

**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 76

Held at :

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

Monday, December 11, 2006

Tenue à:

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

Lundi, le 11 décembre 2006

Appearances/Comparutions

Mr. Pierre R. Dumais	Commission Counsel
Ms. Louise Mongeon	Registrar
Mr. John E. Callaghan Mr. Mark Crane	Cornwall Police Service Board
Ms. Suzanne Costom	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Leslie McIntosh	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Allan Manson	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. Mark Wallace	Ontario Provincial Police Association
Mrs. Vicki Roy	Mrs. Vicki Roy

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1 --- Upon commencing at 2:03 p.m./

2 L'audience débute à 14h03

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 presiding.

8 Please be seated. Veuillez vous asseoir.

9 **MR. DUMAIS:** Good afternoon, Commissioner.

10 **THE COMMISSIONER:** Good afternoon, sir.

11 **MR. DUMAIS:** Just as a general opening
12 comment on the week, Commissioner, I'll be calling our next
13 witness, Ms. Vicki Roy, who's sitting at her place, that's
14 expected to take the better part of the afternoon.

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

16 **MR. DUMAIS:** Including cross-examination.
17 Tomorrow morning we will be continuing the evidence of
18 Albert Roy who is in cross-examination. We'll start with
19 Mr. Wallace who will complete his cross-examination. Mr.
20 Roy's solicitor, Mr. Morris, will be here in the morning
21 and then Mr. Callaghan for the Cornwall Police Services
22 will continue with his cross-examination. It is expected
23 that that will take the better part of Tuesday. If we
24 finish early with Mr. Roy, we do have another witness, Mr.
25 John MacDonald, who will be present with his counsel as

1 well, ready to go.

2 **THE COMMISSIONER:** Okay.

3 **MR. DUMAIS:** So then I'd like to call my
4 next witness, Ms. Vicki Roy.

5 **THE COMMISSIONER:** Thank you.

6 **VICTORIA ROY, Affirmed/Sous affirmation solennelle:**

7 **THE COMMISSIONER:** Good afternoon, Ms. Roy.

8 **MS. ROY:** Good afternoon.

9 **THE COMMISSIONER:** I'd like to thank you for
10 coming this afternoon. I know that you've been off and on
11 because of circumstances beyond our control, and so I do
12 appreciate you coming this afternoon.

13 **MS. ROY:** Thank you.

14 **THE COMMISSIONER:** If at any time you need a
15 break or you think that there is something that you are not
16 sure of, that's one of the reasons I am here is to help
17 witnesses out to make sure that they can give me the best
18 evidence and the best contribution that they can to this
19 Inquiry. A lot of lawyers are going to be asking you
20 questions. If there is something in the question you don't
21 understand ---

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

23 **THE COMMISSIONER:** --- just say "I don't
24 understand". If you don't remember, you don't remember.
25 Don't be afraid to ask them to repeat questions because

1 sometimes lawyers use words that surprise us sometimes.

2 MS. ROY: Okay.

3 THE COMMISSIONER: All right.

4 Do you have any questions?

5 MS. ROY: No, I am good.

6 THE COMMISSIONER: All right. Thank you.

7 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR MR.
8 DUMAIS:

9 MR. DUMAIS: Good afternoon, Vicki.

10 MS. ROY: Hi.

11 MR. DUMAIS: I understand, Vicki, that you
12 were born and have lived in Cornwall for most of your life.
13 Is that correct?

14 MS. ROY: Yes.

15 MR. DUMAIS: I understand that you are
16 married to Albert Roy who has given evidence before the
17 Inquiry?

18 MS. ROY: Yes.

19 MR. DUMAIS: And I further understand that
20 you were married in 1995, is that correct?

21 MS. ROY: That's right.

22 MR. DUMAIS: Now, Albert has given evidence
23 about when you started seeing him or dating him and that
24 was back in 1994. Now, if ---

25 MS. ROY: In '93 to be precise.

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

2 **THE COMMISSIONER:** And I think we'll take
3 your evidence over his.

4 **MR. DUMAIS:** But there is some issue in
5 December of 1994 as to whether or not you guys were
6 together or not, what's your recollection, at around -- to
7 give you a little more precise date, I am talking about
8 around December 2nd, 1994, the date that he would have given
9 a statement to Constable Sebalj.

10 **MS. ROY:** I was not present.

11 **MR. DUMAIS:** But were you in a common law
12 relationship with Albert at that time? Were you seeing
13 him?

14 **MS. ROY:** Well, we were seeing each other.
15 I was kind of back and forth, so we were kind of, you know,
16 there, not there. A complex relationship.

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

18 So at any -- was there any change in the
19 status during that month of December 1994? You guys
20 started living together or were you living apart?

21 **MS. ROY:** No, we started to live together
22 probably about the second week or so in December.

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

24 When Albert first attended at the Cornwall
25 Police Service to make his statement, how did you find out

1 about that?

2 MS. ROY: Albert had told me that he was
3 going to make a statement.

4 MR. DUMAIS: Do you recall if he told you
5 that prior to him attending or after it had been done?

6 MS. ROY: No, it was after.

7 MR. DUMAIS: All right.

8 And do you recall if it was the same day?
9 Do you recall if it was a few days afterwards?

10 MS. ROY: I can't say for certain.

11 MR. DUMAIS: All right.

12 Albert, as well, gave a statement to a
13 Constable McDonnell on or about the 6th day of December
14 1994. Were you present for that statement?

15 MS. ROY: No, I wasn't.

16 MR. DUMAIS: All right.

17 What was your first involvement that you
18 recall with either Cornwall Police Services or the OPP?

19 MS. ROY: Well, I had met Heidi Sebalj and I
20 had met Officer Zebruck from the OPP. That was ---

21 MR. DUMAIS: Let's stay with Constable
22 Sebalj first. In what context did you meet her?

23 MS. ROY: I think the first time I met her
24 was when we were going to be introduced to Perry. Outside
25 of that, I can't remember.

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

2 Then is it fair to say that it would have
3 been much later after the criminal proceedings were
4 completed?

5 **MS. ROY:** Yes, it was -- I would believe so,
6 yes.

7 **MR. DUMAIS:** So did you ever attend at the
8 Cornwall Police Services office while Albert was to give a
9 statement and you were present? Did that ever happened?

10 **MS. ROY:** No.

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

12 So he was always giving those statements
13 alone. Do you remember attending at the Cornwall Police
14 Service Detachment with him?

15 **MS. ROY:** No.

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

17 You also mentioned that you met with
18 Constable Zebruck; is that correct?

19 **MS. ROY:** Yes.

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

21 What were the circumstances of your meeting?
22 How did that happen?

23 **MS. ROY:** I'm not sure exactly how the whole
24 thing was arranged. I believe it was through Heidi Sebalj.
25 She had -- from me remembering, she had arranged that

1 Officer Zebruck was to pick up my husband and myself and
2 bring us out to where Nelson Barque's residence was to
3 describe it, like where it was and ---

4 MR. DUMAIS: So you think the arrangements
5 had been made with Constable Sebalj?

6 MS. ROY: Yes.

7 MR. DUMAIS: All right.

8 And is this a conversation that you would
9 have had with her or is it a conversation between Albert
10 and Constable Sebalj?

11 MS. ROY: I believe it was through Albert.

12 MR. DUMAIS: All right.

13 Then what's your best recollection as to
14 when this would have happened in terms of time?

15 MS. ROY: I can't say exactly time. I know
16 it was in the winter. The date, I can't remember.

17 MR. DUMAIS: So we are right around
18 Christmastime in December of 1994. So you don't recall
19 whether that would have been before or after Christmas?
20 That doesn't help you?

21 MS. ROY: No, it would have been before
22 Christmas.

23 MR. DUMAIS: All right.

24 And do you recall whether or not, at the
25 time of the meeting, you and Albert were in a common law

1 relationship or had moved in together?

2 MS. ROY: No, at this time we were living
3 together.

4 MR. DUMAIS: You indicated that he would
5 have picked you up at your place of residence.

6 MS. ROY: Yes.

7 MR. DUMAIS: And where would that have been?

8 MS. ROY: We were living at 1102 Captain
9 MacDonald.

10 MR. DUMAIS: Okay. Was that your residence
11 or was that Albert's residence prior to you guys moving in
12 together?

13 MS. ROY: Actually, it was neither. We had
14 decided to move in together at that residence.

15 THE COMMISSIONER: At a new place?

16 MS. ROY: At the new place.

17 MR. DUMAIS: Okay. And you remember that he
18 picked you up there?

19 MS. ROY: Yes.

20 MR. DUMAIS: All right.

21 Does that give you a better understanding of
22 what the date might be, the fact that you had moved in to
23 this new place? Do you remember if it was before or after
24 Christmas?

25 MS. ROY: No, it was before Christmas.

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

2 He picked you up at your place of residence
3 and then tell us what occurred? What happened?

4 **MS. ROY:** Well, Officer Zebruck had picked
5 Albert and I up and he wanted Albert to locate Nelson
6 Barque's residence and describe the house. And as we were
7 driving there, it was just basically, you know, little bit
8 of conversation, nothing major.

9 And then, on the way back, when we were in
10 the car, after Albert had described Nelson Barque's
11 residence and where he lived, Officer Zebruck was having
12 some conversation with Albert in regards to Nelson Barque
13 and Albert laying charges against Nelson Barque.

14 Officer Zebruck became very vulgar towards
15 Albert and, like, I couldn't believe what he was saying and
16 I guess I was kind of flabbergasted that it was coming out
17 of his mouth in regards to the allegations. And he was
18 telling Albert, you know, how is his family going to react,
19 you know, to this and his friends in the community, and
20 basically he was telling Albert, you know, there's nothing
21 wrong with what had happened. And then he was saying that
22 Nelson Barque might commit suicide because of this and,
23 like, it was not a very nice ride home.

24 And when we got home, because Albert and I
25 were both pretty upset and I couldn't -- me, as his wife,

1 couldn't believe the things he was saying to Albert,
2 basically, and I told him. I said ---

3 **THE COMMISSIONER:** You told who now?

4 **MS. ROY:** I was just going to say I told
5 Albert that he couldn't allow Officer Zebruck to say the
6 things he said and not complain about it, that he had to do
7 something about it. So after I kept pressing the issue
8 with Albert, he finally called the OPP detachment to file a
9 claim against Officer Zebruck. And when he did, well, who
10 we spoke with basically said, you know ---

11 **THE COMMISSIONER:** Were you listening in on
12 that?

13 **MS. ROY:** No, no, I ---

14 **THE COMMISSIONER:** Okay. So what you are
15 going to tell me is what Albert told you this guy told him.

16 **MS. ROY:** Right.

17 **THE COMMISSIONER:** Okay.

18 **MS. ROY:** So when Albert got off the phone,
19 he had said that the person that he was talking to was
20 going to take care of the matter and not to worry about it.
21 And we never heard anything after that. So we don't know.

22 **THE COMMISSIONER:** Can I just stop you. Can
23 you just help me out a little bit? I know you told me what
24 you say the officer said. Could you maybe put yourself as
25 if you were Officer Zebruck and tell me what the words were

1 that came out of his mouth, as if you were him talking to
2 Albert? Do you have any memory of those things?

3 MS. ROY: Yes.

4 THE COMMISSIONER: Okay.

5 MS. ROY: Well, he basically ---

6 THE COMMISSIONER: No, no. I basically ---

7 MS. ROY: Oh, you want me to be Officer
8 Zebruck?

9 THE COMMISSIONER: Exactly.

10 MS. ROY: That's kind of hard anyways.

11 THE COMMISSIONER: Albert is sitting in
12 front -- or where is Albert sitting?

13 MS. ROY: We're in the back.

14 THE COMMISSIONER: Both of you in the back?

15 MS. ROY: Yes.

16 THE COMMISSIONER: Okay.

17 MS. ROY: And I said that, "What's wrong
18 with a little bit of ---

19 (SHORT PAUSE/SHORT PAUSE)

20 MS. ROY: First, he was going into the spiel
21 about Nelson Barque might commit suicide like Ken Seguin
22 did because of this and what about his family and his
23 friends and the people in the community? What are they
24 going to think and how are they going to feel? And then he
25 told Albert that, "What was wrong with a little bit of oral

1 sex?" and I couldn't believe it. Like me as his wife, like
2 I said, I was, you know, overwhelmed and I was
3 flabbergasted, you know. This is coming from an officer of
4 the law. And I just -- I didn't want for Albert and for
5 myself, because I had heard what he had said, to go
6 unnoticed.

7 **THE COMMISSIONER:** Okay. Thank you.

8 **MR. DUMAIS:** Now, Vicki, at one point in
9 time, Albert would have met Constable Zebruck with
10 Constable Sebalj and gave a statement.

11 Do you recall whether or not he had given
12 that statement before that day?

13 **MS. ROY:** I can't remember.

14 **MR. DUMAIS:** Do you recall whether or not
15 Albert knew who Constable Zebruck was at that time?

16 **MS. ROY:** I would imagine he did, but I
17 can't say for certain.

18 **MR. DUMAIS:** All right. So Constable
19 Zebruck would have picked you up at your residence, what
20 type of vehicle was he driving; do you remember?

21 **MS. ROY:** Yes. He was in an unmarked car.

22 **MR. DUMAIS:** And time of day, do you recall
23 when that would have been?

24 **MS. ROY:** It was early in the day, probably
25 right after lunch.

1 **MR. DUMAIS:** All right. And do you recall
2 how long the whole ride took, so from the time he picked
3 you up to the time that he dropped you off?

4 **MS. ROY:** Maybe an hour.

5 **MR. DUMAIS:** And what was the issue with the
6 residence of Mr. Barque?

7 **MS. ROY:** Well, they wanted to make sure
8 that Albert knew where he lived, you know, because at the
9 time, they had thought that he didn't know and he knew. So
10 he had to show them where he lived and point out his house
11 and ---

12 **MR. DUMAIS:** We know, Vicki that Constable
13 Zebruck is the officer that actually arrested Nelson Barque
14 and released him on conditions.

15 Do you recall if whether or not Nelson had
16 been charged when you went to identify this house?

17 **MS. ROY:** Well, from my understanding
18 because we were told this, that because Nelson Barque lived
19 out of Cornwall, that it wasn't Cornwall's jurisdiction,
20 that it was actually the OPP's jurisdiction. So they had
21 to make sure that the right officer for that area was to
22 charge him because he lived out of St-Andrews and that's
23 the OPP section.

24 **MR. DUMAIS:** All right. But do you remember
25 when you went to identify that house whether or not Nelson

1 Barque had been charged at that time?

2 MS. ROY: No.

3 MR. DUMAIS: No, you don't remember or no,
4 he had not been charged?

5 MS. ROY: I don't believe he was charged at
6 the time.

7 MR. DUMAIS: All right.

8 MS. ROY: Sorry.

9 MR. DUMAIS: Now, when you got back to your
10 residence, you called the OPP. I mean Albert called the
11 OPP to make a complaint; correct?

12 MS. ROY: Right.

13 MR. DUMAIS: How did you know where to call
14 or where did you call?

15 MS. ROY: We called the Long Sault OPP
16 because Officer Zebruck was working for the Long Sault OPP.

17 MR. DUMAIS: Okay. And you guys knew that
18 at that time?

19 MS. ROY: I did, yes.

20 MR. DUMAIS: Okay. How did you know that?

21 MS. ROY: Because he had said that he had
22 worked for the Long Sault OPP.

23 MR. DUMAIS: Okay. Now, after Albert hung
24 up with whomever he was speaking to on that day, were you
25 guys expecting any follow-up or did you consider the matter

1 closed?

2 **MS. ROY:** No. We were hoping somebody was
3 going to call us back to say, you know, what was done or
4 not done, you know. It was left in the air.

5 **MR. DUMAIS:** Right. Did you have any other
6 dealings with Constable Zebruck from that time until the
7 matter was concluded at the sentence hearing?

8 **MS. ROY:** No.

9 **MR. DUMAIS:** All right. So no other
10 meetings, no other communications, no telephone calls?

11 **MS. ROY:** None.

12 **MR. DUMAIS:** What about at the court
13 appearances, was Constable Zebruck present in the
14 courtroom?

15 **MS. ROY:** No.

16 **MR. DUMAIS:** Was he present at the sentence
17 hearing?

18 **MS. ROY:** No.

19 **MR. DUMAIS:** I know that at one point in
20 time, a pre-sentence report was prepared by Albert and that
21 -- do you recall whether or not Constable Zebruck would
22 have dropped off a form or met with Albert?

23 **THE COMMISSIONER:** You say pre-sentence
24 report; it might be a victim witness ---

25 **MR. DUMAIS:** Sorry, a Victim Impact

1 Statement. Thank you, Commissioner.

2 MS. ROY: I don't remember.

3 MR. DUMAIS: Okay. So you don't -- do you
4 recall whether or not Constable Zebruck would have given
5 you a form that day, this Victim Impact Statement form to
6 fill out?

7 MS. ROY: No, he didn't.

8 MR. DUMAIS: All right.

9 MS. ROY: He didn't seem too concerned of
10 what was going on. He was more concerned about what was
11 going to happen to Nelson and his family and his friends,
12 and from the way he was talking, it was like he had no
13 empathy for Albert at all.

14 MR. DUMAIS: All right. And that was made
15 clear to the person that Albert was speaking to at the OPP
16 Detachment?

17 MS. ROY: Oh, very much so.

18 MR. DUMAIS: All right. Were you -- did he
19 have this telephone conversation in private or were you
20 present when that occurred?

21 MS. ROY: No, I was in the room.

22 MR. DUMAIS: All right. Now, did you have
23 any other dealings with any other officers involved in the
24 -- either the investigation or the prosecution of this
25 case, Albert's case?

1 **MS. ROY:** We've had a few.

2 **MR. DUMAIS:** Prior to the sentencing, the
3 plea in the sentencing?

4 **MS. ROY:** I can't remember if it was before
5 or after but there was an officer that came to our home and
6 he was from Project Truth.

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

8 **MS. ROY:** He came to the house and I can't
9 remember where he worked out of. I knew he was from
10 Project Truth but I can't remember if it was here or Long
11 Sault or -- but anyway, his name is Séguin, Steve Séguin,
12 and he came to the house and he was talking with Albert and
13 he kept asking Albert, you know, about this Mark other kid
14 anyways. And Albert said that there was something wrong
15 with the statement that he had given and he wanted to have
16 it changed. And Steve had told him that he couldn't have
17 it changed because he would have to go and see a judge and
18 have it changed and it was a whole bunch of hassle and
19 everything. And Albert said, "Well, I wanted it, you know,
20 fixed", and he wouldn't do it.

21 Outside of that, he just -- he was only
22 there like a few minutes and wouldn't even actually come
23 into the house. He stood in the staircase.

24 **MR. DUMAIS:** All right. And he took a
25 statement from Albert on that day?

1 **MS. ROY:** He made us sign one.

2 **MR. DUMAIS:** All right. And did attend your
3 residence alone or was there another officer with him?

4 **MS. ROY:** No, it was just him that I
5 remember.

6 **MR. DUMAIS:** Okay. And this would have
7 happened after Mr. Barque had been -- had pled guilty and
8 had been sentenced. So this is something that happened
9 afterwards; is that ---

10 **MS. ROY:** Yes.

11 **MR. DUMAIS:** All right. Now, just getting
12 back to the court proceedings, did you attend at any of the
13 court appearances?

14 **MS. ROY:** Yes, I went to the sentencing of
15 Nelson Barque.

16 **MR. DUMAIS:** All right. So you were present
17 when Albert testified?

18 **MS. ROY:** Yes, I was.

19 **MR. DUMAIS:** And was that the only time that
20 you appeared in court with Albert?

21 **MS. ROY:** For Nelson Barque's, yes.

22 **MR. DUMAIS:** All right. So there is just
23 this one appearance?

24 **MS. ROY:** Right.

25 **MR. DUMAIS:** All right. And did you have

1 any dealings with the Crown Attorney's office before
2 attending court?

3 MS. ROY: You mean Guy Simard?

4 MR. DUMAIS: Yes.

5 MS. ROY: Yes.

6 MR. DUMAIS: And ---

7 MS. ROY: We went to see Guy Simard before
8 Nelson was sentenced.

9 MR. DUMAIS: So you were present for that
10 meeting as well?

11 MS. ROY: Yes.

12 MR. DUMAIS: All right. So what was the
13 discussion or what did you guys meet about?

14 MS. ROY: It was as to what was going to
15 happen to Nelson in court. Guy Simard had told us that
16 Nelson was going to get a short period of time in jail and
17 while he was in jail that because of the circumstances that
18 he might get beat up. We were kind of upset about that but
19 we have no control over what's going to happen.

20 So there was nothing much we could do and he
21 had also told Albert that -- or Guy Simard had told Albert
22 that if he felt that he wanted to get up in the court and
23 give a Verbal Impact Statement that he could. And that's
24 basically what the gist of the conversation was.

25 MR. DUMAIS: All right. Do you recall if at

1 that time it had already been decided that Mr. Barque had
2 or would be pleading guilty?

3 MS. ROY: Yes.

4 MR. DUMAIS: Is it fair to say that that
5 meeting was shortly before your court attendance?

6 MS. ROY: Yes, it was.

7 MR. DUMAIS: And do you recall any
8 discussion with the Assistant Crown Attorney or the Crown
9 Attorney and Mr. Simard as to what sentence he would be
10 recommending that the judge impose?

11 MS. ROY: Yes. When we had talked to Guy
12 Simard, he had said that basically he would get, you know,
13 a term in jail. I can't remember exactly if it was two
14 years less a day or whatever you call it, I don't know.
15 But he was going to say that because we wanted him to make
16 sure that he wasn't around other children and minors that
17 he wasn't to associate in any activities or anything with
18 other children that were under the age of 16. So that was
19 one of his recommendations when we had went to court.

20 MR. DUMAIS: So you were happy with that
21 recommendation? That was something that concerned both you
22 and Albert?

23 MS. ROY: Yes, it did, you know, because I
24 mean Albert had a long time to deal with the sexual abuse
25 and it was kind of like a life sentence in a way for

1 Albert. With other children, we wanted to make sure that
2 they didn't have to go through anything that Albert had
3 gone through, which was very hard for Albert. So we wanted
4 to make sure other kids were protected.

5 **MR. DUMAIS:** Okay. Now, when you did attend
6 the court for the sentencing, who would have been present
7 in the courtroom?

8 **MS. ROY:** In the courtroom it was the judge.
9 I thought his name was Roy. I don't know why, but it was
10 Judge Renaud and it was the lady that types notes and there
11 was Guy Simard and Don Johnson and there was also a court
12 officer that went out to get Nelson Barque and bring him
13 into the box and then other people from the community and
14 Albert and I.

15 **MR. DUMAIS:** And there's no one there that
16 played the role of a witness assistance type of person or -
17 --

18 **MS. ROY:** No.

19 **MR. DUMAIS:** --- or ---

20 **MS. ROY:** There was nobody there. It was
21 just Albert and I basically through the whole thing.

22 **MR. DUMAIS:** Now, I understand, Vicki, that
23 following the plea and the sentence hearing, that you had a
24 number of dealings with different officials around town and
25 you wrote a number of letters on different dates and you

1 did, as well, attend different offices of the ministries.
2 Perhaps you can just explain to us what you did and with
3 whom and what information you were trying to obtain from
4 them?

5 MS. ROY: Well, I wrote a couple of letters.
6 I wrote one to Premier Harris and I wrote one to Bob Kilger
7 and the Mayor Sylvester and Clairry. Basically, I wanted
8 them to do something, you know, to help other victims and
9 to look into what was going on in the community, because at
10 the time, Guzzo, which is from Ottawa, I believe, he was
11 trying to have it so that he could have a public inquiry.
12 And I couldn't understand why everybody was stomping on him
13 because he wanted to have this brought forward.

14 So I wrote a letter to Premier Harris
15 because he's head of government and everything and I
16 figured that he would be able to assist or intervene or
17 something as to the public inquiry and the sex scandal that
18 was going on in the papers and everything and, you know, to
19 protect victims. You know, basically, I just wanted them
20 to do something because it just seemed nobody was doing
21 anything and they were all ignorant to it.

22 So to me, because I'm a victim's wife, like
23 I thought it was important because there was nothing going
24 on. Everything was kind of just up in the air and I felt
25 that something needed to be done.

1 So when I wrote the letter I got a response
2 back from Premier Harris and I was surprised because when
3 he sent the letter back to me, he basically said that it
4 wasn't his place to get involved, you know.

5 And then when I had talked to Bob Kilger, he
6 had told me that he thought it would be best that I left it
7 in Clairry's hands because he knew more as to what to do
8 than what he did, and he also thought that it would be a
9 good idea to kind of leave it in the court system even
10 though he thought that the court system was long and wasn't
11 all that great.

12 When I spoke with Clairry, Clairry had made
13 sure that my letter had got to Premier Harris and that I
14 had got some kind of response back, but I mean, nobody
15 really wanted to do anything.

16 And when I tried to get a hold of Mayor
17 Sylvester, he totally avoided me. He wouldn't return my
18 phone calls. He wouldn't send me a letter. When I had
19 called there and I spoke with his secretary, his secretary
20 said, "Well, what do you want him to do with the letter?"
21 And I said, "Well, he's the mayor of the city. You know,
22 he should be doing something and not ignoring what's going
23 on in the community." She said, "Well, he's overly busy."
24 She says, "He hasn't got time for this." And I'm thinking,
25 well, he's part of the community. He's the mayor.

1 Somebody should do something.

2 The bottom line is nobody did anything. I
3 was mad because I couldn't believe -- you know, like, these
4 guys are Members of Parliament. Premier Harris is head of
5 Parliament. He looks after, you know, like seatbelt laws
6 and, you know, alcohol -- changing the age on alcohol, you
7 know, all kinds of other things. Well, if he can do that,
8 then how come he couldn't do anything when it came to the
9 abuse cases going on in Cornwall?

10 **MR. DUMAIS:** You mentioned, Vicki, the name
11 Clairry. Who was that?

12 **MS. ROY:** He's MPP.

13 **MR. DUMAIS:** So he was the MPP for ---

14 **MS. ROY:** Cornwall.

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

16 Now, I understand as well that some of these
17 -- actually, your letter -- and I'm just referring you to -
18 - Madam Clerk, that's Doc. Number 732245, Bates page number
19 7125158.

20 **THE COMMISSIONER:** You might want to move
21 the microphone.

22 **MS. ROY:** To move it?

23 **THE COMMISSIONER:** Towards you, yes. There
24 you go.

25 **MS. ROY:** Okay. Is that better?

1 **THE COMMISSIONER:** Yes.

2 **MR. DUMAIS:** It's 7125158.

3 **THE COMMISSIONER:** Is this an exhibit now?

4 **MR. DUMAIS:** I believe it was filed as an
5 exhibit with Mr. Roy, actually, Commissioner.

6 **THE REGISTRAR:** What is the document number?

7 **MR. DUMAIS:** Doc. Number 732245.

8 **THE REGISTRAR:** It's Exhibit 119.

9 **MR. DUMAIS:** If you could just have a look
10 at Exhibit 119.

11 **THE COMMISSIONER:** The screen is not on.

12 **MR. DUMAIS:** Now, is this the letter that
13 you wrote to Mr. Harris?

14 **MS. ROY:** Yes.

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

16 Word for word?

17 **MS. ROY:** Word for word.

18 **MR. DUMAIS:** Okay. And was a letter sent --
19 and that appears to have been published on April --
20 actually, perhaps I can ask you the question. There's a
21 date there, April 22nd, 1999. Do you know if that's the
22 date that it was published or the date that you wrote the
23 letter?

24 **MS. ROY:** I believe that's the day I wrote
25 the letter.

1 **MR. DUMAIS:** Okay.

2 **MS. ROY:** Can I check? I have it.

3 **MR. DUMAIS:** You have the letter with you?

4 **MS. ROY:** Yes.

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

6 **MS. ROY:** No, I don't have the date on it,
7 but I believe that's around the time that I wrote it.

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

9 And did you send the -- where did you send
10 the letter to be published, Vicki?

11 **MS. ROY:** To the Standard Freeholder.

12 **MR. DUMAIS:** Okay. And you sent that at the
13 same time that was sent to Mr. Harris' office or later?

14 **MS. ROY:** It would have been about the same
15 timeframe, because I had brought a copy of it to Mayor
16 Sylvester and to Mr. Clairry and to the Standard Freeholder.

17 **MR. DUMAIS:** Was the letter published prior
18 to you receiving a response?

19 **MS. ROY:** Yes.

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

21 Now, there's another media clipping that I
22 understand you wanted to comment on, Vicki, and that's the
23 Doc. Number 721005, Bates page number 7074959. I believe
24 that was filed as an exhibit as well.

25 **THE REGISTRAR:** Exhibit 118.

1 **MR. DUMAIS:** That's the correct -- it's the
2 top article on that page. So it has a caption under the
3 bigger caption, "Community in Shock". It says "Sex Scandal
4 - Another Black Eye for the City" with different comments
5 either by Brian Sylvester, Richard Allaire, MP Bob Kilger
6 and MPP John Clairry.

7 **MS. ROY:** Right.

8 **MR. DUMAIS:** Did you do anything after that
9 article was published? And the day of publication appears
10 to be July 11th, 1998.

11 **MS. ROY:** We had spoke with John Clairry and
12 Bob Kilger, but we could never get a hold of Mayor
13 Sylvester. They basically apologized for the comments that
14 were put in the paper. They thought it was insensitive and
15 they shouldn't have made the comments that they had made.
16 They understood, from having conversations with Albert,
17 both on the phone and in person when we went to Clairry's
18 office, and he said the victims are number one, that the
19 things that were said in the article, to them, it was
20 something they shouldn't have said because it sets the
21 victims back because of it, but basically nothing else was
22 done or said.

23 Clairry had said that there was going to be a
24 bill coming out in front of Parliament later on during the
25 year for victims' rights, but outside of that, nothing else

1 was done.

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

3 I understand that following the criminal
4 proceedings, there was a civil proceeding that you were a
5 part of; is that correct?

6 **MS. ROY:** Yes.

7 **MR. DUMAIS:** Tell me how that came about? I
8 believe you had retained at that time Mr. John Morris as
9 counsel; is that correct?

10 **MS. ROY:** Yes.

11 **MR. DUMAIS:** And how did that come about,
12 your retaining Mr. Morris?

13 **MS. ROY:** Well, Albert and I had
14 conversations about obtaining a lawyer and when we had met
15 with Perry Dunlop, he said that he knew a good lawyer and
16 that he would introduce Albert and myself to him so we
17 could try and get him as a lawyer. So later, I can't
18 remember exactly when it was, we went to a meeting at --
19 well, it's the Ramada Inn now, but at the time it was the
20 Holiday Inn, and we met John Morris, who was a lawyer,
21 through Perry Dunlop. That's how we obtained him as a
22 lawyer.

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

24 And how did that come about, the setting up
25 of that meeting? Did you guys have to make a call to Mr.

1 Morris' office or did someone else take care of that?

2 MS. ROY: No, that was Perry Dunlop.

3 MR. DUMAIS: Okay. So he's the one that had
4 set up the meeting?

5 MS. ROY: Yes.

6 MR. DUMAIS: And I understand that at that
7 meeting there were a number of other victims that were
8 seeking to retain counsel as well; is that correct?

9 MS. ROY: Yes, there was.

10 MR. DUMAIS: And were you guys made aware of
11 that fact prior to attending at the meeting?

12 MS. ROY: I knew that there was going to be
13 John Morris and Perry Dunlop and Albert and I there, but
14 myself, I don't remember if we were told by anybody if
15 there was going to be other victims there. I believe we
16 were told, but I can't say for certain.

17 MR. DUMAIS: All right.

18 And do you recall what other victims were
19 present there or what other potential clients for Mr.
20 Morris?

21 MS. ROY: Do I know if they obtained him as
22 a lawyer?

23 MR. DUMAIS: No. Do you know who else was
24 there?

25 MS. ROY: All I know is that there were

1 other male victims, but to put a face to a name or a name
2 to a face, I can't tell you like who they were. I just
3 know that there were like other male victims there.

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

5 What was the information that was provided
6 to you by Mr. Morris or what was the discussion about
7 during that meeting?

8 **MS. ROY:** It was just basically on how to
9 obtain him as a lawyer. Outside of that, I mean, it wasn't
10 really anything. It was just, you know, who had what as
11 far as case-wise to bring to him to obtain -- you know, to
12 be a lawyer.

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

14 Do you recall how long the meeting would
15 have lasted?

16 **MS. ROY:** Maybe about an hour.

17 **MR. DUMAIS:** And what happened after the
18 meeting? Did you end up retaining Mr. Morris?

19 **MS. ROY:** Yes.

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

21 And were there any discussions during that
22 meeting about some sort of joint lawsuit between the
23 different victims that were there?

24 **MS. ROY:** No.

25 **MR. DUMAIS:** And you ended up filing a

1 Statement of Claim with both you and Albert as plaintiffs;
2 is that correct?

3 MS. ROY: Sorry, could you repeat that?

4 MR. DUMAIS: You ended up suing and the only
5 two people that were suing were you and Albert?

6 MS. ROY: Right.

7 MR. DUMAIS: All right.

8 Now, any other dealings either prior or
9 after this meeting with Perry Dunlop -- Constable Dunlop?

10 MS. ROY: Did we have any other meetings or
11 ---

12 MR. DUMAIS: Yes.

13 MS. ROY: I think we had one other meeting
14 and that was when we went to Perry Dunlop's home and that
15 was with the Fifth Estate, I believe, and it was kind of
16 weird because when we went, Albert was like, "Oh, I'm
17 finally going to get to tell Perry Dunlop, you know, that
18 he's doing a good job, not to worry, you know, about
19 anything". And you know, he just kind of chuckled because
20 he says, "He is the first officer that gave me a ticket".

21 Anyway, so we had went there and we had got
22 to see Perry Dunlop and his wife, and they did an
23 interview. It was -- the Fifth Estate did an interview on
24 Perry Dunlop and all the stuff that was going on, I guess
25 or, you know, how it was affecting him or whatever. I

1 don't even know.

2 But anyways, that was basically, you know,
3 when we went to see him.

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

5 So they were filming right in his home?

6 **MS. ROY:** Right.

7 **MR. DUMAIS:** And who had set up that
8 interview or was that done by the people from the Fifth
9 Estate or was that done by Perry Dunlop?

10 **THE COMMISSIONER:** To have you come over?

11 **MS. ROY:** Pardon me?

12 **THE COMMISSIONER:** To have you come over to
13 his house, who had set that up?

14 **MS. ROY:** Oh, no, sorry. I'm almost certain
15 it was the Fifth Estate because we had wanted to go and see
16 him, you know, so Albert could tell him, you know, that he
17 was doing a good job and, you know, he had nothing to worry
18 about, kind of thing and, you know, he didn't want him to
19 feel bad for what he did. So yes, I believe it was the
20 Fifth Estate.

21 **MR. DUMAIS:** Right.

22 Other than those two meetings with Mr.
23 Dunlop, any other meetings with him?

24 **MS. ROY:** No.

25 **MR. DUMAIS:** Did you have any other

1 conversations with him yourself?

2 **MS. ROY:** No.

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

4 What about a gentleman by the name of Carson
5 Chisholm?

6 **MS. ROY:** Well, I've had a few conversations
7 with Carson Chisholm.

8 **MR. DUMAIS:** During that period of time?

9 **MS. ROY:** Yes.

10 **MR. DUMAIS:** Okay. Well, I mean, tell us
11 about those ---

12 **THE COMMISSIONER:** We want to know all of
13 them, but go ahead.

14 **MS. ROY:** You don't want to or you want?

15 **THE COMMISSIONER:** No, no, I just want to
16 know about all of them.

17 **MS. ROY:** I was working at a gas bar and all
18 of this stuff was going on about other people coming
19 forward to have lawsuits or whatever, anyways, and Carson
20 Chisholm had come to see me at my place of work.

21 **THE COMMISSIONER:** Can you give me some idea
22 of the year or month? Before or after the charges with Mr.
23 Barque had been finished?

24 **MS. ROY:** I believe it was before.

25 **THE COMMISSIONER:** Okay.

1 **MS. ROY:** Yes, it was before.

2 **THE COMMISSIONER:** Okay.

3 **MS. ROY:** Anyway, so Carson Chisholm had
4 come into my place of work and he basically, you know --
5 like at a gas bar, I mean, you know, people are running in
6 and out all the time and, you know, because I was the
7 cashier looking after the store, I had to keep an eye on
8 everything and Carson was in the store rambling on names
9 and, you know, like trying to get Albert, you know, that he
10 wanted to get a hold of Albert and he wanted Albert to jump
11 on some kind of bandwagon with other victims and what not.
12 And I told Carson, you know, "Like this is my place of
13 work. I don't care to hear it. I don't want to know."
14 And I said, "As far as Albert is concerned", I said, "He's
15 going to do what he wants and what is right".

16 So I said, "You know, you don't have to
17 keep, you know, coming and calling and, you know, babbling
18 on".

19 **THE COMMISSIONER:** Excuse me, could we take
20 a short break? I'm going to have to take a short break.
21 Thank you.

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

24 The hearing will resume at 10 after 3:00.

25 --- Upon recessing at 2:58 p.m./

1 L'audience est suspendue à 14h58

2 --- Upon resuming at 3:39 p.m./

3 L'audience est reprise à 15h39

4 **THE REGISTRAR:** This hearing of the Cornwall
5 Public Inquiry is now in session. Please be seated.
6 Veuillez vous asseoir.

7 **VICTORIA ROY, Resumed/Sous affirmation solennelle:**

8 **THE COMMISSIONER:** I apologize for the long
9 break. I have this little cough here that seems to take my
10 wind away every once in a while.

11 **MS. ROY:** That's okay.

12 **THE COMMISSIONER:** And I don't have lozenges
13 for everyone. So ---

14 **(LAUGHTER/RIRES)**

15 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR MR.**
16 **DUMAIS, (cont'd/suite):**

17 **MR. DUMAIS:** So, Vicki, just before we took
18 the break, you were finishing discussing a meeting that you
19 had with Carson Chisholm at your place of employment. Was
20 there anything else to say about that or had you completed
21 ---

22 **MS. ROY:** Well, it was just like I said.
23 Basically, you know, he'd come in, you know, and try and
24 get me either to get to Albert about conversations that he
25 wanted me to tell Albert or, you know, and then he'd just,

1 you know, show up there like ---

2 **THE COMMISSIONER:** More than once?

3 **MS. ROY:** Well, he had showed up at my place
4 of work before Nelson Barque was charged and then he had
5 showed up after that when we had obtained John as a lawyer.
6 And then, you know, he had called the house a couple of
7 times and then when we were here, he was outside and trying
8 to have a conversation with me here.

9 **THE COMMISSIONER:** I'm sorry; "here", you
10 mean?

11 **MS. ROY:** Here.

12 **THE COMMISSIONER:** At the Inquiry?

13 **MS. ROY:** Yes.

14 **THE COMMISSIONER:** You might want to canvass
15 that, Mr. Dumais?

16 **MR. DUMAIS:** And what was the gist of that
17 conversation?

18 **MS. ROY:** Well, he was outside and I was
19 outside having a cigarette and I happened to notice him,
20 and I went over to say "Hi" because I wanted to see how
21 Perry Dunlop and his family were doing where they live.
22 And right away, you know, like he started in about Perry
23 was having a hard time out there because they were still
24 trying to put screws to him, kind of thing, and then he
25 wanted me to convey a message to Albert. And then after

1 that, I just kind of had to come back in.

2 MR. DUMAIS: What was that message, Vicki?

3 MS. ROY: He said that he wanted Albert to
4 say that it was Perry that helped him get the lawyer John
5 Morris and that Albert sitting up here, he was like a lamb
6 and all the lawyers were like a pack of wolves ready to eat
7 him up, and then I had to come in.

8 MR. DUMAIS: All right.

9 Any other dealings throughout the years with
10 Mr. Chisholm, Vicki?

11 MS. ROY: Not that I can remember. I mean,
12 I have known him prior to all of this, but ---

13 MR. DUMAIS: So you knew him before the
14 allegation came out?

15 MS. ROY: Yes.

16 MR. DUMAIS: All right.

17 Now, was he part of that meeting with John
18 Morris at the Holiday/Ramada Inn?

19 MS. ROY: No.

20 MR. DUMAIS: So he's not there. Was he a
21 party in organizing that? Did he have anything to do with
22 that?

23 MS. ROY: No that I'm aware of, no.

24 MR. DUMAIS: Any other related dealings,
25 Vicki? So we've spoken about your involvement or your

1 conversations with Perry Dunlop, your involvement and your
2 conversations with Carson Chisholm. Any other dealings
3 with any other victims or any other witnesses relevant?

4 **MS. ROY:** No. Does that count Albert?

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

6 **(LAUGHTER/RIRES)**

7 **MS. ROY:** Or maybe you could re-say that
8 question again?

9 **MR. DUMAIS:** Did you have any other
10 dealings, any other people coming to you asking you
11 questions or giving you advice as to the evidence you're
12 about to give?

13 **MS. ROY:** Nobody actually called me directly
14 to talk to me about testimony or anything. They just
15 wanted to know how Albert was doing.

16 And there was a gentleman that had called
17 the house the other evening. Well, it was pretty late. It
18 was about twenty to twelve at night and he wanted to talk
19 to Albert and I believe he is a victim going through
20 whatever case or cases or whatever.

21 Anyways, he had called and he talked to
22 Albert and it wasn't a very good conversation. Albert got
23 off the phone and he was rather upset about it that he had
24 called him. But before he had talked to Albert, he had
25 talked to me asking how Albert was doing, you know, and if

1 Albert was going back here.

2 Do you want his name?

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

4 **MS. ROY:** His name is Steve Parisien.

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

6 **MR. DUMAIS:** You had a conversation with
7 this gentleman as well?

8 **MS. ROY:** Yes.

9 **MR. DUMAIS:** Prior to this conversation with
10 Albert last Wednesday?

11 **MS. ROY:** No, well he was outside and he
12 just told me who he was, here, the last time we were here.
13 I can't remember the date. Anyways, he told me who he was,
14 that he was my girlfriend's landlord and I didn't know him
15 from Adam to Eve.

16 Then he had called our house. Like after
17 that, I didn't have a conversation or anything with him,
18 and then he had called the house. And then he started
19 asking, you know, how Albert was doing and, you know, if he
20 had woke us or anything and I said "No". I said, "We were
21 already up" and he said, well, he wanted to talk to Albert.
22 So he spoke with Albert and Albert had got off the phone
23 and he was just really upset.

24 **MR. DUMAIS:** Do you know what got him upset?

25 **MS. ROY:** Albert told me that he had told

1 him that he had to have memory loss.

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

3 **MS. ROY:** Steve Parisien when he was having
4 the conversation with Albert had told Albert that when he
5 got up here to testify that he basically had to have memory
6 loss.

7 **THE COMMISSIONER:** About facts?

8 **MS. ROY:** Facts, Perry Dunlop, whatever.
9 And Albert said, "I just tell it like it is".

10 **THE COMMISSIONER:** All right.

11 **MS. ROY:** So -- and after that there was no
12 other comment or phone call or -- with me anyways.

13 **MR. DUMAIS:** You do as well, Vicki, tell it
14 like it is?

15 **MS. ROY:** Pardon me?

16 **MR. DUMAIS:** You do as well tell it like it
17 is?

18 **MS. ROY:** Yes.

19 **THE COMMISSIONER:** So more importantly now,
20 how was Albert after that conversation? Did he calm down?

21 **MS. ROY:** No, he was actually insulted and
22 he was mad because, you know, he said he's never lied any
23 other time or, you know, tried to fabricate anything or
24 what not. So why should he start? And, you know, he said
25 he wasn't about to have memory lapse or anything. So ---

1 **THE COMMISSIONER:** Okay. Well, we'll hear
2 from him tomorrow about that I guess. All right.

3 **MR. DUMAIS:** Any other dealings, Vicki,
4 other than those three that you've mentioned?

5 **MS. ROY:** I don't believe so.

6 **MR. DUMAIS:** All right. Now, you've
7 essentially been dealing with these allegations, criminal
8 proceedings, civil proceedings, and now inquiry proceedings
9 since 1994.

10 Perhaps if I can just ask you, in general,
11 how that has affected you and Albert and whether you have
12 any recommendations for the Commissioner to consider?

13 **MS. ROY:** All right. Well, it's been a very
14 long haul and it hasn't been easy and Albert and I and our
15 children have basically been on a rollercoaster.

16 The problem is with a lot of the officers
17 and, you know, people that are investigating or on standby
18 or whatever their job is, a lot of them, they either don't
19 have any understanding or any empathy or -- I don't know
20 how to put it in words.

21 All I know is that, you know, a few months
22 before Albert and I were going to get married, he was taken
23 off the bridge and it was kind of weird the way it happened
24 because we were sitting in the mall at the Cornwall Square
25 and everything was fine.

1 But then all of a sudden, Albert kind of
2 went -- I don't know; like he became distant and very
3 emotional. It was like his whole day was going good and
4 then all of a sudden it just seemed to crumble. Anyways, I
5 tried to convince him to come home in the car and he
6 wouldn't come home in the car.

7 So needless to say after me trying to
8 convince him to come home with me, he wouldn't come home
9 and he decided he was going to walk. He was very adamant
10 that he was going to walk home.

11 And when he didn't show up back home within
12 about the half hour that I figured it would take him to
13 come home, I decided I was going to backtrack to see if I
14 could find him because I was worried. I knew something was
15 wrong but I couldn't put my finger on it.

16 So I'm driving down Cumberland Street and I
17 get to the corner of Cumberland and Water Street, and I was
18 ready to turn on to Water Street towards the Cornwall
19 Square and this girl that I knew come pounding on the glass
20 of the window and she says, "Vicki", she says, "you have to
21 see". She says, "There's an idiot up on the bridge". She
22 says, "He's going to jump". And right away, I could feel
23 my heart just falling to my feet and I knew it was Albert.

24 I just -- I could hear all these people
25 yelling and screaming, "Jump, kill yourself, go ahead" and

1 I'm sitting in the car and I'm thinking, "You people don't
2 understand. You can't possibly know what this is doing to
3 me, to my children, let alone to Albert."

4 And all through this, I tried going to the
5 police officers that were at the scene. I tried going to
6 the ambulance drivers and instead of them trying to
7 understand or ask where the problem is, they pointed the
8 finger at me. They blamed me for my husband being up on
9 the bridge. Sorry, he wasn't my husband at the time but in
10 a couple of months he was going to be.

11 And nobody, not the police officers that
12 were there, or anybody at the hospital, nobody would allow
13 me to see Albert because of ignorance, of not
14 understanding, not asking me what was going on; instead it
15 was blame, you know.

16 If Albert and I wouldn't have had an
17 argument; we didn't have an argument that day. There was
18 something eating Albert alive in the mall and I couldn't
19 help him. And not hospitals, social workers, counselors,
20 anybody was there to give Albert, me or my family any kind
21 of support for anything.

22 And when I wrote the letter to Harris, to
23 Clairry, to Kilger, to Sylvester, I wanted them to know what
24 kind of an impact it has, being sexually abused and living
25 it all your life like you've done a lifelong sentence with

1 it. And none of them, but none of them would do anything.

2 And the funny thing is, how do you explain
3 to young kids why their stepfather is up on the bridge?
4 How do you explain to these kids when you don't understand
5 everything either, but yet, you have nobody to help you or
6 give you counselling or support or anything that you need,
7 you know.

8 It was like I was at a dead end road with
9 Albert and I didn't know what to do, and he was alone
10 because he was being eaten alive by the abuse that he
11 endured from Nelson Barque and Ken Séguin and his family;
12 and, you know, all the people that just shoved him away
13 like he was nothing.

14 And then when I get to the hospital, the day
15 they took him down off the bridge, and it was Heidi Sebalj
16 that took him down off the bridge because of he's been
17 afraid of men. He's been afraid of men confrontations. He
18 is even afraid to hug his own sons because of the things
19 that have happened.

20 And nobody knows how painful it is for
21 Albert to shove away his kids and his wife. We're his
22 family; because he doesn't know how to deal with the pain.
23 He doesn't mean to hurt anybody and he is not vengeful or
24 anything and nobody cares.

25 And all of this -- all of this and other

1 things have sent Albert in a lot of different ways, away
2 from each other, including the children, his family that
3 don't understand.

4 **THE COMMISSIONER:** So how can we help? What
5 kind of recommendations can we make to make sure it doesn't
6 happen again, to make sure that those who have been hurt
7 are helped?

8 **MS. ROY:** I believe in my heart that people
9 that don't understand the sexual abuse and the effects and
10 the impact on families, children, that they should have
11 full counselling to deal with it themselves so they can be
12 able to deal with it on a better basis.

13 I believe that victims that come forward
14 after it's taken them so long to come forward, that when it
15 goes before a judge, that the judge shouldn't be giving
16 lenient sentences when the victims have carried it all
17 their life.

18 And if it takes a victim 20 years to come
19 forward, then I believe at the end of 20 years when they've
20 come forward that these pedophiles should be charged in
21 today's time, not when it happened because it's taken the
22 victims all these years to come forward and to build up the
23 strength and the courage and be able to say that they were
24 wrongfully treated, where the pedophiles have done what
25 they wanted and have walked an easy street until the day

1 that they go to court.

2 And no matter what, anybody that has even
3 had the slightest accusation towards them, whether it's
4 just an assumption, you know, or if it's actual fact, then
5 it should be fully investigated and not taken at their say
6 that they didn't do it. There's too many people that are
7 roaming around abusing kids and they're not paying the
8 price for it. It's the victims that are paying the price
9 and the victims, like Albert, have carried it for years and
10 nobody has been there to help them.

11 Yes, now he has counselling and, you know,
12 he has support and, you know, I'm getting counselling and I
13 have support, but if it wasn't for the Public Inquiry, we
14 wouldn't have nothing and we would still be running around
15 empty and not knowing what to do.

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

17 **MS. ROY:** I mean, it's a long, hard
18 rollercoaster and it leaves lifelong scars, lifelong damage
19 and the victims deserve to be treated like people and the
20 pedophiles should pay for what they do and not get -- you
21 know, like, what's a four-month sentence in jail? To them
22 it's like, "Oh well, I got four months and I get 18 months
23 probation." That's kind of like a, you know, slap on the
24 hand, but to the victim it's a lifelong sentence.

25 **THE COMMISSIONER:** Okay. So can I stop you

1 there for a minute?

2 **MS. ROY:** M'hm.

3 **THE COMMISSIONER:** And what I would like to
4 do is, dare I ask you, to look forward into the future.
5 All right? This Inquiry is going to come to an end ---

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

7 **THE COMMISSIONER:** --- and you, your husband
8 and your family are going to keep going on. All right? Do
9 you see any light at the end of the tunnel? Do you see any
10 recommendations that we can make? Because the Inquiry,
11 once it's finished, can make recommendations for the
12 future.

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

14 **THE COMMISSIONER:** So for victims and their
15 families, do you have any thoughts as to what we could do
16 for you?

17 **MS. ROY:** Well, I believe the victims and
18 their families should have support and counselling so that
19 they can have a better understanding and a better way of
20 dealing with things without feeling like it's their fault
21 that something has gone wrong in the family, you know, or
22 that you did something to push them over the edge.

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

24 **MS. ROY:** So I honestly believe that victims
25 and their families, from the word "go", should have, you

1 know, staff that are fully trained and they're not ignorant
2 to -- like, when Albert and I were going through the court,
3 there was nobody there for Albert and I.

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

5 **MS. ROY:** Nor was there anybody there for
6 our children, and I wished that there was somebody there
7 for me because I couldn't take Albert's pain away and I
8 couldn't give him all the things that I knew he needed but
9 I knew I needed as well.

10 **THE COMMISSIONER:** So what are you talking
11 about, like a victim or a witness assistance person to
12 bring you to court, show you where to go, that kind of
13 thing, as a stepping stone?

14 **MS. ROY:** Yes. I believe that there should
15 be somebody there, whether, you know, if it's an officer
16 that's helping you go through your testimony and says -- I
17 mean, everybody shoved me aside. Nobody was there for me.

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

19 **MS. ROY:** And when Albert was on the bridge,
20 if it weren't for Heidi Sebalj, I wouldn't have been able
21 to see my husband or Albert at the time. We weren't
22 married. I wouldn't have been able to see him. She came
23 out of the emergency hospital room and she approached me
24 and she said, "Vicki," she says, "Albert's in a bad state."
25 And I said, "I know." But I said, "Nobody will let me see

1 him." I said, "So how am I supposed to feel?" I said,
2 "It's my fault?" I said, "It's not my fault", but I said
3 "I need to see him. I need to be with him." The last
4 words out of her mouth was -- and I commend her for
5 everything that she said -- she said, "Vicki, all I'm
6 asking, because Albert's in a bad state, is for you not to
7 rant and rave or yell and scream at him." And all I kept
8 thinking was that's a pretty brave statement to tell a
9 wife, you know, the future wife that's watched her husband-
10 to-be come off of a bridge and not been able to do
11 anything, and all the other officers who were at the scene
12 blamed me.

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

14 **MS. ROY:** And I was flabbergasted because
15 she took me inside. She brought me in when nobody else did
16 and let me see Albert so that it would ease my mind and be
17 able to give Albert support. So she kind of gave me
18 support that day.

19 **THE COMMISSIONER:** So before the Inquiry
20 started, was there any support services or anything like
21 that available?

22 **MS. ROY:** There was nothing offered to us.

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

24 **MS. ROY:** No family counselling, no
25 individual counselling. I mean, you know, we had been

1 seeing counsellors for other reasons, you know, but nothing
2 to deal with the abuse, nothing to help the family
3 understand, the children. I mean, like I said, how do you
4 tell children why your stepfather is up on the bridge or,
5 you know, how do you tell your kids that he's shoving you
6 away because of being abused? You know, you just can't.
7 So there needs to be people there that know what they're
8 doing, whether it's a police officer or a counsellor or a
9 support worker, you know, anybody that's going to give what
10 the families need from the word "get-go". If that's not
11 done, then victims don't have a leg to stand on because
12 they need that and the family needs that.

13 You know, if you were to look at a partner
14 of yours or a child of yours or a friend of yours standing
15 on the highest part of the bridge, waiting to fall or just
16 hanging on the bridge for whatever the reason, it would
17 take every ounce of breath in your body out of you and it
18 would make you sick to death. You're sitting there in the
19 wings, waiting. What's he going to do? Is he going to
20 fall? Is he going to jump? And all these people that
21 don't know anything or don't want to know anything about
22 sexual abuse or how it's affected the victim, their family,
23 their children, whatever, I mean, it's sad.

24 And Albert, even though he's been pulled off
25 the bridge, I don't know, 10 times, whatever the case may

1 be, you never get over that. Now, I can't drive down Water
2 Street without remembering him being up on the bridge and
3 the ambulance driver telling me, "He's not going to die
4 today." You don't know because you don't deal with it.
5 You don't understand. You haven't felt the pain that they
6 feel because of abuse.

7 For anybody to say Albert's a freak or
8 anything else, he's not a freak.

9 **THE COMMISSIONER:** Well, I think we've come
10 to know Albert as a very gentle and considerate person.

11 **MS. ROY:** But there's a lot of people out
12 there that think otherwise.

13 **THE COMMISSIONER:** And that's their loss.

14 **MS. ROY:** That's right. It is their loss.
15 Albert is a very smart, intelligent, caring -- he used to
16 be a free spirit. He used to not give a care about
17 anything, just living life, and in all the years that I've
18 known him, that I've been with him, man, the stuff that
19 it's taken away from him.

20 There's a lot of things that Albert used to
21 dream that he would be able to do. He can do a lot of
22 things, but he can't fulfil the dream that he's always
23 wanted to dream.

24 **MR. DUMAIS:** Those are my questions, Vicki.
25 My friends may have some questions as well.

1 **MS. ROY:** Okay.

2 **THE COMMISSIONER:** All right.

3 Mr. Manson.

4 **MR. MANSON:** If I could have two seconds,
5 Mr. Commissioner?

6 **THE COMMISSIONER:** Sure.

7 **MS. ROY:** And you know what's funny? When
8 Albert and I were growing up, he was my first boyfriend.
9 Eight years old; I used to trick him into going into the
10 neighbour's yard and stealing apples off the trees and I
11 would give him a kiss, and he would go and he'd pick an
12 apple and he'd bring it to me, and he'd say, "How come you
13 never eat the apples?" And I'd go, "It wasn't the apples
14 that I was interested in. I just wanted to see if you'd do
15 it for me." And he would. He'd go; he'd pick the apple.
16 I'd give him a kiss.

17 **MR. MANSON:** Mrs. Roy, I'm one of the
18 lawyers for the Citizens for Community Renewal. I don't
19 have any questions for you, but I want to thank you.

20 **MS. ROY:** Thank you.

21 **THE COMMISSIONER:** Mr. Lee.

22 **MR. LEE:** No questions.

23 **THE COMMISSIONER:** Thank you.

24 Mr. Chisholm.

25 **MR. CHISHOLM:** No questions, Mr.

1 Commissioner.

2 **THE COMMISSIONER:** Mr. Neuberger?

3 **MR. NEUBERGER:** No. Thank you very much.

4 **THE COMMISSIONER:** Ms. McIntosh.

5 **MS. McINTOSH:** No questions.

6 **THE COMMISSIONER:** Thank you.

7 Mr. Callaghan.

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

9 **CALLAGHAN:**

10 **MR. CALLAGHAN:** Thank you, Mrs. Roy, for
11 your testimony.

12 My name is John Callaghan and I act for the
13 Cornwall Police Service, and I wanted to ask just a few
14 questions regarding your discussions with Mr. Dunlop and
15 Mr. Carson Chisholm.

16 Did I understand you to say there were two
17 discussions that you recall with Mr. Dunlop or are there
18 more?

19 **MS. ROY:** I believe there was only the two.

20 **MR. CALLAGHAN:** All right.

21 And you referenced the one where you met him
22 regarding the Fifth Estate meeting and then there was
23 another where you met him in relation to Mr. Morris. Is
24 that correct?

25 **MS. ROY:** Yes.

1 **MR. CALLAGHAN:** Do you recall which one was
2 first?

3 **MS. ROY:** No, I can't say for certain.

4 **MR. CALLAGHAN:** I won't take you to the
5 documents, but there was some discussion the other day
6 about Albert having a prior lawyer named Wendy Rogers.

7 **MS. ROY:** Yes.

8 **MR. CALLAGHAN:** Did you have any contact
9 with Mr. Dunlop requesting documents such as a Statement of
10 Claim or a transcript for Albert relating to the work that
11 Ms. Rogers was doing?

12 **MS. ROY:** Sorry, could you say that again?

13 **MR. CALLAGHAN:** Do you recall ever
14 discussing anything with Mr. Dunlop regarding Wendy Rogers,
15 for example?

16 **MS. ROY:** No.

17 **MR. CALLAGHAN:** Do you recall phoning to ask
18 for the Statement of Claim?

19 **MS. ROY:** No.

20 **MR. CALLAGHAN:** And you had indicated that
21 when you met with him regarding the Fifth Estate, do you
22 recall whether you discussed lawsuits at that time?

23 **MS. ROY:** No.

24 **MR. CALLAGHAN:** No?

25 And do you remember how the issue came up

1 with respect to seeing Mr. Morris? Was that raised by
2 Albert to you or did you hear it directly from Mr. Dunlop?

3 MS. ROY: Say that again?

4 THE COMMISSIONER: I told you they would ask
5 some weird questions.

6 MR. CALLAGHAN: Yes, sorry.

7 MS. ROY: I'm not very articulate.

8 THE COMMISSIONER: No, no, I think you're
9 very articulate.

10 MR. CALLAGHAN: I would agree with the
11 Commissioner.

12 You speak from the heart and that's the most
13 articulate way to speak.

14 MS. ROY: Thank you.

15 THE COMMISSIONER: Bottom line is, when you
16 met with Mr. Dunlop ---

17 MS. ROY: Right.

18 THE COMMISSIONER: --- was that -- where did
19 you meet?

20 MS. ROY: Once at his home and once at the -
21 --

22 THE COMMISSIONER: At the hotel?

23 MS. ROY: Yes. I remember the Holiday Inn.

24 THE COMMISSIONER: How did you know to go to
25 the Holiday Inn?

1 **MS. ROY:** I can't tell you. I don't
2 remember.

3 **MR. CALLAGHAN:** You don't remember if you
4 spoke to Mr. Dunlop in advance of the meeting or was that
5 Albert that spoke to Mr. Dunlop?

6 **MS. ROY:** I don't remember.

7 **MR. CALLAGHAN:** I was a little confused, but
8 was Carson Chisholm involved in setting up the meeting at
9 the hotel?

10 **MS. ROY:** Not that I was aware.

11 **MR. CALLAGHAN:** And was -- the meeting at
12 the hotel, do you remember how many other people were
13 there, other than yourself, Albert and Mr. Dunlop and Mr.
14 Morris?

15 **MS. ROY:** How many people were there total?

16 **MR. CALLAGHAN:** Yes, in the meeting?

17 **MS. ROY:** There was Albert, myself, Perry
18 Dunlop, John Morris, and I believe five other or four other
19 victims.

20 **MR. CALLAGHAN:** And did you know any of
21 those people before they entered the meeting?

22 **MS. ROY:** No.

23 **MR. CALLAGHAN:** Did you see any of those
24 people afterwards?

25 **MS. ROY:** No.

1 **MR. CALLAGHAN:** And do you whether any of
2 those people sued, for example, Corrections?

3 **MS. ROY:** I have no idea.

4 **MR. CALLAGHAN:** And you don't know if any of
5 them were in any way assaulted by Mr. Barque or Mr. Séguin?

6 **MS. ROY:** I have no idea.

7 **MR. CALLAGHAN:** And I will just confirm with
8 counsel, given tomorrow's subject, I won't ask who those
9 other four people were.

10 In dealing with Mr. Carson Chisholm, it
11 indicated that you had a few conversations with him,
12 correct?

13 **MS. ROY:** Well, he did more of the talking
14 than I did.

15 **(LAUGHTER/RIRES)**

16 **MR. CALLAGHAN:** Did you understand he was
17 Perry Dunlop's brother-in-law?

18 **MS. ROY:** Yes, I knew that.

19 **MR. CALLAGHAN:** And did he tell you that?

20 **MS. ROY:** Actually, I believe his wife --
21 Perry's wife Helen did.

22 **MR. CALLAGHAN:** You had some contact with
23 Helen Dunlop?

24 **MS. ROY:** Well, when we went to the house,
25 yes.

1 **MR. CALLAGHAN:** Aside from the time you went
2 to the house?

3 **MS. ROY:** No.

4 **MR. CALLAGHAN:** Do you recall whether the
5 discussion with Mr. Carson Chisholm when you were at work
6 happened before you went to the house?

7 **MS. ROY:** I've had Carson Chisholm come to
8 my place of employment a few times. That was before Nelson
9 Barque was charged, I believe, then before we obtained John
10 Morris' lawyer, and then shortly thereafter. Outside of
11 that, I don't know. Like, did I lose myself in that
12 question?

13 **MR. CALLAGHAN:** No, I think you were
14 explaining that you -- I'll just recap what I think I heard
15 you say. You had indicated that Mr. Chisholm came to your
16 place of business before Nelson was charged, before you
17 obtained John Morris and shortly thereafter, so three
18 times.

19 **MS. ROY:** Yes.

20 **MR. CALLAGHAN:** And I take it you had other
21 discussions with him?

22 **MS. ROY:** I had one outside here.

23 **MR. CALLAGHAN:** Is that it?

24 **MS. ROY:** Pretty much.

25 **MR. CALLAGHAN:** And so this is -- the

1 discussion before Nelson was charged, this was after Albert
2 had gone to the police?

3 MS. ROY: Yes.

4 MR. CALLAGHAN: And do you recall if
5 Albert's accusations were in the press?

6 MS. ROY: Pardon me?

7 MR. CALLAGHAN: Were Albert -- before Nelson
8 was charged, do you recall whether Albert's accusations
9 against Mr. Barque and Mr. Séguin had been in the press?

10 MS. ROY: I don't believe so.

11 MR. CALLAGHAN: Would you know how Mr.
12 Chisholm knew to speak to you about Albert and Mr. Barque?

13 MS. ROY: I couldn't tell you.

14 MR. CALLAGHAN: And did he tell you what he
15 wanted of you or Albert, when he saw you that first
16 occasion?

17 MS. ROY: He came in at my place of work and
18 he wanted to talk to Albert, and he was trying to get me to
19 tell Albert that he wanted him to, you know, join this
20 other victims' group, and I told him, "You know, "Albert's
21 going to do what he wants and what's right, not what
22 anybody else wants him to do".

23 MR. CALLAGHAN: Do you recall if that was
24 before you had met Heidi Sebalj and Constable Zebruck? I'm
25 just trying to place a date, and you've said a -- tat would

1 be the only thing I could think that might trigger you.

2 MS. ROY: I can't say for sure.

3 MR. CALLAGHAN: And you referred to him as
4 "Carson was rambling through all these names." Was that
5 the occasion when he rambled through the names?

6 MS. ROY: Yes, well, he was always rambling.

7 MR. CALLAGHAN: And did he indicate that
8 this group -- was this a group that was going to do
9 something? Like what was the group going to do? Was it
10 going to start a lawsuit? Was it going to go the Mayor's
11 Office? Do you know what it was going to do?

12 MS. ROY: No, not exactly.

13 MR. CALLAGHAN: Do you remember any of the
14 names Carson Chisholm gave you?

15 MS. ROY: No. The only one I remember was
16 from a church.

17 MR. CALLAGHAN: Can you give us the name you
18 say from a church?

19 MS. ROY: I believe his name was Father
20 MacDonald.

21 MR. CALLAGHAN: So he was naming both the
22 victims and the alleged perpetrators?

23 MS. ROY: Well, I can't say for certain --
24 well, I know Father MacDonald because he was already in the
25 press, but who anybody else was, I have no idea.

1 **MR. CALLAGHAN:** But in terms of this
2 bandwagon, you didn't know where it was going, who was
3 driving the bandwagon other than Carson Chisholm?

4 **MS. ROY:** No, I don't know.

5 **MR. CALLAGHAN:** And before you obtained --
6 I'm sorry?

7 **MS. ROY:** The thing is, is when Carson
8 Chisholm would come into my place of work, I couldn't care
9 if he would have been rambling about the moon and the
10 stars, I was doing my job. I wasn't there for anything
11 else but that. And I didn't have time to listen to
12 whatever he had to say, you know. So he could have said
13 "Little Bo Peep" for all I know.

14 **MR. CALLAGHAN:** Do you recall the discussion
15 before you obtained John Morris with Mr. Chisholm? You
16 said you'd had a discussion before you obtained the
17 services of John Morris. Do you remember what that
18 discussion was about?

19 **MS. ROY:** I think that was about the other
20 victims obtaining a lawyer and that they should all do it
21 together or whatever.

22 **MR. CALLAGHAN:** Did he say what they were
23 looking for, to sue for?

24 **MS. ROY:** No.

25 **MR. CALLAGHAN:** No. And did he say who --

1 did he at that time tell you anybody else who would be
2 involved other than ---

3 **MS. ROY:** No.

4 **MR. CALLAGHAN:** No.

5 And did he say how he knew Mr. Morris?

6 **MS. ROY:** No.

7 **MR. CALLAGHAN:** And you said shortly
8 thereafter, I take it that's shortly after the meeting with
9 Mr. Morris that you spoke to Mr. Chisholm again. Can you
10 tell us a little bit about that?

11 **MS. ROY:** Same old, same thing, just blah,
12 blah, blah, about other people and it was at my place of
13 employment. Like I said, you know, he could have said
14 anything, but the reason why Father MacDonald stuck out was
15 because he was already in the papers. But, I mean, outside
16 of that, I mean, I'm really bad. Like, when I'm working,
17 I'm working.

18 **MR. CALLAGHAN:** No, I feel the same way.
19 Did you have any phone conversations with Mr. Chisholm?

20 **MS. ROY:** No, I think he had called a couple
21 of times, but it was basically, you know, like, could he
22 talk to Albert and I always gave the excuse he was busy.

23 **MR. CALLAGHAN:** And did he tell what he
24 wanted to speak to Albert about?

25 **MS. ROY:** No. He just wanted Albert to call

1 him back, but he wouldn't -- like, he never really told me
2 as to what he wanted to talk to him about.

3 **MR. CALLAGAN:** And then ---

4 **MS. ROY:** I think it was because I kind of
5 snubbed him off a couple of times at my job.

6 **MR. CALLAGHAN:** That will do it.

7 The discussion that happened outside this --
8 it's outside the cotton mill, correct?

9 **MS. ROY:** Right.

10 **MR. CALLAGHAN:** And I take it that was
11 during the time Albert was testifying last time?

12 **MS. ROY:** Yes.

13 **MR. CALLAGHAN:** And I take it -- was Mr.
14 Chisholm -- did he indicate that he was aware that Albert
15 was testifying?

16 **MS. ROY:** Oh yeah, he knew.

17 **MR. CALLAGHAN:** And can you just tell me
18 again exactly what he conveyed to you?

19 **MS. ROY:** Well, like I said, I was outside
20 having a cigarette, and I noticed him there and I wanted to
21 go and see how Perry and his wife and kids were doing out
22 wherever they live, I don't know, out west somewhere, I
23 think. Anyways, he just basically told me that, you know,
24 Perry and them were still having the screws put to them and
25 that he wanted me to convey a message to Albert stating

1 that it was Perry that, you know, helped Albert get the
2 lawyer and that Albert was basically a lamb up here, and
3 all you lawyers were like a pack of wolves, ready to eat
4 him alive.

5 **MR. CALLAGHAN:** I don't like the
6 characterization, but ---

7 **MS. ROY:** Sorry. I didn't ---

8 **MR. CALLAGHAN:** It wouldn't be the first
9 person, I'm sure.

10 Did he tell you why he was asking you to
11 tell Albert that?

12 **MS. ROY:** No.

13 **MR. CALLAGHAN:** No.

14 **MS. ROY:** That's basically all he said and I
15 came in right away.

16 **MR. CALLAGHAN:** And you haven't spoken to
17 him since?

18 **MS. ROY:** No.

19 **MR. CALLAGHAN:** And, Mr. Parisien, I guess -
20 - Mr. Parisien, you're probably aware, has been following
21 this Inquiry?

22 **MS. ROY:** I believe so, because I had seen
23 him here a couple of times, but I didn't know who he was
24 and then the last time we were here, I was standing outside
25 have a cigarette and I was getting ready to come back in

1 and he kind of nudged me and he said "Oh", he says "You're
2 one of my tenants' girlfriends", and I'm looking at him
3 kind of dumbfounded. I didn't even know who he was, and
4 then he told me who he was and I said, "Well, who's your
5 tenant", and he told me my girlfriend's name and I said "Oh
6 yeah, yeah," I said, "Now I remember who you are", you
7 know.

8 **MR. CALLAGHAN:** Did ---

9 **MS. ROY:** And then I came in.

10 **MR. CALLAGHAN:** And then the last
11 conversation was the conversation when you handed the phone
12 to Albert, correct?

13 **MS. ROY:** Yes.

14 **MR. CALLAGHAN:** Those are my questions.
15 Thank you very much and thank you very much for your
16 testimony and we hope some real good comes out of this
17 Inquiry.

18 **MS. ROY:** Thank you.

19 **THE COMMISSIONER:** Thank you.

20 Mr. Wallace?

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

22 **WALLACE:**

23 **MR. WALLACE:** Good afternoon, Ms. Roy. My
24 name is Mark Wallace. I'm the lawyer for the Ontario
25 Provincial Police Association. So Officers Zebruck and

1 Séguin would be members of that organization and clients of
2 mine. That's who I am and that's the area of interest that
3 I have in questioning you this afternoon.

4 **MS. ROY:** Okay.

5 **MR. WALLACE:** Now, let me get oriented here.
6 You had indicated, when Mr. Dumais was asking you questions
7 this afternoon, that you were aware of the fact that Albert
8 had gone and made a complaint to the Cornwall Police; is
9 that correct?

10 **MS. ROY:** Yes.

11 **MR. WALLACE:** And it was your belief that
12 you were made aware of it after he went there. Like, you
13 weren't given advance notice that he was going to do that;
14 you learned after the fact?

15 **MS. ROY:** Right.

16 **MR. WALLACE:** And you're not exactly sure
17 how long after the fact you learned, but in any event you
18 did learn that?

19 **MS. ROY:** Yes.

20 **MR. WALLACE:** Now, were you being kept more
21 or less up to date as to what Albert was doing with the
22 police officers between the laying of the charge and the
23 time that you went out for the drive?

24 **MS. ROY:** Was I aware of it?

25 **MR. WALLACE:** Was he sort of giving you an

1 update, "Tomorrow, I'm going to do this", or "Tomorrow, I'm
2 going to do that", anything along those lines?

3 MS. ROY: Yes.

4 MR. WALLACE: Okay. Now, it was your belief
5 that the drive that you described for us earlier this
6 afternoon with Constable Zebruck took place before Mr.
7 Barque was charged; is that correct?

8 MS. ROY: Yes, I believe so.

9 MR. WALLACE: Now, I'm just trying to nail
10 down as close as we can the actual timing of this, the
11 date. When you say "Mr. Barque was charged", are you
12 referring to -- equating charging to being arrested for
13 this case? Is that what you're referring to when you say
14 Mr. Barque was charged? What exactly are you referring to?

15 MS. ROY: That he was charged.

16 MR. WALLACE: Okay.

17 MS. ROY: That they had ---

18 MR. WALLACE: He had been arrested?

19 MS. ROY: Yes.

20 MR. WALLACE: Okay. So it's your belief
21 then that when you took the drive, he had not been charged
22 or arrested?

23 MS. ROY: No.

24 MR. WALLACE: Is that correct?

25 MS. ROY: That's right.

1 **MR. WALLACE:** Now, do you recall how you
2 learned that he had been arrested or charged?

3 **MS. ROY:** I believe Heidi Sebalj had
4 contacted Albert and told him that he was charged.

5 **MR. WALLACE:** Okay. And this would have
6 been when you were riding with Albert; correct?

7 **MS. ROY:** Yes.

8 **MR. WALLACE:** And are you able to help us as
9 to approximately how long between the drive and finding out
10 that he had been arrested or charged?

11 **MS. ROY:** It wasn't right away.

12 **MR. WALLACE:** Are we talking a period of
13 time measured in weeks, months?

14 **MS. ROY:** Maybe a few weeks.

15 **MR. WALLACE:** A couple of weeks after the
16 drive?

17 **MS. ROY:** Yes.

18 **MR. WALLACE:** Okay. Now, the drive occurred
19 after you and Albert moved in together on Captain MacDonald
20 Street?

21 **MS. ROY:** Right.

22 **MR. WALLACE:** Are you able to tell us
23 specifically when you moved in together? Do you know the
24 date?

25 **MS. ROY:** Not exactly, no.

1 **MR. WALLACE:** Well, what would be your best
2 estimate of the date?

3 **MS. ROY:** In December.

4 **MR. WALLACE:** Well, I think you told us that
5 it was sometime -- it was in December and it was before
6 Christmas.

7 **MS. ROY:** M'hm.

8 **MR. WALLACE:** Is that ---

9 **MS. ROY:** Yes, that sounds right.

10 **MR. WALLACE:** Is that as precise as you can
11 get? Are you able to say it was in -- was it closer to the
12 1st of the month or the middle or Christmastime?

13 **MS. ROY:** No, it was around the -- I don't
14 know, maybe the first or second week of December because we
15 didn't have much time to get ready for Christmas.

16 **MR. WALLACE:** Okay. And it's your
17 understanding that the drive had been arranged by Heidi
18 Sebalj?

19 **MS. ROY:** Yes.

20 **MR. WALLACE:** And did she call the house?
21 Is that what happened?

22 **MS. ROY:** I believe so, yes.

23 **MR. WALLACE:** And at that point in time that
24 the drive was arranged, had Albert met Bill Zebruck?

25 **MS. ROY:** He had met him before, I believe.

1 **MR. WALLACE:** And we know -- you were here
2 when Albert testified, is that not correct?

3 **MS. ROY:** Here?

4 **MR. WALLACE:** Yes.

5 **MS. ROY:** Yes.

6 **MR. WALLACE:** Yes. We know, because Albert
7 has told us, that he gave a statement at the Cornwall
8 Police Station to Constable McDonnell. You heard about
9 that?

10 **MS. ROY:** Yes.

11 **MR. WALLACE:** And he was also interviewed by
12 Constable Zebruck. You heard him say that?

13 **MS. ROY:** Yes.

14 **MR. WALLACE:** Now, it's your understanding
15 that he had been interviewed already by Constable Zebruck
16 when this drive took place?

17 **MS. ROY:** That he was interviewed?

18 **MR. WALLACE:** Yes, that the interview had
19 taken place.

20 **MS. ROY:** Prior to the drive?

21 **MR. WALLACE:** Yes.

22 **MS. ROY:** Yes.

23 **MR. WALLACE:** Is that your understanding?

24 **MS. ROY:** Yes.

25 **MR. WALLACE:** Okay. And are you able to

1 help us at all with approximately how long before?

2 MS. ROY: I don't know.

3 MR. WALLACE: Okay. In any event, as I
4 understood your evidence this afternoon, the purpose of the
5 drive was so that Albert could demonstrate to the officers
6 that he knew where Mr. Barque lived?

7 MS. ROY: Right.

8 MR. WALLACE: And it was because at that
9 time -- this is how I've got your evidence down. "At the
10 time, they thought he didn't know where he lived, but he
11 did."

12 MS. ROY: Right.

13 MR. WALLACE: Is that correct?

14 MS. ROY: Yes.

15 MR. WALLACE: And that is that the police
16 officers didn't think Albert knew where Mr. Barque lived?

17 MS. ROY: Right.

18 MR. WALLACE: Okay. And specifically, how
19 are you able to tell us this? Is this something Albert
20 told you?

21 MS. ROY: I'm sorry, you lost me.

22 MR. WALLACE: Well, as I understood what you
23 told us this afternoon, the purpose -- the officers didn't
24 know that -- they thought -- sorry, I'll start over again.

25 The officers, prior to the drive, were of

1 the belief that Albert did not know where Mr. Barque lived.

2 MS. ROY: Right.

3 MR. WALLACE: But Albert in fact knew where
4 he lived?

5 MS. ROY: Yes.

6 MR. WALLACE: Okay. What I want to know is
7 how do you know that?

8 MS. ROY: Because Albert told me he knew.

9 MR. WALLACE: Okay. But how did you know
10 that the officers thought he didn't know that?

11 MS. ROY: Because Albert told me.

12 MR. WALLACE: Albert told you that. Okay.
13 So this was the purpose of the trip?

14 MS. ROY: Yes.

15 MR. WALLACE: Okay. Now, you indicated that
16 Officer Zebruck attended your place in the early afternoon?

17 MS. ROY: Yes.

18 MR. WALLACE: And you estimated that the
19 entire trip took about an hour?

20 MS. ROY: Approximately, yes.

21 MR. WALLACE: How did you get there? I
22 don't mean the mode of transportation, but I mean how was
23 the route established? Did Albert say, "I want you to go
24 to such and such a street?" How did the trip start?

25 MS. ROY: Well, he picked us up at our

1 residence.

2 MR. WALLACE: Yes.

3 MS. ROY: And I can't remember exactly in
4 the city what street we took, but we left our residence and
5 we got out to St. Andrews and Officer Zebruck said, "Okay,
6 I'd like you to tell me where to go."

7 MR. WALLACE: Okay. And Albert did?

8 MS. ROY: And Albert did.

9 MR. WALLACE: When he got to the house, what
10 did Albert say?

11 MS. ROY: "That's Nelson Barque's house."

12 MR. WALLACE: This vehicle you described,
13 was it an unmarked police car?

14 MS. ROY: Yes.

15 MR. WALLACE: You and Albert were sitting in
16 the rear?

17 MS. ROY: Yes.

18 MR. WALLACE: Did Officer Zebruck have any
19 paper with him? Did you notice that?

20 MS. ROY: No.

21 MR. WALLACE: Did you notice if he was
22 taking any notes at all?

23 MS. ROY: None.

24 MR. WALLACE: You didn't notice or he wasn't
25 taking any?

1 **MS. ROY:** No, he wasn't taking any.

2 **MR. WALLACE:** Okay. So you go out to the
3 house. Did he write down an address?

4 **MS. ROY:** No.

5 **MR. WALLACE:** And Albert points out the
6 house. What, if anything, did Constable Zebruck say?

7 **MS. ROY:** He asked him if he was sure if
8 that was his house and Albert was adamant; he said that's
9 his house.

10 **MR. WALLACE:** And up until this time, I
11 gather the conversation had been pleasant and professional?

12 **MS. ROY:** It was just like, you know, every
13 day kind of gabbing.

14 **MR. WALLACE:** And you didn't know him; that
15 is, Constable Zebruck, before that date?

16 **MS. ROY:** No, I didn't.

17 **MR. WALLACE:** So it was a pleasant
18 conversation?

19 **MS. ROY:** Pretty much, yes.

20 **MR. WALLACE:** And did it take longer to find
21 the place than it did to get home?

22 **MS. ROY:** No.

23 **MR. WALLACE:** Was the trip out and back
24 about the same length?

25 **MS. ROY:** About, yes.

1 **MR. WALLACE:** And what was the first thing
2 that the constable said that offended you and Albert?

3 **MS. ROY:** He said a few things, not just one
4 thing.

5 **MR. WALLACE:** What was the first one?

6 **MS. ROY:** The first one was when he told
7 Albert that, you know, whatever Nelson Barque's family and
8 friends going to think and then he continued to say that,
9 you know, Nelson might commit suicide like Ken Seguin did
10 because of this, and then he continued to say, you know,
11 what are his friends and people in the community going to
12 think. Then he had made the other comment.

13 **MR. WALLACE:** About the oral sex?

14 **MS. ROY:** Yes.

15 **MR. WALLACE:** And this was after Albert had
16 identified the house?

17 **MS. ROY:** Yes.

18 **MR. WALLACE:** And on the way home?

19 **MS. ROY:** And on the way home.

20 **MR. WALLACE:** Did he give you any indication
21 as a reason for this position he was taking?

22 **MS. ROY:** No, he didn't.

23 **MR. WALLACE:** Were you able to get any
24 impression as to why he would be saying these things?

25 **MS. ROY:** In my opinion, I thought he was

1 just being ignorant.

2 MR. WALLACE: Did you get the impression
3 that he was a friend of Mr. Barque?

4 MS. ROY: I thought he might be.

5 MR. WALLACE: Did you get the impression he
6 might have been related to Mr. Barque?

7 MS. ROY: No.

8 MR. WALLACE: So your impression was that it
9 might have been a friend?

10 MS. ROY: It might have been, yes.

11 MR. WALLACE: Okay. And ---

12 MS. ROY: Or he was friends of the family or
13 something.

14 MR. WALLACE: Okay. And this was the reason
15 that he was making these statements. That's what it
16 appeared to you?

17 MS. ROY: Yes.

18 MR. WALLACE: And ---

19 MS. ROY: Outside of the fact maybe he just
20 couldn't care less, you know, as to what Albert was going
21 through. I don't know.

22 MR. WALLACE: And it was your understanding
23 that this trip was a necessary step to be taken before Mr.
24 Barque was going to be arrested. Is that fair?

25 MS. ROY: Yes.

1 **MR. WALLACE:** Okay. And it was -- we heard
2 here a couple of weeks ago, I believe, that it was in fact
3 Officer Zebruck who arrested Mr. Barque.

4 **MS. ROY:** Yes.

5 **MR. WALLACE:** Okay. And as you've
6 indicated, this arrest would have taken place sometime
7 after this drive?

8 **MS. ROY:** Right.

9 **MR. WALLACE:** That drive out there and back,
10 I mean, in the beginning he was having -- Officer Zebruck
11 was having a little conversation, but what he was saying
12 was nothing, nothing that was ignorant, repulsive or
13 anything like that until after Albert had said that was
14 Nelson Barque's house.

15 And on the way back, that's when Officer
16 Zebruck -- it was almost like he went from an officer to
17 somebody who was like, you know, out of uniform and had no
18 respect as to what he was saying and didn't take one iota
19 of a thought to what he was saying. You know, it was
20 almost like, "I'm going to say what I have to say and
21 that's it".

22 **MR. WALLACE:** It sounds like he was trying
23 to dissuade Albert from going ahead.

24 **MS. ROY:** Well, I can't tell you what his
25 thoughts were, but I can tell you I was flabbergasted. You

1 know, I mean, he's an officer of the law and he's saying
2 this to a victim. I mean, how is he making the victim
3 feel?

4 **MR. WALLACE:** And this change in his
5 attitude took place -- or the triggering event appeared to
6 be Albert identifying the house.

7 **MS. ROY:** That's right.

8 **MR. WALLACE:** Okay. And was Albert 100 per
9 cent sure that he had the right house?

10 **MS. ROY:** Most definitely.

11 **MR. WALLACE:** Okay. There was never any
12 doubt in his mind?

13 **MS. ROY:** None at all.

14 **MR. WALLACE:** Did you know that he had gone
15 out looking for the house with Heidi Sebalj?

16 **MS. ROY:** No, I didn't know that.

17 **MR. WALLACE:** You heard the evidence about
18 that, correct?

19 **MS. ROY:** Yes.

20 **MR. WALLACE:** He wasn't able to make the
21 identification ---

22 **THE COMMISSIONER:** I don't know that's ---

23 **MR. WALLACE:** --- 100 per cent?

24 **THE COMMISSIONER:** No, no, no. I may be
25 mistaken because my head's a little sore today, but I

1 thought he had seen a comparable house and said it would be
2 that house but changed around and then when he saw the
3 other house -- I thought there were two different houses.
4 Am I wrong?

5 **MR. WALLACE:** I think you're right, but I
6 was referring to the point that was put -- Heidi asked him
7 if he was 100 per cent sure.

8 **THE COMMISSIONER:** For Heidi's house?

9 **MR. WALLACE:** No, when Heidi had him out in
10 the car.

11 **MS. ROY:** I don't know what happened there.
12 I wasn't around.

13 **MR. WALLACE:** Okay.

14 **MS. ROY:** I do know though when we went with
15 Officer Zebruck, Albert picked out the house, no
16 hesitation.

17 **MR. WALLACE:** Okay. Did Officer Zebruck
18 gave any indication that he'd got the right house or just
19 sort of "Fine"?

20 **MS. ROY:** He just basically "All right then;
21 we know where the house is".

22 **MR. WALLACE:** Okay. It appeared to you that
23 up until this point Officer Zebruck did not know the house?

24 **MS. ROY:** Sorry?

25 **MR. WALLACE:** From that answer, I'm taking -

1 - it sounds like when Albert pointed the house out ---

2 MS. ROY: M'hm.

3 MR. WALLACE: --- this was news to Officer
4 Zebruck.

5 MS. ROY: I don't know, he could have been
6 just playing dumb.

7 MR. WALLACE: But it appeared to you that he
8 didn't know that that was Nelson Barque's house?

9 MS. ROY: Yes.

10 MR. WALLACE: And you had no further
11 dealings with Officer Zebruck after that trip?

12 MS. ROY: None. I was furious. I didn't
13 want to deal with him at all.

14 MR. WALLACE: And in fact, you indicated
15 that you had Albert call and register a complaint?

16 MS. ROY: Yes, I did.

17 MR. WALLACE: And you were there?

18 MS. ROY: Yes, I was.

19 MR. WALLACE: And he related to the person
20 at the other end of the line what had been said?

21 MS. ROY: Yes, he did.

22 MR. WALLACE: And you never heard back again
23 from anybody?

24 MS. ROY: No, we never heard nothing.

25 MR. WALLACE: Did you make any follow-up

1 calls yourself?

2 MS. ROY: I don't believe so, no.

3 MR. WALLACE: And Albert didn't?

4 MS. ROY: No.

5 MR. WALLACE: Now, I am going to jump ahead
6 to when you dealt with Constable Séguin.

7 MS. ROY: Okay.

8 MR. WALLACE: Were you aware as to how
9 Constable Séguin came to go to your house? Do you know why
10 he showed up there?

11 MS. ROY: He said he was investigating.

12 MR. WALLACE: Did Albert ever get in touch
13 with the Project Truth team prior to Constable Séguin
14 coming to your house?

15 MS. ROY: I don't believe so, no.

16 MR. WALLACE: That's not something he
17 discussed with you?

18 MS. ROY: No. I don't think and I can't
19 remember a time that he did. The only time I know that he
20 did talk to anybody from Project Truth was when Steve
21 Séguin came to the house.

22 MR. WALLACE: Okay. I'll ask Albert the
23 same questions tomorrow, but I'm going to suggest that he
24 contacted the Project Truth in July of '97. Does that ring
25 a bell at all with you?

1 **MS. ROY:** No.

2 **MR. WALLACE:** And had read about the
3 investigation and was offering his -- his information was
4 helpful to them. That doesn't ring a bell?

5 **MS. ROY:** No.

6 **MR. WALLACE:** Okay. In any event, Constable
7 Séguin, he called before he showed up at your house; is
8 that not correct?

9 **MS. ROY:** He might have. I don't know.

10 **MR. WALLACE:** And you were still ---

11 **MS. ROY:** We were still living at 1102
12 Captain MacDonald.

13 **MR. WALLACE:** At Captain MacDonald, okay.
14 And is that a house or an apartment?

15 **MS. ROY:** It's a side-by-side.

16 **MR. WALLACE:** Okay. You indicated that for
17 the period of time he was there, you said he stood on the
18 stairs? He stood outside?

19 **MS. ROY:** No, where we lived on Captain
20 MacDonald, on the side of the unit, you come into a landing
21 and then there is a flight of stairs that would bring you
22 into the dining room area, and he came up the stairs and
23 stood in the staircase towards our dining room.

24 **MR. WALLACE:** Okay. So he wasn't outside?

25 **MS. ROY:** No.

1 **MR. WALLACE:** Okay. What did you understand
2 the reason for him to be there?

3 **MS. ROY:** The reason why he was there was
4 because he was saying he was investigating -- I can't
5 remember exactly, but then he started to ask Albert if he
6 knew a Mark and he was talking about some other kid and --
7 I have no idea.

8 **MR. WALLACE:** Let me suggest this to you,
9 that, first of all, he would have asked Albert to read over
10 a statement that he'd given to the police earlier. Do you
11 remember that?

12 **MS. ROY:** That was after.

13 **MR. WALLACE:** Okay. I am sorry; I didn't
14 mean to -- I wasn't suggesting that was the very first
15 thing he did, but at some point in time he had Albert
16 review his statement; is that correct?

17 **MS. ROY:** Yes.

18 **MR. WALLACE:** And did Albert read it or did
19 Constable Séguin read it to him?

20 **MS. ROY:** No, Albert read it and he said
21 there was something wrong with it.

22 **MR. WALLACE:** And this is when you are
23 talking about the Mark business; is that correct?

24 **MS. ROY:** Yes.

25 **MR. WALLACE:** Constable Séguin, by his

1 conversations, questions of Albert, was looking for
2 additional new information, is that not correct?

3 **MS. ROY:** That Steve Séguin was looking for
4 information ---

5 **MR. WALLACE:** Yes.

6 **MS. ROY:** Other than Albert's ---

7 **MR. WALLACE:** No, sorry. By the point in
8 time that Constable Séguin goes to your house, Ken Seguin
9 is dead, number one; correct?

10 **MS. ROY:** Right.

11 **MR. WALLACE:** And Nelson Barque has been
12 charged, convicted and sentenced with respect to Albert's
13 allegations; correct?

14 **MS. ROY:** Right.

15 **MR. WALLACE:** Okay. So he wasn't there to
16 lay the original charge. That has all been done. It's
17 over.

18 **MS. ROY:** Okay.

19 **MR. WALLACE:** Okay. So what I am suggesting
20 is he was there to see if Albert had any new information
21 that may assist Project Truth. Would that be a fair
22 statement?

23 **MS. ROY:** Yes.

24 **MR. WALLACE:** Okay. Albert didn't, correct?

25 **MS. ROY:** Right.

1 **MR. WALLACE:** And he told Constable Séguin
2 that?

3 **MS. ROY:** Yes.

4 **MR. WALLACE:** And he gave Constable Séguin a
5 very short statement to that effect that "There's nothing
6 new or different than what I've already told you." And you
7 signed that statement as well, correct?

8 **MS. ROY:** Yes.

9 **MR. WALLACE:** So when Constable Séguin left,
10 you weren't expecting to see him again?

11 **MS. ROY:** No.

12 **MR. WALLACE:** Okay. He wasn't saying "We'll
13 be in touch to further this investigation." It was over.
14 As far as Constable Séguin was concerned Albert had no
15 additional information?

16 **MS. ROY:** Well, as far as my understanding.

17 **MR. WALLACE:** Yes.

18 **MS. ROY:** Yes.

19 **MR. WALLACE:** And the business about the
20 Mark, this was something that Albert didn't agree with,
21 didn't feel that the statement accurately set out what he
22 knew; is that correct?

23 **MS. ROY:** That's right. And he told Steve
24 Séguin that he wanted to change it because it wasn't right
25 and Steve Séguin told him that he would have to go to a

1 judge to have the judge fix it and that it would be more of
2 a hassle than anything and that he was not going to do it.
3 And Albert said he wanted it and he wouldn't.

4 **MR. WALLACE:** Okay. Do you have any idea
5 what the statement was going to be used for, this new --
6 this correction that Albert had?

7 **MS. ROY:** I don't know. He just kept asking
8 about this Mark guy.

9 **MR. WALLACE:** Now, who was asking, Albert or
10 Séguin?

11 **MS. ROY:** No, Séguin.

12 **MR. WALLACE:** Okay. And that was his
13 interest, it was in Mark?

14 **MS. ROY:** Yes.

15 **MR. WALLACE:** And Albert made it clear he
16 didn't know anything about Mark?

17 **MS. ROY:** Right. But he was adamant that he
18 was going to keep asking him.

19 **MR. WALLACE:** Thank you very much.

20 **MS. ROY:** Thank you.

21 **THE COMMISSIONER:** Thank you.

22 Have we had enough, or what would you
23 prefer? Would you prefer to finish tonight if you had a
24 choice or come back tomorrow morning?

25 **MS. ROY:** I don't know. I'm not feeling

1 very well.

2 **THE COMMISSIONER:** Neither am I.

3 **MS. ROY:** I am just getting over a reaction
4 to a pneumonia shot.

5 **THE COMMISSIONER:** All right.

6 So why don't we call it quits and come back
7 tomorrow morning at 9:30. All right? Thank you.

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

10 The hearing is now adjourned. L'audience
11 est ajournée.

12 --- Upon adjourning at 4:56 p.m. /

13 L'audience est ajournée à 16h56

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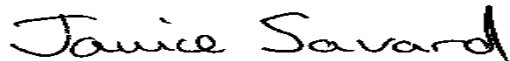
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C E R T I F I C A T I O N

1
2
3 I, Jamie Savard a certified court reporter in the Province
4 of Ontario, hereby certify the foregoing pages to be an
5 accurate transcription of my notes/records to the best of
6 my skill and ability, and I so swear.

7
8 Je, Jamie Savard, un sténographe officiel dans la province
9 de l'Ontario, certifie que les pages ci-hautes sont une
10 transcription conforme de mes notes/enregistrements au
11 meilleur de mes capacités, et je le jure.

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