

**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 323

Held at :

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

Thursday, December 11, 2008

Tenue à:

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

Jeudi, le 11 décembre 2008

Appearances/Comparutions

Ms. Brigitte Beaulne	Registrar
M ^e Pierre R. Dumais Ms. Kelly Doctor	Commission Counsel
Ms. Reena Lalji	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff Ms. Diane Lahaie	Ontario Provincial Police
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Juda Strawczynski	Citizens for Community Renewal
Mr. Dallas Lee	Victims' Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDougald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Mr. Larry O'Brien	Mr. Randy Millar
Mr. Pat Hall	

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1 --- Upon commencing at 9:06 a.m./

2 L'audience débute à 9h06

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

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Thank you.

10 Good morning, all.

11 **MR. KLOEZE:** Good morning, Mr. Commissioner.

12 **THE COMMISSIONER:** Mr. Hall.

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

14 **THE COMMISSIONER:** Good morning.

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

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

17 **KLOEZE:**

18 **MR. KLOEZE:** Good morning, Mr. Hall. My
19 name is Darrell Kloeze. I'm counsel for the Ministry of
20 the Attorney General, and I don't have many areas to cover
21 with you this morning. I hope I can get it done in fairly
22 short time.

23 The first area I did want to cover with you
24 is basically something that you've been invited to comment
25 on over the past several days and that is your working

1 relationship with Shelley Hallett who was obviously one of
2 the Crowns you worked closely with.

3 And during your evidence, as I understood it
4 over the past several days, you said that you felt you had
5 a good working relationship with Ms. Hallett?

6 MR. HALL: Yes, I did.

7 MR. KLOEZE: Okay.

8 MR. HALL: And we did have.

9 MR. KLOEZE: And that was a professional
10 working relationship?

11 MR. HALL: Yes.

12 MR. KLOEZE: And you worked together as
13 colleagues?

14 MR. HALL: Yes.

15 MR. KLOEZE: And you were able to
16 communicate your concerns with her?

17 MR. HALL: Yes.

18 MR. KLOEZE: And you did so on several
19 occasions?

20 MR. HALL: Yes, I did.

21 MR. KLOEZE: And I think Mr. Engelmann
22 brought you to some of those occasions. There was, for
23 example, the arrest of Brian Dufour.

24 MR. HALL: Yes.

25 MR. KLOEZE: And you had a difference of

1 opinion on that arrest?

2 MR. HALL: Yes.

3 MR. KLOEZE: And you brought your concerns
4 to Ms. Hallett and you debated them?

5 MR. HALL: Yes.

6 MR. KLOEZE: You brought -- you even said
7 that you brought out the *Criminal Code* and pointed her to
8 some relevant sections of the *Criminal Code*?

9 MR. HALL: Yes.

10 MR. KLOEZE: And at the end of the day, she
11 accepted your advice on that matter?

12 MR. HALL: Yes, she did.

13 MR. KLOEZE: And you also -- you said you
14 disagreed with Ms. Hallett about where to house the Dunlop
15 disclosure and who should have possession of it?

16 MR. HALL: Yes, I didn't know if she was
17 going to bring it back to our office.

18 MR. KLOEZE: That's right.

19 And you were surprised when they did arrive
20 at the office?

21 MR. HALL: Yes.

22 MR. KLOEZE: But that didn't affect your
23 working relationship with her in any way?

24 MR. HALL: No, she -- we discussed it and I
25 outlined my reasons why I didn't want the material and no,

1 it didn't whatsoever.

2 Just prior to the -- maybe early on, I had a
3 discussion with her in regards to her copying me on her
4 request to the officers because there was an occasion or
5 two where she was directing Constable Dupuis, for instance,
6 to line up some interviews, and I just wanted to be aware
7 of it. So that's why she started copying me on everything
8 she was doing.

9 MR. KLOEZE: So you asked her to copy you on
10 correspondence?

11 MR. HALL: Yeah, as their supervisor, so I
12 knew where they were going because I was giving them
13 assignments too and they would come, "Well, you know, Ms.
14 Hallett's got me -- wants me to do this and that." I'd
15 say, "No problem, we'll do anything she wants. Just let me
16 know that it is happening, that's all."

17 MR. KLOEZE: Okay. And you raised that
18 concern with her and she agreed to it?

19 MR. HALL: Oh, yeah. That was just a
20 straight conversation. There was no disagreement. She
21 understood that and she just complied. There was no
22 problem.

23 MR. KLOEZE: Okay. But I take it that
24 whatever differences of opinion you had with Ms. Hallett
25 did not affect the performance of your duties in a

1 professional manner?

2 MR. HALL: No, none whatsoever.

3 MR. KLOEZE: Okay.

4 MR. HALL: And there really only was the
5 two, the one with the arrest and the boxes.

6 MR. KLOEZE: Okay. Now, I want to turn to a
7 matter that you've also spoken at length about and that is
8 again involving Ms. Hallett and the completion of some
9 opinions on Crown briefs that you had submitted to her.

10 MR. HALL: Yes.

11 MR. KLOEZE: Now, to identify the briefs in
12 question, I think we're talking about five briefs involving
13 allegations of historical sexual abuse against five
14 different priests?

15 MR. HALL: Yes, five clergy members.

16 MR. KLOEZE: Five clergy members.

17 And the complainant on four of those
18 allegations was Mr. Leroux?

19 MR. HALL: I think he was involved in all of
20 them. But if you can direct me to which one you're talking
21 about, I could ---

22 MR. KLOEZE: Okay. Perhaps the easiest way
23 to find this is in the opinion letter of Mr. McConnery
24 because ---

25 MR. HALL: Okay.

1 MR. KLOEZE: --- he summarizes ---

2 MR. HALL: I think maybe the one we
3 submitted later for review is the one you're talking about?

4 MR. KLOEZE: The one you submitted later, I
5 believe, was an allegation brought by C-15, if you look at
6 the moniker list.

7 MR. HALL: Yes, I think I know who you're
8 talking about, yes.

9 MR. KLOEZE: Okay. And the four other
10 allegations ---

11 MR. HALL: Yes, that was the one that we --
12 the last one we -- I delivered four of them, I believe, on
13 the 22nd of September and then the other one, it wasn't
14 until around the 15th of November and I think that's the one
15 you're talking about?

16 MR. KLOEZE: That's correct.

17 MR. HALL: Yes.

18 MR. KLOEZE: So four of the briefs involved
19 allegations brought by Mr. Leroux and the fifth brief ---

20 MR. HALL: Yes.

21 MR. KLOEZE: --- was an allegation by C-15?

22 MR. HALL: And it surrounded the Alfred
23 Training School.

24 MR. KLOEZE: That's correct.

25 And then the sixth brief that you had

1 submitted ---

2 MR. HALL: Yes.

3 MR. KLOEZE: --- to Ms. Hallett was the
4 conspiracy brief?

5 MR. HALL: Correct.

6 MR. KLOEZE: Okay. And would you agree with
7 me that the main source of the allegation and the
8 conspiracy brief was again Ron Leroux?

9 MR. HALL: Well, Mr. Dunlop had a lot of
10 input too.

11 MR. KLOEZE: Well, as I understand it, it
12 comes from the Fantino binder.

13 MR. HALL: Yes, yes.

14 MR. KLOEZE: And Mr. Dunlop's -- the source
15 of Mr. Dunlop's information basically about the conspiracy
16 ---

17 MR. HALL: Correct.

18 MR. KLOEZE: --- is Mr. Leroux?

19 MR. HALL: Correct.

20 MR. KLOEZE: Okay. And Mr. Leroux is also
21 the main source of the allegation that was contained --
22 that was part of the conspiracy that there was a meeting in
23 August of 1993 on Stanley Island?

24 MR. HALL: Correct.

25 MR. KLOEZE: Okay. And that was Mr. -- Mr.

1 Leroux was the source of that allegation as well?

2 MR. HALL: Yes, the only source.

3 MR. KLOEZE: And I guess the content of the
4 allegation was that this meeting was -- involved members of
5 the clan and other prominent citizens of Cornwall and the
6 meeting was to attempt to suppress the complaint of sexual
7 assault brought by David Silmsner?

8 MR. HALL: That was his information.

9 MR. KLOEZE: That was Mr. Leroux'
10 information?

11 MR. HALL: Yes.

12 MR. KLOEZE: So with the exception of C-15,
13 Mr. Leroux was the main or the common element in ---

14 MR. HALL: Yes.

15 MR. KLOEZE: --- five of those six briefs?

16 MR. HALL: Yes.

17 MR. KLOEZE: And you've already said that
18 four of them were handed over to the Crown in September of
19 1999?

20 MR. HALL: Yes.

21 MR. KLOEZE: The C-15 brief was handed over
22 in November of 1999?

23 MR. HALL: Correct.

24 MR. KLOEZE: Now, do you remember that Ms.
25 Hallett had indicated to you that she wanted to review the

1 conspiracy brief at the same time that she was going to be
2 reviewing the individual briefs? So you had the five
3 briefs with allegations of sexual assaults ---

4 MR. HALL: Yes.

5 MR. KLOEZE: --- or historical sexual abuse.
6 Ms. Hallett had indicated she wanted to review the
7 conspiracy brief before she gave an opinion on all of them.
8 Do you remember that?

9 MR. HALL: Yeah, she did speak about that,
10 yes.

11 MR. KLOEZE: Okay. And I'm going to ask you
12 to look at a letter that you wrote to Jim Stewart regarding
13 the conspiracy brief. And this is basically the cover
14 letter when you submitted the conspiracy brief. That's
15 Exhibit 2807. As I -- 2807 is actually your will say to
16 the York Regional Police, but you've included the letter in
17 that.

18 MR. HALL: Yes.

19 MR. KLOEZE: And that's probably the easiest
20 place to find it. And I'll be referring to some -- several
21 documents in this will say.

22 THE COMMISSIONER: Two-eight-zero-seven
23 (2807)?

24 MR. KLOEZE: Two-eight-zero-seven (2807). I
25 believe that's the right number. The Document Number is

1 123035 for counsel.

2 THE COMMISSIONER: Yes, okay. That's the
3 statement of Pat Hall.

4 MR. KLOEZE: Yes. And I'm actually looking
5 at the very last page, Bates number ending 698. In my
6 copy, Mr. Hall, it's the very last page of your will say.

7 MR. HALL: Yes, I'm there.

8 MR. KLOEZE: Okay. There are two pieces of
9 information in this that I want to draw your attention to,
10 and the first is in the second paragraph where you say:

11 "In April 1999, I met with Mr. John
12 Corelli and yourself..."

13 Yourself meaning Jim Stewart.

14 "...in Toronto. At the time, it was
15 agreed that Ms. Hallett would review
16 the brief and provide a written legal
17 opinion pertaining to criminal
18 charges."

19 And this is referring again to the
20 conspiracy brief?

21 MR. HALL: Yes. I think in fairness to Ms.
22 Hallett, that was decided in that meeting. She didn't know
23 she was doing that until after the meeting really.

24 MR. KLOEZE: Yes.

25 MR. HALL: Yeah.

1 **MR. KLOEZE:** So as early as April 1999,
2 basically Ms. Hallett was going to be assigned the
3 conspiracy brief?

4 **MR. HALL:** That's right, among others.

5 **MR. KLOEZE:** Yeah. And it's not delivered
6 to her until July 19th, 2000 ---

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

8 **MR. KLOEZE:** --- or probably the next day?

9 **MR. HALL:** Yes.

10 **MR. KLOEZE:** What you do is deliver it to
11 Mr. James Stewart first.

12 Now, the third paragraph there:

13 "Ms. Hallett is currently reviewing
14 briefs on five members of the clergy
15 and expressed that she would like to
16 review the alleged conspiracy brief
17 prior to giving an opinion on the
18 matters."

19 **MR. KLOEZE:** Do you see that?

20 **MR. HALL:** Yes.

21 **MR. KLOEZE:** So you knew that information?

22 **MR. HALL:** Yeah. Yeah.

23 **MR. KLOEZE:** Can I suggest to you that it
24 obviously makes sense for Ms. Hallett to want to review all
25 the briefs together because the main -- the common element

1 in a conspiracy brief and four of the other briefs is Mr.
2 Leroux?

3 **MR. HALL:** Yes, but I also understood from
4 conversations with her that she was in the process of
5 reviewing these. She wasn't going to give her opinion
6 until she reviewed the conspiracy brief.

7 I understood that she was working on them at
8 some -- how far she was into them, I don't know.

9 **MR. KLOEZE:** That's right. So she had four
10 of the briefs, the Leroux briefs, basically, in September,
11 1999, but she didn't get the conspiracy brief until almost
12 a year later, July, 2000?

13 **MR. HALL:** Correct.

14 **MR. KLOEZE:** Now, I want to move ahead six
15 months from here to January, 2001, and you have not yet
16 received an opinion on any of these briefs?

17 **MR. HALL:** Correct.

18 **MR. KLOEZE:** And that's a source of concern
19 to you?

20 **MR. HALL:** Well, it's not just me; my
21 director and the OPP in general and the community here were
22 enquiring.

23 **MR. KLOEZE:** Exactly. There's a lot of
24 correspondence going on around January, 2001 as to where
25 are these briefs and where can we get them?

1 MR. HALL: Yes.

2 MR. KLOEZE: Yeah. You know also in
3 January, 2001, Ms. Hallett is about to start on the Leduc
4 trial?

5 MR. HALL: Yes.

6 MR. KLOEZE: And that starts on January 15th,
7 2001?

8 MR. HALL: Yes, it does.

9 MR. KLOEZE: I understand that even on
10 January -- it's not until a couple of days into the trial
11 that the jury notice is actually struck and it's
12 reconverted into a non-jury trial. So, Ms. Hallett, as of
13 January 15th, thinks she's facing a jury trial for about six
14 weeks?

15 MR. HALL: That's what she said, yes.

16 MR. KLOEZE: Okay.

17 MR. HALL: I think she estimated about that
18 time.

19 MR. KLOEZE: Okay, and you have a discussion
20 with Ms. Hallett on January 9th, 2001 ---

21 MR. HALL: Yes.

22 MR. KLOEZE: --- regarding these briefs.

23 And I would like you to turn up your notes
24 for that date. It's Exhibit 2756.

25 THE COMMISSIONER: Twenty-seven-fifty-six

1 (2756)?

2 MR. KLOEZE: Twenty-seven-fifty-six (2756),
3 yes, sir.

4 THE COMMISSIONER: Thank you.

5 MR. KLOEZE: And Bates page ending 757. The
6 note for January 9th starts 756.

7 MR. HALL: Yes.

8 MR. KLOEZE: And at 757, halfway down the
9 page, sir, do you see the item "Discussed with Hallett"?

10 MR. HALL: Yes.

11 MR. KLOEZE: And it says from what I can
12 read:

13 "Discussed with Hallett media on Truth
14 about finalizing same."

15 MR. HALL: Yes.

16 MR. KLOEZE: "Said she will not be able to
17 do anything until after Leduc matter."

18 MR. HALL: Yes. This was in regards to the
19 opinion she was going to give.

20 MR. KLOEZE: Exactly. And I guess the first
21 comment, "media on Truth", I guess one of the reasons
22 you're assessing with her is because there's a lot of media
23 now about Project Truth?

24 MR. HALL: Well, if I recall, the Mayor of
25 Cornwall of the day had directed letters wanting to know

1 when we'd be going to conclude, and I think she had given
2 us a date by the end of October. This was back in August
3 or September and my director, who was Detective
4 Superintendent Crane at the time, issued a release,
5 basically, saying that we were going to be concluded by
6 that time. So the time came and went and then I believe
7 Bishop LaRocque made some inquiries as well as to why it
8 was not being completed.

9 MR. KLOEZE: Yes. I understand that the
10 October date had passed. You're now in January?

11 MR. HALL: Yes.

12 MR. KLOEZE: And you're asking Ms. Hallett
13 about when are we going to get the briefs?

14 MR. HALL: I believe there was conversations
15 between -- well, I know there was conversation between
16 myself and Detective Superintendent Lewis who was
17 conversing with Murray Segal at the time.

18 MR. KLOEZE: Yes.

19 MR. HALL: I think he started with Jim
20 Stewart and was referred to Murray Segal about the same
21 issue.

22 MR. KLOEZE: Yeah, I'm going to come there
23 in a second.

24 I just want to -- from this note, we see
25 that Ms. Hallett is basically telling you I'm not going to

1 do them now ---

2 MR. HALL: Yes.

3 MR. KLOEZE: --- I'll wait until after the
4 trial is over?

5 MR. HALL: Yeah.

6 MR. KLOEZE: And that's no surprise to you
7 that ---

8 MR. HALL: No. No surprise at that point.

9 MR. KLOEZE: You understand that her
10 workload is going to be quite heavy over the next couple of
11 weeks?

12 MR. HALL: Yes.

13 MR. KLOEZE: And you're aware, as you just
14 said, there are further conversations about this at a
15 higher level.

16 MR. HALL: Yes.

17 MR. KLOEZE: And Detective Superintendent
18 Lewis is talking with Mr. Segal at the Ministry?

19 MR. HALL: Yes.

20 MR. KLOEZE: And you've testified last week
21 about a conversation between Detective Superintendent Lewis
22 and Mr. Segal.

23 MR. HALL: Yes.

24 MR. KLOEZE: And that conversation happens
25 on or about January 15th, 2001?

1 **MR. HALL:** Yes, I could -- I have notes when
2 it was, but I'll take your word for it that was the date.

3 **MR. KLOEZE:** We have your notes on it and
4 maybe we can turn to it.

5 Your note is at January 17th, 2001 at the
6 same exhibit we were just at; Bates page ending 767.

7 **MR. HALL:** Yes.

8 **MR. KLOEZE:** If you're there at the entry
9 starting "9:30".

10 **MR. HALL:** Yes:

11 "Call to Superintendent Lewis on media
12 release. Said he spoke to Murray
13 Segal; concerns; maybe after Leduc
14 trial; advised of problems with
15 Crowns."

16 **MR. KLOEZE:** That's right, and ---

17 **MR. HALL:** I think the media release was the
18 -- my director and I think the Eastern Region command staff
19 got involved in conversation about should we make a press
20 release or should we not.

21 **MR. KLOEZE:** Okay.

22 **MR. HALL:** I think that's what the media I'm
23 referring to.

24 **MR. KLOEZE:** Okay.

25 Now, your conversation with Detective

1 Superintendent Lewis was on January 17th. I assume that his
2 conversation with Mr. Segal was a couple of days before.
3 And we are going to hear from Detective Superintendent
4 Lewis about the conversation.

5 MR. HALL: Yes.

6 MR. KLOEZE: He is coming to testify next
7 week.

8 MR. HALL: Yes.

9 MR. KLOEZE: And we have his notes as well
10 on that conversation.

11 MR. HALL: Yes.

12 MR. KLOEZE: But I would just like to
13 explore your understanding ---

14 MR. HALL: Yes.

15 MR. KLOEZE: --- of what Detective
16 Superintendent Lewis told you.

17 And to do that, I would like to turn up your
18 account of this conversation in, again, your will say to
19 the York Regional Police.

20 If we go back to the other exhibit we were
21 just at, that's 2807.

22 MR. HALL: Bates page?

23 MR. KLOEZE: Bates page ending 590.

24 THE COMMISSIONER: I'm sorry, five?

25 MR. KLOEZE: Five-nine-zero (590).

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

2 **MR. HALL:** January?

3 **MR. KLOEZE:** If you're there, Mr. Hall, it's
4 the third last paragraph on that page, starting on 15 Jan
5 '01.

6 **MR. HALL:** Yes.

7 **MR. KLOEZE:** And it continues:

8 "Detective Superintendent Lewis called
9 Murray Segal and expressed concerns
10 about the delay in receiving legal
11 opinions. Segal apologized for the
12 delay but said he was reluctant to say
13 anything to Ms. Hallett as she was
14 starting a jury trial on 15 January '01
15 on a Project Truth case."

16 **MR. HALL:** Yes.

17 **MR. KLOEZE:** "Segal said he would sort out
18 the timing of when best to speak to Ms.
19 Hallett and get back to Lewis."

20 **MR. HALL:** Yes.

21 **MR. KLOEZE:** Now, again, the concern that
22 Mr. Segal is expressing here is because the Crown is about
23 to start a significant jury trial.

24 **MR. HALL:** Yes?

25 **MR. KLOEZE:** And you'll agree with me again

1 that preparing for and conducting a trial would involve
2 quite a bit of work and the Crown would be under a certain
3 amount of pressure because of those work concerns?

4 MR. HALL: Yes.

5 MR. KLOEZE: And Mr. Segal is saying he's
6 not going to be bothering the Crown about other things when
7 she's trying to focus on preparing for and conducting a
8 trial?

9 MR. HALL: Well, that's what I got from
10 Superintendent Lewis.

11 MR. KLOEZE: Okay.

12 MR. HALL: I wasn't talking to him directly.

13 MR. KLOEZE: Now, the thing I want to get to
14 you with is that you testified that Detective
15 Superintendent Lewis mentioned something to you about the
16 Crown having emotional problems?

17 MR. HALL: That's what I was told.

18 MR. KLOEZE: Now, you'll agree with me that
19 even in your statement to the York Regional Police, you
20 don't say anything about emotional problems?

21 MR. HALL: No.

22 MR. KLOEZE: And you didn't say anything in
23 your notes about emotional problems?

24 MR. HALL: No.

25 MR. KLOEZE: Now, I understood your

1 explanation about the notes, is that you didn't want to
2 embarrass Ms. Hallett?

3 MR. HALL: Yes.

4 MR. KLOEZE: Now, I would put to you that's
5 not the same; I mean, you wouldn't have that same concern
6 in your statement to the York Regional Police would you?

7 MR. HALL: No. No.

8 MR. KLOEZE: So if that was something that
9 was relevant to you or something that was important, you
10 would have put that in your statement to the York Regional
11 Police as relevant information?

12 MR. HALL: Yes. Yes.

13 MR. KLOEZE: But it's not in there. It's
14 not in your statement to the York Regional Police.

15 MR. HALL: No, I didn't articulate it the
16 way I did in my notes.

17 MR. KLOEZE: So I would like to suggest to
18 you, Mr. Hall, that Superintendent Lewis never told you
19 anything about the Crown having emotional problems?

20 MR. HALL: Oh, I disagree with you on that.

21 MR. KLOEZE: Well, I suggest that the only -
22 - as reflected both in your notes, your own notes ---

23 MR. HALL: Yes.

24 MR. KLOEZE: --- and in your statement to
25 the York Regional Police ---

1 **MR. HALL:** Yes.

2 **MR. KLOEZE:** --- the only concern that's
3 expressed is the fact that the Crown is about to start a
4 major trial?

5 **MR. HALL:** Well, it's all the reasons
6 previous to that given that she's not wanting to do the
7 reviews.

8 **MR. KLOEZE:** But we're -- I'm focusing on
9 January 15th, 2001.

10 **MR. HALL:** Yes, okay.

11 **MR. KLOEZE:** And I'm focusing on the
12 conversation between Mr. Segal and Detective Superintendent
13 Lewis.

14 **MR. HALL:** Yes.

15 **MR. KLOEZE:** Okay.

16 **THE COMMISSIONER:** I'm sorry, what was your
17 last comment, sir? You said it was the reasons before ---

18 **MR. HALL:** Well, I -- we'd been asking her
19 for several times ---

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

21 **MR. HALL:** --- over a long period of time,
22 and she had -- I know she wasn't happy with getting the
23 reviews to do, because I don't believe she had any input to
24 it. That was decided in a meeting with Bob Pelletier, Jim
25 Stewart and John Corelli, and I think Jim Ramsey, maybe was

1 her supervisor, I don't know.

2 There was another Crown there, at a meeting
3 in Toronto, so -- and Father Charles MacDonald's trial, she
4 didn't -- she had indicated to me she wasn't -- she didn't
5 really want to do it either, and I -- I sensed that she was
6 getting too loaded down, that she was having problems, just
7 in her conversations.

8 So, coupled with that, and what I was told
9 by Detective Superintendent Lewis, that was my conclusion.

10 **MR. KLOEZE:** Okay, now, as you said, you
11 weren't a party to that conversation between Superintendent
12 Lewis and Mr. Segal?

13 **MR. HALL:** No, I wasn't.

14 **MR. KLOEZE:** Okay. So you had ---

15 **MR. HALL:** --- and I think he had -- he had
16 more -- he had more than one conversation with Murray
17 Segal, and I don't know which one that was conveyed to him
18 in, but that's the day he conveyed it to me.

19 **THE COMMISSIONER:** I'm sorry, can I
20 just -- on January 15th, when you say Lewis phoned
21 Mr. Segal, did he communicate that to you on that day?

22 **MR. HALL:** Well, I'd have to go back to my
23 other notes and see if I received a call from him or not.

24 **MR. KLOEZE:** I believe, in Mr. Hall's notes,
25 it's January the 17th that Mr. Hall had a conversation with

1 Detective Superintendent Lewis.

2 MR. HALL: So it's, basically, two days
3 later.

4 THE COMMISSIONER: Okay, and just that the
5 next paragraph you say, "On January 15th," which is the same
6 day that discussion was being had with Segal, that, you
7 know, "We'll sort out the timing as when we're going to ask
8 her." Well, on the 15th, at the beginning of the Leduc
9 trial, Ms. Hallett was asked about the legal opinion.

10 MR. HALL: Yes.

11 THE COMMISSIONER: Who was she asked that
12 by? You?

13 MR. HALL: Me. By me. That's my comment
14 there on the 15th.

15 THE COMMISSIONER: Okay, good, thanks.

16 MR. KLOEZE: Okay. I want to move on a bit,
17 Mr. Hall, and I want to explore a bit, again, the nature of
18 your concern about the delay in the Crown briefs.

19 MR. HALL: Yes.

20 MR. KLOEZE: I think you've mentioned it
21 once; you were primary concerned with the fact -- well,
22 obviously you were waiting a considerable amount of time to
23 get results, to get answers on these briefs, and, I'm going
24 to suggest, the reason your were concerned was not because
25 you were waiting to find out whether you should be laying

1 charges in any of these matters, but because of the media
2 pressure that you were facing at that time.

3 **MR. HALL:** Well, it was more than the media.
4 We wanted to conclude our investigation, and I think it was
5 fairness to the alleged perpetrators.

6 They wanted to -- you know, particularly
7 Father Maloney. I mean, these allegations were out there,
8 and they couldn't address them in their professional
9 careers. We were trying to get closure on that.

10 **MR. KLOEZE:** That's right, but, again, I'm
11 going to suggest that it wasn't because you thought you had
12 grounds to lay charges against any of these people, and
13 because the briefs were being delayed that you weren't able
14 to lay charges that you thought were going to be
15 appropriate charges.

16 **MR. HALL:** Yes, I expected the Crown to give
17 me an opinion in a timely fashion, like the other cases, so
18 I could make a decision as to how I would proceed.

19 **MR. KLOEZE:** Yes, but Mr. Callaghan
20 canvassed some of this area with you yesterday. You did
21 not personally believe that you had reasonable and probable
22 grounds to lay charges in any of these matters?

23 **MR. HALL:** You're right, I didn't.

24 **MR. KLOEZE:** And so the likelihood was that
25 you were not going to be laying charges in any of these

1 matters?

2 MR. HALL: Not unless Ms. Hallett seen
3 something that I didn't see.

4 MR. KLOEZE: And that would involve
5 some -- she would have to approach you with that and ---

6 MR. HALL: Well, that would be ---

7 MR. KLOEZE: --- that would involve some
8 conversation?

9 MR. HALL: --- part of the review.

10 MR. KLOEZE: Yes. But you, subjectively,
11 did not have reasonable and probable ---

12 MR. HALL: No.

13 MR. KLOEZE: --- grounds?

14 MR. HALL: No, I did not.

15 MR. KLOEZE: Okay. Mr. Callaghan asked
16 you -- explored that a bit with you, and you didn't
17 believe -- you didn't think you had reasonable and probable
18 grounds, partly because you didn't think that Mr. Leroux
19 was a credible witness?

20 MR. HALL: Based on the information I had, I
21 didn't believe I had reasonable and probable grounds.

22 MR. KLOEZE: So your concern was not that
23 there were potential paedophiles running free in the
24 community?

25 MR. HALL: No. No, it was not.

1 **MR. KLOEZE:** Okay. Your concern was,
2 basically, that -- again, you've enumerated some of them,
3 that there was media pressure, that there -- you were
4 concerned with fairness to the people being investigated,
5 and you were concerned in closing up shop; basically, you
6 wanted to close up Project Truth?

7 **MR. HALL:** Yes.

8 **MR. KLOEZE:** Yes. Turning to another
9 matter, and this is the matter of the delivery of binders
10 to the Ministry of the Attorney General by Mr. Dunlop ---

11 **MR. HALL:** Yes.

12 **MR. KLOEZE:** --- in April, 1997. You've
13 testified that, obviously, the OPP never received the
14 copies of the binders that had been delivered to the
15 Ministry.

16 **MR. HALL:** Correct.

17 **MR. KLOEZE:** Now, I understand that the time
18 line here is that in December 1996, Mr. Dunlop, through his
19 lawyer, delivers a brief or a binder to Chief Fantino of
20 the London police?

21 **MR. HALL:** The 18th of December, '96, yes.

22 **MR. KLOEZE:** Okay. And that's what we now
23 call the "Fantino brief," and that makes its way,
24 eventually -- I believe it's to Inspector Frechette of the
25 OPP? Is that ---

1 **MR. HALL:** Yes. I believe it would have
2 been Chief Superintendent ---

3 **MR. KLOEZE:** Chief Superintendent.

4 **MR. HALL:** --- at the time, yes.

5 **MR. KLOEZE:** And, eventually, that makes its
6 way to Peter Griffiths, the regional director of Crown
7 operations in the east?

8 **MR. HALL:** Through Inspector Smith.

9 **MR. KLOEZE:** Okay. And this is what causes
10 the meeting that you attended, with Inspector Smith and
11 others, in Mr. Griffiths' office?

12 **MR. HALL:** The 24th of April, yes ---

13 **MR. KLOEZE:** That's correct.

14 **MR. HALL:** --- '97.

15 **MR. KLOEZE:** Now, a couple of weeks before
16 that, in April of 1997, we know that Mr. Dunlop went around
17 and delivered -- or attempted to deliver three sets of
18 this -- three sets of briefs; one set to the Ministry of
19 the Attorney General, one set to Sol. Gen., the Ministry of
20 the Solicitor General, and one set to OCOPS?

21 **MR. HALL:** Yes.

22 **MR. KLOEZE:** And we know that the
23 Ministry ---

24 **MR. HALL:** Well, the Ministry of the
25 Solicitor General didn't accept ---

1 MR. KLOEZE: Exactly.

2 MR. HALL: --- the briefs.

3 MR. KLOEZE: Yes. And we've looked at the
4 letter, the cover letter, that Mr. Dunlop sent to
5 Mr. Runciman, who was the minister -- the Solicitor General
6 at the time. We've looked at ---

7 MR. HALL: Yes.

8 MR. KLOEZE: --- that letter over ---

9 MR. HALL: Yes.

10 MR. KLOEZE: --- the last two weeks. Now,
11 you become aware of these materials that were delivered, in
12 July of 1998 because of comments that Mrs. Dunlop was
13 making to the media?

14 MR. HALL: Yes.

15 MR. KLOEZE: Yes. And in your meeting with
16 Mr. Dunlop on July 23rd, 1998, you asked him to bring those
17 briefs to you ---

18 MR. HALL: Yes.

19 MR. KLOEZE: --- basically, and, basically,
20 he recreated what he had sent around to ---

21 MR. HALL: Yes.

22 MR. KLOEZE: --- to those ministries? Or,
23 to MAG and also to OCOPS?

24 MR. HALL: Yes, he did.

25 MR. KLOEZE: Okay. And you received those

1 at the end of July 1998?

2 MR. HALL: The 31st of July.

3 MR. KLOEZE: And there were four binders of
4 materials that you received?

5 MR. HALL: Four binders; two dealing with
6 sexual assault allegations, if I can put it that way, and
7 the other two were the *Police Services Act* charges he had
8 faced.

9 MR. KLOEZE: So the first two binders, the
10 ones that were dealing with the sexual assault allegations,
11 you reviewed those binders and you compared them with the
12 Fantino brief?

13 MR. HALL: Yes.

14 MR. KLOEZE: And you found that they were,
15 basically, the same as the Fantino brief, with 11
16 additional tabs?

17 MR. HALL: Yes.

18 MR. KLOEZE: And only three of those tabs
19 had any, I guess, evidentiary information, or relevant
20 evidence, pertaining to your sexual assault investigations?

21 MR. HALL: Yes. At least one of the
22 interviews had been taken in January of '97, so, obviously,
23 it couldn't be in the '96 brief, and the other two I think
24 at that point we already had.

25 MR. KLOEZE: That's right. So there was no

1 new investigative information ---

2 MR. HALL: No.

3 MR. KLOEZE: --- in those two binders that
4 you didn't already have?

5 MR. HALL: Correct.

6 MR. KLOEZE: Okay. Now, turning to the
7 other two binders, and those were the materials from the
8 *Police Services Act* prosecution against Mr. Dunlop?

9 MR. HALL: Yes.

10 MR. KLOEZE: And you've said elsewhere, I
11 believe, that those *Police Services Act* materials were
12 invaluable in your conspiracy investigation?

13 MR. HALL: Well, they certainly assisted.

14 MR. KLOEZE: Assisted you in your
15 conspiracy ---

16 MR. HALL: Yes.

17 MR. KLOEZE: --- investigation? And they
18 were important to you, that you had those briefs?

19 MR. HALL: Well, it was important from the
20 point of view that I was -- had access to the interviews of
21 the police officers that had been done during that
22 investigation.

23 MR. KLOEZE: That's right.

24 MR. HALL: And notes.

25 MR. KLOEZE: And you didn't commence your

1 conspiracy investigation, as I understand it, until after
2 you -- until -- I think there were some interviews in 1998,
3 but the bulk of your investigation was in the year 2000?

4 MR. HALL: Yes, January 18th I started it.

5 MR. KLOEZE: Okay. So by that point,
6 obviously, you long had the two *Police Services Act* ---

7 MR. HALL: Yes.

8 MR. KLOEZE: --- binders?

9 MR. HALL: Yes.

10 MR. KLOEZE: So will you agree with me then,
11 that the failure of the Ministry of the Attorney General to
12 deliver those briefs to you, when they received them,
13 didn't affect your investigation in any way?

14 MR. HALL: No. The only way it affected our
15 investigation, overall, was Mr. Guzzo's revelations in the
16 House and whatnot that somehow the Ministry of the Attorney
17 General was holding back information because of Murray
18 MacDonald.

19 I mean, that was the thing that was out in
20 the media, and he continued to express that opinion, so,
21 from a public's point of view, they could have believed
22 that, and that -- that's the area I was trying to cover
23 off.

24 MR. KLOEZE: So, again, there was some
25 embarrassment in the media, but it didn't -- the fact that

1 MAG -- it took you a year to get, basically, what was in
2 those briefs, didn't affect your investigation?

3 MR. HALL: No. No.

4 THE COMMISSIONER: Assuming, of course, that
5 the material in the Attorney General's boxes or whatever,
6 binders, hadn't been previously disclosed and there's
7 nothing different in there, which -- have you -- you've
8 never seen the Attorney General's material, have you?

9 MR. HALL: No, I didn't, but from my
10 conversation with Mr. Dunlop, it was identical. And after
11 receiving his material on the 31st of July and after
12 reviewing it and comparing it, I'd have to say that we
13 weren't hampered in any way in our investigation.

14 MR. KLOEZE: Now I want to turn to the
15 events of February, 2001 and the Leduc prosecution. These
16 are events that a number of people have asked you about.

17 MR. HALL: Yes.

18 MR. KLOEZE: And I want to go back again to
19 February 7th, 2001.

20 MR. HALL: Yes.

21 MR. KLOEZE: And as I understand it, the
22 mother of C-16 was testifying and she disclosed in her
23 evidence that she had had some contact with Mr. Dunlop?

24 MR. HALL: Yes.

25 MR. KLOEZE: And I think in her evidence she

1 first mentioned she'd been given Mr. Dunlop's name and she
2 called him on the telephone, and then later on in her
3 evidence she mentioned that in June, 1998, when Dunlop
4 called her back, Officer Dupuis was in her home at the time
5 and knew that Mr. Dunlop was calling the mother of C-16.

6 MR. HALL: I wouldn't say he was in her
7 home. He was at the door picking up ---

8 MR. KLOEZE: He was at the door picking up
9 some tapes.

10 MR. HALL: Videotape, yes.

11 MR. KLOEZE: Videotapes.

12 MR. HALL: A victim assistance tape.

13 MR. KLOEZE: Now, out of this testimony, it
14 was apparent that there were four possible kinds of
15 documents where this information might have been located.

16 MR. HALL: I believe there's five.

17 MR. KLOEZE: Five different -- I'm ---

18 MR. HALL: Well, my recollection is, there's
19 a small handwritten note from Constable Dunlop's notebook.

20 MR. KLOEZE: Yes.

21 MR. HALL: Then there's page 111,
22 handwritten, from a steno book I believe, and I think he
23 had handwritten his notes as well from July 23rd, '98
24 meeting.

25 And then in a typed version, there was again

1 the one -- page 111, indicating the dates that he had spoke
2 with C-16's mother.

3 MR. KLOEZE: The typed version, you mean
4 Dunlop's will say?

5 MR. HALL: Yeah.

6 MR. KLOEZE: Okay.

7 MR. HALL: And then, yeah, I believe it was
8 on page 68, and at page 69 was his detailed what I believe
9 was transcribed from his taped interview of us on the 23rd
10 of July, '98.

11 MR. KLOEZE: And then there was also ---

12 MR. HALL: And they're all -- and the notes
13 came to us on the 14th of March, 2000 in a package, and then
14 the will say came, the typed version, on the 10th of April
15 2000.

16 MR. KLOEZE: That's right.

17 And the other source of information would be
18 Officer Dupuis's notes?

19 MR. HALL: Yes. Which we didn't know he had
20 until the 7th of February.

21 MR. KLOEZE: Okay.

22 And I guess another source of information
23 arising from this evidence might have been your own notes
24 or Inspector Smith's notes in case ---

25 MR. HALL: Yes, yes.

1 MR. KLOEZE: --- you had recorded?

2 MR. HALL: Yes, yes.

3 MR. KLOEZE: So after you saw this evidence,
4 obviously you went to Dunlop's notes, you went to Dunlop's
5 will say to look for those contacts and provide them to the
6 Crown for disclosure?

7 MR. HALL: After when, sir? When are you
8 talking ---

9 MR. KLOEZE: After February 7th. I mean, you
10 ---

11 MR. HALL: Well, when I received the call
12 from Detective Constable Dupuis about the issue and then
13 asked me to bring it, I knew they were in there, I had no
14 problem finding them.

15 MR. KLOEZE: Yes, sir.

16 MR. HALL: I mean, I knew I had a copy.
17 Actually, I had instructed Dupuis to make copies for
18 disclosure. We had several -- about three copies of them
19 ---

20 MR. KLOEZE: That's right.

21 MR. HALL: -- the will says.

22 MR. KLOEZE: Copies of the whole will say
23 for disclosure?

24 MR. HALL: Yeah, yeah.

25 MR. KLOEZE: So you were able to readily

1 locate those ---

2 MR. HALL: Oh, yes.

3 MR. KLOEZE: --- those entries.

4 And then you also found -- or instructed
5 Officer Dupuis to provide his own note for the June, 1998
6 ---

7 MR. HALL: I asked him to look in his
8 notebook to find -- see if there was any, first of all, and
9 he located it.

10 MR. KLOEZE: That's right.

11 MR. HALL: And the reason being why -- it
12 wasn't -- like, if he had've been there for an interview or
13 he was collecting evidence and he had generated a document,
14 it would have been entered on our Access system and it
15 would have been cross-referenced, so there would have -- an
16 easy way to pick it up.

17 MR. KLOEZE: When did you ---

18 MR. HALL: But in this case, it wasn't.

19 MR. KLOEZE: And did you ask Inspector Smith
20 to look through his notes to see whether he had any notes
21 of the July 23rd, 1998 meeting?

22 MR. HALL: Yes, Inspector -- I don't know --
23 it wasn't that day. Inspector Smith came to Cornwall 19th
24 of February, maybe.

25 MR. KLOEZE: Okay.

1 **MR. HALL:** Yes. And I -- we had a file with
2 his notes on -- in it, they're the ones he had left when he
3 retired, and I think we checked that to see if there was
4 any there. I know my secretary, Marion Burns, did some
5 checking for me.

6 But to say exactly what date, my first
7 recollection of talking to Detective Inspector Smith about
8 it would have been probably maybe the next day or so. I'd
9 have to check my notes, but ---

10 **MR. KLOEZE:** But the things that were given
11 to defence counsel right away were the relevant entries in
12 Dunlop's notes and Dunlop's will say and all the relevant
13 entry in Officer Dupuis's notes?

14 **MR. HALL:** Yes, what -- what ---

15 **MR. KLOEZE:** Sorry. Those things were
16 collected from those three sources and they were delivered
17 to defence counsel right away?

18 **MR. HALL:** Well, they were -- when I
19 attended, I took them down to the courthouse. I took the
20 will say and the four appendices with me, and we also
21 photocopied just the entries pertaining to that issue.

22 **MR. KLOEZE:** Yes.

23 **MR. HALL:** And that's what Ms. Hallett
24 wanted to go -- take in with her initially.

25 **MR. KLOEZE:** Okay.

1 **MR. HALL:** And then -- well, I'll stop there
2 or I can keep going.

3 **MR. KLOEZE:** Okay, that's fine because I'm
4 going to go on on this.

5 Now, obviously, Ms. Hallett had received and
6 reviewed the Dunlop's notes and the Dunlop's will say, she
7 had already received -- she had already reviewed those
8 materials, but she had never seen Officer Dupuis's notes,
9 the entry for June 18th, 1998?

10 **MR. HALL:** No, neither had I.

11 **MR. KLOEZE:** That's right because Officer
12 Dupuis hadn't given that to anybody at that -- by that
13 point.

14 **MR. HALL:** No. No, he hadn't.

15 **MR. KLOEZE:** Now, there was a meeting with
16 defence counsel on February 7th after the day -- after the
17 hearing was finished?

18 **MR. HALL:** Yes.

19 **MR. KLOEZE:** And you're at that meeting and
20 defence meeting was very aggressive with you, I understand?

21 **MR. HALL:** Yes.

22 **MR. KLOEZE:** And they were basically
23 accusing you -- accusing you and the other officers of
24 Project Truth of omitting disclosure?

25 **MR. HALL:** Yes.

1 **MR. KLOEZE:** And they said that as
2 experienced police officers, you should have found those
3 materials and produced them. Is that true?

4 **MR. HALL:** Well, I think the gist of it is
5 it we should have disclosed it to the Crown Attorney so she
6 could disclose it.

7 **MR. KLOEZE:** Exactly. And defence counsel
8 said that they were unaware of any Dunlop contact with
9 C-16's mother until after they heard it in evidence that
10 day?

11 **MR. HALL:** Well, that's what they said, but
12 I know in a conversation with Ms. Hallett, they had two
13 binders and she suspected they already knew, just a matter
14 of having C-16's mother mention the magic name of Perry
15 Dunlop.

16 **MR. KLOEZE:** Now, you know that Ms. Hallett
17 herself later on said that she herself was unaware of the
18 contact between Mr. Dunlop and C-16's mother until she
19 heard it in court that day. You're aware that was her ---

20 **MR. HALL:** Yes.

21 **MR. KLOEZE:** Those were her submissions at
22 ---

23 **MR. HALL:** That's what she said, yes.

24 **MR. KLOEZE:** Now, you testified that at this
25 meeting with defence counsel, Ms. Hallett said something to

1 the effect of, "This is news to me"?

2 MR. HALL: Yes. That's when Mr. Skurka was
3 directing his comments to me about the police not -- we're
4 experienced police officers, you know about *Stinchcombe*,
5 you got to do this, you got to do that.

6 MR. KLOEZE: Yeah.

7 MR. HALL: And she's basically standing
8 beside me -- I'm sitting at a desk like I am now, and Mr.
9 Skurka and Campbell are sitting on the opposite side.

10 MR. KLOEZE: Yeah. And when Ms. Hallett
11 said, "This is news to me," you interpreted that as saying
12 -- you interpreted what she was saying was that she had
13 never seen the Dunlop materials; she had never even
14 received the Dunlop materials?

15 MR. HALL: Well, what I interpreted from
16 that is that she didn't have any knowledge of what came out
17 from C-16's mother.

18 MR. KLOEZE: Exactly.

19 MR. HALL: "This is all news to me."

20 MR. KLOEZE: Exactly. She had no knowledge
21 that Mr. Dunlop had contacted C-16's mother?

22 MR. HALL: That's what she said.

23 MR. KLOEZE: That's what she said.

24 But you understood, I guess, from that, that
25 that she was accusing the police of not giving her those

1 materials?

2 **MR. HALL:** Well, I had difficulty
3 understanding her comment from the point of view that I had
4 spoken to her about his will say, how elaborate it was, the
5 fact that she went and got the boxes, Detective Constable
6 Genier in his notes -- both to York Regional Police -- had
7 the conscious recollection of sitting beside her and she's
8 going through the will say.

9 And, you know, when I read the various
10 memorandums she generated, I was led to believe she was
11 doing a very careful check of that. So it was my view that
12 I couldn't see how she didn't know about that.

13 **MR. KLOEZE:** Okay.

14 **MR. HALL:** Particularly -- particularly when
15 she says that she reviewed it for Father Charles MacDonald
16 but she didn't review it for C-16's purposes, and I have
17 great difficulty with, if you see a name, you see a name.
18 I mean, you -- you know.

19 **MR. KLOEZE:** Now, this matter was actually
20 litigated, obviously, and the Court of Appeal accepted Ms.
21 Hallett's explanation that she just didn't see those
22 entries because she was focused on some other matter at the
23 time. She was focused on reviewing them for MacDonald
24 purposes.

25 **MR. HALL:** I believe they ruled it was

1 inadvertence?

2 **MR. KLOEZE:** That's correct, and that it was
3 an honest mistake.

4 **MR. HALL:** An oversight, I guess ---

5 **MR. KLOEZE:** An oversight.

6 **MR. HALL:** --- would be the word for it.

7 **MR. KLOEZE:** Now, those were basically the
8 same words that Ms. Hallett used when she explained to the
9 court how Officer Dupuis could miss the relevant entries in
10 his own notes?

11 **MR. HALL:** Yes.

12 **MR. KLOEZE:** Yeah. And I know that you
13 weren't in court on February 14th, 2001, but did you speak
14 with Officer Dupuis about what was said in court that day?

15 **MR. HALL:** No. I don't have a recollection
16 of ever him telling me exactly what took place.

17 **MR. KLOEZE:** Okay. Now, you didn't speak
18 with Officer Dupuis about the fact that Ms. Hallett had
19 basically defended him in court that day?

20 **MR. HALL:** Not until after. It would have
21 been sometime after.

22 **MR. KLOEZE:** How long after? Would it have
23 been during the month of February or it would have been
24 later on after that?

25 **MR. HALL:** Well, I think it became -- the

1 first time it became apparent to me is when I testified and
2 she was going through, "You were here on the 14th of
3 February, weren't you?" and she kind of reiterated what she
4 said.

5 MR. KLOEZE: Okay.

6 MR. HALL: Because this was in front of
7 another judge now.

8 MR. KLOEZE: Yes.

9 MR. HALL: And I think I recalled three
10 times, "I wasn't here. I wasn't here."

11 MR. KLOEZE: Now, on the 14th of February,
12 with respect to Officer Dupuis' notes, she stated to the
13 court that he missed a small reference in his notes, but
14 she was confident that the omission was a result of
15 inadvertence by Officer Dupuis?

16 MR. HALL: Yes.

17 MR. KLOEZE: And with respect to the Dunlop
18 notes and will say that she had been delivered -- that you
19 delivered to her the year before, she told the court that
20 she had perused those documents in a cursory way to satisfy
21 herself they should be disclosed, but she did not pour over
22 each document to look for relevance to the Leduc
23 prosecution.

24 Those were her submissions to the court on
25 February 14th, and that she took responsibility for missing

1 those references?

2 MR. HALL: Well, that's what she was
3 portraying to the court when I was being cross-examined by
4 her on ---

5 MR. KLOEZE: Okay.

6 MR. HALL: --- the 21st of February, I
7 believe, or the 22nd.

8 MR. KLOEZE: Okay.

9 Now, the next incident I want to explore
10 with you is the February 20th meeting that you had with
11 defence counsel on your own.

12 MR. HALL: Yes.

13 MR. KLOEZE: And I guess shortly after the
14 February 7th meeting, you had located a memo that Ms.
15 Hallett had written to Officer Dupuis on July 4th, 2000?

16 MR. HALL: Yes.

17 MR. KLOEZE: Do you recall that memo? That
18 was the memo that you said, "For your information" and
19 provided it to Ms. Hallett?

20 MR. HALL: Yes, I had a recollection of that
21 memo specifically because I knew that Constable Dunlop had
22 attended Ms. Hallett's office in Toronto and personally
23 gave her a copy of his will say.

24 MR. KLOEZE: Okay. Now, in your meeting on
25 February 20th, 2000 or in the days that followed, you never

1 told Ms. Hallett that you were going to give that same memo
2 to defence counsel?

3 MR. HALL: Well, I never knew I was going to
4 give it to defence counsel until the meeting of -- that
5 meeting.

6 MR. KLOEZE: That's what I'm talking about.

7 MR. HALL: Exactly.

8 MR. KLOEZE: You have a meeting with defence
9 counsel on February 20th. You tell them "There is this memo
10 and I'll obtain it for you"?

11 MR. HALL: Well, it wasn't the context that
12 I told them there was this memo. They were asking me was
13 there correspondence; was there this, was there that. And
14 I recalled their memorandum to Ms. Hallett, the 12th of
15 February, which was the very first one, which was actually
16 asking for that very type of material.

17 So here I am; I'm being asked -- they're
18 going to ask me again the next morning under oath. I said,
19 "Yes, there is".

20 MR. KLOEZE: Okay.

21 MR. HALL: "Can we have it?" That's where
22 it went.

23 MR. KLOEZE: Okay. So they asked -- you
24 told them there was a memo and they asked you for a copy of
25 it?

1 MR. HALL: Yes.

2 MR. KLOEZE: And you didn't tell Ms. Hallett
3 that you were going to provide that copy to defence
4 counsel?

5 MR. HALL: No, I didn't.

6 MR. KLOEZE: Now, before that meeting, Ms.
7 Hallett knew that you were going to speak with defence
8 counsel?

9 MR. HALL: Well, we went and asked
10 permission.

11 MR. KLOEZE: You asked permission of Ms.
12 Hallett and she gave you the permission to speak with
13 defence counsel?

14 MR. HALL: She said, "All three of you go
15 speak to him".

16 MR. KLOEZE: That's right. And she didn't
17 tell you what to say to them?

18 MR. HALL: No.

19 MR. KLOEZE: And she didn't tell you to
20 withhold any information from them?

21 MR. HALL: No.

22 MR. KLOEZE: Okay. And she didn't try to
23 prevent you in any way from speaking with them?

24 MR. HALL: No.

25 MR. KLOEZE: Now, at no time, I guess,

1 between February 8th and the time that you provide that
2 letter to Ms. Hallett and February 20th when you disclose it
3 to defence counsel, did you ask Ms. Hallett -- did you
4 discuss with Ms. Hallett the contents of that memo or the
5 fact that you thought it was something that should be
6 disclosed?

7 **MR. HALL:** No. After the meeting with
8 defence counsel, we went back into the room across the hall
9 and I pointed out to her, I said, "Shelley, you had all
10 this information".

11 **MR. KLOEZE:** That's right.

12 **MR. HALL:** And, you know, and she said,
13 "Yeah, yeah, yeah, I know".

14 **MR. KLOEZE:** And she acknowledged that she
15 had all that information?

16 **MR. HALL:** Yes, she did.

17 So from that point on, I never asked her
18 what she did with the memo or whether she should do
19 anything with the memo and, likewise, she never asked me,
20 like, "Why did you give it to me?" or "What did you want me
21 to do with this?" It just never got discussed.

22 **MR. KLOEZE:** It never got discussed?

23 **MR. HALL:** And we sat down and she came to
24 our office. We got along just like nothing had ever
25 happened.

1 **MR. KLOEZE:** Okay.

2 Now, you've also testified that at no time
3 did you seek any advice from one of your superiors or from
4 a senior Crown as to what you should do in this situation?

5 **MR. HALL:** Well, there really wasn't a
6 situation, in my view, until they're asking me "Is there
7 any memorandums?" Like, I didn't expect them to be asking
8 me that particularly until the question came out from Mr.
9 Campbell.

10 So, I mean, there was really no -- in my
11 view, any reason why I would call my director in Orillia
12 and say, "Well, you know..." He already knew what was
13 going on. He was apprised of the meeting of February 7th,
14 but I didn't ask him for advice if that's what you're
15 asking me.

16 **MR. KLOEZE:** That's what I'm asking, if you
17 asked anybody for advice?

18 **MR. HALL:** No, I didn't.

19 **MR. KLOEZE:** You didn't ask your director
20 for advice?

21 **MR. HALL:** No.

22 **MR. KLOEZE:** And you didn't contact Jim
23 Stewart, for example, the regional Crown -- the Regional
24 Director of Crowns and East ---

25 **MR. HALL:** Not at that time, not before

1 February 20th.

2 MR. KLOEZE: Exactly.

3 MR. HALL: No. And I didn't discuss it with
4 my officers either.

5 MR. KLOEZE: Because you took responsibility
6 for passing the memo on to defence counsel?

7 MR. HALL: Well, my intention was to
8 delivery it personally, but I'm sure we'll get to the
9 events here in a while and I'll explain how that
10 transpired.

11 MR. KLOEZE: But you knew it was an unusual
12 thing for you to give that letter directly -- or that memo
13 directly to defence counsel?

14 MR. HALL: Well, yes, and I faced a very
15 unusual situation on the 7th of February. I mean, what Ms.
16 Hallett said, I mean, in my view, after she acknowledged
17 that on February the 14th, why couldn't she have said that
18 on February the 7th? Why couldn't she have said, "Yeah, I
19 had the material"? You know ---

20 MR. KLOEZE: But she ---

21 MR. HALL: --- "Let's sit down and try and
22 wiggle around this."

23 You know, there was -- in my view, I thought
24 the trial could have proceeded. There was still two other
25 alleged victims.

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

2 **MR. HALL:** I think our mindset at the time
3 was how can we get through this, you know, successfully?

4 **MR. KLOEZE:** So your aim in all of this was
5 to make sure that the prosecution was saved and to make
6 sure that all relevant evidence was disclosed?

7 **MR. HALL:** I think that was the primary
8 reason we worked together, to try and satisfy defence
9 counsel's request.

10 **MR. KLOEZE:** Exactly.

11 And up to that point, and I guess even
12 during that point, you still felt you had a good working
13 relationship with Ms. Hallett?

14 **MR. HALL:** Yes, I -- you know, it wasn't
15 until her views of me and her comments down the road that -
16 - and I still felt I had, but I mean, her actions pretty
17 well dictated the relationship was finished.

18 **MR. KLOEZE:** But even at that point, I mean,
19 this is -- we're talking about later on down the road. At
20 that point, there was no reason you couldn't have spoken to
21 Ms. Hallett ---

22 **MR. HALL:** No, there's no reason. And
23 likewise, there's no reason she couldn't discuss it with
24 me.

25 **MR. KLOEZE:** Exactly.

1 Now, you know that the court seized upon the
2 fact that you were the one who disclosed the July 4th memo
3 to defence counsel as a very relevant piece of evidence?

4 **MR. HALL:** That was their view, I guess,
5 yes.

6 **MR. KLOEZE:** That was Mr. Justice Chadwick's
7 view?

8 **MR. HALL:** Yes.

9 **MR. KLOEZE:** Now, obviously, the Court of
10 Appeal overturned this finding, but Mr. Justice Chadwick,
11 from his perspective, felt that because you felt it
12 necessary to disclose that July 4th memo, that Ms. Hallett
13 was trying to avoid, in his words, opening the portal of
14 the Dunlop factor to the Leduc prosecution?

15 **MR. HALL:** Yes.

16 **MR. KLOEZE:** So I suggest to you that given
17 the importance of the July 4th memo and Mr. Justice
18 Chadwick's stay decision, that had you done any of the
19 things I talked about earlier like communicating with Ms.
20 Hallett about this memo, that things might have turned out
21 differently?

22 **MR. CARROLL:** Excuse me, if I may, sir?

23 As I understand the reading of the Court of
24 Appeal judgment, with all deference to Justice Chadwick, he
25 got it wrong in terms of the -- what the meaning of that

1 document was the handing over by Hall, the Court of Appeal
2 found did not prove advertent misbehaviour by Ms. Hallett.

3 And I think that the premise of the question
4 is not fair to the witness, because that's not the final --
5 it's not the end game, if you will, it's not the final
6 result, and it's unfair I think to put to this witness
7 that, but for that, he maybe wouldn't have made that
8 decision. It was, according to Court of Appeal, the wrong
9 decision and draw emphasis on that action.

10 **THE COMMISSIONER:** Mr. Kloeze?

11 **MR. KLOEZE:** Well, ultimately, of course, I
12 agree with Mr. Carroll that the Court of Appeal overturned
13 the decision, but what I'm -- what I'm trying to get at is
14 the reason, I guess, that Mr. Justice Chadwick made his
15 decision and stayed even for a period until the Court of
16 Appeal overturned the stay.

17 **THE COMMISSIONER:** Okay. So as long as
18 we're focused on the fact that you're asking questions as
19 we're going through, and so if we're -- if you're asking
20 questions about Mr. Chadwick's decision and knowing that
21 we're going to go further to the Court of Appeal, then I
22 think it's permissible.

23 Ms. Robitaille?

24 **MS. ROBITAILLE:** Right, Mr. Commissioner,
25 just on the issue, my friend's last question ended with

1 "things may have turned out differently".

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

3 **MS. ROBITAILLE:** And just a point of
4 clarification.

5 Mr. Justice Plantana found that had the stay
6 not occurred, the way things would have happened
7 differently, there would have been a mistrial because if
8 you recall, Mr. Justice McKinnon had to recuse himself.

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

10 **MS. ROBITAILLE:** And just so that that point
11 is clear. Thank you.

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

13 **MR. KLOEZE:** Mr. Hall, just for clarity and
14 to help my friends out, I'm really focusing just on what
15 Mr. Justice Chadwick did and what he thought and the reason
16 for his decision, his stay decision.

17 And one of the main reasons, as I said, was
18 the fact that you were the one who disclosed the letter --
19 disclosed the letter to defence counsel instead of Ms.
20 Hallett.

21 And I'm suggesting to you that had you
22 spoken about this matter with Ms. Hallett in a professional
23 manner before you disclosed that letter, that Mr. Justice
24 Chadwick might have found differently.

25 **MR. CARROLL:** If I may, sir, he is now, as I

1 understand his question, attempting to hold this witness
2 responsible for what the Court of Appeal said was an error
3 by Justice Chadwick and I don't think that that's fair to
4 this witness.

5 He did what he did, Mr. Justice Chadwick
6 pronounced on it and, as the Court of Appeal indicated, in
7 error. So to suggest to this witness that he was
8 responsible somehow -- if he hadn't done this, then
9 Chadwick wouldn't have done that -- is of no moment, given
10 that Mr. Justice Chadwick, according to the Court of
11 Appeal, got it wrong.

12 **THE COMMISSIONER:** Mr. Kloeze?

13 **MR. KLOEZE:** Mr. Commissioner, maybe I can
14 approach this a different way. I'm not trying to ascribe
15 responsibility for this to anybody.

16 Mr. Hall, late last week you acknowledged
17 that both of you could have done -- both you and Ms.
18 Hallett could have done things differently.

19 **MR. HALL:** Well, definitely.

20 **MR. KLOEZE:** Okay, and I ---

21 **MR. HALL:** We're all here today -- you know,
22 a lot of things could have been differently back from '93,
23 I would say.

24 **MR. KLOEZE:** And I'm going to suggest to you
25 that one of the things you could have done differently is

1 talk to Ms. Hallett about what you were doing.

2 MR. HALL: I could have, yes.

3 MR. KLOEZE: Thank you.

4 Now, I want to move on very briefly to one
5 matter, and this involved your knowledge.

6 Mr. Engelmann asked you in-chief about your
7 knowledge about a conversation that Robert Pelletier had
8 with defence counsel in the MacDonald prosecution around
9 1997, 1998.

10 MR. HALL: Yes.

11 MR. KLOEZE: And this was a conversation, to
12 situate you, a conversation about joining two sets of
13 charges that were laid against Father MacDonald and whether
14 defence would waive their section 11(b) rights.

15 MR. HALL: Yes.

16 MR. KLOEZE: Okay, you recall -- you recall
17 your evidence to Mr. Engelmann on that. You testified that
18 you heard there was a conversation to that effect?

19 MR. HALL: Yes.

20 MR. KLOEZE: Okay, but you ---

21 MR. HALL: I was told there was a
22 conversation.

23 MR. KLOEZE: You were told about the
24 conversation, but I can't remember specifically who told
25 you other than you think it was Inspector Smith?

1 **MR. HALL:** Because of the level of
2 information, I thought it was Detective Inspector Smith.

3 **MR. KLOEZE:** Okay.

4 **MR. HALL:** But I can't say. Could have been
5 Constable Dupuis.

6 **MR. KLOEZE:** But you don't recall
7 specifically speaking to Constable Dupuis about this?

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

9 **MR. KLOEZE:** And you don't recall
10 specifically speaking to any of the Crowns about this
11 conversation?

12 **MR. HALL:** The only thing I can recall is on
13 the 3rd of May, 2001, I first met Lorne McConnery and he was
14 being assisted by Kevin Phillips, and over a two-day period
15 at our office, I briefed them on Project Truth and the
16 cases they were taking over and so on and so forth.

17 And I had a note in my notebook, I believe
18 it's May 4th, suggested that Mr. McConnery should be talking
19 to Bob Pelletier regarding Father Charles MacDonald. And I
20 don't -- I can't recall specifically why I put that in
21 there, but it may have been because of the events in the
22 fall of '97 when Mr. Dunlop appeared in court in Ottawa in
23 uniform, or it may have been because of that conversation
24 with 11(b). I don't recall, I didn't specifically say why,
25 but I was directing him that he should contact Bob

1 Pelletier.

2 MR. KLOEZE: Okay, but you don't recall the
3 reason why you ---

4 MR. HALL: No, I don't.

5 MR. KLOEZE: --- you have that in your
6 notebook.

7 MR. HALL: No.

8 MR. KLOEZE: And, I mean, obviously Mr.
9 Pelletier was the earlier Crown responsible for the
10 MacDonald prosecution, so I guess it would make good sense
11 for Mr. McConnery to speak to him if he had any questions
12 about what happened in the early stages.

13 MR. HALL: Yes. And I wasn't involved in
14 any of the court appearances with Father Charles MacDonald
15 during '97 or even '98. I never really -- the only one I
16 have a conscious recollection of is in April 17th, 2000 when
17 we went and then the subsequent day, the 18th when there was
18 an in camera session, and I don't recall any -- any other
19 times me being involved.

20 And it was a Crown Attorney issue, and I
21 don't know if I would have even made a note of it because
22 it didn't really concern me.

23 MR. KLOEZE: Okay. So you don't have any
24 direct knowledge of that about ---

25 MR. HALL: No.

1 MR. KLOEZE: --- about this at all?

2 MR. HALL: I do not.

3 MR. KLOEZE: Okay. Thank you. Those are my
4 questions.

5 Thank you, Mr. Hall.

6 THE COMMISSIONER: Thank you.

7 Mr. Neville? Good morning, sir.

8 MR. NEVILLE: Good morning, Commissioner.

9 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

10 MR. NEVILLE:

11 MR. NEVILLE: Good morning, Inspector Hall.

12 MR. HALL: Good morning, sir.

13 MR. NEVILLE: We know each other.

14 MR. HALL: Yes, we do.

15 MR. NEVILLE: As you know, I represent
16 Father Charles MacDonald here at the Inquiry and also Ken
17 Seguin's Estate, his brother and family members.

18 MR. HALL: Okay?

19 MR. NEVILLE: What I'd like to start with,
20 Commissioner and Inspector, is a couple of documents and,
21 perhaps to make things move more smoothly, I'll give the
22 numbers, sir.

23 We'll start with Exhibit 660A, which is
24 Inspector Hall's timeline re contacts with the Dunlops.

25 In addition, sir, Exhibit 730.

1 Exhibit 2237, and I don't think this one, sir, is an
2 exhibit. The Document Number is 723577.

3 (SHORT PAUSE/COURTE PAUSE)

4 MR. NEVILLE: Madam Clerk, is that 723577?

5 THE REGISTRAR: Yes.

6 MR. NEVILLE: Yes. Thank you.

7 THE COMMISSIONER: Thank you.

8 Exhibit Number 2840 is a letter addressed to
9 Mr. Perry Douglas Dunlop, dated May 1st, 1997, from Robert
10 W. Runciman, Solicitor General.

11 --- EXHIBIT NO./PIÈCE NO. 2840:

12 (723577) - Letter addressed to Mr. Perry
13 Douglas Dunlop from Robert W. Runciman,
14 Solicitor General - dated May 1, 1997

15 MR. NEVILLE: Do you have the set of
16 documents available to you now, Inspector?

17 MR. HALL: Yes, I do.

18 MR. NEVILLE: All right.

19 MR. HALL: Which ones are you referring to?

20 MR. NEVILLE: Well, we'll start with, if we
21 could, just with 660A, and this document, Inspector, is a
22 chronological compilation of your direct dealings with
23 either or both of Perry and Helen Dunlop. Fair?

24 MR. HALL: Yes.

25 MR. NEVILLE: All right.

1 **MR. HALL:** This is up to May '99, but ---

2 **MR. NEVILLE:** Yes, I know there's a
3 subsequent one that, for some reason, wasn't filed and it
4 takes us up to 2000, I think.

5 **MR. HALL:** I believe even 2001.

6 **MR. NEVILLE:** Okay.

7 **MR. HALL:** In the efforts to get Mr. Dunlop
8 here for ---

9 **MR. NEVILLE:** Right. Right.

10 Let's look at this one because it's the one
11 you made an exhibit and for my purposes it's sufficient.

12 Now, let me just say this. By the 7th of
13 August which is somewhat of a key date because there's a
14 meeting that day directly with him with Inspector Smith and
15 Inspector Trew, by August the 7th, through you, phone calls
16 and what have you, Mr. And Mrs. Dunlop knew that all of the
17 matters they had brought forward were going to be
18 investigated?

19 **MR. HALL:** Yes.

20 **MR. NEVILLE:** And in spite of that, on the
21 30th of May you're told that Mr. Dunlop, some five weeks or
22 so after the meeting with Mr. Griffiths, where Project
23 Truth is, so to speak, launched, he's already claiming
24 frustration and that the OPP were not concerned; right?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** And on the 30th of July you're
2 accused of giving Mrs. Dunlop a runaround, in particular,
3 Inspector Smith and, for some reason, Regional Crown
4 Griffiths?

5 **MR. HALL:** Yes.

6 **MR. NEVILLE:** All right?

7 And then you have the meeting on the 7th of
8 August and certain things are supposed to be done by him;
9 right?

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** All right.

12 And then if we can look at -- and then we
13 have the meeting that we've heard all about in some detail
14 on the 23rd of July 1998, and then you start to get things
15 personally from Mr. Dunlop?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** All right.

18 So I'd like to refer you, if I could, to
19 your entry of the 31st of July 1998 at 14:00 and you'll find
20 that on page 10 of 17, Bates page 1778.

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** Do you have it there?

23 **MR. HALL:** Yes, I do.

24 **MR. NEVILLE:** And this is where you pick up
25 the previously unreceived four binders?

1 **MR. HALL:** Correct.

2 **MR. NEVILLE:** And what's included there in
3 the materials you get are a memo to the Solicitor General,
4 which we've seen. That's the April 7th covering letter of
5 Mr. Dunlop.

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** And the reply from the
8 Solicitor General?

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** And there's also in the
11 materials a reply from Regional Crown Griffiths?

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** All right.

14 So let's look then at Exhibit 730. This is
15 Mr. Dunlop's letter to Mr. Runciman.

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

17 **MR. NEVILLE:** And this is the one where he
18 accuses various persons, including his own police service
19 and other members of the criminal justice system, of
20 corrupt practices, among other things?

21 **MR. HALL:** Correct.

22 **MR. NEVILLE:** All right. And delivers the
23 four binders, or attempts to, to Mr. Runciman's office.
24 They're not accepted. A receipt is issued, but they are
25 delivered to two other agencies; correct?

1 MR. HALL: Yes.

2 MR. NEVILLE: All right.

3 And if we just look at the last page of
4 Dunlop's letter to the Minister? Do you have it?

5 MR. HALL: Yes.

6 MR. NEVILLE: Using his numbering, it's page
7 7.

8 MR. HALL: Yes.

9 MR. NEVILLE: The last full sentence:
10 "Please be assured I will provide
11 whatever information and assistance I
12 can to whomever you designate to
13 investigate this matter."

14 MR. HALL: Yes.

15 MR. NEVILLE: That became you and your team?

16 MR. HALL: Yes.

17 MR. NEVILLE: All right.

18 Can we now look at Exhibit 2840 which is
19 723577, just entered today as that exhibit? And this is
20 the reply to Dunlop -- Mr. Dunlop from the Minister.

21 MR. HALL: Yes.

22 MR. NEVILLE: Do you have it there?

23 MR. HALL: Yes, I do.

24 MR. NEVILLE: If you look at the paragraph
25 at the bottom of the first page ---

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** "I understand that the
3 concerns you've raised in your letter
4 are currently being investigated by
5 members of the OPP in consultation with
6 the Regional Director of Crown
7 Attorneys of the East Region and some
8 of these matters are currently before
9 the courts.

10 If you have new information that may
11 assist the investigators, I would
12 strongly urge you to make your concerns
13 known to the investigators as these
14 allegations properly fall within the
15 jurisdiction of the OPP. I suggest you
16 either contact the police investigators
17 directly or the Commissioner. Address
18 provided."

19 Right?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** If you turn over to the next
22 page, because he made allegations of corruption or corrupt
23 conduct within his own force, among other things ---

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** Look at the second page, last

1 full paragraph:

2 "If you wish to lodge a complaint of
3 misconduct against an individual
4 officer in accordance with the Act, you
5 may do so directly either orally or in
6 writing..."

7 And provides the method to do so, right?

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** So here's Mr. Dunlop; has
10 delivered his material with a covering memo to the Minister
11 who ends up telling him in a reply letter to do exactly
12 what Inspector Smith, Inspector Trew and you together asked
13 him and some ordered him to do over and over for the next
14 three years. And the Minister tells him to do it in the
15 covering letter -- in the reply letter?

16 **MR. HALL:** Yes. The only thing I would add
17 is that the Ministry didn't accept his binder.

18 **MR. NEVILLE:** I understand. I understand.
19 If you'd also look at Exhibit 2237?

20 **THE COMMISSIONER:** That's a letter of
21 Charles MacDonald?

22 **MR. NEVILLE:** I have it, sir, as 703635 and
23 I may have misnumbered it, and it was my fault. I have it
24 as a letter from Mr. Griffiths to Perry Dunlop.

25 **THE COMMISSIONER:** No.

1 MR. NEVILLE: No?

2 THE COMMISSIONER: Well, I'm at 2237?

3 MR. NEVILLE: Yes, sir.

4 THE COMMISSIONER: No, that's a letter ---

5 MR. NEVILLE: So that's my mistake. I'll
6 give you the document number. I know it is an exhibit
7 somewhere.

8 THE COMMISSIONER: Sure.

9 MR. NEVILLE: It's 703635.

10 THE REGISTRAR: Exhibit 2637.

11 MR. NEVILLE: Sorry, it should be 2637,
12 Commissioner.

13 (SHORT PAUSE/COURTE PAUSE)

14 MR. HALL: Yes, sir.

15 MR. NEVILLE: Do you have it there?

16 MR. HALL: Yes, I do.

17 MR. NEVILLE: So Mr. Griffiths, in
18 corresponding to Mr. Dunlop -- and again, this was found
19 when you got material from him in late July '98 -- advises
20 him that the Fantino brief has been provided and all
21 matters are going to be duly investigated; right?

22 MR. HALL: Yes.

23 MR. NEVILLE: And inviting him to
24 communicate, presumably with Mr. Griffiths' office, in his
25 closing sentence ---

1 MR. HALL: Yes.

2 MR. NEVILLE: --- if he has any concerns;
3 right?

4 MR. HALL: Yes.

5 MR. NEVILLE: Okay. Now, shortly
6 thereafter, although you're not part of it, there's a
7 fairly important meeting which you, I'm sure, became aware
8 of through Inspector Smith, with Mr. Dunlop to, as it were,
9 introduce the team and bring them onside with certain, I
10 think they were called, ground rules?

11 MR. HALL: Yes.

12 MR. NEVILLE: And one of those was, I think
13 you learned, or I presume you did, that Mr. Dunlop, should
14 it be necessary to assist with any given complainant, could
15 act as a -- and I'll use -- I think the term that was used,
16 "coach officer", if necessary?

17 MR. HALL: Yes, an intermediate, somebody to
18 go between.

19 MR. NEVILLE: Yes.

20 MR. HALL: Yes.

21 MR. NEVILLE: If somebody wanted to come in
22 only ---

23 MR. HALL: As a last resort.

24 MR. NEVILLE: Right.

25 MR. HALL: To have him there.

1 **MR. NEVILLE:** With his support and
2 assistance, that would be allowed?

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** Now, one of the concerns here,
5 I'm going to suggest, Inspector, is this. For Mr. Dunlop,
6 in the context of his civil action and the major Statement
7 of Claim, the amended one was in the domain of the public
8 in the fall of '96 with the extensive pleadings that have
9 been looked at, Mr. Dunlop had a conflict of interest here
10 in taking statements; didn't he?

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** Because any statement he would
13 obtain that was somehow in support of his theory as pleaded
14 would be something he would want to use for his action?

15 **MR. HALL:** Yes, could use.

16 **MR. NEVILLE:** Sure.

17 Now -- can I now refer you briefly to again
18 back to Exhibit 660A and the Bates page is 1782 or page 14
19 of 17?

20 **MR. HALL:** The document again, please?

21 **MR. NEVILLE:** Yes, it's 660A. It's your
22 timeline with the Dunlop's document; 660A. It's the first
23 one we started with.

24 **MR. HALL:** I don't believe I have it. I'll
25 need some assistance at least to find it.

1 **MR. NEVILLE:** You would have had it about 10
2 minutes ago unless it left you.

3 **MR. HALL:** I have seven binders here.

4 **MR. NEVILLE:** No, that's fine.

5 **MR. HALL:** Okay. Yeah. Sorry.

6 **THE COMMISSIONER:** So go to page 14, I
7 believe, at the bottom?

8 **MR. NEVILLE:** Actually, if I can make a
9 previous reference first Commissioner, my apology.

10 Could we start before we turn to that entry,
11 Inspector, could we look first on Bates page 1778, or page
12 10 of 17 at the bottom, it's the entry for the 27th of
13 August?

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** And this is a conversation you
16 had with Mrs. Dunlop?

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** All right. And if we look in
19 the fourth last sentence of your note, you advise her --
20 and this is after. Of course, you have now received the
21 OCCOPS binders; the four binders, right? You've had them
22 for about a month?

23 **MR. HALL:** Yes, I received on the 31st of
24 July.

25 **MR. NEVILLE:** Right.

1 **MR. HALL:** From Mr. Dunlop.

2 **MR. NEVILLE:** Right. So it's about four
3 weeks later. You've obviously looked through them?

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** And you advise her, in the
6 fourth last sentence:

7 "I told her the information, i.e. in
8 the binders, was basically the same
9 stuff as was in the first binder."

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** So what you're basically
12 telling her is, "We now have the so-called missing four
13 binders but from the point-of-view of our investigation at
14 that state, there's really nothing significantly new"?

15 **MR. HALL:** Correct.

16 **MR. NEVILLE:** And these were materials, of
17 course, that he had assembled ---

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** --- or perhaps he and Mr.
20 Bourgeois, whatever. He was the author of the binders. He
21 knew what was in them.

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** He also authored, he and his
24 lawyer, the Fantino brief.

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** So he knew what was in that
2 volume.

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** All right. And I'm just going
5 to come to that point later in another context.

6 So let's go to page 14 of 17, the 6th of
7 January. And if you turn to the -- what you're really
8 doing here is advising them about the decision not to
9 proceed with any conspiracy to commit harm to the Dunlops
10 or the Perry Dunlop.

11 **MR. HALL:** You're referring to 24th of
12 December?

13 **MR. NEVILLE:** Well, I'm actually now on the
14 6th of January.

15 **MR. HALL:** Okay, yes.

16 **MR. NEVILLE:** Right? You're actually
17 meeting them in person.

18 **MR. HALL:** Well, they requested a meeting
19 because of the conversation on the 24th of December.

20 **MR. NEVILLE:** I agree. I understand. So
21 this is now the meeting, right?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** All right.

24 If you turn over to the next page, she asks
25 you about a person, the third line there?

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** And then in the next sentence:

3 "I indicated we had some problems with
4 Ron Leroux's statement."

5 **MR. HALL:** Yes.

6 **MR. NEVILLE:** "Particularly what he gave
7 to officers regarding videotapes in
8 1993 prior to Ken Seguin's death."

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** Now, that's just a note to
11 refresh your memory, of course. Did you explain to her in
12 any further detail what the problem was?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** In other words, much was being
15 made by them in the materials and later, of course, by
16 Garry Guzzo about these so-called videotapes.

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** And I suggest what you told
19 her was, "Look, Mrs. Dunlop, those videotapes have nothing
20 to do with what we're here to investigate. They were found
21 in February of '93. They were destroyed in early May of
22 '93. They were commercial, pornographic, gay tapes and
23 have nothing to do with what we're here for." Or words to
24 that effect?

25 **MR. HALL:** Yes, I think the context of the

1 explanation was that Mr. Leroux had indicated initially
2 that he found them in a conservation area and he didn't
3 want them.

4 MR. NEVILLE: Right.

5 MR. HALL: He signed a quit claim and they
6 were reviewed by our officers. And there was nothing that
7 they found on them that was ---

8 MR. NEVILLE: Right.

9 MR. HALL: --- pertinent to the case and
10 they were destroyed.

11 MR. NEVILLE: You understand, Inspector,
12 that the Commissioner has heard quite a significant body of
13 evidence about the whole videotape matter?

14 MR. HALL: Yes.

15 MR. NEVILLE: We've heard from Staff
16 Sergeant McWade, Sergeant or Constable McDougald; the whole
17 group that had dealings with it. You know that's been
18 done?

19 MR. HALL: Yes, I do.

20 MR. NEVILLE: All right. And you're in
21 effect telling her the result of all of that, right?

22 MR. HALL: Yes.

23 MR. NEVILLE: Now, you know or you come to
24 know eventually that not only did they know that from you
25 directly, they're conferring and working with Garry Guzzo?

1 **MR. HALL:** Well, also in the appendices of
2 his will say, he has an actual copy of the search warrant -
3 --

4 **MR. NEVILLE:** Right.

5 **MR. HALL:** --- and a ---

6 **MR. NEVILLE:** I understand that. But you
7 also come to realize that they're working directly with Mr.
8 Guzzo?

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** In fact, they supplied him
11 with documents?

12 **MR. HALL:** There's a memo to that effect.

13 **MR. NEVILLE:** Right. So they're the ones
14 who are instructing, to some extent, Mr. Guzzo and they've
15 been told by you, "Here's the story of the tapes"?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** Okay.

18 Now, in the context of the -- what has
19 become -- called the Summerstown clan?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** And the exhibit that you
22 looked at in-chief; it was 2679. I don't know whether --
23 if you wish to see it, please look at it briefly if you
24 would.

25 **MR. HALL:** Screen maybe?

1 **THE COMMISSIONER:** Yes.

2 **MR. NEVILLE:** Screen will be fine, I think,
3 Commissioner.

4 In your evidence in-chief, Inspector, you
5 said that this notion of the Summerstown clan or the clan
6 of pedophiles, you felt that Mr. Bourgeois to some degree
7 might have been the creator of that concept?

8 **MR. HALL:** That was my view.

9 **MR. NEVILLE:** All right. Did you have or
10 come to have, at some point, concerns about him and what he
11 was doing?

12 **MR. HALL:** Well, I had some concerns about
13 what he had done.

14 **MR. NEVILLE:** Yes.

15 **MR. HALL:** Yes.

16 **MR. NEVILLE:** That's what I'm getting at.

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** And I take it you realized
19 that he was the lawyer who had prepared the famous
20 statement of claim from November of '96 with the detailed
21 allegation?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** Now, in fairness, he did it
24 with material turned over to him by his client.

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** But he is the one whose name
2 is on it as the author.

3 **MR. HALL:** Yes, he's also present when Ron
4 Leroux gives his statement in February of '97.

5 **MR. NEVILLE:** I was coming to that. He was
6 very much a player in the so-called investigation?

7 **MR. HALL:** Yes.

8 **MR. NEVILLE:** All right. And that I take it
9 became a matter of some concern?

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** And he was the one who was
12 trying to take the position in the face of orders --
13 request and orders for disclosure, that there was some kind
14 of concept called solicitor/client privilege that allowed a
15 police officer not to do what he had to do in terms of his
16 disclosure duty.

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** I just want to touch on
19 briefly as the next area, the death -- the Silmser death
20 threats matter.

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** The Exhibits in question,
23 Commissioner, would be 395 and 2769. And there are two
24 additional document numbers, sir.

25 **THE COMMISSIONER:** Hold on.

1 **MR. NEVILLE:** That, to my knowledge, are not
2 yet exhibits.

3 **THE COMMISSIONER:** What numbers again for
4 the exhibits?

5 **MR. NEVILLE:** The Exhibits Numbers, sir, are
6 395 and 2769. So 395, Commissioner, is Mr. Silmsers
7 statement of the 1st of August '97 to Inspector Hall and
8 others.

9 **THE COMMISSIONER:** I've got 2769.

10 **MR. NEVILLE:** And 2769 is Mr. Pelletier's
11 opinion letter of December '98.

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

13 **MR. NEVILLE:** And the two additional
14 documents, sir, to complete the set are 733 ---

15 **THE COMMISSIONER:** Just a second.

16 **MR. NEVILLE:** Sorry.

17 **THE COMMISSIONER:** Let's wait for the --
18 Madam Registrar.

19 **MR. NEVILLE:** All right.

20 **THE REGISTRAR:** Numbers again, please?

21 **MR. NEVILLE:** Yes, 733579 and 733580. I
22 only do the two, sir, because one is the typed and the
23 other is the written and I know your preference is, if
24 there is such a thing, to have both.

25 **THE COMMISSIONER:** Thank you. I appreciate

1 that.

2 (SHORT PAUSE/COURTE PAUSE)

3 THE COMMISSIONER: Thank you.

4 Exhibit 2841 is a typed version of an
5 Officer report?

6 MR. NEVILLE: Yes, sir, it's ---

7 THE COMMISSIONER: Brent Hill?

8 MR. NEVILLE: Yes, it's -- I believe it's a
9 mini-sergeant. I believe it's Constable.

10 I correct myself. It's Inspector J.B.
11 (Brent) Hill. You'll see his card on the -- appended to
12 the written notes, sir.

13 THE COMMISSIONER: Right. Okay. So Exhibit
14 2841 is the typed version of the Officer Report of Brent
15 Hill taken on the 24th of June 2005.

16 --- EXHIBIT NO./PIÈCE NO P-2841:

17 (733579) Project Truth Inquiry Officer Will
18 Say of Brent Hill dated 24 June 05

19 THE COMMISSIONER: Exhibit 2842 is the
20 original handwritten -- oh, wait a second -- these are his
21 notes?

22 MR. NEVILLE: Yes, sir.

23 THE COMMISSIONER: His police officer's
24 notes?

25 --- EXHIBIT NO./PIÈCE NO P-2842:

1 (733580) Hand Written Notes of Brent Hill

2 **MR. NEVILLE:** Yes, sir and I think the will
3 say was generated, I suspect, it would appear from the
4 heading, for the Inquiry from the notes. I can tell you
5 they are essentially identical.

6 **THE COMMISSIONER:** Okay. There you go.

7 **MR. NEVILLE:** So and just to complete the
8 picture a little bit, Commissioner, just by background, you
9 may recall, sir, that during the cross-examination of Staff
10 Sergeant Brunet in April of this year, I had him look at
11 notes that he made on or about the 4th of July of '97. It's
12 Exhibit 1472 just for the record indicating that Mr.
13 Silmsler had contacted the CPS with this same allegation.

14 And the notes indicated that Inspector Trew
15 on the 7th of July contacted Inspector Smith and then
16 Sergeant Hall to pass on that information. So we already
17 have that body of evidence.

18 So it would appear, Inspector, that in the
19 early part of July, through Inspector Trew, there was some
20 conveying of this death threat story to your team?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** And then it would appear that
23 on the 30th of July, Mr. Silmsler speaks to Inspector Hill
24 who was then the Commander of the detachment of Prescott?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** And he records what Mr.
2 Silmsers purports to tell him is his problem; right?

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** He alleges -- I'm looking up
5 at the 8th line down:

6 "Silmsers now alleges that three
7 prominent people namely Malcolm
8 MacDonald, Father Charles MacDonald and
9 Crown Attorney Malcolm MacDonald ..."

10 Whatever we are to make of that --

11 "... had been sexually abusing young
12 boys, et cetera, and this info was
13 given to Constable Mike Fagan and Tim
14 Smith.

15 Silmsers then advised that the three
16 MacDonalds have had a meeting where a
17 contract has been issued against
18 Silmsers and Constable Dunlop. Silmsers
19 stated that Constable Dunlop has a
20 statement -- a statement -- from one of
21 the MacDonalds on this."

22 Right?

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** "Silmsers also stated that a
25 staff sergeant at Cornwall is aware of

1 this. Silmsers stated he has heard
2 nothing from the police and is scared
3 for his life. He has come to me as a
4 last resort on the recommendation of a
5 mutual friend."

6 And then Inspector Hill indicates that he
7 attempted to pass the message on. You called back and he
8 passes on the information to you. Right?

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** And that then leads to the
11 interview with Mr. Silmsers on the 1st of August?

12 **MR. HALL:** Correct.

13 **MR. NEVILLE:** If we can look then at Exhibit
14 395.

15 **MR. HALL:** Yes.

16 **MR. NEVILLE:** His first answer -- the
17 question, I take it, were you conducting the interview or
18 Detective Genier? It's in Q and A format, but it doesn't -
19 --

20 **MR. HALL:** Yeah, I believe I was.

21 **MR. NEVILLE:** All right. That's fine.
22 Because you start off by confirming his
23 attendance at Prescott that we just dealt with?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** And then ask him "what are you

1 concerns" and how did he get this information that is the
2 basis of his concerns; right?

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** And he attributes it to Mr.
5 Dunlop and says:

6 "Perry told me five or six men, they
7 sat down and discussed on putting a
8 contract on our lives."

9 Right?

10 And the fourth sentence from the bottom:

11 "Perry told me the threats on numerous
12 occasions; once in Toronto when we met
13 with our lawyers ..."

14 Now, just stopping there. Were you aware
15 that Mr. Silmser was also using Mr. Bourgeois as his
16 lawyer?

17 **MR. HALL:** There was some -- there was some
18 involvement. I can't tell you exactly what.

19 **MR. NEVILLE:** All right.

20 He goes on:

21 "... Perry's lawyer and mine, I don't
22 recall his last name, Robichard is not
23 too far off. That was about eight
24 months ago."

25 So that would be back in the early part of

1 1997 or late '96; right?

2 MR. HALL: Yes.

3 MR. NEVILLE: Then we look at the next page,
4 you ask him when was the first time he was made aware of
5 the threats, and he says, "One or one and a half years ago"
6 which would take us back to either the summer of '96 or
7 early in '96?

8 MR. HALL: Yes.

9 MR. NEVILLE: All right. Then it says:

10 "Was there anyone else threatened?"

11 Answer:

12 "No just Perry and I. Perry told me he
13 mentioned this to Crown Pelletier."

14 Right?

15 MR. HALL: Yes.

16 MR. NEVILLE: And at the end of that answer,
17 he says:

18 "John MacDonald, the other victim, was
19 told the same information by Perry
20 Dunlop."

21 You ask how John MacDonald was made aware
22 and he says it was at a visit at the hospital where
23 obviously Mr. Dunlop must have been visiting as well in
24 order to tell John MacDonald. Right?

25 MR. HALL: Yes.

1 **THE COMMISSIONER:** He could have phoned.

2 **MR. NEVILLE:** Now, you then show this
3 document to Perry Dunlop; don't you? Because if we look at
4 the August 7th notes from Exhibit 660A, you don't just tell
5 him this is what Silmsler is attributing to you, Mr. Dunlop,
6 you show it to him?

7 **MR. HALL:** Yes, I was reading from it.

8 **MR. NEVILLE:** Yes.

9 **MR. HALL:** I believe.

10 **MR. NEVILLE:** So some of the things we just
11 covered, you either had him read or you read it right to
12 him?

13 **MR. HALL:** Well, that was the topic of
14 discussions.

15 **MR. NEVILLE:** Sure it was.

16 **MR. HALL:** Me being there.

17 **MR. NEVILLE:** And his was -- his reaction
18 was a denial?

19 **MR. HALL:** Yes, he got upset about it.

20 **MR. NEVILLE:** Well, he got upset when he was
21 asked to give a statement about it?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** To commit himself to writing
24 one way or the other, he wasn't willing to do that; was he?

25 **MR. HALL:** Well, Inspector Smith intervened

1 and gave him an option to do.

2 MR. NEVILLE: Told him to straighten it out
3 with Silmser?

4 MR. HALL: Yes.

5 MR. NEVILLE: Okay. But before that, your
6 position was he was denying it which was a matter of some
7 significance ---

8 MR. HALL: Yes.

9 MR. NEVILLE: --- when you look at what's
10 here; right?

11 MR. HALL: Yes.

12 MR. NEVILLE: But would not put his
13 position, denial or otherwise, in writing?

14 MR. HALL: Correct.

15 MR. NEVILLE: Okay.

16 Now, can we look briefly at Exhibit 2769,
17 Mr. Pelletier's letter of opinion to you?

18 MR. HALL: Yes, sir.

19 MR. NEVILLE: You have it there?

20 MR. HALL: Yes.

21 MR. NEVILLE: All right. Now, the situation
22 here is the brief is assembled, the so-called conspiracy to
23 kill Dunlop or Dunlop and his family, and the brief is
24 provided to Mr. Pelletier, and he writes this opinion
25 letter recommending no charges.

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** The sole source of the story
3 of any so-called death threat is Ron Leroux?

4 **MR. HALL:** Correct.

5 **MR. NEVILLE:** He became effectively the only
6 source of any other conspiracy, be it on Stanley Island or
7 elsewhere?

8 **MR. HALL:** Correct.

9 **MR. NEVILLE:** If we look at page 2 of the
10 letter, paragraphs number 2 and 3. Let's start with
11 paragraph 2.

12 What Mr. Pelletier has done is analyze the
13 evidence that you were able to supply in the brief, and
14 basically says in this paragraph -- and you can take a
15 moment if you wish to read it -- is that Mr. Leroux' story
16 is illogical; it makes no sense?

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** And that's quite apart from
19 the notion that he sat on this story for years?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** In the face of the fact that
22 when Ken Seguin committed suicide, which was investigated
23 by now Inspector Randy Millar and others, Mr. Leroux was
24 questioned and gave statements at least twice?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** None of that appears.

2 **MR. HALL:** Correct.

3 **MR. NEVILLE:** So he sat on this harm,
4 potentially to an entire family, and potentially to
5 himself, for over three years?

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** And his excuse was fear?

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** And Mr. Pelletier points out
10 how illogical that is, because, if you're in fear of your
11 life -- forget the Dunlops -- you would go to the police,
12 not sit on it?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** Right. And he does a further
15 analysis of the so-called logicity, or illogicality of
16 Leroux' story, in the subsequent paragraph?

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** I just want to touch very
19 briefly, Inspector -- the two exhibits, Commissioner, are
20 2683, it's the interview in December '98, of Murray
21 MacDonald, and 1238, the interview in July 1999, of retired
22 Chief Shaver.

23 **THE COMMISSIONER:** I have the 26 -- yes.
24 Thank you. Sorry? Two-six (26)?

25 **MR. NEVILLE:** Eight-three (83).

1 **THE COMMISSIONER:** Eight-three (83), sorry.

2 **MR. NEVILLE:** And 1238.

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

4 **MR. HALL:** I have 1238.

5 **MR. NEVILLE:** All right. I don't know how the
6 Inspector is feeling, Commissioner, but certain esteemed
7 colleagues perhaps need a nature break, and I won't name
8 names, but ---

9 **THE COMMISSIONER:** Well, maybe we
10 should break.

11 **MR. NEVILLE:** I don't know whether it's a
12 good time.

13 **THE COMMISSIONER:** Oh, no, I was ---

14 **MR. NEVILLE:** It's a natural point, but ---

15 **THE COMMISSIONER:** --- I was thinking of
16 that, yes. No, no, that's fine. Let's not stand in the
17 way of nature.

18 **(LAUGHTER/RIRES)**

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

21 This hearing will resume at 10:55 a.m.

22 --- Upon recessing at 10:39 a.m. /

23 --- L'audience est suspendue à 10h39

24 --- Upon resuming at 10:59 a.m. /

25 --- L'audience est reprise à 10h59

1 **THE REGISTRAR:** This hearing is now resumed.
2 Please be seated. Veuillez vous asseoir.

3 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

4 **MR. NEVILLE (cont'd/suite):**

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

6 **THE COMMISSIONER:** All right. Ready to go,
7 sir?

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

9 **THE COMMISSIONER:** All right, go ahead, Mr.
10 Neville.

11 **MR. NEVILLE:** Thank you.

12 You have there for yourself, Inspector, the
13 Murray MacDonald interview, Exhibit 2683?

14 **MR. HALL:** Two-six-eight-three (2683)? Yes.

15 **MR. NEVILLE:** All right. If we can have you
16 look at Bates page 397? There's also pages in the bottom
17 right corner, Inspector, page 2 of 18.

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** And it's yourself and
20 Inspector Smith?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** And if you just look -- read
23 to yourself the top paragraph by Inspector Smith, when he's
24 introducing the premise of the interview?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** So what you're there to see
2 Mr. MacDonald about is the allegations by Leroux in his
3 affidavits and statements which, of course, find their way
4 and found their way into the statement of claim of November
5 '96?

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

7 **MR. NEVILLE:** And this is now almost -- just
8 slightly more than two years later, December of '98; ---

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** --- right?

11 So, if we could just look briefly at -- and
12 I'll use the numbering at the bottom right corner, if you
13 don't mind -- page 14 of 18?

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** In the middle of the page,
16 Inspector Smith asks Mr. MacDonald, having become aware of
17 the allegations against him, that he retained counsel?

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** He confirms that he did so
20 around 1996; right?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** And he says, in his next
23 answer,

24 "Because of concern for defamation of
25 character with what these people were

1 saying about me?"

2 MR. HALL: Correct.

3 MR. NEVILLE: And, what people were saying
4 about him, namely, Mr. Dunlop through his counsel, was that
5 Mr. MacDonald had facilitated a cover-up by breaching his
6 office as a Crown, in participating in the Stanley Island
7 meeting, among other things?

8 MR. HALL: Along those lines, yes.

9 MR. NEVILLE: Right. If you look over on
10 the next page, 15 of 18?

11 Do you have it?

12 MR. HALL: Yes.

13 MR. NEVILLE: In his answer to Mr. Smith --
14 Inspector Smith, four down from the top, he says in the
15 line number four how it angers him that Mr. Dunlop would
16 spearhead such allegations?

17 MR. HALL: Yes.

18 MR. NEVILLE: He talks, at the bottom of the
19 page, how, if he would turn in his own father, why would he
20 assist a priest he didn't even know?

21 MR. HALL: Yes.

22 MR. NEVILLE: Let's go back to page 10
23 of 18. Now, this is in the context of the statement of
24 claim that's out there in the public domain. He's retained
25 counsel.

1 If you look at the top of the page, there's
2 the tail end of a question by Mr. Smith. He says,
3 "Have you had any contact with Perry
4 Dunlop or Helen Dunlop since that time?

5 He says,

6 "No, I haven't. I've seen Mr. Dunlop
7 in court, or around the courthouse, I
8 suppose, a handful of occasions since
9 that time. We don't speak. He says
10 hello to me, but we don't speak."

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** Did that strike you as more
13 than a little incongruous, that Mr. Dunlop would put these
14 allegations out, and purport to speak in a friendly fashion
15 to Mr. MacDonald?

16 **MR. HALL:** Yes.

17 **THE COMMISSIONER:** Well, I don't know that
18 he's -- that can take that he was speaking in a friendly
19 fashion.

20 **MR. NEVILLE:** No, I suppose not, sir; it's
21 saying hello.

22 **THE COMMISSIONER:** Yes.

23 **MR. NEVILLE:** Can we look briefly at Exhibit
24 1238? Chief Shaver?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** And this is again an interview
2 in which you participated directly on the 9th of July with
3 Detective Constable Dupuis?

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** And if we'd look at -- again,
6 I'll use the page number in the bottom right, page 2 of 26?

7 **MR. HALL:** Yes.

8 **MR. NEVILLE:** You introduce -- you're the
9 speaker. You introduce the basis of the interview which is
10 essentially the same topic, the allegations of meetings,
11 cover-up, and the like, and places he allegedly was?

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** And throughout this statement,
14 he makes it clear and unequivocal that he did not even know
15 where Ken Seguin lived; he'd never been to Malcolm
16 MacDonald's cottage; he had no idea where it was; et
17 cetera, et cetera; right?

18 **MR. HALL:** Correct.

19 **MR. NEVILLE:** He denies ever being at the
20 Saltaire Motel; in fact, he didn't even know where it or
21 Birch Avenue were; ---

22 **MR. HALL:** Correct.

23 **MR. NEVILLE:** --- right?

24 **MR. HALL:** Correct.

25 **MR. NEVILLE:** And you put to him, directly,

1 some of the allegations from the Leroux material?

2 MR. HALL: Yes.

3 MR. NEVILLE: All of which in various --I'm
4 not going to go into detail; it's in the document -- all of
5 which he denies and describes, almost without fail, as an
6 absolute fabrication?

7 MR. HALL: Correct.

8 MR. NEVILLE: Now, I want to talk just
9 briefly about Mr. Nadeau, and the reference, Commissioner,
10 Exhibit 2787. This is one of Inspector Hall's report to
11 CIB. This one dated the 15th of March, 2001.

12 MR. HALL: Yes.

13 MR. NEVILLE: Do you have it there, sir?

14 MR. HALL: Yes.

15 MR. NEVILLE: All right.

16 And this one focuses largely on Mr. Nadeau
17 in the context of the contempt that arose in the Leduc
18 number one trial matter.

19 MR. HALL: This is specifically to the
20 investigation of the contempt of court of Mr. Nadeau.

21 MR. NEVILLE: Thank you.

22 What I'm interested in, if we could look at
23 -- and I'll use the numbers of your -- your numbering of
24 your document, page 3 of your numbering at the top centre.

25 MR. HALL: Yes.

1 **MR. NEVILLE:** The heading at the top is
2 "Investigation".

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** The paragraph at the bottom:
5 "Nadeau had placed six anonymous
6 statements on the website. These
7 interview reports were identical in
8 content and format as those received
9 from Constable P. Dunlop by Project
10 Truth investigators. The website also
11 included the affidavit of Ron Leroux
12 and included his name. This also was
13 identical to the material received from
14 Constable Dunlop."

15 Correct?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** If you turn over to page 4.

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** The second paragraph, third
20 line, "He" meaning Nadeau -- and you interviewed him,
21 right?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** And I can't say you could
24 order him to do anything but certainly strongly urge or
25 advised to get some of that stuff out -- off the site?

1 **MR. HALL:** I wouldn't identify it as an
2 interview. I talked to him numerous times.

3 **MR. NEVILLE:** Fair enough. Fair enough.
4 Second paragraph, he says he would remove
5 certain matters?

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** And, interestingly, what he's
8 prepared to remove in that paragraph is this whole story
9 about the seized tapes?

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** And it was the false story.

12 **MR. HALL:** I explained to him the situation.

13 **MR. NEVILLE:** Yeah. And it was the false
14 story that was being put forward yet again.

15 **MR. HALL:** Yes.

16 **MR. NEVILLE:** All right. Let's look at the
17 third line.

18 "He advised he received information for
19 the website from Constable Dunlop."

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** Right? Look at the fourth --
22 third last paragraph from the bottom.

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** You talk about media
25 appearances by Mr. and Mrs. Dunlop.

1 MR. HALL: Yes.

2 MR. NEVILLE: Fourth line:

3 "Constable Dunlop also provided
4 information and victim statements to
5 Garry Guzzo, MPP, who put forth Bill
6 103."

7 And the last sentence of that paragraph:

8 "Dunlop also provided information to
9 Nadeau for his website."

10 Correct?

11 MR. HALL: Yes.

12 MR. NEVILLE: Now, on May 1st and 2nd of 2002,
13 the Charles MacDonald stay application in front of Justice
14 Chilcott was on?

15 MR. HALL: Yes.

16 MR. NEVILLE: I'm sorry? I just didn't hear
17 you.

18 MR. HALL: I was agreeing, yeah.

19 MR. NEVILLE: And one of the witnesses
20 called to testify by the Crown actually was Perry Dunlop.

21 MR. HALL: Yes.

22 MR. NEVILLE: And you sat through his
23 evidence?

24 MR. HALL: Yeah. Well, I may have been
25 excluded at some point, but I did hear his evidence.

1 **MR. NEVILLE:** Okay. And you've read his
2 evidence?

3 **MR. HALL:** Sometime ago, I did, yes.

4 **MR. NEVILLE:** Sure. One of the things he
5 denied was supplying Mr. Nadeau with the material.

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** Mr. Nadeau says the exact
8 opposite.

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** The material, as you've
11 pointed out in the investigation report, was identical.

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** Could he -- was there any
14 explanation as to how it was Mr. Nadeau ended up with
15 identical information other than from him?

16 **MR. HALL:** The only explanation would be Mr.
17 Bourgeois, possibly.

18 **MR. NEVILLE:** Right. But Mr. Nadeau told
19 you it was Dunlop himself?

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

21 **MR. NEVILLE:** All right.

22 **MR. HALL:** Actually, I think he gave that in
23 evidence under oath.

24 **MR. NEVILLE:** Right.

25 Now, I want to talk to you briefly here

1 about this notion of reasonable and probable grounds. All
2 right?

3 MR. HALL: Yes.

4 MR. NEVILLE: And what you told the
5 Commissioner on a couple of occasions this week was the
6 more the number of allegations, the more likely a
7 conviction?

8 MR. HALL: Yes.

9 MR. NEVILLE: And you then indicated as well
10 that you felt that all of the Crowns had this viewpoint?

11 MR. HALL: Yes.

12 MR. NEVILLE: Now, there was a set of
13 charges against Father MacDonald under the supervision of
14 Inspector Smith from March of '96?

15 MR. HALL: Yes.

16 MR. NEVILLE: Dealing with David Silmser,
17 John MacDonald and C-3?

18 MR. HALL: Yes.

19 MR. NEVILLE: All right.

20 In the fall of '97, culminating with a
21 charge or information sworn on the 26th of January, '98,
22 there were five additional complainants brought forward?

23 MR. HALL: Yes.

24 MR. NEVILLE: Now, that brief was assembled,
25 I think you told the Commissioner, by Detective Dupuis?

1 **MR. HALL:** Yeah, well, they all assisted
2 really.

3 **MR. NEVILLE:** And reviewed by you?

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** And sent off for Mr.
6 Pelletier's perusal?

7 **MR. HALL:** Yes.

8 **MR. NEVILLE:** Now, what was Mr. Pelletier's
9 role here? Was he to advise the police whether or not they
10 should lay charges?

11 **MR. HALL:** He was to give a legal opinion.

12 **MR. NEVILLE:** As to whether charges were
13 warranted?

14 **MR. HALL:** Well, basically, reasonable
15 prospect of a conviction. It was up to the police whether
16 charges would be laid or not.

17 **MR. NEVILLE:** Well, that's what I want to
18 know.

19 Were you involved in formulating, either
20 way, whether there was reasonable and probable grounds?

21 **MR. HALL:** Was I involved?

22 **MR. NEVILLE:** Right.

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** Did you form the opinion there
25 was reasonable and probable grounds?

1 **MR. HALL:** Well, it would have been an
2 opinion formed by my investigators because I wouldn't ask
3 an officer to swear to something that he didn't believe in.
4 It was up to him to be ---

5 **MR. NEVILLE:** But he didn't -- okay. But he
6 didn't swear the information until after Mr. Pelletier
7 called Inspector Smith and gave him the go ahead?

8 **MR. HALL:** Well, we were waiting for the
9 legal opinions first.

10 **MR. NEVILLE:** Okay. Was it a legal opinion
11 as to whether there was RP&G?

12 **MR. HALL:** I think it was more along the
13 lines of whether a reasonable prospect of a conviction and
14 he commented on whether there was reasonable and probable
15 grounds or not.

16 **MR. NEVILLE:** Okay.

17 **MR. HALL:** But I'd have to -- can I refer to
18 the actual opinion?

19 **MR. NEVILLE:** Well, I don't know if we have
20 a written one on that one actually. What we do have, and I
21 can give you the reference in a few minutes, is a phone
22 call from Mr. Pelletier to Inspector Smith on the 21st of
23 January. All right?

24 **MR. HALL:** I wouldn't disagree, no.

25 **MR. NEVILLE:** No. In fairness, it wasn't a

1 call to you. It was to ---

2 MR. HALL: Well, Inspector Smith was more
3 involved in the prosecution of Father Charles MacDonald at
4 that time than I was.

5 MR. NEVILLE: Right. Okay.

6 Well, the reason I'm asking you some of
7 these questions is you told the Commissioner that the brief
8 in question for the five complainants was reviewed by you
9 prior to submission.

10 MR. HALL: Yes, it would have been reviewed
11 by me.

12 MR. NEVILLE: Okay. And what I want --
13 trying to understand here is, at what stage of the game did
14 somebody form in their mind reasonable and probable
15 grounds? Was it before the brief went to Mr. Pelletier or
16 after?

17 MR. HALL: I think it would have been after
18 we received his opinion whether it was written or whether
19 it was verbal. And like I say, Detective Inspector Smith
20 was involved in that part of it.

21 MR. NEVILLE: Okay. Well ---

22 MR. HALL: But I can't -- today, I can't
23 exactly recall at what point or what day. I know we sat
24 down with the officers in all the cases where charges were
25 to be laid and the officer that was swearing had to believe

1 in his mind that there was reasonable and probable grounds.

2 Like it wasn't a case of me telling
3 Constable Dupuis, "Go lay this charge"; or Constable Genier
4 "Go lay this charge". It was discussed amongst all of us.

5 **MR. NEVILLE:** But the final decision to go
6 and lay a charge or not flowed from the opinion conveyed to
7 Inspector Smith by Mr. Pelletier. Is that correct as you
8 recall?

9 **MR. HALL:** It may have been. It may have
10 been. We may have already formed the opinion. Because
11 it's historic -- it was because Detective Inspector Smith
12 had a policy to consult with the Crown Attorney in historic
13 cases.

14 **MR. NEVILLE:** Well, when you looked at it,
15 did you address your mind to the reasonable and probable
16 grounds on a per-complainant basis? Say, "All right, let's
17 look at C-8. Is there really RP&G for this fellow?" Was
18 it approached that way or is the approach, "Well, we've got
19 five, the more you lay, the more you convict"?

20 **MR. HALL:** It was approached from the point
21 of view we'd review the statement of the alleged victim.

22 **MR. NEVILLE:** Yes.

23 **MR. HALL:** And based on what the contents of
24 that were, if we could establish the time it took place and
25 we felt we had reasonable and probable grounds on an

1 individual basis, we would have made that determination.

2 **MR. NEVILLE:** Okay. Well I'm going to come
3 back to this later when we get to some issues about C-8.

4 I want to deal with another topic briefly if
5 I could that was covered in-chief with you with Mr.
6 Engelmann.

7 You may recall during your evidence in-
8 chief, he dealt with -- and his phrase was "linkages".
9 Whether they were connections between either various
10 alleged perpetrators or and/or various alleged
11 complainants.

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** And he asked you whether
14 looking at linkages was part of your approach to what he
15 called "the broader conspiracy". Do you remember that?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** All right. And one of the
18 people he asked you about was a person that you interviewed
19 out West.

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** Can I have the witness,
22 please, Commissioner, look at Document 713305? Copies have
23 been provided, sir, including for you; late notice.

24 **THE COMMISSIONER:** Thank you.

25 **MR. NEVILLE:** This may require a publication

1 ban, Commissioner.

2 **THE COMMISSIONER:** I have a -- thank you.

3 Exhibit 2843 is a letter dated December
4 29th, 1997, to Detective Sergeant Pat Hall, and that is
5 from -- has this man -- is there a moniker on this?

6 **MR. NEVILLE:** I don't believe so, sir.
7 Perhaps -- he's not a victim, he's a witness, but we've
8 always taken the approach -- because his name has come up.
9 You may recall, sir, he was someone who sent a witness
10 statement ---

11 **THE COMMISSIONER:** Yeah.

12 **MR. NEVILLE:** --- to Constable Sebalj and a
13 copy to Mr. MacDonald, Malcolm MacDonald. There was two
14 people who did that.

15 **THE COMMISSIONER:** Okay.

16 **MR. NEVILLE:** And we refrained from using
17 the names.

18 **THE COMMISSIONER:** All right. Well, let's
19 give him a moniker then. Exhibit ---

20 **MR. NEVILLE:** Indeed, there's a -- there is
21 a suggestion in part of this document that he may or may
22 not have been a victim of Marcel Lalonde, so I think ---

23 **THE COMMISSIONER:** Yeah, no, that's fair.

24 So unless there's any strong objection,
25 we're going to give moniker number ---

1 **THE REGISTRAR:** One-zero-seven (107).

2 **THE COMMISSIONER:** --- 107 to the author of
3 the letter dated December 29th, 1997, which is
4 Exhibit 2843, which, of course, will have to be confirmed
5 in an in camera meeting. Okay.

6 **--- EXHIBIT NO./PIÈCE NO. 2843:**

7 (713305) - Letter from C-107 - dated
8 December 29, 1997

9 **MR. NEVILLE:** Do you recognize the document,
10 Inspector?

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** You received this letter from
13 C-107?

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** And C-107 is very closely
16 connected to the criminal justice system?

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** Or at least certainly was
19 then.

20 **MR. HALL:** He certainly was.

21 **MR. NEVILLE:** Okay. And you went to see him
22 -- now, you knew, I take it, that he'd already been
23 contacted and interviewed by Constable Sebalj?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** All right. And he may well

1 have been interviewed or spoken to during the '94 review by
2 Inspector Smith?

3 MR. HALL: Yes.

4 MR. NEVILLE: All right. So this is perhaps
5 the third time he's been contacted?

6 MR. HALL: Well, I think one of the reasons
7 we were contacting him because of a photograph.

8 MR. NEVILLE: Yes, I understand. It's
9 referred to in the document.

10 MR. HALL: Yes.

11 MR. NEVILLE: Right.

12 Now, if we could just look at the bottom, he
13 says:

14 "When allegations about Father Charles
15 were first made in 1992, I provided a
16 statement to a female member of the
17 Cornwall Police Service with respect to
18 my relationship with Father Charles. I
19 stated and then ..."

20 And then he has it in bold, right?

21 MR. HALL: Yes.

22 MR. NEVILLE: "I stated then and I state
23 now that never in my entire
24 relationship with Father Charles has he
25 acted in an inappropriate manner

1 (sexual or otherwise) with me or anyone
2 else in my presence. Furthermore, I
3 have no knowledge that Father Charles
4 ever sexually assaulted or was sexually
5 inappropriate with anyone else. Father
6 Charles was always a friend and father-
7 figure to me. If he had ever made
8 sexual advances to me or anyone in my
9 presence, he would have been challenged
10 and certainly would not be considered
11 my friend then or now."

12 Now, I'm interested in the next part:

13 "Suggestions made by Inspector Smith
14 that this was not perhaps the truth and
15 insinuating that some embarrassing
16 truths could be disclosed about my
17 relationship with Father Charles at a
18 later inquiry or court case is
19 contemptible. To use such a shallow
20 tactic..."

21 And I'll leave out the profession:

22 "...prior to taking a statement is
23 insulting."

24 Right?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** So it's pretty clear, I
2 suggest here, that this man was not in any fashion
3 perceiving himself as a victim of Father MacDonald; he
4 couldn't make it more plain.

5 **MR. HALL:** No, he couldn't. But the reason
6 we were there is, as I understood it, we had information
7 that he may have been but he didn't want to be.

8 **MR. NEVILLE:** Well, this is my point, you
9 see. And what I'm concerned about is, Inspector, not a
10 criticism of you here today, but there was an awful lot of
11 problems here for various people, including the community,
12 with rumour and innuendo?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** And that's what we've got
15 here. And he attempts, in about as bold a fashion as
16 possible and I use that pun intended with the bolding in
17 the letter, to put that rumour and innuendo to bed.

18 **MR. HALL:** Correct.

19 **MR. NEVILLE:** All right.

20 Now, let's talk about one other person in
21 the same position because Mr. Lee brought it up in his
22 cross-examination of C-9. And the Exhibit Number,
23 Commissioner, is 13 ---

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** One-three-nine-five (1395) is

1 the exhibit, Commissioner.

2 MR. HALL: Yes.

3 MR. NEVILLE: You have it there?

4 MR. HALL: Yes, I do.

5 MR. NEVILLE: This is an interview report
6 by your colleague, Detective Dupuis, with C-9?

7 MR. HALL: Yes.

8 MR. NEVILLE: And you're familiar with that
9 interview or the contents of it?

10 MR. HALL: Yes.

11 MR. NEVILLE: Without going into it in
12 detail, do you agree that it is a clear and adamant denial
13 of any "victimhood" on his part?

14 MR. HALL: Yes.

15 MR. NEVILLE: Now, let me ask you this.

16 At some point, whether it be C-107 or C-1 -
17 C-9, does no mean no?

18 MR. HALL: Well, no means -- should mean no.

19 MR. NEVILLE: Yes. And these men made it
20 clear no means no?

21 MR. HALL: Yes.

22 MR. NEVILLE: All right.

23 I want to talk about Mr. Guzzo. Can we
24 start with Exhibit 1478?

25 MR. HALL: Yes?

1 **MR. NEVILLE:** I hope again I haven't made a
2 document number error, Commissioner. I have this as 1478,
3 Document 723586. It's the receipt, if you will, signed by
4 -- is that what you have, Inspector?

5 **MR. HALL:** That's what I have, sir.

6 **MR. NEVILLE:** Oh, okay, it's just on the
7 screen ---

8 **MR. HALL:** Thirty-first (31st) of July, '98?

9 **MR. NEVILLE:** Yes.

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** We still had on the screen
12 from the previous topic. That's fine.

13 Now, this is the document -- we've already
14 discussed it in your evidence earlier -- where you give a
15 receipt, if you will, to Mr. Dunlop for the four binders?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** All right. And he came with
18 this pre-prepared?

19 **MR. HALL:** Yes. I wasn't there very long.

20 **MR. NEVILLE:** No. And were you expecting
21 something like this, him wanting you to sign something like
22 this?

23 **MR. HALL:** From him, yes.

24 **MR. NEVILLE:** Okay.

25 Now, let's look next at Document 702497. I

1 don't believe it's an exhibit yet, Commissioner.

2 **THE COMMISSIONER:** We're getting there.

3 Exhibit 2844 is a letter dated August 24th,
4 1998 to Mr. Robert Pelletier from Detective Sergeant Hall.

5 **--- EXHIBIT NO./PIÈCE NO. 2844:**

6 (702497) - Letter from Pat Hall to Robert
7 Pelletier re: Additional Disclosure dated
8 August 24, 1998

9 **MR. NEVILLE:** Do you have it there?

10 **MR. HALL:** Yes, I do.

11 **MR. NEVILLE:** All right.

12 This is the letter in which you convey to
13 Mr. Pelletier, among other things, some of the material you
14 found in the four binders?

15 **MR. HALL:** Yes.

16 **MR. NEVILLE:** All right. And we see that,
17 in particular, at the top of page 2. Because you've
18 explained to us without sort of something concrete that you
19 went through the four, discovered, I take it quite quickly,
20 that what purported to be two binders was really the
21 Fantino brief split into two with some additional tabs with
22 two statements?

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

24 **MR. NEVILLE:** And that's referred to at the
25 top of the page, right?

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** So by this point, you've gone
3 through the material. You convey it on to Mr. Pelletier on
4 the 24th of August, so that he can honour his disclosure
5 obligations to the defence?

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** Other stuff is addressed here,
8 but I'm just talking about this topic.

9 And we've also covered with you that by the
10 end of August, you've made it clear to Mrs. Dunlop that
11 you've been through the four binders and there's nothing
12 significant new?

13 **MR. HALL:** Correct.

14 **MR. NEVILLE:** And when you received the
15 binders, you gave the receipt that we looked at a moment
16 ago?

17 **MR. HALL:** Yes. I signed the receipt.

18 **MR. NEVILLE:** Yes.

19 **THE COMMISSIONER:** He had it.

20 **MR. NEVILLE:** No, I understand. I
21 understand.

22 Now, you've told her, "There's nothing
23 really new here, but we've gone through it". They created
24 the binders so they know what's in them, right?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** They created the Fantino
2 brief, right?

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** All right.

5 Let's look at Exhibit 992.

6 **THE COMMISSIONER:** I'm sorry, 992?

7 **MR. NEVILLE:** Nine-nine-two (992), Document
8 Number 728065.

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

10 **MR. NEVILLE:** Do you have it?

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** Do you recognize this?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** This is an Ottawa Sun story on
15 March 24th, 1999. There's a picture of Mr. Dunlop in an
16 inset, and there's a familiar looking document heading the
17 story.

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** It's Exhibit 1478?

20 **MR. HALL:** Correct.

21 **MR. NEVILLE:** This is now about six months
22 plus after you've had the four binders, right?

23 **MR. HALL:** Yes, a good six months.

24 **MR. NEVILLE:** You've told the Dunlops you've
25 been through it. There's really nothing significantly new.

1 You've conveyed on what was relevant and helpful to the
2 Crown to be given to the defence, right?

3 MR. HALL: Yes.

4 MR. HALL: And then this story appears.

5 And I'm going to suggest to you, sir, that
6 when we look at the story, it is a complete and deliberate
7 misrepresentation of what happened when you gave that
8 receipt and what the Dunlops knew full well, well before
9 this interview?

10 MR. HALL: I wouldn't disagree.

11 MR. NEVILLE: The writer, Ms. Leroux, did
12 you come to realise that she was in effect the media
13 spokesperson for the Dunlops?

14 MR. HALL: Yes, she was a close relationship
15 between the two.

16 MR. NEVILLE: Exactly.

17 Now, let's just look briefly at some of the
18 things said in here.

19 "A letter signed by a leading OPP
20 detective confirms officer's probe in
21 the Cornwall sex abuse case never
22 received explosive documentation from
23 either the Solicitor General or
24 Attorney General's office."

25 Right?

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** Okay. Now, let's see if Mr.
3 Guzzo appears here.

4 Let's look down, skip the next paragraph
5 where it describes the document, and Mr. Guzzo is quoted.

6 "I have felt this was a fact for some
7 time. I knew the right people were not
8 being questioned', said Guzzo, a lawyer
9 and former judge."

10 Right?

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** Let's look over on the last
13 column on the right.

14 "Last July, after seven of the accused
15 were charged, investigators paid a
16 visit to the Dunlops after Perry's
17 wife, Helen, was quoted in the Sun as
18 saying, 'The names we turned over to
19 the OPP were not the ones charged.
20 They said to Perry, 'What the hell is
21 Helen talking about?' Helen said
22 yesterday. 'They didn't know anything
23 about this stuff. So once again, Perry
24 made copies of the exact presentation
25 he gave in April and gave it to them.'

1 Upon receipt, Hall signed a letter
2 dated July 31st, 1998 that states
3 Project Truth investigators never
4 received the full package that was
5 delivered to the Ministries. 'I was
6 absolutely stunned when I heard this',
7 Helen Dunlop said."

8 Right?

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** And I suggest to you,
11 Inspector, that is a complete, utter, bald-faced
12 misrepresentation of what the document represented and what
13 the Dunlops themselves knew?

14 **MR. HALL:** I wouldn't disagree with you.

15 **MR. NEVILLE:** Joined in by Garry Guzzo?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** Let's look at Document 720131.
18 And it's closely related, Commissioner, 720126. Actually,
19 we probably should start with 126.

20 **MR. HALL:** Seven-two-zero (720)?

21 **MR. NEVILLE:** Seven-two-zero-one-two-six
22 (720126).

23 **THE COMMISSIONER:** Mr. Hall, they're new
24 documents.

25 **MR. HALL:** Oh.

1 **MR. NEVILLE:** These are new ones, Inspector,
2 and 720131.

3 **THE COMMISSIONER:** Thank you.

4 Exhibit 2845 is a press clipping, The Ottawa
5 Sun, Wednesday, March 17th, 1999.

6 **--- EXHIBIT NO./PIÈCE NO. P-2845:**

7 (720126) Ottawa Sun Article 'MPP blasts
8 abuse probe' dated March 17, 1999

9 **THE COMMISSIONER:** And 2846 is an Ottawa
10 Saturday Sun, March 20th, 1999.

11 **--- EXHIBIT NO./PIÈCE NO. P-2846:**

12 (720131) Ottawa Sun Article 'MPP says sex
13 abuse testimony ignored' dated March 20,
14 1999

15 **MR. NEVILLE:** Do you have those, Inspector?

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

17 **MR. NEVILLE:** I'm sure you are familiar with
18 these ones too?

19 **MR. HALL:** Yes, I am.

20 **MR. NEVILLE:** Again, both authored by the
21 same reporter, right?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** All right.

24 Let's look at the March 17th, 1999. The
25 second column coming from the left:

1 "Although a dozen men have so far been
2 charged with 79 sex related offences,
3 Guzzo - who has seen much of the
4 evidence firsthand - ..."

5 It's the Dunlop material, right?

6 **MR. HALL:** Yes.

7 **THE COMMISSIONER:** Well ---

8 **MR. HALL:** He didn't receive anything from
9 us, let's put it that way.

10 **MR. NEVILLE:** All right.

11 **THE COMMISSIONER:** Sir, there's the issue
12 about when Mr. Guzzo testified that some people came to his
13 office and he saw movies.

14 **MR. NEVILLE:** Oh, we'll get to that. We're
15 talking about the briefs. Mr. Guzzo testified that Mr. and
16 Mrs. Dunlop showed up in July of '98 with a package for
17 him.

18 **THE COMMISSIONER:** M'hm. No, I understand
19 that, but you're putting to him, saying that it was all
20 just the Dunlop stuff, and I don't know that that's quite
21 accurate.

22 **MR. NEVILLE:** I'm talking now in 1999, sir.
23 The movies, we'll get to that. That's in 2001.

24 **THE COMMISSIONER:** Okay, but not the movies.
25 We're not talking about ---

1 **MR. NEVILLE:** We are not talking the
2 Lancaster Detachment.

3 **THE COMMISSIONER:** No, no, no. We're
4 talking about the movies, that people came to his office,
5 that kind of thing?

6 **MR. NEVILLE:** We're -- well, that's what
7 we're talking about eventually.

8 **THE COMMISSIONER:** Okay. Fine.

9 **MR. NEVILLE:** So picking up:
10 "...believes the probe has only
11 scratched the surface."

12 Right?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** And then just beside his
15 photograph, in quotes:

16 "'How is it possible that almost two
17 years later key complainants and
18 witnesses have not been interrogated?
19 Is it possible these documents were not
20 forwarded to the OPP?' Guzzo wrote in
21 his last letter sent almost a month
22 ago."

23 Right?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** Let's look over on the right-

1 hand column, the second last paragraph:

2 "Helen [meaning Mrs. Dunlop] said she
3 also has serious doubts about whether
4 the government gave OPP investigators
5 all the information. 'I don't know
6 what games are going on. I just want
7 the end result.'"

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** Now, again, the Dunlops making
10 these statements to the media, along with Mr. Guzzo, knew
11 full well what the status of the binders was and what the
12 content was?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** Some of the people that he
15 claims to be talking about, Guzzo, includes Ron Leroux,
16 right?

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** Ron Leroux had been
19 interviewed. He was interviewed over the space, I think,
20 if a day or so in Orillia?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** Two years before this story?

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** And I suggest to you that
25 Dunlops not only knew that, their lawyer took him there.

1 MR. HALL: Yes.

2 MR. NEVILLE: Let's look at Exhibit 2846.
3 Do you have it there?

4 MR. HALL: Yes, I do.

5 MR. NEVILLE: The black headline, "MPP says
6 sex abuse testimony ignored". Same writer, right?

7 MR. HALL: Yes.

8 MR. NEVILLE: Let's look at the first
9 paragraph. "Explosive" again:

10 "Explosive [again] written statements
11 from more than a dozen men claiming
12 sexual abuse by high-ranking Cornwall
13 officials and clergy were not handed
14 over to police by the Solicitor
15 General's office, local MPP Gary Guzzo
16 alleged yesterday."

17 Now, first of all, the Solicitor General's
18 office didn't have them.

19 MR. HALL: Correct.

20 MR. NEVILLE: Secondly, there was not
21 explosive written statements from more than a dozen men.
22 What was in the new binders was two statements which you
23 already had?

24 MR. HALL: Three, I believe.

25 MR. NEVILLE: All right, three. Which you

1 already had?

2 MR. HALL: Yes. Yes.

3 MR. NEVILLE: Right. Let's look further
4 down beside his photograph:

5 "Boxes of documents alleging that a
6 ring of pedophiles operated for decades
7 in Cornwall and area were handed over
8 to the Solicitor General and Attorney
9 General in April, 1997 by Cornwall
10 Constable, Perry Dunlop."

11 It was four binders, correct?

12 MR. HALL: Yes.

13 MR. NEVILLE: At least ---

14 MR. HALL: I think that ---

15 MR. NEVILLE: --- that's what he produced to
16 you as being what he gave to ---

17 MR. HALL: An affidavit, too, I think ---

18 MR. NEVILLE: Yeah.

19 MR. HALL: --- as well, yes. Never right.

20 THE COMMISSIONER: Okay, just to be clear,
21 though, the article is obviously wrong because boxes of
22 documents were not delivered to the Solicitor General, just
23 the letter was accepted?

24 MR. NEVILLE: Yes.

25 THE COMMISSIONER: Okay, so that's out.

1 And then we're left with what the Attorney
2 General got.

3 **MR. NEVILLE:** Right. Let's go to the bottom
4 of the first column:

5 "He [meaning Guzzo] finds it outrageous
6 that the authors of the statements have
7 not even been interviewed by Project
8 Truth investigators."

9 That's false?

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** "The Ottawa-Rideau MPP,
12 a lawyer and former judge, has reviewed
13 the piles of documents and believes
14 them to be strong, viable evidence."

15 It appears that he's got the same documents.

16 **MR. HALL:** From that statement, yes.

17 **MR. NEVILLE:** Yes. Let's look next at
18 Exhibit 996.

19 **MR. HALL:** Yes.

20 **MR. NEVILLE:** This is your letter to Mr.
21 Guzzo on the 24th of June, 1999?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** Let's look at the third
24 paragraph:

25 "In March of 1999, several newspaper

1 articles have appeared attributing
2 comments from you regarding our
3 investigation. Perhaps you have been
4 misquoted. In any event, it appears
5 you may have names of victims we are
6 not aware of. Our mandate is to
7 investigate all allegations that come
8 to our attention. I would like to meet
9 with you at your convenience, as I feel
10 you may be able to assist."

11 Right?

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** For various reasons, be it
14 elections, be it health or whatever, you actually don't get
15 to meet with him until the 22nd of November, 2000?

16 **MR. HALL:** Correct.

17 **MR. NEVILLE:** The paragraph I read out, the
18 "several newspaper articles" includes the three we've just
19 looked at?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** When you sent this letter
22 saying please help us if you have names of legitimate
23 victims, he never got back to you to say, I certainly do,
24 would you like it have them, did he?

25 **MR. HALL:** No.

1 **MR. NEVILLE:** No.

2 **THE COMMISSIONER:** Just ---

3 **MR. NEVILLE:** Yeah.

4 **THE COMMISSIONER:** --- to follow up a little
5 bit.

6 You say:

7 'Our mandate is to investigate all
8 allegations that come to our
9 attention"?

10 **MR. HALL:** Well-- well, if they fell within
11 the mandate of Project Truth, but if he had alleged victims
12 that we would turn over to the appropriate police agency if
13 that was warranted.

14 **THE COMMISSIONER:** Right.

15 **MR. HALL:** I'm just telling him that we're
16 -- that's our -- that's what we're doing. He probably
17 doesn't know what our mandate is.

18 **THE COMMISSIONER:** Well ---

19 **MR. NEVILLE:** Well, let's look at that.

20 **THE COMMISSIONER:** Your mandate was not to
21 investigate all allegations that come ---

22 **MR. HALL:** No.

23 **THE COMMISSIONER:** --- to your attention.

24 **MR. HALL:** No, it wasn't. But I -- what I'm
25 -- my purpose in this is, if you have ---

1 THE COMMISSIONER: Right.

2 MR. HALL: -- victims' names, tell me.

3 THE COMMISSIONER: And ---

4 MR. HALL: In short.

5 THE COMMISSIONER: And the unspoken is, if
6 they're not part of our mandate, we'll funnel them off to
7 whoever ---

8 MR. HALL: Correct.

9 THE COMMISSIONER: --- should be taking it.

10 MR. HALL: Which we did.

11 THE COMMISSIONER: Yeah.

12 MR. NEVILLE: Perhaps we could just look at
13 the first paragraph together, Inspector.

14 "In July of 1997, Project Truth
15 officially commenced an investigation
16 into allegations of historic sexual
17 abuse in the Cornwall area. This
18 investigation was requested by the East
19 Region Director of Crown Attorneys,
20 Peter Griffiths, after reviewing
21 material provided to the Ontario
22 Provincial Police by Chief Julian
23 Fantino of the London Police Service.
24 The material was provided to Chief
25 Fantino in December of 1996 by Mr.

1 Charles Bourgeois, a lawyer
2 representing Mr. Perry Dunlop."

3 MR. HALL: Yes.

4 MR. NEVILLE: That's the Fantino brief.

5 MR. HALL: Yes.

6 MR. NEVILLE: The Fantino brief and the
7 other Dunlop materials became the mandate of Project Truth.

8 MR. HALL: Yes.

9 MR. NEVILLE: Some two years before you
10 wrote this letter.

11 MR. HALL: Yes.

12 MR. NEVILLE: All right.

13 Then there's various letters go back-and-
14 forth between you and Mr. Guzzo trying to set up a meeting.

15 I'd like to next look at Exhibit 1008. Do
16 you have it there?

17 MR. HALL: Yes, I do.

18 MR. NEVILLE: This is a document authored by
19 Mr. Guzzo and put out somewhat at large because it
20 certainly came to the attention of your force?

21 MR. HALL: Yes.

22 MR. NEVILLE: Let's -- I'm not going to go
23 through all of it, I just want to highlight a couple of
24 aspects of it.

25 Let's look on page 2 of his text under the

1 heading, "The Facts".

2 MR. HALL: Yes.

3 MR. NEVILLE: He starts off:

4 "In 1992 or '93, after a series of
5 incidents, the Cornwall Police
6 Department purported to review the
7 handling of a number of complaints
8 involving a pedophile group over a
9 lengthy period of time. The results
10 of that investigation by the Cornwall
11 Police Services Board indicated there
12 was no evidence of any impropriety
13 and the matter was concluded."

14 Now, that paragraph is entirely inaccurate.

15 MR. HALL: I wouldn't disagree, no.

16 MR. NEVILLE: Let's look at -- if we look at
17 the last full paragraph on page 2.

18 MR. HALL: Yes.

19 MR. NEVILLE: He's talking about the binders
20 that went to the AG and to OCCOPS.

21 MR. HALL: Yes.

22 MR. NEVILLE: If you turn to the top of the
23 next page.

24 MR. HALL: Yes.

25 MR. NEVILLE: He says:

1 "Fortunately, the legal adviser to
2 the committee had the OPP officer in
3 question sign a receipt for the
4 documentation and a letter stating he
5 had not seen..."

6 -- had not seen:

7 "...this material prior thereto."
8 That's the receipt, right?

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** And that is not accurate.

11 Save for three statements, you'd seen the material?

12 **MR. HALL:** I think the receipt he's
13 referring to may be when he delivered -- Dunlop delivered
14 his ---

15 **MR. NEVILLE:** No.

16 **MR. HALL:** --- material ---

17 **MR. NEVILLE:** Look carefully.

18 "The legal adviser to the committee
19 had the OPP officer in question sign
20 a receipt and a letter stating he had
21 not seen this material prior
22 thereto."

23 That's you.

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

25 **MR. NEVILLE:** Right? All right.

1 **MR. HALL:** Yeah.

2 **MR. NEVILLE:** Let's look in the middle
3 paragraph of the page:

4 "On or about spring 1993, an alleged
5 abuse victim, one DS, issued a civil
6 lawsuit against a Roman Catholic
7 priest, the Cornwall Police
8 Department and the Roman Catholic
9 Diocese of Alexandria. As a result
10 of negotiations, the plaintiff agreed
11 to settle out of court for a sum of
12 32,000 to be paid by the Diocese."

13 -- et cetera.

14 All of that is completely wrong. Right?

15 **MR. HALL:** Well, I'm not ---

16 **MR. NEVILLE:** The settlement is correct, and
17 the amount.

18 **MR. HALL:** Right.

19 **MR. NEVILLE:** There was no lawsuit issued by
20 David Silmser in the spring of '93. He never issued a
21 lawsuit in '93 suing the diocese, the police department or
22 anybody, right?

23 **MR. HALL:** I'm not going to disagree with
24 it, but I don't have a recollection of ---

25 **MR. NEVILLE:** Fair enough.

1 **MR. HALL:** --- all the facts without
2 referring to some documents.

3 **MR. NEVILLE:** If we look on pages 4 and 5 of
4 his text. Actually, 4 through to 6, he states a number of
5 issues, numbering them 1 through 7.

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** Seven (7) appearing on page 6
8 using his numbers in the bottom right corner; correct?

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** And these are the so-called
11 issues that your force, through yourself, assisting Officer
12 Lewis, Inspector Lewis, attempted to answer?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** And these are the kind of
15 misstatements and errors that you wanted to meet with him
16 on and did meet with him on?

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** And thought, in your mind, you
19 had answered him?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** All right.

22 Let's look briefly again back to page 2,
23 using his numbers. Do you have it?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** Third paragraph from the

1 bottom:

2 "Sometime in early to mid-1997, the
3 Ontario Provincial Police quietly
4 returned to Cornwall and set up Project
5 Truth. The date of commencement is not
6 known because unlike the Christmas Eve
7 press conference..."

8 Stopping there. There was none, right?

9 **MR. HALL:** That's correct; there was none.

10 **MR. NEVILLE:** "...that announced the end
11 of the first investigation, there was
12 no press conference held and no press
13 release issued for the launch of
14 Project Truth."

15 All of that false?

16 **MR. HALL:** Yes, it is.

17 **MR. NEVILLE:** There was a press release and
18 a press conference?

19 **MR. HALL:** Yes.

20 **THE COMMISSIONER:** Well, you know, I don't
21 want to split hairs, but isn't it true that there's no
22 press release or press conference issues for the launch of
23 Project Truth because Project Truth had started quietly,
24 and the press conference and anything came a month or two
25 later, the press release?

1 **MR. NEVILLE:** There was a press release
2 in July of '97, sir.

3 **THE COMMISSIONER:** Yes. Yes, and you had
4 started in April?

5 **MR. HALL:** Well, we didn't -- we didn't
6 start Project Truth until -- officially, until July. I
7 mean, the officers were dissecting the material from Mr.
8 Dunlop.

9 **THE COMMISSIONER:** You had started doing the
10 reviews and ---

11 **MR. HALL:** Yes.

12 **THE COMMISSIONER:** Okay, so -- and wasn't
13 there some issue that you -- the press conference came a
14 few months after you had really started the work, setting
15 up and doing those things?

16 **MR. HALL:** Yes.

17 **THE COMMISSIONER:** All right.

18 **MR. HALL:** September 24th, I believe.

19 **THE COMMISSIONER:** So, Mr. Neville ---

20 **MR. NEVILLE:** I'll move on, sir.

21 **THE COMMISSIONER:** Yes, let's.

22 **MR. NEVILLE:** Exhibit 2824, please?

23 **THE COMMISSIONER:** Two-eight-two-four
24 (2824).

25 **MR. NEVILLE:** And 2825.

1 **THE COMMISSIONER:** I'm sorry, say that
2 again?

3 **MR. NEVILLE:** Two-eight-two-four (2824) and
4 2825.

5 **MR. HALL:** Yes.

6 **MR. NEVILLE:** You have both, sir?

7 **MR. HALL:** Yes, I do.

8 **MR. NEVILLE:** I'm not going to dwell
9 on 2824. This is a series of answers -- because we're
10 going to have Inspector Lewis shortly.

11 These are potential responses to some of the
12 Dunlop -- sorry, Guzzo allegations, in the document we just
13 looked at?

14 **MR. HALL:** Yes. I provided these responses.

15 **MR. NEVILLE:** Yes, sir. Let's look at 2825.

16 **THE COMMISSIONER:** I'm sorry, what did
17 you -- I missed that. You provided ---

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

19 **THE COMMISSIONER:** --- those answers? Okay.

20 **MR. NEVILLE:** If you look at 2825, sir, it's
21 a 6-page letter written by you?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** On the 1st of November, right?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** The re. line is:

1 "Reply to Gary Guzzo, Bill 103,
2 on October 12th, 2000."

3 Correct?

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** That's Exhibit 1008, the
6 letter of Guzzo that we've looked at briefly. It's the
7 introduction of the Bill, right?

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** And you go through in some
10 detail here, page by page, all of the material
11 that -- things that he has asserted that are inaccurate or
12 false?

13 **MR. HALL:** Correct.

14 **MR. NEVILLE:** Let's look at page 3, using
15 your numbering:

16 "I've covered with you the receipt
17 from July of '98, the media coverage
18 and the like."

19 Correct?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** If you look in the middle of
22 the page:

23 "On July 31st, '98, Dunlop advised the
24 four binders could be picked up, and
25 on that date Detective Inspector

1 P. Hall picked up the four binders
2 and on Dunlop's request signed a
3 receipt indicating..."

4 And then you reproduce it, right?

5 MR. HALL: Yes.

6 MR. NEVILLE: Below:

7 "This was to acknowledge receipt of
8 the material only, and it was never
9 stated that I have not seen this
10 material prior to this date."

11 MR. HALL: That's correct.

12 MR. NEVILLE: And this was what the Dunlops
13 manipulated the facts to be in the March article we saw?

14 MR. HALL: Correct.

15 MR. NEVILLE: Joined in by Guzzo?

16 MR. HALL: Yes.

17 MR. NEVILLE: Mr. Guzzo.

18 Page 4, under the heading "Issue 1," you
19 deal in the first paragraph that there was no press
20 conference in December, '94?

21 MR. HALL: Yes.

22 MR. NEVILLE: Item three ---

23 THE COMMISSIONER: I'm sorry -- go ahead?
24 Where did you -- turn the page?

25 MR. NEVILLE: "Issue 1."

1 THE COMMISSIONER: "Issue 1?"

2 MR. NEVILLE: Page 4, Commissioner.

3 THE COMMISSIONER: M'hm, yes.

4 MR. NEVILLE: "Issue 1" ---

5 THE COMMISSIONER: Yes.

6 MR. NEVILLE: --- he talks about a press
7 release in December, '94 from the Smith review?

8 THE COMMISSIONER: Yes.

9 MR. NEVILLE: "No press conference."

10 THE COMMISSIONER: Right.

11 MR. NEVILLE: "The reference to the
12 Walkerton investigation, Mr. Guzzo,
13 is totally false..."

14 et cetera.

15 There was no press conference?

16 MR. HALL: Inspector Smith received the
17 opinions, I believe, on December 22nd, and a press release
18 was made on ---

19 MR. NEVILLE: A press release?

20 MR. HALL: Yes.

21 MR. NEVILLE: Not a press conference?

22 MR. HALL: No.

23 MR. NEVILLE: All right. Let's look at ---

24 MR. HALL: Also, I might add to that, the
25 charges would have taken place against Malcolm MacDonald if

1 he had have been present, but he was in Florida.

2 **MR. NEVILLE:** Yes, we've had -- we've had
3 that explained to us ---

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

5 **MR. NEVILLE:** --- thank you.

6 Third paragraph:

7 "Mr. Guzzo comments that Project
8 Truth commenced without notice. This
9 is totally false as a press release
10 was made on July 28th, 1997, as
11 previously mentioned."

12 Right?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** All right.

15 **THE COMMISSIONER:** Well, again, subject to
16 the proviso that I've indicated, that one could argue that
17 the notice wasn't exactly right on the day that the things
18 started. Is that fair?

19 **MR. HALL:** Well, I suppose you could say the
20 date it started was when we got the direction from Crown
21 Attorney Griffiths on the 24th of April, but we had to put
22 things in place before people actually did anything.

23 **THE COMMISSIONER:** I understand that. It's
24 just -- it looks like we're splitting hairs about, you
25 know, Mr. Guzzo says that Project Truth commenced without

1 notice. Well, it's not totally false, but it's not totally
2 correct either.

3 And, in fact, you say, "Well, this is
4 totally false as a press release was made on July 28th,
5 1997". That's true, but was it when -- in April? No, it
6 was in July.

7 **MR. HALL:** Yes. I wouldn't disagree,
8 Mr. Commissioner.

9 **THE COMMISSIONER:** Yes, so ---

10 **MR. NEVILLE:** Let me ask you this, Inspector
11 Hall.

12 All of the things that are either
13 inaccurate, misleading or maybe false, were all capable,
14 very easily, of verification?

15 **MR. HALL:** Yes.

16 **MR. NEVILLE:** All he had ---

17 **MR. HALL:** If there was an effort put
18 forward, yes.

19 **MR. NEVILLE:** Yes. All he had to do was
20 ask?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** Let's look at Exhibit 1011.

23 **THE COMMISSIONER:** This is from Hansard
24 or ---

25 **MR. NEVILLE:** Yes, sir.

1 **THE COMMISSIONER:** Yes, okay.

2 **MR. NEVILLE:** Do you have it there?

3 **MR. HALL:** Yes, I do.

4 **MR. NEVILLE:** Let's look at Mr. Guzzo's
5 first observations:

6 "I have a question for the Solicitor
7 General. During its investigation at
8 Cornwall, the Ontario Provincial
9 Police entered the home of an Ontario
10 probation officer pursuant to a
11 search warrant authorizing the
12 seizure of arms and narcotics. None
13 were found. But without a warrant
14 for the next door neighbour's home,
15 they entered the home of the
16 neighbour of the probation officer,
17 and again found no trace of arms or
18 narcotics in that home. They did,
19 however, seize a suitcase containing
20 25 or more pornographic movies."

21 Is there a single factual statement that's
22 correct yet?

23 **MR. HALL:** No.

24 **THE COMMISSIONER:** Yes.

25 "They did, however, seize a suitcase

1 containing 25 or more pornographic
2 movies."

3 **MR. HALL:** But not in the location ---

4 **MR. NEVILLE:** Yes, sir, but they
5 certainly -- they certainly didn't seize it from the next
6 door neighbour without a warrant.

7 **THE COMMISSIONER:** That -- well ---

8 **MR. NEVILLE:** They also found arms?

9 **THE COMMISSIONER:** No, no. No, no ---

10 **MR. NEVILLE:** They weren't searching for
11 narcotics.

12 **THE COMMISSIONER:** Of course, I agree
13 with -- you say, is there anything in there, to this
14 witness, that is correct? He says, "No".

15 And I say, "Well, there is something
16 correct, that they did find in the probation officer's
17 neighbour's home, 25 movies.

18 **MR. NEVILLE:** Sure.

19 **THE COMMISSIONER:** That's true.

20 **MR. NEVILLE:** Absolutely.

21 **THE COMMISSIONER:** So ---

22 **MR. HALL:** Could I ---

23 **THE COMMISSIONER:** No, go ahead.

24 **MR. HALL:** I don't -- well, your words, they
25 weren't -- they weren't found in the probation officer's

1 home.

2 **THE COMMISSIONER:** No, don't -- no.

3 **MR. HALL:** Exactly.

4 **THE COMMISSIONER:** No, they were found in
5 the probationer's -- in Seguin's next door neighbour's
6 home.

7 **MR. NEVILLE:** Let's go on.

8 **THE COMMISSIONER:** Yes, let's go on.

9 **MR. NEVILLE:** They did, however, seize a
10 suitcase containing the movies.

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

12 **MR. NEVILLE:** Some of these were
13 commercially edited and sold, and some were home-made; some
14 from a camera mounted at the foot of the probation
15 officer's bed.

16 That suitcase and contents have been
17 identified as the property of the probation officer who
18 committed suicide before his trial.

19 Do you know of any evidence to support any
20 of that?

21 **MR. HALL:** None.

22 **THE COMMISSIONER:** Well, no, come on now.
23 Come on, Mr. Neville.

24 **MR. NEVILLE:** He committed suicide, sir. It
25 was not before his trial; he was never charged.

1 **THE COMMISSIONER:** True, but that the
2 suitcase and contents have been identified as the property
3 of the probation officer we know that Mr. ---

4 **MR. NEVILLE:** Leroux.

5 **THE COMMISSIONER:** --- Leroux went -- later
6 on said, "Look it" -- in fact, I think he testified here --
7 "they were his suitcases and somebody put it over here at
8 my house". So would that not be ---

9 **MR. NEVILLE:** This is after, of course, he's
10 given a statement that he found them at a conservation area
11 and kept them.

12 **THE COMMISSIONER:** Well. Yes?

13 **MR. NEVILLE:** Yes.

14 **THE COMMISSIONER:** So it just depends when
15 did he come up with the statement that it was really
16 Seguin's and somebody had brought them over "to our place"?
17 So ---

18 **MR. NEVILLE:** Well, Commissioner, if you
19 feel I'm splitting hairs, I'll move on.

20 **THE COMMISSIONER:** Well, no, no, sir, no,
21 no. Let's get one thing straight.

22 I agree that from 95 percent of what you're
23 saying is absolutely true. That there was no search
24 warrant for Seguin and things like that.

25 But if you're going to put in a *holus bolus*

1 kind of thing and say there is absolutely nothing true in
2 there ---

3 **MR. NEVILLE:** You know what, Commissioner,
4 there's a couple of shreds of facts that are true. This is
5 Mr. Guzzo speaking, not me.

6 Let's look at the next paragraph:

7 "Mr. Minister, this evidence, these
8 films have been in the hands of the OPP
9 for over six years. The evidence has
10 never been tendered in court and,
11 indeed, many of the predators in these
12 movies, both the commercial and the
13 homemade movies, have never been
14 charged."

15 Any accuracy yet in that sentence?

16 **MR. HALL:** No.

17 **MR. NEVILLE:** "I'd like to ask you, sir,
18 where those films are located at this
19 time and when will this evidence be
20 returned to the estate of the probation
21 officer which it should be by law."

22 Right?

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** Let's look now -- of interest,
25 sir, is the date of this speech in the House is the 27th of

1 June, 2001.

2 MR. HALL: Yes.

3 MR. NEVILLE: This is well after you've met
4 with Mr. Guzzo. You told the Commissioner in your evidence
5 in-chief that, among other things at the November 22nd
6 meeting, you brought the documents and the occurrence
7 report telling the detailed story of the tape seizure at
8 Leroux's house?

9 MR. HALL: Yes.

10 MR. NEVILLE: Shared it with him?

11 MR. HALL: Yes.

12 MR. NEVILLE: Let's go to the next question
13 at the bottom of the page:

14 "I want to tell you this [to the
15 Minister]. On November 22nd of last
16 year when I was debriefed by the OPP,
17 visited by Detective Inspector Hall,
18 the lead investigator for Project Truth
19 and one of his superiors from Orillia,
20 I put that same question to Detective
21 Inspector Hall. Here was his answer.
22 He said 'Mr. Guzzo, we don't have those
23 tapes. We don't have those films
24 anymore. We destroyed them.' I said
25 no, no, no, you can't destroy evidence

1 in this province, that's against the
2 law.
3 He said the man was dead, he wasn't
4 going to be charged. I said what about
5 the other people in the movies? What
6 about the kingpins of this organization
7 who are also seen in those movies? He
8 shrugged his shoulders [that's you],
9 the same way he did when he couldn't
10 explain the 115 charges that were
11 missed three times."

12 Now, in that passage, is there one shred of
13 truth?

14 **MR. HALL:** Well, we did destroy the tapes
15 and ---

16 **MR. NEVILLE:** Yeah.

17 **MR. HALL:** --- and I explained how we did
18 it.

19 **MR. NEVILLE:** Exactly. You explained what
20 they were?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** Right?

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** How they were seized?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** Where they were seized?

2 **MR. HALL:** Yes.

3 **MR. NEVILLE:** And why they were destroyed?

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** Including a quit claim deed
6 from the person who claimed to have found them and were his
7 as far as keeping them in his house?

8 **MR. HALL:** And I had that with me and showed
9 it to him.

10 **MR. NEVILLE:** Yes.

11 There were no other people in the movies to
12 be described as kingpins to your knowledge?

13 **MR. HALL:** No, sir.

14 **MR. NEVILLE:** No.

15 Then he goes on. Here's the good news:

16 "Copies of some of these movies have
17 been found. The Citizens Group has
18 them. What should they do? The
19 Premier said give them to the OPP, but
20 the Citizens Group says they may
21 destroy these ones too; they've been
22 very expensive."

23 Right?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** All right.

1 Let's look at Exhibit 2830. The Document
2 Number is 703537. Doesn't appear to be that on the screen;
3 that's 705537 unless I again have the wrong exhibit.

4 **THE COMMISSIONER:** No, you're looking at a
5 letter dated July 11th, 2001?

6 **MR. NEVILLE:** Yes. Yes.

7 **THE COMMISSIONER:** All right. So Madam
8 Clerk, wrong number? Seven-zero-three-five-three-seven
9 (703537).

10 **MR. NEVILLE:** Yes, sir. You have it there,
11 Inspector?

12 **MR. HALL:** I don't but I'll go from the
13 screen.

14 **MR. NEVILLE:** No? Okay.

15 **MR. HALL:** At least, I can't locate it at
16 the moment.

17 **THE COMMISSIONER:** You should have it; 2830
18 is the last exhibit in one of the binders.

19 **MR. HALL:** Okay. Yes. Just a moment,
20 please. Yes, I have it.

21 **MR. NEVILLE:** You have it there?

22 This is Mr. McConnery writing to you and if
23 we look -- it's a follow-up to a meeting you and he had on
24 several issues as he calls in on the previous day, July
25 10th.

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** If you look at the next full
3 paragraph, he's discussing what we just reviewed from
4 Hansard by Mr. Guzzo.

5 **MR. HALL:** Yes.

6 **MR. NEVILLE:** And he itemizes A, B, C some
7 of the very things alleged by Guzzo in the house?

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** Top of page 2:

10 "The existence or non-existence of the
11 copies Mr. Guzzo was referring to must
12 be established immediately. If such
13 copies exist as claimed, they must be
14 located, seized and retained as
15 evidence. If the existence of the
16 copies is proven false, that too is
17 clearly significant."

18 -- et cetera, et cetera, right?

19 **MR. HALL:** Yes.

20 **MR. NEVILLE:** He says in closing before he
21 moves on to other issues:

22 "I don't think I can underline the
23 significance of this issue any more
24 strongly."

25 Pursuant to which you did certain things,

1 right?

2 MR. HALL: Yes.

3 MR. NEVILLE: Let's look at Exhibit 713.

4 THE COMMISSIONER: I don't think I have
5 that, Madam Clerk. What is it, Mr. ---

6 MR. NEVILLE: Seven-one-three (713) is the
7 interview statement ---

8 THE COMMISSIONER: Yes.

9 MR. NEVILLE: --- done by Inspector Hall
10 with Carson Chisholm.

11 THE COMMISSIONER: Okay.

12 MR. HALL: I have it.

13 MR. NEVILLE: The 19th of July, 2001.

14 Do you have it Inspector?

15 MR. HALL: Yes, I do.

16 MR. NEVILLE: If we can look at -- and I'll
17 use the numbering again in the bottom right corner sir,
18 page 2 of 12.

19 MR. HALL: Yes.

20 MR. NEVILLE: Your first question, directly
21 on point:

22 "What can you tell me about the
23 existence of videotape movies of child
24 pornography or sexual acts that
25 allegedly belong to Ken Seguin?"

1 Chisholm: Not much. Only that the OPP
2 apparently did a search warrant looking
3 for guns and instead took these tapes
4 and I understand destroyed them.

5 You: Garry Guzzo, MPP, has stated in
6 the legislation these movies exist
7 today. Can you tell me who would have
8 these if they do exist?

9 Chisholm: No.

10 You: They don't exist or you don't
11 know who has them?

12 Chisholm: I don't know who has them.

13 You: Did you ever see any movies?

14 Chisholm: No."

15 Next page, top of the page, by you:

16 "Are you a member of the citizens
17 committee that Mr. Guzzo refers to that
18 assisted Perry Dunlop in gathering
19 information on sexual abuse in the
20 Cornwall area?

21 Chisholm: Well, I don't know about
22 this citizens committee, I am a citizen
23 and we did a ..."

24 And then you go on to discuss that with him,
25 right?

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** Let's look at the top of page

3 4 of 12:

4 "Chisholm: Well, this -- the actual
5 citizens committee was a thing we
6 started to gather signatures. I think
7 we got around 13,000 to push for an
8 inquiry into this because it wasn't
9 going anywhere.

10 Hall: Okay.

11 Chisholm: That was the citizens
12 committee."

13 And then he says, in the next sentence down:

14 "And that's all we were doing."

15 Right?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** Then you ask him various other
18 questions about whether he portrayed himself as a detective
19 to the owner of the Saltaire and the like; correct?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** All right.

22 Let's look on page 8:

23 "Hall: [Top of the page] Just to sum
24 up here. Is there anyone that you know
25 of that has these tapes in their

1 possession?

2 Chisholm: No."

3 Middle of the page:

4 "You've never heard of anyone being in
5 possession ---

6 No.

7 --- of tapes today?

8 No. Except the OPP."

9 Bottom of the page:

10 "Hall: Do you have any knowledge of a
11 video camera being mounted on the bed
12 of Ken Seguin?

13 Chisholm: Ah, no, never spent any time
14 there. How about you? (Laughing)."

15 Right?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** "Hall: Well, it's the
18 reason I'm asking.

19 Chisholm: [At the top of the next
20 page] Well, I hear that. That came up
21 somewhere and I wouldn't doubt it at
22 all. I mean, these guys were in that
23 kind of bullshit."

24 Right?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** Okay. Look at his next
2 answers, two down:

3 "Chisholm: Well, it might have been
4 Ron Leroux. They were buddies for a
5 long time. I imagine he'd be privy to
6 that kind of -- ask the Bishop, he may
7 have a few of those tapes, he may be on
8 most of them."

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** That's helpful, right?

11 Let's look next on top, page 11. We see at
12 the top of the page Detective Genier refers to the fact of
13 being commercial tapes, right?

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** Which you repeat. And then
16 you say to Chisholm:

17 "What we're trying to do is follow -up
18 on what Mr. Guzzo has said in the
19 Legislature.

20 Chisholm: Uh-huh."

21 Of course, MPs can basically say what they
22 want in the Legislature because they're protected somewhat,
23 right?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** M'hm. Bottom:

1 "The Crown Attorneys have asked us to
2 see if we can narrow it down."

3 That's Mr. McConnery's letter ---

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** --- and meeting.

6 "Hall: He's explicit -- explicitly
7 indicated members of the citizens
8 committee are in possession of these
9 tapes, so we're trying to find out who
10 is the citizens committee he's
11 referring to. I've sent a letter to
12 him and I haven't had a response back
13 yet asking him."

14 Top of the next page:

15 "We know from previous correspondence
16 of Mr. Guzzo that you were an
17 important person involved with
18 Perry, so we figure we might start
19 with you.

20 Chisholm: "Yeah, but I haven't got
21 any tapes.

22 Hall: "You don't know of any tapes?"

23 Chisholm: No, I don't know.

24 Hall: "You don't know of anybody else
25 who has any tapes?"

1 Chisholm: No, no."

2 Right?

3 MR. HALL: Yes.

4 MR. NEVILLE: Okay. Let's look at
5 Exhibit 1013.

6 MR. HALL: Yes.

7 MR. NEVILLE: Do you have it there?

8 MR. HALL: Yes, I do.

9 MR. NEVILLE: This is your letter to Mr.
10 Guzzo, 18th of July, 2001?

11 MR. HALL: Yes.

12 MR. NEVILLE: You quote to him what we just
13 reviewed with you from Hansard.

14 MR. HALL: Yes.

15 MR. NEVILLE: Including the claim that
16 somebody has the movies.

17 MR. HALL: Yes.

18 MR. NEVILLE: And you say to him:

19 "We are interested in determining who
20 has these movies or knowledge of
21 these movies you refer to and how we
22 may be provided a copy in order to
23 complete our investigations."

24 MR. HALL: Yes.

25 MR. NEVILLE: Now, you know that Mr. Guzzo

1 testified here, right?

2 MR. HALL: I knew he testified, yes.

3 MR. NEVILLE: You haven't read his evidence,
4 or have you? Or parts of it?

5 MR. HALL: Parts of it.

6 MR. NEVILLE: Okay. You heard his version
7 of claiming that somebody came and showed him a tape?

8 MR. HALL: Eight-millimetre tape, I believe.

9 THE COMMISSIONER: M'hm.

10 MR. NEVILLE: An eight-millimetre tape or a
11 movie, whatever.

12 MR. HALL: I recall that, yes.

13 MR. NEVILLE: Let's look at his letter back
14 to you in response to the last exhibit of July 25th, 2001.
15 It's Exhibit 1012.

16 MR. HALL: Yes.

17 MR. NEVILLE: He acknowledges your letter?

18 MR. HALL: Yes.

19 MR. NEVILLE: And that you obviously had a
20 subsequent phone call.

21 MR. HALL: Yes.

22 MR. NEVILLE: Do you recall anything
23 independently now about your telephone call with him? It's
24 obviously on this topic.

25 MR. HALL: The telephone call was basically

1 that some citizens had videotapes in a safety deposit box
2 in Messina, New York.

3 **MR. NEVILLE:** Right.

4 **MR. HALL:** And he was going to make efforts
5 to find out, which he never did get back to me on.

6 **MR. NEVILLE:** He says:

7 "This will refer to yours of 18
8 July..."

9 Which we just looked at:

10 "...and our subsequent telephone
11 conversation of July 24th. I advised
12 that I do not have copies of these
13 films nor any film nor have I seen
14 same, but they have been described to
15 me as commercially purchased copies
16 of films which were in the
17 possession of the individual from
18 whom some materials were taken some
19 time ago."

20 His last sentence in the first paragraph:

21 "I will again attempt to make contact
22 with someone in the Cornwall area who
23 might be in a position to provide
24 copies of these films."

25 Right?

1 **MR. HALL:** Yes.

2 **MR. NEVILLE:** Bottom line is, this story
3 about films and all the like that he raised in the
4 Legislature where he had immunity, amounted to nothing?

5 **MR. HALL:** Yes. And I believe in a
6 telephone conversation I addressed the thing of copies.
7 You know, like, I mean, he indicated that they'd be
8 destroyed if they were turned over to us and I said, "Look,
9 you could just make us a copy and keep the original".

10 **MR. NEVILLE:** Let's look at Document 701174.

11 **THE COMMISSIONER:** Thank you.

12 Exhibit Number 2847 is a newspaper article,
13 Sunday, September 9, 2001, by Aaron Sands. Do we know what
14 newspaper this is?

15 **MR. NEVILLE:** I'm not sure, Commissioner.
16 It's either the Ottawa Citizen or the Globe and Mail, and
17 I'm not sure which.

18 **THE COMMISSIONER:** Okay.

19 --- **EXHIBIT NO./PIÈCE NO. 2847:**

20 (701174) - Newspaper Article 'They can't
21 make me quit, Guzzo vows' - dated September
22 9, 2001

23 **MR. NEVILLE:** Do you have it there,
24 Inspector?

25 **MR. HALL:** Yes, I do.

1 **MR. NEVILLE:** Now, I'm just showing this
2 document because you told the Commissioner in-chief that in
3 spite of the various efforts your force, through you and
4 Officer Lewis, made to set Mr. Guzzo straight, so to speak,
5 the way you described it was after the meeting, things died
6 down for a while and then it revved right back up again?

7 **MR. HALL:** Yes.

8 **MR. NEVILLE:** We have the Hansard matter we
9 just reviewed as an example of that?

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** We have this newspaper. This
12 is now into September of 2001, right?

13 **MR. HALL:** Yes.

14 **MR. NEVILLE:** I want you to look in the
15 second column, fourth paragraph from the top of that
16 column.

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** It says:

19 "After obtaining instruction from the
20 Ministry of the Attorney General,
21 police announced there was insufficient
22 evidence to lay further charges under
23 the scandalous probe. Mr. Guzzo said
24 Project Truth investigators 'strongly
25 recommended' to the Ministry that

1 charges be laid against five men who he
2 called 'the kingpins' behind the
3 organized sex abuse. He has threatened
4 to name the five individuals in the
5 Legislature."

6 Not true?

7 **MR. HALL:** True. True it's not true.

8 **MR. NEVILLE:** Right.

9 (LAUGHTER/RIRES)

10 **MR. HALL:** Be careful here.

11 **THE COMMISSIONER:** Had you worried for a
12 minute there, Mr. Neville.

13 **MR. NEVILLE:** Work with me here, Inspector,
14 work with me.

15 (LAUGHTER/RIRES)

16 **MR. NEVILLE:** Look at the next quote, one --
17 two down:

18 "There's better evidence against some
19 of those who weren't charged than some
20 of those you were he added."

21 Right?

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** So this thing he puts out
24 again into the public domain is completely and utterly
25 false. There was no such recommendation.

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

2 **MR. NEVILLE:** Do you have any idea where
3 he's getting some of these ideas other than Mr. Dunlop
4 himself. And by this point, he's living out in British
5 Columbia.

6 **MR. HALL:** Really, I could speculate, but I
7 have no idea ---

8 **MR. NEVILLE:** No.

9 **MR. HALL:** --- where he's getting it.

10 **THE COMMISSIONER:** Okay, can we just ---

11 **MR. NEVILLE:** I'll move on.

12 **THE COMMISSIONER:** No, no. We'll ---

13 **MR. NEVILLE:** Sorry.

14 **THE COMMISSIONER:** --- just look at this.

15 Is it possible that this meant that
16 after obtaining instruction from the Crown Attorneys,
17 police announced there was insufficient evidence to lay
18 further charges under the scandalous probe?

19 **MR. HALL:** Well ---

20 **THE COMMISSIONER:** Would that change things
21 a little bit?

22 **MR. HALL:** It would be up to the police to
23 lay charges.

24 **THE COMMISSIONER:** No, I understand that,
25 but on the other side, is it possible that it meant that

1 you were consulting with Crown Attorneys, and Crown
2 Attorneys came back and gave you -- because you had -- you
3 were ---

4 **MR. HALL:** It could be construed as that,
5 yes.

6 **THE COMMISSIONER:** You know ---

7 **MR. HALL:** Yeah, I'd have to agree.

8 **MR. NEVILLE:** Well, in fact, you sent the
9 brief and you got an opinion ---

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** --- back. We've seen that
12 exhibit saying that Mr. McConnery agrees with your
13 analysis, no RPG, no charges to be laid.

14 **MR. HALL:** Correct.

15 **MR. NEVILLE:** So that sentence has some
16 truth to it.

17 **MR. HALL:** Yes, it does.

18 **MR. NEVILLE:** Let's look at the next one:

19 "Mr. Guzzo said Project Truth
20 investigators..."

21 And he puts it in quotes.

22 **THE COMMISSIONER:** Well, no, no, the
23 newspaper puts it in quotes.

24 **MR. NEVILLE:** Well, they put a lot of things
25 in quotes, sir.

1 **THE COMMISSIONER:** Yeah, no, no, but you
2 said he put it in ---

3 **MR. NEVILLE:** "...strongly recommended to
4 the Ministry that charges be laid
5 against five men who he called the
6 kingpins behind the organized sex
7 abuse."

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** None of that is true.

10 **MR. HALL:** No.

11 **MR. NEVILLE:** No. All right.

12 I want to deal briefly with the stay
13 application of Father MacDonald. Can I ask you to look at
14 -- we know from your evidence that in mid-April a number of
15 things have happened. Mr. Dunlop has turned over notes?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** Nine boxes?

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** In January, he finally tells
20 Project Truth about C-2.

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** An investigation is done,
23 briefs are provided and a charge is laid against Father
24 MacDonald for C-2.

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** All of this happening, taking
2 it together as a group of things.

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** Culminating in the court
5 appearance of the 18th of April, where the May 1st trial is
6 adjourned?

7 **MR. HALL:** Yes.

8 **MR. NEVILLE:** All right.

9 Can I ask you to look at Document 113883.

10 **THE COMMISSIONER:** It's a new document, sir.

11 **THE COMMISSIONER:** Thank you.

12 Exhibit Number 2848 is a letter dated March
13 30th, 2000 addressed to Detective Inspector Pat Hall from
14 Shelley Hallett.

15 --- **EXHIBIT NO./PIÈCE NO. P-2848:**

16 (113883) - Letter from Shelley Hallett
17 to Pat Hall re: additional charges, C-2
18 allegations, dated March 30, 2000

19 **MR. NEVILLE:** Was it 2848, Commissioner?

20 **THE COMMISSIONER:** Yes.

21 **MR. NEVILLE:** Four-eight (48), thank you.

22 This is her letter recommending that the C-2
23 charges be laid?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** She acknowledges in the

1 paragraph at the bottom of page 1 that the first allegation
2 is unusual.

3 MR. HALL: Yes.

4 MR. NEVILLE: And also uses the word
5 "bizarre".

6 THE COMMISSIONER: Can we, I'm sorry, put a
7 publication ban stamp on this?

8 MR. NEVILLE: Yes, there should be, sir.
9 Right?

10 MR. HALL: Yes.

11 MR. NEVILLE: That's a pretty fair
12 description of what C-2's allegation was in the first
13 instance?

14 MR. HALL: Yes.

15 MR. NEVILLE: He alleged abuse at the hands
16 of a group of hooded figures?

17 MR. HALL: Yes.

18 MR. NEVILLE: Right. Did that allegation
19 bear the remotest resemblance to any other allegation
20 against Father MacDonald?

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

22 MR. NEVILLE: Let's look at Document 113847,
23 a new document.

24 Madam Registrar has copies, Commissioner;
25 113847.

1 **THE COMMISSIONER:** Thank you.

2 Exhibit Number 2849 is a letter dated April
3 19th, 2000 to Mr. James Stewart and that's from Shelley
4 Hallett.

5 **MR. NEVILLE:** Do you have it there,
6 Inspector?

7 **MR. HALL:** Yes, I do.

8 **MR. NEVILLE:** This is written right after
9 the court appearance adjourning the matter, as she refers
10 to?

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** Let's look at the bottom
13 paragraph.

14 "Justice Desmarais considered the trial
15 date unrealistic in view of the above-
16 mentioned factors. Michael Neville for
17 the defence did not protest the judge's
18 opinion that an adjournment was
19 required, but I suspect he will attempt
20 to use the delay to support an
21 application for a stay under section
22 11(b) of the *Charter* at some later
23 time. I am trusting that the unique
24 features of this case, characterized by
25 Neville himself in yesterday's

1 proceedings as 'too complicated to
2 begin to address' will ultimately
3 prevent a stay on the basis of delay."

4 Right?

5 MR. HALL: Yes.

6 MR. NEVILLE: If you look on page 2, you
7 were cc'd a copy of this letter?

8 MR. HALL: Yes.

9 MR. NEVILLE: Can I have the Inspector now
10 see Document 111236.

11 THE REGISTRAR: It's already an exhibit;
12 2265.

13 MR. NEVILLE: What's the exhibit number?

14 THE REGISTRAR: Two-two-six-five (2265).

15 MR. NEVILLE: Two-two-six-five (2265).

16 Thank you.

17 THE COMMISSIONER: Two-two-six-five (2265)?

18 MR. NEVILLE: Yes, sir.

19 THE COMMISSIONER: I have it. The
20 application for adjournment transcript?

21 MR. NEVILLE: Yes, sir.

22 THE COMMISSIONER: You have it, sir?

23 MR. HALL: No, I don't have it.

24 MR. NEVILLE: It's Exhibit 2265.

25 THE COMMISSIONER: You do have it.

1 MR. HALL: I do have it?

2 MR. NEVILLE: It may be in a book there,
3 sir.

4 MR. HALL: Well, I guess ---

5 THE COMMISSIONER: Madam Clerk.

6 MR. HALL: Can you put it on the screen?

7 THE COMMISSIONER: No, it's in one of your
8 books. We'll get it to you. Madam Clerk is just getting
9 the document there; 2265.

10 MR. HALL: Two-two-six-five (2265)?

11 MR. NEVILLE: Two-two -- that's what the
12 Registrar advises me. It's on the screen.

13 MR. HALL: It's not the one I got here.

14 THE COMMISSIONER: Two-two-six-five (2265).
15 How much longer do you think you'll be, Mr.
16 Neville?

17 MR. NEVILLE: Perhaps 20 minutes, sir.

18 THE COMMISSIONER: M'hm. Well, we'll go
19 until 12:30 in any event.

20 MR. NEVILLE: All right.

21 MR. HALL: Yes, I have it.

22 MR. NEVILLE: All right.

23 Now, this is a court appearance here in
24 Cornwall before the Honourable Mr. Justice Desmarais on
25 April 25th, 2001. Were you present for this? This is the

1 adjournment of the trial because of my involvement with a
2 murder trial in Perth, and you made some reference to it in
3 your evidence in-chief.

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

5 **MR. NEVILLE:** Were you present for this?

6 **MR. HALL:** The date again?

7 **MR. NEVILLE:** April 25th, 2001.

8 **MR. HALL:** I recall being there on April 17th
9 and 18th, but I don't ---

10 **MR. NEVILLE:** Okay. Do you remember this
11 one?

12 **MR. HALL:** If I go to my notes, I could ---

13 **MR. NEVILLE:** It's the following year. You
14 were aware of the fact that the trial had gone from 2000 --
15 May -- to about a year later in '01?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** And it had to be adjourned
18 another year because of the murder case in Smiths Falls or
19 Perth?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** All right. And this is the
22 adjournment application, right?

23 **MR. HALL:** Okay.

24 **MR. NEVILLE:** Do you recall whether or not
25 you were there?

1 **MR. HALL:** Without checking my notebook, I
2 can't tell you.

3 **MR. NEVILLE:** Okay. Do you recall whether
4 Mr. Phillips who appeared for the Crown, he was associating
5 as Crown with Mr. McConnery?

6 **MR. HALL:** Yes, he was ---

7 **MR. NEVILLE:** Whether he advised you of the
8 outcome of this?

9 **MR. HALL:** He would advised me of the
10 outcome, yes.

11 **MR. NEVILLE:** All right.

12 So if you just look at page 1, as numbered
13 on the transcript. You have it there?

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** You see Mr. Phillips referred
16 to a line just above the number 15 on the left-hand side,
17 line 13?

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** And he's seeking as part of
20 the adjournment a waiver of 11(b) rights?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** The court addresses my then
23 partner, Mr. Selkirk, at the bottom of the page?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** If you look at the top of page

1 2.

2 MR. HALL: Yes.

3 MR. NEVILLE: Mr. Selkirk indicates that
4 there is not a waiver.

5 MR. HALL: Yes.

6 MR. NEVILLE: Were you advised of this
7 matter and those positions as you've stated?

8 MR. HALL: I probably was. I don't have a
9 recollection of it.

10 MR. NEVILLE: All right.

11 Let's look at Exhibit 2789.

12 THE COMMISSIONER: It's on the screen if
13 that will help you. And what part of it?

14 MR. NEVILLE: Yes. I have it, the very
15 first page, Commissioner.

16 THE COMMISSIONER: Yes.

17 MR. NEVILLE: This is a report authored by
18 you, Inspector?

19 MR. HALL: Yes, it is.

20 MR. NEVILLE: The date is the 19th of
21 February, 2002?

22 MR. HALL: Yes.

23 MR. NEVILLE: If you can look at the fourth
24 paragraph.

25 "The trial of Father Charles MacDonald

1 is scheduled to commence on 18 March
2 '02 in Cornwall by judge alone. All
3 disclosure of the Dunlop material was
4 made to defence counsel M. Neville in
5 the MacDonald case. Neville indicated
6 there will be several motions made at
7 the commencement of the trial,
8 including a section 11(b), *Charter of*
9 *Rights.*"

10 MR. HALL: Yes.

11 MR. NEVILLE: So you clearly were aware ---

12 MR. HALL: Yes.

13 MR. NEVILLE: --- when you offered this
14 document?

15 MR. HALL: Yes.

16 MR. NEVILLE: Okay.

17 MR. HALL: I didn't say I wasn't, sir. I
18 just ---

19 MR. NEVILLE: No, no. I understand. I
20 didn't say that at all.

21 Now, do you recall, sir, in the month of
22 April leading up to the trial because it got moved because
23 of a judge not being available until the end of April. Do
24 you remember that?

25 MR. HALL: Yes.

1 **MR. NEVILLE:** Okay.

2 Do you recall being provided a copy of the
3 applicant factum on behalf of Father MacDonald?

4 **MR. HALL:** I don't recall it, but ---

5 **MR. NEVILLE:** It's indicated in your notes
6 that you were given a copy.

7 **MR. HALL:** Oh, then I received a copy.

8 **MR. NEVILLE:** All right.

9 Do you recall being provided with a copy of
10 the Crown's factum?

11 **MR. HALL:** I probably was, but I don't
12 recall it.

13 **MR. NEVILLE:** Okay. Your notes reflect you
14 even assisted in it.

15 **MR. HALL:** Probably did. Mr. McConnery?

16 **MR. NEVILLE:** Yes.

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** Okay.

19 Now, at the hearing before Mr. Justice
20 Chilcott, you testified for a day and-a-half or so?

21 **MR. HALL:** Yes.

22 **MR. NEVILLE:** The Crown called you. They
23 called Staff Sergeant Garry Derochie?

24 **MR. HALL:** Yes.

25 **MR. NEVILLE:** They called retired Inspector

1 Trew?

2 MR. HALL: Yes.

3 MR. NEVILLE: They called Perry Dunlop?

4 MR. HALL: Yes.

5 MR. NEVILLE: The defence called retired
6 Inspector Smith, Detective Constables Genier and Dupuis?

7 MR. HALL: Yes.

8 MR. NEVILLE: Right?

9 MR. HALL: Yes, I believe so.

10 MR. NEVILLE: Okay. Mr. Dunlop said a
11 number of things, I know some of which either you heard or
12 came to your attention. In relation to yourself, his
13 complaint was, he found you terse.

14 MR. HALL: Yes.

15 MR. NEVILLE: That was it, by way of
16 criticism; right?

17 MR. HALL: I would bring that back to our
18 conversation on the 16th of November of 2000 ---

19 MR. NEVILLE: Right.

20 MR. HALL: --- with Marleau.

21 MR. NEVILLE: Okay. He indicated he didn't
22 trust Inspector Smith?

23 MR. HALL: Yes.

24 MR. NEVILLE: He indicated to the court
25 that, as of the day he gave the answer, May 2nd, 2002, he

1 could not even say that day that he had truly turned over
2 everything.

3 **MR. HALL:** True.

4 **MR. NEVILLE:** He denied supplying his
5 documentation to Dick Nadeau.

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** He admitted that he never
8 conducted any kind of legitimate police investigation, as a
9 police officer would or should, into the allegations he put
10 forward against Bishop LaRocque, Murray MacDonald or
11 others?

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** He blamed bad legal advice?

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** He acknowledged that one of
16 the complainants he put forward, who became a complainant
17 against Father MacDonald, C-7, was presented with a photo
18 spread and identified two people as Father MacDonald:
19 Father MacDonald and Claude Shaver?

20 **MR. HALL:** Yes.

21 **MR. NEVILLE:** Now, let's talk just briefly
22 about C-8.

23 **MR. HALL:** Yes.

24 **MR. NEVILLE:** Could I have the Inspector,
25 Commissioner, see Exhibit C-625, Document 105525?

1 **THE COMMISSIONER:** Okay, yes.

2 **(SHORT PAUSE/COURTE PAUSE)**

3 **MR. NEVILLE:** The Document Number,
4 Commissioner, is 105525.

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

6 **MR. NEVILLE:** It became an exhibit, sir,
7 during the, I believe, in-camera testimony of C-8.

8 **THE COMMISSIONER:** Yes.

9 **MR. NEVILLE:** Do you have it there,
10 Inspector?

11 **MR. HALL:** Yes, I do.

12 **MR. NEVILLE:** This is the memo prepared by,
13 I believe, Mr. Phillips, of an interview that took place
14 with your colleague, Detective Seguin, Mr. McConnery, and
15 C-8, with Mr. Phillips making this memo, which came to your
16 attention, I'm sure. Right?

17 **MR. HALL:** Yes. I was -- I was present at
18 Lancaster Detachment ---

19 **MR. NEVILLE:** Okay.

20 **MR. HALL:** --- when this interview took
21 place.

22 **MR. NEVILLE:** And what happened on this day
23 is, Mr. C-8 admitted that the entire allegation against
24 Father MacDonald was a fabrication.

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** Let's look at the bottom of
2 the first page, because he talks about the role of
3 Mr. Dunlop; right?

4 **MR. HALL:** Yes.

5 **MR. NEVILLE:** "C-8 gives us the impression
6 that he called Dunlop to talk about
7 Leroux but that Dunlop seemed to be
8 after Father Charles. In quotes:
9 'Dunlop kept pushing the priest. Fuck,
10 was he pushing.'"

11 In quotes; right?

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** In the middle of -- next page,
14 the middle paragraph:

15 "Unprompted, C-8 goes back to
16 impressing upon us that he never wanted
17 to make a complaint about Father
18 Charles in the first place. He says
19 that while he was talking to Dunlop, 'I
20 felt like more was better,' and that he
21 included Father Charles, 'to satisfy
22 Perry.' C-8 says he felt pressure as a
23 result of being rushed around all the
24 time. 'He,' Dunlop, 'kept pushing the
25 fucking priest. I felt like I had to

1 do all of this.'"

2 Bottom of the page:

3 "Out of the blue, C-8 blurts, 'That
4 never happened at my father's funeral.
5 I felt like I had to give more. Dunlop
6 said to me, 'What about the candles?
7 What about the candles?'"

8 Right?

9 MR. HALL: Yes.

10 MR. NEVILLE: Now, the person who told the
11 candles story to Perry Dunlop was Ron Leroux.

12 MR. HALL: Yes.

13 MR. NEVILLE: This statement has a detail
14 put in the statement against Father Charles that could only
15 have come from either Ron Leroux or Perry Dunlop.

16 MR. HALL: I wouldn't disagree.

17 MR. NEVILLE: I'm going to suggest to you,
18 Inspector, that the warning signals for C-8 were there from
19 the very first statement he gave in January of '97. The
20 document is C-607.

21 (SHORT PAUSE/COURTE PAUSE)

22 MR. HALL: Yes.

23 MR. NEVILLE: Do you have it there?

24 MR. HALL: Yes, I do.

25 MR. NEVILLE: This person's date of birth is

1 the 26th of December 1964; right?

2 MR. HALL: Yes.

3 MR. NEVILLE: Page 3 of 11, using the bottom
4 corner numbering.

5 MR. HALL: Yes.

6 MR. NEVILLE: He describes being an altar
7 boy at St. Columban's when he was 11; right?

8 MR. HALL: Yes.

9 MR. NEVILLE: He talks about how -- if you
10 look on the fifth line from the bottom, well, about eight
11 lines from the bottom:

12 "Charlie MacDonald was the head priest.
13 I remember practice serving during the
14 week, week nights."

15 Fifth line from the bottom:

16 "For the next two years, I found I was
17 often alone with Father Charlie, rubbed
18 my arms" et cetera, et cetera.

19 Right?

20 MR. HALL: Yes.

21 MR. NEVILLE: Now, you had available, as
22 part of the Crown briefs, the appointments or C.V. of
23 Charles MacDonald?

24 MR. HALL: Yes.

25 MR. NEVILLE: This man was born in December

1 '64. He became an altar boy when he was 11. That would be
2 late in 1975, right?

3 And he talks about being with Father
4 MacDonald, and Father MacDonald doing various things over
5 the next two years, culminating with his father's funeral;
6 correct?

7 MR. HALL: Yes.

8 MR. NEVILLE: You knew from Father
9 MacDonald's appointments that he left St. Columban's in the
10 summer of 1975 and went to Apple Hill; right?

11 MR. HALL: Did I know that?

12 MR. NEVILLE: Yes.

13 MR. HALL: I probably read it, but I don't
14 have a recollection.

15 MR. NEVILLE: It's in his list of
16 appointments.

17 MR. HALL: Yes.

18 MR. NEVILLE: So all of this detail about
19 things happening for the next two years through to '77-78
20 with Charles MacDonald, the head priest, is impossible.

21 The signal is right there; right? Somebody
22 missed this; right?

23 MR. HALL: Could be.

24 MR. NEVILLE: Somebody who formed RPG,
25 right?

1 **MR. HALL:** That ---

2 **MR. NEVILLE:** Somebody formed RPG. This man
3 became a complainant.

4 **MR. HALL:** That statement took place in
5 January '97?

6 **MR. NEVILLE:** Yes. And the charges were
7 laid against my client, including this man as a
8 complainant, C-8, on the 26th of January 1998; one year
9 later?

10 **MR. HALL:** Yes.

11 **MR. NEVILLE:** Okay.

12 Can we look at Exhibit 1400. I think,
13 Commissioner, with five minutes grace, I can finish.

14 **THE COMMISSIONER:** Yes. Fourteen hundred
15 (1400), you said?

16 **MR. NEVILLE:** Is that okay, Inspector? We
17 finish me off in five minutes?

18 **MR. HALL:** Sure.

19 **MR. NEVILLE:** Don't take it literally.

20 **(LAUGHTER/RIRES)**

21 **MR. HALL:** I've just got to find 1400 or can
22 it possibly be put on the screen?

23 **MR. NEVILLE:** The Document Number is 705437.
24 It's a letter you wrote, sir, on the 15th of May 2002 to Mr.
25 Stewart.

1 MR. HALL: Yes.

2 MR. NEVILLE: And it's in relation to C-8
3 and his perjury.

4 MR. HALL: Yes.

5 MR. NEVILLE: Now, you knew, of course, by
6 the time you wrote this letter, quite apart from the memo
7 and the events of March '02 that we've looked at, a quite
8 similar occurrence had happened in the Lalonde trial.
9 Where he admitted perjuring himself on a portion of his
10 allegation against Marcel Lalonde with the idea coming or
11 planted in his mind by Perry Dunlop that, "It's too bad
12 something didn't happen on a school trip because they have
13 deeper pockets."

14 MR. HALL: Yes.

15 MR. NEVILLE: All right.

16 MR. HALL: Yes.

17 MR. NEVILLE: So now it's happened with a
18 complete fabrication in its entirety, and you wrote
19 Mr. Stewart about wanting something perhaps to be done
20 here; right?

21 MR. HALL: Yes.

22 MR. NEVILLE: And page 2, paragraph 2:
23 "One has to be mindful that any
24 investigation into C-8 will lead into
25 the actions of former Constable Perry

1 Dunlop, Cornwall Police Service.
2 Dunlop was the person who originally
3 solicited sexual assault allegations
4 from C-8. According to C-8,
5 '...influenced me into providing a
6 complaint and possibly its contents.'"

7 Right?

8 MR. HALL: Yes.

9 MR. NEVILLE: Did you have in mind there
10 both the MacDonald event and Lalonde?

11 MR. HALL: I think I was referring -- yeah,
12 because of his recanting ---

13 MR. NEVILLE: Right.

14 MR. HALL: --- on the previous document we
15 see.

16 MR. NEVILLE: Okay.

17 MR. HALL: In front of two Crown attorneys.

18 MR. NEVILLE: Now, you sent this document
19 off to the Regional Crown in mid-May 2002, and it would
20 appear that essentially nothing happens. Right?

21 MR. HALL: That's right.

22 MR. NEVILLE: Because if we look at
23 Exhibit 1413 -- it's on the screen. You have it there?

24 MR. HALL: It's on the screen, yes.

25 MR. NEVILLE: All right, and it's -- Madam

1 Registrar will have to scroll it up a bit for you because
2 this letter is cc'd to you.

3 There you are. You see it?

4 MR. HALL: Yes.

5 MR. NEVILLE: The problem became who was
6 going to do the investigation.

7 MR. HALL: Correct.

8 MR. NEVILLE: Okay. And clearly, the
9 opinion, as it had been on other issues, was it should not
10 be Cornwall.

11 MR. HALL: Or me.

12 MR. NEVILLE: Or you. Now, just a couple of
13 closing matters, Inspector.

14 You told the Commissioner that there had
15 been certain events happen in Ottawa involving disturbances
16 and harassment by the Dunlop group against Father MacDonald
17 and perhaps myself.

18 MR. HALL: Yes.

19 MR. NEVILLE: Can I ask the Inspector to
20 look at document 701177?

21 THE COMMISSIONER: New document, sir.

22 MR. NEVILLE: New document.

23 THE COMMISSIONER: Thank you.

24 Exhibit Number 2850 is a Standard Freeholder
25 article dated Friday, September 5th, 2001. Exhibit 2850.

1 **MR. NEVILLE:** I think it might be the 7th,
2 sir.

3 **THE COMMISSIONER:** What did I say?

4 **MR. NEVILLE:** Fifth.

5 **THE COMMISSIONER:** Seventh. Thank you.

6 **--- EXHIBIT NO./PIÈCE No. P-2850:**

7 (701177) - Standard-Freeholder Article
8 'Stay discussed in Project Truth Trial,'
9 dated 07 Sep 01.

10 **MR. NEVILLE:** Do you have it there,
11 Inspector?

12 **MR. HALL:** Yes.

13 **MR. NEVILLE:** Now, this is an incident or a
14 couple of incidents that happened during the trial of
15 Father Lapierre?

16 **MR. HALL:** Yes.

17 **MR. NEVILLE:** That was one of the
18 prosecutions under your supervision in 2001?

19 **MR. HALL:** Yes.

20 **MR. NEVILLE:** Were these events brought --
21 were you in court when this matter happened?

22 **MR. HALL:** Can I have a moment to read it,
23 please?

24 **(SHORT PAUSE/COURTE PAUSE)**

25 **MR. NEVILLE:** Yes.

1 **MR. HALL:** I wasn't there, but I was made
2 aware of it.

3 **MR. NEVILLE:** Of this? All right.

4 So it would appear that during the
5 trial, indeed on an adjournment in mid-courtroom, Father
6 Lapierre was harassed by two people, Mr. Nadeau and one
7 John MacDonald.

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** John MacDonald was not a
10 complainant against Father Lapierre; was he?

11 **MR. HALL:** No, he wasn't.

12 **MR. NEVILLE:** Two last documents,
13 Commissioner; one an exhibit, one not. They go together
14 and we're finished.

15 The one that's an exhibit is 2792, and
16 the companion document is number 701967.

17 **THE REGISTRAR:** It is already an
18 Exhibit, 2266.

19 **MR. NEVILLE:** Pardon me?

20 **THE REGISTRAR:** Seven zero one nine six
21 seven (701967) ---

22 **MR. NEVILLE:** Yes?

23 **THE REGISTRAR:** -- is already an exhibit,
24 2266.

25 **MR. NEVILLE:** Thank you.

1 **THE COMMISSIONER:** Two-two-six-six (2266)?

2 **MR. NEVILLE:** So it's actually -- I didn't
3 know that, sir. So it's 2266 and 2792.

4 Do you have it there on the screen,
5 Inspector?

6 **MR. HALL:** Yes.

7 **MR. NEVILLE:** Are you okay with that?

8 **MR. HALL:** Yes.

9 **MR. NEVILLE:** This is a report you authored,
10 again one of your reports to CIB on the 11th of August '03?

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** The last paragraph of the text
13 refers to an allegation -- I won't use the name.

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** Correct? And it refers to the
16 fact that you received an opinion letter from Mr. McConnery
17 that no charges be laid.

18 **MR. HALL:** Yes.

19 **MR. NEVILLE:** A matter that had been
20 initially investigated in 1995, and the reasonable and
21 probable grounds did not exist at that time, meaning '95.

22 **MR. HALL:** Correct.

23 **MR. NEVILLE:** Can we look at Exhibit 2266?
24 Exhibit Number -- sorry, Document -- there it is.

25 **MR. HALL:** I have it.

1 **MR. NEVILLE:** That's the opinion letter that
2 you're referring to in the previous document?

3 **MR. HALL:** Yes.

4 **MR. NEVILLE:** It refers to the same matter,
5 second-last paragraph:

6 "A decision by the investigators that
7 charges were not warranted in 1995 was
8 reviewed and supported by the Crown at
9 the time. Our discussions at present
10 about the existence of reasonable and
11 probable grounds have underscored that
12 the investigators today also do not
13 feel subjectively that reasonable and
14 probable grounds exist either then or
15 now. In my review, that determination
16 is very soundly based."

17 **MR. HALL:** Yes.

18 **MR. NEVILLE:** Now, this was a complainant
19 who came forward almost literally as the ink was drying on
20 the Stay of Proceedings by Justice Chilcott for Father
21 MacDonald.

22 **MR. HALL:** Yes.

23 **MR. NEVILLE:** And he was brought forward by
24 Carson Chisholm?

25 **MR. HALL:** Yes.

1 **MR. NEVILLE:** Now, I just want to ask you
2 one final matter, Inspector.

3 You know the phrase "talk is cheap,"
4 obviously?

5 **MR. HALL:** Yeah.

6 **MR. NEVILLE:** Mr. Guzzo and Mr. Dunlop
7 professed to be concerned about the welfare and the
8 protection of children.

9 **MR. HALL:** Yes.

10 **MR. NEVILLE:** They said it over and over.

11 **MR. HALL:** Yes.

12 **MR. NEVILLE:** Your job was to investigate
13 and lay charges where warranted to protect children.

14 **MR. HALL:** Yes.

15 **MR. NEVILLE:** Apart from what they said was
16 their motivation, did their conduct assist you in doing
17 that?

18 **MR. HALL:** It hampered us.

19 **MR. NEVILLE:** Inspector, those are my
20 questions. Before I sit down, I'll simply say that anybody
21 who would suggest that you are either incompetent or
22 corrupt, as Mr. Guzzo did, has not watched your testimony.
23 Thank you.

24 **THE COMMISSIONER:** All right. So can I get
25 some idea of where we're going for the rest of the day?

1 Who's next? Is it Ms. Robitaille?

2 **MS. ROBITAILLE:** I have no questions.

3 **THE COMMISSIONER:** Okay. Mr. Sheriff-
4 Scott?

5 **MR. SHERIFF-SCOTT:** I think about an hour,
6 sir.

7 **THE COMMISSIONER:** Okay. OPP's still at two
8 hours?

9 **MS. LAHAIE:** An hour and half to two hours,
10 yes.

11 **THE COMMISSIONER:** Okay. And Mr. Carroll or
12 Wallace?

13 **MR. CARROLL:** Depending on what I hear, it
14 could be in the neighbourhood of an hour to an hour and a
15 half. That's my best estimate, sir.

16 **THE COMMISSIONER:** Okay, good. Thank you.
17 Have I missed anybody? No? We'll come back at 2:15.

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

20 This hearing will resume at 2:15 p.m.

21 --- Upon recessing at 12:44 p.m./

22 L'audience est suspendue à 12h44

23 --- Upon resuming at 2:15 p.m./

24 L'audience est reprise à 14h15

25 **THE REGISTRAR:** Order; all rise. À l'ordre;

1 veuillez vous lever.

2 This hearing is now resumed. Please be
3 seated; veuillez vous asseoir.

4 **THE COMMISSIONER:** Thank you. Mr. Dumais?

5 **MR. DUMAIS:** Just one error to correct, Mr.
6 Commissioner. A document was filed this morning, document
7 113847. It was assigned Exhibit Number 2849. It had
8 previously been filed as Exhibit Number 0244. So if we can
9 withdraw this exhibit, and the next document that we file,
10 we can use that number.

11 **THE COMMISSIONER:** Is that the last exhibit
12 that was filed?

13 **MR. DUMAIS:** Second-to-last.

14 **THE COMMISSIONER:** Okay, fair enough.

15 **MR. DUMAIS:** Thank you.

16 **THE COMMISSIONER:** Thank you.

17 So who's next? Mr. Sherriff-Scott?

18 **--- CROSS EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

19 **MR. SHERRIFF-SCOTT:**

20 **MR. SHERRIFF-SCOTT:** Good afternoon.

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

22 Good afternoon, Inspector Hall. My name is
23 David Sherriff-Scott; I act for the Diocese.

24 **MR. HALL:** Good afternoon, sir.

25 **MR. SHERRIFF-SCOTT:** I want to talk about a

1 few little points and then move on to something a little
2 larger, and I hope to be done within an hour. Okay?

3 MR. HALL: Yes, sir.

4 MR. SHERRIFF-SCOTT: The first thing I want
5 to talk about calls for you to given the association report
6 which I have marked as Exhibit 2697, and there is a
7 publication ban on that document.

8 THE COMMISSIONER: Twenty-six-ninety what?

9 MR. SHERRIFF-SCOTT: Two-six-nine-seven
10 (2697).

11 THE COMMISSIONER: M'hm.

12 MR. SHERRIFF-SCOTT: Just let me know when
13 you've got that turned up, sir?

14 MR. HALL: Yes, sir.

15 MR. SHERRIFF-SCOTT: So, as I understand it,
16 just by way of a little bit of preamble, this document that
17 your team prepared effectively catalogues alphabetically
18 all the witnesses, suspects and alleged perpetrators, that
19 were the subject of Project Truth. Is that right?

20 MR. HALL: Yes.

21 MR. SHERRIFF-SCOTT: Okay. And so it
22 identifies all the suspects by name in an alphabetical
23 list, and if a person was a suspect, or they were the
24 subject of any allegation, or were raised as a person of
25 interest in an interview, then they would appear here

1 somewhere in this list; correct?

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** And then they would be
4 cross-referenced back to either the witness or the suspect
5 and so forth?

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** So everybody's
8 connected throughout ---

9 **MR. HALL:** In some way.

10 **MR. SHERRIFF-SCOTT:** --- and oriented to the
11 person that gave rise to the issue ---

12 **MR. HALL:** Yes.

13 **MR. SHERRIFF-SCOTT:** --- effectively? All
14 right.

15 And so if you had a complaint by a live
16 person -- in other words, "I am a victim; I'm coming
17 forward and I complain I was abused by X" -- then both the
18 complainant and the alleged perpetrator's name would appear
19 in this document?

20 **MR. HALL:** Yes.

21 **MR. SHERRIFF-SCOTT:** And so if an alleged
22 perpetrator's name for example, within your mandate in any
23 event, is not here, that means that you didn't get the
24 complaint?

25 **MR. HALL:** I'm just trying to -- I wonder

1 about the -- the ones that we found that were deceased
2 suspects.

3 **MR. SHERRIFF-SCOTT:** Well, I'm worried
4 about ---

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** --- live human beings,
7 okay?

8 **MR. HALL:** Okay, yes. If they're alive,
9 they should be in here.

10 **MR. SHERRIFF-SCOTT:** All right.

11 So if we can turn then to Bates page 452,
12 which is quite ways towards the back.

13 **MR. HALL:** Yes.

14 **MR. SHERRIFF-SCOTT:** Now, the bottom of the
15 page, there's a person identified there and -- and,
16 Commissioner, I believe this person, for reasons that will
17 appear, should have a moniker.

18 This is not the person you're thinking it
19 is, as will be established presently.

20 **THE COMMISSIONER:** Okay.

21 **MR. SHERRIFF-SCOTT:** And, on that assumption
22 and only on that assumption, I think we
23 should perhaps -- maybe what we'll do is wait.

24 I'll refer to this person as "KS" if that's
25 satisfactory for the moment ---

1 **THE COMMISSIONER:** Sure.

2 **MR. SHERRIFF-SCOTT:** --- and you can moniker
3 him if you're satisfied I'm correct on my assumption?

4 **THE COMMISSIONER:** Well, why don't we just
5 give him an interim moniker ---

6 **MR. SHERRIFF-SCOTT:** Outright? Okay.

7 **THE COMMISSIONER:** --- right now, of
8 "C" -- I'm sorry, 108?

9 **THE REGISTRAR:** Yes.

10 **THE COMMISSIONER:** Thank you.

11 **MR. SHERRIFF-SCOTT:** Okay.

12 **THE COMMISSIONER:** Because it's a "C"
13 instead of a "K" or it's a ---

14 **MR. HALL:** Oh, it's a little more involved
15 than that.

16 **THE COMMISSIONER:** No, no ---

17 **MR. SHERRIFF-SCOTT:** Yes.

18 **THE COMMISSIONER:** --- but that's different.

19 **MR. SHERRIFF-SCOTT:** Yes.

20 **THE COMMISSIONER:** Yes, okay.

21 **MR. SHERRIFF-SCOTT:** Yes, it is.

22 You'll see this individual's name here at
23 the bottom of the page -- and, I'm sorry, Commissioner,
24 that's "C"-what?

25 **THE COMMISSIONER:** One-zero-eight (108).

1 **MR. SHERRIFF-SCOTT:** One-zero--eight (108).

2 Do you see that, sir?

3 **MR. HALL:** Yes.

4 **MR. SHERRIFF-SCOTT:** Now, there are a number
5 of things that sort of spring off the page here.

6 In the column, "Association type" it's got
7 "Unknown" under his name. What does that mean? Does that
8 mean that there is either no perpetrator or an unknown
9 perpetrator?

10 **MR. HALL:** No.

11 **MR. SHERRIFF-SCOTT:** Or unidentified?

12 **MR. HALL:** It would mean the association to
13 the person on the right of that ---

14 **MR. SHERRIFF-SCOTT:** Okay.

15 **MR. HALL:** --- Nelson Barque, for
16 example ---

17 **MR. SHERRIFF-SCOTT:** All right, yes.

18 **MR. HALL:** --- would be unknown.

19 **MR. SHERRIFF-SCOTT:** All right, fair enough.

20 And so if we go down further though, the
21 people that are below are, I guess, in the -- in a number
22 of categories.

23 So, for example, if we look at Eugène
24 LaRocque the "Unknown" would mean he is unknown to C-108?
25 Is that right?

1 **MR. HALL:** His association is unknown, yes.

2 **MR. SHERRIFF-SCOTT:** Okay. So, in other
3 words, this person, C-108, doesn't know Bishop LaRocque?

4 **MR. HALL:** Not that we could establish.

5 **MR. SHERRIFF-SCOTT:** All right. And the
6 same for Murray MacDonald?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** All right.

9 Now, if we flip over to the next page,
10 you'll see under the same individual's name -- but with two
11 bars running across it, which looks like a tallying
12 point -- his name is there, and then there is a name of a
13 suspect. And that is the suspect in relation to C-108? Am
14 I right? Do you see that at the top of the next page?

15 **MR. HALL:** Yes.

16 **MR. SHERRIFF-SCOTT:** So the suspect, in
17 relation to C-108, is Ken Seguin; correct?

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** Okay.

20 **THE COMMISSIONER:** Can I -- it seems that
21 the identification number for -- on page 452 is 191. It's
22 191 on the top of the page, but when we get down to where
23 you point out Ken Seguin, his I.D. number changes to 668.

24 **MR. SHERRIFF-SCOTT:** In the left marginal
25 column?

1 **THE COMMISSIONER:** Yes, under "I.D. Number".

2 **MR. SHERRIFF-SCOTT:** I see. Well, I'm not
3 sure why that is. I wasn't going to go there, but perhaps
4 the witness can ---

5 **THE COMMISSIONER:** No, I want to go there.

6 **MR. SHERRIFF-SCOTT:** --- highlight the
7 point. Do you know why that is, sir?

8 **MR. HALL:** The only -- the only explanation
9 I could give would be that he's -- he's entered twice on
10 the same document; he was given a new number later on.

11 **MR. SHERRIFF-SCOTT:** Okay.

12 **THE COMMISSIONER:** All right.

13 **MR. SHERRIFF-SCOTT:** Now, when I look at
14 this association report, Inspector, this individual has a
15 name that's very similar to a person who was a priest. And
16 what I want to do is establish with you that this person
17 that you're referring to here as C-108, is not a priest,
18 okay? It's really that simple. So let's go ---

19 **MR. HALL:** Well ---

20 **MR. SHERRIFF-SCOTT:** --- to ---

21 **MR. HALL:** --- could we go -- the date of
22 birth might establish that.

23 **MR. SHERRIFF-SCOTT:** Yes, and that's what I
24 want to do with you. Is that in the association report?
25 Because I have the statement of this individual and we can

1 quickly go there.

2 MR. HALL: Well, if you go over to the far
3 right, I think you're going to find a date of birth.

4 MR. SHERRIFF-SCOTT: Okay, he is ---

5 MR. HALL: Okay? If you're looking at ---

6 MR. SHERRIFF-SCOTT: No, I think that's
7 Mr. Barque, is it not?

8 THE COMMISSIONER: Yeah.

9 MR. SHERRIFF-SCOTT: I have a simpler way to
10 do this.

11 MR. HALL: Okay.

12 MR. SHERRIFF-SCOTT: Okay? And it's -- I
13 think it's definitive.

14 All right, we need to turn up Document
15 713382, and this is a new document, I believe. This is a
16 statement and you'll see it presently, sir.

17 (SHORT PAUSE/COURTE PAUSE)

18 MR. HALL: There also is another document.
19 This is an association report, but there's another document
20 that just lists all the persons and with addresses and
21 their date of births, that sort of thing.

22 MR. SHERRIFF-SCOTT: Okay.

23 MR. HALL: That's more helpful.

24 MR. SHERRIFF-SCOTT: I've got his date of
25 birth right here.

1 THE COMMISSIONER: Okay, fine.

2 MR. SHERRIFF-SCOTT: I've just come to it.

3 (SHORT PAUSE/COURTE PAUSE)

4 THE COMMISSIONER: Thank you.

5 MR. SHERRIFF-SCOTT: I guess we'll need a
6 ban.

7 THE COMMISSIONER: Yes.

8 So this is Exhibit 2849, which is the
9 interview report of C-108, taken on the 2nd of April, 1998.

10 --- EXHIBIT NO./PIÈCE NO. P-2849:

11 (713382) - Interview

12 Report of C-108 dated April 2, 1998

13 MR. SHERRIFF-SCOTT: Do you have that,
14 Inspector?

15 MR. HALL: Yes, I do.

16 MR. SHERRIFF-SCOTT: Okay. You see his date
17 of birth? Don't read it out. It's the second from the
18 entry at the top.

19 MR. HALL: The 5th of April, '58.

20 MR. SHERRIFF-SCOTT: I'm sorry, I didn't
21 want you to do that, but it doesn't -- we'll move on.

22 That's the date of birth, and the occupation
23 is there as well, so that the officer taking this interview
24 recorded the individual's occupation?

25 MR. HALL: Yes.

1 **MR. SHERRIFF-SCOTT:** He's not a priest?

2 **MR. KOZLOFF:** Just for your assistance, sir,
3 I don't want to interrupt Mr. Sheriff-Scott unnecessarily.
4 The last exhibit of the morning was 2850, I believe, which
5 was Document 701177?

6 **THE COMMISSIONER:** Right.

7 **MR. KOZLOFF:** So now we've gone ---

8 **THE COMMISSIONER:** Well, we've eliminated
9 one.

10 **MR. KOZLOFF:** I appreciate -- so, you're
11 going back?

12 **THE COMMISSIONER:** We're going back. We're
13 going to give him that number ---

14 **MR. KOZLOFF:** Okay.

15 **THE COMMISSIONER:** --- and so the record
16 will reflect that.

17 **MR. SHERRIFF-SCOTT:** Okay?

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** All right.

20 So now if we can turn to Exhibit 2065?

21 Just be mindful of the person's occupation,
22 the name, the date of birth, and then we'll look at Exhibit
23 2065, okay?

24 **MR. HALL:** Yes.

25 **THE COMMISSIONER:** Yes, okay. I'm sorry,

1 what's 2065? I just want to see.

2 MR. SHERRIFF-SCOTT: It's the record of
3 priests -- it's a priest card.

4 THE COMMISSIONER: Okay, no, we can put it
5 on the screen without a hard copy.

6 MR. SHERRIFF-SCOTT: It's a bit awkward.
7 Now, I'm not going to be able to, sir, say who this
8 person's name is because it's the same name with one letter
9 different. The middle name is different as well.

10 MR. HALL: Okay.

11 MR. SHERRIFF-SCOTT: Okay? Do you see that?

12 MR. HALL: Yes.

13 MR. SHERRIFF-SCOTT: You have that up there,
14 the priest card?

15 MR. HALL: Yes.

16 MR. SHERRIFF-SCOTT: Do you see the date of
17 birth is 1916?

18 MR. HALL: Yes.

19 MR. SHERRIFF-SCOTT: Okay? This person is a
20 priest.

21 MR. HALL: Yes.

22 MR. SHERRIFF-SCOTT: He was here in the
23 Diocese on two occasions which are listed at the bottom of
24 the page.

25 MR. HALL: Yes.

1 **MR. SHERRIFF-SCOTT:** This is not the same
2 person as C-108, sir?

3 **MR. HALL:** Correct.

4 **MR. SHERRIFF-SCOTT:** Okay.

5 And may I suggest, sir, given the fact that
6 there is no reference to the person identified in Exhibit
7 2065 now in front of you in the association report, you did
8 not receive a complaint about the person in Exhibit 2065
9 did you?

10 **MR. HALL:** Correct.

11 **MR. SHERRIFF-SCOTT:** Thank you.

12 Now, just to close that point off, there is
13 a reference in the association report towards the back as
14 well of St. Joseph's Villa, okay?

15 **MR. HALL:** Yes.

16 **MR. SHERRIFF-SCOTT:** And I reviewed all the
17 statements emanating from that, and the person at Exhibit
18 2065 is not mentioned in any of those statements.

19 Are you aware that this person was ever the
20 subject of a complaint, sir, 2065, that we just looked at,
21 his priest card, to Project Truth?

22 **MR. HALL:** The question again?

23 **MR. SHERRIFF-SCOTT:** Well, I just -- there's
24 a section on St. Joseph's Villa.

25 **MR. HALL:** Yes.

1 **MR. SHERRIFF-SCOTT:** And if you look at the
2 priest card, there was a period of time when that
3 individual was there in the early 1980s.

4 **MR. HALL:** Yes.

5 **MR. SHERRIFF-SCOTT:** There is one statement
6 by a woman who talks about the early 1970's and names
7 another person.

8 **MR. HALL:** Yes.

9 **MR. SHERRIFF-SCOTT:** There is no other
10 statement that identifies any priest or this individual at
11 Exhibit 2065 that you are aware of; correct?

12 **MR. HALL:** Correct.

13 **MR. SHERRIFF-SCOTT:** Okay. Thank you.

14 Now then, moving on to a different subject.

15 There were some questions of you relating to
16 Marcel Lalonde and one of the questions arose when Mr.
17 Engelmann took you to a page in your notes dated September
18 26th of 1997, and that is Exhibit 2745. There is a note of
19 a ban on it, Bates page 627.

20 And this relates to an individual called C-
21 101.

22 **MR. HALL:** The Bates page again, please?

23 **MR. SHERRIFF-SCOTT:** Six-two-seven (627).

24 Your entry of Friday, September 26th, 1997.

25 **MR. HALL:** Yes.

1 **MR. SHERRIFF-SCOTT:** Do you have that?

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** Do you recall you were
4 brought to this page, sir, by Mr. Engelmann?

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** In your evidence in-
7 chief, and it was relayed to you here that your note
8 reflected that this individual, C-101, at 13:50 where the
9 telephone call is marked; do you see that in the middle of
10 the page?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** That this individual
13 identified possible abuse by, among others, Marcel Lalonde.

14 **MR. HALL:** Yes.

15 **MR. SHERRIFF-SCOTT:** And knows David
16 Silmser.

17 **MR. HALL:** Yes.

18 **MR. SHERRIFF-SCOTT:** He also identifies a
19 person who we later learned was the deceased Ross Russell
20 as a possible perpetrator; correct?

21 **MR. HALL:** Yes.

22 **MR. SHERRIFF-SCOTT:** Okay.

23 Now, Mr. Engelmann took you to that and
24 confirmed that there was an allegation by this individual
25 of abuse in your evidence in-chief.

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** What I'd like to do is
3 take you to that individual's statement, which is Exhibit
4 2723, and there is a publication ban on that. That's the
5 statement of C-101.

6 If you need a hard copy, I have them here.

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

8 **MR. SHERRIFF-SCOTT:** Now, this person is
9 monikered -- it's C-101, okay?

10 **MR. HALL:** Yes.

11 **MR. SHERRIFF-SCOTT:** And if you could turn
12 to the third page, which is page 3 of 7, which are the
13 indicated pages at the bottom right.

14 **MR. HALL:** Yes.

15 **MR. SHERRIFF-SCOTT:** The person came in when
16 he was interviewed with what he described as a testimonial,
17 correct, that he had prepared for the officers?

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** And that was
20 typewritten, recorded verbatim into the textual version of
21 the typed statement that was ultimately prepared; correct?

22 **MR. HALL:** Yes. Yes.

23 **MR. SHERRIFF-SCOTT:** And I want you to just
24 take a moment and scan that statement, and my suggestion to
25 you is that there is no allegation in that testimonial of

1 abuse by Marcel Lalonde anywhere.

2 (SHORT PAUSE/COURTE PAUSE)

3 MR. HALL: Yes.

4 MR. SHERRIFF-SCOTT: And follow me to the
5 front page of the statement, sir. Do you see the question
6 and answer format starting at the top or the middle of the
7 first page?

8 MR. HALL: Yes.

9 MR. SHERRIFF-SCOTT: There's no allegation
10 on the first page, sir, about abuse by Marcel Lalonde;
11 correct?

12 MR. HALL: That's correct.

13 MR. SHERRIFF-SCOTT: Second page is the same
14 thing. Let's have a scan of the second page and you'll see
15 it's the same?

16 MR. HALL: Yes.

17 MR. SHERRIFF-SCOTT: And if we go over to
18 complete the statement that was taken, there is no
19 allegation of abuse by Marcel Lalonde by this person?

20 MR. HALL: Correct.

21 MR. SHERRIFF-SCOTT: Correct? All right.

22 And that's the statement that was taken as
23 well as recording his own written testimonial when he came
24 in to give his evidence to your team?

25 MR. HALL: Correct.

1 **MR. SHERRIFF-SCOTT:** Okay.

2 Now, the next thing I want to ask you about
3 is a slightly different subject, and this references an
4 individual who is C-18, if you have your monikers list
5 handy. And you were questioned about this person by Mr.
6 Engelmann.

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** You have that name?

9 **MR. HALL:** Yes.

10 **MR. SHERRIFF-SCOTT:** All right.

11 So what happened here, as I understood your
12 evidence in-chief as I watched it, is Mr. Engelmann put to
13 you some material that Mr. Dunlop had been involved in. In
14 other words, there was a statement taken by Mr. Dunlop from
15 this person. It came into your possession, and you
16 instructed Officer Genier to go and interview him?

17 **MR. HALL:** Correct.

18 **MR. SHERRIFF-SCOTT:** Okay. So that was the
19 exchange between you and Mr. Engelmann, and the statement
20 was in traffic when you testified in-chief. Do you
21 remember that?

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** Okay. There was a
24 piece of information that's missing from that little
25 environment that I want to bring to your attention, which

1 is what you actioned Officer Genier to do and what the
2 result was, okay?

3 **MR. HALL:** Yes.

4 **MR. SHERRIFF-SCOTT:** Now, that involves
5 going to his notes.

6 Now, Commissioner, his notes are made
7 Exhibit 2691, but I couldn't tell from the document whether
8 it was just a specific page.

9 I have extra copies of the page I want to go
10 to.

11 **THE COMMISSIONER:** Twenty-six, ninety-one
12 (2691)?

13 **MR. SHERRIFF-SCOTT:** Yes, and I have Bates
14 page that I want to go to. It's 256 and I do have copies
15 of that if it's necessary.

16 **THE COMMISSIONER:** Again, 2691 looks like
17 just a one-page.

18 **MR. SHERRIFF-SCOTT:** Okay.

19 **THE COMMISSIONER:** Just a second. No, I'm
20 sorry, 2691 is just a case manager's assignment form.

21 **MR. SHERRIFF-SCOTT:** I have Exhibit 2691,
22 Bates page 7006280.

23 **THE COMMISSIONER:** That's it. That's the
24 one.

25 **MR. SHERRIFF-SCOTT:** Okay then. Well, in

1 any event, yes, case management is an assignment form, but
2 I have Officer Genier's notes on this page that I have,
3 which is page 256, but I have the copies here.

4 **THE COMMISSIONER:** Okay.

5 **(MICROPHONE NOISE/BRUIT DE MICROPHONE)**

6 **THE COMMISSIONER:** I'm sorry.

7 **MR. HALL:** You woke me up.

8 **MR. SHERRIFF-SCOTT:** I'm sorry I didn't do
9 that myself.

10 **(LAUGHTER/RIRES)**

11 **THE COMMISSIONER:** Thank you.

12 Exhibit 2851 is a Case Manager's Assignment
13 Form dated September 23rd, 1997.

14 **---EXHIBIT NO./PIÈCE NO P-2851:**

15 (7006256-57) - Case Manager's Notes re: C-18
16 dated 23 Sep 97

17 **MR. SHERRIFF-SCOTT:** And it's two pages,
18 Commissioner.

19 **THE COMMISSIONER:** Yes.

20 **MR. SHERRIFF-SCOTT:** Okay, sir.

21 Now, having been mindful, Inspector, of the
22 fact that you were questioned about this and that what was
23 put to you in examination in-chief was the material you got
24 from Mr. Dunlop but nothing further, I want to review what
25 happened with Officer Genier with you.

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** First of all, if we can
3 go to the middle of the page, before the page breaks in the
4 Officer's Notes, so just above this first dark line?

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** It says here:
7 "As an altar boy at St. Jean Bosco, recalls
8 advances made by a priest who was there a short
9 time, possibly Father Lebrun."

10 Which is why you actioned Officer Genier to
11 go out and make inquiries about Father Lebrun; correct?

12 **MR. HALL:** Yes.

13 **MR. SHERRIFF-SCOTT:** Okay. "Then describe
14 him", et cetera, and then a couple of lines down is where I
15 want to emphasize and ask you about.

16 You see the third line from the bottom of
17 the first dark break in the page:

18 "Dunlop contacted him and showed him
19 several photos and wanted him to
20 disclose abuse. Dunlop stated you can
21 make money."

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** This is Officer Genier
24 reporting the statements of this individual being
25 interviewed, C-18.

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** Okay? Now, if we press
3 on: "C-18 tells Dunlop" -- excuse me -- "...told Dunlop who
4 he knew and said 'chose not to pursue it.'"

5 Next:

6 "Dunlop stated he would put together a
7 statement for C-18 and later would have
8 him sign it. C-18 later did sign it
9 because he felt it wasn't going
10 anywhere. C-18 stated that Dunlop
11 sweetened it up a bit. C-18 will write
12 out a statement and will contact us.
13 C-18 states he was never abused and is
14 not aware of any person that was."

15 Do you see that sir?

16 **MR. HALL:** Yes.

17 **MR. SHERRIFF-SCOTT:** Okay. That's the
18 information your team got from this individual.

19 **MR. HALL:** Yes.

20 **MR. SHERRIFF-SCOTT:** So what we have here is
21 yet another example of a witness who's given a statement
22 making an allegation, who effectively -- this person is
23 changing his evidence when he's interviewed by you.

24 **MR. HALL:** Yes.

25 **MR. SHERRIFF-SCOTT:** And this is very

1 troubling to your team; isn't it?

2 **MR. HALL:** It is.

3 **MR. SHERRIFF-SCOTT:** This individual is
4 telling you that there is discussion between him and
5 Officer Dunlop about litigation and money. That Officer
6 Dunlop is, in fact, preparing his statement and that the
7 statement given appears to be false.

8 **MR. HALL:** Yes.

9 **MR. SHERRIFF-SCOTT:** Okay. So this is yet
10 another illustration of what concerned your team about Mr.
11 Dunlop's involvement with various witnesses?

12 **MR. HALL:** Yes.

13 **MR. SHERRIFF-SCOTT:** Okay?

14 **MR. HALL:** We tried to pursue it further.

15 **MR. SHERRIFF-SCOTT:** And he refused.

16 **MR. HALL:** Yes. Next page.

17 **MR. SHERRIFF-SCOTT:** Didn't he? That C-18
18 refused to cooperate any further and if you'll see over the
19 top -- excuse me, the next page -- it says "Action taken"?

20 **MR. HALL:** Yes.

21 **MR. SHERRIFF-SCOTT:** It looks like there's
22 another phone call and he was somewhat upset?

23 **MR. HALL:** Yes.

24 **MR. SHERRIFF-SCOTT:** "He stated he had
25 already given a statement to the Cornwall Police Service"

1 and you understood that to mean Officer Dunlop?

2 MR. HALL: Yes.

3 MR. SHERRIFF-SCOTT: Okay? Because you're
4 not aware of any other statement being made except the one
5 that Officer Dunlop gave.

6 MR. HALL: Correct.

7 MR. SHERRIFF-SCOTT: Okay. And "spoke to
8 Officer Genier" which is what's recorded on the preceding
9 page; correct?

10 MR. HALL: Yes.

11 MR. SHERRIFF-SCOTT: "He does not want to be
12 bothered with this investigation
13 anymore. He has provided all the
14 information that he knows. He just
15 wants to get on with his life. He does
16 not want anyone to contact him again."

17 Correct?

18 MR. HALL: Yes, correct.

19 MR. SHERRIFF-SCOTT: That's how it ended.

20 MR. HALL: I wrote that. I spoke to him.

21 MR. SHERRIFF-SCOTT: All right.

22 MR. HALL: And the call was, if we went to
23 page 1, he was supposed to provide a statement. And we
24 were getting back to him to find out where the statement
25 was.

1 **MR. SHERRIFF-SCOTT:** He wasn't prepared to
2 do that?

3 **MR. HALL:** No, he didn't want any more
4 involvement.

5 **MR. SHERRIFF-SCOTT:** No. He told you he was
6 never abused by anyone; wasn't aware of anybody being
7 abused and he wasn't going to give you a statement.

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

9 **MR. SHERRIFF-SCOTT:** Right. Okay. And so
10 that's where your team left it?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** Okay.

13 **MR. HALL:** Can't force people to cooperate.

14 **MR. SHERRIFF-SCOTT:** Assuming he had
15 anything to cooperate about, sir.

16 **MR. HALL:** Exactly.

17 **MR. SHERRIFF-SCOTT:** Right.

18 Now then, I want to come to some points Mr.
19 Lee canvassed with you, and this involves your discussion
20 with Brian Saunderson. Okay?

21 **MR. HALL:** Yes.

22 **MR. SHERRIFF-SCOTT:** This will be, I think,
23 fairly straightforward. You talked to Mr. Saunderson as
24 the document, a memorandum of March 2, 2001, testifies and
25 that was put to you.

1 MR. HALL: Yes.

2 MR. SHERRIFF-SCOTT: You remember that?

3 MR. HALL: Yes, I do.

4 MR. SHERRIFF-SCOTT: Okay. Now if we could
5 turn that up. That was marked during Mr. Lee's examination
6 and I'm sorry, Commissioner, it is Document 109006, and I
7 didn't catch the exhibit number assigned to it.

8 MR. LEE: Two-eight-three-five (2835).

9 MR. SHERRIFF-SCOTT: Thank you.

10 THE COMMISSIONER: Two-eight-three-five
11 (2835) for the record.

12 MR. HALL: I don't believe I have that.

13 MR. SHERRIFF-SCOTT: You can't find that?

14 THE COMMISSIONER: No, no. Just a second.
15 Just a second.

16 MR. SHERRIFF-SCOTT: Sorry.

17 THE COMMISSIONER: Madam Clerk is getting to
18 it.

19 MR. SHERRIFF-SCOTT: I think she's going to
20 call it up on the screen for you sir.

21 There we go. So let's sort of summarize
22 what you talked about with him. Now you were criticized in
23 the questioning by Mr. Lee about a suggested impropriety of
24 disclosing this information to him.

25 MR. HALL: Yes.

1 **MR. SHERRIFF-SCOTT:** Do you remember that?

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** And the premise of this
4 line of questioning is, of course, that this information
5 wasn't in traffic, so it was quite improper of you to be
6 giving defence counsel this kind of heads-up, as it were.

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** Is that what the --
9 that was the thrust of the questioning; wasn't it?

10 **MR. HALL:** That was the implication, yes.

11 **MR. SHERRIFF-SCOTT:** Okay. Let's look at
12 what you're talking about here in the first paragraph.
13 Effectively, you're telling Mr. Saunderson about the --
14 about a number of points, including Mr. Dunlop's
15 substandard investigative techniques and contacts with
16 witness?

17 **MR. HALL:** Yes.

18 **MR. SHERRIFF-SCOTT:** As well as delays in
19 his disclosure; right?

20 **MR. HALL:** Yes.

21 **MR. SHERRIFF-SCOTT:** In the second paragraph
22 is developed the point again of the delays and potential
23 non-compliance with *Police Act* requests and orders.

24 **THE COMMISSIONER:** Madam Clerk, second
25 paragraph please?

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** Okay. To the same
3 effect, down at the bottom of the page, talks about
4 requiring him to produce materials and that continues over
5 to the top of the next page; right?

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** So the thread of what
8 you're talking about with Saunderson is investigative
9 techniques, being involved with witnesses, potentially
10 poisoning their evidence, delays, non-compliance with
11 *Police Act* orders, et cetera; right?

12 **MR. HALL:** Yes.

13 **MR. SHERRIFF-SCOTT:** Okay. And then at the
14 last paragraph, you're talking a bit about Father Kevin
15 Maloney's criminal injury compensation board and the status
16 of charges -- potential charges against him?

17 **MR. HALL:** Yes.

18 **MR. SHERRIFF-SCOTT:** And, in fact, your
19 evidence was that some year and a half earlier, you'd made
20 your recommendations to the Crown or you had decided what
21 your recommendations were. And they were that you didn't
22 have R&PG to charge Father Maloney on this allegation.

23 **MR. HALL:** Correct.

24 **MR. SHERRIFF-SCOTT:** And so you were simply
25 waiting for the information to come back from the Crown?

1 MR. HALL: Yes.

2 MR. SHERRIFF-SCOTT: But you didn't tell Mr.
3 Saunderson what your recommendation was.

4 MR. HALL: No, I didn't.

5 MR. SHERRIFF-SCOTT: You simply said it was
6 in the hands of the Crown; right?

7 MR. HALL: Yes.

8 MR. SHERRIFF-SCOTT: Okay. And then he was
9 looking for information, including a statement by C-15 who
10 was the origin or the genesis of this complaint against
11 Father Maloney?

12 MR. HALL: Yes.

13 MR. SHERRIFF-SCOTT: And you were telling
14 him that he might speak to Ms. Hallett because she's the
15 Crown in charge of the brief?

16 MR. HALL: Correct.

17 MR. SHERRIFF-SCOTT: Okay. Now, sir,
18 Justice Chadwick had already ruled on a proceeding I
19 involving the stay of charges against Jacques Leduc just
20 the day before. Do you remember that? You testified ---

21 MR. HALL: Yes.

22 MR. SHERRIFF-SCOTT: --- in that proceeding
23 ---

24 MR. HALL: Yes.

25 MR. SHERRIFF-SCOTT: --- didn't you?

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** And your testimony -- I
3 looked at the transcripts -- comprises about 160 pages.
4 You remember testifying there?

5 **MR. HALL:** Oh, yes, I do.

6 **MR. SHERRIFF-SCOTT:** And Officer Dupuis
7 testified there as well?

8 **MR. HALL:** Yes.

9 **MR. SHERRIFF-SCOTT:** And Officer Seguin
10 testified there?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** And the whole subject
13 of Mr. Dunlop was up for grabs, wasn't it?

14 **MR. HALL:** Yes.

15 **MR. SHERRIFF-SCOTT:** And all of his
16 activities, sir. And let's just look if we could for a
17 moment at the judge's reasons to see what was in the public
18 domain as a result of this.

19 Could we call up Exhibit 2650? You may want
20 to just follow on the screen, Inspector. The first ---

21 **THE COMMISSIONER:** I prefer the book. Okay.
22 So what page?

23 **MR. SHERRIFF-SCOTT:** Page 3 of the reasons,
24 Commissioner.

25 **THE COMMISSIONER:** Yes.

1 **MR. SHERRIFF-SCOTT:** At the bottom of the
2 page. It's around paragraph 8, around marginal note 25.
3 Do you see that, Inspector?

4 **MR. HALL:** Yes.

5 **MR. SHERRIFF-SCOTT:** Okay, so it starts
6 here:

7 "Project Truth's squad was concerned
8 about Dunlop and the complaints, the
9 complainants Dunlop had talked to."

10 In other words, contacts with witnesses, right?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** "They were concerned
13 about Dunlop's unsolicited involvement
14 would taint the witnesses and cause
15 problems with investigation and any
16 subsequent prosecutions."

17 Correct?

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** This statement and
20 finding is predicated on the evidence of you and your
21 officers.

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** And it was as a result
24 of the articulation by you in the context of giving sworn
25 evidence about all your concerns about Mr. Dunlop, right?

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** The same concerns you
3 talked about later to Mr. Saunderson?

4 **MR. HALL:** Yes.

5 **MR. SHERRIFF-SCOTT:** Already out in traffic
6 in the public domain?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** Thank you.

9 Next page is page 5, paragraph 12 at the top
10 of the page, sir.

11 "A meeting was held July 23rd at the
12 Cornwall Police Service. This is a
13 meeting with Perry Dunlop and his
14 superior officer. Detective Hall and
15 Inspector Smith were present. They
16 wanted all of his documents."

17 Down below, paragraph 14:

18 "At the same time, Crown counsel also
19 disclosed materials relating to
20 Marcel Lalonde case and Perry
21 Dunlop's involvement with witnesses
22 C-8."

23 And we know what happened with him?

24 **MR. HALL:** Yes.

25 **MR. SHERRIFF-SCOTT:** Right? And the defence

1 was onto this, wasn't it?

2 MR. HALL: Yes.

3 MR. SHERRIFF-SCOTT: So Mr. Dunlop's
4 activities, well beyond the subject of the disclosure of
5 this note of his contact with the witness that gave rise to
6 this proceeding, but the larger issue of his misconduct and
7 improprieties was very much being the subject of questions
8 of you by defence, wasn't it?

9 MR. HALL: Yes.

10 MR. SHERRIFF-SCOTT: And that's why they
11 were making a lot out of this contact by Mr. Dunlop of this
12 particular person in this proceeding ---

13 MR. HALL: Correct.

14 MR. SHERRIFF-SCOTT: --- the Leduc
15 proceeding, right? Because there was evidence of potential
16 improprieties.

17 MR. HALL: Yes.

18 MR. SHERRIFF-SCOTT: Of unauthorized
19 contacts with witnesses; correct?

20 MR. HALL: Yes.

21 MR. SHERRIFF-SCOTT: Of failures to
22 disclosure and violating Police Act orders.

23 MR. HALL: Yes.

24 MR. SHERRIFF-SCOTT: And all these
25 activities about which you and your officers testified,

1 sir. Isn't that so?

2 MR. HALL: Yes.

3 MR. SHERRIFF-SCOTT: Now, the judgment
4 reviews all of the non-compliance with various orders and
5 activities, and that all emanated from your evidence, sir,
6 and the evidence of your officers.

7 MR. HALL: Yes.

8 MR. SHERRIFF-SCOTT: In public.

9 MR. HALL: Yes.

10 MR. SHERRIFF-SCOTT: Okay. And at the end
11 of the piece, at page 12 of the reasons in paragraph 39,
12 the judge sort of summarizes and says:

13 "It was apparent to the Project Truth
14 team..."

15 That is you and Seguin and Dupuis, who testified; correct?

16 MR. HALL: Yes.

17 MR. SHERRIFF-SCOTT: "...from the start
18 that Dunlop was a problem. Dunlop
19 was a self-appointed investigator,
20 prosecutor, judge, jury and
21 executioner. Dunlop's vigilante
22 approach permeated the Project Truth
23 investigation. This should have been
24 apparent to anyone reviewing the
25 notes and the will-say statements."

1 Correct?

2 MR. HALL: Yes.

3 MR. SHERRIFF-SCOTT: All this stuff, these
4 criticisms and allegations about Mr. Dunlop, was the
5 subject of cross-examination of you, Dupuis and Seguin.

6 MR. HALL: Yes.

7 MR. SHERRIFF-SCOTT: So the suggestion that
8 you were giving out information not otherwise available and
9 giving a heads-up to defence counsel is simply unfounded,
10 is it not so?

11 MR. HALL: That's true.

12 MR. SHERRIFF-SCOTT: Okay.

13 Now, turning to a different subject, I want
14 to talk about your trip to Florida, okay? And ultimately,
15 therefore, Mr. Guzzo for a moment from a slightly different
16 vantage from my friend, Mr. Neville, okay?

17 The first document I want to use to start
18 our little discussion off is Exhibit 686, which is a
19 December 6th, 1996 memo -- or statement taken by Mr. Leroux
20 and Mr. Chisholm when they went down to Florida.

21 (SHORT PAUSE/COURTE PAUSE)

22 MR. HALL: Yes, sir.

23 MR. SHERRIFF-SCOTT: Okay. Do you have
24 that?

25 MR. HALL: Yes, I do.

1 **MR. SHERRIFF-SCOTT:** You remember this,
2 don't you?

3 **MR. HALL:** Yes, I do.

4 **MR. SHERRIFF-SCOTT:** This is the statement
5 that was purported to be that of the individual who was the
6 owner of the Saltaire Motel in Florida, right?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** And it purports to
9 identify as a possible person attending that hotel, Malcolm
10 MacDonald, right?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** And it's signed as a
13 witness by Ron Leroux and Mr. Carson Chisholm; correct?

14 **MR. HALL:** Correct.

15 **MR. SHERRIFF-SCOTT:** And, of course, absent
16 from this is the fact that Mr. Leroux was down there, which
17 you already knew from his statements and as you later
18 learned from the registration slips?

19 **MR. HALL:** Yes.

20 **MR. SHERRIFF-SCOTT:** Okay. So this is a
21 document you'd when you went down there.

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** Now, let's then go to
24 Document Number 712252, which is the summary of your trip
25 down there. And I couldn't ascertain, I'm sorry, if this

1 was made an exhibit or not.

2 I think it's called "Attempted Interview of
3 Owners of Saltaire Motel, Fort Lauderdale, Florida". I
4 don't think it was, but it summarizes the results of the
5 investigation, at least insofar as that trip was made.

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** I gave notice of it.

8 **THE REGISTRAR:** What number?

9 **MR. SHERRIFF-SCOTT:** Seven-one-two-two-
10 five-two (712252).

11 **(SHORT PAUSE/COURTE PAUSE)**

12 **MR. DUMAIS:** No, I don't think it's an
13 exhibit.

14 **MR. SHERRIFF-SCOTT:** In any event, I gave
15 notice of it, so it should be there. There it is.

16 What I want to do here, Inspector, is I want
17 to put this registration slip business to rest. Okay?

18 **MR. HALL:** Fine.

19 **THE COMMISSIONER:** Thank you.

20 Exhibit Number 2852 is a document entitled
21 "Attempted Interview of Owners, Saltaire Motel, Fort
22 Lauderdale, Florida, submitted to Detective Inspector
23 Smith, 6th of May, 1999."

24 **--- EXHIBIT NO./PIÈCE NO. P-2852:**

25 (712252) - Attempted Interview of

1 Owners, Saltaire Motel, Fort Lauderdale,
2 FLA, dated May 6, 1999

3 **MR. SHERRIFF-SCOTT:** Do you have that?

4 **MR. HALL:** Yes, I do.

5 **MR. SHERRIFF-SCOTT:** You've seen this
6 before, eh?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** Okay. So off you and
9 Detective Inspector Smith went to Florida and you -- the
10 first stop you made, from the paragraph at the top, was
11 with the Fort Lauderdale Police Department; correct?

12 **MR. HALL:** Yes.

13 **MR. SHERRIFF-SCOTT:** And you gave them a
14 bunch of names, as well as talked about the Saltaire Motel,
15 among others, and the names are identified as -- at the
16 bottom of the first paragraph, starting with Malcolm
17 MacDonald.

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** Including people that
20 were employed by my client, the Diocese, as well as the
21 Bishop.

22 **MR. HALL:** Correct.

23 **MR. SHERRIFF-SCOTT:** Right? And you wanted
24 this person to tell you whether or not any of these people
25 had come up on the radar screen of the local authorities.

1 **MR. HALL:** Correct.

2 **MR. SHERRIFF-SCOTT:** And the answer you got
3 back -- in the second paragraph -- is that none of these
4 people had ever been the subject of attention by that
5 police department; correct?

6 **MR. HALL:** Correct.

7 **MR. SHERRIFF-SCOTT:** In the third paragraph,
8 you say that:

9 "All of the names were searched by
10 Shotwell and no record existed of any
11 contact between them and Fort
12 Lauderdale Police."

13 Right?

14 **MR. HALL:** Yes.

15 **MR. SHERRIFF-SCOTT:** And then you go down --
16 at the bottom paragraph is when you actually go out to the
17 hotel. Do you remember this?

18 **MR. HALL:** Yes, I do.

19 **MR. SHERRIFF-SCOTT:** And the first thing you
20 do is you see this individual who gets very angry at you
21 for being there, right?

22 **MR. HALL:** He did.

23 **MR. SHERRIFF-SCOTT:** And this was the owner
24 of the hotel, as you later learned.

25 **MR. HALL:** Yes.

1 **MR. SHERRIFF-SCOTT:** Bill; correct?

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** And he said -- towards
4 the middle of that paragraph:

5 "He was tired of being hounded and
6 bothered."

7 Do you see that?

8 **MR. HALL:** Yes.

9 **MR. SHERRIFF-SCOTT:** "He had told them what
10 he knew, which was nothing, and ordered
11 us off the property. He then went into
12 a room and closed the door. His wife,
13 Val, was present, and I attempted to
14 explain that we were not from the press
15 and only needed a few minutes of their
16 time. The male, whom I believed to be
17 her husband, came out and displayed
18 severe anger at our being there and
19 stated, 'What are you going to do with
20 all the money you make? Are you going
21 to give me some? No, you won't. Get
22 off my property and don't bother us
23 anymore'."

24 And what did you infer, sir, from that
25 comment?

1 **MR. HALL:** Somebody was getting paid some
2 money.

3 **MR. SHERRIFF-SCOTT:** Was it not that there
4 was potential litigation in the offing that may yield
5 dividends and that perhaps this individual may have been
6 offered some proceeds?

7 **MR. HALL:** Could be.

8 **MR. SHERRIFF-SCOTT:** Okay. Did you have a
9 discussion with him to develop this point?

10 **MR. HALL:** Well, I -- I didn't have a
11 discussion with him that day.

12 **MR. SHERRIFF-SCOTT:** Okay. Clearly, someone
13 had talked to him about money.

14 **MR. HALL:** Actually, I never really had a
15 discussion with him at any time. I corresponded by
16 writing.

17 **MR. SHERRIFF-SCOTT:** He raised this point in
18 his angry exchange with you.

19 **MR. HALL:** Yes. Well ---

20 **MR. SHERRIFF-SCOTT:** Suggesting ---

21 **MR. HALL:** Yes.

22 **MR. SHERRIFF-SCOTT:** This suggested to you
23 that the topic of money had been ---

24 **MR. HALL:** Yes.

25 **MR. SHERRIFF-SCOTT:** --- something he had

1 dealt with.

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** With people who had
4 come before you, right?

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** Okay.

7 And then you talk about speaking to his wife
8 and she said that they had seen Malcolm but none of the
9 others.

10 **MR. HALL:** Correct.

11 **MR. SHERRIFF-SCOTT:** And I guess what you
12 did is you gave her some names; correct?

13 **MR. HALL:** Yes.

14 **MR. SHERRIFF-SCOTT:** "She stated that they
15 had been harassed and bothered by
16 numerous people and wanted to have
17 nothing to do with it, et cetera. We
18 managed to agree that I could call her
19 the following day and we left."

20 Now, if you go down to the next large
21 paragraph, you'll see on the right-hand side a sentence
22 starts towards the middle:

23 "She said the only picture they could
24 identify..."

25 Do you see that?

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** "...was that of
3 Malcolm."

4 That is Malcolm MacDonald; correct, sir?

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** "She said that Malcolm
7 had come there often, was quiet and lay
8 about the pool during the day and may
9 have had male guests at night. She
10 said Malcolm was no trouble. When we
11 asked if she could recall the names of
12 who came to see her and her husband
13 about this matter, she stated she could
14 not recall, as there were so many who
15 came to speak to them and they were
16 very aggressive, which caused them
17 aggravation. They didn't know what
18 this was all about. Nobody would tell
19 them."

20 So then the outcome of this was that you
21 agreed that you would correspond; correct?

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** You would correspond --

24 -

25 **MR. HALL:** Through his wife.

1 **MR. SHERRIFF-SCOTT:** Right. You would send
2 down some questions, get them answered, and get the
3 information that they were prepared to give you?

4 **MR. HALL:** Yes.

5 **MR. SHERRIFF-SCOTT:** Okay.

6 So let's go to what you did. That's
7 Document 712269, which I do not believe is exhibited.

8 It's a June 24th, 1999 letter to the
9 Cvetkouskis by you?

10 **MR. HALL:** Yes.

11 **THE COMMISSIONER:** Thank you. This has been
12 made an exhibit.

13 **MR. SHERRIFF-SCOTT:** Oh, has it? I'm sorry,
14 I don't know.

15 **THE COMMISSIONER:** Well, 2853, June 24th,
16 1999, a letter to Bill of the Saltaire Motel because I
17 can't pronounce his name.

18 **MR. SHERRIFF-SCOTT:** I think it's
19 Cvetkouski.

20 **THE COMMISSIONER:** Good, from Detective
21 Inspector Hall.

22 --- **EXHIBIT NO./PIÈCE NO P-2853:**

23 (712269) Letter from Pat Hall to Blagotja
24 Cvetkouski dated June 24, 1999

25 **MR. SHERRIFF-SCOTT:** You remember this

1 document, sir?

2 MR. HALL: Yes, I do.

3 MR. SHERRIFF-SCOTT: You prepared it and
4 sent it?

5 MR. HALL: Yes.

6 MR. SHERRIFF-SCOTT: And you got a response
7 eventually?

8 MR. HALL: Yes.

9 MR. SHERRIFF-SCOTT: And what you did here
10 at the beginning is you tried to explain the purpose of
11 your visit, and at the bottom of the page you talk to them
12 about the document, which is the first document you and I
13 looked at, Exhibit 686, the statement by her husband
14 witnessed by Mr. Leroux, right?

15 MR. HALL: Yes. Yes.

16 MR. SHERRIFF-SCOTT: And I think he even
17 sent a copy of that.

18 And then over the next page, you enclosed --
19 you'll see, "We would be interested". Third last -- third,
20 well, the main paragraph above your name:

21 "We would be interested in your
22 comments on the attached questions."

23 So you sent a list of questions these
24 people?

25 MR. HALL: Yes, correct.

1 **MR. SHERRIFF-SCOTT:** And I'm not sure,
2 again, I'm sorry, I gave notice of this document which is
3 the -- you sent the list of questions and then you got back
4 the list of questions with their handwritten responses in
5 the spaces provided?

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** Okay.

8 So let's turn to that. I have it as 712261,
9 which I gave notice of, but I didn't see that it had been
10 exhibited.

11 **THE COMMISSIONER:** I've seen their answers.

12 **MR. SHERRIFF-SCOTT:** Okay. There's another
13 document which is a letter too.

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

15 **MR. SHERRIFF-SCOTT:** That they send
16 following the first set of answers.

17 **THE COMMISSIONER:** Okay, okay, maybe that's
18 it.

19 **MR. SHERRIFF-SCOTT:** Seven-one-two-two-six-
20 one (712261). I gave notice of it in any event.

21 Yes, I gave notice, and it's in the
22 Commission's list of documents as well.

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

24 Exhibit 2854 is a copy of questions sent to
25 the owners of the Saltaire Motel; Document 712261.

1 --- EXHIBIT NO./PIÈCE NO. P-2854:

2 (712261) Questions from Pat Hall to
3 Blagotja Cvetkouski - undated

4 **MR. SHERRIFF-SCOTT:** These are the questions
5 you sent and the handwriting is what you got back. So this
6 is the document you got back with the completed answers;
7 correct?

8 **MR. HALL:** Correct.

9 **MR. SHERRIFF-SCOTT:** Okay.

10 So the fourth question talks about the one-
11 page statement that we referred to at the very beginning of
12 our exchange, and you're asking him if it was accurate.
13 And he says:

14 "No, it was readed to me before signing
15 differently. And the true is we saw
16 MacDonald a few times in a short period
17 with young men around the pool, which
18 appeared like a short visit to us."

19 The next one is about Mr. Chisholm and Mr.
20 Leroux, how do they identify themselves, and the answer
21 was, "I knew Ron Leroux".

22 In other words, he -- they already knew Mr.
23 Leroux.

24 **MR. HALL:** Yes.

25 **MR. SHERRIFF-SCOTT:** "But Mr. Chisholm

1 identify himself as a detective and the
2 reason was investigation of a young man
3 or young male abuse or something to
4 that effect."

5 Correct?

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** And then it talks about
8 Mr. Guzzo:

9 "Did he ever attend your motel and view
10 your registers?

11 No."

12 Correct?

13 **MR. HALL:** Yes.

14 **MR. SHERRIFF-SCOTT:** And that he didn't
15 obtain any records from them, which they say "never";
16 correct?

17 **MR. HALL:** Yes.

18 **MR. SHERRIFF-SCOTT:** Then they circle the
19 names of Leroux -- Ron Leroux, Malcolm MacDonald and
20 Richard Orlando as the people that they can identify from
21 the list that you've given them?

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** And over the top to the
24 next page you're asking for registration slips, and she
25 says, yes, she'll get them, "but we need time", and

1 subsequently, you got them?

2 **MR. HALL:** Yes, we did.

3 **MR. SHERRIFF-SCOTT:** And then she asks about
4 a retired police officer who may allegedly have contacted
5 them, and they said they were not aware of such a person;
6 correct?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** And then they talked
9 about photographs, and they said, yes, Mr. Chisholm, Carson
10 Chisholm:

11 "Who I thought was a detective and I
12 identified Malcolm MacDonald, Ron
13 Leroux, and one more person we do not
14 know the name."

15 Okay?

16 **MR. HALL:** Yes.

17 **MR. SHERRIFF-SCOTT:** So then what we know
18 is, she sent you a letter which has already been marked as
19 Exhibit 2823 and enclosed the registration slips, okay?

20 **MR. HALL:** Yes.

21 **MR. SHERRIFF-SCOTT:** And that letter is
22 September 7th, 1999, and I know you've already seen it and
23 it's already been in traffic here. So we don't need to go
24 to that, but I do want to take you to the registration
25 slips, okay?

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** And, unfortunately,
3 they're marked with individual document numbers, but there
4 are not that many of them, okay?

5 And I gave notice of each of them. They run
6 in sequence, the same base number, from 712277 through
7 inclusive to 712289. So there are 12 registration slips in
8 total.

9 **MR. HALL:** Yes.

10 **MR. SHERRIFF-SCOTT:** And just to test your
11 memory while the Registrar is looking for those documents,
12 in addition to the registration slips, you got some
13 background information, telephone information, et cetera,
14 about a guy named Richard Orlando?

15 **MR. HALL:** Yes.

16 **MR. SHERRIFF-SCOTT:** Okay.

17 So you got that. You got the registration
18 slips, and then you got information about Richard Orlando?

19 **MR. HALL:** Yes.

20 **MR. SHERRIFF-SCOTT:** Okay. Now, I've taken
21 these registration slips right from your file here, and I
22 just want to confirm that these are them and the only ones
23 that you got.

24 **THE REGISTRAR:** I have up to 712288.

25 **MR. SHERRIFF-SCOTT:** We'll need 89 because

1 it's the last one in the piece.

2 Well, let's start with the others. I gave
3 notice of all this.

4 (SHORT PAUSE/COURTE PAUSE)

5 MR. SHERRIFF-SCOTT: Commissioner, there's
6 one missing from this piece. It's 712289. It looks like
7 the notice numbers were reversed, but I think it's very
8 important that we have the complete package ---

9 THE COMMISSIONER: Absolutely.

10 MR. SHERRIFF-SCOTT: --- of registrations
11 there, since much -- so much has been made of this issue.

12 THE COMMISSIONER: So, maybe, when we find
13 it, you can speak to me about it and we can put it in or
14 give it another exhibit number or something.

15 MR. SHERRIFF-SCOTT: Maybe we can just call
16 it up on the screen and give it an exhibit number ---

17 THE COMMISSIONER: Yes.

18 MR. SHERRIFF-SCOTT: --- and then ---

19 THE COMMISSIONER: Yes.

20 MR. SHERRIFF-SCOTT: --- have the witness
21 identify it ---

22 THE COMMISSIONER: Yes.

23 MR. SHERRIFF-SCOTT: --- for completeness
24 sake?

25 THE COMMISSIONER: Sure.

1 **MR. SHERIFF-SCOTT:** Thank you.

2 **(SHORT PAUSE/COURTE PAUSE)**

3 **THE COMMISSIONER:** Thank you.

4 Exhibit 2855 is a guest registration card
5 for Malcolm MacDonald dated 1990.

6 **---EXHIBIT NO./PIÈCE NO. P-2855:**

7 (712277) - Guest Registration Receipt of
8 Malcolm MacDonald - April 3, 1990

9 **MR. SHERRIFF-SCOTT:** Is that the one that
10 looks like, "9/4/90", Commissioner?

11 **THE COMMISSIONER:** If that's what it
12 is -- 9/4/90, okay.

13 **MR. SHERRIFF-SCOTT:** Thank you.

14 **THE COMMISSIONER:** Then 2856 is a guest
15 registration for Malcolm MacDonald, and the date is
16 3/10/91.

17 **--- EXHIBIT NO./PIÈCE NO. P-2856:**

18 (712278) - Guest Registration Receipt of
19 Malcolm MacDonald - October 3, 1991

20 **THE COMMISSIONER:** Two-eight-five-seven
21 (2857) is another guest registration for Malcolm MacDonald,
22 "12" -- and your guess is as good as mine -- "91".

23 **--- EXHIBIT NO./PIÈCE NO. P-2857:**

24 (712279) - Guest Registration Receipt of
25 Malcolm MacDonald - December 24, 1991

1 **THE COMMISSIONER:** Two-eight-five-eight
2 (2858) is a guest registration for Malcolm MacDonald.
3 There's no date.

4 **MR. SHERRIFF-SCOTT:** It has under
5 Accommodations, "One"?

6 **THE COMMISSIONER:** Yes, thank you.

7 **--- EXHIBIT NO./PIÈCE NO. P-2858:**

8 (712280) - Guest Registration Receipt of
9 Malcolm MacDonald - undated

10 **THE COMMISSIONER:** Exhibit 2859 is one that
11 is just with "MacDonald," if that's what it is, and
12 Accommodation Number, "Five".

13 **--- EXHIBIT NO./PIÈCE NO. P-2859:**

14 (712281) - Guest Registration Receipt of
15 Malcolm MacDonald - undated

16 **THE COMMISSIONER:** Exhibit 2860 is a guest
17 registration for A.M. MacDonald, and the date there is
18 2/18/94? It must be.

19 **---EXHIBIT NO./PIÈCE NO. P-2860:**

20 (712282) - Guest Registration Receipt of
21 Malcolm MacDonald - dated February 18, 1994

22 **THE COMMISSIONER:** Exhibit 2861 is a guest
23 registration for Ron Leroux, and the date there is
24 12/24/92.

25 **--- EXHIBIT NO./PIÈCE NO. P-2861:**

1 (712283) - Guest Registration Receipt of
2 Ron Leroux - dated December 24, 1992

3 **THE COMMISSIONER:** Exhibit 2862 is a guest
4 registration for Ron Leroux, 12/5/96.

5 --- EXHIBIT NO./PIÈCE NO. P-2862:

6 (712284) - Guest Registration Receipt of
7 Ron Leroux - dated December 5, 1996

8 **THE COMMISSIONER:** Exhibit 2863 is a guest
9 registration for Richard Orlando, 2/1/94.

10 --- EXHIBIT NO./PIÈCE NO. P-2863:

11 (712285) - Guest Registration Receipt of
12 Richard Orlando - dated January 2, 1994

13 **THE COMMISSIONER:** Exhibit 2864 is a guest
14 registration for Richard J. Orlando. He was driving a
15 Chev. Anyway ---

16 --- EXHIBIT NO./PIÈCE NO. P-2864:

17 (712286) - Guest Registration Receipt of
18 Richard Orlando - undated

19 **THE COMMISSIONER:** So 2865 is a guest
20 registration for Richard J. Orlando. The date is 1/6/91.

21 --- EXHIBIT NO./PIÈCE NO. P-2865:

22 (712287) - Guest Registration Receipt of
23 Richard Orlando - dated January 6, 1991

24 **THE COMMISSIONER:** And 2866 is a guest
25 registration for Richard Orlando, 1/17/95.

1 **--- EXHIBIT NO./PIÈCE NO. P-2866:**

2 (712288) - Guest Registration Receipt of
3 Richard Orlando - dated January 17, 1995

4 **THE COMMISSIONER:** And, finally, 2867 is a
5 guest registration for Reverend Richard J. Orlando, and
6 with the licence plate WN97.

7 **--- EXHIBIT NO./PIÈCE NO. P-2867:**

8 (712289) - Guest Registration Receipt of
9 Richard Orlando - undated

10 **MR. SHERRIFF-SCOTT:** Commissioner, is that
11 document 712289?

12 **THE COMMISSIONER:** Yes, we ---

13 **MR. SHERRIFF-SCOTT:** Oh, I'm sorry. I
14 didn't realize you'd found it. Thank you very much.

15 **THE COMMISSIONER:** It was produced while we
16 spoke.

17 **MR. SHERRIFF-SCOTT:** Okay, Inspector, can
18 you just thumb through those? That's what was in your
19 file, and I just want to confirm that those are the
20 registration slips you got from the hotel owners of the
21 Saltaire?

22 **MR. HALL:** Yes, they are.

23 **MR. SHERRIFF-SCOTT:** Okay.

24 **MR. HALL:** Orlando lived in Rochester, New
25 York.

1 **MR. SHERRIFF-SCOTT:** Right. And they also
2 gave you -- I don't need to go to it -- some other
3 information about him, like phone records, and a fax
4 saying ---

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** --- "Can you reserve a
7 room", and so forth? But these are the only registration
8 slips that you got?

9 **MR. HALL:** Yes.

10 **MR. SHERRIFF-SCOTT:** These are the only
11 registration slips you ever saw?

12 **MR. HALL:** Correct.

13 **MR. SHERRIFF-SCOTT:** Okay. And so you never
14 got, you never saw, and you have never had, a registration
15 slip with the name of my client, Bishop Eugène LaRocque, or
16 Eugène LaRocque, on it?

17 **MR. HALL:** No.

18 **MR. SHERRIFF-SCOTT:** At any time?

19 **MR. HALL:** At any time.

20 **MR. SHERRIFF-SCOTT:** Ever?

21 **MR. HALL:** Ever.

22 **MR. SHERRIFF-SCOTT:** Okay. Or, for that
23 matter, any other member of the Diocese?

24 **MR. HALL:** Correct.

25 **MR. SHERRIFF-SCOTT:** Okay.

1 Now, with that in mind, I'd like to turn to
2 a document that comes from Mr. Guzzo, and in it he purports
3 to summarize his meeting with you of November 22nd, and that
4 is a document for which I gave notice as 732762.

5 I'm trying to get used to these things.

6 **MR. HALL:** Very difficult.

7 **(LAUGHTER/RIRES)**

8 **MR. SHERRIFF-SCOTT:** My partners keep
9 telling me there are these things called "bifocals", but
10 I've resisted that so far.

11 **THE COMMISSIONER:** It's a really new
12 technology.

13 **MR. SHERRIFF-SCOTT:** Yes, that's what I'm
14 told.

15 **(LAUGHTER/RIRES)**

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **MR. SHERRIFF-SCOTT:** It's not an exhibit.
18 Did you want to take five minutes, sir,
19 while we find the document?

20 **THE COMMISSIONER:** Yes, let's take a short
21 break.

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

24 This hearing will resume at 3:30 p.m.

25 --- Upon recessing at 3:14 p.m./

1 L'audience est suspendue à 15h14

2 --- Upon resuming at 3:28 p.m. /

3 L'audience est reprise à 15h28

4 **THE REGISTRAR:** Order; all rise. A l'ordre; Veuillez
5 vous lever.

6 This hearing is now resumed. Please be
7 seated. Veuillez vous asseoir.

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

9 --- CROSS EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

10 **MR. SHERRIFF-SCOTT (cont'd/suite):**

11 **MR. SHERRIFF-SCOTT:** Okay, I think they've
12 found the document we're looking for.

13 **MR. HALL:** Okay, sir.

14 **MR. SHERRIFF-SCOTT:** And it is 732762.

15 **THE COMMISSIONER:** Which is Exhibit 2868,
16 which is -- what are these now? Questions made -- put
17 to ---

18 **MR. SHERRIFF-SCOTT:** These are from
19 Mr. Guzzo's file, questions which were to be put in the
20 House.

21 **THE COMMISSIONER:** Okay, thank you.

22 --- EXHIBIT NO./PIÈCE NO. P-2868:

23 (732762) - Questions from Garry Guzzo -
24 undated

25 **MR. SHERRIFF-SCOTT:** Now, in this document,

1 Mr. Guzzo at question 3, which is a couple of pages in,
2 Inspector -- the fourth page in from the front. You see
3 question 3?

4 MR. HALL: Yes.

5 MR. SHERRIFF-SCOTT: And he talks about the
6 notorious meeting of November 22nd between himself and you,
7 and another member of the OPP. Okay?

8 MR. HALL: Yes.

9 MR. SHERRIFF-SCOTT: So let's just review
10 this here. He's talking about -- this is what's going to
11 be said to the Minister:

12 "Mister Minister, November 22nd, I
13 [that's Mr. Guzzo] had the occasion to
14 meet with two members of the OPP and
15 discussed my Bill 103, which was passed
16 by a vote 45-3 in its second reading..."
17 et cetera.

18 And then he says when we get on to this
19 point of the registration slips:

20 "I am advised the OPP officers that
21 both the Citizens Committee and I had
22 seen alleged registration slips of
23 sleaze bag motels on the pedophile
24 strip in Birch Avenue in Fort
25 Lauderdale, Florida, which dated back

1 to the early 1970s."

2 Stopping there sir, you and your force
3 members never saw any slips from the 1970s, did you?

4 **THE COMMISSIONER:** No. But, sir, I think if
5 we read it, I think it should read, "I advised the OPP
6 officers."

7 **MR. SHERRIFF-SCOTT:** Yes, I agree with you.
8 It's just it's not -- the grammar is incorrect.

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

10 **MR. SHERRIFF-SCOTT:** "I advised the OPP
11 officers that both the Citizens
12 Committee and I had seen alleged
13 registration slips of sleaze bag motels
14 on the pedophile strip", et cetera,
15 "back to the 1970s."

16 Now, we know from Mr. Leroux and Mr.
17 Chisholm's statement that the person identified by the
18 hotel owners to them was Malcolm MacDonald.

19 **MR. HALL:** Yes.

20 **MR. SHERRIFF-SCOTT:** And you never -- and
21 having interviewed those individuals, you never got from
22 them that they saw registration slips from the 1970s?

23 **MR. HALL:** No.

24 **MR. SHERRIFF-SCOTT:** And then it says, "the
25 OPP", that is to say you and your colleague, "indicated

1 that they too had also seen these registration slips."

2 Now, you never saw registration slips from
3 the 1970s?

4 **MR. HALL:** No.

5 **MR. SHERRIFF-SCOTT:** That is false to say?

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** And then he says:

8 "I advised the OPP that it appeared to
9 me that one such form" --

10 Over to the top of the next page --

11 "...appeared to be signed by the present
12 day Roman Catholic Bishop of the
13 Diocese of Alexandria."

14 The OPP officer acknowledged that he had
15 seen such a registration form. That is false.

16 **MR. HALL:** Definitely.

17 **MR. SHERRIFF-SCOTT:** "I then asked the
18 officer why charges had not been laid
19 against the Bishop. The officer's
20 first answer was most interesting. The
21 officer stated he was not the Bishop
22 then. I agreed but suggested that this
23 evidence was still valuable."

24 Well, he was not the Bishop then. It would
25 have had to be before 1974 and you never saw, first of all,

1 any registration slip, ever at any time, with his name on
2 it and certainly one not before 1974.

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

4 **MR. SHERRIFF-SCOTT:** Okay.

5 "The officer then stated that the
6 Bishop would have to be prosecuted in
7 Florida for any wrongdoings in that
8 State and I agreed. I pressed further
9 and was told that the officer agreed
10 with me that this evidence, the
11 registration slip that is, I say, if it
12 is proved to be authentic which I
13 believe the officer indicated to me it
14 had been so verified, could be used to
15 corroborate the allegations made
16 against the prince of the Roman
17 Catholic Church."

18 Now, aside from the sort of rhetoric there
19 of the prince of the Roman Catholic Church, that is a false
20 statement.

21 **MR. HALL:** Yes.

22 **MR. SHERRIFF-SCOTT:** You never verified any
23 such information?

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

25 **MR. SHERRIFF-SCOTT:** And it is false to

1 suggest that.

2 MR. HALL: Yes.

3 MR. SHERRIFF-SCOTT: "The officer did not
4 dispute this position." That is false; isn't it,
5 Inspector?

6 MR. HALL: Yes.

7 MR. SHERRIFF-SCOTT: "In fact, he
8 wholeheartedly agreed". That is false again; is it not
9 sir?

10 MR. HALL: Yes.

11 MR. SHERRIFF-SCOTT: Then over to the next
12 page, I'm referring to Mr. Leduc's trial, the stay, do you
13 see that of Mr. Leduc's trial?

14 MR. HALL: Yes.

15 MR. SHERRIFF-SCOTT: Is under appeal.

16 "But during the stay hearing, a
17 previously-sealed file was left
18 unsealed and evidence therein now
19 public in or around Eastern Ontario
20 indicates that the OPP was accurate..."

21 The OPP was accurate.

22 "...in suggesting that the Roman Catholic
23 Bishop be charged here in Ontario. The
24 OPP..."

25 That is to say, if they were recommending

1 charges against him, you sure would have known about it;
2 wouldn't you?

3 MR. HALL: Definitely.

4 MR. SHERRIFF-SCOTT: Because you were the
5 guy running the investigation?

6 MR. HALL: Yes.

7 MR. SHERRIFF-SCOTT: You and your team made
8 no such recommendation.

9 MR. HALL: Correct.

10 MR. SHERRIFF-SCOTT: The statement to the
11 contrary is false.

12 MR. HALL: True.

13 MR. SHERRIFF-SCOTT: "It appears that your
14 office made the decision not to proceed."

15 In other words, he's saying here that you,
16 the OPP, made a recommendation to charge which was
17 contradicted by the Crown or the Attorney General's office.

18 THE COMMISSIONER: "It appears that your
19 office" being the Attorney General's office.

20 MR. SHERRIFF-SCOTT: Yes.

21 THE COMMISSIONER: Because he's addressing
22 this to the AGO.

23 MR. SHERRIFF-SCOTT: Yes. In effect,
24 Commissioner, the inference here is that the police were
25 overruled in their decision.

1 That is false; isn't it sir?

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** "Notwithstanding the
4 evidence in statements made to the police by alleged
5 victims in Ontario and the corroborative evidence of
6 Florida."

7 You had no such corroborative evidence of
8 Florida?

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

10 **MR. SHERRIFF-SCOTT:** Okay. Now, Mr. Guzzo
11 came here, and I cross-examined him at Volume 182.

12 **THE COMMISSIONER:** Thank you.

13 **MR. SHERRIFF-SCOTT:** And we talked about you
14 and this little meeting.

15 **THE COMMISSIONER:** What page please?

16 **MR. SHERRIFF-SCOTT:** One-four-eight (148)
17 Commissioner.

18 Sorry, Inspector, starting at the bottom of
19 147.

20 **MR. HALL:** Yes.

21 **MR. SHERRIFF-SCOTT:** Okay. I'm asking him
22 at the bottom of that page:

23 "Do you know, sir, that Officer Hall
24 got registration slips including the
25 names of Malcolm MacDonald, Ron Leroux

1 and/or Richard Orlando?"

2 And that's, in fact, true; isn't it?

3 **MR. HALL:** Yes.

4 **MR. SHERRIFF-SCOTT:** Over the next page, Mr.
5 Guzzo says, "No, I do not." In other words, he didn't
6 know.

7 "Mr. Sherriff-Scott: But nobody else?

8 Mr. Guzzo: No, I do not."

9 In other words, he didn't know that either.

10 "Mr. Sherriff-Scott: No. And do you
11 know, sir -- and I'm going to tell you
12 that it will be the evidence of
13 Inspector Hall that he did not obtain,
14 has not seen and has never had, nor did
15 he tell you he had, a registration slip
16 bearing the name of my client, Mr.
17 Bishop LaRocque, Eugene LaRocque."

18 And then Mr. Guzzo -- there is a sort of
19 elaborate exchange where he basically resists me expressing
20 the opportunity that he should take to indicate that he was
21 mistaken about your meeting.

22 But what he says here of interest is in a
23 response -- you see where the dash lines are under my last
24 question?

25 "At the end of our meeting, he patted

1 his briefcase and said he did. And
2 when we discussed, I related the
3 conversation that I had with him with
4 regard to Bishop LaRocque."

5 In other words, what he was suggesting to me
6 and to this Commission was that you sat there in the
7 meeting with him on November 22nd and contentedly patted
8 your briefcase containing the registration slips with
9 Bishop LaRocque's name on it. That is a falsehood; isn't
10 it?

11 **MR. HALL:** Yes, it is.

12 **MR. SHERRIFF-SCOTT:** Mr. Guzzo declined the
13 opportunity to say he was mistaken sir. He was wrong from
14 your point of view and his evidence, sir, from your point
15 of view, is false.

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

17 **MR. SHERRIFF-SCOTT:** Thank you.

18 Now, the final area that I want to talk to
19 you about -- just two more points here.

20 There is, as we know, after the extensive
21 investigation your team did with respect to Eugene
22 LaRocque, sir?

23 **MR. HALL:** Yes.

24 **MR. SHERRIFF-SCOTT:** Gary Ostler, Bernard
25 Cameron, Donald McDougald and Kevin Maloney;

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** As well as the
3 conspiracy allegations involving the Diocese, neither you
4 nor your team could form reasonable and probable grounds
5 and in the result, did not feel you could lay a charge in
6 connection with those investigations?

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

8 **MR. SHERRIFF-SCOTT:** You considered the
9 matter, in your view, extensively and thoroughly; did you
10 not?

11 **MR. HALL:** Yes. With the input from the
12 Crown attorney.

13 **MR. SHERRIFF-SCOTT:** The Crown concurred in
14 your view; did it not?

15 **MR. HALL:** Yes.

16 **MR. SHERRIFF-SCOTT:** And so did the retired
17 judge used by the Attorney General's office?

18 **MR. HALL:** I presume so.

19 **MR. SHERRIFF-SCOTT:** Okay. Now, there was
20 some debate with you about your interactions with Bishop
21 LaRocque in terms of providing information. Now, as I
22 understand your evidence, sort of towards the front end of
23 the investigation, you and Mr. Smith, that is Inspector
24 Smith, met with the Bishop; gave a general description and
25 told him you'd be looking for information from him.

1 **MR. HALL:** Yes.

2 **MR. SHERRIFF-SCOTT:** And that if he didn't
3 give it to you when you asked for it, he'd be facing a
4 warrant?

5 **MR. HALL:** Yes.

6 **MR. SHERRIFF-SCOTT:** Okay. But may I --
7 first of all, dealing with Bishop LaRocque, form your point
8 of view as an officer here running this Project Truth
9 investigation, was a bit unusual; wasn't it? In the sense
10 that this is not an organization that you're just dealing
11 with who -- you're not talking to just some employer here.
12 This is a person you're investigating as well?

13 **MR. HALL:** Yes.

14 **MR. SHERRIFF-SCOTT:** Right? So that makes
15 it a bit prickly, doesn't it, a bit unusual?

16 **MR. HALL:** Yes.

17 **MR. SHERRIFF-SCOTT:** You're not calling up
18 the head of Domtar and saying, you've got an employee X and
19 I need information on him. This person, too, is under
20 investigation.

21 **MR. HALL:** Yes.

22 **MR. SHERRIFF-SCOTT:** So you're probably a
23 little more guarded in your discussions with him about what
24 you're doing, where you're going, and what your agenda is?

25 **MR. HALL:** Yes.

1 **MR. SHERRIFF-SCOTT:** Okay. So, although you
2 would have told him what you were looking for, I suggest,
3 when you asked for things, you weren't always telling him
4 what you were asking for or why you were asking for it, you
5 just asked him for things and expected him to disclose
6 them?

7 **MR. HALL:** Correct.

8 **MR. SHERRIFF-SCOTT:** You weren't getting
9 into any dialogue with him about the wherefore and whys
10 about the information requests that you were tendering to
11 him?

12 **MR. HALL:** No.

13 **MR. SHERRIFF-SCOTT:** You didn't feel you had
14 to justify those to him in way, shape or form, did you,
15 sir?

16 **MR. HALL:** In.

17 **MR. SHERRIFF-SCOTT:** And you certainly
18 didn't debate what you were doing; correct?

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

20 **MR. SHERRIFF-SCOTT:** You didn't identify
21 specific victims that may have given rise to the specific
22 requests that you made, sir?

23 **MR. HALL:** No.

24 **MR. SHERRIFF-SCOTT:** You wouldn't have
25 discussed your agenda and where you were going with your

1 investigation?

2 MR. HALL: No.

3 MR. SHERRIFF-SCOTT: Okay. You didn't give
4 him statements from victims and say, well, this guy says
5 this, that and the other thing?

6 MR. HALL: No.

7 MR. SHERRIFF-SCOTT: And then link that to
8 information requests, right?

9 MR. HALL: No.

10 MR. SHERRIFF-SCOTT: What you did is you
11 said, I want the following pieces of information, and he
12 responded?

13 MR. HALL: Yes. And I believe it was in
14 writing.

15 MR. SHERRIFF-SCOTT: Okay. And I'll come to
16 that.

17 What you did is, there were a large number
18 of information requests and you would write to him or
19 provide him with a memo with lists of information ---

20 MR. HALL: Yes.

21 MR. SHERRIFF-SCOTT: --- and he would
22 respond?

23 MR. HALL: Yes.

24 MR. SHERRIFF-SCOTT: And he did respond,
25 didn't he?

1 MR. HALL: Yes.

2 MR. SHERRIFF-SCOTT: He responded in a
3 timely fashion?

4 MR. HALL: Yes.

5 MR. SHERRIFF-SCOTT: And he was complete?

6 MR. HALL: Best of his ability.

7 MR. SHERRIFF-SCOTT: And when he didn't have
8 the information, to the extent he knew where it was he told
9 you where to go and find it?

10 MR. HALL: Yes.

11 MR. SHERRIFF-SCOTT: Okay. This, in the
12 context of the absence of a detailed explanation by you
13 about what you were doing and why you were doing it?

14 MR. HALL: Correct.

15 MR. SHERRIFF-SCOTT: Okay. Also, he was
16 under investigation and you interviewed him?

17 MR. HALL: Yes.

18 MR. SHERRIFF-SCOTT: Now, his counsel was
19 there.

20 MR. HALL: Yes.

21 MR. SHERRIFF-SCOTT: Correct? Probably with
22 good reason. He was a person of interest, right?

23 MR. HALL: Yes.

24 MR. SHERRIFF-SCOTT: And he knew that.

25 MR. HALL: Yes.

1 **MR. SHERRIFF-SCOTT:** At that point or at
2 some point.

3 **MR. HALL:** Yes.

4 **MR. SHERRIFF-SCOTT:** And as a person of
5 interest, he certainly had no obligation to come and talk
6 to you, did he?

7 **MR. HALL:** No.

8 **MR. SHERRIFF-SCOTT:** He volunteered to come
9 and talk to you, and he voluntarily agreed to meet with you
10 and gave you a statement?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** Okay.

13 Now, what I want to do here is -- it's a bit
14 cumbersome -- but I think what we've done is simplify this.

15 There's a large file that you've had an
16 opportunity to look at that was exchanges of information
17 ---

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** --- between you and
20 Diocese.

21 Okay, what we've done is compile those in
22 briefs. We're going to enter them as exhibits. And,
23 Commissioner, what I've done through an agreement with Mr.
24 Carroll and your counsel, discussions with the document
25 managers, prepared two briefs, and I can read into the

1 record the sequence of document numbers and they're all
2 tabbed, so that we can mark those briefs instead of putting
3 130 documents in.

4 **THE COMMISSIONER:** Terrific.

5 **MR. SHERRIFF-SCOTT:** Okay. So if we can --
6 we have Volumes 1 and 2, which is headed "Material Provided
7 to Project Truth by Bishop Laroque/DAC, Documents to be
8 entered as exhibits", and it is a total of 129 tabs divided
9 between two volumes.

10 Now, Ms. McArthur has been good enough to
11 give me what I call a cheat sheet and I can read you the
12 sequence of the document numbers that are in these briefs.

13 **THE COMMISSIONER:** Okay, just -- we'll give
14 it an exhibit number.

15 **MR. SHERRIFF-SCOTT:** Sure.

16 **THE WITNESS:** Two-eight-six-nine (2869).

17 **THE COMMISSIONER:** So 2896.

18 **MR. SHERRIFF-SCOTT:** So Exhibit 2869 has 129
19 tabs. Volume I has Tabs 1 through 75, and Volume 2 has
20 Tabs 76 through to the remainder. I'm sorry, Commissioner,
21 the exhibit number was? Two-eight-six- nine (2869). Thank
22 you.

23 And just for the record, sir, it has this
24 sequence of document numbers from the database. I'm told
25 by Mr. Engelmann that we need to do this, and it shouldn't

1 take but a moment because they run mostly in sequence
2 because they're from one file.

3 Documents -- so the base Document Number,
4 702865, and what I'll do is I'll read the last two numbers
5 so that it runs in the sequence from the last two of the
6 first number to the -- so, it's 702865 to 70; 702876 to 78;
7 702880 to 85; 702887 to 99; 702900 to 09; 702911 to 58;
8 702960 to 66; 702968 to 75; 702977 to 88; 702990 to 95.

9 And then individual Document Numbers
10 703217, 704647, 707831 to 14.

11 Then individual Documents 709674, 713453,
12 732126, 732146 to 47; and finally, 114315.

13 --- **EXHIBIT NO./PIÈCE NO. 2869:**

14 ("114315 - 702865-70; 702876-78;
15 702880-85; 702887-99; 702900-09;
16 702911-58; 702960-66; 702968-75;
17 702977-88; 702990-95; 703217; 704647;
18 707813-14; 709674; 713453; 732126;
19 732146-47") - Book of Documents -
20 Documents provided to OPP by Diocese
21 of Alexandria-Cornwall during Project
22 Truth, 2 Volumes, Tabs 1 to 129.

23 **MR. SHERRIFF-SCOTT:** Now, Inspector, I know
24 that you've had a chance to look at these generally. These
25 are from the OPP's file and they had the heading on them

1 "Articles, Information received from Bishop Eugene Laroque,
2 Diocese of Alexandria-Cornwall".

3 MR. HALL: Yes.

4 MR. SHERRIFF-SCOTT: And so this collection
5 of materials represents a trade of requests by your team or
6 from you to the Bishop and his responses, including the
7 documents that he prepared?

8 MR. HALL: Yes.

9 MR. SHERRIFF-SCOTT: Okay. And the
10 information requests, the kind of thing we talked about,
11 are all referred to in there?

12 MR. HALL: Yes.

13 MR. SHERRIFF-SCOTT: Okay. Now, that's not
14 the complete list. There were a number of other documents
15 and they were already marked as exhibits, and I just want
16 to quickly identify them. There's 10 or 15 of those. It
17 will just take a moment.

18 And for that purpose, I have another little
19 brief. This is just a sort of aide memoire for the
20 witness, Commissioner. We don't need to mark it because
21 all these documents are already marked. We can just flip
22 through it ---

23 THE COMMISSIONER: Fair enough.

24 MR. SHERRIFF-SCOTT: --- this way.

25 THE COMMISSIONER: Fair enough.

1 **MR. SHERRIFF-SCOTT:** Inspector Hall, these
2 were taken as well from your file, but because
3 administratively they're already marked as exhibits in this
4 proceeding, they don't like to duplicate the exhibit
5 numbers, so they would have otherwise been in the two big
6 briefs that we just gave you.

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** Okay? So if we can
9 look through those, the first one is Exhibit 1934; that's
10 Réjean Lebrun?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** Then the second one is
13 a letter from your team of October 28th, '99 to the Diocese?

14 **MR. HALL:** Yes.

15 **MR. SHERRIFF-SCOTT:** In fact, it's a letter
16 from you and that is document Exhibit 2120.

17 The next the Bishop's response at
18 Exhibit 1993.

19 **MR. HALL:** Yes.

20 **MR. SHERRIFF-SCOTT:** The next is an appendix
21 to the first -- that last document, Exhibit 1994?

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** The next is a letter
24 from yourself to the Bishop, Exhibit 2119?

25 **MR. HALL:** Yes.

1 **MR. SHERRIFF-SCOTT:** Next is a document
2 prepared by you with handwritten notes from yourself at the
3 bottom, Exhibit 2117?

4 **MR. HALL:** Yes.

5 **MR. SHERRIFF-SCOTT:** The next is
6 Exhibit 2115, which has your notes on it?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** The next is another
9 document, 2118, which has handwritten notes on it as well
10 as your initials at the bottom of the page?

11 **MR. HALL:** Yes.

12 **MR. SHERRIFF-SCOTT:** Then there is a
13 diocesan document, 2152?

14 **MR. HALL:** Yes.

15 **MR. SHERRIFF-SCOTT:** Exhibit.

16 And there are then -- 2114, the next
17 exhibit, has your notes on it as well as the notes of
18 Bishop Laroque?

19 **MR. HALL:** Yes.

20 **MR. SHERRIFF-SCOTT:** As well as a second
21 page with a note from you dated March 20th, 1998?

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** And then there are some
24 priest cards, Exhibit 1857, which is Kevin Maloney?

25 **MR. HALL:** Yes.

1 **MR. SHERRIFF-SCOTT:** Twenty-one fifty-four
2 (2154), Gary Ostler?

3 **MR. HALL:** Yes.

4 **MR. SHERRIFF-SCOTT:** Then there are -- is
5 Officer Genier's card at Exhibit 1973, together with
6 information that he retrieved from Gordon Bryan?

7 **MR. HALL:** Yes.

8 **MR. SHERRIFF-SCOTT:** Another letter from you
9 at Exhibit 2116 to the Bishop?

10 **MR. HALL:** Yes.

11 **MR. SHERRIFF-SCOTT:** With his handwritten
12 responses attached?

13 **MR. HALL:** Yes.

14 **MR. SHERRIFF-SCOTT:** And then there are a
15 couple of documents at the end.

16 There's an interview report of your
17 interview or your team's interview of Réjean Lebrun?

18 **MR. HALL:** Yes.

19 **MR. SHERRIFF-SCOTT:** Exhibit 1940.

20 And then there are a couple of documents
21 given to you by my partner, David Scott, Exhibit 1853?

22 **MR. HALL:** Yes.

23 **MR. SHERRIFF-SCOTT:** This was given to your
24 team, sir? Or it was given to the OPP?

25 This, as you recall related to David

1 Silmser's allegation?

2 MR. HALL: Yes.

3 MR. SHERRIFF-SCOTT: And then there is a
4 letter from Mr. Leduc, dated January 19th, 1994,
5 Exhibit 1912, again received from the OPP, from my partner,
6 David Scott?

7 MR. HALL: Yes.

8 MR. SHERRIFF-SCOTT: See it? It's the
9 second-last document?

10 MR. HALL: Yes.

11 MR. SHERRIFF-SCOTT: So these documents all
12 would have been going back and forth between your team and
13 my client.

14 MR. HALL: Yes.

15 MR. SHERRIFF-SCOTT: As responses to
16 requests and requests made by you.

17 MR. HALL: Yes.

18 MR. SHERRIFF-SCOTT: Correct? Thank you.

19 Now, just another point. There were a
20 number of references in your examination to -- examination
21 in-chief to the association report, and the association
22 report frequently referred to religious people and they
23 gave them one or two titles; "brothers" or ---

24 MR. HALL: Yeah.

25 MR. SHERRIFF-SCOTT: --- "priests."

1 MR. HALL: Yes.

2 MR. SHERRIFF-SCOTT: And you and Inspector
3 Smith, you understood the difference between those two
4 designations, didn't you?

5 MR. HALL: Yes.

6 MR. SHERRIFF-SCOTT: And you understood that
7 a brother was a member of a religious order that had a
8 specific superior, and you needed to know that distinction,
9 didn't you?

10 MR. HALL: Yes.

11 MR. SHERRIFF-SCOTT: Because you had to go
12 to that person to find out information about the brother.

13 MR. HALL: Yes.

14 MR. SHERRIFF-SCOTT: In other words, it's
15 sort of like a corporate structure. You understood they
16 were different.

17 MR. HALL: Yes.

18 MR. SHERRIFF-SCOTT: And that's why you
19 specifically identified them in the association report as
20 brothers as opposed to priests.

21 MR. HALL: Yes.

22 MR. SHERRIFF-SCOTT: And there was sort of a
23 confusion during your examination in-chief where the
24 examiner frequently referred to brothers as priests, but
25 when you identified in the association report as brothers,

1 you did that on purpose.

2 **MR. HALL:** Yes.

3 **MR. SHERRIFF-SCOTT:** And you did it for the
4 specific reason that you knew they were a member of a
5 religious order with a specific superior. Correct?

6 **MR. HALL:** Yes.

7 **MR. SHERRIFF-SCOTT:** And just lastly, sir,
8 your team received from counsel for the Diocese, which was
9 my office, the original settlement agreement between David
10 Silmser, Charles MacDonald and the Diocese?

11 **MR. HALL:** We had a copy on the files.

12 **MR. SHERRIFF-SCOTT:** Okay.

13 **MR. HALL:** And presumably, it came from
14 there.

15 **MR. SHERRIFF-SCOTT:** I have the
16 acknowledgement, which is given by the OPP in writing to my
17 firm, enclosing the documents.

18 **MR. HALL:** What year would that be?

19 **MR. SHERRIFF-SCOTT:** That would be 1995.

20 **MR. HALL:** Yes. That would be what
21 Inspector Smith obtained and subsequently was in the file
22 that we used.

23 **MR. SHERRIFF-SCOTT:** Okay. That was given
24 to you by -- Inspector Smith, it was given to ---

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

1 **MR. SHERRIFF-SCOTT:** --- by my office. And
2 the original was given to the OPP.

3 **MR. HALL:** Yes.

4 **MR. SHERRIFF-SCOTT:** And you didn't give it
5 back to us; it remained with the OPP.

6 **MR. HALL:** As far as I know. It was there
7 when I left, yes.

8 **MR. SHERRIFF-SCOTT:** Okay, thank you. Those
9 are my questions. Thank you very much, sir.

10 **MR. HALL:** Thank you. I guess I'm not going
11 home, eh?

12 **(LAUGHTER/RIRES)**

13 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE**

14 **PAR MS. LAHAIE:**

15 **MS. LAHAIE:** Good afternoon, Officer Hall.
16 You and I have met a number of times.

17 **MR. HALL:** Yes.

18 **MS. LAHAIE:** My name is Diane Lahaie,
19 counsel for the Ontario Provincial Police and its
20 commissioned officers.

21 **MR. HALL:** Yes.

22 **MS. LAHAIE:** I have eight areas I would like
23 to canvass with you in my questioning. And the first of
24 those areas is your starting point in these matters, and
25 this is the death threats investigation.

1 **MR. HALL:** Yes.

2 **MS. LAHAIE:** I'm going to be approaching it
3 from the vantage point of the timeline with respect to the
4 amount of time it takes to complete this investigation and
5 what information you learn along the way.

6 **MR. HALL:** Yes.

7 **MS. LAHAIE:** Okay. So your first contact on
8 this one is on the 19th of March 1997; you learned that
9 Detective Inspector Smith requested that you investigate
10 the death threat allegations against the Dunlop family; is
11 that correct?

12 **MR. HALL:** Yes.

13 **MS. LAHAIE:** And the interview, I
14 understand, is set for March 21st, 1997.

15 **MR. HALL:** Yes.

16 **MS. LAHAIE:** And that's -- you explained
17 that's a relatively quick setup for the interview, because
18 you wanted to ascertain whether there was a present danger.

19 **MR. HALL:** Correct.

20 **MS. LAHAIE:** Okay. So you meet with Mrs.
21 Dunlop, I understand, on the 21st of March 1997. Is that
22 at Lancaster?

23 **MR. HALL:** No, at Long Sault.

24 **MS. LAHAIE:** Long Sault Detachment. And

25 ---

1 **MS. HALL:** Detective Constable Seguin was
2 present.

3 **MS. LAHAIE:** All right. And Detective
4 Constable Seguin was with you for that interview?

5 **MR. HALL:** Yes.

6 **MS. LAHAIE:** If we could turn up
7 Exhibit 651, please? For counsel, that is Document Number
8 712363.

9 **MR. HALL:** Yes.

10 **MS. LAHAIE:** If I could ask that Bates page
11 712 -- pardon me -- Bates page ending in 671 ---

12 **MR. HALL:** Yes.

13 **MS. LAHAIE:** -- be brought up on the
14 monitor, please. And this is the interview reports, your
15 interview with Mrs. Dunlop; is that correct?

16 **MR. HALL:** Yes.

17 **MS. LAHAIE:** At Bates page 671, Mrs. Dunlop
18 explains that there is another individual who was
19 previously convicted of uttering threats against members of
20 her family. Is that correct?

21 **MR. HALL:** Request.

22 **MS. LAHAIE:** And I'm wondering if you recall
23 that that individual's name was Laurie Rupert? Do you
24 recall that, that it was a matter investigated by the
25 Cornwall Police Service?

1 **MR. HALL:** Yes.

2 **MS. LAHAIE:** And Laurie Rupert entered a
3 guilty plea and was given a sentence. And that was a
4 threat made against the Dunlops' daughter; is that correct?

5 **MR. HALL:** That's correct, yes.

6 **MS. LAHAIE:** And it's my understanding that
7 this is unrelated to any matters involving Perry Dunlop's
8 investigations or private investigations, if you will,
9 involving the matters related to Project Truth.

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

11 **MS. LAHAIE:** This woman had mental health
12 issues, I understand?

13 **MR. HALL:** Yes.

14 **MS. LAHAIE:** All right. And at one point,
15 there was an issue as to Dunlop wanting charges laid
16 against her for charges made against him, but that never
17 occurs.

18 **MR. HALL:** Not to my knowledge, it didn't.

19 **MS. LAHAIE:** And was because of her mental
20 health issues?

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

22 **MS. LAHAIE:** Okay. Now, with respect to
23 your death threat investigation, sir, Ron Leroux was the
24 only person who had firsthand knowledge, that you're
25 advised had firsthand knowledge, who was not an alleged

1 perpetrator of those death threats.

2 MR. HALL: Yes.

3 MS. LAHAIE: Okay. And so you decide that
4 the first step would be to interview him, since he's the
5 only witness to the conversation, who is not an alleged
6 perpetrator.

7 MR. HALL: Yes.

8 MS. LAHAIE: And you request that that
9 occur, and it's at that point that Detective Inspector
10 Smith asks you to wait until after the meeting with Mr.
11 Griffiths on the 24th of April 1997.

12 MR. HALL: That's correct.

13 MS. LAHAIE: Okay. I just want to return to
14 the Rupert matter for one moment. At other points
15 throughout your dealings with the Dunlops, you mentioned in
16 your testimony in-chief that Mrs. Dunlop would say that
17 others had been convicted of making it threats against her
18 family.

19 MR. HALL: Yes.

20 MS. LAHAIE: Okay. And so this is not
21 exactly accurate, because it was only that one individual.

22 MR. HALL: There was only the one that I
23 know of.

24 MS. LAHAIE: Okay. So turning back to Mr.
25 Leroux, it's at that point of the meeting with Mrs. Dunlop

1 that you discovered that the threats are alleged to have
2 occurred three and a half years prior?

3 MR. HALL: Yes.

4 MS. LAHAIE: Okay. And in your career, sir,
5 have you had occasion to investigate such dated death
6 threat allegations?

7 MR. HALL: No.

8 MS. LAHAIE: It's very unusual?

9 MR. HALL: Well, it's usually once it comes
10 knowledgeable to the alleged victim, they report it right
11 away.

12 MS. LAHAIE: All right. And that wasn't the
13 case ---

14 MR. HALL: No.

15 MS. LAHAIE: --- in this situation. When
16 you were being questioned in-chief, some emphasis was
17 placed on the amount of time this it took for you to
18 conduct the investigation, so I'd like to look at what
19 occurred during this investigation.

20 So we've covered that you've interviewed
21 Mrs. Dunlop and you've asked that Mr. Dunlop also come in
22 for an interview.

23 MR. HALL: Yes.

24 MS. LAHAIE: And she's undertaken to take
25 that offer to him.

1 **MR. HALL:** Yes.

2 **MS. LAHAIE:** And you find out that he's
3 refusing to provide you with a statement.

4 **MR. HALL:** He didn't want to be interviewed.

5 **MS. LAHAIE:** All right. You -- you or
6 members or your team, is it that arranged to have the
7 Dunlop address placed on the hazardous address list with
8 the Cornwall Police Service?

9 **MR. HALL:** Detective Inspector Smith's done
10 that. He placed a call to the Chief, I believe, on that
11 issue.

12 **MS. LAHAIE:** And that was done right away.

13 **MR. HALL:** That was done even before I did
14 the interview, I believe.

15 **MS. LAHAIE:** Okay. Now, you also are able
16 to determine in the time following the meeting with Mrs.
17 Dunlop, that Ron Leroux had had occasion to speak to OPP
18 Officers between the time the threats are alleged to have
19 been made and when he first comes into contact with the
20 Dunlops?

21 **MR. HALL:** Yes.

22 **MS. LAHAIE:** All right.

23 And one of the steps that you take is to
24 review those previous statements?

25 **MR. HALL:** Yes.

1 **MS. LAHAIE:** All right. So if we take those
2 in order, sir, there is the interview report with Constable
3 Dussault on November 25th, 1993, and I would ask that
4 Exhibit 561 be on the screen. That's Document 712801, for
5 counsel.

6 So this, to situate everyone, this is the
7 evening of the investigation into Ken Seguin's suicide.

8 **MR. HALL:** Yes.

9 **MS. LAHAIE:** All right. And at that point
10 Ron Leroux speaks with Constable Dussault and he does not
11 mention the threats despite the fact that it's alleged that
12 it's that fall, very, very near this date that these
13 threats were alleged to have been made. Correct?

14 **MR. HALL:** Yes.

15 **MS. LAHAIE:** And you reviewed that
16 statement?

17 **MR. HALL:** Yes.

18 **MS. LAHAIE:** Before you, yourself, went to
19 Maine to interview Mr. Leroux. Is that correct?

20 **MR. HALL:** Yes.

21 **MS. LAHAIE:** All right.

22 And the second interview, would have been
23 given to Officer Millar on the same night, Randy Millar, on
24 the same night. And that would have been reported in his
25 notes, in Officer Millar's notes. You had occasion to see

1 his notes or discuss the matter with Officer Millar?

2 MR. HALL: I had discussed them with him. I
3 think I called him and asked him about his involvement.

4 MS. LAHAIE: All right. And you did that
5 before you went to see ---

6 MR. HALL: Yes.

7 MS. LAHAIE: --- Ron Leroux?

8 And there was also an interview report with
9 Officers McDonell and Fagan dated March 28th, 1994, and
10 that's Exhibit 562. For counsel, Document Number 725219.

11 MR. HALL: The one taken in Maine?

12 MS. LAHAIE: Yes. Before we leave that
13 other statement, he never mentioned anything to Officer
14 Millar either; did he?

15 MR. HALL: No.

16 MS. LAHAIE: Okay.

17 So we have the statement of Ron Leroux. So
18 this is now the 28th of March 1994, so several months after
19 the suicide, about five months after the suicide, and they
20 go to Maine. So they're far from the area; right?

21 MR. HALL: Yes.

22 MS. LAHAIE: And they go to his place of
23 residence, and they take this statement, and he doesn't
24 mention, at that point, any death threat allegations. Is
25 that correct?

1 **MR. HALL:** That's true.

2 **MS. LAHAIE:** All right. Your next step is
3 to, I take it, is to get access to the statement given by
4 Ron Leroux to Constables Bell and Anthony in Orillia on the
5 7th of February 1997?

6 **MR. HALL:** Yes.

7 **MS. LAHAIE:** And that's Exhibits -- we don't
8 have to call them up, Mr. Commissioner, but just for
9 purposes of the record, 572A, 573A. There are two parts to
10 that statement; correct?

11 **MR. HALL:** Yes.

12 **MS. LAHAIE:** All right.

13 And this is the first statement to police
14 authorities by Ron Leroux that you are aware of after he's
15 come into contact with Perry Dunlop?

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

17 **MS. LAHAIE:** And this is the first time that
18 he mentions to police authorities these threats?

19 **MR. HALL:** The 7th of February '97.

20 **MS. LAHAIE:** Nineteen ninety-seven (1997).
21 All right.

22 Now, you mentioned that you had spoken to
23 Officer Millar with respect to whether anything was left
24 out; whether he might have left out the fact that Ron
25 Leroux had mentioned these threats. You also spoke to

1 Officer McDonell about that. Is that correct?

2 **MR. HALL:** Yes.

3 **MS. LAHAIE:** And Officer McDonell also
4 confirmed that Mr. Leroux had never mentioned these threats
5 before?

6 **MR. HALL:** Yes.

7 **MS. LAHAIE:** Okay.

8 **MR. HALL:** I also viewed the videotapes that
9 came from Orillia.

10 **MS. LAHAIE:** You viewed the videotapes?

11 **MR. HALL:** Yes.

12 **MS. LAHAIE:** Yes. Now, while you're in the
13 planning stages for this interview of Mr. Leroux in Maine,
14 you also learn other useful information: You become aware
15 that on July 4th, 1997 David Silmsers and John MacDonald
16 attend the Cornwall Police Service to report that Mr.
17 Dunlop has advised them that Malcolm MacDonald and Father
18 Charles MacDonald have also conspired to kill him, David
19 Silmsers.

20 **MR. HALL:** Yes.

21 **MS. LAHAIE:** And you spoke about that and
22 then Mr. Neville, this morning, put to you as well the
23 statement to Brent Hill?

24 **MR. HALL:** Yes.

25 **MS. LAHAIE:** And you were aware of that

1 also?

2 MR. HALL: Yes.

3 MS. LAHAIE: Also before you meet with Mr.
4 Leroux, you engage in some very challenging discussions
5 with Officer Dunlop about his disclosure, correct?

6 MR. HALL: Yes.

7 MS. LAHAIE: And this is all the disclosure
8 with Project Truth that we've been hearing about?

9 MR. HALL: Yes.

10 MS. LAHAIE: We've heard about the -- your
11 efforts with Officer Smith, Officer Trew in the summer of
12 1997, which leads to your receiving the yellow binder?

13 MR. HALL: Yes.

14 MS. LAHAIE: And we are going to speak about
15 the yellow binder again, but you receive that yellow binder
16 on October 10th, 1997, correct?

17 MR. HALL: Yes.

18 MS. LAHAIE: In addition, you've reviewed
19 the Fantino brief by this time?

20 MR. HALL: Yes.

21 MS. LAHAIE: You've reviewed the yellow
22 binder and its contents?

23 MR. HALL: Yes.

24 MS. LAHAIE: All of those previous comments
25 -- the statements by Mr. Leroux?

1 **MR. HALL:** Yes.

2 **MS. LAHAIE:** And you realise, you put it
3 together at this point that none of the statements, prior
4 to meeting Mr. Dunlop, alleged the allegations and that
5 only after he meets Mr. Dunlop did these allegations
6 surface?

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

8 **MS. LAHAIE:** All right. And you also have
9 read the Amended Statement of Claim, which speaks of Ron
10 Leroux's knowledge of -- Ron Leroux's allegations about a
11 number of matters, including the threats?

12 **MR. HALL:** Yes.

13 **MS. LAHAIE:** Okay. And you realise at that
14 point also that Mr. Leroux's allegations are the foundation
15 upon which Mr. Dunlop's civil action is built.

16 In order for Mr. Dunlop's civil action to
17 succeed, the allegations made by Mr. Leroux are to be
18 believed.

19 **MR. HALL:** Yes.

20 **MS. LAHAIE:** Correct?

21 **MR. HALL:** Yes.

22 **MS. LAHAIE:** So this interview that is
23 scheduled, you are conscious of the scarcity of resources
24 and you combine it with other tasks that you have to
25 accomplish for the Ontario Provincial Police. You combine

1 various assignments that you have to accomplish, and you
2 travel to Maine?

3 MR. HALL: Yes.

4 MS. LAHAIE: And you travel there with
5 Constable Genier?

6 MR. HALL: Yes.

7 MS. LAHAIE: And there's an audio-taped
8 interview by yourself and Constable Genier on November 25th,
9 1997. Is that correct?

10 MR. HALL: Yes.

11 MS. LAHAIE: And that's at Exhibit 574A, B,
12 and C.

13 Now, although you find yourself, Officer
14 Hall, eight months now since the initial complaint by Mrs.
15 Dunlop, and in fairness to you, sir, eight months from the
16 time you request to have an opportunity to speak to Mr.
17 Leroux, you must be pretty pleased with the information
18 that you've acquired in that eight months. It wasn't time
19 lost; was it?

20 MR. HALL: No, it wasn't.

21 MS. LAHAIE: And you wouldn't have had that
22 information. You wouldn't have been armed with all of that
23 information before you went to the interview, had it not
24 been taken this amount of time for you to get down there?

25 MR. HALL: That's correct.

1 **MS. LAHAIE:** Okay. So when you return from
2 that interview, unless something new comes to your
3 attention, what's left to be done is to interview both
4 alleged suspects? Is that correct?

5 **MR. HALL:** Yes.

6 **MS. LAHAIE:** And assemble the brief for a
7 Crown opinion?

8 **MR. HALL:** Yes.

9 **MS. LAHAIE:** And you don't believe at this
10 point that you have subjective grounds to believe that an
11 offence has taken place. Is that correct?

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

13 **MS. LAHAIE:** You still haven't received
14 Constable Dunlop's consent to an interview, but you also
15 have concluded that he has no firsthand knowledge? He
16 wasn't present for the ---

17 **MR. HALL:** No, he wasn't present.

18 **MS. LAHAIE:** --- for any of these alleged
19 threats. Okay. So he has no direct knowledge, ---

20 **MR. HALL:** No.

21 **MS. LAHAIE:** --- which could form the basis
22 of a charge.

23 Now, both Malcolm -- just to situate
24 everyone in time, both Malcolm MacDonald and Father Charles
25 MacDonald are also being investigated at that time not only

1 for these death threats but also sexual abuse allegations;
2 is that correct?

3 MR. HALL: Yes.

4 MS. LAHAIE: And in fact, five new
5 complainants came forward with allegations against Father
6 Charles MacDonald in the summer of 1997 and those charges
7 were laid in January of 1998?

8 MR. HALL: Correct.

9 MS. LAHAIE: Okay. And you were also
10 overseeing the investigation of Malcolm MacDonald for
11 sexual offences at that time?

12 MR. HALL: Yes.

13 MS. LAHAIE: And we'll review that
14 investigation and the work that went into that later, but
15 suffice it to say that there's much going on with these two
16 suspects at that time?

17 MR. HALL: Yes.

18 MS. LAHAIE: Probably the less of which in
19 terms of the degree of worry that they should be
20 attributing, probably the less of which is this death
21 threats investigation? There are very serious sexual abuse
22 allegations that these individuals are facing?

23 MR. HALL: Yes.

24 MS. LAHAIE: Okay. You speak to Father
25 Charles MacDonald about providing a statement in relation

1 to the death threats in January of '98; so two months after
2 your return from -- a little less than two months after
3 your return from Maine. Is that correct?

4 MR. HALL: Yes.

5 MS. LAHAIE: And Malcolm MacDonald, it's
6 June of '98 by the time you speak with him but we'll --
7 when we review the investigation itself and the steps taken
8 in the Malcolm MacDonald investigation, I think we can shed
9 some light on what was going on between January and June of
10 '98, but it's June of '98 that you speak with him about
11 these allegations; correct?

12 MR. HALL: Yes.

13 MS. LAHAIE: And he provides an exculpatory
14 statement. Correct?

15 MR. HALL: Yes.

16 MS. LAHAIE: Father Charles MacDonald chose
17 to exercise his right to remain silent?

18 MR. HALL: Yes.

19 MS. LAHAIE: Malcolm MacDonald gave an
20 exculpatory statement?

21 MR. HALL: Yes.

22 MS. LAHAIE: So there isn't much new in
23 terms of your subjective reasonable and probable grounds?

24 MR. HALL: That's correct.

25 MS. LAHAIE: Okay. So, within two months of

1 that statement from Malcolm Macdonald you assembled a
2 brief, and you give that to Mr. Pelletier in August?

3 **MR. HALL:** The 19th of August, I believe.

4 **MS. LAHAIE:** The 19ht of August? Very good.
5 And I just want to go to the index of that brief. And they
6 went in, in-chief, as Exhibits 2767 and 2768.

7 It's a two-volume brief, and they were two
8 separate documents numbers, and, for counsel, that's 704026
9 and 704050.

10 **MR. HALL:** I have 267 -- 67.

11 **MS. LAHAIE:** And is that Volume 1, sir?

12 **MR. HALL:** Yes, it is.

13 **MS. LAHAIE:** All right. So, if we look at
14 the contents of what went into that brief, we have the
15 synopsis, we have the accused caution statement, Angus
16 Malcolm MacDonald, Charles F. MacDonald.

17 **MR. HALL:** Yes.

18 **MS. LAHAIE:** The Affidavit of Constable
19 Perry Dunlop, which is the amended Statement of Claim; is
20 that correct?

21 **MR. HALL:** Yes.

22 **MS. LAHAIE:** The interview report of Helen
23 Dunlop, that is your interview report of her.

24 **MR. HALL:** Yes.

25 **MS. LAHAIE:** And a summary of the video

1 interview of Ron Leroux of the 7th of February, '97?

2 MR. HALL: Yes.

3 MS. LAHAIE: The Affidavit of Ron Leroux, 31
4 October, '96?

5 MR. HALL: Yes.

6 MS. LAHAIE: His statement of the 4th of
7 December '96?

8 MR. HALL: Yes.

9 MS. LAHAIE: And his two full interviews on
10 February 7th, '97?

11 MR. HALL: Yes.

12 MS. LAHAIE: If we turn to the second
13 exhibit, for the index in Volume 2 ---

14 MR. HALL: Yes.

15 MS. LAHAIE: --- the audio-taped telephone
16 conversation between Perry Dunlop and Ron Leroux?

17 MR. HALL: Yes.

18 MS. LAHAIE: The interview report of Ron
19 Leroux of the 25th of November, '97? That's the one given
20 to you and Officer Genier.

21 MR. HALL: Yes.

22 MS. LAHAIE: The interview report of -- I
23 don't believe this individual has a moniker, sir.

24 THE COMMISSIONER: Which one now?

25 MS. LAHAIE: Does he? Yes? Gerald Renshaw?

1 **THE COMMISSIONER:** There's no need for a
2 moniker, you're right.

3 **MS. LAHAIE:** Thank you. And I believe that
4 that is -- I have the actual brief, sir, and I've taken the
5 liberty of looking this up, and you can correct me if I'm
6 wrong, but it's the December 5th, 1996, statement of Gerald
7 Renshaw to Perry Dunlop, which is Exhibit 548.

8 I should mention also, at this point,
9 Mr. Commissioner, there's an error on the exhibit list.
10 It's showing that that statement is given on the 6th of
11 December, '65. It should actually be the 5th of December,
12 '96.

13 **THE COMMISSIONER:** Thank you.

14 **MS. LAHAIE:** Thank you. I'm advised by Mr.
15 Lee that that's his birthday.

16 **(LAUGHTER/RIRES)**

17 **THE COMMISSIONER:** What is that?

18 **MS. LAHAIE:** I believe it's Mr. Renshaw's
19 birthday.

20 **THE COMMISSIONER:** 1922?

21 **MS. LAHAIE:** No, 1965.

22 **THE COMMISSIONER:** Oh.

23 **MS. LAHAIE:** So -- I'm sorry, 548.

24 **THE COMMISSIONER:** A babe in arms.

25 **MS. LAHAIE:** Is that what would have been

1 included, sir?

2 MR. HALL: Yes.

3 MS. LAHAIE: The interview report of David
4 Silmser? This would be the interview report of which we
5 spoke, about his believing that death threats also extended
6 to him?

7 MR. HALL: Yes.

8 MS. LAHAIE: Then there are the officer
9 Will-Says, and notes of yourself, Officer Genier, Officer
10 Dupuis, and Officer Seguin?

11 MR. HALL: Yes.

12 MS. LAHAIE: The incident report of the
13 Cornwall Police Service, this is the incident reports where
14 David Silmser and John MacDonald go to the Cornwall Police
15 Service on July 4th, 1997, to report the conspiracy to have
16 David Silmser murdered?

17 MR. HALL: Yes.

18 MS. LAHAIE: And they're advised that --
19 they advised that Perry Dunlop was also the source of that
20 information to them; that was in an Occurrence Report?

21 MR. HALL: Yes.

22 MS. LAHAIE: And there is the memo of
23 Charles Bourgeois to Chief Fantino ---

24 MR. HALL: Yes.

25 MS. LAHAIE: --- of December 18th, '96?

1 **MR. HALL:** Yes.

2 **MS. LAHAIE:** And there are the criminal
3 records of the persons involved?

4 **MR. HALL:** Yes.

5 **MS. LAHAIE:** And so this is submitted to Mr.
6 Pelletier on August 19th, 1998, and he comes out with his
7 reasons on -- his opinion letter on the 22nd of December,
8 1998.

9 **MR. HALL:** Yes.

10 **MS. LAHAIE:** And you'll agree that four
11 months was not unreasonable in the circumstances, given the
12 size of the brief, the degree of relatively less urgent
13 nature of the brief, and the totality of what is contained
14 in that brief?

15 **MR. HALL:** Yes.

16 **MS. LAHAIE:** Now, Mr. Pelletier's opinion,
17 which is at Exhibit 2769 -- for counsel, that's Document
18 124617 ---

19 **MR. HALL:** Yes.

20 **MS. LAHAIE:** --- it tells in a very detailed
21 manner how he came to his conclusions; and it's five-
22 pronged, and its been reviewed by other counsel in depth so
23 I won't be long, but it's that the language used on the
24 death threats wasn't explicit, it could be -- it was
25 subject to interpretation; that Ron Leroux waited for many

1 years; that Ron Leroux did not believe that the authors
2 were capable of carrying out the threats; that Ron Leroux
3 had a rather unbelievable explanation as to why Ken Seguin
4 would have committed suicide, to escape being part of that
5 conspiracy; and that there was no other evidence or
6 apparent attempt to carry out the threats?

7 MR. HALL: Yes.

8 MS. LAHAIE: And you agreed with that ---

9 MR. HALL: Yes.

10 MS. LAHAIE: --- conclusion, is that
11 correct? And, at that point, you also, I imagine, would
12 have had discussions, between August and December, with Mr.
13 Pelletier ---

14 MR. HALL: Yes.

15 MS. LAHAIE: --- about your subjective
16 grounds?

17 MR. HALL: Yes.

18 MS. LAHAIE: And, sir, other things that are
19 not in the brief -- for instance, that Mrs Dunlop is
20 pressing you at that time to arrest Malcolm MacDonald and
21 Father Charles MacDonald, on the strength of what you
22 have, that's not in the brief. Would you have discussed
23 that with Mr. Pelletier?

24 MR. HALL: That occurred as a result of
25 receiving his opinion ---

1 **MS. LAHAIE:** Okay.

2 **MR. HALL:** --- and me notifying her on the
3 24th of December, and she requested a meeting on the 6th of
4 January.

5 **MS. LAHAIE:** And what about her comments to
6 the effect that they didn't have that long to wait, they
7 couldn't wait a year for this to unfold? Would you have
8 shared that?

9 **MR. HALL:** Mr. Dunlop indicated -- when I
10 was -- indicated how long it may take, he said, "We can't
11 wait that long."

12 **MS. LAHAIE:** And did Mr. Pelletier ask you
13 why Mr. Dunlop's statement was not in the brief?

14 **MR. HALL:** No, I don't believe so. I may
15 have indicated, in my Will-Say, that I attempted to
16 interview him and he declined.

17 **MS. LAHAIE:** That would be in your
18 accompanying notes and Will-Say?

19 **MR. HALL:** I would think so, but I'd have to
20 check to be certain.

21 **MS. LAHAIE:** Now, we've heard that you
22 advised Mrs. Dunlop, very shortly after receiving the
23 opinion letter in December?

24 **MR. HALL:** Two days.

25 **MS. LAHAIE:** All right. And you gave her

1 the basis for the opinion? Or just gave her ---

2 MR. HALL: Well, when I ---

3 MS. LAHAIE: --- the complete ---

4 MR. HALL: --- met with her on the -- I
5 believe the 6th of January, '99, I showed them the opinion
6 of Mr. Pelletier.

7 I took the volumes of briefs with me. I
8 showed them what was there.

9 MS. LAHAIE: Okay.

10 MR. HALL: And they made notes, and they
11 weren't pleased.

12 MS. LAHAIE: And Mr. Dunlop wanted a copy of
13 the brief?

14 MR. HALL: They did. They wanted a copy of
15 the legal opinion, and I told them how they could get it,
16 and they subsequently did get it from Mr. Pelletier.

17 MS. LAHAIE: Okay. And did they go through
18 Freedom of Information for that, or had they got it from
19 Mr. Pelletier?

20 MR. HALL: I believe they went straight to
21 him and he gave it.

22 MS. LAHAIE: All right. So, although this
23 investigation took you 17 months to do, sir, you were very
24 busy, not only with other cases that you had to manage, but
25 I'm going to suggest to you that you were very busy with

1 the actual players who were being investigated, and the
2 people who were making the allegations, and the evidence
3 that you had to analyze before you put this brief together?

4 **MR. HALL:** Yes, and we also travelled out
5 west to do interviews in several cities, and I spent a week
6 in the Northwest Territories on a murder investigation.

7 **MS. LAHAIE:** And are you satisfied, sir,
8 with how long this took you, in the circumstances?

9 **MR. HALL:** Well, we would -- obviously would
10 have liked to get it done sooner, but the situation as
11 such, we didn't.

12 **MS. LAHAIE:** All right. And I'm going to
13 suggest to you that that's also because you had quite a bit
14 of work that you were doing on Malcolm and Father Charlie
15 themselves?

16 **MR. HALL:** Well, yes, and then we had
17 Mr. Marleau that came to us in the end of July of '97.

18 **MS. LAHAIE:** All right.

19 The second area, sir, I would like to
20 canvass with you is a shorter area; it's the contents of
21 the yellow binder that you received from Perry Dunlop on
22 October 10th, 1997?

23 **MR. HALL:** Yes.

24 **MS. LAHAIE:** Mr. Engelmann questioned you
25 about the lack of sharing of disclosure in your possession

1 or possession of the Project Truth team with members of the
2 Cornwall Police Service who were investigating Marcel
3 Lalonde.

4 I just want to confirm, although it's been
5 said a number of times, Officer Genier obviously was a
6 member of the Truth team, but he was also the one who
7 received the first complaint in relation to Marcel Lalonde.

8 MR. HALL: Yes.

9 MS. LAHAIE: Is that correct?

10 MR. HALL: Yes.

11 MS. LAHAIE: And that was the complaint from
12 C-68?

13 MR. HALL: Yes.

14 MS. LAHAIE: Okay.

15 And you've heard, I imagine, that Officer
16 Genier and Officer Desrosiers of the Cornwall Police
17 Service dealt with disclosure requests on that matter
18 jointly?

19 MR. HALL: Yes.

20 MS. LAHAIE: When the Crown had disclosure
21 requests, they would provide to both and then each would
22 fill the requests as they were able to fulfill it and they
23 would jointly deliver disclosure and they would jointly
24 prepare briefs?

25 MR. HALL: Yes. I also have a recollection

1 of Claudette Wilhelm coming to our office and preparing a
2 list of documents that she wanted for disclosure. I don't
3 believe I've seen that since the time I've been here, but I
4 recall the document.

5 **MS. LAHAIE:** Okay.

6 Now, sir, I want to go through -- it was a
7 document with nine tabs -- and I was going to try to set
8 out -- there was some complications when Mr. Engelmann was
9 putting the numbers in, he got mixed up with his tab
10 numbers, but I'm just going to confirm, sir, that for the
11 purposes of the record, Tab 7 is what is really Exhibit
12 2801; Tab 8 is Exhibit 2802; and Tab 9 is Exhibit 2803.

13 Sir, the only references to Marcel Lalonde
14 that I've been able to find in the yellow binder are
15 situated at Tabs 2, 7 and 8. So if we could begin at Tab 2
16 and that's Exhibit 2796.

17 **MR. HALL:** Yes.

18 **MS. LAHAIE:** That is a list under the
19 heading "Pedophiles convicted, charged, suspected, dead".
20 Do you know who compiled the list?

21 **MR. HALL:** Could I -- could you scroll down?
22 This list would have been compiled by Mr. Dunlop. I think
23 that was the list that was in the binder that went to Mr.
24 Fantino.

25 **MS. LAHAIE:** All right. And Marcel

1 Lalonde's name appears on this list at number 7. Do you
2 see that? Number 7?

3 MR. HALL: I'm looking at a different
4 document here under 2796. It goes from 1 to 74.

5 MS. LAHAIE: It's 27 -- Exhibit 2796, a list
6 of 22 names?

7 THE COMMISSIONER: It's on the screen, sir.

8 MR. HALL: Okay. Yes.

9 MS. LAHAIE: You see number 7?

10 MR. HALL: Goes 1 to 21.

11 MS. LAHAIE: Oh, right, 22 is just beside
12 number 1.

13 MR. HALL: Yes, I see that.

14 MS. LAHAIE: Okay. And number 7 is Marcel
15 Lalonde?

16 MR. HALL: Yes. And this wasn't the list
17 that was in the binder. This is a different list. I just
18 previously --- 1 to 74, it was a different list.

19 MS. LAHAIE: Okay.

20 MR. HALL: Okay.

21 MS. LAHAIE: At any rate, this page, sir,
22 just a list of someone's belief as to who is a pedophile is
23 not relevant disclosure that would be included in a Crown
24 brief. Would you agree with that?

25 MR. HALL: Yes.

1 **MS. LAHAIE:** All right. If we could turn to
2 Tab 7, please?

3 **MR. HALL:** Which document is that?

4 **MS. LAHAIE:** Exhibit 2801.

5 **MR. HALL:** Yes.

6 **MS. LAHAIE:** This is -- could be click
7 through the pages please, I don't know the Bates page
8 number. Again. Again. Yes.

9 **THE COMMISSIONER:** So for the record, can
10 you ---

11 **MS. LAHAIE:** Yes, it's Bates page 443.

12 **MR. HALL:** Yes.

13 **MS. LAHAIE:** The second line is the second
14 reference to Marcel Lalonde in the yellow binder and it is
15 taken from what seems to be an interview with Ron Leroux.
16 It says:

17 "Interview with Ron Leroux, Aurora."

18 **MR. HALL:** Yes.

19 **MS. LAHAIE:** Would that be Mr. Dunlop's
20 writing? Do you recognize it?

21 **MR. HALL:** Would that be Mr. Dunlop's
22 writing?

23 **MS. LAHAIE:** Yes.

24 **MR. HALL:** I couldn't say.

25 **MS. LAHAIE:** Okay. And the second line

1 says:

2 "Marcel Lalonde, molester, from boy's
3 school at Bishop Macdonell, wife Cathy,
4 Marcel Lalonde and Hilda."

5 And so on. There's an association with respect to
6 relatives.

7 **MR. HALL:** Yes.

8 **MS. LAHAIE:** Correct?

9 Other than those two sentences, there's
10 nothing else, I would suggest to you, in Tab 7 or that
11 particular tab, mentioning Marcel Lalonde. Would this be
12 legitimate relevant disclosure that you would put in a
13 Crown brief?

14 **MR. HALL:** No.

15 **MS. LAHAIE:** Tab 8, please? Tab 7, so if we
16 could just return to that. And that would be because
17 there's no -- it's just a bold conclusion, like a list of
18 pedophiles that someone's of the belief that someone is a
19 pedophile; correct?

20 **MR. HALL:** Correct.

21 **MS. LAHAIE:** And there's no indication as to
22 how someone knows that or what the source is. It's just a
23 bold conclusion like a list of pedophiles; correct?

24 **MR. HALL:** Correct.

25 **MS. LAHAIE:** All right.

1 Turning to Tab 8 which is Exhibit 2802,
2 someone has drafted a typed list of victims.

3 **MR. HALL:** The Bates page?

4 **MS. LAHAIE:** It's 455.

5 **MR. HALL:** Yes.

6 **MS. LAHAIE:** And this has been described as
7 someone having done, I think the word "linkages" was used.
8 You see the initials there, "ML"?

9 **MR. HALL:** Yes.

10 **MS. LAHAIE:** Could be -- is likely intended
11 to mean Marcel Lalonde or did you have an opinion on that?

12 **MR. HALL:** Well, I -- because of where it's
13 located, that person is a victim in the Cornwall Police
14 investigation and ---

15 **MS. LAHAIE:** Right.

16 **MR. HALL:** --- specifically the one where
17 Don Genier is involved in.

18 **MS. LAHAIE:** And, again, that's a bold
19 conclusiary statement or list that someone has drafted
20 based on opinion; correct?

21 **MR. HALL:** Yes.

22 **MS. LAHAIE:** And that's not relevant
23 disclosure that you would include it in a Crown brief?

24 **MR. HALL:** No.

25 **MS. LAHAIE:** So in terms of -- if I suggest

1 to you that those are the only references to Marcel Lalonde
2 in the yellow binder, in terms of your not sharing that
3 with the Cornwall Police Service, there was no disclosure
4 that would have been included in the Marcel Lalonde brief,
5 in your opinion, as a result of your receipt of this yellow
6 binder; correct?

7 **MR. HALL:** Correct. This would have been
8 reviewed by Don Genier and Constable Desrosiers from the
9 Cornwall Police.

10 **MS. LAHAIE:** And it wasn't deemed to be
11 reasonable or relevant; correct?

12 **MR. HALL:** Correct.

13 **MS. LAHAIE:** All right.

14 The third area, sir ---

15 **THE COMMISSIONER:** No, 4:30.

16 **MS. LAHAIE:** Pardon?

17 **THE COMMISSIONER:** It's 4:30.

18 **MS. LAHAIE:** It's 4:30.

19 **THE COMMISSIONER:** Thank you. See you on
20 Monday, sir, 9:30.

21 **MS. LAHAIE:** Thank you.

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

24 This hearing is adjourned until Monday
25 morning at 9:30 a.m.

1 --- Upon adjourning at 4:27 p.m./
2 L'audience est ajournée à 16h27

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

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Sean Prouse, CVR-CM