

**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 250

Held at :

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

Wednesday, July 2 2008

Tenue à:

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

Mercredi, le 2 juillet 2008

ERRATA
Volume 249, June 27th, 2008

Exhibits list and Page 95, line 25

--- EXHIBIT NO./PIÈCE No P-1854:

(721672) Notes de Richard Abell datée du

26 Novembre 93

Should have read :

--- EXHIBIT NO./PIÈCE No P-1854:

(721672) Notes de **Greg Bell** datée du 26

Novembre 93

Page 122, line 4

MR. SHERRIFF-SCOTT: I see everyone is getting ready to leave, so I better leave.

Should have read:

THE COMMISSIONER: I see everyone is getting ready to leave, so I better leave.

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Ms. Maya Hamou	Commission Counsel
Ms. Mary Simms	
Mr. Peter Manderville	Cornwall Community Police
Ms. Reena Lalji	Service and Cornwall Police Service Board
Ms. Diane Lahaie	Ontario Provincial Police
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Abel Fok	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Dallas Lee	Victims' Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Mark Ertel	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Père Denis Vaillancourt	Père Denis Vaillancourt

Table of Contents / Table des matières

	Page
List of Exhibits :	iv
Opening Remarks by/Remarques d'ouverture par Mr. Peter Engelmann	1
Ruling on motion by Cornwall Community Police Service To excuse Ron Lefebvre by the Commissioner/Décision sur La requête par Cornwall Community Police Service pour Exclure Ron Lefebvre par le Commissaire	2
Submissions by/Représentations par Mr. Peter Engelmann	6
PÈRE DENIS VAILLANCOURT, Resumed/Sous le même serment	9
Cross-Examination by/Contre-interrogatoire par Mr. Peter Wardle	10
Cross-Examination by/Contre-interrogatoire par Mr. Frank Horn	31
Cross-Examination by/Contre-interrogatoire par Mr. Dallas Lee	47

LIST OF EXHIBITS/LISTE D'EXHIBITS

NO.

DESCRIPTION

PAGE NO

1 --- Upon commencing at 2:06 p.m./

2 L'audience débute à 14h06

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 **LE COMMISSAIRE:** Bonjour, tout le monde.

10 **MR. ENGELMANN:** Good afternoon, Mr.
11 Commissioner.

12 **THE COMMISSIONER:** Good afternoon, Mr.
13 Engelmann.

14 **MR. ENGELMANN:** Good afternoon, Father
15 Vaillancourt.

16 I'm just here for a short purpose. Well,
17 maybe slightly longer than that.

18 Sir, I understand that you have a decision
19 to release before we continue with the cross-examination of
20 Father Vaillancourt?

21 **THE COMMISSIONER:** Yes, I do. Thank you.

22 Père Vaillancourt, je m'excuse pour le
23 délais. L'avion était en retard et puis il semblerait
24 qu'ils ont perdu mes bagages à un moment donné.

25 Si vous voulez patienter une minute, j'ai un

1 petit jugement à donner. Ça prendra pas longtemps.

2 --- RULING ON MOTION BY CORNWALL COMMUNITY POLICE SERVICE
3 TO EXCUSE RON LEFEBVRE BY THE COMMISSIONER/DÉCISION SUR LA
4 REQUÊTE PAR CORNWALL COMMUNITY POLICE SERVICE POUR EXCLURE
5 RON LEFEBVRE PAR LE COMMISSAIRE:

6 THE COMMISSIONER: So this is a ruling on a
7 motion by the Cornwall Community Police Service to excuse
8 Ron Lefebvre.

9 So on Monday, June 23rd, 2008, I heard a
10 motion brought by counsel for the Cornwall Community Police
11 Service and Cornwall Police Services Board for an order
12 excusing Ron Lefebvre as a witness at the Cornwall Public
13 Inquiry.

14 For the reasons which follow, I have
15 concluded that I have not been provided sufficient
16 information to grant this motion.

17 The evidence in the motion is set out in the
18 Affidavit of Danny Aikman, found in Exhibit M-14-A1 and the
19 Evidence Brief which is filed as CM-14-A2.

20 Although it was not asked for by counsel, I
21 am satisfied that the Aikman affidavit contains information
22 of a personal and intimate nature about Officer Lefebvre.
23 In particular, Exhibits A through E of the affidavit should
24 be treated as confidential.

25 Counsel for the moving party reviewed other

1 cases where I have granted similar motions and requests to
2 excuse witnesses. Specifically, he referred to the Silmser
3 and Sebalj examples where requests were made and, of
4 course, the Leroux motion. He also indicated that this
5 matter was the only instance where the reports relied on
6 were from a psychiatrist. The others were psychologists and
7 a family physician.

8 While I agree that in cases of mental
9 disability or mental illness, particularly where there is a
10 fitness question, reports from psychiatrists can be most
11 helpful, it is not simply the background of the reporter I
12 must consider.

13 Of paramount importance to me in this and
14 every instance is the quality of the report or reports.
15 For reports to be determinative, they must, in my view,
16 address the individual's background, including the nature
17 of the medical concern, some history of the treatment
18 received and continuing, the prognosis in the short term,
19 in the future, et cetera.

20 In cases such as this one where the concern
21 expressed is that the act of testifying will cause harm, it
22 is important for the medical professional to indicate the
23 nature, seriousness and likelihood of the harm and to
24 demonstrate, through the report, knowledge of the inquiry
25 process.

1 Thus, the provision to the medical
2 professional of an anticipated evidence summary or some
3 other summary of the areas likely to be canvassed in
4 evidence would be helpful.

5 As well, some knowledge of the inquiry rules
6 and directives regarding respect for and treatment of the
7 witnesses and the possibility of accommodative processes is
8 important.

9 The medical professional's view on
10 accommodation measures that may allow the witnesses to
11 testify should also be included.

12 Although it has not arisen in cases argued
13 before me, if there are medical reports used in support of
14 these motions that do not address harm to the witness but,
15 rather, the usefulness of such testimony as a result of
16 diminished mental capacity, illness, et cetera, I would
17 expect the medical professional to have and record
18 knowledge of our processes and, again, some knowledge of
19 the areas to be canvassed in evidence by the patient.

20 Given the passage of time, several witnesses
21 are now elderly, and if their memory -- if there are memory
22 concerns, it will be important to ascertain whether these
23 are short, medium and/or long-term memory deficiencies and
24 the timeframe for the evidence to be canvassed with the
25 witness.

1 I trust this provides counsel with some
2 direction, not just in this instance but for future cases.

3 While the evidence to date for Mr. Lefebvre
4 is psychiatric in nature, many issues have not been
5 addressed. Monsieur Lefebvre, unlike the other witnesses
6 who have been excused, is not permanently disabled from
7 working. In fact, I have heard that he is working as a
8 special constable and regularly testifies in court bail
9 proceedings.

10 Some medical evidence demonstrating a
11 knowledge of his current job duties and what is expected
12 from him as a witness at the Inquiry would be useful.

13 In addition, some reference to accommodation
14 measures including, but not limited to, screens, video or
15 audio links, partial written questions, the presence of a
16 doctor or counsellor and their usefulness is expected.

17 In this case, as with others involving
18 possible medical problems arising from testifying, a
19 description of the risk of a problem arising and the likely
20 symptoms are all helpful in allowing me, as an adjudicator,
21 to make those decisions.

22 It is clear that Monsieur Lefebvre's
23 evidence is important to this Inquiry given his involvement
24 in several relevant investigations.

25 As such, in determining whether to excuse

1 him from testifying, I need to base my decision on the best
2 available evidence. It may be prudent for him to seek an
3 independent medical opinion in this regard, but whether the
4 future report comes from Dr. Manigat or another medical
5 professional, it should address the issues set out herein.

6 In conclusion, I wish to thank counsel for
7 the Cornwall Community Police Services and counsel for the
8 Citizens for Community Renewal, the Coalition for Action
9 and the Victims Group for their able submissions.

10 I trust that counsel for the Cornwall
11 Community Police Service will discuss this matter with
12 Commission counsel so that further work on this issue will
13 take place in the near future, keeping in mind, of course,
14 we are now dealing with another institution.

15 Thank you.

16 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. PETER ENGELMANN:

17 MR. ENGELMANN: Sir, one other brief
18 housekeeping matter.

19 THE COMMISSIONER: Yes, sir.

20 MR. ENGELMANN: A new face today, Abel Fok,
21 who is here for the Ministry of the Attorney General.

22 THE COMMISSIONER: Thank you. Welcome
23 aboard.

24 MR. ENGELMANN: A representative from the
25 Ministry.

1 **THE COMMISSIONER:** Thank you.

2 **MR. ENGELMANN:** Sir, I understand that my
3 colleague, Maître Dumais, had finished the evidence in-
4 chief ---

5 **THE COMMISSIONER:** Yes.

6 **MR. ENGELMANN:** --- of Father Vaillancourt -
7 --

8 **THE COMMISSIONER:** Yes.

9 **MR. ENGELMANN:** --- and that now we were
10 going to be canvassing -- or cross-examination was to
11 commence.

12 **THE COMMISSIONER:** Yes.

13 **MR. ENGELMANN:** I've spoken to both Maître
14 Dumais and Maître Hamou, and I don't think they had had an
15 opportunity ---

16 **THE COMMISSIONER:** Right.

17 **MR. ENGELMANN:** --- to canvass with counsel
18 the length of the cross.

19 **THE COMMISSIONER:** All right.

20 **MR. ENGELMANN:** So I think that would be
21 useful.

22 **THE COMMISSIONER:** Why don't we do that now.
23 All right. Thank you.

24 Mr. Wardle, how long do you think you'll be
25 in cross?

1 **MR. WARDLE:** I expect to be half an hour, 40
2 minutes.

3 **THE COMMISSIONER:** All right.

4 And Mr. Horn?

5 **MR. HORN:** About the same.

6 **THE COMMISSIONER:** All right.

7 Mr. Ertel?

8 **MR. ERTEL:** If anything, a few minutes at
9 the most.

10 **THE COMMISSIONER:** Okay. And Mr. Chisholm?

11 **MR. CHISHOLM:** Five, sir.

12 **THE COMMISSIONER:** All right.

13 Mr. Rose?

14 **MR. ROSE:** Unexpected, sir.

15 **THE COMMISSIONER:** Mr. -- is it Fok -- how
16 long do you think you'll be cross-examining, if any?

17 **MR. FOK:** I don't think we have any
18 questions.

19 **THE COMMISSIONER:** Okay.

20 Mademoiselle Robitaille?

21 **MS. ROBITAILLE:** Fifteen (15).

22 **THE COMMISSIONER:** One-five (15)?

23 **MS. ROBITAILLE:** One-five (15).

24 **THE COMMISSIONER:** Okay. And Mr.

25 Manderville or Ms. Lalji?

1 **MS. LALJI:** If anything, just a few minutes.

2 **THE COMMISSIONER:** Okay. And then we go to
3 Mr. Kozloff -- I'm sorry, Madame Lahaie.

4 **MS. LAHAIE:** Thank you. Nothing at this
5 time.

6 **THE COMMISSIONER:** Zero. All right.
7 And Mr. Carroll?

8 **MR. CARROLL:** Nothing, sir.

9 **THE COMMISSIONER:** All right. Okay. Good.

10 **MR. LEE:** Sir?

11 **THE COMMISSIONER:** Oh, I'm sorry. Mr. Lee,
12 see, I kept you for the best -- the best for last.

13 **MR. LEE:** I would be quite happy to go last.

14 **THE COMMISSIONER:** All right.

15 And I guess, Mr. Sherriff-Scott, it will all
16 depend on what's canvassed for you. Do you have any idea
17 though?

18 **MR. SHERRIFF-SCOTT:** I don't really -- five
19 minutes at the moment, but ---

20 **THE COMMISSIONER:** Okay.

21 **MR. SHERRIFF-SCOTT:** --- it may develop into
22 something more.

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

24 Mr. Wardle, please.

25 **PÈRE DENIS VAILLANCOURT, Resumed/Sous le même serment:**

1 **LE COMMISSAIRE:** Donc, il va falloir que
2 vous attendiez d'écouter la question au complet et puis
3 pour -- vous pouvez écouter à travers les écouteurs et puis
4 donner votre réponse en français si ça vous plaît.

5 Mr. Wardle.

6 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**

7 **WARDLE:**

8 **MR. WARDLE:** Good afternoon, Father
9 Vaillancourt. I'm just going to adjust my headset.

10 My name is Peter Wardle and I'm here on
11 behalf of Citizens for Community Renewal, which is an
12 organization of concerned Cornwall citizens which is
13 determined to promote needed institutional reform so as to
14 ensure the protection of children and justice for all.

15 So with that introduction, Father, I want to
16 start, if I may, by asking you a little bit about the
17 background of Father Deslauriers at the time of the events
18 that you described in your evidence last week.

19 Are you with me so far?

20 **PÈRE VAILLANCOURT:** Je vous suis.

21 **MR. WARDLE:** And as I understand it, Father
22 Deslauriers was the -- and I'll put the date at the time of
23 these events, that is the events that led to Father
24 Deslauriers leaving the Diocese and the criminal charges.

25 At that time, am I right that he was the

1 Rector at the Cathedral?

2 PÈRE VAILLANCOURT: C'est exact.

3 MR. WARDLE: And he was boarding, as I
4 understand it, at St-Jean-Bosco?

5 PÈRE VAILLANCOURT: C'est exact; avant
6 d'être recteur de la co-cathédrale.

7 MR. WARDLE: And he was also the chaplain at
8 La Citadelle High School; correct?

9 PÈRE VAILLANCOURT: C'est exact.

10 MR. WARDLE: And was that a full-time
11 position, do you know, or a part-time position?

12 PÈRE VAILLANCOURT: À temps plein.

13 MR. WARDLE: And as I understand it, Father
14 Deslauriers as you told us last week ran the R³ Mouvement
15 for youth aged 18 to 25; correct?

16 PÈRE VAILLANCOURT: C'est exact.

17 MR. WARDLE: But am I right that in his role
18 at La Citadelle, he would have had extensive access to
19 minors; that is youth under 18 and in some cases under 16?

20 PÈRE VAILLANCOURT: Il avait, comme
21 aumônier, accès aux élèves qui fréquentent La Citadelle;
22 alors, à partir de la neuvième année.

23 MR. WARDLE: So anyone roughly between the
24 age of 13 and 18 would have perhaps come into contact with
25 Father Deslauriers at that school; correct?

1 **PÈRE VAILLANCOURT:** C'est exact.

2 **MR. WARDLE:** Okay. And am I right that
3 Father Deslauriers had some prominence within the Diocese?

4 **PÈRE VAILLANCOURT:** Il était aussi
5 responsable des vocations.

6 **MR. WARDLE:** And in the committee report
7 from that year, he's described as being the right-hand man
8 of the Bishop. Is that an accurate statement?

9 **PÈRE VAILLANCOURT:** C'est une nature à
10 interprétation.

11 **MR. WARDLE:** All right. Was he someone that
12 the Bishop at that time had confidence in?

13 **PÈRE VAILLANCOURT:** Au niveau des vocations,
14 secteur francophone, oui, mais il avait le vicaire général,
15 le chancelier et le Collège des consultants.

16 **MR. WARDLE:** And when you say vocation, that
17 would mean that aspiring candidates for the priesthood who
18 were French-speaking would go through Father Deslauriers.
19 Is that correct?

20 **PÈRE VAILLANCOURT:** C'est exact.

21 **MR. WARDLE:** So that demonstrates -- holding
22 that position would demonstrate that the Bishop had some
23 confidence and faith in him. Is that fair?

24 **PÈRE VAILLANCOURT:** Une certaine confiance
25 en lui.

1 **MR. WARDLE:** Now, as I understand it, sir,
2 in late January of 1986, you were advised first of certain
3 allegations against Father Deslauriers by a Father
4 Champagne; correct?

5 **PÈRE VAILLANCOURT:** C'est exact.

6 **MR. WARDLE:** And then within a very short
7 period of time, a day or two, by the Brisson family
8 directly; correct?

9 **PÈRE VAILLANCOURT:** Oui.

10 **MR. WARDLE:** And then, as I understand it,
11 you had some discussions with Father Bisailon and Father
12 Ménard; correct?

13 **PÈRE VAILLANCOURT:** Oui.

14 **MR. WARDLE:** And Father Bisailon was one of
15 the first people who the Brissons had talked to about this;
16 correct?

17 **PÈRE VAILLANCOURT:** Je le sais pas s'ils ont
18 rencontré d'abord le Père Bisailon ou le Père Ménard.

19 **MR. WARDLE:** And I understood from your
20 evidence the other day that at some point in these
21 discussions, Father Bisailon told you about some questions
22 he had been asked a few years earlier by a Monsignor Leduc;
23 correct?

24 **PÈRE VAILLANCOURT:** Oui.

25 **MR. WARDLE:** And without going into the

1 details, the questions were about rumours about sexual
2 contact between Father Deslauriers and young people;
3 correct?

4 **PÈRE VAILLANCOURT:** Oui, des rumeurs.

5 **MR. WARDLE:** Okay. And later on in the same
6 time period, as I understand it, you also spoke to a
7 Brother Laflamme?

8 **PÈRE VAILLANCOURT:** Oui.

9 **MR. WARDLE:** And just for the Commissioner's
10 benefit, Brother Laflamme was with a religious order?

11 **PÈRE VAILLANCOURT:** Oui, les Frères du
12 Sacré-Coeur.

13 **MR. WARDLE:** Okay. And how would he come
14 into contact with Father Deslauriers?

15 **PÈRE VAILLANCOURT:** Le Père Deslauriers
16 allait célébrer la messe une fois par semaine au Juvénat du
17 Sacré-Cœur.

18 **MR. WARDLE:** Okay. And as I understand it,
19 what you were told by Brother Laflamme was that there were
20 some young people who did not want to go to the confession
21 with Father Deslauriers; correct?

22 **PÈRE VAILLANCOURT:** C'est ça.

23 **MR. WARDLE:** Okay. And as well, there was
24 one young person who, for unstated reasons, refused to have
25 anything to do with him whatsoever; right?

1 **PÈRE VAILLANCOURT:** C'est exact.

2 **MR. WARDLE:** So is it fair to say that at
3 this time, January of 1986, there had been some rumours
4 that had circulated within the Diocese about Father
5 Deslauriers but they had obviously, prior to this time,
6 never made its way to you, for example? This was the first
7 time you were hearing about any of these things.

8 **PÈRE VAILLANCOURT:** C'était la première fois
9 en janvier '86.

10 **MR. WARDLE:** And as far as you know, neither
11 Brother Laflamme nor Monsignor Leduc had reported anything
12 that they had heard to the Bishop?

13 **PÈRE VAILLANCOURT:** C'est exact.

14 **MR. WARDLE:** And then as I understand it,
15 you and Father Ménard and Father Bisailon had some
16 discussions. At some point, the Bishop was informed of
17 what you had learned; correct?

18 **PÈRE VAILLANCOURT:** Oui, par le Père Ménard.
19 C'est-à-dire il a -- le Père Ménard a demandé que le Père
20 Deslauriers rencontre l'évêque et ensuite le Père Ménard
21 est allé vérifier si de fait le Père Deslauriers est allé
22 rencontrer Monseigneur Larocque.

23 **MR. WARDLE:** That I understood, I think.
24 And as I understand it, there were a couple of steps along
25 this road. The Bishop was initially told about the single

1 allegation involving the Brisson family; correct?

2 **PÈRE VAILLANCOURT:** Oui.

3 **MR. WARDLE:** And the Bishop's reaction at
4 that time to you was that Father Deslauriers would have to
5 be sent away for a short period of time; correct? For
6 counselling.

7 **PÈRE VAILLANCOURT:** Oui, l'évêque a demandé
8 au Père Larocque une retraite de 30 jours et aussi du
9 counselling psychologique.

10 **MR. WARDLE:** And then within a very short
11 period of time, it became obvious that there were more
12 allegations and the Bishop was advised that there were now
13 other complainants; correct?

14 **PÈRE VAILLANCOURT:** C'est exact.

15 **MR. WARDLE:** And you described on I think it
16 was Friday of last week that the Bishop's reaction, the
17 translation in English was that he was flummoxed; in other
18 words, he wasn't sure what to do. Is that fair?

19 **PÈRE VAILLANCOURT:** Il était complètement
20 désemparé, estomaqué par la situation.

21 **MR. WARDLE:** All right. And, of course, you
22 know I think it's clear that, at that time, the Diocese
23 didn't have any policy written of any kind that the Bishop
24 or any of you could follow; correct?

25 **PÈRE VAILLANCOURT:** C'est exact.

1 **MR. WARDLE:** Now, I'm interested in the fact
2 that, at this point, January and February of 1986, no one
3 made contact with either the police or the CAS. And just
4 thinking first of the CAS, is that something that crossed
5 your mind, Father Vaillancourt, that perhaps this -- these
6 allegations should be reported to the CAS?

7 **PÈRE VAILLANCOURT:** Je n'ai jamais pensé.

8 **MR. WARDLE:** Okay. And is that because the
9 individuals who were making the allegations were over 16?
10 Or simply because you weren't aware of the obligation to
11 report?

12 **PÈRE VAILLANCOURT:** Les deux raisons. Les
13 personnes avaient plus que 16 ans et je ne connaissais pas
14 l'obligation.

15 **MR. WARDLE:** All right. And with respect to
16 the police, am I right that the thinking of the time -- and
17 realizing that we're now over 20 years later, am I right
18 that the thinking of the time would have been that this was
19 an internal Church matter?

20 **PÈRE VAILLANCOURT:** Tout d'abord, faut se
21 placer dans le contexte. Les familles voulaient d'abord
22 régler ça au niveau de l'église; la famille Brisson, par
23 exemple. Et les autres jeunes qui m'ont rencontré aussi.

24 **MR. WARDLE:** All right. So none of the
25 youth who were coming forward were suggesting that they

1 wanted to inform the police; correct?

2 **PÈRE VAILLANCOURT:** C'est exact.

3 **MR. WARDLE:** And, at the time, it wouldn't
4 have been the mindset of the clergy hearing this
5 information that they had any obligation to perhaps inform
6 the police?

7 **PÈRE VAILLANCOURT:** Moi, je voulais coopérer
8 avec les victimes et faire ce qu'ils me demandaient de
9 faire. Et lorsqu'il y a eu action policière, j'ai coopéré
10 avec eux.

11 **MR. WARDLE:** What about the fact that Father
12 Deslauriers had been working at a school, a high school?
13 Was there any thought given in those early couple of months
14 to whether there should be some kind of investigation as to
15 what might have taken place at the school?

16 **PÈRE VAILLANCOURT:** Il faudrait demander à
17 la direction de l'école, pas à moi. C'est la
18 responsabilité de l'école.

19 **MR. WARDLE:** Well, that I understand but how
20 would the school even know that anything was taking place
21 at this point unless one of you told the school?

22 **PÈRE VAILLANCOURT:** Bien une fois que ça été
23 mis dans les mains des polices.

24 **MR. WARDLE:** That I understand but that's a
25 little bit later in the chronology. So let's just stick

1 with January/February of 1986. As I understand it, after
2 Father Deslauriers resigned, was forced to leave his parish
3 duties, he had some contact with the principal of La
4 Citadelle; is that correct?

5 **PÈRE VAILLANCOURT:** Non. Le directeur -- il
6 avait contact avec l'ancien directeur de l'école, pas le
7 directeur actuel, à ce que je sache. Mademoiselle Séguin
8 était l'ancienne directrice.

9 **MR. WARDLE:** All right. So she was not
10 actually at the school at that time?

11 **PÈRE VAILLANCOURT:** Non.

12 **MR. WARDLE:** Okay. And as far as you know,
13 until the police investigation was underway, the school
14 would not have been aware that anything had taken place
15 unless they were informed by some of these young people?
16 Is that correct?

17 **PÈRE VAILLANCOURT:** Oui.

18 **MR. WARDLE:** And then, as I understand it,
19 on or around February 13th, 1986, the Bishop met with Father
20 Deslauriers and Father Deslauriers left the diocese the
21 next day; correct?

22 **PÈRE VAILLANCOURT:** Le soir même.

23 **MR. WARDLE:** Okay. And as I understand it,
24 you were asked to participate in that meeting but declined
25 and another priest was present with the Bishop; is that

1 right?

2 **PÈRE VAILLANCOURT:** C'est ça.

3 **MR. WARDLE:** Now, do you know, Father
4 Vaillancourt, whether the Bishop offered Father Deslauriers
5 any assurances in terms of the future at the time of this
6 meeting? In other words, did he offer to help him become
7 incardinated in another parish, sorry in another diocese or
8 get a new position?

9 **PÈRE VAILLANCOURT:** Pas à cette rencontre-
10 là.

11 **MR. WARDLE:** Okay. Was that something that
12 was done a little later in time?

13 **PÈRE VAILLANCOURT:** Oui.

14 **MR. WARDLE:** And were you involved in those
15 discussions with Father Deslauriers?

16 **PÈRE VAILLANCOURT:** Non.

17 **MR. WARDLE:** So you heard about this from
18 the Bishop?

19 **PÈRE VAILLANCOURT:** Lorsqu'il a été question
20 d'excardination, j'ai travaillé, à la demande de l'évêque,
21 à préparer le dossier -- l'incardination c'est-à-dire
22 l'excardination -- pour l'incardination dans un autre
23 diocèse.

24 **MR. WARDLE:** What I'm really interested in
25 is the incardination process. And we know that Bishop

1 Proulx in Ottawa played a role in connection with that
2 process; correct?

3 **PÈRE VAILLANCOURT:** Oui. Le Diocèse de
4 Hull.

5 **MR. WARDLE:** And do you know whether Bishop
6 Larocque gave any assurances to Father Deslauriers at the
7 time he left the Diocese as to his incardination in a new
8 position elsewhere?

9 **PÈRE VAILLANCOURT:** Je l'ignore.

10 **MR. WARDLE:** And am I right that, within a
11 period of a couple of months after Father Deslauriers
12 leaving, there were reports from parishioners and some of
13 these young people that he had been seen celebrating mass
14 in the Hull area; correct? And people were concerned about
15 that.

16 **PÈRE VAILLANCOURT:** C'est pas moi qui a reçu
17 le rapport.

18 **MR. WARDLE:** But you heard about it from
19 others I would assume?

20 **PÈRE VAILLANCOURT:** Par la famille Brisson.

21 **MR. WARDLE:** The Brisson family were very
22 upset, weren't they, that Father Deslauriers had left the
23 Diocese and was now celebrating mass elsewhere?

24 **PÈRE VAILLANCOURT:** Oui.

25 **MR. WARDLE:** And that unhappiness wasn't

1 just limited to the Brissons; there were other
2 parishioners, members of the Diocese, laity, who were very
3 unhappy about what was taking place. Isn't that right?

4 **PÈRE VAILLANCOURT:** C'est exact.

5 **MR. WARDLE:** And that's what led, as I
6 understand it, to the formation of the ad hoc committee.
7 There was some pressure from the laity that further steps
8 had to be considered. Is that fair?

9 **PÈRE VAILLANCOURT:** Je sais pas si c'est
10 cette raison qui a motive Monseigneur Larocque a établir le
11 comité ad hoc.

12 **MR. WARDLE:** But it may have been one of the
13 reasons?

14 **PÈRE VAILLANCOURT:** C'est possible.

15 **MR. WARDLE:** All right.

16 I'm just going to ask you to look very
17 briefly at the report of the committee. Sorry, I don't
18 have the exhibit number -- 72. If we could just put
19 Exhibit 72 before the witness.

20 I'll just wait, Mr. Commissioner, for it to
21 come up on the screen.

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

23 What page by the way?

24 **MR. WARDLE:** Right at the beginning there's
25 a letter, I believe it's the second page.

1 **THE COMMISSIONER:** Yeah. Okay.

2 **MR. WARDLE:** So if we could go back one
3 page.

4 **THE COMMISSIONER:** The 3rd of April one?

5 **MR. WARDLE:** Yes.

6 **THE COMMISSIONER:** Okay.

7 **MR. WARDLE:** Just looking at the second page
8 of Exhibit 72, this appears to be the -- I'd call it the
9 terms of reference of the committee. Do you see that,
10 Father Vaillancourt?

11 **PÈRE VAILLANCOURT:** Oui.

12 **MR. WARDLE:** And it suggests that this
13 committee was being set up by the Bishop, and am I right
14 that it was to report to the Bishop?

15 **PÈRE VAILLANCOURT:** C'est ça.

16 **MR. WARDLE:** And just looking very quickly
17 at the recommendations, which are set out two or three
18 pages after the page we're looking at now.

19 Yes. Next page.

20 As I understand it, you testified before
21 this committee; correct?

22 **PÈRE VAILLANCOURT:** Oui.

23 **MR. WARDLE:** And you were also a member of
24 the committee. Is that correct? You were not a member?

25 **PÈRE VAILLANCOURT:** Non.

1 **MR. WARDLE:** Okay. But as I understand the
2 recommendations of the committee -- and appreciating, sir,
3 that my French is very imperfect. But as I understand it,
4 the committee wanted to make sure there were some
5 conditions placed on Father Deslauriers' incardination in
6 another parish. Is that correct?

7 **PÈRE VAILLANCOURT:** Oui.

8 **MR. WARDLE:** And you can see those starting
9 at -- it's under "Recommendations", item 2 and following.

10 **THE COMMISSIONER:** Before we go there. Est-
11 ce qu'on pourrait expliquer qu'est-ce que « a divinis »
12 veut dire? « Suspendu a divinis »?

13 **PÈRE VAILLANCOURT:** Sur le champ.

14 **THE COMMISSIONER:** Sur le champ. Okay.

15 **MR. WARDLE:** And am I right, again, just
16 reading this, my own imperfect translation, that the
17 committee wanted some assurances that Father Deslauriers
18 would go through a certain course of treatment and
19 counselling before he could be re-incardinated as a parish
20 priest?

21 **PÈRE VAILLANCOURT:** C'est exact.

22 **MR. WARDLE:** And I don't want to go through
23 all the correspondence between Bishop Larocque and Bishop
24 Proulx. There's a chain of correspondence that goes on for
25 nearly six months. But as I understand it, Bishop Larocque

1 attempted to put some conditions around the incardination
2 of Father Deslauriers; correct?

3 **PÈRE VAILLANCOURT:** C'est exact.

4 **MR. WARDLE:** In line with these
5 recommendations?

6 **PÈRE VAILLANCOURT:** Oui.

7 **MR. WARDLE:** And Bishop Proulx took the
8 position that under Canon Law, there was no ability to put
9 conditions on incardination and that the most Bishop
10 Larocque could do was refer to difficulties which may have
11 arisen in his letter of ex-cardination; correct?

12 **PÈRE VAILLANCOURT:** C'est ça.

13 **MR. WARDLE:** So in fact -- and I'm not going
14 to take you to the correspondence, but the initial letter,
15 which I believe you signed, would have set out certain
16 conditions -- this is one of the exhibits we looked at the
17 other day, Mr. Commissioner.

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

19 **MR. WARDLE:** By the time we get to the end
20 of the correspondence those conditions have been removed at
21 the insistence of Bishop Proulx; correct?

22 **PÈRE VAILLANCOURT:** C'est ça.

23 **MR. WARDLE:** And am I right as well that at
24 various points along the way Father Deslauriers refused to
25 accept treatment?

1 **PÈRE VAILLANCOURT:** C'est ça.

2 **MR. WARDLE:** If I can just sum up then, sir,
3 there was eventually a police investigation, and you
4 testified last week that you cooperated in that
5 investigation; correct?

6 **PÈRE VAILLANCOURT:** Oui.

7 **MR. WARDLE:** But that investigation, we know
8 from testimony that's been given here, was only started
9 after the Brissons became so dissatisfied with the Diocese
10 response that they decided to go to the media and to the
11 Cornwall Police Service. Are you aware of that?

12 **PÈRE VAILLANCOURT:** Oui.

13 **MR. WARDLE:** So looking back at the time and
14 just thinking about these events that are now 22 years old,
15 one of the obvious difficulties for the Diocese was the
16 fact that there was no written policy. This was fresh
17 ground as far as you and the others involved in this were
18 concerned; correct?

19 **PÈRE VAILLANCOURT:** Oui, c'est ça.

20 **MR. WARDLE:** And as we've come to appreciate
21 here, this was not a situation that was easily dealt with
22 by Canon Law; correct?

23 **PÈRE VAILLANCOURT:** C'est exact.

24 **MR. WARDLE:** And there weren't any
25 guidelines or policies in place in the Diocese at that time

1 that would have encouraged people to come forward with
2 these kinds of allegations. Nothing like that existed. Is
3 that fair?

4 **PÈRE VAILLANCOURT:** Il n'y avait rien.

5 **MR. WARDLE:** And am I right as well that
6 looking back, one of the concerns you must have had was
7 that Father Deslauriers really left the Diocese without any
8 controls or restrictions being placed on how he could
9 behave as a member of the clergy in future; correct?

10 **PÈRE VAILLANCOURT:** Monseigneur Larocque lui
11 avait demandé de faire certaines choses mais il les a pas
12 fait.

13 **MR. WARDLE:** And as you've outlined, there
14 was really nothing further that could be done under Canon
15 Law. The rules dealing with ex-cardination or
16 incardination to deal with that issue, there simply was a
17 gap. Is that fair?

18 **PÈRE VAILLANCOURT:** C'est ça.

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

20 **LE COMMISSAIRE:** Est-ce qu'il y a une raison
21 pourquoi -- et puis peut-être que vous l'avez dit la
22 dernière fois -- pourquoi que vous vouliez pas aller à la
23 réunion avec l'évêque et le Père Deslauriers?

24 **PÈRE VAILLANCOURT:** Parce que c'était -- le
25 Père Deslauriers était un confrère ---

1 **LE COMMISSAIRE:** Oui.

2 **PÈRE VAILLANCOURT:** --- et je me sentais
3 très mal à l'aise de toute la situation.

4 **LE COMMISSAIRE:** Oui.

5 **PÈRE VAILLANCOURT:** Alors, le Père Ménard,
6 qui était un oblat de Marie Immaculée ---

7 **LE COMMISSAIRE:** Oui.

8 **PÈRE VAILLANCOURT:** --- alors, personne
9 neutre, s'est porté volontaire pour faire cette rencontre.

10 **LE COMMISSAIRE:** O.k. Merci.

11 **MR. WARDLE:** And then just closing off, sir
12 -- I won't have many more questions for you -- my
13 colleagues took you through last week the various minutes
14 of the Senate of the Clergy over a period of two or three
15 years, at which the issue of establishing some guidelines
16 came up on a regular basis; correct?

17 **PÈRE VAILLANCOURT:** Oui.

18 **MR. WARDLE:** And I took it from that that
19 after the events involving Father Deslauriers, the priests
20 of the Diocese were concerned about the need for some form
21 of written guideline; is that fair?

22 **PÈRE VAILLANCOURT:** Oui.

23 **MR. WARDLE:** And eventually you ended up
24 with -- now, let me make sure I've got this correct -- two
25 documents, both part of Exhibit 58. The Exhibit 58 ---

1 **LE COMMISSAIRE:** L'autre livre.

2 **PÈRE VAILLANCOURT:** Pardon.

3 **LE COMMISSAIRE:** C'est ça, oui.

4 Sorry, Exhibit 58? What ---

5 **MR. WARDLE:** And there are two tabs. The
6 first one is Tab 6.

7 **THE COMMISSIONER:** Okay. Right. Tab 6,
8 yes.

9 **(SHORT PAUSE/COURTE PAUSE)**

10 **MR. WARDLE:** First of all, just looking at
11 Tab 6, this, as I understand it, was created sometime after
12 1986. It's signed by Bishop LaRocque, but you weren't
13 involved in its preparation; correct?

14 **PÈRE VAILLANCOURT:** Non.

15 **MR. WARDLE:** And we don't know whether this
16 document was ever an official policy of the Diocese, or do
17 we?

18 **PÈRE VAILLANCOURT:** Non, ça n'a jamais été
19 adopté par le conseil presbytéral.

20 **MR. WARDLE:** And in the second document, as
21 I understand it, is at Exhibit 58, Tab 25. This was a
22 document that you prepared based on a precedent you had
23 obtained from the Diocese of Quebec; correct?

24 **PÈRE VAILLANCOURT:** L'archidiocèse de
25 Québec.

1 **MR. WARDLE:** Archdiocese of Quebec.

2 I believe you told my friend last week that
3 the Canadian Catholic Conference of Bishops document, From
4 Pain to Hope, came out around the same time that you
5 completed this document, but you did not review From Pain
6 to Hope when you created this?

7 **PÈRE VAILLANCOURT:** Je ne l'ai jamais lu.

8 **MR. WARDLE:** And although this document was
9 never signed by Bishop LaRocque, this was in effect at the
10 time Mr. Silmsler came forward in early 1993; correct?

11 **PÈRE VAILLANCOURT:** Je peux pas affirmer
12 qu'il était en vigueur. On l'avait, mais il n'avait pas
13 été accepté ou adopté par le conseil presbytéral.

14 **MR. WARDLE:** The document hadn't been
15 formally adopted, but in fact you made use of this document
16 in dealing with Mr. Silmsler's complaint; correct?

17 **PÈRE VAILLANCOURT:** Il était disponible.

18 **MR. WARDLE:** And can you help me with this,
19 Father Vaillancourt; having been involved initially in the
20 crisis involving Father Deslauriers, did you feel you were
21 in a better position as a Diocese in 1993 when another
22 allegation of this kind came forward and you now had this
23 written policy? Did that assist, in your mind?

24 **PÈRE VAILLANCOURT:** C'est possible.
25 Maintenant, à partir de l'affaire Deslauriers, l'évêque

1 avait nommé Monseigneur McDougal pour recevoir des points
2 -- des plaintes sur le côté anglophone et le Père Poirier
3 pour des plaintes francophones.

4 **MR. WARDLE:** And I understood that, sir,
5 your role in connection with Mr. Silmser's complaint was
6 simply to be as a witness at that preliminary meeting which
7 you told us about last week; correct?

8 **PÈRE VAILLANCOURT:** C'est ça.

9 **MR. WARDLE:** Thank you then. Those are all
10 my questions.

11 **THE COMMISSIONER:** Mr. Horn, good afternoon.

12 **MR. HORN:** Yes.

13 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**
14 **HORN:**

15 **MR. HORN:** My name is Frank Horn from the
16 Coalition for Action, and I don't have too many questions,
17 but I'd like some clarification in regards to when Father
18 Deslauriers went to Hull, were you aware of what the policy
19 was in Hull regarding the -- you know, the allegations that
20 were against him? How would they treat him there? Were
21 you told?

22 **PÈRE VAILLANCOURT:** Je n'ai aucune idée.

23 **MR. HORN:** So you were never given any
24 background as to what would be acceptable in the other
25 diocese and what policies they had in effect at that -- at

1 the diocese that he was being sent to?

2 **PÈRE VAILLANCOURT:** S'il y en a eues, ça
3 viendra pas à moi mais plutôt à Monseigneur Proulx,
4 l'évêque du lieu.

5 **MR. HORN:** No, what I'm interested in is, is
6 there compatible rules and regulations regarding these
7 matters in the other diocese comparable to the ones in the
8 Diocese that you were in?

9 **PÈRE VAILLANCOURT:** Quel genre de règles?

10 **MR. HORN:** I'm talking about the ones that
11 had been worked out by your Diocese to deal with the
12 situations.

13 **MR. SHERRIFF-SCOTT:** There weren't any rules
14 in the Diocese. The witness has conceded that at the time.
15 So there couldn't be any compatible rules because none had
16 been worked out.

17 **THE COMMISSIONER:** Well, not quite. Not
18 quite. I think we can change the question around a little
19 bit and say, "You folks here in this Diocese had looked at
20 some rules -- were looking at some rules and you had
21 received an example from -- un diocèse à Québec ---

22 **PÈRE VAILLANCOURT:** Oui, à Québec, oui.

23 **THE COMMISSIONER:** Okay. So it may well be
24 that there was something in Quebec and something in Hull,
25 because as we know, all dioceses are separate and distinct

1 entities.

2 **MR. SHERRIFF-SCOTT:** You know, I'm simply
3 reacting to the premise of the questioning ---

4 **THE COMMISSIONER:** No, I understand.

5 **MR. SHERRIFF-SCOTT:** --- which is if you
6 have something compatible. There was nothing in Cornwall -
7 - excuse me -- there was nothing in Cornwall -- just wait
8 until I finish; I'll give it back to you. Thank you.

9 There was nothing in Cornwall, and so if he
10 wants to compare, then he should just ask if the witness is
11 knowledgeable about Hull because ---

12 **THE COMMISSIONER:** Right.

13 **MR. SHERRIFF-SCOTT:** --- he's conceded there
14 was nothing here.

15 **THE COMMISSIONER:** Well, he conceded that
16 there was nothing here, but there was something in the
17 works.

18 **MR. SHERRIFF-SCOTT:** Not in 1986. In 1986
19 he reacted to my friend, Mr. Wardle's question; there was
20 absolutely nothing in Cornwall in terms of policies in 1986
21 to react to complaints received. I'm just concerned about
22 the premise of this question.

23 **THE COMMISSIONER:** Okay, yeah.

24 **MR. SHERRIFF-SCOTT:** If he wants to ask the
25 man if he's aware of what's in Hull and he knew what was in

1 Hull, go -- you know by all means.

2 **THE COMMISSIONER:** All right.

3 **MR. HORN:** Yes. When Father Deslauriers was
4 going to be going to another parish -- or another diocese,
5 did you have any idea what were the governing regulations
6 or rules that would be applied to him when he went there?

7 **PÈRE VAILLANCOURT:** Non.

8 **MR. HORN:** The -- do you think that that
9 would be important to know?

10 **PÈRE VAILLANCOURT:** De toute façon, il était
11 plus dans notre diocèse. Il n'était plus sur la
12 juridiction de Monseigneur Larocque; c'est maintenant la
13 juridiction de Monseigneur Proulx.

14 **MR. HORN:** Okay. When he was sent to the
15 other diocese, what information was sent along with him
16 when he went there?

17 Was there a file that was transferred ---

18 **MR. SHERRIFF-SCOTT:** I object to the
19 question. There's an assumption in the question that he
20 was sent to the other diocese. There's no evidence of
21 that.

22 Perhaps he should ask the witness what the
23 process were. I think that -- excuse me, I think that the
24 problem the witness is having is that he wasn't the
25 decision-maker and the decision-maker will best be able to

1 answer these questions.

2 Perhaps he should ask him if he was involved
3 in the decision-making that led to the man going to Hull
4 and thus he would have some reason to be impacted by all
5 these considerations.

6 The Bishop who will testify is the person
7 who would have known or not known about these things but --
8 -

9 **THE COMMISSIONER:** Right. But he can talk -
10 - he can ask him about his knowledge.

11 **MR. SHERRIFF-SCOTT:** Sure.

12 **MR. HORN:** Yes, maybe that would be a better
13 question.

14 What knowledge did you have regarding the
15 process in which he was -- went to Hull and what were the
16 regulations that were going to be governing him there?

17 Were you aware of any of that at all? And
18 were you involved in the process?

19 **THE COMMISSIONER:** That's a lot of
20 questions.

21 **MR. HORN:** Okay.

22 **PÈRE VAILLANCOURTT:** Monseigneur Larocque
23 m'a demandé de préparer la lettre d'excardination avec les
24 conditions. Et Monseigneur Proulx a refusé les conditions
25 selon le code du Droit canonique, alors nous avons rédigé

1 une lettre d'excardination. Et à la demande de Monseigneur
2 Larocque, je l'ai fait. Et c'est tout. J'ai co-signé la
3 lettre comme Chancelier.

4 **MR. HORN:** Okay. The letter of
5 excardination, does that mean that it's only excardination
6 for your Diocese or he could go somewhere else and he could
7 be incardinated there on their own terms?

8 **PÈRE VAILLANCOURT:** La lettre
9 d'excardination devient -- prend effet lorsqu'il -- le
10 prêtre est excar -- incardiné dans un autre diocèse. Alors
11 c'est, un suit l'autre. Et il peut pas dire « Bien, je
12 vais aller dans le diocèse de mon choix. »

13 **MR. HORN:** Okay. When the priest who's
14 going to another diocese, when he goes there, what
15 information does your Diocese send to the other diocese?

16 Do you send his file on all of the -- his
17 background or just -- do you go deeper than that?

18 **PÈRE VAILLANCOURT:** C'est la prérogative de
19 l'évêque et c'est pas moi.

20 **THE COMMISSIONER:** Mr. Horn?

21 **MR. HORN:** Yes?

22 **THE COMMISSIONER:** My understanding is that
23 Bishop Proulx was well aware of the criminal conviction.
24 And if he didn't appear he had -- he had someone make some
25 representations to the Court that he was willing to have le

1 Père Deslauriers go to his Diocese.

2 So ---

3 **MR. HORN:** Okay. Let's step back a bit.

4 When somebody comes into your Diocese from another diocese,
5 do you -- did you get with him some sort of a background on
6 that individual that's coming into your Diocese?

7 Were you given the file of his -- what he's
8 done in the other diocese?

9 **PÈRE VAILLANCOURT:** Ça vient à l'évêque. Ça
10 revient à l'évêque.

11 **MR. HORN:** And you don't have access to that
12 information?

13 **PÈRE VAILLANCOURT:** Non.

14 **MR. HORN:** And what about the parishioners,
15 do they have any say as to who comes into their diocese?
16 Parish or well the diocese.

17 **PÈRE VAILLANCOURT:** Non.

18 **MR. HORN:** Are they given any information on
19 the background of the priest coming into the diocese?

20 **PÈRE VAILLANCOURT:** Seule information qui
21 est -- ils peuvent recevoir viennent de l'évêque qui reçoit
22 le prêtre d'un autre diocèse.

23 **MR. HORN:** And he could then transfer it to
24 the parishioners and put it some -- maybe into a bulletin
25 of some sort?

1 And do they have a say as to whether that
2 priest can come into their diocese?

3 **PÈRE VAILLANCOURT:** Les paroissiens n'ont
4 pas un mot à dire.

5 **MR. HORN:** The -- so the entire decision is
6 made by the Bishop?

7 **PÈRE VAILLANCOURT:** C'est ça.

8 **MR. HORN:** Now is the Bishop the one that
9 makes the decision or does he do it on the recommendations
10 made by the Senate or the other groups within these parish
11 -- diocese?

12 **PÈRE VAILLANCOURT:** Il peut le faire mais il
13 n'est pas obligé.

14 **MR. HORN:** Okay. So he's the ultimate
15 decision-maker within the diocese?

16 **PÈRE VAILLANCOURT:** C'est ça.

17 **MR. HORN:** So any decision that was made
18 between the two bishops was -- could have been made just
19 between the two of them, Proulx and Larocque, did he have
20 to consult with anybody?

21 **PÈRE VAILLANCOURT:** C'est exact.

22 **MR. HORN:** He didn't have to consult with
23 anybody? Or they did -- neither one of them had to consult
24 with anybody?

25 **PÈRE VAILLANCOURT:** C'est exact.

1 **MR. HORN:** So what happens when there's a
2 problem with bishops? Is there a higher authority than
3 them?

4 **PÈRE VAILLANCOURT:** À ce moment-là, ils
5 doivent aller à Rome, à la congrégation des évêques.

6 **LE COMMISSAIRE:** Ça c'est si, disons qu'un
7 prêtre -- qu'un évêque ne veut pas incardiner quelqu'un?

8 **PÈRE VAILLANCOURT:** Non.

9 **LE COMMISSAIRE:** Est-ce que -- si
10 Monseigneur Proulx aurait dit « Non, je veux pas l'avoir. »
11 Est-ce que ça aurait été la fin?

12 **PÈRE VAILLANCOURT:** À ce moment-là, le Père
13 Deslauriers serait resté incardiné à notre diocèse.

14 **LE COMMISSAIRE:** C'est ça. O.k.

15 **MR. HORN:** And then you would have had to go
16 through process of defrocking him within your Diocese? Can
17 you take away his ability to be a priest? Can the Bishop
18 do that?

19 **PÈRE VAILLANCOURT:** C'est un procédé très
20 long et très compliqué qui me dépasse et qui se fait -- la
21 décision est prise par Rome, pas par notre évêque ou le
22 diocèse.

23 **MR. HORN:** They are the ones that make the
24 decision as to who is -- can be a priest and who cannot be
25 a priest?

1 **PÈRE VAILLANCOURT:** Si un prêtre est jugé
2 inapte à continuer à œuvrer dans une paroisse, dans un
3 diocèse parce qu'il est coupable d'un crime, alors il y a
4 la procédure à suivre et c'est Rome qui prend la décision.

5 **LE COMMISSAIRE:** Mais, entre temps, l'évêque
6 pourrait le suspendre?

7 **PÈRE VAILLANCOURT:** Oh, oui. Oh oui, c'est
8 ça. Mais je parle de laïcisation.

9 **LE COMMISSAIRE:** O.k.

10 **MR. HORN:** My friend was asking you earlier
11 about the fact that you've dealt with one situation with
12 Mr. Deslauriers and then the next situation came up with
13 the Silmsler allegations against Father Charles MacDonald.

14 At that point, because of your previous
15 experience, did you think that going to the police or to
16 the Children's Aid Society would have been something that
17 you could have done almost immediately rather than have the
18 problem come on you the way it did?

19 **PÈRE VAILLANCOURT:** Si la situation se
20 présente aujourd'hui, bien sûr.

21 **MR. HORN:** Okay. At that time, you have
22 what looked like allegations of criminal conduct and you
23 are not a lawyer. Where would you get your counsel
24 regarding whether something was done that was criminal or
25 not criminal?

1 **PÈRE VAILLANCOURT:** Moi j'ai été seulement
2 demandé d'être témoin lorsque Monsieur Silmser est venu au
3 Diocèse et ensuite, c'était la responsabilité de
4 Monseigneur McDougald.

5 **MR. HORN:** Okay. From knowing what happened
6 in the situation, would they go and get their counsel from
7 lawyers in order to tell them whether what was happening
8 was criminal or not?

9 **PÈRE VAILLANCOURT:** Je le sais pas ce que
10 Monseigneur McDougald a fait.

11 **MR. HORN:** You don't know what he did but do
12 you think that that's the process that was in place at the
13 time, go and ask a lawyer if what has been done is legal or
14 not? Do you know if that was -- that was the avenue that
15 was being used?

16 **PÈRE VAILLANCOURT:** Pourriez-vous répéter la
17 question?

18 **MR. HORN:** Okay. The situation occurs.
19 Allegations are made against the priest. You want to know
20 whether what has been done was criminal or not. You're not
21 a lawyer. The Bishop is not a lawyer. None of you are
22 lawyers.

23 Would you go outside and ask a lawyer to
24 come in and ask him for legal advice regarding whether was
25 done was criminal or not?

1 **PÈRE VAILLANCOURT:** Monseigneur McDougald a
2 dû transmettre l'information à l'évêque et l'avocat du
3 Diocèse était présent à l'entrevue avec Monsieur Silmser.
4 Alors, ils ont dû se consulter mais je n'étais pas présent.
5 Monseigneur Larocque a dû consulter notre évêque --
6 excusez, notre avocat mais je n'étais pas présent.

7 **MR. SHERRIFF-SCOTT:** Mr. Commissioner, the
8 witness is referring to McDougald as a bishop and it may be
9 because of the Monseigneur ---

10 **LE COMMISSAIRE:** Monseigneur.

11 **MR. SHERRIFF-SCOTT:** But he is not a bishop.
12 It's just a term of respect for years of service.

13 **THE COMMISSIONER:** Yes.

14 **MR. SHERRIFF-SCOTT:** And so they may want to
15 correct. They keep calling him Bishop McDougald.

16 **THE COMMISSIONER:** Right.

17 Ça fait que ---

18 **MR. HORN:** Yes, he's a ---

19 **THE COMMISSIONER:** No, just a second. Just
20 a second.

21 Est-ce que les interprètes ont compris?
22 Parfait. Merci. O.k.

23 **MR. HORN:** Okay. In 2008 now, if you had
24 the same situation occur, you would consult with lawyers
25 and ask them now but you may not have done it back then.

1 Is that the situation?

2 **MR. SHERRIFF-SCOTT:** I'm not sure how many
3 questions are in that question, but first of all, I'm not
4 sure what the witness knows about the current policy. I'm
5 not sure about the jurisdiction about today and I'm not
6 sure whether he's being asked as he is the Diocese or he is
7 who he is.

8 You know, the decision-maker is going to
9 testify and he can tell you what he would have done back
10 then. I don't know what this man can add to this.

11 **THE COMMISSIONER:** Mr. Horn?

12 **MR. HORN:** Okay.

13 **THE COMMISSIONER:** I know where we're going.
14 I mean if you want to go there, you'd have to lay the
15 groundwork, find out what he knows, what he doesn't know.
16 I mean his present duties I don't think include him being
17 the point man on -- point person to receive complaints,
18 that kind of thing, and we don't know how much -- how
19 closely he works with the present bishop.

20 **MR. HORN:** What were the years when you were
21 in seminary? Was that in the early seventies?

22 **PÈRE VAILLANCOURT:** Oui.

23 **MR. HORN:** Yes. Were you in the seminaries
24 at the same time or about the same time as Mr. Hickerson
25 who was a priest at one time?

1 **PÈRE VAILLANCOURT:** Je le connais pas.
2 **THE COMMISSIONER:** Excuse me.
3 **MR. HORN:** Did you ---
4 **THE COMMISSIONER:** First of all, let's -- do
5 you know Mr. Hickerson?
6 **MR. HORN:** Do you know Mr. Hickerson?
7 **THE COMMISSIONER:** The answer is no.
8 **PÈRE VAILLANCOURT:** Non.
9 **MR. HORN:** You don't know him.
10 **LE COMMISSAIRE:** Avez-vous jamais rencontré
11 à un séminaire monsieur Jacques Leduc, comme séminariste?
12 **PÈRE VAILLANCOURT:** Comme séminariste?
13 **LE COMMISSAIRE:** Oui.
14 **PÈRE VAILLANCOURT:** Non.
15 **LE COMMISSAIRE:** Ken Séguin?
16 **PÈRE VAILLANCOURT:** Non.
17 **MR. HORN:** How about Nelson Barque?
18 **PÈRE VAILLANCOURT:** Nelson Barque était au
19 séminaire en même temps que moi pour je crois peut-être
20 deux ans, mais moi je demeurais au séminaire et lui restait
21 dans une maison de la Communauté des Saints-Apôtres à
22 Ottawa.
23 **LE COMMISSAIRE:** L'avez-vous connu Monsieur
24 Barque?
25 **PÈRE VAILLANCOURT:** Oui.

1 **LE COMMISSAIRE:** Bon.

2 **MR. HORN:** You've known Mr. Barque ---

3 **PÈRE VAILLANCOURT:** Yes.

4 **MR. HORN:** --- while you were in seminary?
5 Would you consider him as a friend or just an acquaintance
6 or someone you just met once or twice?

7 **PÈRE VAILLANCOURT:** C'était une
8 connaissance.

9 **MR. HORN:** Okay.

10 **LE COMMISSAIRE:** Dans ces temps que vous
11 avez connu monsieur Nelson Barque, est-ce qu'il y avait eu
12 des soupçons, des rumeurs en ce qui concerne lui et des
13 relations avec des adolescents ou des gens de même?

14 **PÈRE VAILLANCOURT:** Pas au séminaire.

15 **LE COMMISSAIRE:** Je vous pose la question.
16 Est-ce qu'il y avait eu des rumeurs de même au séminaire?

17 **PÈRE VAILLANCOURT:** Pas au séminaire.

18 **LE COMMISSAIRE:** Parfait. Merci.

19 **MR. HORN:** What is the policy today in
20 regards to informing the parishioners about somebody that's
21 being transferred into another parish or into your parish -
22 - not your parish but into your diocese?

23 **PÈRE VAILLANCOURT:** Les paroissiens ne
24 reçoivent pas d'information. Ça se passe toujours entre
25 les deux évêques.

1 **MR. HORN:** Is there a rationale for why that
2 happens so the parishioners don't know who they're getting?

3 **PÈRE VAILLANCOURT:** Les paroissiens ne
4 jouent pas de rôle dans le choix ou l'acceptation de
5 candidats dans un diocèse. Ils peuvent jouer un certain
6 rôle lorsqu'un membre du diocèse qui est séminariste dans
7 notre diocèse fait la demande pour l'ordination, mais pas
8 lorsqu'il s'agit d'excardination et incardination dans un
9 autre diocèse.

10 **MR. HORN:** That's all the questions I have.

11 **THE COMMISSIONER:** Thank you.

12 We'll take the afternoon break.

13 On va prendre la pause maintenant. Merci.

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

16 This hearing will resume at 3:30.

17 --- Upon recessing at 3:16 p.m. /

18 L'audience est suspendue à 15h16

19 --- Upon resuming at 3:32 p.m. /

20 L'audience est reprise à 15h32

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

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

25 **THE COMMISSIONER:** Mr. Lee, good afternoon.

1 **MR. LEE:** Good afternoon, sir.

2 **DENIS VAILLANCOURT:** Resumed/Sous le même serment

3 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR. LEE:**

4 **MR. LEE:** Father Vaillancourt, my name is
5 Dallas Lee, I represent the Victims Group and I have a few
6 areas I'd like to ask you questions about. Obviously I
7 need to address you in English so I'll wait for the
8 translation. Okay?

9 Are you ready to go?

10 **PÈRE VAILLANCOURT:** Oui.

11 **MR. LEE:** You told us during your
12 examination in-chief that you attended a presentation given
13 by Father Loftus in 1992 relating to clergy sexual abuse.
14 Do you recall that?

15 **PÈRE VAILLANCOURT:** Je me souviens d'avoir
16 participé. C'était une journée.

17 **MR. LEE:** And, Mr. Commissioner, if we can
18 look at Exhibit 58, Tab 27, please?

19 **THE COMMISSIONER:** Sure can.

20 **MR. LEE:** Do you have that, sir?

21 **PÈRE VAILLANCOURT:** Oui.

22 **MR. LEE:** And I just wanted to get you to
23 confirm that this was not a training session dealing with
24 how a diocese or a priest or a bishop should receive
25 allegations of sexual abuse. Is that correct?

1 **MR. SHERRIFF-SCOTT:** I can stipulate to
2 that, Commissioner.

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

4 **MR. SHERRIFF-SCOTT:** I can stipulate to
5 that, that that's not what it was, if that's of assistance.

6 **MR. LEE:** I simply want to get into the fact
7 that this is not a training session designed to deal with
8 some of the issues we're dealing with here. Moreover, it's
9 a seminar or presentation, or whatever you will, about
10 issues of sexuality generally as they affect the clergy.
11 Was that your recollection, sir?

12 **PÈRE VAILLANCOURT:** Je me souviens très peu
13 de la journée.

14 **MR. LEE:** If you take a very quick look at
15 this document, sir, I take it, you can agree with me that
16 this doesn't have anything to do with victims coming
17 forward and alleging abuse and how that should be handled
18 or anything like that?

19 **PÈRE VAILLANCOURT:** Oui, d'accord.

20 **MR. LEE:** Did you, at any point -- let's
21 start with prior to 1986 when the Deslauriers allegations
22 came forward; did you ever receive any training from the
23 Diocese or coordinated by the Diocese that dealt with
24 receiving allegations of abuse?

25 **PÈRE VAILLANCOURT:** Non.

1 **MR. LEE:** What about in the period following
2 the Gilles Deslauriers affair leading up to 1992 or 1993
3 when the Charles MacDonald allegations came to light; was
4 there any training in that regard during that period?

5 **PÈRE VAILLANCOURT:** Non.

6 **MR. LEE:** I got the impression from your
7 evidence that in 1986 when you and your colleagues were
8 dealing with Gilles Deslauriers, you would have appreciated
9 having some better idea of what you should be doing and
10 this was new and it was something that you had trouble
11 with. Is that fair?

12 **PÈRE VAILLANCOURT:** Oui.

13 **MR. LEE:** And I also got the impression that
14 in 1992 and 1993 when the Charles MacDonald matter was
15 being dealt with, some of those same problems still
16 existed, in the sense that you still weren't totally
17 comfortable with what needed to be done -- the Diocese I
18 mean, wasn't totally comfortable with what needed to be
19 done and there was yet to be a protocol in place and there
20 was no training. Is that fair?

21 **PÈRE VAILLANCOURT:** C'est exact.

22 **MR. LEE:** After 1993 did you, at any point,
23 up until today, receive training in this area?

24 **PÈRE VAILLANCOURT:** Non.

25 **MR. LEE:** Do you know whether training has

1 been offered by the Diocese to other members of the Diocese
2 other than yourself?

3 **PÈRE VAILLANCOURT:** Non.

4 **MR. LEE:** No, it has not been or no, you
5 don't know?

6 **PÈRE VAILLANCOURT:** Il n'y en a pas eu.

7 **MR. LEE:** And there are a couple of
8 different areas that we touch on here. And one of them
9 that you've talked about a lot is when a victim of abuse
10 comes forward and alleges that he or she has been abused by
11 a priest. Okay, so that's one category. Do you follow
12 what I'm saying here?

13 And the other category would be when you
14 receive, I'll call it, information from whatever source
15 that perhaps there's been misconduct on the part of a
16 priest.

17 Do you understand the distinction that I'm
18 trying to draw between those two things?

19 **PÈRE VAILLANCOURT:** Oui.

20 **MR. LEE:** So one of them a victim coming
21 forward and one of them perhaps a rumour, perhaps another
22 priest coming to you and asking a question about whether
23 you've ever noticed anything, something along -- maybe you
24 hear something.

25 What do you understand your obligations as a

1 priest in this diocese to be in the second situation; when
2 you hear information or when something is suggested to you
3 that there may be a problem with a priest?

4 **PÈRE VAILLANCOURT:** Alors il faut confronter
5 le prêtre et aussi -- à la source de l'allégation s'il y a
6 eu rumeur, qui est la source de cette rumeur. Et ensuite
7 bien, je pense, que si la rumeur est -- se trouve à être
8 vraie, bien faut mettre -- remettre tout ça entre les mains
9 de la police.

10 **MR. LEE:** You used the word "we" there a few
11 times. Who do you mean by "we"? Is the bishop involved
12 right at the outset when you come upon this information or
13 do you take it upon yourself initially to verify whether
14 it's true?

15 **PÈRE VAILLANCOURT:** Je parle de tous les
16 prêtres qui pourraient recevoir une information semblable.

17 **MR. LEE:** My question is when that
18 information is received, do you believe that you have an
19 obligation to immediately notify the bishop of the
20 information that's been received?

21 **PÈRE VAILLANCOURT:** Oui.

22 **MR. LEE:** I believe you have Exhibit 58
23 open. Can you look at Tab 5 please?

24 **LE COMMISSAIRE:** Ça serait dans le deux ---

25 **FATHER VAILLANCOURT:** Which one?

1 **LE COMMISSAIRE:** Ça serait dans le -- you're
2 on Exhibit 58, are you?

3 **MR. LEE:** Exhibit 58, Tab 5.

4 **LE COMMISSAIRE:** Oui, l'onglet numéro 5,
5 fait que c'est dans le premier volume. Non, non, non --
6 c'est ça.

7 **MR. LEE:** Are you there, sir?

8 **PÈRE VAILLANCOURT:** Oui.

9 **MR. LEE:** These are the minutes of a meeting
10 of the Senate on September 25th, 1986. The first question I
11 have for you, it has a number -- it has a listing of the
12 members that are present and one of them is a Mr. Bougie
13 with the initials C-S-V. Do you see that on the first
14 page? Do you see that, sir? What does C-S-V mean?

15 **PÈRE VAILLANCOURT:** Clercs de Saint-Viateur.
16 C'est un prêtre religieux qui travaillait dans notre
17 diocèse dans une paroisse.

18 **MR. LEE:** And so a priest of that order is
19 somewhat different than a priest of the Diocese of
20 Alexandria-Cornwall. Is that right?

21 **PÈRE VAILLANCOURT:** Oui.

22 **MR. LEE:** And I've reviewed several of these
23 minutes and it appears that there is typically always a
24 member from the Clercs de Saint-Viateur at these meetings.
25 Is that correct?

1 **PÈRE VAILLANCOURT:** À l'époque, il y avait
2 des Clercs de Saint-Viateur qui oeuvraient dans notre
3 diocèse. Alors ils avaient -- les constitutions du conseil
4 presbytéral exigeaient qu'un membre des religieux qui
5 oeuvraient dans notre diocèse soit représenté au conseil
6 presbytéral.

7 **MR. LEE:** Thank you.

8 If you can turn over to page -- the second
9 last page of that document, Bates page ending 615, for the
10 record. It has a page number 4 at the top right.

11 And you were asked about this during your
12 examination in-chief, sir, and it dealt with the need of
13 the diocese to determine something about the background of
14 candidates. Do you see that under heading number five,
15 "Vocations"?

16 **PÈRE VAILLANCOURT:** Oui.

17 **MR. LEE:** And as I understood your evidence,
18 and based on the face of the document here, it would appear
19 that prior to September 1986, there were no admission
20 criteria whatsoever for the Diocese. Is that correct?

21 **PÈRE VAILLANCOURT:** C'est exact.

22 **MR. LEE:** And this would apply to
23 seminarians who were being ordained into the Diocese as
24 well as established priests who were being transferred from
25 elsewhere. Is that correct?

1 **PÈRE VAILLANCOURT:** Oui.

2 **MR. LEE:** And when we say that there are no
3 admission criteria in place, can I presume that means there
4 were no background checks being done at that time -- prior
5 to this time I should say?

6 **PÈRE VAILLANCOURT:** Non, ça veut pas dire
7 ça.

8 **MR. LEE:** Explain to me then what is meant
9 by admission criteria please?

10 **PÈRE VAILLANCOURT:** Non, ça veut pas dire
11 ça.

12 **MR. LEE:** Explain to me then what is meant
13 by admission criteria, please?

14 **PÈRE VAILLANCOURT:** Je ne suis pas en
15 position pour décrire les critères d'admission. C'est pas
16 mon rôle dans le diocèse. Il faudrait demander à l'évêque
17 du temps pour lui demander quels sont les critères
18 d'admission.

19 **MR. LEE:** This isn't something you're
20 familiar with?

21 **PÈRE VAILLANCOURT:** Non.

22 **MR. LEE:** Leaving aside the admission
23 criterion and what I understand were adopted later on and
24 likely revised since then, after 1986, when the Deslauriers
25 matter happened, do you recall whether or not there was any

1 process put in place at the Diocese to canvass or question
2 or interview its other employees to make sure there were no
3 other problem priests?

4 **PÈRE VAILLANCOURT:** Je le pense. I think
5 so.

6 **MR. LEE:** You were a priest in the Diocese
7 at that time. Do you ever recall being interviewed or
8 questioned or audited in any way?

9 **PÈRE VAILLANCOURT:** Je n'ai pas fait subir
10 d'entrevues à des séminaristes ou des prêtres venant de
11 d'autres diocèses.

12 **MR. LEE:** You did not conduct any such
13 interviews. Is that what you're saying?

14 **PÈRE VAILLANCOURT:** C'est exact.

15 **MR. LEE:** What about you, yourself, as a
16 priest of the Diocese, were you ever interviewed or
17 questioned or audited in any way?

18 **PÈRE VAILLANCOURT:** Moi, j'ai étudié -- je
19 suis un séminariste qui a commencé ses études pour le
20 diocèse dans un séminaire reconnu et le séminaire, à chaque
21 année, faisait une évaluation de mon travail, de mes
22 capacités. Alors, ça c'était envoyé au centre diocésain à
23 l'évêque.

24 **LE COMMISSAIRE:** Je pense que qu'est-ce
25 qu'il veut dire là c'est après l'affaire Deslauriers, est-

1 ce que l'évêque aurait pris des démarches pour regarder
2 autour pour voir s'il y avait d'autres prêtres qui seraient
3 en train d'abuser des jeunes.

4 **PÈRE VAILLANCOURT:** Ça, je le sais pas.

5 **MR. LEE:** You don't know if it was done, but
6 you can tell us it wasn't done to you anyways; is that
7 correct?

8 **PÈRE VAILLANCOURT:** C'est exact.

9 **MR. LEE:** You spoke yesterday and a little
10 bit today about guidelines you received from the
11 Archdiocese of Quebec. Do you recall that discussion?

12 **PÈRE VAILLANCOURT:** Oui.

13 **MR. LEE:** And as I understood your evidence,
14 that would have been around 1992 that you would have
15 received those. Is that fair?

16 **PÈRE VAILLANCOURT:** À peu près.

17 **MR. LEE:** Were these guidelines that were
18 available to you in the Diocese or did you specifically
19 request them?

20 **PÈRE VAILLANCOURT:** J'en ai fait la demande
21 au chancelier de Québec pour avoir un modèle pour
22 travailler pour établir le protocole dans notre diocèse.
23 Alors, j'étais le seul à avoir cette copie du Diocèse de
24 Québec.

25 **MR. LEE:** Do you recall whether you wrote to

1 the Archdiocese of Quebec requesting a copy?

2 **PÈRE VAILLANCOURT:** J'ai rencontré le Père
3 Jacques St-Michel au congrès de droit canonique et c'est à
4 cette occasion-là que je lui ai demandé si à Québec il y
5 avait un protocole. Il m'a dit oui. Alors, je lui ai
6 demandé s'il pouvait m'envoyer une copie.

7 **MR. LEE:** And he did?

8 **PÈRE VAILLANCOURT:** Yes.

9 **MR. LEE:** Do you still have a copy of those
10 guidelines?

11 **PÈRE VAILLANCOURT:** Non.

12 **MR. LEE:** Do you know as a matter of fact
13 you don't or you don't think you do?

14 **PÈRE VAILLANCOURT:** La copie originale?

15 **MR. LEE:** The reason that I'm asking is that
16 we have the guidelines that you drafted in 1992 at the time
17 you were looking at the Archdiocese guidelines. What I'd
18 like to see is the guideline you were working from. I want
19 to see the Archdiocese of Quebec guidelines to see what you
20 had in front of you, and we don't seem to have a copy of
21 that in the database that we get provided here with all of
22 the documents. So I'm wondering whether or not you may
23 have a copy somewhere that you could provide to us?

24 **PÈRE VAILLANCOURT:** Non, j'en ai pas.

25 **MR. LEE:** With Mr. Dumais, during your

1 examination in-chief, you looked at some of the minutes of
2 senate meetings, and one of the things that was suggested
3 in the early 1990s was that it might be a good idea to have
4 a medical professional be on part of -- be on the committee
5 dealing with sexual abuse allegations.

6 Do you remember that?

7 **PÈRE VAILLANCOURT:** Oui.

8 **MR. LEE:** And a Dr. Messier was even named
9 as somebody who might be a good person to sit on that
10 committee. Do you recall that?

11 **PÈRE VAILLANCOURT:** Oui.

12 **MR. LEE:** It does not appear to me that that
13 suggestion was ever implemented in the end in that there
14 was never a medical professional sitting on the committee.
15 Is that correct?

16 **PÈRE VAILLANCOURT:** C'est exact.

17 **MR. LEE:** Can you tell me why not?

18 **PÈRE VAILLANCOURT:** Je me suis basé sur le
19 protocole de Québec qui ne faisait pas allusion à
20 l'utilisation d'un psychiatre ou d'un psychologue.

21 **MR. LEE:** Do you recall discussing that
22 specific issue with Bishop LaRocque at some point?

23 **PÈRE VAILLANCOURT:** Non.

24 **MR. LEE:** Do you recall discussing it with
25 anybody else at the time you were drafting those original

1 guidelines?

2 **PÈRE VAILLANCOURT:** Non.

3 **MR. LEE:** Just briefly, you were asked about
4 From Pain to Hope a couple of times. Do you recall that?
5 Is that a yes?

6 **PÈRE VAILLANCOURT:** Je n'ai jamais lu le
7 document From Pain to Hope.

8 **MR. LEE:** And my question was does that --
9 is that true today or are you telling us you never read it
10 back at the time? Sitting here today, have you ever read
11 From Pain to Hope?

12 **PÈRE VAILLANCOURT:** Je n'ai jamais lu From
13 Pain to Hope.

14 **MR. LEE:** One of the answers you gave during
15 your examination in-chief seemed to suggest that one of the
16 reasons you may not have read From Pain to Hope at the time
17 it was released is that Bishop LaRocque didn't always
18 necessarily share everything he learned at various bishops'
19 conferences with his priests. Is that true?

20 **PÈRE VAILLANCOURT:** C'est exact.

21 **MR. LEE:** So are you suggesting that you
22 were not aware that From Pain to Hope existed when it was
23 released?

24 **PÈRE VAILLANCOURT:** Je ne connaissais pas le
25 document.

1 **MR. LEE:** Despite the fact that you were the
2 priest in the Diocese charged with drafting the guidelines
3 relating to how to deal with allegations of sexual abuse?

4 **PÈRE VAILLANCOURT:** C'est ça.

5 **MR. LEE:** Can we look at Exhibit 58, Tab 24,
6 please?

7 **(SHORT PAUSE/COURTE PAUSE)**

8 **MR. LEE:** And these were the minutes from a
9 meeting held May 19th, 1922 of the Council of Priests, and
10 you looked at this in-chief with Mr. Dumais. If you can
11 turn to page 3, please? It's Bates 693. Point Number 9
12 refers to the -- to a program in New Mexico under the
13 heading "The Rehabilitation of Priests." And you told Mr.
14 Dumais in-chief that you have no recollection of discussing
15 that program. Is that true?

16 **PÈRE VAILLANCOURT:** Je n'ai aucune mémoire.

17 **MR. LEE:** And while I understand you don't
18 remember a discussion of that specific program, if you look
19 at the second paragraph under Number 9, it reads:

20 "In the case of pedophilia, if it is
21 one or two incidents, it can be helped
22 and cured. If it is more, it is a
23 habit which is incurable. For these
24 priests, they have a home where they
25 can live, pray, celebrate mass and work

1 together, but they can never go back
2 into a parish."

3 Do you recall any discussion at any point
4 about the idea encapsulated in that paragraph being that if
5 we're only dealing with one or two incidents of pedophilia
6 it can be cured?

7 **PÈRE VAILLANCOURT:** Je me souviens pas.

8 **MR. LEE:** In 1986 when you were dealing with
9 Father Deslauriers, do you recall having any conversations
10 about whether or not he might be cured or whether or not
11 this was a permanent problem that could not be cured?

12 **PÈRE VAILLANCOURT:** Je n'ai jamais eu de
13 conversations à ce sujet.

14 **MR. LEE:** The translation there was with
15 him. Have you had conversations like those with anybody?

16 **PÈRE VAILLANCOURT:** Non.

17 **MR. LEE:** Something else that you told us
18 in-chief was that 1986 was the first time that this
19 happened in the Diocese and to a certain extent you didn't
20 know what to do.

21 Do you recall that evidence?

22 **PÈRE VAILLANCOURT:** Oui.

23 **MR. LEE:** What were you referring to when
24 you said it was the first time this happened? The first
25 time what happened?

1 **PÈRE VAILLANCOURT:** Je parlais de la nature
2 des accusations vis-à-vis le Père Deslauriers.

3 **MR. LEE:** And can I take it you were not
4 suggesting that this was the first time in the history of
5 this Diocese that a priest has been accused of sexually
6 abusing minors?

7 **PÈRE VAILLANCOURT:** Je l'ignore.

8 **MR. LEE:** Is it fair to say that you have
9 not reviewed the entire history of this Diocese as it
10 relates to these matters going back to let's say the 1950s?

11 That's not something you've undertaken?

12 **PÈRE VAILLANCOURT:** Je n'ai pas accès aux
13 dossiers des prêtres qui sont au Diocèse.

14 **MR. LEE:** And as I understand it, you're not
15 in any way involved in any of the litigation that the
16 Diocese has been involved in in the last few years?

17 **PÈRE VAILLANCOURT:** Non.

18 **MR. LEE:** In terms of reviewing files and
19 gathering documents for productions and things like that,
20 that's not something you were involved with?

21 **PÈRE VAILLANCOURT:** C'est exact.

22 **MR. LEE:** So when these allegations against
23 Gilles Deslauriers surfaced in 1986, it was the first time
24 that you had ever had to deal with anything like that?

25 **PÈRE VAILLANCOURT:** Oui.

1 **MR. LEE:** Can we turn up Exhibit 674 please?

2 **THE COMMISSIONER:** Six seven four (674).

3 **MR. LEE:** Hold on. Sorry, I have the wrong
4 document. I would like Exhibit 72, the ad hoc report
5 please.

6 **THE COMMISSIONER:** Seven two (72)?

7 **MR. LEE:** Yes.

8 **LE COMMISSAIRE:** Non, c'est dans le --

9 **MR. LEE:** I'd like to go to page -- Bates
10 page ending in 087. It's page 9 of the transcript of
11 Father Vaillancourt's interview.

12 Are you there, sir? And the first full
13 paragraph on that page, can you just read the first
14 sentence to yourself please. I'm not going to read the
15 French aloud for you.

16 **PÈRE VAILLANCOURT:** « Je lui ai demandé à
17 quel endroit cela c'était passé parce
18 que j'avais un peu peur que ça soit à
19 La Citadelle et que la commission
20 scolaire deviendrait impliquée d'une
21 façon à ce moment-là. Et il m'a été
22 dit que c'était au bureau à St-Jean-
23 Bosco. »

24 **MR. LEE:** And if we look at, just at the
25 previous page you're discussing the allegations made by

1 Claude Thibault here. Is that correct?

2 Is that a yes, sir?

3 **PÈRE VAILLANCOURT:** Laissez-moi voir le
4 reste de la réponse.

5 **MR. LEE:** Sure.

6 **PÈRE VAILLANCOURT:** Oui, Claude Thibault.

7 **MR. LEE:** And what I want to ask you is why
8 you say here that "J'avais un peu peur" that it would be
9 the Citadelle. You were a bit scared it would be the
10 Citadelle. What did you mean by that?

11 **PÈRE VAILLANCOURT:** Parce que la commission
12 scolaire serait maintenant impliquée d'une façon légale en
13 plus du diocèse.

14 **MR. LEE:** And why was that of concern to
15 you?

16 **PÈRE VAILLANCOURT:** Ben, j'étais préoccupé
17 pour la commission scolaire.

18 **MR. LEE:** Well, sir we know that Father
19 Deslauriers was a full-time Chaplain at La Citadelle in the
20 years preceding this allegation.

21 Is that right?

22 **PÈRE VAILLANCOURT:** Répétez la question-là.

23 **MR. LEE:** We know that prior to 1986 Father
24 Deslauriers had been the full-time Chaplain of La
25 Citadelle. Correct?

1 **PÈRE VAILLANCOURT:** Oui. Oui.

2 **MR. LEE:** And we know that he was a full-
3 time Chaplain during the period of time that some of these
4 abuses occurred. Is that correct?

5 **PÈRE VAILLANCOURT:** Oui.

6 **MR. LEE:** And we know that at La Citadelle,
7 he had access to the students of that school beginning in
8 Grade 9 up until graduation; is that correct?

9 **PÈRE VAILLANCOURT:** Oui.

10 **MR. LEE:** Wouldn't you agree with me, then,
11 sir that regardless of where the abuse took place, the
12 school board was involved?

13 **PÈRE VAILLANCOURT:** C'est possible.

14 **MR. LEE:** Can you help me understand why you
15 didn't notify the school board of these allegations?

16 **PÈRE VAILLANCOURT:** Si vous vous rappelez,
17 maître, la famille Brisson ne voulait pas qu'on aille à la
18 police, ne voulait pas qu'on en parle. Elle voulait que la
19 chose soit réglé, soit résout par l'église. La même chose
20 avec Claude Thibault et les autres que j'ai rencontrés.

21 Ces gens-là avaient été victimes. Alors
22 est-ce que j'étais pour leur -- puis ils avaient été
23 victimes par un prêtre, alors est-ce que j'étais pour aller
24 à l'encontre de ce qu'ils me demandaient de faire, moi qui
25 étais aussi prêtre, un homme en qui ils avaient mis leur

1 confiance? Est-ce que j'étais pour aller contre ça?

2 Je n'ai jamais eu aucune intention d'aller
3 contre la loi. Et lorsque la police a été impliquée, vous
4 avez vu dans les documents que j'ai coopéré avec la police
5 dans l'affaire Deslauriers et encore dans l'affaire du Père
6 Charlie MacDonald.

7 J'ai toujours accepté d'être interviewé par
8 ces institutions.

9 **MR. LEE:** We'll get to your interactions
10 with the Cornwall police a little bit later. What I am
11 asking you is why you didn't take the initiative and notify
12 the school board that some of their students or all of
13 their students at the very least had been exposed to Father
14 Deslauriers and some of them may have been abused by him?

15 **PÈRE VAILLANCOURT:** Comme je disais tantôt,
16 j'ai suivi ce que les victimes m'avaient demandé de faire.

17 **MR. LEE:** Did you, at that point in time,
18 feel any obligation to ensure that there were no more
19 victims out there and/or that the students at La Citadelle
20 were okay?

21 **PÈRE VAILLANCOURT:** Non.

22 **MR. LEE:** I don't -- well, actually why
23 don't you turn over to page 92 of that same document. It's
24 page 14 at the top right, 092.

25 And the last question on the page in bold

1 from Monsignor Guindon asked whether or not Brother
2 Laflamme advised the Bishop of these -- of this situation
3 that he's relayed to you. Do you see that question there,
4 sir?

5 **PÈRE VAILLANCOURT:** Oui.

6 **MR. LEE:** And you go on and you give a
7 lengthy answer, but I'm not sure you get around to
8 answering that specific question.

9 Do you know whether or not Brother Laflamme
10 told the Bishop what he told the ad hoc committee here?

11 **PÈRE VAILLANCOURT:** Je me souviens pas.

12 **MR. LEE:** Do you recall whether or not you
13 asked Brother Laflamme that question?

14 **PÈRE VAILLANCOURT:** Pouvez-vous répéter la
15 question?

16 **MR. LEE:** Do you recall ever asking Brother
17 Laflamme that question, whether he had reported to the
18 Bishop?

19 **PÈRE VAILLANCOURT:** Non.

20 **MR. LEE:** Is it your understanding that
21 Father Deslauriers eventually admitted to sexual acts with
22 several youths?

23 **PÈRE VAILLANCOURT:** Il l'a avoué à l'évêque.

24 **MR. LEE:** And you know that he, at one
25 point, suggested that he could remember 14 victims?

1 **PÈRE VAILLANCOURT:** C'est ce qu'il a dit à
2 l'évêque.

3 **MR. LEE:** And we have in the materials as
4 part of the ad hoc committee report a letter from Father
5 Ménard which you read and which you agreed with at the
6 time. Do you know the letter I'm referring to?

7 **PÈRE VAILLANCOURT:** Les recommandations?

8 **MR. LEE:** In that same document, if you can
9 look at Bates page 104? Look at 101 for the start of the
10 letter, I suppose. Page 101, please, for the beginning of
11 the letter.

12 **LE COMMISSAIRE:** L'avez-vous, Père
13 Vaillancourt? L'avez-vous trouvée?

14 **PÈRE VAILLANCOURT:** C'est la lettre du 25
15 mars?

16 **LE COMMISSAIRE:** C'est ça.

17 **MR. LEE:** And if you flip over to page 103,
18 sir, at the bottom you can see a "P.S." It would suggest
19 that the letter and the annexed report were read for
20 substance and approved by Father Bisailon and yourself.
21 Do you see that?

22 **PÈRE VAILLANCOURT:** Oui.

23 **MR. LEE:** And that's true?

24 **PÈRE VAILLANCOURT:** Oui.

25 **MR. LEE:** And if you can turn over to page

1 104, the next page, Father Ménard sets out a number of
2 concerns about Father Deslauriers. Do you see that, sir?

3 **PÈRE VAILLANCOURT:** Oui.

4 **MR. LEE:** And would you agree that one of
5 the concerns is that Father Deslauriers does not seem to be
6 sorry for what he's done?

7 **PÈRE VAILLANCOURT:** Oui.

8 **MR. LEE:** And by this point you know that
9 Father Deslauriers has initially lied to the Bishop about
10 the nature of the abuse?

11 **PÈRE VAILLANCOURT:** Oui.

12 **MR. LEE:** And about the number of victims?

13 **PÈRE VAILLANCOURT:** Bien, je sais pas s'il a
14 -- s'il y en a plus que 14.

15 **MR. LEE:** Originally he suggested that there
16 were far fewer than 14 victims. Isn't that right?

17 **PÈRE VAILLANCOURT:** Quand l'évêque l'a
18 confronté la première fois, il a dit que c'était une seule
19 victime, Benoît Brisson. C'est après avoir été confronté
20 une deuxième fois que Gilles Deslauriers a dit qu'il y en
21 avait 14.

22 **MR. LEE:** And what we know -- and I'm not
23 going to go through all of it again, but we know that he
24 was ex-cardinated and incardinated in Hull, and you know
25 that in Hull he was permitted to preside over mass. Is

1 that correct?

2 **PÈRE VAILLANCOURT:** Oui.

3 **MR. LEE:** And you were involved in that ex-
4 cardination process in terms of the correspondence going
5 back and forth?

6 **PÈRE VAILLANCOURT:** Les documents d'ex-
7 cardination seulement.

8 **MR. LEE:** And you delivered an opinion to
9 the Bishop about canon law in the form of an ex-cardination
10 and the way it needed to happen. Is that right?

11 **PÈRE VAILLANCOURT:** Oui.

12 **MR. LEE:** During that process, did you at
13 any point suggest to Bishop LaRocque that Gilles
14 Deslauriers should not be ex-cardinated?

15 **PÈRE VAILLANCOURT:** Non.

16 **MR. LEE:** Did you ever suggest to Bishop
17 LaRocque that he should remain in the Diocese so that
18 Bishop LaRocque could keep an eye on him and have control
19 over him?

20 **PÈRE VAILLANCOURT:** Non.

21 **MR. LEE:** Did you ever suggest to Bishop
22 LaRocque that Gilles Deslauriers should no longer be a
23 priest at all?

24 **PÈRE VAILLANCOURT:** Non.

25 **MR. LEE:** Was it your impression that Gilles

1 Deslauriers and Bishop Proulx had a close relationship?

2 **PÈRE VAILLANCOURT:** J'en sais rien.

3 **MR. LEE:** You would have arrived in the
4 Diocese right around the time that Bishop LaRocque took
5 over for Bishop Proulx. Is that correct?

6 **PÈRE VAILLANCOURT:** J'ai été ordonné par
7 Monseigneur LaRocque. J'ai été le deuxième ordonné de
8 Monseigneur LaRocque, oui, en octobre '74.

9 **MR. LEE:** Did you know Bishop Proulx prior
10 to becoming ordained a priest?

11 **PÈRE VAILLANCOURT:** Lorsque j'ai commencé
12 mon séminaire, Monseigneur Proulx était l'évêque de
13 Cornwall.

14 **MR. LEE:** But your evidence is that you knew
15 nothing of his relationship with Gilles Deslauriers?

16 **PÈRE VAILLANCOURT:** Non.

17 **MR. LEE:** Moving to a different area, we
18 don't have all of the documents from the Cornwall Police
19 Service's investigation of Gilles Deslauriers. It was a
20 long time ago and some of those documents have been
21 destroyed, okay?

22 What I want to know from you is whether or
23 not when you were interviewed by the Cornwall Police
24 Service you disclosed the names of all of the victims that
25 you knew of to them?

1 **PÈRE VAILLANCOURT:** Je me souviens pas
2 d'avoir donné les noms des victimes que je connaissais. Il
3 faudrait aller à mon document pour avoir la réponse.

4 **MR. LEE:** What documents are you referring
5 to?

6 **PÈRE VAILLANCOURT:** J'ai écrit un document
7 en présence de Monsieur Lefebvre, les deux Lefebvres. Il y
8 en avait un -- je ne sais pas lequel, ou les deux. Ils
9 sont venus me voir à deux reprises. Premièrement, ils sont
10 venus me voir où je résidais au presbytère à Précieux-Sang,
11 Glen Walter. Alors, j'ai répondu à leurs questions, mais
12 ils n'ont pas demandé que je rédige quelque chose à ce
13 moment-là.

14 Ensuite, je suis allé les rencontrer à la
15 station de police de Cornwall et là j'ai fait une
16 déposition. Alors, dans la déposition, si on regarde, il y
17 a peut-être les noms des victimes que je connaissais. Il
18 faudrait regarder là.

19 **MR. LEE:** That deposition is one of the
20 documents we don't have.

21 So you don't recall whether or not you
22 provided the names of victims?

23 **PÈRE VAILLANCOURT:** Non.

24 **MR. LEE:** Do you recall whether you told
25 them about Brother André Laflamme's suspicions and what he

1 had told you?

2 **PÈRE VAILLANCOURT:** Non.

3 **MR. LEE:** No, you don't recall?

4 **PÈRE VAILLANCOURT:** I don't -- je me
5 ressouviens pas.

6 **MR. LEE:** And what about Father Aimé Leduc's
7 information that was received by the ad hoc committee?

8 **PÈRE VAILLANCOURT:** Je me souviens pas.

9 **MR. LEE:** Were you aware in 1986 that the
10 two CPS officers, Herb and Ron Lefebvre, had difficulties
11 with Bishop Larocque in terms of his cooperation with their
12 investigation?

13 **PÈRE VAILLANCOURT:** Je le sais pas.

14 **MR. LEE:** You did not know in 1986 or you
15 can't recall now whether you knew that?

16 **PÈRE VAILLANCOURT:** Je ne savais pas en '86.

17 **MR. LEE:** We have a statement of Ron
18 Lefebvre suggesting that Bishop Larocque told the police he
19 did not want to lose the trust of his priests and he
20 therefore would not answer their questions and that he
21 would go to jail first.

22 Did you know anything of that in 1986?

23 **PÈRE VAILLANCOURT:** Pas à l'époque, non.

24 **MR. LEE:** Did Bishop Larocque give you any
25 directions in 1986 in terms of how forthcoming you should

1 be with the police in dealing with them?

2 **PÈRE VAILLANCOURT:** Non.

3 **MR. LEE:** If I can have one moment, please.

4 **THE COMMISSIONER:** Sure.

5 **MR. LEE:** You told us during your
6 examination in-chief that David Silmsler refused to provide
7 as many details of the assaults he alleged as you would
8 have liked. Is that correct?

9 **PÈRE VAILLANCOURT:** Oui, c'est vrai.

10 **MR. LEE:** And am I right that refused is the
11 right word there? He flatly said he would not provide
12 details. Is that correct? Further details rather?

13 **PÈRE VAILLANCOURT:** C'est ce que je me
14 rappelle.

15 **MR. LEE:** One of the things that confused me
16 during your examination in-chief was your suggestion that
17 someone making such serious allegations should be able to
18 describe the sexual acts in detail, and the reason that
19 confused me is you seemed to suggest that Mr. Silmsler was
20 less than credible to you because he could not provide
21 details as opposed to simply not being willing to provide
22 them.

23 Is that what you meant to suggest, sir?

24 **PÈRE VAILLANCOURT:** Ça serait une
25 interprétation de ma part de dire qu'il n'avait pas

1 l'information ou qu'il refusait, mais nous n'avons pas reçu
2 les détails, et c'est pourquoi nous avons eu de la
3 difficulté avec cette rencontre avec Monseigneur McDougald,
4 moi-même et Maître Leduc.

5 **MR. LEE:** And at that meeting were Mr.
6 Silmsler, the two priests and the lawyer for the Diocese?

7 **PÈRE VAILLANCOURT:** Oui.

8 **MR. LEE:** Did you consider at any point that
9 Mr. Silmsler may simply not have been willing or comfortable
10 discussing the abuses by Father MacDonald with his
11 colleagues and his lawyer?

12 **PÈRE VAILLANCOURT:** Oui, mais quand on
13 considère le sérieux des accusations, un adulte qui se
14 présente devant des personnes pour accuser une autre
15 personne d'agression sexuelle il me semble qu'il doit être
16 en mesure d'expliquer le genre d'agression dont il aurait
17 subie.

18 **MR. LEE:** Did you at any point consider that
19 the appropriate persons to be receiving that information in
20 detail and assessing whether or not it was true would be
21 the police or the Children's Aid Society and not the
22 Diocese?

23 **PÈRE VAILLANCOURT:** Il faut penser que
24 Monsieur Silmsler a d'abord communiqué avec le Diocèse
25 d'Ottawa pour se plaindre d'allégations d'abus sexuel. Et

1 ensuite, il a été référé par Monseigneur Peter Schonenbach
2 à notre Diocèse. Monseigneur Schonenbach m'a appelé pour
3 demander qui était responsable de recevoir des plaintes.

4 Alors, c'est à la demande de Monsieur
5 Silmser que nous l'avons reçu.

6 **MR. LEE:** I don't doubt that at all, sir.
7 My question is whether or not the Diocese was the
8 appropriate institution to be weighing the truth of Mr.
9 Silmser's complaint and drawing conclusions from the fact
10 that he would not provide a full, complete detailed
11 statement of the sexual assaults that he alleged at the
12 hands of a member of the Diocese?

13 Looking back on it now, do you see why
14 involving the police or the CAS to do that work rather than
15 the Diocese would have been appropriate?

16 **PÈRE VAILLANCOURT:** Non. Aujourd'hui, ça
17 serait tout de suite référé à la Société de l'aide à
18 l'enfance. Monsieur Silmser voulait avoir une lettre
19 d'excuse de la part du Père MacDonald et qu'elle serait
20 remise à sa mère. C'est pourquoi il est venu nous voir.

21 **MR. LEE:** Well, let's talk about that. Mr.
22 Silmser comes to the Diocese. He alleges that he's been
23 sexually abused by Father MacDonald several times and he
24 says what he wants is a letter of apology that he can show
25 his mother as a way of explaining some of the things he's

1 done. Is that correct?

2 **PÈRE VAILLANCOURT:** Oui.

3 **MR. LEE:** And the response of the Diocese is
4 to convene a committee to meet with Mr. Silmsler and to ask
5 him essentially for a detailed statement of his
6 allegations.

7 **PÈRE VAILLANCOURT:** Oui.

8 **MR. LEE:** Can you explain to me why you need
9 a detailed statement of the allegations if the goal of Mr.
10 Silmsler is simply to get a letter of apology? Would it not
11 have been possible to simply go to Father MacDonald, tell
12 him that there's been a complaint from David Silmsler and
13 that he wants a letter of apology, and either get it from
14 Father MacDonald or have Father MacDonald deny the
15 allegations, full stop?

16 I don't understand why you need a full
17 detailed statement from Mr. Silmsler if you say the purpose
18 of the Diocese interviewing Mr. Silmsler is because he wants
19 a letter.

20 **PÈRE VAILLANCOURT:** Si quelqu'un est accusé
21 d'agression sexuelle, c'est sérieux. Alors, nous avons --
22 c'est Monsieur Silmsler qui a demandé de nous rencontrer et
23 le Père MacDonald, moi je ne l'ai pas rencontré là-dessus
24 mais le Père McDouglad je crois l'a rencontré. Il a
25 toujours nié les allégations sexuelles.

1 **MR. LEE:** At the point that Father MacDonald
2 denies the allegations, was there discussion at the Diocese
3 of then referring the matter to the police?

4 **PÈRE VAILLANCOURT:** Moi je n'étais pas
5 impliqué dans la démarche.

6 **MR. LEE:** Just to close this off, can you
7 look at Exhibit 318, please? This is your OPP interview.

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

9 **PÈRE VAILLANCOURT:** Je n'ai pas la pièce.
10 Six un huit (618)?

11 **MR. LEE:** Three one eight (318).

12 **LE COMMISSAIRE:** Trois un huit (318). Trois
13 cent huit (308).

14 **MR. LEE:** Dix huit.

15 **LE COMMISSAIRE:** Trois un huit (318).

16 **MR. LEE:** Are you there, sir?

17 If you can look at the third page please;
18 it's Bates page 862.

19 Officer Dupuis asks you in his last question
20 on the page:

21 "What part did you take in these..."

22 -- or sorry --

23 "What part did you take in these
24 allegations?"

25 About six or seven lines down, you're

1 referring to the interview with Silmsler and you say:

2 "In the interview, he was very evasive.
3 As far -- when Mr. Leduc tried to seek
4 him of the exact nature of the sexual
5 aggressions, he did not want to
6 respond."

7 Do you see that, sir?

8 **PÈRE VAILLANCOURT:** Oui.

9 **MR. LEE:** Would you agree with me that "very
10 evasive" has a negative connotation to it?

11 **PÈRE VAILLANCOURT:** Oui.

12 **MR. LEE:** And you appreciated that in 2000 -
13 - the year 2000 when this statement was taken, Project
14 Truth was looking at allegations that the Diocese covered
15 up this matter or conspired in some way to obstruct
16 justice.

17 You understood that's why they were
18 questioning you?

19 **PÈRE VAILLANCOURT:** Je ne sais pas où ça
20 vient, non.

21 **MR. LEE:** You did not know why you were
22 being questioned by Project Truth in 2000? You didn't know
23 what they were investigating?

24 **PÈRE VAILLANCOURT:** Non, je ne savais pas
25 pourquoi.

1 **MR. LEE:** The police asked to talk to you
2 and you simply agreed?

3 **PÈRE VAILLANCOURT:** Oui.

4 **MR. LEE:** You were asked during your
5 examination in-chief by Mr. Dumais about Jacques Leduc's
6 question to David Silmser about whether he would be willing
7 to meet with Charles MacDonald. Do you recall that?

8 **PÈRE VAILLANCOURT:** Oui.

9 **MR. LEE:** And you told us that you had no
10 knowledge of that, that that question would be asked in
11 advance and that it wasn't in the guidelines. What you
12 weren't asked was how Mr. Silmser responded to that
13 question.

14 **PÈRE VAILLANCOURT:** Il a refuse de
15 rencontrer le Père MacDonald.

16 **MR. LEE:** What did you think of that
17 question being asked by Mr. Leduc at the time?

18 **PÈRE VAILLANCOURT:** Je ne savais pas quoi
19 penser.

20 **MR. LEE:** Did you believe it was
21 inappropriate?

22 **PÈRE VAILLANCOURT:** Ce que je peux voir
23 c'est que Maître Leduc voulait tout simplement voir s'il
24 pouvait commencer une espèce de réconciliation, si la
25 réconciliation était possible.

1 **MR. LEE:** Did you discuss that issue with
2 Mr. Leduc after your interview of Mr. Silmsers?

3 **PÈRE VAILLANCOURT:** Non.

4 **MR. LEE:** Why not?

5 **PÈRE VAILLANCOURT:** Je n'ai jamais pensé.

6 **MR. LEE:** One of the things that you would
7 have learned during the course of the Silmsers matter was
8 that Mr. Silmsers originally called the Diocese of
9 Alexandria-Cornwall about his allegations and was told by
10 Father Guindon that he was calling the wrong Diocese
11 because he no longer lived in Cornwall. Is that right?

12 **PÈRE VAILLANCOURT:** C'est vrai.

13 **MR. LEE:** Would you agree with me that that
14 was not an appropriate response from Father Guindon?

15 **PÈRE VAILLANCOURT:** Ça dépend de
16 l'information que Monsieur Silmsers avait donnée à Monsieur
17 Guindon. Est-ce qu'il lui avait dit que c'était un prêtre
18 de notre Diocèse dont il s'agissait? Il lui a peut-être
19 pas dit. Alors, Monseigneur Guindon l'a référé à Ottawa à
20 Monseigneur Schonenbach.

21 **MR. LEE:** Did you ever follow-up with Father
22 Guindon to clarify what had happened?

23 **PÈRE VAILLANCOURT:** Non.

24 **MR. LEE:** Did you ever follow-up with the
25 Bishop to ensure that something like that would never

1 happen again?

2 **MR. SHERRIFF-SCOTT:** Something like what?

3 Excuse me.

4 **MR. LEE:** Something like a victim of abuse
5 being turned away.

6 **MR. SHERRIFF-SCOTT:** Can we -- just perhaps
7 the hyperbolic interjections are unwarranted. The witness
8 has testified he doesn't know what information Guindon got.

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

10 **MR. SHERRIFF-SCOTT:** So something like what;
11 there's a premise that is contradicted by his evidence
12 which is embedded in the question and shoved at the witness
13 which is a vehicle for the statement like my friend just
14 made, and I object to that. I don't think it's appropriate
15 at all.

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

17 **MR. LEE:** The witness has testified that he
18 does not know what information Father Guindon had. What I
19 would like to ask him is whether or not when he learned
20 that Silmsler had called the Diocese and he had been
21 referred to Ottawa ---

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

23 **MR. LEE:** --- whether or not he followed up
24 with Guindon and said, "Listen, we can't have this
25 happening".

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

2 **MR. LEE:** It appears -- and possibly there
3 was a reasonable explanation. I don't know the answer to
4 that. I'd like to ask him whether or not he followed up;
5 whether or not he followed up with the Bishop; whether any
6 steps were taken to ensure that something like this didn't
7 happen again if ---

8 **THE COMMISSIONER:** Well, what's the wrong
9 that didn't happen? What's the wrong that happened?
10 Somebody said, "It's not my department. Go some place
11 else."

12 **MR. LEE:** If -- if David Silmser called ---

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

14 **MR. LEE:** --- and he got Father Guindon and
15 he said, "I was abused by Father Charles MacDonald when I
16 was a youngster and he was a priest in the Diocese of
17 Alexandria-Cornwall" and Father Guindon said, "But you live
18 in Ottawa now; so why don't you go bother them with your
19 problem", I think there's a problem there. I have no idea
20 how that conversation went. I want to ask this witness if
21 he followed up with Father Guindon and asked the questions
22 I've just asked.

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

24 **MR. SHERRIFF-SCOTT:** See, it's the "if" that
25 I have trouble with because the "if" doesn't exist. First

1 of all, the witness does not know and he has said that.

2 Mr. Guindon is dead and Mr. Silmser
3 testified here and I didn't hear anything about this from
4 him when I cross-examined him.

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

6 **MR. SHERRIFF-SCOTT:** So I'm not sure where
7 this will come from. The "if" is the premise and the man
8 has testified he doesn't know what Monsignor Guindon did --
9 -

10 **THE COMMISSIONER:** Right.

11 **MR. SHERRIFF-SCOTT:** --- or what he
12 received.

13 **THE COMMISSIONER:** All right. But I think
14 it's a fair question to ask him, did you ever discuss that
15 situation with Monsignor Guindon.

16 **MR. SHERRIFF-SCOTT:** Sure, if he knows what
17 Monsignor Guindon received as information and did he
18 discuss it.

19 **THE COMMISSIONER:** Well, received as
20 information and why did you transfer him to Ottawa and the
21 likes. I think he can explore that.

22 **MR. SHERRIFF-SCOTT:** Sure, and if the
23 answers to that are no, no, no, no, then where are we? I
24 submit nowhere.

25 Thank you.

1 **THE COMMISSIONER:** Okay. We'll get there
2 when we get there.

3 Go ahead, Mr. Lee.

4 **MR. LEE:** When you learned that Mr. Silmser
5 had originally called the Diocese of Alexandria-Cornwall
6 and had been referred instead to the Archdiocese of Ottawa,
7 did you go to Father Guindon and ask him what had happened?

8 **PÈRE VAILLANCOURT:** Non.

9 **MR. LEE:** Do you have any further
10 information on that matter whatsoever?

11 **PÈRE VAILLANCOURT:** Non.

12 **MR. LEE:** I want to ask you about a meeting
13 that occurred with you in 2002 and the reference point to
14 try to have you situate yourself in time is the stay of
15 proceedings in the Jacques Leduc matter.

16 So first off, you obviously know who Jacques
17 Leduc is and you know that at some point he was charged
18 with a number of criminal offences relating to sexual
19 abuse. Is that true?

20 **PÈRE VAILLANCOURT:** Oui.

21 **MR. LEE:** And you know that at some point
22 those charges were stayed in and around 2002. Is that
23 fair?

24 **PÈRE VAILLANCOURT:** Oui. Oui.

25 **MR. LEE:** And would you have followed those

1 proceedings somewhat at the time they were ongoing?

2 **PÈRE VAILLANCOURT:** Seulement ce que les
3 journaux rapportaient.

4 **MR. LEE:** You didn't attend trial or
5 anything like that but you followed along in the press. Is
6 that correct?

7 **PÈRE VAILLANCOURT:** C'est exact.

8 **MR. LEE:** And were you friends with Jacques
9 Leduc.

10 **PÈRE VAILLANCOURT:** Oui, je le suis
11 toujours.

12 **MR. LEE:** Now, after Mr. Leduc's stay in
13 2002, do you recall having a meeting with a number of
14 people, some victims of abuse and alleged victims of abuse
15 as well as the mother of a victim of abuse at the Diocesan
16 Centre?

17 **PÈRE VAILLANCOURT:** Non. Oh, excusez, il y
18 a eu un groupe qui sont venus au diocèse pour rencontrer
19 l'évêque. Monseigneur LaRocque était absent et ---

20 **MR. LEE:** I don't mean to cut you off, sir,
21 I just -- there's one of the names we're concerned about
22 and I just want to make sure you don't mention it.

23 Madame Clerk, if he can be shown the Moniker
24 C-16, please, C-16?

25 **LE COMMISSAIRE:** Père Vaillancourt, on va

1 vous montrer un nom et puis on identifie cette personne-là
2 par l'item C-16. Ça fait que je vous demanderais de ne pas
3 mentionner le nom mais de l'identifier comme C-16.

4 **MR. LEE:** Do you recognize that name, C-16,
5 sir?

6 **PÈRE VAILLANCOURT:** Oui.

7 **MR. LEE:** And do you know who that person's
8 mother is?

9 **PÈRE VAILLANCOURT:** Je l'ai peut-être déjà
10 rencontrée.

11 **MR. LEE:** Okay. I just wanted to make sure
12 you didn't mention that name.

13 So please, you were telling us that these
14 people came to the Diocesan Centre. And if you could
15 continue from there, please?

16 What happened when they came to the Diocesan
17 Centre?

18 **PÈRE VAILLANCOURT:** Ils ont demandé qu'est-
19 ce que le diocèse -- qu'est-ce que le diocèse ferait face
20 aux allégations du Père Charlie MacDonald et les autres --
21 d'autres allégations qu'il pourrait y avoir dans l'avenir.

22 **MR. LEE:** And I take it they were there
23 because they were upset about the Leduc stay; is that
24 correct?

25 **PÈRE VAILLANCOURT:** Oui.

1 **MR. LEE:** And, sir, do you recall commenting
2 at that meeting or suggesting at that meeting that the
3 matters that the Diocese was dealing with in terms of
4 sexual abuse were not terribly serious because the sexual
5 abuse of boys is only a serious matter if the boys have not
6 yet been through puberty?

7 **PÈRE VAILLANCOURT:** Je me souviens pas
8 d'avoir entendu ce commentaire.

9 **LE COMMISSAIRE:** La question c'est pas si
10 vous l'avez entendu. Est-ce que vous l'avez dit?

11 **PÈRE VAILLANCOURT:** Non, je n'ai jamais dit
12 ça.

13 **MR. LEE:** Are you absolutely certain, sir?

14 **PÈRE VAILLANCOURT:** I am.

15 **MR. LEE:** Sir, as you know, a number of
16 priests of this Diocese have been accused at various times
17 of having sexually abused minors.

18 You're aware of that, that there have been a
19 number of allegations?

20 **PÈRE VAILLANCOURT:** Oui.

21 **MR. LEE:** And you're aware that some of
22 those priests have been convicted and others have been
23 charged, and others have not gone through that process at
24 all?

25 **PÈRE VAILLANCOURT:** Seul le Père Deslauriers

1 a été condamné.

2 **MR. LEE:** What I want to do, sir, is I want
3 to go through a list of names with you and I want to know a
4 few different things in relation to each.

5 The first I want to know, and I can repeat
6 these as often as you need it, is whether or not you
7 personally ever received a complaint of abuse relating to
8 each of these persons.

9 The second thing I want to know is whether
10 you have any knowledge of someone else in the Diocese ever
11 having received a complaint of abuse at the hands of one of
12 these persons.

13 And finally I want to know whether or not
14 you have at any point received information suggesting
15 possible sexual misconduct in relation to each.

16 And the reason that I want to know these
17 things is I want to know if this information has come, what
18 you did about it. Okay?

19 So the first person is Father Paul Desilets.
20 I probably mispronounced that, but have you ever received
21 any allegation of abuse, you personally received an
22 allegation of abuse in relation to Father Desilets?

23 **PÈRE VAILLANCOURT:** Non, le Père Paul
24 Desilets, clerc de Saint Viateur, CSV.

25 **MR. LEE:** Clerc Saint Viateur?

1 **PÈRE VAILLANCOURT:** C'est ça.

2 **MR. LEE:** And you have not received any
3 allegation of abuse? Do you know whether or not ---

4 **PÈRE VAILLANCOURT:** Non.

5 **THE COMMISSIONER:** That was -- it might have
6 got lost in translation. So that's the answer to the first
7 question.

8 **MR. LEE:** Yes.

9 **THE COMMISSIONER:** Okay. So go ---

10 **MR. LEE:** You have not -- you personally
11 have not received an allegation of abuse in relation to
12 Father Desilet?

13 **PÈRE VAILLANCOURT:** Non.

14 **MR. LEE:** Do you have any knowledge of
15 anyone else in the Diocese having received an allegation of
16 abuse at his hands?

17 **PÈRE VAILLANCOURT:** Non.

18 **MR. LEE:** Did you, at any point, receive any
19 information suggesting possible misconduct in this Diocese
20 at the hands of Father Desilet?

21 **PÈRE VAILLANCOURT:** Non.

22 **MR. LEE:** And you understand when I say a
23 complaint is one thing, having a victim or the victim's
24 mother, for example, coming to you and saying "I was
25 abused" as opposed to information that this man may be

1 abusing children. You understand the distinction there?

2 **PÈRE VAILLANCOURT:** Oui.

3 **THE COMMISSIONER:** Yes?

4 **MR. SHERRIFF-SCOTT:** I don't know how long
5 my friend's list is. No doubt it is long, and I would
6 suggest that perhaps what he might do, in fairness, is give
7 the witness a list. You can mark it as you choose.

8 Otherwise, what I suggest happens here is my
9 friend runs through all these names and the innuendo,
10 rightly or wrongly, attached to it is all these people are
11 perpetrators and he just hasn't heard about it.

12 And that is clearly what is being asked for
13 here, and I submit that's prejudicial to these people. I
14 suspect there are a number of these people who may never
15 have been accused, who never have been charged and who
16 knows whether they've been investigated. Some may be
17 investigated and not charged, et cetera, known perpetrators
18 who are the subject of charges perhaps. Let my friend go
19 through that.

20 But I think in fairness he should just hand
21 the man a list and ask him his questions and he should
22 acknowledge one way or another, and if he needs to
23 elaborate based on one name, let him do so.

24 Otherwise, we're treated to sort of a half
25 an hour rendition of this, and I suggest it's sort of

1 grossly prejudicial.

2 **THE COMMISSIONER:** Thank you.

3 **MR. LEE:** First, I hardly intend to pull
4 random names out of a hat with no basis for asking the
5 question.

6 Second, I'm doing it in this way because I
7 want this witness' evidence under oath in relation to each
8 of these names.

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

10 **MR. LEE:** In terms of I want to know, as I
11 said, under oath here whether or not there have been
12 allegations of abuse received and what the Diocese has done
13 about it.

14 **THE COMMISSIONER:** All right.

15 Anybody else wish to comment?

16 **MR. SHERRIFF-SCOTT:** You see, that I suggest
17 makes my point, sir. "I'm not pulling these names out of a
18 hat," the innuendo is that there is implications. And I
19 suggest in fairness -- I don't know how many names he has
20 to ask about -- that he do it in an appropriate format as
21 opposed to stand up here and run through a list of I don't
22 know how many people.

23 And I don't know about any allegations about
24 this individual Desilet who he just mentioned -- I think is
25 the appropriate way to pronounce the man's name -- and we

1 don't have any record at the Diocese of complaints against
2 him whenever he was here.

3 But the point is I think it's unfair for
4 this to be happening in this fashion. I don't think it's
5 appropriate that the man be subjected to this and that
6 people whose names are on this list, if they are not
7 charged -- maybe they were investigated -- who knows
8 whether that was public or not -- be subjected to this as
9 well.

10 **THE COMMISSIONER:** Okay. Ms. Hamou.

11 **Me HAMOU:** Monsieur le commissaire, si je
12 peux juste interjeter à ce point-ci, peut-être que ça va
13 régler la solution.

14 Dans nos entrevues avec les membres du
15 diocèse, les avocats de la Commission ont présenté une
16 liste de noms à tous les témoins potentiels pour voir s'ils
17 avaient connaissance et des questions similaires à ce que
18 monsieur Dallas Lee vient de poser.

19 **LE COMMISSAIRE:** M'hm.

20 **Me HAMOU:** Je peux vous aviser que où il y
21 avait connaissance, les avocats de la Commission ont
22 soulevé ça dans la préparation qu'on a distribuée aux
23 autres avocats.

24 Donc, si les autres avocats sont satisfaits
25 qu'on leur a apporté tout ce qu'il y avait à savoir, ça

1 règle peut-être le problème.

2 **THE COMMISSIONER:** Mr. Lee.

3 **MR. LEE:** I want the answers under oath.

4 **MR. SHERRIFF-SCOTT:** I'm not suggesting the
5 witness not give his evidence under oath. He's sitting
6 here in the witness box under oath. He can give the
7 evidence under oath.

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

9 **MR. SHERRIFF-SCOTT:** I'm just saying the
10 drama of the thing is unnecessary and it's prejudicial.

11 **MR. LEE:** I was just responding to Ms.
12 Hamou's comments.

13 **THE COMMISSIONER:** No, no. Okay.

14 **MR. LEE:** It's good to know it's been
15 canvassed. It's good to know that they've gone where they
16 think they need to go, but his answers in an interview room
17 in the back are not the same as his answers here.

18 **THE COMMISSIONER:** Okay. So prejudicial
19 value.

20 How many people do you have on the list, for
21 example? Let's get that straightened out.

22 **MR. LEE:** Nineteen (19).

23 **THE COMMISSIONER:** And what's the purpose of
24 asking him those questions?

25 **MR. LEE:** Well, there is at least some

1 chance in relation to some of these he will say "As a
2 matter of fact, I did receive an allegation" or "As a
3 matter of fact, I know of an allegation" or "I did receive
4 some information." From there, he may say there was a
5 response or there was no response at all. I don't know
6 what he'll say.

7 As I said, I want the evidence under oath
8 that the Diocese, from this man's perspective at least, has
9 not received allegations in relation to these people and,
10 if they have, I want to know what they did it with.

11 **THE COMMISSIONER:** And so how -- what do you
12 answer to Mr. Sherriff-Scott's argument that what you're
13 doing is subjecting these 19 people to prejudicial
14 scrutiny?

15 **MR. LEE:** Looking at this list, sir ---

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

17 **MR. LEE:** --- I cannot see anybody on it who
18 has not publicly been named either in that witness box, in
19 a Statement of Claim ---

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

21 **MR. LEE:** --- in an affidavit that's been on
22 the internet for a dozen years. I don't think we're
23 breaking new ground here in terms of who these people are.

24 **THE COMMISSIONER:** Right. But Mr. Sherriff-
25 Scott's argument is that you're saying you did not pick

1 these people out of a hat, which means that you have a
2 specific interest in them, and so in comes that cloud over
3 their heads because you've chosen these 19 people.

4 **MR. LEE:** I mean, does it assist if I name
5 every priest of the Diocese? I mean, I don't know what to
6 do about that, sir.

7 What I would be content -- I can see you're
8 obviously struggling a bit with what to do with this. What
9 I would be content to do ---

10 **THE COMMISSIONER:** Okay.

11 **MR. LEE:** --- would be to ask the witness
12 generally these three questions and ask him to turn his
13 mind very seriously to each one, if there's anybody he can
14 think of that would fall into any of the categories, and
15 I'll leave it at that, but I frankly may well want to go
16 back to the same place tomorrow with Father Maloney. So
17 we're ---

18 **THE COMMISSIONER:** So what are you saying
19 your resolution is?

20 **MR. LEE:** I can ask this witness whether or
21 not -- he has told us that these -- that Deslauriers and
22 Charles MacDonald are the two allegations that he's dealt
23 with.

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

25 **MR. LEE:** I can put to him again and ask him

1 to think very, very seriously about the fact -- or is he
2 absolutely certain those are the only two, and if he says
3 they are, so be it.

4 I would then ask him whether or not he has
5 any knowledge of any other allegation of abuse against a
6 priest being received in the Diocese and what his
7 information is on that so that we know who to follow up
8 with later on. And finally, I could ask him about rather
9 than a complaint from a victim of abuse or a family member
10 of a victim of abuse, of information suggesting that there
11 may have been misconduct and whether or not he's aware of
12 there being a follow-up and who might we question about
13 that.

14 **THE COMMISSIONER:** Mr. Sherriff-Scott, does
15 that ---

16 **MR. SHERRIFF-SCOTT:** I'm not sure what my
17 friend is proposing. I'd just suggest if he's intent on
18 this process, just give the man the list. You can mark it
19 as an exhibit. Then we don't have to be subjected to this
20 sort of process.

21 **THE COMMISSIONER:** Okay.

22 **MR. SHERRIFF-SCOTT:** Moreover, it would take
23 about a tenth of the time, I suspect.

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

25 So bottom line is, you see, I don't want to

1 drag people's names unnecessarily, if it is dragging. I
2 mean, I would have thought that just putting those names to
3 the person -- to this witness wouldn't be that bad, but if
4 you give him the list and we mark it as an exhibit and he
5 goes through that list and you ask him, "You've looked at
6 all those names, sir. Is there any one of them that you
7 did..." -- one of your three questions. Would that not
8 satisfy your needs?

9 **MR. LEE:** So long as the list is marked as
10 an exhibit, I'm satisfied with that.

11 **THE COMMISSIONER:** Then there you go.

12 **MR. LEE:** And I should say ---

13 **THE COMMISSIONER:** Oh, Mr. Wardle is coming
14 in here.

15 **MR. WARDLE:** Well, I hate to take issue with
16 my friend Mr. Lee, but I must say, Mr. Commissioner, if
17 it's Mr. Lee's proposal that he do this with every witness
18 on behalf of the Diocese and that this be marked as a
19 public exhibit, my clients may have some concerns with it
20 for the very reasons you've outlined, that it will have the
21 effect of prejudicing people whose -- as I understand Mr.
22 Lee, some of the names on his list are names that have been
23 on some of the websites.

24 **THE COMMISSIONER:** Right.

25 **MR. WARDLE:** And you know our concern. It's

1 a matter of public record with, you know, unsubstantiated
2 allegations on websites, and if Mr. Lee is proposing to now
3 go through with a list with, you know, 10 or 20 witnesses
4 with a series of lists and ask them all about those names
5 and those names are in the public record, we would have
6 some issue with that.

7 **THE COMMISSIONER:** Yeah, but you see, at
8 some point -- I don't know; wouldn't it be a good idea if
9 we got from this gentleman that -- and I don't know about
10 the names, but to say, "Look, I have never had answers to
11 question one, two and three. Nothing." If that's the
12 answer.

13 **MR. WARDLE:** I don't have a problem with Mr.
14 Sherriff-Scott's suggestion that if ---

15 **THE COMMISSIONER:** That we put it in as an
16 exhibit. That was his suggestion.

17 **MR. WARDLE:** No, no, that if we -- if the
18 questions are put in a general way ---

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

20 **MR. WARDLE:** --- you know, "Aside from the
21 two matters that you've outlined here today, have you ever
22 received a complaint about anybody else or any
23 information," I don't have a problem with that, but putting
24 specific names to witnesses one after the other, either the
25 way Mr. Lee proposes to do it or through a list that gets

1 tabled and is now a matter of public record, that raises
2 some concerns for my clients.

3 **THE COMMISSIONER:** Anybody else want to
4 weigh in here?

5 Mr. Rose.

6 **MR. ROSE:** I object to this simply as
7 counsel to a party with standing.

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

9 **MR. ROSE:** And what I see is -- I agree with
10 Mr. Sherriff-Scott. I mean, I think that the prejudice --
11 to say that prejudicial value of this question is present
12 is to underwhelm it.

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

14 **MR. ROSE:** I think it's a seriously
15 prejudicial way of proceeding to start with this
16 questioning.

17 And what I have concerns about, Mr.
18 Commissioner, is that the rules that you've set forth have
19 notices about documents.

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

21 **MR. ROSE:** And I would have thought that if
22 there's something in the materials that we've all seen
23 which supports a question for which there's been a notice
24 to the witness and to the rest of us, then obviously Mr.
25 Lee is fully able to put that question and that document to

1 the witness, but it seems like we're going off the page
2 now.

3 **THE COMMISSIONER:** Well ---

4 **MR. ROSE:** What I have concerns about is Mr.
5 Lee talking about things in affidavits on websites and
6 Statements of Claim and so forth which I would have thought
7 if they're not subject to a Rule 38 Notice and so forth,
8 are not in the materials that we all have and we all share.

9 **THE COMMISSIONER:** Yeah, but he's not
10 talking about that. He's saying he's gathered the names
11 from the material that he's got.

12 **MR. ROSE:** Well, it seems to me that there's
13 something out there that we haven't seen. So there's an
14 element of surprise. I mean, if there's other documents
15 which aren't on the Commission materials, there is that
16 concern that we, as parties, have that there are other
17 materials that we're not privy to.

18 **THE COMMISSIONER:** Assume for a moment that
19 you're incorrect in that assumption that ---

20 **MR. ROSE:** Okay.

21 **THE COMMISSIONER:** --- Mr. Lee just grabbed
22 these names from the documents that are here that everybody
23 knows about.

24 You see, my -- let's look at it this way.
25 When Officer -- when Chief Shaver was there, he was asked,

1 "Have you ever been to the island? Did you know Father
2 Charlie? Did you know these people?" And so he's able to
3 say what he's done. Now, look at it from a different way.
4 Leaving aside Mr. Sherriff-Scott, what's the institutional
5 response?

6 So are you saying that -- let's assume the
7 Bishop LaRocque comes up, that people aren't going to be
8 able to say -- ask him questions because he is the
9 institutional response, to a certain degree?

10 **MR. ROSE:** No, and there's two responses.
11 First of all, with Chief Shaver, the documents which you
12 refer to about the island and so forth, those have been
13 referred to many -- over the course of many, many months of
14 this Inquiry.

15 **THE COMMISSIONER:** Right.

16 **MR. ROSE:** So it's only appropriate that
17 when Chief Shaver comes, he's to respond to a document
18 which has been in play, as it were, for months and months.

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

20 **MR. ROSE:** And that's markedly different
21 than with this witness.

22 **THE COMMISSIONER:** Well, you're assuming
23 that this is pulled out of some other hat that isn't out of
24 the documents.

25 **MR. ROSE:** As I sat here listening to Mr.

1 Lee, it's the only conclusion I could draw.

2 **THE COMMISSIONER:** Mr. Lee, come forward and
3 explain then.

4 **MR. LEE:** It is inconceivable to me that any
5 person on this list would come as a surprise to anybody in
6 this room.

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

8 **MR. LEE:** I mean, I shouldn't say that
9 because some of these people have absolutely no interest in
10 what the Diocese does or the priests or anybody. They're
11 certainly not going to come as a surprise to Mr. Sherriff-
12 Scott. I wouldn't think they're going to come as a
13 surprise to Mr. Wardle or to several others in the room.

14 I'm not -- I mean, I'm not -- as I said, I
15 didn't get a directory listing of the Diocese of
16 Alexandria-Cornwall and just pick off the names I felt
17 like. These are people who have been accused publicly in
18 some way. They're the ones I know of who have been accused
19 and I want to ask this man the questions that I've set out.

20 **MR. ROSE:** But my concern, Mr. Commissioner,
21 is that it is the materials before you and before us which
22 is the subject of this Inquiry.

23 **THE COMMISSIONER:** Yes.

24 **MR. ROSE:** And I'm not hearing from Mr. Lee
25 that that's what he's cross-examining on.

1 **THE COMMISSIONER:** Okay.

2 Mr. Lee, did you hear that?

3 **MR. LEE:** I did hear that. I think you have
4 my submissions on it. I think these questions have to be
5 asked. I think that we need to know whether or not there
6 has been any allegation made or information received by the
7 Diocese and what they did with it.

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

9 **MR. LEE:** I have no other way of finding out
10 this information. As I said, if -- I mean if we take it to
11 the final step, these are clearly questions that need to be
12 put to Bishop Larocque.

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

14 **MR. LEE:** Clearly I need to be able to say
15 to Bishop Larocque, every priest that I'm interested in,
16 whether or not he received information, what he did about
17 it, whether or not he had concerns. You know, if there was
18 a transfer of a priest in the Diocese, what was he told by
19 the Bishop? I mean these are all questions that have to be
20 asked. I want to have something against which to balance
21 Bishop Larocque's testimony.

22 **THE COMMISSIONER:** Okay. I don't think --
23 well, Mr. Rose may object to having the questions asked but
24 Mr. Sherriff-Scott doesn't. He just wants to make sure
25 that there is some balancing of interests here.

1 And so other than from Mr. Rose's ---

2 **MR. ROSE:** I think you've heard my objection
3 and I don't have anymore to add to it.

4 **THE COMMISSIONER:** Thank you. Thank you.

5 **MR. SHERRIFF-SCOTT:** Can I add something,
6 sir?

7 **THE COMMISSIONER:** Sure.

8 **MR. SHERRIFF-SCOTT:** It seems to me that
9 when we had -- you may want to excuse the witness.

10 **THE COMMISSIONER:** Yes.

11 Père Vaillancourt, je vais vous demander de
12 sortir avec notre officier ici. Tout simplement on va
13 discuter de choses administratives pour le moment.

14 Non, non, allez par l'autre porte puis
15 l'officier devrait être là.

16 **THE COMMISSIONER:** Okay.

17 **MR. SHERRIFF-SCOTT:** I just wish to state a
18 number of things for the record.

19 First of all, when the Commission
20 interviewed my witnesses, we did have similar-type
21 discussions. The difficulty is that some of these people
22 obviously were on a website, et cetera. So anybody at some
23 point would have knowledge that allegations of some kind
24 were made.

25 And the way we resolved our discussion was

1 sort of outside of website, public charges, et cetera, had
2 you ever heard of any other persons accused, and the people
3 were asked these questions and I didn't object to that.

4 My concern about this format is I think it's
5 the -- the prejudice is enormous and it's not outweighed by
6 its probative value, particularly if there is a manner in
7 which the prejudice can be reduced and I suggest there is.

8 I would also highlight my concern which is a
9 jurisdictional concern.

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

11 **MR. SHERRIFF-SCOTT:** I look at the mandate
12 of this Commission as facilitating the investigation into
13 how institutions investigated allegations, historical
14 allegations of abuse, not, I submit, how institutions
15 historically handled them. In my view, there's a
16 difference between the two things.

17 I know that you disagree with this position
18 but it is my position, for example, that the invitation to
19 evaluate how an institution receives an allegation which is
20 historical in nature is distinctive from receiving a
21 mandate to investigate history from a certain point forward
22 in terms of how things were managed. So that's a concern.

23 I think that there is no reason if this is a
24 process insisted on with my witnesses, and I object purely
25 on jurisdictional grounds, but on the subject of reducing

1 prejudice, if that's the discussion, I think that the
2 witness should be asked, for example, if there is to be a
3 list. We need to identify on the list in advance who may
4 have been charged.

5 There may be individuals in connection with
6 whom no allegations were ever made in this jurisdiction, in
7 Cornwall and Ontario; I don't know, and the first name
8 springs to mind. It's the first I've heard that there is
9 an allegation in this Diocese about this person.

10 So I think that -- I'm not sure and it's
11 late in the day to be doing this but I think that what my
12 friend should -- would have to do is to identify those
13 people where there is sort of obvious situations and then
14 the witness would be invited to say are there others about
15 whom you're aware, and if so, who are they.

16 And that would, in my view, mitigate against
17 the -- I mean the list would be those, for example, you can
18 have that they're already in the record; the Silmsier
19 allegations -- not the Silmsier -- the Silmsier allegation,
20 the Leroux website. These names are there and perhaps the
21 witness should say, "I've reviewed this list. Are there
22 others and who are they?"

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

24 **MR. SHERRIFF-SCOTT:** "And how did you
25 respond?"

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

2 **MR. SHERRIFF-SCOTT:** And then maybe that
3 would go some way to militate prejudice.

4 **THE COMMISSIONER:** All right.

5 **MR. SHERRIFF-SCOTT:** But I think that that
6 requires some effort on my friend's part.

7 **THE COMMISSIONER:** In the sense of preparing
8 a list and ---

9 **MR. SHERRIFF-SCOTT:** Yes. Thank you.

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

11 **MR. HORN:** Now that the issue has been
12 raised, if we don't have names, then it broadens the
13 allegations that there's more people because their names
14 are not -- it's going to just go across -- it's going to
15 like -- all the priests are going to be accused, whereas
16 Mr. Lee is giving a definite list.

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

18 **MR. HORN:** So if he doesn't get that list
19 answered to, what we're going to have is basically all the
20 priests are being accused and that will be left in the air.
21 And I think by narrowing it down to the numbers that he
22 has, it's actually lessening the prejudice.

23 **THE COMMISSIONER:** Okay.

24 Mr. Lee, any final comment?

25 Oh, Mademoiselle Hamou?

1 **MS. HAMOU:** Commissioner, I just wanted to
2 jump in here. My only concern with creating a list is that
3 people may be left off the list. We may have people on the
4 list that don't belong on the list.

5 I see a huge array of issues that could
6 arise from creating a list that would then be filed as an
7 exhibit. My suggestion to you is perhaps counsel can
8 discuss this issue and come back to you tomorrow with a
9 solution on how to address this matter, but creating a list
10 I see entails a lot of problems down the road.

11 **THE COMMISSIONER:** Thank you.

12 Mr. Lee, last words to you.

13 **MR. LEE:** I appreciate given what I've
14 proposed to do why immediately concerns of prejudice are
15 raised. Given what we're dealing with at this Inquiry and
16 the amount of information, the length of time it's been
17 around this community, I think you should be careful in
18 assuming a large degree of prejudice based on what I'm
19 proposing here.

20 These names, as I said, are out there. This
21 isn't going to come as a surprise to anybody who has
22 followed this thing closely. And frankly, I think these
23 are questions that need to be put to these witnesses and
24 they're answers that you need to hear.

25 **THE COMMISSIONER:** Well, I agree with you

1 that I want to permit you as much latitude as possible but
2 I think there is some prejudice there. There may be some
3 prejudice there; I haven't seen the names; right? So
4 that's one thing.

5 So I think what I'll do is I'll follow Ms.
6 Hamou's suggestion and have you prepare a list so everyone
7 can see the list and then we can work that out in the
8 morning. Either that -- I can tell you right now I'm
9 leaning towards -- I like the idea of a list that you show
10 it to the -- and the reason why generally speaking I like
11 the idea of the list is because it's easy to ask somebody,
12 "Have you ever heard anything like this" and then in the
13 higher sphere of thought, "No, no, I don't remember that."
14 But if you address it with the list, then they can address
15 their mind to those specific people and I think that would
16 answer your question.

17 I am -- I like the idea of the list so that
18 it minimizes prejudice to folks and I don't know that that
19 many people -- and if he answers "No" to the whole list,
20 well then that's the end of it I suppose. But if he
21 answers "Yes" to one of them, then we'll have to discuss
22 what we do with that person and how we do that.

23 **MR. LEE:** I would propose then putting
24 together a list once I get back to the office and sending
25 around the email ---

1 **THE COMMISSIONER:** All right.

2 **MR. LEE:** --- to my friends so that they can

3 ---

4 **THE COMMISSIONER:** Good.

5 **MR. SHERRIFF-SCOTT:** Mr. Commissioner, may I
6 make a suggestion just on this development point that there
7 are those in this matter who were on these websites and so
8 forth.

9 **THE COMMISSIONER:** Yes.

10 **MR. SHERRIFF-SCOTT:** And that obviously the
11 witness lives in Cornwall ---

12 **THE COMMISSIONER:** Yes.

13 **MR. SHERRIFF-SCOTT:** --- and therefore will
14 be aware that at some point these people were the subject
15 of allegations on websites. Who wasn't; right, I accept
16 that.

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

18 **MR. SHERRIFF-SCOTT:** The people who are not
19 on these materials and so forth is a concern and I think
20 that there should be a distinction and that perhaps the
21 individuals who are in the common category if the questions
22 would be posed, "Are you aware, other than from these
23 publications, charges, et cetera".

24 **THE COMMISSIONER:** Yes, yes.

25 **MR. SHERRIFF-SCOTT:** But then how you deal

1 with that in terms of throwing it into the record may be
2 another concern. I just want to highlight that.

3 **THE COMMISSIONER:** Yes.

4 **MR. SHERRIFF-SCOTT:** Thank you.

5 **THE COMMISSIONER:** So bottom line, if you
6 could get the list around, at least that will get us
7 started for tomorrow morning, and if you folks could be
8 here by nine o'clock, that will give you lots of time to
9 resolve the issue before I come in at 9:30.

10 **MR. LEE:** Thank you.

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

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

14 This hearing is adjourned until tomorrow
15 morning at 9:30 a.m.

16 --- Upon recessing at 5:03 p.m./

17 L'audience est suspendue à 17h03

18 --- Upon resuming at 5:04 p.m./

19 L'audience est reprise à 17h04

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

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

24 **PÈRE DENIS VAILLANCOURT, Resumed/Sous le même serment:**

25 **LE COMMISSAIRE:** Père Vaillancourt,

1 pardonnez moi. J'ai donné des devoirs aux avocats pour ce
2 soir et puis j'ai négligé de vous expliquer qu'est-ce qui
3 se passait ici, puis je pense que c'est assez important.

4 De temps à autre on demande à un témoin de
5 quitter la salle pour qu'on puisse discuter de choses
6 administratives, techniques, quelles sortes de questions on
7 va poser. Donc, ce n'est pas une réflexion sur le
8 témoignage que vous nous donnez. Je veux que vous
9 compreniez ça.

10 **PÈRE VAILLANCOURT:** Oui, oui.

11 **LE COMMISSAIRE:** Ça fait qu'en fin de
12 compte, ce que j'ai fait c'est que j'ai demandé aux avocats
13 de trancher une question sur quelle sorte de questions et
14 comment on va vous poser une certaine question demain
15 matin. Ça fait qu'en fin de compte, je veux pas que vous
16 partiez ce soir tracassé sur qu'est-ce qui va se passer
17 demain. C'est qu'on va s'organiser pour que ça aille sur
18 les roulettes, comme on dirait, pour qu'on puisse vous
19 poser des questions d'une façon logique et précise.

20 Ça fait qu'en encore une fois, je m'excuse de
21 ce délai. Donc, vous aurez à revenir demain matin à 9h30
22 et encore une fois, je vous demande de ne pas discuter de
23 votre témoignage ou de vous tracasser de ces questions-là,
24 puis on aura tout réglé par le temps que vous venez demain
25 matin.

1 Parfait. Merci beaucoup.

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

4 This hearing is adjourned until tomorrow
5 morning at 9:30 a.m.

6 --- Upon adjourning at 5:06 p.m./

7 L'audience est ajournée à 17h06

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CM