MR. HALL:** We did that. I think, if you
12 look further down, there's -- there was more work done ---

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

14 **MR. HALL:** --- prior to the arrest.

15 **MR. ENGELMANN:** The decision, though, not to
16 arrest between the 30th and the 5th of January, that was a
17 decision that was made by Detective Inspector Smith?

18 **MR. HALL:** Yes, I -- well, I was relaying
19 the information to him; he made the decision, "We'll do it
20 on Tuesday."

21 **MR. ENGELMANN:** All right. And did you
22 agree with that decision at the time, sir?

23 **MR. HALL:** Yeah, I agreed. I mean in this
24 business, there's the times when you've got to take risks.
25 Some are good, some are bad, and we assessed everything we

1 were dealing with at the time and, you know, in hindsight
2 probably should have arrested him, but we made the decision
3 and we live with it.

4 **MR. ENGELMANN:** The reason I'm asking is
5 when he was here Mr. Smith said the decision not to arrest
6 Leblanc immediately on the 30th was one of the worst
7 decisions he'd made in his career. Do you think it was a
8 bad decision?

9 **MR. HALL:** I wouldn't disagree.

10 **MR. ENGELMANN:** Sorry?

11 **MR. HALL:** I wouldn't disagree with that.

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

13 Now, sir, I understand that a number of
14 other victims are later discovered and that Mr. Leblanc is
15 eventually charged with over 50 counts of sexually-related
16 offences in relation to 13 victims.

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** And there's a breakdown in
19 the charges sheet, but there were a great ---

20 **MR. HALL:** He was arrested on the initial
21 one, and he was brought back again on the 11th of March,
22 '99, and then again later in the spring, and I think we
23 ended up with 13 victims, and we also had four other names.
24 Three of them didn't want to become involved in the process
25 and one had moved out west and we weren't able to locate

1 him.

2 MR. ENGELMANN: All right. And some of he
3 victims were historical in nature, some were current, and
4 you had a wide variety of witnesses?

5 MR. HALL: Yes.

6 MR. ENGELMANN: Of victims, sorry.

7 And, sir, I understand that eventually a
8 number of these charges were withdrawn but he pleads guilty
9 to approximately 18 charges?

10 MR. HALL: That's correct.

11 MR. ENGELMANN: All right. And, sir, you
12 told us, in your view, that he didn't fall within your
13 mandate.

14 MR. HALL: No, he didn't.

15 MR. ENGELMANN: All right. And why do you
16 say that?

17 MR. HALL: Well, I mean, he -- well, I guess
18 my easiest explanation is that if the information had have
19 been acted upon when it was received back in September,
20 action would have been taken by the detachment and it
21 wouldn't have been a Project Truth case.

22 The problem with it being Project Truth,
23 whether it was there or not, it's the repercussions from
24 that that followed, and particularly with Mr. Guzzo.

25 I mean here you are, it added almost half a

1 many counts as we already had, as far as charges go so, I
2 mean, it was a big news item. You missed all this, you
3 missed that, you know, but that was the big concern.

4 **MR. ENGELMANN:** Okay, but with respect to
5 your mandate, did you give some thought as to whether this
6 was within the wording of your mandate or not?

7 **MR. HALL:** Yeah, we brought it in. I mean
8 it was Project Truth. We had to act. We had to do it. I
9 was using -- it was actually a detachment investigation, or
10 should have been -- but I'm using the resources anyway.

11 **MR. ENGELMANN:** Right.

12 **MR. HALL:** So whether we did it or the
13 detachment did it, it had to be done. And we acted as
14 quickly as we could. Maybe we could have been quicker in
15 some areas, but that's a decision we made and we live with
16 it.

17 **MR. ENGELMANN:** So if it had been acted upon
18 in September you're saying it would have been acted upon by
19 the local detachment?

20 **MR. HALL:** Yes. You know -- well, we may
21 have been involved. I mean Detective Sergeant Millar, if
22 he had have contacted us or if he had put a BOLO on his
23 OMPPAC and -- my investigators are his people. We would
24 have known that. We simply had no information that that
25 information existed. If we had have, we would have acted.

1 I mean I would have helped him. I mean ---

2 MR. ENGELMANN: Is it not possible that if
3 he had contacted you back in September you would have just
4 taken this on in any event?

5 MR. HALL: Oh yeah, we would have taken it
6 on. Sure. It had to be done. I would have recognized
7 from reading that something had to be done.

8 MR. ENGELMANN: And he's a school bus
9 driver; these were sexual abuse cases.

10 MR. HALL: Yes.

11 MR. ENGELMANN: There's some connection, at
12 least through C-21, with Malcolm MacDonald.

13 MR. HALL: Yes, yes.

14 MR. ENGELMANN: So it's not like it's a
15 clear-cut case, in or out.

16 MR. HALL: No, no.

17 MR. ENGELMANN: All right.

18 And, sir, do you believe you should have
19 been contacted back in September?

20 MR. HALL: Well, not me specifically, but I
21 think an Occurrence should have been made at detachment. I
22 mean detachment commander, Inspector Hopkins, has the
23 ultimate responsibility for investigation of occurrences
24 within his detachment area. I mean you can delegate your
25 authority but you can't delegate your responsibility, so I

1 mean if -- and there's a lateral reporting relationship
2 between the area crime sergeant and the detachment
3 commander, because the crime sergeant is effectively
4 supervising the resources of the detachment commander. I
5 mean the sergeant has none himself.

6 **MR. ENGELMANN:** All right. So what is it
7 your view that the concerns that had been passed on to that
8 detachment should have either been acted upon by them in
9 September or they should have contacted you and asked you
10 to act on them?

11 **MR. HALL:** If the detachment commander had
12 been advised, or even a sergeant or somebody in the
13 detachment had been aware of it, they would have acted upon
14 it and that may have been simply Inspector Hopkins
15 contacting regional headquarters and saying, "Look, we have
16 this to do. I need some more extra people," or whatever.
17 Or he may say, "Truth, you know, can you guys come?"

18 I had a working relationship with Inspector
19 Hopkins that if any occurrences came in that were urgent,
20 such as bank alarms, we were there. "Call us, we'll go."
21 And we did. I mean if you go back to -- well, you probably
22 won't have it in your notes, it's probably blocked out, but
23 on the 27th-28th of August, just before we received this
24 information, I took my whole team out with Sergeant Millar;
25 we were out harvesting marijuana in Moose Creek.

1 So I mean it was quite common -- I would
2 come in on Monday mornings and even Dupuis and Genier
3 particularly, because they were detective constables, would
4 have been called out on the weekend in Lancaster, which was
5 technically Inspector Hopkins' area, to do investigations
6 and, you know ---

7 **MR. ENGELMANN:** Okay.

8 **MR. HALL:** --- we were there. We just
9 didn't know.

10 **MR. ENGELMANN:** Sir, were you pleased with
11 the work of your men in December of 1998 with respect to
12 the surveillance and the arrest of Jean-Luc Leblanc?

13 **MR. HALL:** Yeah, I'm pleased with their work
14 because they're operating under my instructions or
15 Detective Inspector Smith's instructions. You can't fault
16 them for what happened. I think we're very fortunate they
17 found them. I mean if it hadn't have been the holidays,
18 the young fellow probably wouldn't have been around in the
19 daytime. I mean it gets dark at 4:30 at night, it's
20 wintertime, there's snow on the ground, there's all kinds
21 of obstacles to overcome in a surveillance of that type.

22 **MR. ENGELMANN:** All right. And at that
23 particular time did you have any concerns or criticisms of
24 the response by Detective Sergeant Millar or anybody from
25 his detachment with respect to this?

1 **MR. HALL:** Yes. May I refer to my notes?

2 **THE COMMISSIONER:** Sure can.

3 **MR. ENGELMANN:** Certainly.

4 **(SHORT PAUSE/COURTE PAUSE)**

5 **MR. HALL:** On the 4th of January -- would be
6 on Bates page 025 ---

7 **MR. ENGELMANN:** Zero two five (025), yes.

8 **MR. HALL:** Yes, I -- halfway down the page,
9 I got a call from Detective Inspector Smith:

10 "Updated on Leblanc. Suggests we do
11 arrest tomorrow a.m. Advise Randy
12 Millar, Richard Abell, and Murray
13 MacDonald. We'll do a press release
14 tomorrow. I placed a call to Detective
15 Sergeant Randy Millar, updated on the
16 suspect Leblanc and plans for arrest
17 tomorrow."

18 Then the following day, or later on that
19 day, I did call Richard Abell at 1350 ---

20 **MR. ENGELMANN:** Right.

21 **MR. HALL:** --- and he said yes. Updated on
22 Jean-Luc Leblanc.

23 **MR. ENGELMANN:** And that would have been the
24 day before ---

25 **MR. HALL:** Yes.

1 MR. ENGELMANN: --- his arrest.

2 MR. HALL: Fourth (4th) of January.

3 MR. ENGELMANN: Right.

4 MR. HALL: And I -- as you recall, I was
5 trying to get a hold of him the previous week ---

6 MR. ENGELMANN: Yes.

7 MR. HALL: --- and he wasn't in.

8 "We will arrest tomorrow."

9 I gave Mr. Abell the names of the victims,
10 the circumstances, and name of C-21, mother and phone
11 number, the background on the family. And I had a call
12 from Murray MacDonald. He had no problem with his office
13 doing the prosecution:

14 "Advised bail Crown will be Longevin."

15 I guess his name is.

16 THE COMMISSIONER: But the question was ---

17 MR. ENGELMANN: Sir, perhaps we could just
18 get back to my question, and that was I asked you if -- you
19 told us about commendations or at least positive comments
20 with respect to your own officers about this matter.

21 MR. HALL: Yeah.

22 MR. ENGELMANN: I was asking if you had any
23 concerns with Officer Millar or people from his detachment
24 about their response or lack thereof from September on.

25 MR. HALL: Yes, I do.

1 **MR. ENGELMANN:** Did you speak to Officer
2 Millar about it at the time?

3 **MR. HALL:** Yes, I did. I'm just looking for
4 it here.

5 **MR. ENGELMANN:** You have a reference to
6 calling him, as you've pointed out, on the 4th of January.

7 **MR. HALL:** I have a recollection of speaking
8 to him, I think maybe the 6th of January; my note from the
9 6th.

10 **MR. ENGELMANN:** You have a call with him --
11 it's mentioned again in -- it's on Bates page 035, which is
12 on January 6th.

13 **MR. HALL:** Zero three five (035)?

14 **MR. ENGELMANN:** Yes. It says, "Contact" --
15 at 11 o'clock:

16 "Contact Detective Sergeant Randy
17 Millar on Leblanc, updated."

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** "Spoke to Inspector
20 Hopkins about good work of..."

21 **MR. HALL:** Okay, yeah, that's the one.

22 **MR. ENGELMANN:** "...Dupuis and Seguin on
23 Leblanc matter."

24 **MR. HALL:** Yes. On that date I contacted
25 Detective Sergeant Millar about Leblanc, and I have asked

1 him in that conversation if he had done anything, and he
2 basically -- he was busy; he didn't have the resources.
3 Just a short conversation.

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

5 **MR. HALL:** Then I went to Inspector Hopkins
6 because I wanted to put in a commendation for both
7 Constable Dupuis and Constable Seguin for the good work
8 they done, and in doing that I had to give him the details
9 because he took out a foolscap paper and he wrote the
10 details down because you -- in order to give a commendation
11 there has to be something to go in what we call the 291
12 file.

13 So he wrote out -- I was basically telling
14 him that we had the information, the background, and I
15 mentioned Randy Millar had received this and the end
16 result, he said, "Well, he belongs to the region. He's not
17 my man."

18 **MR. ENGELMANN:** Okay.

19 **MR. HALL:** Because he didn't supervise him.

20 **MR. ENGELMANN:** Let's just go back to my
21 question if we can.

22 Did you express to Officer Millar that you
23 thought that he didn't the job here?

24 **MR. HALL:** No. I asked him what he did. He
25 said he didn't have any resources. It's not for me to

1 question him. We're both the same rank. I wasn't going to
2 challenge him on what he did or didn't do or make any
3 comments as to what he should have done.

4 **MR. ENGELMANN:** Well, did you think he did
5 anything wrong?

6 **MR. HALL:** Yes.

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

8 And sir, did you think anything that he
9 might have done was such that his actions should have been
10 the subject of any kind of a *Police Service Act* charge or
11 anything of that nature?

12 **MR. HALL:** Well, if there had have been a
13 proper investigation there'd be consequences, obviously,
14 and I was reporting it to Hopkins because he was the
15 detachment commander; it was his area this was happened in,
16 and I was of equal rank. I was seconded to, basically, CIB
17 so I just left it at that for the time being.

18 **MR. ENGELMANN:** But did you speak to your
19 supervisor, at the time, Detective Inspector Smith about
20 it?

21 **MR. HALL:** He already knew about it.

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

23 **MR. HALL:** He made the phone call initially.

24 **MR. ENGELMANN:** And were you aware, sir,
25 that Detective Inspector Smith addressed this matter with

1 Officer Millar directly?

2 MR. HALL: He may have, but he didn't do it
3 in my presence.

4 MR. ENGELMANN: All right.

5 Well, that's what he told us here. You were
6 not aware of it at the time?

7 MR. HALL: Aware of?

8 MR. ENGELMANN: The fact that -- well,
9 during his testimony here he said, "I dressed him down.
10 Millar knew what he was to do." And Mr. Smith told us he
11 thought that was the end of it.

12 MR. HALL: Yeah, I -- I ---

13 MR. ENGELMANN: He also ---

14 MR. HALL: --- I heard him say that.

15 MR. ENGELMANN: --- told us he was of the
16 view that a public -- a Police Services Board investigation
17 was not the proper approach.

18 MR. HALL: That was his view.

19 MR. ENGELMANN: Were you aware that that was
20 his view?

21 MR. HALL: No.

22 MR. ENGELMANN: All right.

23 MR. HALL: No.

24 MR. ENGELMANN: And sir, did you share his
25 view?

1 MR. HALL: No.

2 MR. ENGELMANN: All right.

3 You were familiar with the *Police Services*
4 *Act* from your work in Perth?

5 MR. HALL: Yes.

6 MR. ENGELMANN: You were also familiar with
7 the fact that if you want to do something about it that
8 there's a, I believe, a six-month time limit ---

9 MR. HALL: Yes.

10 MR. ENGELMANN: --- to file a complaint?

11 MR. HALL: Yes.

12 MR. ENGELMANN: And you did not file a
13 complaint about this?

14 MR. HALL: No, I didn't.

15 MR. ENGELMANN: All right.

16 And you didn't ask anybody at the time to
17 file a formal complaint either?

18 MR. HALL: I didn't ask anybody
19 specifically, no.

20 MR. ENGELMANN: All right.

21 MR. HALL: I left it in the -- the lap of
22 Inspector Hopkins basically.

23 MR. ENGELMANN: All right.

24 So you brought your concerns to his
25 attention?

1 **MR. HALL:** He was an Inspector, commissioned
2 officer; it was his detachment area. The occurrence was in
3 his area. If he saw fit to do something with it, that was
4 his prerogative.

5 **MR. ENGELMANN:** And that would have been
6 when, when you would have done that, sir?

7 **MR. HALL:** Right after I spoke to Detective
8 Sergeant Millar; 6th of ---

9 **MR. ENGELMANN:** Sixth (6th) of January, 1999?

10 **MR. HALL:** I -- the dates are blocked out on
11 my ---

12 **MR. ENGELMANN:** Yes.

13 **MR. HALL:** Yes.

14 **MR. ENGELMANN:** No, but it -- you're on
15 Bates page 035, sir? Zero-three-five (035):

16 "Eleven (11) o'clock: Contacted
17 Detective Sergeant Randy Millar on
18 Leblanc; updated."

19 **MR. HALL:** Yes.

20 **MR. ENGELMANN:** "Spoke to Inspector
21 Hopkins."

22 **MR. HALL:** Yes.

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

24 And you'll agree with me that your note
25 doesn't indicate saying anything to Inspector Hopkins about

1 Randy Millar, just that ---

2 MR. HALL: Well, I mean, if I'm going to
3 give him information on a good work, in the context of
4 doing a commendation for me, he has to put something in the
5 -- he has to know what it's about ---

6 MR. ENGELMANN: Right.

7 MR. HALL: --- like why am I, you know -- so
8 I explained to him in the context of that. I didn't make a
9 big entry in my notebook.

10 MR. ENGELMANN: All right.

11 MR. HALL: But he -- he -- I seen him
12 writing it down because the only way he could give a
13 commendation would be to put something in the staff
14 personal file which was called a 291 file ---

15 MR. ENGELMANN: All right.

16 MR. HALL: --- so that when his supervisor
17 eventually would be doing his performance review, he would
18 see that and probably make comments.

19 MR. ENGELMANN: So you met with him in
20 person that day?

21 MR. HALL: Yes ---

22 MR. ENGELMANN: All right.

23 MR. HALL: --- right in his office.

24 MR. ENGELMANN: All right.

25 Let's switch track. Sir, I want to ask you

1 a few questions regarding allegations that your officers
2 would have received relating to an institution known as the
3 Classical College.

4 MR. HALL: Yes.

5 MR. ENGELMANN: And you were aware that that
6 was formerly an institution here in the City of Cornwall?

7 MR. HALL: Yes.

8 MR. ENGELMANN: And what did you know about
9 it, sir?

10 MR. HALL: Well, I knew that Dick Nadeau was
11 a victim from a suspect at that college.

12 MR. ENGELMANN: All right.

13 MR. ENGELMANN: And you would have -- you
14 would have gleaned that from him?

15 MR. HALL: Well, he reported -- he reported
16 his allegations to Detective Constable Genier and when we
17 found out who the suspect was; he was deceased.

18 MR. ENGELMANN: All right.

19 And sir, you were familiar with the fact
20 that the Classical College had been in existence here in
21 Cornwall for some time, but that it was closed as at around
22 1969 or thereabouts as an institution?

23 MR. HALL: Well, I may have found that out
24 at some point, but I -- like, I'm not from Cornwall. I
25 knew nothing about it.

1 **MR. ENGELMANN:** No, but in the -- in the
2 course of your investigation ---

3 **MR. HALL:** Yeah, yes.

4 **MR. ENGELMANN:** --- there were a number of
5 people who were complaining about abuse while at Classical
6 College?

7 **MR. HALL:** Yes.

8 **MR. ENGELMANN:** And so you would have done
9 some research to find out when Classical College was
10 operating?

11 **MR. HALL:** I think Constable Genier may have
12 because I think there was a few alleged victims and the
13 perpetrator was deceased in all of them. I don't believe
14 we laid any charges relating to Classical College, but I'd
15 have to check my files to be certain.

16 **MR. ENGELMANN:** I think you're right, sir,
17 but there were a number of people who alleged abuse there.

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And so much so that when you
20 did your associations charts, one of the suspects, I think,
21 was Classical College.

22 **MR. HALL:** Yes.

23 **MR. ENGELMANN:** And there were a number -- I
24 don't want to go through it, but ---

25 **MR. HALL:** I believe it was assignment -- in

1 our assignment register.

2 MR. ENGELMANN: Yes, yeah.

3 And -- and sir, you would have, at some
4 point, done some work or your officers would have done some
5 work to determine the age of people, the grades of school
6 that were being dealt with at the Classical College?

7 MR. HALL: Yes.

8 MR. ENGELMANN: All right.

9 And sir, as I understand it, for example, in
10 April of 1999, a complaint was received from C-104.

11 THE COMMISSIONER: What date?

12 MR. ENGELMANN: April of 1999.

13 THE COMMISSIONER: Yeah, okay.

14 MR. HALL: Yes.

15 MR. ENGELMANN: And he would have alleged
16 that he'd been abused by a number of priests at the
17 Classical College including a Father John Primeau.

18 MR. HALL: Yes.

19 MR. ENGELMANN: And according to Mr.
20 Dunlop's Will-State, he indicates speaking with C-104 on
21 March 8th, 1999 and on April 7th, 1999, that he actually
22 taped an interview with this individual. Were you aware of
23 the fact that Constable Dunlop had actually interviewed
24 someone as late as April of 1999? Were you made aware of
25 that, sir?

1 **MR. HALL:** Is there a -- was there a
2 statement provided by Mr. Dunlop?

3 **MR. ENGELMANN:** Well, sir, it's referenced
4 in his Will-State, I know that and that you wouldn't have
5 been aware of, I presume, until sometime in April of 2000.

6 **MR. HALL:** Could very well be. If we didn't
7 receive -- if I didn't receive any interview report from
8 him where indicating, I would have no way of knowing
9 whether he had or hadn't until I received his Will-Say in -
10 --

11 **MR. ENGELMANN:** All right.

12 **MR. HALL:** --- 10th of April 2000.

13 **MR. ENGELMANN:** Well, sir, as I understand
14 it, following the interview by Constable Dunlop, this
15 individual, C-104, contacted Project Truth and a statement
16 was taken by your investigators on April 8th, 1999. That's
17 the statement date from the statement log.

18 I understand at the time your officers
19 attempted to locate Classical College records and were, in
20 fact, able to obtain some from Les Clercs de St-Viateurs.
21 Are you familiar with that at all; that another agency had
22 taken over the records?

23 **MR. HALL:** Yes, Constable Genier, I believe,
24 was -- was tracking that down.

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

1 And sir, I understand that a Crown brief -- well, a Project
2 Truth brief log indicates that a Crown brief was prepared
3 with respect to C-104's allegations against Primeau and it
4 was submitted to Shelley Hallett on August 6th, 1999 for a
5 recommendation.

6 MR. HALL: Yes.

7 MR. ENGELMANN: And while it was with her,
8 John Primeau died.

9 MR. HALL: Yes.

10 MR. ENGELMANN: And that would have been
11 November 8th of '99.

12 MR. HALL: Yes.

13 MR. ENGELMANN: So a Crown brief had been
14 prepared on that allegation.

15 MR. HALL: If the brief log says so, yes.

16 THE COMMISSIONER: Did you want to take a
17 break, Mr. Engelmann?

18 MR. ENGELMANN: Can I just have another
19 minute, sir?

20 THE COMMISSIONER: Sure.

21 MR. ENGELMANN: Sir, I just want to turn you
22 to some notes on this, if I can, because I believe in --
23 it's Notebook Number 10, Exhibit 2752.

24 I'll just be a moment. I -- yes, it's Bates
25 page 292. The date is October 28th, 1999.

1 MR. HALL: Yes.

2 MR. ENGELMANN: And I believe what's
3 happening that day is you're meeting with Bishop LaRocque?

4 MR. HALL: Correct.

5 MR. ENGELMANN: Regarding a number of
6 matters, you'll see near the top of the page.

7 MR. HALL: Yes.

8 MR. ENGELMANN: And I think about a third of
9 the way down:

10 "I advised him that Detective Constable
11 Genier was conducting the
12 investigation..."

13 MR. HALL: "...conducting the
14 investigation of Father Major..."

15 MR. ENGELMANN: Right. And then underneath
16 that?

17 MR. HALL: "...if he's an active priest."

18 MR. ENGELMANN: Yes. And that was an
19 individual you were looking at, I know.

20 MR. HALL: Yes.

21 MR. ENGELMANN: But underneath that it says,
22 "I also advised..."

23 MR. HALL: "I also advised him of Father
24 Jean Primeau that we recently had an
25 opinion from a Crown Attorney to lay

1 charges, but we are looking at the
2 health issues of Primeau at this time
3 and have not set a date for charges in
4 this matter."

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

6 So this is the C-104 allegation, sir?

7 **MR. HALL:** Yes.

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

9 So, in fact, you did get a Crown brief or a
10 recommendation to lay charges but there were some health
11 issues ---

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** --- with respect to the
14 suspect?

15 **MR. HALL:** Yes.

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

17 And do you know why you would be dealing
18 with Bishop LaRocque about a priest from the Classical
19 College?

20 **MR. HALL:** Could you carry on please, sir.

21 I also ---

22 **THE COMMISSIONER:** "Presently..." ---

23 **MR. HALL:** The Bishop -- it should have
24 been:

25 "Presented the Bishop with a memo

1 asking for certain information; Primeau
2 at a residence in Outremont called the
3 Clercs de St-Viateur."

4 What I was doing was -- we did on several
5 cases. We went to the -- we didn't know where to go. We
6 went to the Bishop and he ---

7 **MR. ENGELMANN:** Okay.

8 **MR. HALL:** --- usually pointed us where we
9 could find the information out.

10 **MR. ENGELMANN:** All right.

11 You weren't sure what, if any, connection
12 there was between the Classical College, the Clercs de St-
13 Viateur and the Diocese ---

14 **MR. HALL:** Exactly.

15 **MR. ENGELMANN:** --- but you were asking him
16 for help ---

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** --- because it was another
19 Catholic religious order?

20 **MR. HALL:** Well, yes. It was another
21 division. I don't know exactly what it was.

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

23 And was he helpful in that regard, sir? You
24 indicate at Bates 293 you have some information about his -
25 --

1 **MR. HALL:** Yes:

2 "The matter was reported to us on the
3 8th of April '99 and it occurred at the
4 Classical College in mid-'50s.
5 Consisted of masturbation. Primeau's
6 doctor has said he has entered home
7 from the hospital -- returned home from
8 the hospital."

9 **MR. ENGELMANN:** All right.

10 So this was information you had and you were
11 reporting it to the Bishop. Were you seeking further
12 information from the Bishop about it?

13 **MR. HALL:** Yes, I think I was looking for
14 information and I was advising him because we had -- I had
15 requested information from him on Primeau previously. I
16 think these are one of the memos that I presented him with
17 and he provided us some information as to where he -- what
18 churches he had served and what dates.

19 **MR. ENGELMANN:** Okay. Thanks very much.
20 Perhaps we should take the break then.

21 **THE COMMISSIONER:** Thank you.

22 We'll take the afternoon break.

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

25 This hearing will resume at 3:20 p.m.

1 ---Upon recessing at 3:03 p.m./

2 L'audience est suspendue à 15h03

3 ---Upon resuming at 3:26 p.m./

4 L'audience est reprise à 15h26

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

7 This hearing is now resumed. Please be
8 seated. Veuillez vous asseoir.

9 **PATRICK HALL, Resumed/Sous le même serment:**

10 ---EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.
11 ENGELMANN (Cont'd/Suite):

12 **MR. ENGELMANN:** Sir, just before the break
13 we were talking about the Classical College.

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** The fact that that you'd had
16 a number of complaints from there.

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** Just by way of example, sir,
19 if you have Exhibit 2697.

20 **THE COMMISSIONER:** Sorry, what exhibit?

21 **MR. ENGELMANN:** Twenty-six ninety-seven
22 (2697), sir. It's the association report.

23 **THE COMMISSIONER:** Twenty-six ninety-seven
24 (2697). I have it right here.

25 **MR. ENGELMANN:** And just so I'm clear, I

1 think you gave this evidence before the break, sir, a
2 number of allegations but with the exception of the one we
3 went through where the fellow was alive but in ill health -
4 --

5 MR. HALL: Yes.

6 MR. ENGELMANN: --- so the matter didn't
7 proceed. It's your understanding that it was primarily
8 Officer Genier who was investigating these and that in
9 every other case the suspect was deceased?

10 MR. HALL: I believe so, yes.

11 MR. ENGELMANN: All right.

12 If they were alive they would have been
13 quite elderly?

14 MR. HALL: Yes, they would have been.

15 MR. ENGELMANN: Right. And so just by way
16 of example of some of the allegations you received, if you
17 look at Bates page 314, the individual next to item 349 ---

18 MR. HALL: Yes.

19 MR. ENGELMANN: --- has the Classical
20 College listed.

21 MR. HALL: Yes.

22 MR. ENGELMANN: And he made an allegation,
23 sir, about abuse at the Classical College; correct?

24 MR. HALL: Yes.

25 MR. ENGELMANN: And if we turn to -- I'm

1 just going to give you a couple of examples -- Bates page
2 348 near the bottom of the page, item 350, the individual
3 identified there.

4 MR. HALL: Yes.

5 MR. ENGELMANN: Onto -- now, I realize some
6 of these may be witnesses that you followed up on, but on
7 Bates page 351 there's reference to a couple of
8 individuals, 202 and I believe 262. Now, these may not all
9 be alleged victims. Some of them were witnesses that were
10 followed up on as well.

11 MR. HALL: Yes. Some of them, the
12 classification is unknown ---

13 MR. ENGELMANN: Yes.

14 MR. HALL: --- and the association type.

15 MR. ENGELMANN: And there's another one, if
16 we turn to 403 it's my understanding that the individual
17 next to item 66 actually alleged abuse at Classical
18 College. There doesn't seem to be a reference to that. Do
19 you see that? It's Bates page 7403.

20 MR. HALL: Yes, and the number?

21 MR. ENGELMANN: Sixty-three (63).

22 MR. HALL: Yes.

23 MR. ENGELMANN: I don't know if you're
24 aware, sir, but he alleged abuse back at the Classical
25 College in 1951. It's not listed as Classical College in

1 your association report though.

2 MR. HALL: Well, that gentleman wasn't a
3 priest. The fellow that's deceased.

4 MR. ENGELMANN: Yeah.

5 MR. HALL: The suspect.

6 MR. ENGELMANN: No, I know that. I'm just
7 wondering, my understanding, just from looking at other
8 documents is that the individual listed there as 63 is an
9 alleged victim of abuse at the Classical College.

10 MR. HALL: I don't see that on this 403.

11 MR. ENGELMANN: No, I realize that. It's
12 not on this.

13 MR. HALL: Okay.

14 MR. ENGELMANN: Okay. Yeah.

15 So in any event, sir, there's a number of linkages or
16 associations with the Classical College, and there's a few
17 others that I could take you too. But, again, your
18 understanding is that with the exception of the one we
19 looked at, that you had a recommendation to proceed but
20 couldn't because of health issues. These individuals were
21 essentially deceased.

22 MR. HALL: Yes.

23 MR. ENGELMANN: So the prosecutions didn't
24 proceed.

25 Sir, I also understand that your officers

1 would have interviewed a former Cornwall Police Service
2 officer who had done an investigation, while at the CPS, of
3 these types of issues at the Classical College.

4 And I just want to show you a document to
5 that effect, if I may. And it's Exhibit 2163, and this is
6 a former City of Cornwall police officer by the name of
7 Ronald Wilson.

8 MR. HALL: Yes.

9 MR. ENGELMANN: I believe that was -- he was
10 someone you were -- who was a person of interest perhaps in
11 your broader ---

12 MR. HALL: Yes.

13 MR. ENGELMANN: --- conspiracy
14 investigation.

15 MR. HALL: Yes.

16 MR. ENGELMANN: And I misspoke, sir. He
17 didn't investigate allegations of child abuse at the
18 Classical College; he was aware of them.

19 MR. HALL: He gave some opinions.

20 MR. ENGELMANN: Right.

21 And if we can just have a brief look at that
22 exhibit?

23 THE COMMISSIONER: We'll have to put it up
24 on the screen, sir.

25 MR. HALL: Yeah.

1 **MR. ENGELMANN:** Let's look at Bates page
2 7110.

3 **THE COMMISSIONER:** What part?

4 **MR. ENGELMANN:** About the middle of the
5 page. He says:

6 "There was no doubt in my mind in 1967
7 in the Cornwall..." ---

8 **THE COMMISSIONER:** Whoa, whoa. Just a
9 minute. Who's speaking?

10 **MR. ENGELMANN:** I'm sorry. I apologize.
11 I'm on -- I'm on the wrong page. On 7 -- well, let's start
12 at 7108. He's asked by Officer Dupuis about awareness of
13 the term "clan of paedophiles" being used around the
14 Cornwall area. He says:

15 "And I can wholeheartedly tell you no,
16 as far as I'm concerned. In 1967 there
17 was likely a paedophile ring operating.
18 With my knowledge as a former police
19 officer, citizen of the city, I can
20 honestly believe there is no paedophile
21 ring operating in the City of Cornwall
22 from the information I can derive from
23 asking questions of certain peoples.
24 You felt there was one back in around
25 '67."

1 All right. Then he's asked about which
2 college.

3 **THE COMMISSIONER:** Next page, you mean?

4 **MR. ENGELMANN:** Yes, bottom of the page and
5 on to 7110, and he's saying it's the Classical College --
6 "They called it the Classical College."

7 Then on page 7114, middle of the page:

8 "There's no doubt in my mind in 1967 in
9 the Cornwall arena and what you have
10 from my knowledge, there was a ring
11 running out of the Classical College at
12 the time but not in this modern day."

13 Of course he's being now interviewed in July
14 of '99. And he's asked some questions at the bottom of the
15 next page:

16 "Do you know how big an investigation
17 Cornwall will have done at the time?
18 It's a fairly large investigation."

19 Questions of that nature.

20 Now, sir, do you know off-hand if -- was
21 this reported back to you by Officer Dupuis?

22 **MR. HALL:** I would have read the report.

23 **MR. ENGELMANN:** Right. And as a result of
24 reading the report can you recall what, if any, follow-up
25 work you might have done with respect to this issue?

1 **MR. HALL:** In regards to 32 years previous?

2 **MR. ENGELMANN:** Yes. Do you know if there
3 was any effort to get copies of reports at the time from
4 the Cornwall Police Service?

5 **MR. HALL:** I know reports weren't available
6 that far back.

7 **MR. ENGELMANN:** So you did make some
8 enquiries, sir?

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** And you were advised ---

11 **MR. HALL:** I didn't make them personally but
12 I think Constable Genier did, but I'm not -- I know we
13 couldn't get reports from Probation 20 years back. So go
14 back 32 years; I'm fairly certain we couldn't get any
15 reports.

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

17 When you interviewed Cornwall City police
18 officers, when you did later on, do you recall if you would
19 have asked them about this issue that Mr. Wilson raised?

20 **MR. HALL:** I don't recall, but I'm pretty
21 sure that most of the officers that I interviewed wouldn't
22 have been -- even been on the police force at that time.

23 **MR. ENGELMANN:** Right.

24 **MR. HALL:** If you're going back 32 years.

25 **MR. ENGELMANN:** Fair enough. I'm just

1 wondering if it would have been discussed with any of them,
2 to your knowledge.

3 **MR. HALL:** I'd have to read the questions
4 that we put to them to be -- to give you an informed
5 answer.

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

7 And Mr. Wilson, after retiring as a city
8 police officer, he was on the local Police Commission?

9 **MR. HALL:** Yes.

10 **MR. ENGELMANN:** And then operated a funeral
11 home in the city?

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** And he was a person of
14 interest to you in your broader investigation?

15 **MR. HALL:** Yes.

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

17 Sir, I want to ask a few questions of you of
18 some disclosure issues that arise in the fall of '99 and
19 into the year 2000, and you've talked about them briefly:
20 having to go see a Regional Crown by the name of Garson;
21 some disclosure issues that arose in the Lalonde matter
22 that you had to get involved in.

23 **MR. HALL:** Yes.

24 **MR. ENGELMANN:** Do you recall that?

25 **MR. HALL:** Yes, I do.

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

2 And I'd like to take you to your notes,
3 Exhibit 2751. It's your ninth notebook. And I believe
4 this issue comes to the forefront in early October of '99,
5 and if you look -- starting on Bates page 258, you're
6 getting a page or a call from -- I believe it's Officer
7 Genier; October 4th.

8 And he's reporting to you, as I understand
9 it, because he's down at the Marcel Lalonde trial.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** And can you just tell us
12 what you're indicating at the top of Bates 259, sir?

13 **MR. HALL:** Marcel -- he's at the Marcel
14 Lalonde trial:

15 "Got a call from acting Crown attorney
16 Claudette Wilhelm. Apparently Perry
17 Dunlop disclosed on Thursday evening
18 three pages of notes he had on Marcel
19 Lalonde. Defence will make issue of
20 it."

21 I got a further call. You want me to carry
22 on?

23 **MR. ENGELMANN:** Yes.

24 **MR. HALL:** "Further call from Genier.

25 Case going to be adjourned. Want

1 disclosure of binder that we have from
2 Dunlop. Advised to disclose the second
3 set that we received."

4 **MR. ENGELMANN:** And then there's a reference
5 at 14:00 as well, sir.

6 **MR. HALL:** "Call from Genier. Crown
7 wants to review statements on Marcel
8 Lalonde case. Also Rick Carter."

9 **MR. ENGELMANN:** All right.
10 And then, sir, on the following page, Bates
11 page 260, you receive a call from acting Crown -- assistant
12 Crown -- sorry -- Claudette Wilhelm, advising that Dunlop
13 had disclosed three pages of notes he had on Marcel
14 Lalonde, and the defence was making an issue of the late
15 disclosure.

16 **MR. HALL:** Yes.

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

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** You then receive further
20 calls from Officer Genier advising there is a request for
21 the disclosure of the binder received from Dunlop, and that
22 the Crown wishes to review statements on the Marcel Lalonde
23 case.

24 **MR. HALL:** Yes.

25 **MR. ENGELMANN:** I couldn't really make out

1 the rest of it.

2 MR. HALL: Where are we? Bates page 261?

3 MR. ENGELMANN: Yeah.

4 MR. HALL: "Request to call Staff Sergeant
5 Derochie"?

6 MR. ENGELMANN: Just a moment. Sorry, just
7 on 260, sir.

8 MR. HALL: Two sixty (260)?

9 MR. ENGELMANN: "Also wants disclosure of
10 everything in the..."

11 MR. HALL: "Also wants disclosure of
12 everything in the way of notes that
13 we received from Perry Dunlop."

14 MR. ENGELMANN: All right.

15 MR. HALL: "She is at our office with
16 Staff Sergeant Carter and Staff
17 Sergeant Derochie and Constable
18 Desrosiers."

19 MR. ENGELMANN: There's a reference to ---

20 MR. HALL: "I will be down tomorrow."
21 Apparently, I'm not there.

22 MR. ENGELMANN: Right. And there's a
23 reference to a meeting -- this would be October 5th now, at
24 the bottom of the page.

25 MR. HALL: That 9:30, is that the 5th?

26 MR. ENGELMANN: Yes.

1 **MR. HALL:** Okay:

2 "Cornwall. Meet with Genier and
3 Claudette Wilhelm, acting Crown on
4 Marcel Lalonde matter. Ascertain
5 details of disclosure issues by
6 Dunlop."

7
8 The next is irrelevant.

9 **MR. ENGELMANN:** All right.

10 **MR. HALL:** The next -- the second line down
11 is:

12 "Request to call Staff Sergeant Garry
13 Derochie. Placed call. Request to
14 meet tomorrow a.m."

15 **MR. ENGELMANN:** All right. And then there's
16 a reference at the bottom of the page:

17 "October 6, See Genier and Wilhelm."
18 Do you see that right at the bottom?

19 **MR. HALL:** Yeah, above that, too, I'm
20 calling Shelley Hallett to have her speak to Claudette on
21 Lalonde.

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

23 **MR. HALL:** "See Genier and Wilhelm.
24 Received memo from Wilhelm
25 requesting an interview of Perry
26 Dunlop."

27 That's a memo she directed to me dated the

1 5th of October '99.

2 MR. ENGELMANN: All right. So there's some
3 disclosure issues here, because there's some new
4 information that wasn't disclosed to the defence in the
5 Lalonde matter and that consists of three notes of Perry
6 Dunlop's.

7 MR. HALL: That's what we're being told.

8 MR. ENGELMANN: And are you aware, sir --
9 we've heard that here that the non-disclosure of some of
10 that material and some other material that you may not be
11 familiar with that was at the Cornwall Police Service, then
12 leads to an adjournment of his trial?

13 MR. HALL: Yes.

14 MR. ENGELMANN: And the trial gets put off
15 until, I believe, September of the year 2000. It's
16 about ---

17 MR. HALL: A year later ---

18 MR. ENGELMANN: --- 11 months.

19 MR. HALL: --- almost, yes.

20 MR. ENGELMANN: Yeah. All right. But
21 there's some quick work being done here to deal with this
22 disclosure issue.

23 MR. HALL: Yes.

24 MR. ENGELMANN: Because it's become rather
25 urgent.

26 MR. HALL: Yes.

1 **MR. ENGELMANN:** And, sir -- I don't know if
2 you were aware, but on October 5th, 1999, when you met with
3 Wilhelm and Desrosiers -- I'm not sure if it's the 5th or
4 the 6th, but the defence counsel in the Lalonde case had
5 made a very specific request for two particular notes made
6 by Dunlop regarding his communications with C-8. Were you
7 aware of that?

8 **MR. HALL:** Personally, no. I don't have a
9 recollection of it today. But Constable Genier would have
10 dealt with that. He may or may not have advised me, I just
11 simply can't recall today.

12 **MR. ENGELMANN:** Well, we have Exhibit 1409,
13 sir. It's Bates -- sorry, it's Document Number 101606.

14 **MR. HALL:** Yes?

15 **MR. ENGELMANN:** All right. You see this
16 very specific request from Mr. Markle's office.

17 **MR. HALL:** Yes.

18 **MR. ENGELMANN:** And he's requesting the
19 notes Perry Dunlop took of C-8, dated September 11th, '96
20 and December 12th, '96.

21 **MR. HALL:** Yes.

22 **MR. ENGELMANN:** So he seems to have some
23 pretty specific knowledge about what he's looking for.

24 **MR. HALL:** Well, I take it from that he has
25 an interview report or something and he's wanting to know
26 the notes that go along with it.

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

2 **MR. HALL:** I think he may -- may have been
3 an interview report and he's looking for the notes to go
4 along with it.

5 **MR. ENGELMANN:** Or perhaps there's been some
6 sharing of information between counsel; we're not sure.
7 But the two specific notes that we have there, we've heard
8 evidence from Constable René Desrosiers that when he
9 addressed this disclosure request with his superiors,
10 Constable Dunlop provided a redacted version of the notes
11 dated September 11th, '96 and the note of December 12th,
12 and he also came up with further note, dated November 19th,
13 '96. These were all related to discussions Constable
14 Dunlop had had with C-8 at the time. And Constable
15 Desrosiers was not aware of the documents that were already
16 in the possession of Project Truth.

17 But it is correct, is it not, sir, that the
18 notes of September 11th, '96 and the note of December 12th,
19 '96 had been delivered to Project Truth in the yellow
20 binder that you picked up as early as October of '97? And
21 I can take you to that yellow binder if you'd like, but we
22 looked at it the other day.

23 **MR. HALL:** Well, if they're there, then they
24 were delivered.

25 **MR. ENGELMANN:** Yeah.

26 **MR. HALL:** I don't have a recollection of

1 exactly what was in there today.

2 **MR. ENGELMANN:** So, do you know how it is
3 that the notes that would have been delivered to you on
4 October 10th in the yellow binder -- the September 11th,
5 '96 note and December 12th, '96 note -- didn't get over to
6 the Crown in the Lalonde matter for disclosure to the
7 defence?

8 **MR. HALL:** Well, that would be -- Detective
9 Constable Genier was dealing with that, so the only thing I
10 can say is he -- he either missed it or he didn't get it or
11 whatever.

12 **MR. ENGELMANN:** All right. Well, he
13 apparently didn't get those notes over to her, so they
14 weren't disclosed. And I realize that he was wearing sort
15 of two hats there. He was your Project Truth officer, but
16 yet, he had some ongoing responsibilities on the Lalonde
17 matter.

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** All right. Now, the
20 disclosure materials ---

21 **MR. HALL:** Which -- no, it's okay.

22 **MR. ENGELMANN:** I'm just wondering if one of
23 the reasons why this may have been missed is because these
24 weren't included in Project Truth materials because they
25 were under Lalonde? Is that a possible explanation?

26 **MR. HALL:** No, they were -- if I picked them

1 up from Constable Dunlop, then they were in our material,
2 in the yellow binder with the nine tabs. It would be --
3 I'm wondering if they were in the brief dealing with the
4 OPP allegations.

5 **MR. ENGELMANN:** I'm not sure, sir.

6 **MR. HALL:** Well, in order to give you an
7 informed answer, I'd have to look at that brief ---

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

9 **MR. HALL:** --- because Constable Genier may
10 very well have disclosed them. They just didn't get into
11 Constable Desrosiers's case.

12 **MR. LAHAIE:** Good afternoon, Mr.
13 Commissioner. I took notes yesterday about the entries in
14 the yellow binder as they were put to this officer. It was
15 done rather -- rather quickly. There were successive
16 documents which were put in and marked as exhibits.

17 I have notebook entries at the final tab for
18 July 29th, 1997 and August 1st, 1997. I don't believe the
19 December 12th entry is in the yellow binder, as Mr.
20 Engelmann is putting to this witness. Perhaps it would be
21 useful to go through that exercise of going back to the
22 entries in the yellow binder, so that the specific
23 questions can be put to Officer Hall.

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

25 **MR. ENGELMANN:** Well, if we turn to
26 Exhibit 2798.

1 **THE COMMISSIONER:** Two seven nine eight
2 (2798).

3 **MR. ENGELMANN:** Document number again is
4 721888.

5 Do you have that page, sir?

6 **MR. HALL:** Yes.

7 **MR. ENGELMANN:** It's a page that has the
8 date 11 September '96 at the top?

9 **MR. HALL:** Yes, I do.

10 **MR. ENGELMANN:** All right. And these are
11 notes of Perry Dunlop's with respect to C-8?

12 **MR. HALL:** Yes.

13 **MR. ENGELMANN:** All right. That's one of
14 the documents that was requested. Then, let's take a look
15 at Exhibit 2801. That's Document Number 721891.

16 **MR. HALL:** The 3rd of October?

17 **MR. ENGELMANN:** Yes. And if you could turn
18 to Bates page 4453? There's a reference to C-8 on December
19 12th, 1996.

20 **MR. HALL:** Yes.

21 **MR. ENGELMANN:** Now, there is a reference as
22 well to another note with his name on December 8th, '96, but
23 it's my understanding that there was an additional note
24 that Mr. Dunlop had not provided here with respect to C-8
25 that's dated November 19th, '96.

26 **MS. LAHAIE:** Thank you, Mr. Commissioner.

1 I just think in fairness to the witness, it
2 should be pointed out that the notes that Mr. Engelmann is
3 showing him right now that were contained in the yellow
4 binder make no reference to Marcel Lalonde.

5 That's perhaps the reason why they didn't
6 make their way into the disclosure package for Marcel
7 Lalonde, and that they weren't transferred to the Cornwall
8 Police Service, who were only dealing with C-8 in respect
9 to the Marcel Lalonde prosecution.

10 **THE COMMISSIONER:** Mr. Engelmann?

11 **MR. ENGELMANN:** That doesn't solve the
12 problem obviously. The problem is the notes weren't
13 disclosed and it led to the unfortunate issue that it did.

14 Certainly Mr. Lalonde's name is mentioned
15 right in those notes. If one were to look at just the
16 other pages in Exhibit 2801, you can see, for example, on
17 Bates page 443 ---

18 **THE COMMISSIONER:** M'hm?

19 **MR. ENGELMANN:** --- a reference to Marcel
20 Lalonde can you not, on the fourth line?

21 **THE COMMISSIONER:** Well, on the second line
22 there's one.

23 **MR. ENGELMANN:** Oh, I'm sorry, yes.

24 **THE COMMISSIONER:** On the second and fourth
25 line.

1 **MR. ENGELMANN:** In any event, in that same
2 tab in the yellow binder, there's clearly a reference to
3 Marcel Lalonde. I would agree it's not on the same
4 page ---

5 **THE COMMISSIONER:** Yes.

6 **MR. ENGELMANN:** --- but there is a
7 reference, clearly, to Mr. Dunlop having met with or taken
8 a note from C-8. C-8, of course, is someone who's alleged
9 abuse by Marcel Lalonde.

10 **MR. HALL:** Yes.

11 **MR. ENGELMANN:** Right. And the defence
12 counsel very clearly asking for notes from those dates that
13 Perry Dunlop might have regarding C-8?

14 **MR. HALL:** Yes.

15 **MR. ENGELMANN:** Now, is it possible that
16 these notes -- so you're saying these notes would have been
17 included in your case registry because they were given to
18 you by Dunlop in October of '97?

19 **MR. HALL:** Yes.

20 **MR. ENGELMANN:** All right. So it would be a
21 question of reviewing them very thoroughly to have a sense
22 as to whether or not they would be needed to be disclosed
23 in the context of the Marcel Lalonde prosecution?

24 **MR. HALL:** Yes.

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

1 Now, sir, you had dealings with the Crown,
2 Claudette Wilhelm, in early October.

3 Was there any concern expressed by her about
4 not having been provided these materials from Project Truth
5 officers, specifically, Officer Genier?

6 **MR. HALL:** She provided -- she didn't
7 express anything verbally to me, and I don't believe she
8 indicated anything either in the memo of the 5th of October,
9 '99 to me.

10 **MR. ENGELMANN:** Sir, I think that is -- it's
11 a letter from her to you dated October 5th, '99, Exhibit
12 501? It's Document Number 701520.

13 **MR. HALL:** Yes, sir.

14 **MR. ENGELMANN:** The concern that's really
15 being expressed here is a concern of Constable Dunlop
16 meeting with some of the complainants in the Marcel Lalonde
17 prosecution. Is that fair?

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And defence counsel has been
20 bringing this up, and there's a concern on her part --
21 "her" being the prosecutor -- that there might be arguments
22 put forward about contaminating the prosecution of the
23 case?

24 **MR. HALL:** Yes.

25 **MR. ENGELMANN:** And so you're being asked,

1 with a copy of course to a Cornwall City police officer, to
2 ensure that Constable Dunlop is not contacting
3 complainants?

4 MR. HALL: Yes.

5 MR. ENGELMANN: Of course, I think that's
6 something that you and others would have talked to him
7 about before this date?

8 MR. HALL: The question again?

9 MR. ENGELMANN: You and others would have
10 spoken to Constable Dunlop about that before October 5th ---

11 MR. HALL: Yes. About disclosure, yes.

12 MR. ENGELMANN: Not just about disclosure,
13 but trying not to talk to ---

14 MR. HALL: Witnesses?

15 MR. ENGELMANN: --- victims ---

16 MR. HALL: Victims?

17 MR. ENGELMANN: --- or complainants?

18 MR. HALL: Yes.

19 MR. ENGELMANN: And I believe as a result of
20 that letter, and I just want to take you to your notes
21 again, you have a meeting with Staff Sergeant Derochie and
22 Staff Sergeant Carter of the Cornwall Police, and that's on
23 Bates page 262 of your notes? And I'm in Exhibit 2751.
24 The date is October 6th, 1999.

25 MR. HALL: Two-six?

1 **MR. ENGELMANN:** Two-six-two (262).

2 **MR. HALL:** Yes.

3 **MR. ENGELMANN:** And you've got a note that
4 you're meeting with him; you're discussing disclosure
5 issues?

6 **MR. HALL:** 9:30 in the morning?

7 **MR. ENGELMANN:** Yes.

8 **MR. HALL:** "Attended Cornwall Police
9 temporary office. Met with Staff
10 Sergeant Garry Derochie and Staff
11 Sergeant Rick Carter. Discussed
12 Marcel Lalonde case and disclosure
13 issues. Gave Derochie a copy of
14 letter from Wilhelm on Dunlop;
15 received copy of Dunlop's recent
16 disclosure; received 8-page..."

17 Do you want me to go through that?

18 **MR. ENGELMANN:** Well, sir ---

19 **MR. HALL:** It's more disclosure I'm
20 receiving there.

21 **MR. ENGELMANN:** Right. And the conversation
22 though continues and, to summarize, you have a discussion.
23 There's an issue about possible obstruction of justice on
24 the part of Constable Dunlop?

25 **MR. HALL:** I was asked if I had any evidence

1 of obstruct justice ---

2 MR. ENGELMANN: Okay. And you're being
3 asked ---

4 MR. HALL: --- under the *Criminal Code*.

5 MR. ENGELMANN: --- that by the Cornwall
6 Police officers?

7 MR. HALL: Yes, Staff Sergeant Derochie, to
8 be specific.

9 MR. ENGELMANN: And are you also asking
10 if -- are you also asked about whether or not you have any
11 objection to them investigating him?

12 MR. HALL: That's right. I replied no.

13 MR. ENGELMANN: All right. Did you ---

14 MR. HALL: I also indicated Dunlop was not a
15 Project Truth mandate.

16 "Discussed search warrants that they
17 wanted to do at the Dunlop residence
18 for disclosure."

19 MR. ENGELMANN: So whose idea was this to
20 possibly investigate him for attempt obstruct justice? Was
21 that their idea, your idea?

22 MR. HALL: I -- I only conclude it would be
23 their idea because they're asking me if I had any
24 objections.

25 MR. ENGELMANN: Would you have encouraged

1 them to look into that issue?

2 **MR. HALL:** The issue of disclosure?

3 **MR. ENGELMANN:** No, the issue of possible
4 obstruct justice.

5 **MR. HALL:** Not specifically, but I think as
6 I indicated yesterday, Detective Inspector Smith and myself
7 met with Inspector Trew in the summer of '98 and we were
8 specifically asking that they do an investigation on
9 Constable Dunlop. And Inspector Trew went to the Chief and
10 the Chief wanted something in writing and I discussed it
11 with our -- my director in Orillia and a decision was made
12 that we wouldn't put anything in writing because it would
13 be construed as we were doing an investigation on Constable
14 Dunlop.

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

16 Well, during the course of this meeting did
17 you suggest that if they were going to investigate
18 Constable Dunlop they should contact a Crown attorney?

19 **MR. HALL:** Yeah, we -- we had discussed that
20 and I think the reason the Regional Crown attorney from
21 London, Marc Garson, got involved was because of Cornwall
22 Police's enquiries to Jim Stewart.

23 **MR. ENGELMANN:** Okay.

24 Well, I think ---

25 **MR. HALL:** But I ---

1 **MR. ENGELMANN:** Sorry.

2 **MR. HALL:** I found out a bit later -- like,
3 I wasn't part of that at the time. I know Mr. Garson came
4 down to Ottawa. I went to Ottawa and I met with him and
5 Jim Stewart and the whole issue was discussed and it was
6 agreed that I should not get involved in the investigation
7 of Constable Dunlop. And as a matter of fact, on the 28th
8 of October of '99 I directed a memo to Claudette Wilhelm
9 outlining my concerns and the reasons why.

10 **MR. ENGELMANN:** All right.

11 Well, just -- let's just stick with the
12 meeting with the two officers for a minute because Staff
13 Sergeant Derochie has testified about that. And I believe
14 what he indicated to us was that you encouraged them to
15 look into this issue -- this issue of possible attempt to
16 obstruct -- with respect to Constable Dunlop.

17 **MR. HALL:** Well, whether I encouraged them
18 or not, I -- we may have experienced the same problems with
19 some of our cases. We weren't getting disclosure ---

20 **MR. ENGELMANN:** All right

21 **MR. HALL:** --- in my view, of everything he
22 had, or at least I thought he had.

23 **MR. ENGELMANN:** The other thing he told us
24 about this was that you had advised him that Mr. Pelletier
25 had concerns about Mr. -- Constable Dunlop's conduct as

1 well.

2 MR. HALL: Yes.

3 MR. ENGELMANN: And that you advised him of
4 that. Would you have advised the Cornwall City police
5 officers about concerns Mr. Pelletier might have had about
6 Constable Dunlop?

7 MR. HALL: I don't recall specifically
8 unless I have a note on it. I could -- given a few minutes
9 here, I could read, please.

10 MR. ENGELMANN: All right.

11 (SHORT PAUSE/COURTE PAUSE)

12 MR. ENGELMANN: Sir, I don't see it in ---

13 MR. HALL: Top of the page of Bates 263. I
14 suggested that if they were going to do -- invest on Dunlop
15 to contact the Crown attorney ---

16 MR. ENGELMANN: Right.

17 MR. HALL: --- and a person who would be
18 possibly a -- that stands for *Police Service Act* charges.
19 "Discussed various efforts to obtain disclosure from
20 Dunlop." We talked about another -- that's a different --
21 a different person than the one we previously talked about
22 ---

23 MR. ENGELMANN: No ---

24 MR. HALL: --- same name, but ---

25 MR. ENGELMANN: --- yeah, it's not in your

1 notes, sir. It is in Staff Sergeant Derochie's notes of
2 your meeting, though. We could go there if we need to, but
3 you don't -- do you recall advising them that, in your
4 view, Mr. Pelletier had concerns about Dunlop's conduct?

5 MR. HALL: I don't have a recollection
6 today, but if Mr. -- Staff Sergeant Derochie has it in his
7 notes, I wouldn't disagree.

8 MR. ENGELMANN: All right.

9 And, sir, do you reference a search warrant
10 here, as well, as a possibility.

11 MR. HALL: It was discussed -- I have notes;
12 I don't know if it was exactly that day or another day.

13 MR. ENGELMANN: All right.

14 MR. HALL: If I just have a chance to check.

15 MR. ENGELMANN: Noted discussion of a search
16 warrant the CPS perhaps wanted to do at Dunlop's residence
17 on disclosure issues. That was something you might have
18 spoken about as well?

19 MR. HALL: They asked me my opinion about
20 doing a search warrant and I advised them, due to my
21 dealings with Mr. Dunlop, he had told me that most of his
22 material was at his lawyer's office at Newmarket.

23 MR. ENGELMANN: All right.

24 MR. HALL: I also, on one occasion -- when I
25 went to his residence he came from a house adjacent with a

1 banker's box under his arm and it became quite apparent to
2 me that he wasn't keeping his files in his house.

3 MR. ENGELMANN: You told us that earlier.

4 MR. HALL: So -- well ---

5 MR. ENGELMANN: Yeah, that they were in more
6 than ---

7 MR. HALL: You're asking ---

8 MR. ENGELMANN: --- one place.

9 MR. HALL: --- me again then.

10 MR. ENGELMANN: No, the reason why you
11 didn't want to go with the search warrant or the reason you
12 gave them that advice was it may not all be in the same
13 place; right?

14 MR. HALL: Well, I don't think they had
15 reasonable and probable grounds to obtain a search warrant
16 in the first place because you have to have a reason to
17 believe the things are there now that you're searching for.

18 MR. ENGELMANN: Right. Okay.

19 And, sir, would you have made it clear to
20 the Cornwall City police officers that you would not be
21 investigating Constable Dunlop because it wasn't within
22 your mandate -- Project Truth's mandate?

23 MR. HALL: Oh, yes. They were quite aware
24 of that.

25 MR. ENGELMANN: And, sir, would it be fair

1 to say you'd be hesitant to become involved in
2 investigating him, given what you were already tasked with
3 investigating?

4 **MR. HALL:** I had already been instructed not
5 to become involved, so there was no way, shape or form I
6 was going to.

7 **MR. ENGELMANN:** Right.

8 Madam Clerk, if you could pull up Document
9 Number 701261 and 701262.

10 Mr. Commissioner, 701261 is a fax cover
11 sheet dated October 6th, 1999 from Pat Hall to Detective
12 Superintendent Edgar and it attaches a two-page handwritten
13 note which is undated, so I'm wondering if these could go
14 together or if one could be an "A" of the other.

15 **THE COMMISSIONER:** Sure.

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **THE COMMISSIONER:** Thank you. Exhibit 2817
18 is a fax cover sheet, as you've indicated, and 2817A are
19 the handwritten notes from Pat Hall.

20 **--- EXHIBIT NO./PIÈCE NO P-2817:**

21 (701261) - Fax cover sheet from Pat Hall to
22 Detective/Superintendent Edgar re: Project
23 Truth undated

24 **--- EXHIBIT NO./PIÈCE NO P-2817A:**

25 (701262) - Handwritten letter from Pat Hall

1 to Detective/Superintendent Edgar re:
2 Project Truth Recent Developments

3 **MR. ENGELMANN:** This meeting you had with
4 the officers you would have reported on to Superintendent
5 Edgar. Is that correct?

6 **MR. HALL:** I'm just reading here to confirm.

7 (SHORT PAUSE/COURTE PAUSE)

8 **MR. HALL:** Yes.

9 **MR. ENGELMANN:** All right.

10 Sir, you're bringing him up to date a bit on
11 what's happening with the Marcel Lalonde case?

12 **MR. HALL:** Yes, I am.

13 **MR. ENGELMANN:** And on the second page
14 you're talking about some of what you've talked to the
15 Cornwall police about.

16 **MR. HALL:** Yes.

17 **MR. ENGELMANN:** And you're saying fairly
18 clearly, so far as *Police Services Act*, it would be their
19 investigation. "Our mandate is not to investigate Perry
20 Dunlop."

21 **MR. HALL:** Correct.

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

23 And I think you also attached that letter we
24 just looked at, or the memo from Claudette Wilhelm and
25 you're asking:

1 "Do you see any problem with me doing
2 interview with Dunlop as she requests?"

3 This is the interview about not talking to -
4 - to complainants et cetera?

5 MR. HALL: Yes.

6 MR. ENGELMANN: And, sir, were you advised
7 not to do what was requested by Ms. Wilhelm?

8 MR. HALL: Well, at this point I hadn't met
9 with Regional Crown Garson.

10 MR. ENGELMANN: Okay.

11 MR. HALL: So it was after I met with him
12 and the circumstances. He advised me, as well, not to
13 investigate Dunlop.

14 MR. ENGELMANN: All right.

15 Well, in this particular case, though, the
16 witnesses in question were witnesses in what you've said is
17 -- was not a Project Truth prosecution.

18 MR. HALL: Well, I don't think the issue --
19 the witnesses, whether they were Project Truth or not
20 Project Truth, the issue was whether I should investigate
21 Constable Dunlop or not and the answer to that was no.

22 MR. ENGELMANN: Okay.

23 And beyond the investigation, because you've
24 already said that, I'm talking about following up on her
25 letter and having a meeting with him, talking to him about

1 not speaking to those witnesses. Would you agree that that
2 might be more appropriately done by a Cornwall Police
3 Service officer? He was a Cornwall officer at the time.

4 **MR. HALL:** Yes.

5 **MR. ENGELMANN:** And did you receive advice
6 not to do that, sir, to your knowledge?

7 **MR. HALL:** I wasn't to be involved with him
8 other than getting disclosure and -- do you have the memo
9 of the 28th of October '99?

10 **MR. ENGELMANN:** Yes, I'm going to come to
11 it. I'm just still on October 5th and 6th. If I could just
12 have a minute, sir.

13 Just the reference that I was making to the
14 response from Superintendent Edgar, if you look at -- we're
15 in that same notebook, 2751, the very last page, Bates page
16 264. The date is October 7th, '99. Right at the bottom of
17 the page, sir.

18 **MR. HALL:** The bottom of the page:

19 "Call to Detective Superintendent Edgar
20 and Grasman on Project Truth and
21 Lalonde case."

22 **MR. ENGELMANN:** "Memo from Wilhelm..."

23 **MR. HALL:** "...for me to interview Dunlop.
24 Should not do same."

25 **MR. ENGELMANN:** "I should not do same."

1 MR. HALL: Exactly.

2 MR. ENGELMANN: So you received those
3 instructions?

4 MR. HALL: Yes.

5 MR. ENGELMANN: All right. Good.

6 Now, sir, the issue about meeting with Marc
7 Garson, that has to be set up perhaps through the local
8 Crown, if I'm not mistaken?

9 MR. HALL: No, it was set up by the regional
10 Crown.

11 MR. ENGELMANN: Okay. Well, your next note
12 is 2752 -- notebook, Exhibit 2752, and I'm looking at Bates
13 page 272.

14 MR. HALL: Yes.

15 MR. ENGELMANN: Apparently Constable Dupuis
16 is advising you that Murray MacDonald was requesting your
17 attendance at a meeting at the Crown attorney's office in
18 Ottawa, and that a Crown from the London area would be
19 there.

20 MR. HALL: He's merely advising me of the
21 meeting.

22 MR. ENGELMANN: Right.

23 MR. HALL: I had no contact with him setting
24 it up.

25 MR. ENGELMANN: No, well, you're getting

1 advice through Joe Dupuis.

2 MR. HALL: Well, I think the context of that
3 is that Cornwall Police contacted Murray MacDonald, their
4 local Crown attorney, in regards to the Dunlop issue. And
5 the meeting was arranged in Ottawa with Marc Garson and
6 Murray MacDonald was merely getting back to me and telling
7 me about this meeting for me to attend.

8 MR. ENGELMANN: All right.

9 And this is a meeting with the Crown from
10 London, is Marc Garson?

11 MR. HALL: Yes, and ---

12 MR. ENGELMANN: The meeting was arranged for
13 October 13th, as I understand it. And it's my understanding
14 that Staff Sergeant Derochie was supposed to attend this
15 meeting with you?

16 MR. HALL: Yes, he was. If my memory serves
17 me correctly I think he had some other -- there was
18 something came up that he couldn't attend.

19 MR. ENGELMANN: Right. And that's
20 referenced in your notes at Bates page 277:

21 "Phone call advised that Staff Sergeant
22 Derochie can't make meeting."

23 MR. HALL: Yes.

24 MR. ENGELMANN: All right.

25 So did you -- did you then rearrange that

1 meeting or did you go in any event?

2 MR. HALL: I went ahead anyway because it
3 was already set up.

4 MR. ENGELMANN: All right.

5 And you met with Mr. Garson in the afternoon
6 of October 13th, and that's in your notes at Bates page 279.

7 MR. HALL: Yes.

8 MR. ENGELMANN: And was anyone else present
9 at that meeting, sir?

10 MR. HALL: I believe Crown attorney --
11 regional Crown attorney Jim Stewart was -- he at least was
12 there for part of the meeting. I don't ---

13 MR. ENGELMANN: All right.

14 Towards the bottom of the page:

15 "Discussed Perry Dunlop and background
16 of Project Truth. He felt there was
17 some..."

18 I'm not sure what it says.

19 MR. HALL: There was the same concern about
20 Dunlop committing perjury. "There was some concern about
21 Dunlop committing perjury."

22 MR. ENGELMANN: "Conclusions reached:

23 Number one, I am not investigating
24 Perry Dunlop nor do I intend to."

25 MR. HALL: Yes.

1 **MR. ENGELMANN:** "Number two, if an
2 investigation, someone other than
3 Cornwall Police should do it."

4 **MR. HALL:** Yes.

5 **MR. ENGELMANN:** "Number three, it is my
6 opinion that Cornwall Police want
7 Dunlop investigated."

8 **MR. HALL:** Yes. I also discussed the memo I
9 received from Assistant Crown attorney Claudette Wilhelm.

10 **MR. ENGELMANN:** Right.

11 **THE COMMISSIONER:** Could you blow that up a
12 little bit, Madam Clerk? M'hm. Thank you.

13 **MR. ENGELMANN:** It says near the bottom of
14 that page:

15 "He will direct a memo to Jim Stewart
16 on our meeting and attempt to contact
17 [I believe] the Cornwall Police
18 Service..."

19 **MR. HALL:** "Attempt to contact Cornwall
20 Police Service later this week."

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

22 **MR. HALL:** In other words, he's going to get
23 a hold of him later in the week. I think he wanted to meet
24 with Staff Sergeant Derochie as well.

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

1 **MR. HALL:** And he -- the result of that
2 meeting he did generate a memo with his opinions on it and
3 some avenues. I think a judge's order was discussed at one
4 point. I'm not -- I'd have to read the document.

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

6 And you call Staff Sergeant Derochie, I
7 think it's on October 18th, '99 -- bottom of Bates page 281
8 -- and you advise him of essentially what happened at the
9 meeting with Marc Garson.

10 **MR. HALL:** Yeah, I told him I am not
11 investigating Dunlop nor do I intend to. He is trying to
12 arrange a meeting. And that I presume is with Garson.

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

14 **THE COMMISSIONER:** Mr. Engelmann, I'm sorry
15 to interrupt. Could you find a convenient place to stop?
16 I'm not feeling very well this afternoon.

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

18 **THE COMMISSIONER:** Thanks.

19 **MR. ENGELMANN:** I'll just be another minute,
20 if I can, sir.

21 **THE COMMISSIONER:** No, that's fine.

22 **MR. ENGELMANN:** Now, as I understand it, Mr.
23 Garson had suggested you send a memo to Ms. Wilhelm to the
24 effect that if she feels Constable Dunlop should be
25 interviewed another officer should do it.

1 **MR. HALL:** Well, could I see my memo?

2 **MR. ENGELMANN:** And is that -- I understand
3 that's the memo you write on October 28th, 1999. That would
4 be Document Number 702048.

5 I just have two questions on this, if I may.

6 **THE COMMISSIONER:** That's fine. Thank you.

7 **MR. ENGELMANN:** Sir, this is a letter dated
8 October 28th, 1999 from then Detective Inspector Hall to
9 Mrs. Claudette Wilhelm and it's dated October 28th, 1999.
10 There are individuals with monikers so if it could have a
11 stamp.

12 **THE COMMISSIONER:** Exhibit 2818.

13 **--- EXHIBIT NO./PIÈCE NO. P-2818:**

14 (702048) - Letter from Pat Hall to Claudette
15 Wilhelm re: Marcel Lalonde dated 28 Oct 99

16 **MR. ENGELMANN:** Sir, you're replying to her,
17 memo two of October 5th.

18 **MR. HALL:** Yes.

19 **MR. ENGELMANN:** And you're telling her
20 fairly clearly on the second page that:

21 "Project Truth is an independent
22 investigation and does not involve any
23 officers from the Cornwall Police
24 Service. We wish to maintain that
25 independence."

1 MR. HALL: Yes.

2 MR. ENGELMANN: All right.

3 MR. HALL: Yes.

4 MR. ENGELMANN: So making it clear that you
5 don't want to get involved with the witnesses in that case
6 in any way, nor do you want to investigate Constable
7 Dunlop.

8 MR. HALL: That's correct.

9 MR. ENGELMANN: All right.

10 And you end by saying:

11 "It would not be prudent for me as an
12 officer in charge of Project Truth to
13 become involved with Constable Dunlop
14 on matters that are not subject to our
15 investigation."

16 MR. HALL: Correct.

17 MR. ENGELMANN: All right.

18 Anything else you wanted to say about that
19 memo, sir?

20 MR. HALL: It speaks for itself.

21 MR. ENGELMANN: Mr. Commissioner, do you
22 want to end it there?

23 THE COMMISSIONER: Yeah. So tomorrow -- or
24 where are we now with your ---

25 MR. ENGELMANN: I've spoken to counsel ---

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

2 **MR. ENGELMANN:** --- and I've indicated that
3 I believed I could use all of the day tomorrow if I had
4 that time.

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

6 **MR. ENGELMANN:** I indicated to them that we
7 could start as early as 8:30 and go until about 2:30.

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

9 **MR. ENGELMANN:** I also got an estimate of
10 time on cross and the rough estimate was around 13 to 14
11 hours.

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

13 **MR. ENGELMANN:** Having said that, counsel
14 were talking about getting together and talking about
15 ensuring they don't duplicate one another's efforts, and
16 hopeful that some time can be saved there.

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

18 **MR. ENGELMANN:** And it was indicated to me
19 that if I covered more areas perhaps there wouldn't be as
20 much to cover, which has happened before.

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

22 **MR. ENGELMANN:** We do have witnesses that
23 are scheduled for Tuesday, Wednesday and Thursday of next
24 week. Obviously we're in jeopardy for Tuesday. I would
25 propose that I carry on tomorrow, that we don't go past

1 where I end, which should be most of the day in any event,
2 if not the day, and that would give some of my friends who
3 would be starting the cross-examination the weekend to
4 perhaps get together, speak and see if they can't
5 rationalize some of the questions. And with any luck, sir,
6 we would be finished with Mr. Hall's evidence at the end of
7 the day on Tuesday.

8 We have about five and a half hours on
9 Monday and five a half hours on Tuesday, by my count, if we
10 sit 9:00 to 4:30.

11 **THE COMMISSIONER:** Okay.

12 **MR. ENGELMANN:** Does that meet with your
13 approval?

14 **THE COMMISSIONER:** Well, it will have to do.
15 But, yeah, if we can finish by Tuesday then we'll only be a
16 day behind for next week. All right. Thank you. We'll
17 see you at 8:30 tomorrow morning.

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

20 This hearing is adjourned until tomorrow
21 morning at 8:30 a.m.

22 --- Upon adjourning at 4:23 p.m. /

23 L'audience est ajournée à 16h23

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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, CVR-CM