

**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 260**

**Held at :**

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

Wednesday, July 23, 2008

**Tenue à:**

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

Mercredi, le 23 juillet 2008

**Appearances/Comparutions**

Ms. Julie Gauthier	Registrar
M <sup>e</sup> Pierre R. Dumais	Commission Counsel
Ms. Maya Hamou	
Mr. John E. Callaghan	Cornwall Community Police
Ms. Reena Lalji	Service and Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Andrea Cole	Attorney General for Ontario
Ms. Michele Allinotte	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
Mr. Paul Taylor	and Bishop Eugene LaRocque
Mr. Giuseppe Cipriano	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
M <sup>e</sup> Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Mr. Ian Paul	
Mme Claudette Pilon	Mme Claudette Pilon
Archdeacon Gordon Bryan	Archdeacon Gordon Bryan

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1 --- Upon commencing at 9:34 a.m./

2 L'audience débute à 9h34

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.

10 **CLAUDETTE PILON:** Resumed/Sous le même serment

11 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR Me**  
12 **DUMAIS:** (Continued/Suite)

13 **Me DUMAIS:** Bonjour, monsieur le  
14 Commissaire.

15 Avant que je ne demande à mes confrères de  
16 procéder avec le contre-interrogatoire, j'aimerais déposer  
17 en preuve un dernier document.

18 **LE COMMISSAIRE:** Oui.

19 **Me DUMAIS:** Si on pourrait montrer le  
20 curriculum vitae à madame Claudette Pilon.

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

22 La Pièce 1955 sera le curriculum vitae de  
23 Claudette Pilon.

24 ---**EXHIBIT NO./PIÈCE No. P-1955:**

25 Curriculum Vitae - Claudette Pilon

1                   **Me DUMAIS:** Alors, Madame Pilon, c'est bien  
2 le curriculum vitae que vous nous avez produit?

3                   **Mme PILON:** Je crois que oui.

4                   **Me DUMAIS:** Et puis il est à date en autant  
5 que vous sachiez?

6                   **Mme PILON:** Oui.

7                   **Me DUMAIS:** O.k. Merci.

8                   Donc, ce sont toutes mes questions, monsieur  
9 le Commissaire.

10                   Juste un dernier point avant qu'on débute.  
11 J'ai eu une discussion avec Madame Pilon à savoir si les  
12 questions pouvaient lui être posées en anglais. Elle m'a  
13 indiqué que oui et qu'elle essaierait de répondre en  
14 anglais. Si des problèmes surviennent, elle a ses  
15 écouteurs et puis elle va écouter aux questions et répondre  
16 en français.

17                   **LE COMMISSAIRE:** Parfait.

18                   **Me DUMAIS:** Merci.

19                   **LE COMMISSAIRE:** Merci beaucoup.

20                   Ou en espagnol, de qu'est-ce que je peux  
21 voir?

22                   **Mme PILON:** Bueno se quiere.

23                   **LE COMMISSAIRE:** Voilà. Merci.

24                   Okay. So Mr. Wardle?

25                   **MR. WARDLE:** I don't have any questions for

1 Mrs. Pilon.

2 THE COMMISSIONER: Thank you.

3 Mr. Horn?

4 Good morning, sir.

5 MR. HORN: Good morning.

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

7 HORN:

8 MR. HORN: Yes. My name is Frank Horn. I'm  
9 representing the Coalition for Action and our position has  
10 always been that we're concerned that there was -- some  
11 collusion and there was an attempt to cover up a lot of the  
12 things that happened back in the time that the abuses took  
13 place.

14 Now, what I'm interested in is finding out,  
15 did you have any experience in dealing with sexual abuse  
16 situations as a therapist?

17 MS. PILON: Yes, I have.

18 MR. HORN: That was -- what ---

19 MS. PILON: Prior.

20 MR. HORN: --- period of time would that  
21 have been?

22 MS. PILON: My first client at the  
23 university in '79 was an abused victim.

24 MR. HORN: In 1979?

25 MS. PILON: Yes.



1 MR. HORN: While you were ---

2 MS. PILON: Not in -- yes, 1979.

3 MR. HORN: This was while you were studying?

4 MS. PILON: That's right.

5 MR. HORN: And now would this have been  
6 involved with youth and was it historical sexual abuse?

7 MS. PILON: It was a historical sexual abuse  
8 at that moment.

9 MR. HORN: And you dealt with an individual  
10 or different cases?

11 MS. PILON: Throughout my career, I have  
12 dealt with a few cases.

13 MR. HORN: So by the time you were on the ad  
14 hoc committee, how many situations do you think you had  
15 dealt with?

16 MS. PILON: That would be in '86; probably  
17 two or three.

18 MR. HORN: Okay. Now, where they in the  
19 context of your role as a representative of the church?

20 MS. PILON: No, I was not representing the  
21 church.

22 MR. HORN: This was in what ---

23 MS. PILON: This was in private ---

24 MR. HORN: --- capacity?

25 MS. PILON: One was at the school board and

1 the police were involved.

2 MR. HORN: Pardon?

3 MS. PILON: One was at the school board. I  
4 believe it was in '86 and the police were involved prior to  
5 meet my involvement in that case because it was a teenager.

6 MR. HORN: So in the time that you were  
7 doing these counselling sessions, would they be ones that  
8 would take some time on each different situation?

9 THE COMMISSIONER: You mean how long did the  
10 sessions last?

11 MR. HORN: Yeah. Like would you have to  
12 meet with the person on a number of occasions and finally  
13 come to some kind of a determination at the end?

14 MS. PILON: The client had control over the  
15 number of sessions they would attend. And usually, when it  
16 is sexual abuse, it takes a long time. I've seen people,  
17 not my client -- yes, I had a client who came for seven  
18 years who was a sexual historical abuse.

19 MR. HORN: Okay. For a period of seven  
20 years?

21 MS. PILON: Yes.

22 MR. HORN: And that would be on ---

23 MS. PILON: This is recent.

24 THE COMMISSIONER: Okay. We have to take  
25 turns now.

1                   **MR. HORN:** Okay. I'm sorry.

2                   **THE COMMISSIONER:** Because everything is  
3 being recorded. So let's wait until Mr. Horn finishes and  
4 Mr. Horn, of course, wait till the witness finishes please.

5                   **MR. HORN:** So during that period of time,  
6 you would meet them what, on a monthly basis or weekly, or  
7 how often would you meet with them?

8                   **MS. PILON:** It depends on the client.  
9 Sometimes the client wants to come on a weekly basis to  
10 start. Sometimes it's on bimonthly. It depends also on  
11 their income because they would pay for the counselling.

12                   **MR. HORN:** Okay. Now, you're doing it  
13 privately? Was it in situations where possibly you were --  
14 somebody would refer them to you from, let's say, the  
15 school board or from some government agency?

16                   **MS. PILON:** I had a few from government  
17 agencies not necessarily for abuse. The school -- when I  
18 was working for the school board, they would be referred to  
19 me for attendance problems. And sometimes, when it was an  
20 attendance problem, they would reveal that they had been  
21 raped or something. That's the case I'm talking about when  
22 the police was already involved.

23                   **MR. HORN:** So would you have been dealing  
24 with -- when you were dealing with them, were they young  
25 when you were dealing with them? What age groups would you

1 be dealing with?

2 MS. PILON: When I was in high school  
3 working for the board, they were usually between 14 and 18.

4 MR. HORN: Okay. And the historical abuse  
5 would stem back from something that happened when they were  
6 quite young?

7 MS. PILON: The one case I'm talking about  
8 who was raped, it had been when she was young.

9 MR. HORN: Okay. Now, in this situation  
10 when you were sitting on the ad hoc committee, the  
11 individual that was complaining, were they -- did they fit  
12 the category of the people that you'd been dealing with in  
13 the past?

14 MS. PILON: If I was dealing with them in  
15 the past?

16 MR. HORN: Well, the ones that you had dealt  
17 with in the past, would the Brisson complaint sort of fit  
18 in to the type of thing that you dealt with in the past?

19 MS. PILON: Not quite ---

20 MR. HORN: Okay. All right.

21 THE COMMISSIONER: No, no. Just let her ---

22 MR. HORN: Okay. All right. Sorry.

23 MS. PILON: Not quite -- it was not quite  
24 the same because the Brisson family -- Mr. Brisson was more  
25 -- he was in therapy with someone apparently, with Father

1 Gilles, apparently, and had sexual abuse there. While the  
2 clients I received, a few clients, it was a rape in  
3 authority, a parent.

4 MR. HORN: Okay. It was not someone in the  
5 religious setting?

6 MS. PILON: No.

7 MR. HORN: No. And so this was a little bit  
8 new to you than what you saw when you were in the ad hoc  
9 committee?

10 MS. PILON: Certainly, it was new for me.

11 MR. HORN: Okay. And you -- would you have  
12 been chosen to sit on the committee because of your  
13 background and the fact that you were of an order -- I  
14 believe you were a sister of an order?

15 MS. PILON: I really don't know what reason  
16 Monseigneur chose me, but most probably because he knew  
17 that I was studying at Saint Paul's University and I had  
18 answered his request for someone to work with families.

19 MR. HORN: Do you think that he was aware or  
20 did you know if he was aware of your background as a  
21 psychologist working with individuals who had been sexually  
22 abused?

23 MS. PILON: I was not a psychologist and he  
24 was not aware of my work unless he asked information at  
25 Saint Paul's University or ---

1                   **MR. HORN:** Okay. Now, of the people that  
2                   were sitting on the ad hoc committee, who else had the same  
3                   kind of background in dealing in counselling? Do you know?

4                   **MS. PILON:** I believe Jacques Leduc was a  
5                   lawyer and Monseigneur Guindon was a canon and they did not  
6                   have a background, as I'm aware of.

7                   **MR. HORN:** Okay. So you would be the  
8                   individual sitting on the committee who would have the kind  
9                   of background that would deal with having that individual  
10                  go for counselling or giving some recommendations about  
11                  helping the individual with counselling of some sort?

12                  **MS. PILON:** I believe I had the background,  
13                  yes.

14                  **MR. HORN:** Okay. So did you feel that that  
15                  was your role on that ad hoc committee?

16                  **MS. PILON:** It should have been part of my  
17                  role.

18                  **MR. HORN:** Okay. Now, one of the things  
19                  that I was interested in ---

20                  **THE COMMISSIONER:** Well, just a second  
21                  there. It should have been part of your role? That kind  
22                  of leads into it wasn't?

23                  **MS. PILON:** It wasn't clearly expressed.

24                  **THE COMMISSIONER:** Right.

25                  **MS. PILON:** Because what I remember is you

1 are there to listen and help. Well, I could say yes, it  
2 was part of my role.

3 **THE COMMISSIONER:** Okay.

4 **MR. HORN:** Did you feel that your input into  
5 -- because of your background, your input into the  
6 committee's hearings, would that -- did you feel that they  
7 were taking it into account by -- when they finally made  
8 the report?

9 **MS. PILON:** I presume, yes, that what I said  
10 was taken into account.

11 **MR. HORN:** So that whatever report that  
12 would come out would show your input that you wanted to  
13 have this individual counselled and dealt with? I mean,  
14 he'd been counselled but he was counselled by the abuser.  
15 We're dealing with the situation that where he'd have to be  
16 sent elsewhere, wouldn't he?

17 **MS. PILON:** Yes.

18 **MR. HORN:** Okay. Now, did you have any idea  
19 of where he might be going to get that kind of counselling?

20 **MS. PILON:** I was told he was going to  
21 Pierrefonds in Montreal.

22 **THE COMMISSIONER:** No, no. You're talking  
23 about Father Deslauriers.

24 **MR. HORN:** No, Mr. Brisson.

25 **MS. PILON:** Are you talking about Mr.

1           Brisson?

2                       **MR. HORN:** No, Mr. Brisson.

3                       **MS. PILON:** If I was told where he would ---

4                       **THE COMMISSIONER:** Was he -- were you aware,  
5           did you know that if Mr. Brisson, Benoît, was under  
6           counselling?

7                       **MS. PILON:** No, I don't know.

8                       **MR. HORN:** Okay. So you didn't know where  
9           he was going to go to if he was -- if there was a  
10           recommendation for counselling, you didn't know who was  
11           going to do that or how that was going to be done?

12                      **MS. PILON:** It was up to Benoît to decide.

13                      **MR. HORN:** It was up to?

14                      **MS. PILON:** Benoît to decide where he wanted  
15           to go.

16                      **MR. HORN:** Okay. So he had his own choice  
17           of what to do?

18                      **MS. PILON:** Yes.

19                      **MR. HORN:** Now, at the meetings when you did  
20           have the meetings, I understand that there was an oath of  
21           confidentiality that was -- that you had to go into?

22                      **MS. PILON:** That's right.

23                      **MR. HORN:** Are we talking only about the  
24           individual sitting on the board or on the committee or did  
25           it include Mr. Benoît and other witnesses?



1                   **MS. PILON:** I don't quite understand the  
2 question.

3                   **THE COMMISSIONER:** Did you have -- you swore  
4 an oath of confidentiality?

5                   **MS. PILON:** Yes.

6                   **THE COMMISSIONER:** Did the witnesses have to  
7 swear an oath of confidentiality?

8                   **MS. PILON:** Not that I know of.

9                   **MR. HORN:** Okay. So it was only to the  
10 committee members that they were told that they couldn't  
11 speak about what happened at these meetings?

12                   **MS. PILON:** That's right, to me especially.  
13 I don't know for Mr. Leduc.

14                   **MR. HORN:** Okay. And at these meetings, was  
15 it made into kind of a religious setting where -- did they  
16 have opening prayer and that sort of thing?

17                   **MS. PILON:** I can't remember.

18                   **MR. HORN:** Okay. And the individuals that  
19 were coming before the committee were all Roman Catholic?

20                   **MS. PILON:** I would think so.

21                   **MR. HORN:** And do you know if they were part  
22 of the parish of not only -- of maybe Deslauriers or some -  
23 - maybe somebody that was involved in the committee?

24                   **MS. PILON:** I would not know that.

25                   **MR. HORN:** You had no idea whether they were

1 local ---

2 **MS. PILON:** They were local people.

3 **MR. HORN:** And do you know if they were  
4 church attenders?

5 **MS. PILON:** I would not know that. I know  
6 that Benoît was in a group, a youth group with Gilles  
7 Deslauriers. I forget the name.

8 **MR. HORN:** By the time he came to the ad hoc  
9 committee, did you feel that he had been turned off by what  
10 had happened and turned away from the church?

11 **MS. PILON:** That's what we learned at the ad  
12 hoc committee.

13 **MR. HORN:** And were the meetings -- maybe  
14 one of the purposes of having the meetings is to try to  
15 bring him back into the fold, back into the church?

16 **MS. PILON:** It wasn't my purpose for sure.

17 **MR. HORN:** Do you know what the purpose was  
18 by the other parties?

19 **THE COMMISSIONER:** You mean the other  
20 members of the committee?

21 **MR. HORN:** Of the other members of the  
22 committee.

23 **MS. PILON:** It was certainly to understand  
24 what was going on, but it was never a question to bring him  
25 back to the flock.

1                   **MR. HORN:** Okay. Now, when the -- the  
2 individuals that were witnesses, how many of them were  
3 clergy witnesses and on the ad hoc committee?

4                   **MS. PILON:** There were three clergymen who  
5 were witnesses who came to talk to us, Father Ménard,  
6 Vaillancourt and Bisailon, and there was Monseigneur  
7 Guindon who was sitting on the committee.

8                   **MR. HORN:** So would you -- you're a clergy.  
9 Would you be considered a clergy?

10                   **MS. PILON:** No, I am a "laïque".

11                   **MR. HORN:** At that time?

12                   **MS. PILON:** At that time, religious or not  
13 clergy.

14                   **MR. HORN:** So is a sister considered clergy?

15                   **MS. PILON:** No.

16                   **MR. HORN:** Okay. So the -- when there was  
17 some talk about the fact that this couldn't have been done  
18 pursuant to canon law, it was because there was only one  
19 clergy that was Father Guindon?

20                   **THE COMMISSIONER:** Guindon.

21                   **MS. PILON:** I believe in the letter it  
22 states that the lawyer should be a clergyman.

23                   **THE COMMISSIONER:** You're referring to Mr. -  
24 - Père Deslauriers' answer as to why ---

25                   **MS. PILON:** Right.

1                   **THE COMMISSIONER:** --- he wasn't going?

2                   **MR. HORN:** So he felt that the only clergy  
3 was Father Guindon?

4                   **MS. PILON:** That's right.

5                   **MR. HORN:** And that you and Mr. Leduc were  
6 not?

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

8                   **MR. HORN:** And so the -- did you feel that  
9 it was a religious setting when these individuals came into  
10 the -- to appear before the ad hoc committee?

11                   **MS. PILON:** Can you repeat your question?

12                   **MR. HORN:** Okay. When these individuals,  
13 who were Catholic, were coming before the committee to  
14 talk, did you feel that it was a religious setting, it was  
15 at a -- it was something that was within the church?

16                   **MS. PILON:** Yes.

17                   **THE COMMISSIONER:** Well ---

18                   **MS. PILON:** It was in a ---

19                   **THE COMMISSIONER:** Let's be a little clear.  
20 A religious setting and within the church is pretty vague.

21                   **MR. HORN:** Okay. Religious setting meaning  
22 that they open up in prayer and that they have to, you  
23 know, do anything that was ceremonially religious.

24                   **MS. PILON:** I don't remember we opened up  
25 with prayers. It was at the Diocesan Centre which is kind

1 of linked to religion.

2 MR. HORN: So when the individuals were  
3 coming to the hearings to speak, they felt that they were  
4 going to the church?

5 THE COMMISSIONER: Well, can't tell -- she  
6 can't tell how they felt.

7 MR. HORN: Okay. All right. Did you feel  
8 that it was really these people were coming to the church  
9 to ---

10 MS. PILON: No.

11 MR. HORN: You felt that this was a secular  
12 kind of a meeting or ---

13 MS. PILON: I felt we were coming there to  
14 discuss the situation and not that we were coming to a  
15 religious -- un office religieux, non.

16 MR. HORN: Okay.

17 Now, in your experience as a counsellor,  
18 were there any regulations that governed you regarding  
19 divulging -- if somebody told you about something that was  
20 illegal, like abuse, did you have an obligation to tell the  
21 authorities like the Children's Aid Society or the police?

22 THE COMMISSIONER: Well, hold on. Hold on.  
23 If you're talking about obligation, right, then you must be  
24 referring to the Children's Aid Society obligation. Are  
25 you not?

1                   **MR. HORN:** Well, yes. Did you feel  
2 obligated to -- if you learned something while you are  
3 counselling somebody and it was -- it was something that  
4 you -- did you feel that you had to tell this Children's  
5 Aid Society or some other authorities if it was illegal?

6                   **THE COMMISSIONER:** No, no, no. Mr. Horn,  
7 you have ---

8                   **UNIDENTIFIED SPEAKER:** I didn't understand  
9 the question.

10                   **THE COMMISSIONER:** Well, yeah.

11                   **MR. HORN:** Okay. In your training then, was  
12 part of your training -- were you taught that if something  
13 was told to you in confidence and it was illegal, did you  
14 have to keep it to yourself or were you allowed to -- you  
15 had -- did you feel you were told that you had to go to the  
16 Children's Aid Society?

17                   **THE COMMISSIONER:** In other words, have you  
18 ever been taught anything about the duty to report matters  
19 involving children to the Children's Aid Society?

20                   **MS. PILON:** Well, we were taught that if  
21 there was a situation where a person was harming himself or  
22 herself or is -- was a harm to others, we had a form that  
23 they would sign and that I would be obligated to divulge  
24 the situation.

25                   **MR. HORN:** And this is when you were

1 involved in counselling?

2 MS. PILON: That's right.

3 MR. HORN: And that -- was that taught to  
4 you when you were taking courses at the university?

5 MS. PILON: I believe so. I have -- and  
6 with the EAP program, assistance program, there was also  
7 that form there in that package.

8 MR. HORN: You mentioned something yesterday  
9 about the fact that you felt that there was an obligation  
10 to go to both the Children's Aid Society and the police.  
11 Is that what you thought?

12 MS. PILON: That's what I said.

13 MR. HORN: And was it -- we're talking about  
14 at the time you were on the committee and you were hearing  
15 the things that were going on, at that committee hearing?

16 MS. PILON: At the time I was on the  
17 committee, I don't believe it came to my mind to divulge  
18 the information; I would say because I was not in charge of  
19 the situation but I have in -- with one schoolgirl I have  
20 revealed -- I have reported it to the police -- not to the  
21 police, to the Children's Aid Society.

22 MR. HORN: You've done this in the past?

23 MS. PILON: Yes, I've done it.

24 MR. HORN: Okay. So when you were sitting  
25 on the committee and you were hearing the -- the evidence,

1 and it was getting to the point where you saw there was  
2 abuse taking place, you may not have been in charge of the  
3 meetings but personally did you feel that there was an  
4 obligation to tell that to the authorities?

5 MS. PILON: I don't remember what I felt at  
6 that point.

7 MR. HORN: Would that thought -- that  
8 thought came to you afterwards when you thought about it?

9 MS. PILON: I don't remember.

10 MR. HORN: Okay. Did you feel that you were  
11 brought into this ad hoc committee situation because it was  
12 intended to keep this within the church; we didn't want it  
13 to go outside?

14 MS. PILON: I don't know what Monseigneur  
15 Larocque's intentions were, and I had not reflected that  
16 way at that point.

17 MR. HORN: You mentioned yesterday about  
18 \$32,000 that was suggested as a payment. Was it to the  
19 Brissons -- or to the Brisson ---

20 MS. PILON: It was discussed amongst us in  
21 the Brisson situation, yes.

22 THE COMMISSIONER: "Amongst us" you mean the  
23 members of the committee?

24 MS. PILON: Yes, the three members.

25 THE COMMISSIONER: It was never discussed --



1 was it ever discussed with Monsieur Brisson?

2 MS. PILON: I don't think so.

3 THE COMMISSIONER: You ---

4 MS. PILON: No.

5 THE COMMISSIONER: Okay.

6 MR. HORN: Okay. Do you have any idea how  
7 that amount came about? Who was suggesting it? How did  
8 \$32,000 become the -- the offer that should have been  
9 given?

10 THE COMMISSIONER: Well, first of all --  
11 first of all you said, "How did it become the offer that  
12 should have been given?" Those are two things that have  
13 not been proven or -- I don't know how you should word  
14 that, Mr. ---

15 MR. HORN: Okay. How did the amount of  
16 \$32,000 come about? Do you have any -- do you remember?

17 MS. PILON: I don't remember who proposed it  
18 and I don't remember how it came to 32,000.

19 THE COMMISSIONER: But it wasn't you?

20 MS. PILON: No, definitely not.

21 THE COMMISSIONER: So it had to be either  
22 Monseigneur Guindon or Monsieur Leduc?

23 MS. PILON: That's right.

24 MR. HORN: And when you mistakenly thought  
25 that when -- the Silmser \$32,000 was the one that you were

1 discussing, do you enquire afterwards how come \$32,000 was  
2 -- seems to be the common figure in both situations?

3 **MS. PILON:** No, I did not, sir. The only  
4 thing I thought was to cover the therapy, which would be  
5 costly, and I just figured out, well, it's kind of  
6 reasonable if we consider how -- how long therapy can last.

7 **MR. HORN:** Okay. At any time did you feel  
8 that because there was -- well, did you think that there  
9 was criminal activity that had taken place between Mr. --  
10 Father Deslauriers and Brisson?

11 **MS. PILON:** I knew it was not right, but to  
12 classify it criminal, I don't know if it did cross my mind,  
13 although I read in the ad hoc report there was mention of  
14 criminal activity.

15 **MR. HORN:** So you didn't put your mind to --  
16 to that -- that issue whether they crossed the line, it had  
17 gone and it had become a criminal act?

18 **MS. PILON:** I think at that time it was very  
19 hard to analyse every -- every detail, every word because  
20 it was intense, and no, I did not think about it.

21 **MR. HORN:** Okay. In retrospect, afterwards,  
22 when you look back at it and you realized that there was a  
23 criminal act, did you think that you should have got -- you  
24 should have said something at that time?

25 **THE COMMISSIONER:** Well, did you at any time

1           come to the conclusion that it was a criminal act?

2                   **MS. PILON:** Yes, when it became public it  
3           was a criminal act and it was already in public.

4                   **THE COMMISSIONER:** Okay.

5                   **MR. HORN:** So do you think that at the time  
6           you should have done something or said something?

7                   **MS. PILON:** No, I did not think I should  
8           have said something, since I -- I was under oath. And if I  
9           would have had -- if I would have said something, I would  
10          have gone to see the Bishop and the clients to have a  
11          release of information, and I did not do that.

12                   **MR. HORN:** Okay, so you ---

13                   **MS. PILON:** Divulge private information.

14                   **MR. HORN:** So the fact that you made the  
15          oath of confidentiality made you feel that you couldn't do  
16          it anyways, even if it was illegal?

17                   **MS. PILON:** I never thought even of doing  
18          it.

19                   **MR. HORN:** Pardon?

20                   **MS. PILON:** I never thought of going public  
21          with it.

22                   **MR. HORN:** No, but if it -- if, when you  
23          look back, you realize it was illegal, you still wouldn't  
24          have gone -- you still wouldn't have said anything because  
25          you had an oath of confidentiality that was binding you?

1                   **MS. PILON:** If I had been approached by the  
2 police I would've asked for release of information and I  
3 would have talked, but nobody approached me to -- in order  
4 to divulge the information.

5                   **MR. HORN:** Okay. Were you ever asked to  
6 come forward with what had happened, at any time, by the  
7 police or the Children's Aid Society?

8                   **MS. PILON:** In this case?

9                   **MR. HORN:** Yes. In this situation.

10                  **MS. PILON:** In this situation, no.

11                  **MR. HORN:** Thank you.

12                  **THE COMMISSIONER:** Thank you.

13                               Mr. Lee?

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

15                  **MR. LEE:**

16                               **MR. LEE:** Madame Pilon, my name is Dallas  
17 Lee. I'm counsel for the victims group.

18                               I have a few areas I'd like to ask you some  
19 questions about and I don't want to go over the same ground  
20 talking about this oath of secrecy that you swore.

21                               What I'm not clear on is to whom you swore  
22 that oath. As I understand it, Monsignor Guindon  
23 administered the oath. Is that correct?

24                               **MS. PILON:** That's right.

25                               **MR. LEE:** Was it sworn to -- were you

1           promising Monsignor Guindon you wouldn't break the oath, or  
2           the Bishop, or God, or the Pope? Do you have any  
3           recollection of that?

4                   **MS. PILON:** No, I don't.

5                   **MR. LEE:** Okay. You just know it was an  
6           oath of secrecy and that Monsignor Guindon administered it?

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

8                   **MR. LEE:** Do you know where Monsignor  
9           Guindon derived the authority to administer that oath?

10                  **MS. PILON:** I don't know.

11                  **MR. LEE:** Did he mention anything about  
12           canon law, for example?

13                  **MS. PILON:** No.

14                  **MR. LEE:** He didn't say to you "Canon law  
15           requires that we swear this oath"?

16                  **MS. PILON:** No.

17                  **MR. LEE:** Did he suggest to you that the  
18           Bishop required that you swear such an oath?

19                  **MS. PILON:** I don't remember.

20                  **MR. LEE:** As far as you recall, he said  
21           "Swear an oath" and you swore an oath?

22                  **MS. PILON:** I didn't find it strange that he  
23           asked for confidentiality.

24                  **MR. LEE:** Did you discuss with Monsignor  
25           Guindon at any point what the penalty for breaking that

1 oath would be?

2 MS. PILON: No, I haven't.

3 MR. LEE: Did you turn your mind to that at  
4 all at the time?

5 MS. PILON: No.

6 MR. LEE: I take it it wasn't much of an  
7 issue for you because you weren't going to break that oath?

8  
9 MS. PILON: I made a promise and I was going

10 to keep it.

11 MR. LEE: At any time -- other time in your  
12 career, do you recall swearing a similar oath?

13 MS. PILON: Yes. Well, yes.

14 MR. LEE: In relation to what; can you tell  
15 me?

16 MS. PILON: In relation to court issues with  
17 CAS in a situation of abuse of a child.

18 MR. LEE: And you swore an oath of secrecy  
19 relating to the Church?

20 MS. PILON: An oath of secrecy? Oh, no, no,  
21 no, an oath but not an oath of secrecy.

22 MR. LEE: You were sworn that you were  
23 telling the truth?

24 MS. PILON: That's right.

25 MR. LEE: Sort of like here ---

1 MS. PILON: Right.

2 MR. LEE: --- at this Inquiry?

3 MS. PILON: Right.

4 MR. LEE: But not an oath of secrecy?

5 MS. PILON: No.

6 MR. LEE: Do you recall ever having sworn an  
7 oath of secrecy at any other point?

8 MS. PILON: No.

9 MR. LEE: Okay. Thank you.

10 Could I ask you please to turn up Exhibit  
11 72? Madam Clerk will give that to you. That's the ad hoc  
12 report.

13 MS. PILON: What page, sir?

14 MR. LEE: If you look in the top left-hand  
15 corner the number will end in 197. The very top left-hand  
16 corner of every page has a long number.

17 THE COMMISSIONER: Yeah, she's got it.

18 MR. LEE: Okay.

19 MS. PILON: One nine seven (197)?

20 MR. LEE: One nine seven (197), yes.

21 And this is the tail end of the interview  
22 with Dr. and Mrs. Denis Deslauriers. Do you have that in  
23 front of you, Ma'am?

24 MS. PILON: Yes.

25 MR. LEE: And if you look down right near

1 the very bottom of the page, Madam Clerk, the tail end of  
2 the final answer on this page by Dr. Deslauriers.

3 Madame Pilon, I don't read French very well,  
4 so I'm wondering whether you might be able to read that for  
5 me, if you don't mind? I'd like you to start where it  
6 begins "Je crois aussi". Do you see that?

7 **MS. PILON:** Yes.

8 **MR. LEE:** Can you read that please?

9 **MS. PILON:** "Je croirais qu'il serait  
10 bon..."

11 **THE COMMISSIONER:** No.

12 **MS. PILON:** "...et je ne sais pas s'il vous  
13 y est possible..."

14 **THE COMMISSIONER:** No, Madame. Madame, un  
15 peu plus bas. Si vous voyez sur l'écran, on a une petite  
16 flèche qui vous indique. C'est à peu près cinq lignes du  
17 bas.

18 **MS. PILON:** "Je crois aussi..."

19 **LE COMMISSAIRE:** C'est ça.

20 **MS. PILON:** "...que s'il y a quelque chose  
21 qui vient à la surface encore, vous ne  
22 pourrez pas éliminer le danger qu'il  
23 apparaisse en cour criminelle, je  
24 crois. Le danger est là que les gens  
25 vont toujours pouvoir parler et puis



1 c'est une cause perdue en cour  
2 criminelle."

3 **MR. LEE:** Thank you.

4 So we have that from Dr. Deslauriers  
5 speaking of, as he puts it, the danger that this could  
6 still end up in the criminal courts.

7 And we have an answer from Monsignor Guindon  
8 which says that, for the most part, these victims were more  
9 than 18 years old.

10 Do you see that?

11 **MS. PILON:** Yes.

12 **MR. LEE:** And if you turn the page over  
13 Madame Deslauriers interjects and says that Benoit at least  
14 was 17 years old when he completed his R-Cube.

15 Do you see that?

16 **MS. PILON:** Yes.

17 **MR. LEE:** And it's his next answer that I'm  
18 particularly interested from Dr. Deslauriers. Would you  
19 mind reading that one as well, please?

20 **MS. PILON:** "C'est pour ça je pense qu'il  
21 faudrait retenir ça dans notre esprit  
22 que le danger demeure parce que je me  
23 demande si nous sommes dans une  
24 position très légale ici en cachant un  
25 crime. C'est la question. Je ne dis

1 pas ça comme menace, quoi qu'il faut  
2 penser à toutes ces choses-là.  
3 L'église peut être au mur aussi un jour  
4 parce qu'elle ne sait pas elle-même  
5 quoi faire et elle a besoin encore  
6 d'agir."

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

8 So we have Dr. Deslauriers here at least  
9 turning his mind and raising with the committee the idea of  
10 whether or not the Diocese might be on shaky ground a  
11 little bit here. Is that how you read that?

12 **MS. PILON:** Right.

13 **MR. LEE:** And he's a little bit worried that  
14 a crime has taken place and it hasn't been reported to the  
15 authorities yet?

16 **MS. PILON:** That's right.

17 **MR. LEE:** And that's how you understood his  
18 concern to be. Is that correct?

19 **MS. PILON:** Yes.

20 **MR. LEE:** And Monsignor Guindon goes on to  
21 speak of a case that he knows of in Rhode Island where the  
22 Diocese had been sued for \$14 million as a result of having  
23 some knowledge allegedly of some misconduct and not doing  
24 anything. Do you see that?

25 **MS. PILON:** Yes.

1                   **MR. LEE:** And Dr. Deslauriers says that he  
2 understands the same thing had happened in Louisiana.

3                   **MS. PILON:** Right.

4                   **MR. LEE:** And Monsignor Guindon then  
5 continues in the middle of the page. Would you mind  
6 reading that answer that begins with "Oui"?

7                   **MS. PILON:** "Oui, et plusieurs. Je me  
8                                   demande si c'est une bonne chose de  
9                                   protéger, comme vous le dites, les  
10                                  coupables. O.k. Que la loi suive son  
11                                  cours, ça ne serait pas bon pour  
12                                  l'église."

13                   **MR. LEE:** And what did you understand  
14 Monsignor Guindon to mean "Ça ne serait pas bon pour  
15 l'église"?

16                   **MS. PILON:** That it would hurt the Church.  
17 In what way he meant, I'm not sure.

18                   **MR. LEE:** Do you remember there being some  
19 discussion whether with Dr. and Mrs. Deslauriers or with  
20 the committee about the effect of publicity of these  
21 matters and about these stories getting out and how that  
22 might hurt the Church?

23                   **MS. PILON:** Could you repeat? I didn't  
24 concentrate on the first part.

25                   **MR. LEE:** I get that a lot, Madame.

1                   What I'm asking is whether you remember any  
2                   discussions, either with the committee or with witnesses,  
3                   about the effect that these allegations and this story  
4                   getting out into the public might have on the Diocese?

5                   **MS. PILON:** I don't recall discussing what  
6                   the effects would be.

7                   **MR. LEE:** Is that something you considered  
8                   at the time, what might happen if this story were made  
9                   public?

10                  **MS. PILON:** Certainly I was aware of the  
11                  scandal and Monsignor Guindon also was aware of the scandal  
12                  that would happen and it would affect the Church, the  
13                  people.

14                  **MR. LEE:** And if you continue on, I won't  
15                  ask you to read the entire thing, but Mr. Leduc has a very  
16                  lengthy comment here. And if you look at the middle  
17                  paragraph, what he's saying is that he's concerned about  
18                  the possibility of civil litigation essentially and about  
19                  the fact that there may have been a breach of a fiduciary  
20                  relationship. Do you see that?

21                  **MS. PILON:** Yes.

22                  **MR. LEE:** Do you recall discussions like  
23                  this with Mr. Leduc and Monsignor Guindon outside of this  
24                  interview?

25                  **MS. PILON:** I have no recollection.

1                   **MR. LEE:** So you've -- I know that you don't  
2                   have a perfect memory of all of these hearings and all of  
3                   these interviews, but you've read this transcript now, and  
4                   does this refresh your memory a little bit that there was  
5                   at least some discussion of scandal and of civil litigation  
6                   and of whether this should be reported?

7                   **MS. PILON:** There was -- from reading this,  
8                   there was fear of scandal.

9                   **MR. LEE:** And Mr. Horn a moment ago when he  
10                  asked you some questions brought you back to some of your  
11                  evidence yesterday about the discussions that the committee  
12                  had on its own about what you might be able to do for  
13                  Benoit Brisson, and you've told us about the suggestion  
14                  that maybe he could be given some money that might help  
15                  him. Do you recall that?

16                  **MS. PILON:** Yes.

17                  **MR. LEE:** And I take it, from your point of  
18                  view, the purpose of that money was to help Mr. Brisson?

19                  **MS. PILON:** Help in his therapy, yes.

20                  **MR. LEE:** You understood from meeting with  
21                  Mr. Brisson during this that he was having a hard time?

22                  **MS. PILON:** Definitely.

23                  **MR. LEE:** And you understood, I take it,  
24                  from his parents and from his in-laws, the Deslauriers,  
25                  that this had not been easy on Benoit?

1                   **MS. PILON:** That's right.

2                   **MR. LEE:** And from your training, I take it  
3 you understood that that was what you might expect when  
4 somebody's been sexually abused, for him to be having some  
5 trouble and to be having a difficulty coping with it?

6                   **MS. PILON:** That's what I would expect from  
7 the perpetrator, to help his victim.

8                   **MR. LEE:** Sorry, you might expect -- I take  
9 it what you mean is you might expect the perpetrator to do  
10 what he can financially to help the victim heal. Is that  
11 correct?

12                   **MS. PILON:** That's right.

13                   **MR. LEE:** But you also would have expected  
14 that the victims would have had a very hard time with  
15 having been sexually abused?

16                   **MS. PILON:** Yes.

17                   **MR. LEE:** And you've told us that you can't  
18 remember who raised the issue of perhaps paying some money  
19 to Benoit Brisson other than you know it wasn't you?

20                   **MS. PILON:** That's right.

21                   **MR. LEE:** And what you told us yesterday was  
22 that you remember part of the discussion being not only  
23 that you might pay Mr. Brisson some money but that he might  
24 be asked for confidentiality in return?

25                   **MS. PILON:** That's right.

1                   **MR. LEE:** And I take it you understood the  
2 point of that to be that that would avoid scandal?

3                   **MS. PILON:** Most probably, yes.

4                   **MR. LEE:** So both sides get something out of  
5 that deal?

6                   **MS. PILON:** That's right.

7                   **MR. LEE:** Mr. Brisson gets some money to get  
8 himself some help and the church doesn't have scandal. Is  
9 that correct?

10                  **MS. PILON:** That's correct.

11                  **MR. LEE:** And that's what you understood at  
12 the time?

13                  **MS. PILON:** Yes.

14                  **MR. LEE:** What did you understand was meant  
15 by "confidentiality" in terms of Mr. Brisson? In exchange  
16 for money, he might be asked for confidentiality. What did  
17 you understand that to mean?

18                  **MS. PILON:** It could have meant not to talk  
19 about the amount or it could have meant not to discuss  
20 anything about -- to keep silence.

21                  **MR. LEE:** So there are two options there.  
22 He can talk about it, but not about how much money he was  
23 paid?

24                  **MS. PILON:** That's right.

25                  **MR. LEE:** Or option number two, he shouldn't

1 talk about it at all?

2 MS. PILON: Shouldn't talk about what  
3 happened.

4 MR. LEE: What happened.

5 MS. PILON: The abuse.

6 MR. LEE: The abuse. And that it was a  
7 priest that did it and that it was Father Deslauriers and  
8 all of those kinds of things. Is that right?

9 MS. PILON: It could have meant that, yes.

10 MR. LEE: Was it your understanding or were  
11 there discussions among the committee that the purpose of  
12 the settlement, in part, may have been to keep Mr. Brisson  
13 from bringing the civil authorities into this?

14 MS. PILON: It's possible.

15 MR. LEE: And I take it that goes back to  
16 option number two, that he might be asked to keep silent  
17 completely?

18 MS. PILON: That's right.

19 MR. LEE: I want to touch very, very  
20 briefly, Madam Pilon, on the very last question you were  
21 asked yesterday by Mr. Dumais.

22 You were asked about recommendations and you  
23 offered one of them to us, and I'm paraphrasing, but please  
24 tell me if I've captured what you meant accurately, that  
25 what you suggested is that the treatment of survivors of



1 abuse is more effective and often faster when they pay for  
2 it themselves, at least in part, rather than having  
3 everything given to them?

4 MS. PILON: That's right.

5 MR. LEE: You've told Mr. Horn earlier this  
6 morning that you had some experience working with survivors  
7 of sexual abuse?

8 MS. PILON: Yes.

9 MR. LEE: And that some of your experience  
10 was with survivors of historical sexual abuse?

11 MS. PILON: That's right.

12 MR. LEE: And was it your experience that  
13 while each case is unique, oftentimes survivors of historic  
14 sexual abuse suffer in the same ways?

15 MS. PILON: Even though it's unique, they  
16 suffer sometimes in different ways.

17 MR. LEE: Sometimes in different ways,  
18 sometimes ---

19 MS. PILON: Yes.

20 MR. LEE: Let's break it down a little bit.  
21 Was it your experience that often the effects of abuse were  
22 long-lasting?

23 MS. PILON: They are long-lasting usually,  
24 unless they just put it aside and not think about it.

25 MR. LEE: People heal differently?

1                   **MS. PILON:** Yes.

2                   **MR. LEE:** And I take it you had experience  
3 with victims of abuse who suffered very significantly?

4                   **MS. PILON:** Yes.

5                   **MR. LEE:** And would it have been your  
6 experience that these victims often had problems completing  
7 their education after having been abused?

8                   **MS. PILON:** Each case is different.

9                   **MR. LEE:** Each case is different.

10                  **MS. PILON:** Some have -- continue their  
11 studies and have become social workers or have become  
12 helpers.

13                  **MR. LEE:** Or lawyers.

14                  **MS. PILON:** Maybe. Each case is different.

15                  **MR. LEE:** Have you, in your experience  
16 though, run across victims of abuse who have had trouble  
17 with their education?

18                  **MS. PILON:** With the people who dropped out  
19 of school? I wouldn't know if they would have been abused.

20                  **MR. LEE:** Okay. So you've dealt with people  
21 who have dropped out of school. You just don't know if  
22 that was a result of abuse?

23                  **MS. PILON:** Right.

24                  **MR. LEE:** And you haven't treated hundreds  
25 of victims of abuse or anything like that?

1                   **MS. PILON:** No.

2                   **MR. LEE:** You have some specific  
3 experiences?

4                   **MS. PILON:** That's right.

5                   **MR. LEE:** The reason that I'm asking these  
6 questions is that we've heard some evidence here and we've  
7 heard from a number of survivors of abuse here, and some  
8 common themes seemed to have emerged in the sense of people  
9 having trouble finishing their educations or with  
10 relationships or with employment.

11                   And one of the things that concerned me a  
12 little bit yesterday when I heard your recommendation was  
13 when I think to the number of clients that I have who are  
14 unable to work, who are on disability pensions and things  
15 along those lines, and I just want to confirm with you that  
16 you didn't mean to suggest yesterday that for therapeutic  
17 reasons victims should be always forced to fund their own  
18 counselling?

19                   **MS. PILON:** I don't say totally, but we were  
20 trained if a client could give \$5 or if -- they usually  
21 have a carton of cigarettes per week, they could take less  
22 or if they drank a case of beer per week, that they could  
23 afford maybe \$5, \$10 towards their therapy. And that little  
24 \$5 might make a difference.

25                   **MR. LEE:** And I take it that regardless of

1           how we go about achieving the goal, the goal for you is to  
2           make sure that these survivors are committed to their  
3           therapy?

4                   **MS. PILON:** That's right.

5                   **MR. LEE:** And that they're invested in their  
6           therapy?

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

8                   **MR. LEE:** And that they have a stake in  
9           their therapy?

10                   **MS. PILON:** Yes.

11                   **MR. LEE:** And it's not something they're  
12           doing just to go through the motions; it's something that  
13           they take an interest in and that they care about?

14                   **MS. PILON:** Yes.

15                   **MR. LEE:** And it's been your experience that  
16           when that happens, it's more successful?

17                   **MS. PILON:** Yes.

18                   **MR. LEE:** And that's what you were trying to  
19           communicate to us yesterday?

20                   **MS. PILON:** What I was referring also, I had  
21           a situation where someone was paying for the therapy and  
22           that individual was not necessarily coming to his therapy,  
23           but he didn't mind paying the \$75 or \$80 because it was not  
24           coming from his pocket. He missed the session; no problem.  
25           And that's what I'm referring to.

1                   **MR. LEE:** I think I understand what you're  
2                   saying.

3                   Madame Pilon, thank you very much. Those  
4                   are my questions.

5                   **THE COMMISSIONER:** Thank you.  
6                   Mr. Cipriano?

7                   **MR. CIPRIANO:** No questions.

8                   **THE COMMISSIONER:** Mr. Chisholm? I'm sorry,  
9                   Ms. Alinotte?

10                  **MS. ALINOTTE:** No questions.

11                  **THE COMMISSIONER:** Thank you.  
12                  Mr. Rose?

13                  **MR. ROSE:** No questions, sir.

14                  **THE COMMISSIONER:** Ms. Cole?

15                  **MS. COLE:** No questions.

16                  **THE COMMISSIONER:** Ms. Robitaille?

17                  **MS. ROBITAILLE:** Good morning, Mr.  
18                  Commissioner.

19                  **THE COMMISSIONER:** Good morning.

20                  --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

21                  **ROBITAILLE:**

22                  **MS. ROBITAILLE:** Good morning, Madame Pilon.  
23                  Je m'appelle Danielle Robitaille. Je suis avocate pour  
24                  Jacques Leduc.

25                  Malheureusement, il faut que je demande mes

1 questions en anglais.

2 **Mme. PILON:** C'est bien.

3 **MS. ROBITAILLE:** I want to talk to you a bit  
4 about your understanding of the limits of the jurisdiction  
5 of the ad hoc committee.

6 Was it your understanding that you could not  
7 -- the ad hoc committee could not force witnesses to  
8 testify?

9 **MS. PILON:** Yes.

10 **MS. ROBITAILLE:** And in fact you could not  
11 force Father Deslauriers to testify?

12 **MS. PILON:** That's right.

13 **MS. ROBITAILLE:** You had no jurisdiction to  
14 bind the Bishop?

15 **MS. PILON:** That's right.

16 **MS. ROBITAILLE:** You had no jurisdiction to  
17 compel the adoption of your recommendations?

18 **MS. PILON:** Say that again?

19 **MS. ROBITAILLE:** You had no jurisdiction to  
20 compel the adoption of your recommendations?

21 **MS. PILON:** That's right.

22 **MS. ROBITAILLE:** And this assignment that  
23 Monsignor Larocque gave you did not include a follow-up on  
24 the report?

25 **MS. PILON:** That's right.

1                   **MS. ROBITAILLE:** And if he had asked you for  
2 assistance on the implementation of the recommendations,  
3 you would have assisted him. Am I right?

4                   **MS. PILON:** I'm not sure at that point.

5                   **MS. ROBITAILLE:** Your feeling was once you  
6 submitted your report, that your job was done?

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

8                   Could I come back on this?

9                   **MS. ROBITAILLE:** Sure.

10                  **MS. PILON:** Had he asked me to do -- help  
11 the family in therapy, probably I would have done it.

12                  **MS. ROBITAILLE:** Are you aware, Madame  
13 Brisson (sic), that by the time you issued your final  
14 report and you finalized the recommendations with the  
15 committee, the Brissons had gone public with their  
16 allegations?

17                  **MS. PILON:** If I was aware of that?

18                  **MS. ROBITAILLE:** Yes.

19                  **MS. PILON:** By the time we published the  
20 recommendations?

21                  **MS. ROBITAILLE:** Yes.

22                  **MS. PILON:** Yes, I was made aware by  
23 Monsignor Guindon when I went in for this report.

24                  **MS. ROBITAILLE:** I just want to talk a  
25 little bit about your memory, Madame Pilon.

1                   You agree with me that it's been over 23  
2                   years since you worked on this ad hoc committee?

3                   **MS. PILON:** That's right.

4                   **MS. ROBITAILLE:** And you testified that  
5                   until you spoke to Commission counsel about this this year,  
6                   you had never spoken to anyone about anything related to  
7                   the ad hoc committee?

8                   **MS. PILON:** That's right.

9                   **MS. ROBITAILLE:** And so now, understandably,  
10                  you're having some difficulty recalling specific details of  
11                  the events surrounding the ad hoc committee?

12                  **MS. PILON:** Certain details, yes.

13                  **MS. ROBITAILLE:** And for example, you  
14                  testified that you couldn't remember whether or not you had  
15                  seen Bishop Larocque's April 3<sup>rd</sup>, '86 letter that set up the  
16                  committee. Do you recall that?

17                  **MS. PILON:** Yes.

18                  **MS. ROBITAILLE:** Yes. You also testified  
19                  that you couldn't remember -- you couldn't remember whether  
20                  you had discussed with Bishop Larocque who would be  
21                  testifying before the committee?

22                  **MS. PILON:** Say that again?

23                  **MS. ROBITAILLE:** You testified that you  
24                  could not remember whether or not you had discussed with  
25                  the Bishop who would be testifying before the committee.



1                   **MS. PILON:** That I did -- didn't discuss it?

2                   **MS. ROBITAILLE:** You recall -- Mr. Dumais  
3                   asked you yesterday whether you remembered having a  
4                   conversation with Bishop Larocque where he would have  
5                   informed you of certain witnesses that would appear before  
6                   the committee and you responded, "I can't recall".

7                   Do you remember that?

8                   **MS. PILON:** What I recall and I think I  
9                   mentioned with Maître Dumais that the Brisson family was --  
10                  I recall that. The other people who were to witness, ---

11                  **MS. ROBITAILLE:** Yes.

12                  **MS. PILON:** --- I didn't recall it before I  
13                  read the letter.

14                  **MS. ROBITAILLE:** You told Mr. Dumais that  
15                  you couldn't remember if you had had a conversation with  
16                  Monseigneur Guindon or Mr. Leduc about whether Father  
17                  Thibault was going to testify and whether his name should  
18                  be struck off the list?

19                  **MS. PILON:** I don't recall that, no.

20                  **MS. ROBITAILLE:** You testified that you're  
21                  not 100 percent sure whether you attended the testimony of  
22                  Father Ménard?

23                  **MS. PILON:** That's right.

24                  **MS. ROBITAILLE:** And you don't remember if  
25                  you saw the witness list before you started on the

1 committee?

2 MS. PILON: I don't recall seeing it. I  
3 could have but I don't recall.

4 MS. ROBITAILLE: And when Mr. Dumais took  
5 you to the testimony of Father Vaillancourt, you testified  
6 that you had to completely rely on the transcript because  
7 you had no independent recollection of the testimony  
8 itself. Do you remember that?

9 MS. PILON: I relied on the transcript.

10 MS. ROBITAILLE: You testified that you  
11 couldn't remember if the committee ever considered advising  
12 the school board of the allegations?

13 MS. PILON: That's right.

14 MS. ROBITAILLE: You testified that you  
15 couldn't remember if the committee had received  
16 authorization in advance of testimony to be able to offer  
17 the cost of therapy to witnesses?

18 MS. PILON: You're talking very fast.

19 MS. ROBITAILLE: I'll slow down.

20 MS. PILON: Okay.

21 MS. ROBITAILLE: You want that one again?

22 MS. PILON: Yes.

23 MS. ROBITAILLE: Okay. You testified that  
24 you couldn't remember if you had received authorization  
25 from the Bishop to be able to offer the witnesses the cost

1 of therapy. Do you recall there was some discussion ---

2 **MS. PILON:** Yes, yes, yes. I don't remember  
3 we had authorization to -- or we discussed -- can I have  
4 the question in French and I'll answer in French?

5 **MS. ROBITAILLE:** Okay. Maybe I'll kind of  
6 stretch it a bit to see if we can -- if that will help.

7 **MS. PILON:** Okay.

8 **MS. ROBITAILLE:** Do you remember Monsieur  
9 Dumais asked you if ---

10 **THE COMMISSIONER:** Hang on.

11 **MS. ROBITAILLE:** It is working?

12 Yeah. Monsieur Dumais asked you if you  
13 could remember if you had received authorization from the  
14 Bishop, in advance of the testimony, to be able to offer  
15 the cost of therapy, to pay for the cost of therapy to  
16 witnesses, and you answered that you couldn't recall if you  
17 had received authorization in advance or not?

18 **MS. PILON:** Right.

19 **MS. ROBITAILLE:** And yesterday, Monsieur  
20 Dumais took you to a portion of the transcript where you  
21 were quoted as saying, and I'll say it in French:

22 "On veut prévenir d'autres situations."

23 And you told Monsieur Dumais that you  
24 couldn't remember if you were referring to other situations  
25 with other priests in general or other situations involving

1 Father Deslauriers in particular?

2 MS. PILON: That's right. I think my  
3 intervention there was to prevent all abuse, whatever, with  
4 whoever and what I am ---

5 MS. ROBITAILLE: And you responded to him  
6 that you couldn't remember what you were thinking at the  
7 time when you said that.

8 MS. PILON: No, I don't remember what I was  
9 thinking.

10 MS. ROBITAILLE: Today, you told Mr. Horn  
11 that you don't remember what you might have been thinking  
12 vis-à-vis the duty to report. Do you remember telling him  
13 that?

14 MS. PILON: That I don't remember the  
15 necessity to report?

16 MS. ROBITAILLE: You told Mr. Horn that you  
17 don't remember what you were thinking at the time about  
18 your obligation -- whether you had an obligation or not to  
19 report to the police or the CAS?

20 MS. PILON: Most probably I don't remember.

21 MR. SHERRIFF-SCOTT: Commissioner?

22 THE COMMISSIONER: Yes.

23 MR. SHERRIFF-SCOTT: I'm just wondering, for  
24 five or seven minutes now the witness's evidence is being  
25 repeated over and over and over and over and over. There's

1 a transcript and there is no question that follows.  
2 Usually, the witness is asked to recall to situate a line  
3 of questions but this is just a string of you testified,  
4 you testified.

5 We have a transcript of what the witness  
6 testified. Now, we're hearing it all again and I wonder  
7 about the usefulness of this exercise.

8 **MS. ROBITAILLE:** I'm prepared to move on to  
9 what Madame Pilon does remember. So we can go to that now.

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

11 **MS. ROBITAILLE:** You spoke yesterday and you  
12 spoke today that you remember having an off-the-record  
13 conversation with Monseigneur Guindon and Mr. Leduc about  
14 the idea of offering money to Benoit Brisson in exchange  
15 for a confidentiality agreement.

16 Do you recall that?

17 **MS. PILON:** Yes.

18 **MS. ROBITAILLE:** And you testified yesterday  
19 that Monseigneur Guindon was supposed to follow up with the  
20 Bishop with this idea?

21 **MS. PILON:** Yes.

22 **MS. ROBITAILLE:** But that you don't recall  
23 ever hearing any follow-up?

24 **MS. PILON:** That's right.

25 **MS. ROBITAILLE:** And today you said you

1 don't remember who mentioned the \$32,000 amount but it  
2 wasn't you?

3 MS. PILON: That's right.

4 MS. ROBITAILLE: And that you don't -- you  
5 don't know whether the confidentiality agreement had  
6 anything to do with the facts underlying the allegation or  
7 the amount that would have been provided to Benoit?

8 MS. PILON: It would -- I think -- it was  
9 both I would think.

10 MS. ROBITAILLE: Now, Madame Pilon, you  
11 don't have any recollection of the committee discussing  
12 such a payment to any of the other witnesses who testified  
13 before the committee, do you?

14 MS. PILON: No, I don't.

15 MS. ROBITAILLE: And so based on your  
16 memory, the committee discussed a confidentiality agreement  
17 with only 1 of the 11 people that testified before the  
18 committee?

19 MS. PILON: That's right.

20 MS. ROBITAILLE: And you were aware that  
21 there were other alleged victims out there that did not  
22 participate in the ad hoc committee?

23 MS. PILON: Yes.

24 MS. ROBITAILLE: And you don't recall any  
25 efforts to locate those persons and try to get them to

1 agree to a confidentially agreement?

2 MS. PILON: We didn't do that.

3 MS. ROBITAILLE: And this memory of this  
4 conversation is something you never told anyone about until  
5 you spoke to Commission counsel?

6 MS. PILON: That's right.

7 THE COMMISSIONER: Well, just a second. The  
8 memory of the 32 -- of discussing the \$32,000?

9 MS. ROBITAILLE: This conversation.

10 THE COMMISSIONER: Okay. Did you discuss  
11 any of that with any -- with your -- well, never mind.  
12 We'll just carry on.

13 MS. ROBITAILLE: And you said yesterday that  
14 you were aware and you were reading media reports  
15 surrounding the Silmser settlement. Do you remember that?

16 MS. PILON: Yes.

17 MS. ROBITAILLE: And, Madame Pilon, have you  
18 been living and working in Cornwall since the ad hoc  
19 committee?

20 MS. PILON: Yes.

21 MS. ROBITAILLE: And so you would be aware  
22 of the types of coverage -- the coverage of the Silmser  
23 settlement in the newspaper, on the radio?

24 MS. PILON: Partially, yes.

25 MS. ROBITAILLE: I'm going to suggest to

1       you, Madame Brisson (sic), that you did discuss the idea of  
2       a financial contribution to Benoît Brisson, and I want to  
3       take you to that transcript actually. And this is the last  
4       part of my examination.

5                       It's the ad hoc committee report.

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

7                       **MS. ROBITAILLE:** And it's Bates page  
8       7167258.

9                       Are you there?

10                      **MS. PILON:** Yes.

11                      **MS. ROBITAILLE:** Can you just look at the  
12       first entry where Jacques Leduc is speaking. All right and  
13       he says:

14                      « Moi, la seule chose que je tiens à te  
15       dire sans te dire de le faire, c'est  
16       que je t'inviterais à voir, si tu es  
17       intéressé à voir quelqu'un pour jaser  
18       avec, quelqu'un de professionnel. Moi,  
19       je pense que c'est clairement la  
20       responsabilité du diocèse. Il ne  
21       faudrait pas que tu sois gêné. Alors  
22       mon avis à moi, c'est que tu te gênes  
23       pas pour faire vouloir ces services-  
24       là. »

25                      And then there's an ensuing discussion about



1           how expensive therapy is. And there's the suggestion that  
2           the Diocese would help Benoît Brisson pay for that therapy.

3                           Do you recall having that on-the-record  
4           discussion?

5                           **MS. PILON:** Yes.

6                           **MS. ROBITAILLE:** Thank you, Madame.

7                           **THE COMMISSIONER:** All right. Ms. Lalji.

8                           **MS. LALJI:** Good morning, Mr. Commissioner.

9                           **THE COMMISSIONER:** Good morning.

10           **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

11           **LALJI:**

12                           **MS. LALJI:** Good morning, Madame Pilon.

13                           **MS. PILON:** Good morning.

14                           **MS. LALJI:** My name is Reena Lalji. I'm  
15           counsel for the Cornwall Police Service. I only have a few  
16           questions for you.

17                           Madame Pilon, during Mr. Horn's questions  
18           earlier this morning, you had said something to the effect  
19           that if you were asked by anyone to reveal any information  
20           from the ad hoc committee, that you would have asked  
21           permission to waive your oath of confidentiality, or  
22           something to that effect. Do you recall that?

23                           **MS. PILON:** Yes, I do.

24                           **MS. LALJI:** And I take it that you would  
25           have had to have asked the Bishop for permission to waive

1           that oath of confidentiality. Would that be correct?

2                       **MS. PILON:** That would be correct.

3                       **MS. LALJI:** And in fact the Bishop would  
4           have been the only individual that could have granted this  
5           waiver of the oath? Your understanding.

6                       **MS. PILON:** Yes, because -- yes.

7                       **MS. LALJI:** And I take it also that you  
8           never go to the Bishop to request that he grant a waiver of  
9           the oath of confidentiality.

10                      **MS. PILON:** That's right.

11                      **MS. LALJI:** Okay. Now, Monseigneur Guindon  
12           was the chair of the ad hoc committee?

13                      **MS. PILON:** Yes.

14                      **MS. LALJI:** So would it be fair to say that  
15           he was the head of the committee or he led the ad hoc  
16           committee?

17                      **MS. PILON:** Yes, he led the ad hoc  
18           committee.

19                      **MS. LALJI:** Now, were you aware that  
20           Monseigneur Guindon was interviewed by the Cornwall police  
21           in relation to this matter?

22                      **MS. PILON:** I learnt it after, yes.

23                      **MS. LALJI:** After, within that timeframe or  
24           in your preparation for giving your testimony?

25                      **MS. PILON:** Well, in my preparation because

1 I don't know what went on with the Diocese after -- after  
2 the ad hoc committee.

3 **MS. LALJI:** Okay, so -- so basically, if I  
4 heard you correctly, at the time, in 1986, you weren't  
5 aware that Monseigneur Guindon was interviewed by the CPS,  
6 but you did find that out in your preparation for giving  
7 your testimony?

8 **MS. PILON:** That's right.

9 **MS. LALJI:** Okay. So I take it also that  
10 you would not be aware that Monseigneur Guindon  
11 specifically told the Cornwall police that both you and  
12 Jacques Leduc were also appointed to the committee as  
13 committee members on the ad hoc committee?

14 **MS. PILON:** I was not aware of that.

15 **MS. LALJI:** Okay. And then I also take it  
16 that you would not be aware that Monseigneur Guindon told  
17 the CPS that he had taken an oath of secrecy and therefore  
18 he could not reveal any information or names of victims to  
19 the Cornwall police. You would not be aware that he told  
20 that to the Cornwall police?

21 **MS. PILON:** No, I was not aware.

22 **MS. LALJI:** Okay. Thank you, those are all  
23 my questions.

24 **THE COMMISSIONER:** Thank you. Mr. Kozloff?

25 **MR. KOZLOFF:** No questions.

1 THE COMMISSIONER: Mr. Carroll?

2 MR. CARROLL: No questions, thank you.

3 THE COMMISSIONER: Thank you. Mr. Sherriff-  
4 Scott?

5 MR. SHERRIFF-SCOTT: Yes, thank you.

6 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.  
7 SHERRIFF-SCOTT:

8 MR. SHERRIFF-SCOTT: Good morning.

9 MS. PILON: Good morning.

10 MR. SHERRIFF-SCOTT: Could I ask the witness  
11 be shown the ad hoc committee report, Exhibit 72 at Bates  
12 page 7261.

13 Madame Pilon, you were shown this letter  
14 yesterday by Maître Dumais, and the discussion was that  
15 things had been sent to Father Deslauriers on May 8<sup>th</sup>  
16 expecting him to comment or to allow him to have feedback  
17 and comment, in fairness, "Here are our findings,"  
18 et cetera.

19 So that's -- what I want to see is if I can  
20 take a stab at understanding what you say here or what the  
21 -- and you signed this letter? Correct.

22 MS. PILON: Yes.

23 MR. SHERRIFF-SCOTT: I'm sorry, I didn't  
24 hear you?

25 MS. PILON: Yes.

1                   **MR. SHERRIFF-SCOTT:** Okay. And in the  
2                   second and third paragraphs, I get what I sort of  
3                   understand is that basically in the second full paragraph.

4                   It's summarising the fact that you've heard  
5                   from 12 witnesses, including priests and professionals and  
6                   young people and parents. And that you're -- the committee  
7                   is saying that, "These facts that has come from these  
8                   testimonials are established basically for certain in our  
9                   minds"?

10                  **MS. PILON:** Yes.

11                  **MR. SHERRIFF-SCOTT:** Okay, and then you say  
12                  at the bottom of the page:

13                                 "Please find our report enclosed. Read  
14                                 it and, if you see fit, send us your  
15                                 comments by May 18<sup>th</sup>."

16                  **MS. PILON:** Right.

17                  **MR. SHERRIFF-SCOTT:** Right. So the idea  
18                  that's being floated around here is that perhaps the  
19                  committee's report sort of sprang into life on May 23<sup>rd</sup>  
20                  after the police had been advised by Benoît Brisson. And  
21                  my question to you is whether or not, basically, the  
22                  committee's work was done by this point and you were simply  
23                  waiting for Father Deslauriers' response, if any.

24                  **MS. PILON:** That's possible.

25                  **MR. SHERRIFF-SCOTT:** You don't have any

1 better recollection than that? Is that the best you can do  
2 is -- I'm not -- it's not a criticism. I'm just wondering.

3 **THE COMMISSIONER:** Well, if you look at the  
4 last sentence though, « Suite à la reception ... » -- "Once  
5 we receive your comments we will submit our  
6 recommendations," so depending if the recommendations had  
7 been formulated by the 8<sup>th</sup> of May.

8 **MR. SHERRIFF-SCOTT:** Perhaps.

9 Do you know -- do you know how much more, if  
10 any, work was really done after May 8<sup>th</sup>?

11 **MS. PILON:** After May 8<sup>th</sup>, there was -- no, I  
12 don't believe there was -- other things than the report,  
13 the final report -- the recommendations.

14 **MR. SHERRIFF-SCOTT:** I'm sorry, I'm not  
15 clear.

16 The final report. You're sending him the  
17 report it says. And I'm really just wondering whether or  
18 not you did any significant work after May 8<sup>th</sup>.

19 **MS. PILON:** I don't believe so.

20 **MR. SHERRIFF-SCOTT:** Can you repeat?

21 **MS. PILON:** I don't believe so.

22 **MR. SHERRIFF-SCOTT:** Okay, thank you.

23 Now, one of the things that a number of  
24 people asked you about is the question of confidentiality  
25 as well as disclosure by the committee and/or yourself.

1                   And am I right that, in this process, what  
2                   you were being told by the families, the victims themselves  
3                   and those connected with them, was that these people did  
4                   not wish to go outside and report to any agencies?

5                   **MS. PILON:** That's my recollection.

6                   **MR. SHERRIFF-SCOTT:** In fact, they did not  
7                   want publicity, not just because they were concerned  
8                   perhaps about the Church but they didn't want their own  
9                   embarrassment by the revelation of these sort of horrible  
10                  stories which involved them in the public.

11                  **MS. PILON:** That's -- that's correct.  
12                  That's what I understand.

13                  **MR. SHERRIFF-SCOTT:** All right. And when my  
14                  friend Mr. Lee talked about the question of confidentiality  
15                  discussions in exchange for payments to avoid scandal, this  
16                  factor of the victims being embarrassed, obviously by the  
17                  details of these things becoming public -- I suggest that  
18                  the question of confidentiality encompassed also their  
19                  concerns.

20                  **MS. PILON:** I know it's close to the end but  
21                  I ---

22                  **MR. SHERRIFF-SCOTT:** That's okay. Let me --

23                  -

24                  **MS. PILON:** --- I can't think any more.

25                  **LE COMMISSAIRE:** Est-ce que vous voudriez

1 avoir une pause?

2 **MS. PILON:** Cinq minutes?

3 **LE COMMISSAIRE:** Dix (10).

4 The witness wants a break. Thank you.

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

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

8 --- Upon recessing at 10:44 a.m./

9 L'audience est suspendue à 10h44

10 --- Upon resuming at 11:03 a.m./

11 L'audience est reprise à 11h03

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

14 This hearing is now resumed.

15 **THE COMMISSIONER:** Okay.

16 Mr. Sherriff-Scott?

17 **CLAUDETTE PILON, Resumed/Sous le même serment:**

18 **MR. SHERRIFF-SCOTT:** I want to thank you  
19 very much for coming. I know these things are very  
20 difficult. I don't have any more questions for you. I  
21 wish you every happiness and thanks again.

22 **LE COMMISSAIRE:** Maître Dumais?

23 **Me DUMAIS:** Aucune question en ré-  
24 interrogatoire, monsieur le Commissaire. Merci.

25 **LE COMMISSAIRE:** Parfait.



1 Et voilà, Madame Pilon.

2 **Mme PILON:** Ah, c'est fini?

3 **LE COMMISSAIRE:** C'est terminé.

4 En tout cas, je veux vous remercier d'être  
5 venue parmi nous ici aujourd'hui. Je vais certainement  
6 considérer votre preuve, votre témoignage en rédigeant mon  
7 rapport, comme vous l'avez fait il y a tellement longtemps.

8 Je vous remercie encore.

9 **Mme PILON:** Merci, monsieur.

10 **LE COMMISSAIRE:** Vous êtes libre de partir.

11 Parfait. Merci.

12 **MR. DUMAIS:** Mr. Commissioner, I think we  
13 are ready for our next witness.

14 **THE COMMISSIONER:** Yes.

15 **MR. DUMAIS:** Ms. Hamou will be calling that  
16 witness. Thank you.

17 **THE COMMISSIONER:** Thank you.

18 **MS. HAMOU:** Mr. Commissioner, I believe Mr.  
19 Gordon Bryan will be entering shortly.

20 **(SHORT PAUSE/COURTE PAUSE)**

21 **MS. HAMOU:** Good morning, Reverend Bryan.

22 **REV. BRYAN:** Good morning.

23 **MS. HAMOU:** I would ask Madam Clerk to  
24 please swear in the next witness.

25 **ARCHDEACON GORDON BRYAN, Sworn/Assermenté:**

1                   **THE COMMISSIONER:** Good morning, sir.

2                   **REV. BRYAN:** Good morning.

3                   **THE COMMISSIONER:** How are you doing today?

4                   **REV. BRYAN:** Fine, thank you, sir.

5                   **THE COMMISSIONER:** Great.

6                   You have water, fresh water, glasses. I'd  
7 like you to speak into the microphone so that we can hear  
8 all that is being said.

9                   There is a speaker in front of you if you  
10 wish to decrease the volume. It's the small box in front  
11 of you, this little box right here like that. That's a  
12 speaker.

13                   **REV. BRYAN:** Oh, I'm sorry.

14                   **THE COMMISSIONER:** So that will help you  
15 listen and hear what is being said.

16                   There will be some documents put to you, and  
17 they'll either be in what we call hard copy and paper form  
18 or on the screen. You're free to use whichever one you  
19 wish.

20                   People will be asking you questions today,  
21 covering a period a long time ago, I suppose. If you have  
22 any doubt as to how the question is being put, please ask  
23 them to rephrase it. If you don't understand, let me know  
24 and, more importantly, if ever you need a break, you feel  
25 uncomfortable about something, please let me know. All

1 right?

2 **REV. BRYAN:** Thank you.

3 **THE COMMISSIONER:** Thank you.

4 Madame Hamou.

5 **--- EXAMINATION-IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**

6 **HAMOU:**

7 **MS. HAMOU:** Reverend Bryan, today we're  
8 going to cover a few areas in examination. I'm just going  
9 to give you a little outline.

10 We're going to start with some questions on  
11 your background. Then I'm going to ask you a few questions  
12 about Father Gilles Deslauriers. We're going to talk about  
13 your time on the Board of Directors of the Cornwall Police  
14 Service. We're going to talk about your involvement in the  
15 Father MacDonald matter, and that will wrap the day up.

16 I have a few questions to start on your  
17 background. So we're going to look at your CV. Madam  
18 Clerk, the Document Number is 740608.

19 And, Reverend Bryan, I'm going to put some  
20 questions to you and please don't hesitate to correct me if  
21 there's any corrections to be made.

22 So to start off -- actually, I'll wait for  
23 Madam Clerk to give you the CV.

24 Sorry, Madam Clerk.

25 **(SHORT PAUSE/COURTE PAUSE)**

1                   **THE COMMISSIONER:** Merci.

2                   Exhibit 1956 is the Curriculum Vitae of  
3 Reverend Gordon Bryan.

4                   **--- EXHIBIT NO./PIÈCE NO. P-1956:**

5                   (740608) Curriculum Vitae - Reverend Gordon  
6 Bryan

7                   **MS. HAMOU:** Reverend Bryan, I understand you  
8 were born on January 6<sup>th</sup>, 1935 in Montreal?

9                   **REV. BRYAN:** That's true.

10                  **MS. HAMOU:** And you are one of four  
11 siblings?

12                  **REV. BRYAN:** Yes.

13                  **MS. HAMOU:** You moved to Cornwall in your  
14 early youth when you were no more than three years old?

15                  **REV. BRYAN:** Around two or three.

16                  **MS. HAMOU:** Two or three?

17                  **REV. BRYAN:** I'm not absolutely sure.

18                  **MS. HAMOU:** That's okay.

19                  You attended St. Lawrence High School and  
20 Cornwall Collegiate Vocational School?

21                  **REV. BRYAN:** That's -- yes.

22                  **MS. HAMOU:** And you are married and have  
23 five children?

24                  **REV. BRYAN:** That's true, yes.

25                  **MS. HAMOU:** I'd like to go through a few of

1 the religious titles you obtained through the years.

2 You began work in the Diocese in 1971 as a  
3 program coordinator at the Diocesan Centre?

4 **REV. BRYAN:** Yes, late '71, August, I  
5 believe.

6 **MS. HAMOU:** And you became the Director of  
7 the Diocesan Centre in 1973?

8 **REV. BRYAN:** Yes.

9 **MS. HAMOU:** Are you still in that position  
10 today?

11 **REV. BRYAN:** No, I've retired. This is two  
12 years now and a few months.

13 **MS. HAMOU:** So you held that position until  
14 2006?

15 **REV. BRYAN:** I did, that's right.

16 **MS. HAMOU:** You were ordained as a deacon on  
17 September 16<sup>th</sup>, 1976?

18 **REV. BRYAN:** Yes.

19 **MS. HAMOU:** What were your roles and  
20 responsibilities in the Diocese as a deacon?

21 **REV. BRYAN:** At that particular time, I was  
22 assigned to a parish for the weekends. I worked during the  
23 week at the Diocesan Centre. I did some marriage tribunal  
24 work. I did the directing of the centre.

25 At that time we had a fair number of

1 committees going because we'd finished a synod, and so much  
2 of it was a staff of three trying to put together booklets  
3 for the various parishes. So it was a heavy time at the  
4 beginning, plus I looked after the centre as a caretaker as  
5 well. We didn't have one. So I was sort of a jack-of-all-  
6 trades, I would guess.

7 MS. HAMOU: And did you have some ministry  
8 functions, more limited than priests would have?

9 REV. BRYAN: Yes. I could hatch, match and  
10 dispatch.

11 MS. HAMOU: Pardon me?

12 REV. BRYAN: I could hatch, match and  
13 dispatch. So I could baptize, I could marry and I could  
14 bury.

15 MS. HAMOU: Perfect.

16 You were made an archdeacon in ---

17 (LAUGHTER/RIRES)

18 THE COMMISSIONER: I'm afraid, sir, that's  
19 one of the expressions we're going to keep.

20 MS. HAMOU: Sir, you were made an archdeacon  
21 in 2000?

22 REV. BRYAN: That's right.

23 MS. HAMOU: And what's the distinction  
24 between an archdeacon and a deacon? Are there more  
25 responsibilities?

1                   **REV. BRYAN:** I don't think there's any  
2                   distinction other than a title that I don't use.

3                   **MS. HAMOU:** And as an archdeacon are you  
4                   what would be referred to as a senior official in the  
5                   Diocese?

6                   **REV. BRYAN:** No. I would be like a  
7                   monsignor in a parish, your parish priest. I was a parish  
8                   deacon, no other advances to that. I couldn't even get  
9                   access to the Pope.

10                  **MS. HAMOU:** Now, with regards to your  
11                  education, in 1973 you attended the University of Ottawa  
12                  where you obtained a Bachelor of Arts?

13                  **REV. BRYAN:** I was finished in '73. I  
14                  graduated in May of that year.

15                  **MS. HAMOU:** And you attended Saint Paul  
16                  University where you obtained a certificate in Theology in  
17                  1975?

18                  **REV. BRYAN:** That's right.

19                  **MS. HAMOU:** You obtained a certificate in  
20                  Bioethics from St. Mark's University in Vancouver in 1980?

21                  **REV. BRYAN:** That's right.

22                  **MS. HAMOU:** Reverend Bryan, I understand you  
23                  also obtained a certificate in Fiscal Management Control?

24                  **REV. BRYAN:** Yes.

25                  **MS. HAMOU:** What year would that have been

1 in?

2 REV. BRYAN: It's a good question. I'm not  
3 absolutely sure.

4 MS. HAMOU: A ballpark?

5 REV. BRYAN: In the late '70s or early '80s,  
6 I would think, probably the early '80s.

7 MS. HAMOU: Now, Reverend Bryan, with  
8 regards to your employment history and service in the  
9 Diocese, I understand that from 1976 to your retirement,  
10 you have worked as a deacon in several parishes including  
11 St. John Bosco?

12 REV. BRYAN: Yes.

13 MS. HAMOU: St. Francis de Sales?

14 REV. BRYAN: Yes.

15 MS. HAMOU: St. Columban's?

16 REV. BRYAN: Yes.

17 MS. HAMOU: Precious Blood?

18 REV. BRYAN: Yes.

19 MS. HAMOU: And Blessed Sacrament?

20 REV. BRYAN: Yes.

21 MS. HAMOU: You also worked as a chaplain --

22 -

23 REV. BRYAN: Martintown as well, but that  
24 was prior to being a deacon.

25 MS. HAMOU: And you also worked as a



1 chaplain in schools, at St. Francis de Sales, Immaculate  
2 Conception, St. Columban's East, St. John Bosco and St.  
3 Anne's?

4 **REV. BRYAN:** That's true.

5 **MS. HAMOU:** Now, Reverend Bryan, I  
6 understand from 1978 to 1982 you served as Assistant  
7 Bursar?

8 **REV. BRYAN:** Yes.

9 **MS. HAMOU:** And from 1982 to 2005, you held  
10 the position of Diocesan Bursar?

11 **REV. BRYAN:** Yes.

12 **MS. HAMOU:** I understand this is a full-time  
13 position?

14 **REV. BRYAN:** Yes, it is.

15 **MS. HAMOU:** And what is your role as Bursar?

16 **REV. BRYAN:** It was mainly the fiscal  
17 management of the affairs in the Diocesan Centre but also  
18 of the various parishes. When they had repairs or  
19 something to do, normally they were required to refer to  
20 the Bursar and if the repairs were a great amount of money,  
21 then it was often loaned to them through our Diocesan Loan  
22 Fund. And so I had to write up the various processes for  
23 that; also for sale of properties.

24 I also, as I had mentioned, worked on the  
25 marriage tribunal as the defendant of the bond at one

1 point. Also, I'm still doing some of that for witness  
2 questioning.

3 **MS. HAMOU:** Now, more specifically, did you  
4 have the power to make financial decisions in the Diocese?

5 **REV. BRYAN:** No, the Bishop has that power.  
6 I certainly could recommend things for him, but his  
7 decision was the final. He usually accepted through the  
8 finance council that -- their suggestions. He usually did.

9 **MS. HAMOU:** Did you need approval from the  
10 Bishop with regards to every financial decision you made?

11 **REV. BRYAN:** Yes. Normally, I gave him  
12 little notes and he agreed or he didn't. If he agreed,  
13 they went through.

14 **MS. HAMOU:** So there's no decisions you  
15 would have made on your own per se?

16 **REV. BRYAN:** For money matters, no.

17 **MS. HAMOU:** And did auditors review your  
18 work as Bursar on a regular basis?

19 **REV. BRYAN:** Yes, yearly.

20 **MS. HAMOU:** Now, you were the Bursar of the  
21 Diocese for a number of years and had many dealings with  
22 Bishop Larocque as a result. How would you describe your  
23 relationship with him?

24 **REV. BRYAN:** We were friendly. He came for  
25 perhaps two or three dinners a year at my house and we went

1 to his as well. That was usually staff - staff groups.  
2 Also I would go normally with -- to assist him when the  
3 priest had barbeques at his house. I would act as his  
4 assistant.

5 MS. HAMOU: At the barbeque.

6 Now, did he ever come to you for advice?

7 REV. BRYAN: On fiscal matters, yes. If it  
8 was something to do with a parish, he would ask me.

9 MS. HAMOU: And would you ever volunteer any  
10 unsolicited advice?

11 REV. BRYAN: If it was to do with something  
12 in a parish, yes, I would.

13 MS. HAMOU: And was the Bishop generally  
14 open to your suggestions?

15 REV. BRYAN: Usually, yes.

16 MS. HAMOU: Now, would you say that as a  
17 Bursar you had a pretty good idea of what was happening in  
18 the Diocese at some points in time?

19 REV. BRYAN: Usually, yes, I would think so.  
20 Particularly the fact that I also looked after the priests'  
21 pension fund as Diocesan Bursar too.

22 MS. HAMOU: And did most of the Diocese  
23 business and internal workings run past you at some point?

24 REV. BRYAN: No, not all of it. I would say  
25 a good portion of it, yes.

1                   **MS. HAMOU:** The financial matters?

2                   **REV. BRYAN:** Financial matters.

3                   **MS. HAMOU:** Now, would you be -- what would  
4 be -- excuse me, I'm going to start over. Were you what  
5 would be considered the Bishop's right-hand man?

6                   **REV. BRYAN:** Usually in finance, it's left-  
7 hand, but, yes.

8                   **MS. HAMOU:** The left-hand. How involved  
9 were you in the management per se of the Diocese?

10                  **REV. BRYAN:** Well, I established a lot of  
11 the various directives for the parish operations, for  
12 finances, et cetera, so that they were in common with each  
13 other and we could make financial statements from the  
14 whole.

15                  **MS. HAMOU:** So policies and protocols  
16 limited to financial matters?

17                  **REV. BRYAN:** Yes.

18                  **MS. HAMOU:** Did you do any kind of protocol  
19 work other than financial?

20                  **REV. BRYAN:** No. Although quite often the  
21 Bishop would send me down various things on protocols  
22 wondering whether or not I would just review them to see if  
23 there was anything financial that should be added.

24                  **MS. HAMOU:** Now, Reverend Bryan, I  
25 understand through the years you did some volunteer work

1 with committees and organizations?

2 REV. BRYAN: Yes.

3 MS. HAMOU: I'm going to list a few of them.  
4 You were involved with the Knights of Columbus from 1960 to  
5 2005 in some capacities as chaplain?

6 REV. BRYAN: Yes, I'm still a chaplain.

7 MS. HAMOU: From 1976 to 1980, you worked  
8 with the Big Brothers Organization in Cornwall?

9 REV. BRYAN: Yes.

10 MS. HAMOU: And was this some work at the  
11 board level?

12 REV. BRYAN: Yes, I was chairman of the  
13 board for a while.

14 MS. HAMOU: From 1972 to 2003, you were on  
15 the board of Hôtel Dieu Hospital and worked on a number of  
16 committees at this hospital?

17 REV. BRYAN: Yes.

18 MS. HAMOU: From 1974 to around 2002, you  
19 did some work at St. Joseph's Villa as a volunteer chaplain  
20 and member of the board?

21 REV. BRYAN: That's right. Although in '85,  
22 there was -- when I went to Africa for the year, of course,  
23 I wasn't present.

24 MS. HAMOU: From 1978 to 1992 and from 1988  
25 to 1989, you sat as a member of the CAS board of directors?

1                   **REV. BRYAN:** Yes.

2                   **MS. HAMOU:** Now, what type of work did you  
3 do with the CAS board of directors?

4                   **REV. BRYAN:** Generally we reviewed things  
5 like the annual budget. We would be given some of the  
6 policies suggested for the CAS and usually the board would  
7 approve them, but it also was the Ministry itself who  
8 directed a lot of that.

9                   **MS. HAMOU:** And during your tenure as a  
10 member of the board, were there any issues that arose?

11                   **REV. BRYAN:** Not particularly. I should  
12 mention that a few times for adoptions I would go with one  
13 of the social workers because I love babies. So I would  
14 take them to the parents.

15                   **MS. HAMOU:** Now, from 1996 to 2005, you  
16 worked as a member of the Children's Treatment Centre?

17                   **REV. BRYAN:** Yes, I'm still a member.

18                   **MS. HAMOU:** And can you briefly explain to  
19 me what the Children's Treatment Centre is?

20                   **REV. BRYAN:** Yes, it's a treatment centre  
21 for abused, physical or mental abused children. And it is  
22 -- we have professionals on board that we -- basically, our  
23 role is to ensure that we have enough money to run the  
24 centre every year.

25                   **MS. HAMOU:** Is this a none for profit

1 organization?

2 **REV. BRYAN:** Yes, it is.

3 **MS. HAMOU:** Since 2006, you served on the  
4 board of directors for the Victim Crisis Assistance and  
5 Referral Services?

6 **REV. BRYAN:** Yes, VICARS, yes.

7 **MS. HAMOU:** Can you explain to me briefly  
8 what VICARS is?

9 **REV. BRYAN:** Yes, VICARS is a group usually  
10 that are volunteers who are trained to go out to accidents,  
11 to battered women households, et cetera, to relieve the  
12 police of the duty of staying with the victims until other  
13 help arrive. They would also then counsel the victims on  
14 where they could seek help for their particular needs.

15 It also looks after even repairing doors, et  
16 cetera that may have been busted by the partner, or in an  
17 accident case, stayed with the parents or relatives until  
18 such time as they had been able to look after themselves.

19 **MS. HAMOU:** And, sir, I understand from  
20 November 15<sup>th</sup>, 1989 to November 15<sup>th</sup>, 1991, you were a member  
21 of the Cornwall Community Police Services Board?

22 **REV. BRYAN:** Yes.

23 **MS. HAMOU:** I want to come back to that  
24 issue a little later, but first I'd like to address with  
25 you the matter of Father Deslauriers?

1                   **REV. BRYAN:** Yes.

2                   **MS. HAMOU:** Did you know Father Deslauriers?

3                   **REV. BRYAN:** Yes, I did.

4                   **MS. HAMOU:** And did you have many dealings  
5 with him?

6                   **REV. BRYAN:** Not particularly. The only  
7 times really when I would meet him, I was at Bosco for a  
8 while. I would preach in English; he would preach in  
9 French. French Mass was one French Mass and two English.  
10 So when it was his turn, I would normally go up to his  
11 school office and find out what he was preaching on, so  
12 that we had sort of about the same bent on our homilies.

13                   **MS. HAMOU:** And now, when did you first  
14 become aware of allegations of sexual abuse being made  
15 against Father Deslauriers?

16                   **REV. BRYAN:** When I came back from Africa.

17                   **MS. HAMOU:** And when was that?

18                   **REV. BRYAN:** That was December of '90, was  
19 it? Just -- I'm trying to remember exactly when I was  
20 there.

21                   **MS. HAMOU:** December '86?

22                   **REV. BRYAN:** Eighty six ('86), yes. Thank  
23 you.

24                   **MS. HAMOU:** And did the Bishop at any time  
25 discuss with you the Deslauriers matter?



1                   **REV. BRYAN:** No.

2                   **MS. HAMOU:** So you were not aware that he  
3 had asked Deslauriers to leave the Diocese?

4                   **REV. BRYAN:** I found after the fact, yes.

5                   **MS. HAMOU:** And were you aware that the  
6 Bishop had requested Father Deslauriers attend treatment?

7                   **REV. BRYAN:** No, but I would have been aware  
8 after with the billing.

9                   **MS. HAMOU:** With regards to billing?

10                   **REV. BRYAN:** Yes.

11                   **MS. HAMOU:** Were you aware that the Bishop  
12 had struck the ad hoc committee?

13                   **REV. BRYAN:** I believe I -- that if I'm not  
14 mistaken, Monsignor McDougald had been made head of that  
15 committee. But other than that, I wasn't aware exactly  
16 what the function was.

17                   **MS. HAMOU:** Did you discuss this with Father  
18 McDougald or the Bishop?

19                   **REV. BRYAN:** No.

20                   **MS. HAMOU:** So did you know what the ad hoc  
21 committee was about?

22                   **REV. BRYAN:** Basically, from what I could  
23 see from their mandate -- and I'd read the mandate, I think  
24 they sent it to all of the priests, that they were to  
25 verify victims' statements, et cetera.

1                   **THE COMMISSIONER:** So with respect to Father  
2                   Deslauriers, we know that it's Monseigneur Guindon.

3                   **REV. BRYAN:** Oh, sorry, okay.

4                   **THE COMMISSIONER:** So does that ---

5                   **REV. BRYAN:** Could have been, yes.

6                   **MS. HAMOU:** The next issue I'd like to  
7                   address with you, sir, is the issue of the continued salary  
8                   of Father Deslauriers after he was asked to leave the  
9                   Diocese.

10                  **REV. BRYAN:** Yes.

11                  **MS. HAMOU:** How did you become aware that  
12                  the Bishop wanted to send him his salary?

13                  **REV. BRYAN:** Bishop asked if I would prepare  
14                  one. And at that particular time, I'd just discovered, as  
15                  we were doing our audits, that there was a nest egg of  
16                  \$150,000 in the Caisse Populaire in Cornwall.

17                  **MS. HAMOU:** So before we get to that matter,  
18                  I want to ask you about this conversation you had with the  
19                  Bishop. Is this the first time you would have found out  
20                  Father Deslauriers had left the Diocese?

21                  **REV. BRYAN:** I think there was rumours  
22                  around before that, so I'm not -- I'm not sure on that one.

23                  **THE COMMISSIONER:** Can you get ---

24                  **MS. HAMOU:** But you might have heard that he  
25                  had been asked to leave?

1                   **REV. BRYAN:** Yes.

2                   **THE COMMISSIONER:** Can we get a date or some  
3 sense of time as to when that conversation was held?

4                   **MS. HAMOU:** I'm going to take you to a  
5 document actually ---

6                   **THE COMMISSIONER:** Okay.

7                   **MS. HAMOU:** --- which you wrote to the  
8 Bishop, which is November of 19 -- around November 1986, so  
9 probably shortly after you returned.

10                   **REV. BRYAN:** Yes.

11                   **MS. HAMOU:** If I can take you there, the  
12 Document Number is 118897, and this document does not have  
13 a date but I will be able to refer you to another document  
14 after, which will give us some context.

15                   **THE COMMISSIONER:** Okay.

16                   Thank you. Exhibit 1957 is a document on  
17 Diocese of Alexandria-Cornwall letterhead. It's a memo re  
18 Salary of Father Gilles Deslauriers.

19                   --- **EXHIBIT NO./PIÈCE No P-1957:**

20                   (118897) Memo re Salary of Father Gilles  
21 Deslauriers - undated.

22                   **MS. HAMOU:** Do you recall writing this  
23 memorandum ---

24                   **REV. BRYAN:** Yes, I do.

25                   **MS. HAMOU:** It is your handwriting?

1                   **REV. BRYAN:** Yes, it is.

2                   **MS. HAMOU:** Now, the first point I'd like to  
3 take you to is the first paragraph where you indicate:

4                                 "After a great deal of thought and  
5                                 prayer, I feel in conscience I cannot  
6                                 justify making up a cheque for him."

7                   And you also indicate a few lines further:

8                                 "After discovering his nest egg of over  
9                                 \$150,000, I am sure you agree his  
10                                 survival is assured."

11                   Now, sir, my question is how did you come to  
12 learn of this bank account containing and \$150,000?

13                   **REV. BRYAN:** We normally send out to the  
14 Caisse and any of the other banks requests for balances for  
15 the end of the year.

16                   And this came up as one of the ones for a  
17 vocation fund that I'd never heard of. So then I asked  
18 them further and they indicated that it was Father Gilles  
19 Deslauriers who was the signer of that account.

20                   **MS. HAMOU:** So was this a diocesan fund or  
21 account?

22                   **REV. BRYAN:** It wasn't in our books, no.

23                   **MS. HAMOU:** So when you wrote to the bank,  
24 they replied to you and told you there was an account ---

25                   **REV. BRYAN:** Yes.

1 MS. HAMOU: --- for vocations?

2 REV. BRYAN: Because when we put it on our  
3 list of accounts, we indicate things like vocations,  
4 et cetera to check. And so that one popped up as an extra  
5 one that we'd never seen before.

6 MS. HAMOU: So you'd never seen it. Did you  
7 have access to that account?

8 REV. BRYAN: No.

9 MS. HAMOU: So you were informed that Gilles  
10 Deslauriers' name was associated to the account. I'd like  
11 to take you to the last paragraph of this same exhibit  
12 we're looking at ---

13 REV. BRYAN: Yes.

14 MS. HAMOU: --- where you indicate:

15 "Although I cannot prove it, I am  
16 morally certain that these funds were  
17 solicited and collected to assist  
18 diocesan vocations."

19 REV. BRYAN: Yes.

20 MS. HAMOU: So why do you indicate that you  
21 cannot prove this, and why did you have this -- why did you  
22 make this assumption?

23 REV. BRYAN: Mainly because in phoning his  
24 former parish, Sacré Coeur, I was told that they had some  
25 legacies that had been given to Father Deslauriers for

1 vocations. I didn't know what the -- the legacies  
2 indicated in them; whether they were other than for his own  
3 parish vocation or not.

4 MS. HAMOU: And how did the Bishop react  
5 when you provided him with this memorandum?

6 REV. BRYAN: I think he was somewhat  
7 surprised.

8 MS. HAMOU: And did he speak to you about  
9 it?

10 REV. BRYAN: No, not after that.

11 MS. HAMOU: Did he make inquiries about the  
12 amount that might have been in the account?

13 REV. BRYAN: Did I make any more inquiry?

14 MS. HAMOU: Did you ---

15 REV. BRYAN: I had the ---

16 MS. HAMOU: Did he ask you ---

17 REV. BRYAN: I had the balance sheet.

18 MS. HAMOU: Did you ---

19 REV. BRYAN: Yeah.

20 MS. HAMOU: Pardon me?

21 REV. BRYAN: I had the bank statement that  
22 indicated what there was in the account.

23 MS. HAMOU: Okay. I'd like to take you to  
24 another document, if it's possible. It's Document Number  
25 118898.

1                   **THE COMMISSIONER:** Thank you. One nine five  
2 eight (1958) is the next exhibit. It's a document dated  
3 the 10<sup>th</sup> of November 1986 addressed to Father Gilles and  
4 signed by Bishop Eugene Larocque.

5                   **--- EXHIBIT NO./PIÈCE No P-1958:**

6                   (118898) Document addressed to Father Gilles  
7 Deslauriers from Bishop Eugene Larocque - 10  
8 Nov, 86

9                   **MS. HAMOU:** Now, sir, do you understand  
10 French?

11                   **REV. BRYAN:** Yes, I do.

12                   **MS. HAMOU:** Okay, I'm going to read a  
13 passage of this letter to you. It starts at the second  
14 paragraph.

15                   **REV. BRYAN:** Yes.

16                   **MS. HAMOU:** I think some people have to put  
17 on their headphones. I'll just give them a minute.

18                   Okay. So Reverend Bryan, the letter  
19 indicates:

20                   « C'est que mon procureur, Monsieur  
21 Bryan, se dit incapable en conscience  
22 de t'écrire un chèque sachant que tu as  
23 plus de 140,000 \$ dans un compte en  
24 fiducie pour les vocations. »

25                   Now, in your memorandum you referred to

1           \$150,000. Do you know why the Bishop would now be  
2           referring to 140?

3                       **REV. BRYAN:** I imagine that probably was  
4           from an error on his part, but I'm fairly sure it was 150  
5           at that time.

6                       **MS. HAMOU:** And were ---

7                       **REV. BRYAN:** I wouldn't have written it down  
8           if I wasn't sure.

9                       **MS. HAMOU:** About the amount.

10                      **REV. BRYAN:** About the amount.

11                      **MS. HAMOU:** Now, were you aware that  
12           Monseigneur Larocque had discussions with Father  
13           Deslauriers before he sent him this letter?

14                      **REV. BRYAN:** No, and I wasn't aware of the  
15           letter at all. So it came as a bit of a shock that my  
16           little note would be communicated to Father Deslauriers as  
17           well.

18                      **MS. HAMOU:** Now, when you say you didn't  
19           know of this letter, you mean before your preparation for  
20           the Inquiry?

21                      **REV. BRYAN:** Before -- no, I'm referring to  
22           the time that it happened, I wasn't aware. Once the  
23           Inquiry bundle came through, yes, I was aware.

24                      **MS. HAMOU:** When you received materials to  
25           review?



1                   **REV. BRYAN:** That's right.

2                   **MS. HAMOU:** So I'd like to take you to the  
3 second line in that second paragraph, so again I will quote  
4 from the letter:

5                                   « Tu m'as dit au téléphone que c'était  
6 des argents personnels. Cependant nous  
7 savons que plusieurs personnes t'ont  
8 donné des fonds pour les vocations. »

9                   Now, this is what you were referring to  
10 earlier?

11                   **REV. BRYAN:** Yes.

12                   **MS. HAMOU:** Funds coming from parishioners?

13                   **REV. BRYAN:** Yeah, and it may have been a  
14 single legacy. I have no idea.

15                   **MS. HAMOU:** Would those matters usually go  
16 through you?

17                   **REV. BRYAN:** If it's a legacy that is for a  
18 parish, no. If it's a legacy for the Diocese, yes.

19                   **MS. HAMOU:** Now, do you know if Father  
20 Deslauriers ever returned the funds to the Diocese?

21                   **REV. BRYAN:** To the best of my knowledge,  
22 no.

23                   **MS. HAMOU:** I'd like to take you to a letter  
24 written by Bishop Larocque. The Document Number is 118907.

25                                   **(SHORT PAUSE/COURTE PAUSE)**

1                   **THE COMMISSIONER:** Thank you.

2                   Exhibit 1959 is a letter dated the 24<sup>th</sup> of  
3                   December, 1986 to Father Gilles Deslauriers from Bishop  
4                   Larocque.

5                   **--- EXHIBIT NO./PIÈCE NO. P-1959:**

6                   (118907) - Letter from Eugene LaRocque to  
7                   Gilles Deslauriers dated December 24, 1986

8                   **MS. HAMOU:** Now, I just want to bring your  
9                   attention to the first paragraph of that letter and I'll  
10                  read that passage for you:

11                  "Merci de ta lettre du 17 septembre qui  
12                  m'est parvenue hier, le 23 décembre, et  
13                  du chèque qui vide le compte des  
14                  vocations que tu avais pour ton  
15                  ministère auprès des séminaristes."

16                  So I believe Father Deslauriers -- I'm  
17                  sorry, Bishop Larocque is referring to sums that would have  
18                  been returned?

19                  **REV. BRYAN:** I would assume so, yes.

20                  **MS. HAMOU:** And you do not recall receiving  
21                  a cheque from Father Deslauriers?

22                  **REV. BRYAN:** No, I don't. I checked with  
23                  the bookkeeper and he can't remember whether we received  
24                  one or not either.

25                  **MS. HAMOU:** Who would usually handle

1           cheques? If they came into the Diocese, would they have to  
2           go through you?

3                       **REV. BRYAN:** No. Normally, they come into  
4           the office and the bookkeeper would put them in the right  
5           account.

6                       **MS. HAMOU:** And is it possible that Bishop  
7           Larocque deposited this amount in an account without your  
8           knowledge?

9                       **REV. BRYAN:** Yes, it's possible.

10                      **MS. HAMOU:** Did you ever discuss the matter  
11           with Bishop Larocque?

12                      **REV. BRYAN:** I hadn't realized that anything  
13           had come back, so, no.

14                      **MS. HAMOU:** Now, I'd like to take you to  
15           another document. It's from the cross-examination list,  
16           Madam Clerk, and the Document Number is 129786.

17                               **(SHORT PAUSE/COURTE PAUSE)**

18                      **THE COMMISSIONER:** Merci.

19                      Exhibit 1960 is a statement of changes in  
20           trust funds for the Diocese of Alexandria-Cornwall, year  
21           ended December 31<sup>st</sup>, 1986.

22           **--- EXHIBIT NO./PIÈCE NO. P-1960:**

23                               (129786) - DAC Administration Fund -  
24                               Statement of changes in trust funds

25                      **MS. HAMOU:** Now, Reverend Bryan, can you

1 explain to me what this document is showing us?

2 **REV. BRYAN:** Yes. Basically, it's showing  
3 you the health of the vocation fund. Thank you for the  
4 expansion. So as you can see, the balance of the fund at  
5 the end of the year has \$144,346, but I think there's a  
6 comparison one, if I'm not mistaken, that showed the year  
7 prior too, is there not?

8 **MS. HAMOU:** Sir, I didn't receive the year  
9 prior.

10 **REV. BRYAN:** Okay. Sorry. It's on there;  
11 '85 is shown as well.

12 **MS. HAMOU:** The last column is what you're  
13 referring to?

14 **REV. BRYAN:** The last column, yes, and ---

15 **MS. HAMOU:** Now, sir, if a sum had been  
16 returned to the Diocese and placed in trust accounts, would  
17 it appear on this document?

18 **REV. BRYAN:** It should, yes.

19 **MS. HAMOU:** And as Bursar, are you aware of  
20 any other options the Bishop could have used to -- where he  
21 could have placed this money?

22 **REV. BRYAN:** Yes. The first option would  
23 have been to prepay the seminarians who were in debt at  
24 that time because they were loan funds to the various  
25 seminarians who had to repay it after their priesthood. So

1 that may have been to reduce their load.

2 Number two, a possibility that it would be  
3 given to a particular seminary and the seminary would then  
4 accept the seminarians on a free basis until that fund ran  
5 out.

6 The other possibility is it was returned to  
7 the parish to be administered there.

8 **MS. HAMOU:** Those are the options then?

9 **REV. BRYAN:** But I'm not aware that any of  
10 the options.

11 **MS. HAMOU:** And this could have been done by  
12 Bishop Larocque without your knowledge?

13 **REV. BRYAN:** That's true.

14 **MS. HAMOU:** Did you eventually agree to send  
15 Father Deslauriers his salary?

16 **REV. BRYAN:** No.

17 **MS. HAMOU:** So you never took part if he did  
18 receive anything?

19 **REV. BRYAN:** I'm sure he didn't because I  
20 looked after the salaries for those ---

21 **MS. HAMOU:** Pardon me?

22 **REV. BRYAN:** I looked after salaries other -  
23 - I mean, not of the parish but of the Diocesan Centre.

24 **MS. HAMOU:** And as far as you know, Father  
25 Deslauriers never received any funds after he had left the

1 Diocese?

2 **REV. BRYAN:** I didn't sign one.

3 **MS. HAMOU:** I'd like to turn your attention  
4 to another subject now, take you around the year of 2002  
5 when you had a discussion with the Bishop concerning a  
6 request from Madame Brisson.

7 **REV. BRYAN:** Yes.

8 **MS. HAMOU:** Did you attend a meeting where  
9 Madame Brisson and the Bishop would have been present?

10 **REV. BRYAN:** Madame Brisson had a meeting  
11 with the Bishop. The Bishop called me on the phone to ask  
12 me to come up. I went up and at that particular point, I  
13 was introduced to Mrs. Brisson. I knew her to some degree.  
14 I knew her husband, Hubert, very well. So I knew they had  
15 a truck farm at one time, truck gardening farm, but that  
16 was the extent of it.

17 **MS. HAMOU:** Now, can you tell me what the  
18 Bishop told you at this point when you entered the meeting?

19 **REV. BRYAN:** Yes. He asked me whether we  
20 could look after a mortgage for Mrs. Brisson. We -- at  
21 that particular point, we were a little tight on funds and  
22 I said to him, "We just don't have it, Bishop", but if he  
23 had pushed, I probably could have sold some of our  
24 certificates to accommodate Mrs. Brisson.

25 I noticed there was a mention that it was

1           30,000 but I never knew that it was only 30,000. I assumed  
2           it was for the total mortgage on whatever it was for the  
3           truck farm and house.

4                   **MS. HAMOU:** So according to your knowledge,  
5           you believed this was for a business?

6                   **REV. BRYAN:** Yes.

7                   **MS. HAMOU:** And are you certain that it  
8           wasn't money being requested for therapy for her son?

9                   **REV. BRYAN:** That never came up.

10                  **MS. HAMOU:** Now, what did the Bishop decide  
11           to do after you gave him your advice?

12                  **REV. BRYAN:** Well, I told him that, you  
13           know, we're not a banking institution, so normally we  
14           cannot just come up with funds available for a mortgage.  
15           There was a little chuckle on that one, but then I  
16           suggested that I could take Mrs. Brisson over to Caisse  
17           Populaire where we dealt and probably she did as well, to  
18           assist her in getting a mortgage.

19                  **MS. HAMOU:** And did you do that?

20                  **REV. BRYAN:** No. She didn't say anything at  
21           all. We went downstairs together, I held her coat, put her  
22           coat on and she left.

23                  **MS. HAMOU:** Did you ever discuss this matter  
24           with the Bishop again?

25                  **REV. BRYAN:** No.

1                   **MS. HAMOU:** I'd like to move on to my second  
2                   topic of your testimony, your time on the Board of  
3                   Directors of the Cornwall Community Police Service.

4                   **REV. BRYAN:** Yes.

5                   **THE COMMISSIONER:** Yes.

6                   **MR. CALLAGHAN:** At this point, we would  
7                   object. The Cornwall Police, as you know, spent 52 days in  
8                   the stand.

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

10                  **MR. CALLAGHAN:** Sixteen (16) witnesses were  
11                  called; 32 witnesses were interviewed by the Commission.  
12                  This witness was none of them. We have not participated  
13                  with Commission counsel or with this witness in his  
14                  interviews with Commission counsel.

15                                 It seems to me -- I mean, I thought what I  
16                                 had heard Mr. Engelmann say was our institutional response  
17                                 was done and I would have thought if we're going to have  
18                                 further institutional response relative to the Cornwall  
19                                 Police, we would have had prior notice other than the A.E.  
20                                 so that we could participate fully. And right now, we  
21                                 haven't.

22   Obviously, there are witnesses who had their  
23   own counsel, I think of Chief Shaver, for example, and I  
24   think from a procedural fairness point-of-view, if it's  
25   necessary, then Commission counsel should assess whether it



1 is necessary and give us the notice so we can participate.

2 As I say, I mean, we spent 52 days in the  
3 stand. Thirty-two (32) witnesses were interviewed; 16  
4 called. This person wasn't any of them and I don't see why  
5 now we would go into his time on the Board.

6 **THE COMMISSIONER:** Did you advise Commission  
7 counsel of that?

8 **MR. CALLAGHAN:** No.

9 **THE COMMISSIONER:** That's you'd be objecting  
10 to this and, hey, why haven't you ---

11 **MR. CALLAGHAN:** Well, no, because we got his  
12 A.U. We were looking at the A.E. and we did not do that  
13 because we've been trying to figure out what to do, but  
14 come to the conclusion that it's somewhat unfair and if --  
15 when we got the Rule 38 notices, I can tell you almost 50  
16 percent of them deal with Cornwall Police documents. And  
17 if we're going back into the Cornwall Police institutional  
18 response, I would have thought that we be given the  
19 appropriate time.

20 It's just -- you know, we cooperated fully  
21 with Commission counsel.

22 We presented every person they asked for.  
23 We suggested people, and it's frankly -- I don't think it's  
24 particularly appropriate that we hear institutional  
25 response in the course of other institutions' testimony.

1                    Obviously, we have to respond to what he --  
2                    what this witness did that might have interacted on behalf  
3                    of the Diocese with the Cornwall Police. That's  
4                    particularly fair. We understand that, but I take it we're  
5                    going into a different direction now.

6                    **THE COMMISSIONER:** Well, let's hear from  
7                    Commission counsel.

8                    **MS. HAMOU:** Mr. Commissioner, I take issue  
9                    with a few of the concerns expressed by my friend.

10                   We sent out the initial A.E. for Mr. Bryan  
11                   on June 3<sup>rd</sup>. That's close to two months ago. There was  
12                   mention of his time on the Police Services Board in his  
13                   A.E. If the Cornwall Police Service wanted to object, they  
14                   had ample time to do so.

15                   Through our interviews with Mr. Bryan, we  
16                   came to learn that he was on the Board during a period of  
17                   time that is crucial that we haven't heard evidence on from  
18                   the Cornwall Police Service.

19                   I mean, I understand Mr. Callaghan's concern  
20                   that the evidence for the Cornwall Police Service is  
21                   closed, but ---

22                   **THE COMMISSIONER:** Well ---

23                   **MS. HAMOU:** --- it's not a basis for not  
24                   hearing evidence that is relevant to your mandate.

25                   **THE COMMISSIONER:** Well, you know, on the

1 one hand there's a certain amount of fairness. I mean,  
2 what I -- I can hear Mr. Callaghan and I understand his  
3 point, but what I find deplorable is that the bell wouldn't  
4 have gone off and this could have been at least addressed  
5 well before right now when the witness is on the stand.

6 So, sir, could you -- I'm going to ask the  
7 witness to wait outside with this officer here. He'll take  
8 you out.

9 (WITNESS WITHDRAWS/TÉMOIN SE RETIRE)

10 THE COMMISSIONER: So, Mr. Callaghan, what -  
11 - so you have his anticipated evidence?

12 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. CALLAGHAN:

13 MR. CALLAGHAN: We have his anticipated  
14 evidence, yes.

15 You know, I can only say what I guess Binnie  
16 said in *Consortium*, this is like a caravan that keeps on  
17 going. When we sat down and looked at this material,  
18 looked at the Rule 38 and saw the bulk of the material  
19 dealt with his time on the Cornwall Police Services Board,  
20 it concerns us. It concerns us that we didn't participate  
21 with respect to this. We did spend a considerable time  
22 with Commission counsel. They never asked to speak to this  
23 witness on our behalf.

24 We have tried to do this in a forthright  
25 fashion. I appreciate this is late, and I apologize, but

1           unfortunately we've been -- we're kind of exhausted as  
2           well. I mean, we had a long go of it, as you well know,  
3           and we tried to do this in a forthright fashion.

4                        If he's that crucial, then there could be  
5           time to call him. If somebody necessarily needs to hear  
6           from him, they can make the application under Rule 17.

7                        **THE COMMISSIONER:** No. Well, first of all,  
8           you know, you're right; you may have cooperated, the whole  
9           bit, and that's a good pat on the back, but it doesn't  
10          finish there.

11                      And, yes, there may be things that come up,  
12          but what I want are solutions. And so I would have thought  
13          that a careful lawyer, an experienced lawyer such as you,  
14          would have picked up the phone, as I'm sure you often do in  
15          all of these things, and say, "Listen, this just doesn't  
16          make sense. What's going on here? What's he going to say?  
17          Wait a minute; let's call a time out, and if you are  
18          insisting on doing that, I'll either bring a motion", bring  
19          it before me, or "I want to reserve my right to reopen the  
20          Cornwall Police Service thing".

21                      **MR. CALLAGHAN:** I don't want to open the  
22          Cornwall Police Service anything. We spent 52 days. I  
23          mean, we spent a lot of time. I understand that, Mr.  
24          Commissioner, and I appreciate your frustration.

25                      You know, the weight of the Rule 38s were

1 quite disturbing.

2 **THE COMMISSIONER:** What -- do you know what  
3 he's going to say?

4 **MR. CALLAGHAN:** I know of one thing he is  
5 going to say, and that's it, which is all I can think of  
6 what the Commission -- it's a comment regarding Chief  
7 Shaver, as I understand it, was what -- is all that's in  
8 the AE that I understand.

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

10 **MR. CALLAGHAN:** But I don't -- but that's  
11 not the end of it. I mean, there's cross-examination. I  
12 mean, as I say, Mr. Commissioner, we've canvassed the  
13 Cornwall Police up and down. We canvassed Chief Shaver up  
14 and down in respect of the -- in respect of the testimony  
15 and, you know, it was under -- Commission knew the areas  
16 they wanted to cover with him and I understand these  
17 witnesses come up and they want to sort of go into it, but  
18 with great respect, I don't think it's fair for us to  
19 always have our institutional response.

20 I understand we have to respond to him as  
21 what he did on behalf of the Diocese. I have no objection  
22 to that, sir.

23 In the same way, I haven't heard going into  
24 the -- we didn't go into the CAS, what Luc Brunet did on  
25 behalf of the CAS when he was on the Board. We didn't do

1 it with respect to those witnesses.

2 **THE COMMISSIONER:** Why didn't you give him  
3 notice?

4 ---**SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. HAMOU:**

5 **MS. HAMOU:** Why did we give him notice?

6 **THE COMMISSIONER:** Is this part of -- the  
7 evidence you're trying to get from this witness, why didn't  
8 we get it during the Cornwall Police Service evidence?

9 **MS. HAMOU:** Well, Mr. Commissioner, in  
10 preparation for testimony with this witness, we came to  
11 learn of information that regarded the Cornwall Police  
12 Service, and I am sorry if the Cornwall Police Service  
13 evidence was completed by that time, but it's still  
14 evidence that is relevant, and it's not because we learned  
15 of it later in the process that it should be discarded.

16 And perhaps if ---

17 **THE COMMISSIONER:** So what are the areas you  
18 want to cover with him?

19 **MS. HAMOU:** Well, the witness has made  
20 allegations of a rocky relationship with Chief Shaver.  
21 Chief Shaver is the only person who testified for this  
22 period of time to what happened on the Board. He is one of  
23 the parties that was in conflict with the Board.

24 Reverend Bryan is one of the members at the  
25 Board at the time, and I want to get his perspective on the

1 issues that were going on with the Cornwall Police Service.

2 **THE COMMISSIONER:** Okay. But that's clearly  
3 a Cornwall Police Service institutional response, is it  
4 not?

5 **MS. HAMOU:** Absolutely, Mr. Commissioner,  
6 but it is relevant to what we're doing here.

7 And if Mr. Callaghan needs more time,  
8 perhaps that's what's required. Maybe I can touch on this  
9 evidence tomorrow.

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

11 ---**SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. CALLAGHAN:**

12 **MR. CALLAGHAN:** Firstly, I observe that she  
13 said that they did their AE on June 3<sup>rd</sup> when we were still  
14 in the box. In fact, I don't believe a lot of the  
15 testimony which he's just referred to has gone forward.

16 We've been through our institutional  
17 response, 52 days. I don't know how often this is going to  
18 come up. I would have thought that if that's a true issue,  
19 Mr. Engelmann could sit down and say -- and which he did do  
20 when he assessed, I think, as we went along as to what he  
21 needed. We've heard from Chief Shaver. I don't think  
22 there's any surprise about Chief Shaver and his management  
23 styles, et cetera. You've heard it and you just didn't  
24 hear it from him; you heard it from others.

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

1                   **MR. CALLAGHAN:** I don't think it assists to  
2                   open up the Cornwall Police institutional response other  
3                   than to obviously respond to what other institutions  
4                   interacted with them.

5                   **THE COMMISSIONER:** Well, what about if we --  
6                   if it was relevant in this way, and I don't know -- I don't  
7                   know -- but if we've got the bursar having a rocky relation  
8                   -- and what period of time was he on the Board?

9                   **MR. CALLAGHAN:** Eighty-nine ('89) to '91, so  
10                  prior to DS.

11                  **THE COMMISSIONER:** All right.

12                  **MR. CALLAGHAN:** So this sort of puts it in  
13                  context.

14                  **THE COMMISSIONER:** Exactly. All right.

15                  So I would have thought that you would want  
16                  to hear that because, because, if we've got the bursar not  
17                  very happy with the Chief, right, query whether or not it -  
18                  - how it mixes in the blend on the conspiracy that the  
19                  church and the police officers are all working together  
20                  when we've got one guy who clearly doesn't ---

21                  **MR. CALLAGHAN:** Well, and to the extent,  
22                  sir, you make a point, to the extent that it relates to his  
23                  relationship as the bursar, his time, his information, I  
24                  have no objection. When I see all the Board minutes being  
25                  produced and the Rule 38s back into the Police Service



1 Board hearings, you know, all the stuff -- you know what  
2 I'm referring to ---

3 **THE COMMISSIONER:** Yes, yes.

4 **MR. CALLAGHAN:** --- the Policing Division  
5 stuff, all that stuff. That's what has me concerned.

6 I agree what you've just suggested, which is  
7 ---

8 **THE COMMISSIONER:** Well, of course you'd  
9 agree.

10 **MR. CALLAGHAN:** I always agree with you.

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

12 **MR. CALLAGHAN:** And if I don't, we talk  
13 about it elsewhere, but I do on these occasions.

14 **(LAUGHTER/RIRES)**

15 **THE COMMISSIONER:** What else can you say  
16 that hasn't been said behind my back, Mr. Callaghan?

17 **(LAUGHTER/RIRES)**

18 **MR. CALLAGHAN:** No, but the way you describe  
19 it, I can't object to that. I can't object to what you  
20 did, and if she can do it that way, but if we're going to  
21 start into a whole section on his time in the Cornwall  
22 Police Service Board, it seems to me that that's something  
23 that we can canvass at the end. If Mr. Engelmann says,  
24 "You know, we still need more", then I can deal with that,  
25 not as we go though. This is not ---

1                   **THE COMMISSIONER:** Well, first of all, you  
2                   knew about it a long time ago.

3                   I'm going to take a break.

4                   **MR. CALLAGHAN:** Sure.

5                   **THE COMMISSIONER:** You're going to speak  
6                   with Commission counsel to find out exactly what areas she  
7                   wants to cover, and then if things can't be resolved, I'll  
8                   resolve them.

9                   **MR. CALLAGHAN:** Okay. Good enough. Thank  
10                  you.

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

13                  This hearing will resume at 12:00.

14                  --- Upon recessing at 11:52 a.m./

15                  L'audience est suspendue à 11h52

16                  --- Upon resuming at 12:21 p.m./

17                  L'audience est reprise à 12h21

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

20                  This hearing is now resumed. Please be  
21                  seated. Veuillez vous asseoir.

22                  **THE COMMISSIONER:** Thank you. So?

23                  **MS. HAMOU:** Mr. Commissioner?

24                  **THE COMMISSIONER:** Yes?

25                  **MS. HAMOU:** I've had some discussions with

1 Mr. Callaghan.

2 **THE COMMISSIONER:** Yes?

3 **MS. HAMOU:** And we've reached an agreement  
4 of sorts. We've agreed to meet with the witness after the  
5 hearings this evening with both counsel present and assess  
6 what he has to say on this matter. And see if we have to  
7 address it, either tomorrow or a little later.

8 **THE COMMISSIONER:** All right.

9 **MS. HAMOU:** So I will skip over this matter  
10 for now. Is that okay?

11 **THE COMMISSIONER:** Yes, thank you.

12 Mr. Reverend Bryan, I asked you to leave so  
13 that we can discuss administrative matters as to certain  
14 areas that we would be questioning -- that Commission  
15 counsel and other lawyers would be questioning you on. And  
16 one of the issues that came up was whether or not we should  
17 be asking you questions about your time on the Cornwall  
18 Police Services Board. And so what we've done is, as  
19 Commission counsel has indicated, you will be meeting with  
20 Mr. Callaghan or his team and with someone from Commission  
21 counsel and you're to only discuss the issue of your time  
22 on the Cornwall Police Services Board. All right?

23 And we're doing that in order to accommodate  
24 everyone's needs and normally we don't do that with  
25 witnesses that are on the stand but we're going to create

1           that exception for you. So please feel comfortable in  
2           meeting with them and discussing that issue whenever, all  
3           right?

4                       **REV. BRYAN:** Thank you.

5                       **THE COMMISSIONER:** So what we're going to do  
6           eventually is we're going to leave that aside and continue  
7           with your testimony. But we're going to do that after  
8           lunch. All right? So we're going to come back at two  
9           o'clock.

10                      **MS. HAMOU:** Thank you.

11                      **MR. SHERRIFF-SCOTT:** I hope that I can make  
12           clear to you that in the interviews with the witness these  
13           questions were asked and he was fully cooperative in  
14           disclosing all information and I allow that to proceed.

15                      **THE COMMISSIONER:** Of course, yes.

16                      **MR. SHERRIFF-SCOTT:** Thank you.

17                      **THE COMMISSIONER:** And in all of this, this  
18           isn't an ironclad process in the sense that there are  
19           things that will come up from time to time that we have to  
20           address and so this is really just a balancing of  
21           interests, make sure that I hear the best evidence possible  
22           and that the Cornwall Police Services Board and the Police  
23           Commission have some opportunity to view that evidence.  
24           All right?

25                      So have a good lunch. Make sure Mr.

1 Callaghan buys you -- oh no, sorry, that's Sherriff-Scott.

2 (LAUGHTER/RIRES)

3 THE COMMISSIONER: That's right. Mr.  
4 Callaghan should buy lunch for you but we'll leave it at  
5 that.

6 Thank you very much. We'll come back at  
7 2:00.

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

10 This hearing will resume at 2:00 p.m.

11 --- Upon recessing at 12:25 p.m. /

12 L'audience est suspendue à 12h25

13 --- Upon resuming at 2:02 p.m. /

14 L'audience est reprise à 14h02

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

17 This hearing is now resumed. Please be  
18 seated. Veuillez vous asseoir.

19 THE COMMISSIONER: Afternoon, all.  
20 Mademoiselle Hamou.

21 REVEREND GORDON BRYAN, Resumed/Sous le même serment:

22 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEFPAR MS.

23 HAMOU (cont'd/suite):

24 MS. HAMOU: Welcome back, Reverend Bryan.

25 REV. BRYAN: Thank you.

1                   **MS. HAMOU:** I'm going to continue where I  
2 left off, so your involvement in the Father MacDonald  
3 matter.

4                   Now, I'd like to ask you, to start off, when  
5 you first became aware of allegations of sexual abuse being  
6 made against Father MacDonald.

7                   **REV. BRYAN:** I think when I opened the --  
8 the liability release and I saw the -- the name of the one  
9 we had paid out to.

10                  **MS. HAMOU:** So you're speaking of the time  
11 when you would have opened the document that you had filed.  
12 We'll get there a little further but I ---

13                  **REV. BRYAN:** Sure.

14                  **MS. HAMOU:** --- just want to situate us in  
15 time. Can you tell me about which date that would have  
16 been?

17                  **REV. BRYAN:** Oh.

18                  **MS. HAMOU:** I can situate ---

19                  **REV. BRYAN:** Okay, I ---

20                  **MS. HAMOU:** I can situate you if you ---

21                  **REV. BRYAN:** Okay, I would appreciate it.

22                  **MS. HAMOU:** The cheque was issued on  
23 September 2<sup>nd</sup>.

24                  **REV. BRYAN:** Yes.

25                  **THE COMMISSIONER:** Nineteen ninety ---

1 MS. HAMOU: I'm sorry, September 2<sup>nd</sup> ---

2 THE COMMISSIONER: Ninety three.

3 MS. HAMOU: --- 1993.

4 REV. BRYAN: Yes, that I'm aware. So when  
5 was the -- the very first occasion when the Bishop ---

6 MS. HAMOU: Okay.

7 REV. BRYAN: --- had his press conference?

8 MS. HAMOU: Sorry, the first press  
9 conference is January 7<sup>th</sup>, 1994.

10 REV. BRYAN: Okay, so it would be after  
11 that.

12 MS. HAMOU: After that. So we're looking  
13 between January 7<sup>th</sup> and January 14<sup>th</sup>, 1994.

14 REV. BRYAN: Yes.

15 MS. HAMOU: So you first became aware of the  
16 allegations against Father MacDonald ---

17 THE COMMISSIONER: Hang on.

18 MS. HAMOU: Mr. Commissioner, I'm just  
19 informed that it was a press release and not a press  
20 conference; the first one on the 7<sup>th</sup>.

21 REV. BRYAN: Press -- sorry.

22 MS. HAMOU: Correction.

23 So Reverend Bryan, I was just asking you  
24 whether you became aware of allegations against Father  
25 MacDonald at that time.

1                   **REV. BRYAN:** I think so, but I think it was  
2                   probably before that, when I think of the media who had a  
3                   bit of a frenzy before that, and I believe it was D.S. that  
4                   I was aware of.

5                   **MS. HAMOU:** So you learned of the name of  
6                   the complainant at the time when you opened the envelope?

7                   **REV. BRYAN:** I believe so, yes.

8                   **MS. HAMOU:** And you would have learned of  
9                   the allegations against Father MacDonald earlier?

10                  **REV. BRYAN:** From -- from the press -- well,  
11                  from the press itself if -- and I -- I can't remember  
12                  exactly.

13                  **MS. HAMOU:** Okay. I'll take you through  
14                  those dates so ---

15                  **REV. BRYAN:** Okay.

16                  **MS. HAMOU:** --- I will ask you at a few  
17                  stages if that is when you would have found out about the  
18                  allegations.

19                  **REV. BRYAN:** Okay.

20                  **MS. HAMOU:** Now, were you aware that  
21                  Monsignor Guindon had received a phone call from the  
22                  complainant?

23                  **REV. BRYAN:** No.

24                  **MS. HAMOU:** And did the Bishop discuss any  
25                  of this information with you as -- where -- would it be the



1 -- the phone call or a meeting that would have taken place  
2 with the complainant?

3 **REV. BRYAN:** No.

4 **MS. HAMOU:** Is there any reason Jacques  
5 Leduc would have to advise you of this meeting?

6 **REV. BRYAN:** No, unless there was some money  
7 required for something, but I don't believe there ever was.

8 **MS. HAMOU:** I'd like to take you to a point  
9 in a statement. I'll refer you to Exhibit 1888.

10 Do you have the document?

11 **REV. BRYAN:** Yes, I do.

12 **MS. HAMOU:** I'll just give you a little  
13 context. This is a document that was prepared by Diocesan  
14 lawyers in the course of litigation. It's a statement of  
15 Jacques Leduc and what you're looking at is a draft so you  
16 will see markings on the document. It appears to be signed  
17 September 7<sup>th</sup>, however. At the back you will see.

18 **REV. BRYAN:** M'hm.

19 **MS. HAMOU:** But there are markings  
20 throughout the document.

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

22 **MR. LEE:** I agree with Ms. Hamou that there  
23 are markings and revisions on the document, but as she  
24 said, this version is a signed version so I'm not sure it's  
25 a draft. It's a final version signed by Mr. Leduc. It

1 just happens that he made changes on the face of it before  
2 signing it.

3 **THE COMMISSIONER:** Okay.

4 **MR. LEE:** Because we have -- the reason I  
5 say that is we have another document which is more truly a  
6 draft which wasn't signed ---

7 **THE COMMISSIONER:** All right.

8 **MR. LEE:** --- and this seems to be the final  
9 version according to Mr. Leduc's testimony.

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

11 **MS. HAMOU:** So I'd like to take you to the  
12 first paragraph, sir. You can see that the last line of  
13 the first paragraph was struck out and I don't believe Mr.  
14 Leduc contends that this happened but I want to ask you  
15 about it none the less.

16 **REV. BRYAN:** Certainly.

17 **THE COMMISSIONER:** Go ahead.

18 **MS. HAMOU:** So if I can read to you the  
19 passage that seems to be struck out. It indicates:

20 "He may have told the Bishop who may  
21 have told Gordon Bryan. It may be that  
22 this information may have included the  
23 identity of the priest involved."

24 So are you again telling me that you never  
25 learned from the Bishop that a meeting had taken place?

1                   **REV. BRYAN:** No, I didn't.

2                   **MS. HAMOU:** Now, I'd like to take you to the  
3 second paragraph of this document, the last line, which  
4 reads:

5                                    "I advised Gordon Bryan to advise  
6 diocesan insurers."

7                   **REV. BRYAN:** Not to the best of my  
8 knowledge, no.

9                   **MS. HAMOU:** So you answered the question  
10 before I asked it, but on December -- in December of '92  
11 did Jacques Leduc ever advise you to advise insurers?

12                   **REV. BRYAN:** I don't believe so, but there's  
13 a possibility he did, but it would have been of no account  
14 anyway.

15                   **THE COMMISSIONER:** In what way? What do you  
16 mean it wouldn't ---

17                   **REV. BRYAN:** Oh, it's '92. Sorry, '92, no.

18                   **MS. HAMOU:** December of 1992.

19                   **REV. BRYAN:** No.

20                   **THE COMMISSIONER:** December of ---

21                   **MR. SHERRIFF-SCOTT:** I think the witness was  
22 indicating he was confused as to the dates and thinking  
23 they were talking about much later. So perhaps my friend  
24 can reorient him.

25                   **REV. BRYAN:** Ninety-four ('94) I was

1 thinking of.

2 MS. HAMOU: You were thinking of '94 ---

3 REV. BRYAN: Yes.

4 MS. HAMOU: --- when you would have opened  
5 the envelope?

6 REV. BRYAN: No, whenever the payment was  
7 made, whether he wanted me to advise. But I was on the  
8 board of the diocesan insurance group ---

9 MS. HAMOU: I'll just stop you for a second.

10 REV. BRYAN: Okay.

11 MS. HAMOU: I want to back up in time.

12 We'll try to get the date straight.

13 REV. BRYAN: Okay.

14 MS. HAMOU: So in December of 1992 there was  
15 a meeting between some diocesan members and a complainant.  
16 You were not advised of this meeting?

17 REV. BRYAN: No.

18 MS. HAMOU: And you were not advised to  
19 contact insurers at that time?

20 REV. BRYAN: No.

21 MS. HAMOU: By anyone?

22 REV. BRYAN: No.

23 MS. HAMOU: And I'll come back a little bit  
24 to the second issue you've mentioned.

25 First, I want to touch upon the subject of

1 diocesan insurance.

2 **REV. BRYAN:** M'hm.

3 **MS. HAMOU:** You say that Jacques Leduc may  
4 have advised you at some point to contact the insurer. Is  
5 that what you were telling me?

6 **REV. BRYAN:** I would -- I would suggest  
7 perhaps when we opened the document that was signed by Mr.  
8 Silmsers.

9 **MS. HAMOU:** So when you opened the documents  
10 or when you issued the cheque?

11 **REV. BRYAN:** No, he never mentioned about it  
12 when I issued the cheque.

13 **MS. HAMOU:** So if he did instruct you to do  
14 it it's when you opened the envelope?

15 **REV. BRYAN:** I would think so, yes.

16 **MS. HAMOU:** Okay.

17 Now, sir, I would like to ask you if there  
18 had ever been a claim of historical sexual abuse prior to  
19 the Silmsers matter in the Diocese that you were aware of?

20 **REV. BRYAN:** I'm not aware of any, no.

21 **MS. HAMOU:** And can you tell me if the  
22 Diocese had coverage in 1992-1993 with regards to claims of  
23 sexual abuse by priests?

24 **REV. BRYAN:** Yes, it did, although not  
25 historic abuse.

1                   **MS. HAMOU:** Can you explain that distinction  
2 to me, sir?

3                   **REV. BRYAN:** Yes. For every year the  
4 insurance was given out to a particular insurer, that would  
5 begin at the time of the insurance signing and would end at  
6 the period of one year. If it was renewed then that  
7 coverage continued with the same insurer.

8                   But there were a number of insurers over the  
9 years from about '60 -- from '62 on that disappeared in the  
10 dust when they were either amalgamated or went bankrupt, et  
11 cetera, so things changed rapidly over the years and some  
12 of the things that I looked at are -- you look at some of  
13 the newer conglomerates and there are probably about 50  
14 different insurance companies. They don't even know their  
15 roots.

16                   **MS. HAMOU:** So are you telling me that the  
17 difficulty is to figure out which insurer would be the  
18 person to contact ---

19                   **REV. BRYAN:** That's right.

20                   **MS. HAMOU:** --- for an historical claim?

21                   **REV. BRYAN:** That's right.

22                   **MS. HAMOU:** So that's the problem you would  
23 have had.

24                   So had you been asked to contact the  
25 insurer, what would you have done?

1                   **REV. BRYAN:** I would have called our  
2 insurance broker to see whether he was aware of who the  
3 insurer was at that particular time.

4                   **MS. HAMOU:** At the time the abuse allegedly  
5 took place?

6                   **REV. BRYAN:** That's right.

7                   The difficulty with that though is that  
8 during my time on the insurance management board we looked  
9 for many of these different insurance for different reasons  
10 to try and get an historical background on all of them, and  
11 they were in the dust and no one knew where they had  
12 amalgamated and where they disappeared to.

13                   **MS. HAMOU:** Now, you just mentioned the  
14 insurance management board. Can you tell me what your  
15 roles and responsibilities were with regards to this board?

16                   **REV. BRYAN:** In the insurance management  
17 board, a bishop would be assigned from the Ontario Catholic  
18 Conference of Bishops and there were probably eight bursars  
19 from various dioceses or archdioceses that assisted in  
20 questioning various insurance companies about coverage and  
21 about costs and make a recommendation to the Ontario  
22 Catholic Conference of Bishops on one that we preferred or  
23 the second.

24                   **MS. HAMOU:** My colleague would like to jump  
25 the gun on his cross-examination and ask a few questions,

1 but duly noted they are relevant.

2 Which period of time were you on the  
3 insurance management board?

4 **REV. BRYAN:** I was on for about 15 years  
5 from probably 1987-88 to -- well, 15 years of that probably  
6 off in 2002 I think.

7 **MS. HAMOU:** And who appointed you to this  
8 board?

9 **REV. BRYAN:** I had asked our Bishop to look  
10 into it because it was something that I was interested in  
11 and I knew they had a small board, and so he asked and I  
12 got.

13 **MS. HAMOU:** And, sir, I would like to ask  
14 you, what role would insurers play in situations such as  
15 the one that had occurred in December of 1992 where a  
16 complainant came forward?

17 **REV. BRYAN:** Normally, if it was -- the  
18 liability claim was during that year our insurance brokers  
19 would give it to the insurance company who would send  
20 someone down to investigate, discuss it probably with the  
21 authorities and with the complainant, and arrive perhaps at  
22 a settlement or prepare for court time.

23 **MS. HAMOU:** Now, would diocesan lawyers be  
24 involved in this or would it be insurance lawyers?

25 **REV. BRYAN:** It would be insurance lawyers.



1                   **MS. HAMOU:** Sir, can you advise me -- can  
2                   you tell me if any insurers contributed to the Father  
3                   MacDonald matter, to your knowledge?

4                   **REV. BRYAN:** No, they didn't.

5                   **MS. HAMOU:** And if somebody would have had  
6                   to contact insurers would they have gotten in touch with  
7                   you?

8                   **REV. BRYAN:** They could have, yes.

9                   **MS. HAMOU:** Was that the procedure in the  
10                  Diocese?

11                  **REV. BRYAN:** For many -- many of the priests  
12                  preferred that it came through our office. They said it  
13                  usually moved things a little faster than when they called.

14                  **MS. HAMOU:** And you're referring to general  
15                  insurance as well?

16                  **REV. BRYAN:** That's right.

17                  **MS. HAMOU:** Not limited to sexual abuse?

18                  **REV. BRYAN:** Yeah, roof damages, et cetera.  
19                  I don't think I've had any of the sexual abuse come through  
20                  my office for requests to the insurance companies.

21                  **MS. HAMOU:** Now, during your time as Bursar,  
22                  were you the person who was responsible to set up the  
23                  insurance for the Diocese?

24                  **REV. BRYAN:** I was responsible for -- I  
25                  guess you would say looking after the insurance there, yes,

1 but it was the overall insurance of the OCCB.

2 MS. HAMOU: Now, sir, there were meetings  
3 held in August -- August 25<sup>th</sup>, 1993, September 1<sup>st</sup>, 1993,  
4 involving Malcolm MacDonald, the Bishop and Jacques Leduc?

5 REV. BRYAN: Yes.

6 MS. HAMOU: I'm going to ask you a few  
7 questions with regards to these meetings.

8 So did you ever participate in any meetings  
9 with these three people?

10 REV. BRYAN: No.

11 MS. HAMOU: And, in particular, the meetings  
12 of August 25<sup>th</sup>, 1993 ---

13 REV. BRYAN: No.

14 MS. HAMOU: --- and September 1<sup>st</sup> 1993?

15 REV. BRYAN: No. Good reasoning perhaps on  
16 this one was that if that would have been the case, Mr.  
17 Leduc would not have had to come and -- and tell me the  
18 amount of the settlement. I would have made the cheque up  
19 -- out probably on August the 25<sup>th</sup> or the 26<sup>th</sup>. Number  
20 two, my wife and I are usually on our 25<sup>th</sup> or 26<sup>th</sup> or 28<sup>th</sup>  
21 honeymoon because we take a holiday during our -- our  
22 anniversary.

23 MS. HAMOU: Which is which date?

24 REV. BRYAN: Twenty-fifth of August.

25 MS. HAMOU: I'd like to take you, sir, to

1 the exhibit we were just looking at, Exhibit 1888.

2 REV. BRYAN: M'hm.

3 MS. HAMOU: And I'd like to direct you to a  
4 page of this document. If you look in the top left corner  
5 there are small numbers, and I would like you to go to  
6 Bates page -- and that's what we refer to them as --  
7 7162747.

8 REV. BRYAN: How many pages is that down?

9 MS. HAMOU: Pardon me?

10 REV. BRYAN: Eight pages down? I'm asking -  
11 --

12 THE COMMISSIONER: Third from the back.

13 REV. BRYAN: Third from the back. Thank  
14 you. Yes.

15 THE COMMISSIONER: So if you look on top,  
16 there's a page 4 right in the middle of the page.

17 MS. HAMOU: Five.

18 THE COMMISSIONER: Five.

19 REV. BRYAN: Five. A little too faint for  
20 me to see but I assume it is.

21 THE COMMISSIONER: No, no, it's on the  
22 right-hand side, so ---

23 REV. BRYAN: It's on the right-hand side?  
24 Okay. Five, yes.

25 THE COMMISSIONER: Okay.

1 MS. HAMOU: You're on the right page?

2 REV. BRYAN: I think so.

3 MS. HAMOU: It should be the same page  
4 that's on the screen in front of you as well ---

5 REV. BRYAN: Yes, okay.

6 MS. HAMOU: --- if it's easier to look  
7 there.

8 REV. BRYAN: Yes, thank you.

9 MS. HAMOU: Now, I want to direct your  
10 attention to the August 25<sup>th</sup> entry, and again we're in the  
11 statement of Jacques Leduc. And, sir, the first sentence  
12 in this entry reads:

13 "Malcolm MacDonald, myself met with the  
14 Bishop to discuss the possibility of a  
15 settlement. Gordon Bryan may also have  
16 been in attendance. He was present at  
17 one of these two meetings."

18 So he's speaking of the August 25<sup>th</sup> meeting  
19 or September 1<sup>st</sup>.

20 Do you -- you've told me that you didn't  
21 attend. Do you know why Jacques Leduc believes you  
22 attended?

23 REV. BRYAN: No, I don't. We'd met a ---

24 MS. HAMOU: I want to ---

25 REV. BRYAN: We'd met a number of times

1 after the fact, so it's possible he just assumed that I was  
2 -- I was there.

3 MS. HAMOU: Did you meet with the Bishop,  
4 Malcolm MacDonald and Jacques Leduc after that?

5 REV. BRYAN: Never, other than this press  
6 release. They were there.

7 MS. HAMOU: Okay.

8 I'd like to take you to another document,  
9 sir. It's Exhibit 1892.

10 THE COMMISSIONER: That would be in the same  
11 book, yeah.

12 REV. BRYAN: M'hm.

13 MS. HAMOU: And, sir, this is an interview  
14 report provided by Jacques Leduc on August 2<sup>nd</sup>, 1994 to the  
15 Ontario Provincial Police.

16 REV. BRYAN: Yes.

17 MS. HAMOU: And I'd ask you to go to the  
18 Bates page ending in 31. It's actually page 3 of the  
19 document, if those are easier to ---

20 REV. BRYAN: Yes.

21 MS. HAMOU: And the second sentence in this  
22 paragraph starting with "I arranged". Jacques Leduc is  
23 speaking of the second meeting that took place, the  
24 September 1<sup>st</sup>, 1993 meeting, and he says that he arranged:

25 "I arranged for that meeting and at

1                                   that meeting were present Malcolm  
2                                   MacDonald, myself, the Bishop, and I  
3                                   think Gordon Bryan, the Bursar for the  
4                                   Diocese."

5                                   So now he places you at this meeting  
6                                   specifically. Do you have any recollection of this?

7                                   **REV. BRYAN:** No.

8                                   **MS. HAMOU:** Now, Reverend Bryan, were you  
9                                   aware of the Bishop being involved in ongoing negotiations?

10                                  **REV. BRYAN:** With?

11                                  **MS. HAMOU:** Well, with Jacques Leduc and  
12                                  Malcolm MacDonald, but generally were you aware that he was  
13                                  negotiating things and ---

14                                  **REV. BRYAN:** No.

15                                  **MS. HAMOU:** --- meeting behind closed doors  
16                                  with people?

17                                  **REV. BRYAN:** No. Our office is a small  
18                                  office but I don't remember ever hearing anything.

19                                  **MS. HAMOU:** Would you have seen these people  
20                                  come by the office?

21                                  **REV. BRYAN:** I don't remember seeing Malcolm  
22                                  at any time in our office, other than the press release  
23                                  time.

24                                  **MS. HAMOU:** Is it possible he was there  
25                                  nonetheless, even though you didn't see him?

1                   **REV. BRYAN:** Yes, it's possible.

2                   **MS. HAMOU:** Sir, I'd now like to explore  
3 your relationship with Jacques Leduc, the Diocesan counsel.

4                   **REV. BRYAN:** Yes.

5                   **MS. HAMOU:** Can you tell me what his role  
6 was as Diocesan counsel?

7                   **REV. BRYAN:** Basically for land transactions  
8 or other transactions that were similar in nature of  
9 selling properties, et cetera.

10                  **MS. HAMOU:** Is that the only thing he did  
11 for the Diocese?

12                  **REV. BRYAN:** Primarily, to the best of my  
13 knowledge, yes. I don't know what other ones he could have  
14 been involved in.

15                  **MS. HAMOU:** And did you ever personally  
16 retain his services?

17                  **REV. BRYAN:** Personally, no.

18                  **MS. HAMOU:** Sorry, not personally, but on  
19 behalf of the Diocese did you ever call Jacques Leduc and  
20 retain him on a matter?

21                  **REV. BRYAN:** I believe for the school board  
22 property that was out in St. Raphael's where we negotiated  
23 because he was school board lawyer at the particular time,  
24 I believe, and that was for an exchange of some properties  
25 between the Diocese and the school board.

1                   **MS. HAMOU:** Now, based on your  
2 understanding, was Jacques Leduc the Diocesan lawyer  
3 generally or was he retained only for specific matters?

4                   **REV. BRYAN:** He was not on a retainer or  
5 anything, no. So it was whenever he was called for  
6 something.

7                   **MS. HAMOU:** When there was a matter you  
8 would call him up?

9                   **REV. BRYAN:** Yes, generally, yes.

10                  **MS. HAMOU:** And was it generally yourself or  
11 the Bishop that would call him?

12                  **REV. BRYAN:** Depending on the land  
13 transaction, if it was in Alexandria or in Cornwall usually  
14 I would have called -- called him. Or if it was some other  
15 properties that I wasn't aware of that were being looked  
16 at, it would be the Bishop.

17                  **MS. HAMOU:** Now, you're speaking of  
18 properties. Do you know of any other files Mr. Leduc would  
19 have worked for for the Diocese that weren't related to  
20 property matters?

21                  **REV. BRYAN:** Not offhand.

22                  **MS. HAMOU:** Now, when Jacques Leduc  
23 conducted work for the Diocese, as far as you know did he  
24 open files?

25                  **REV. BRYAN:** I'm not aware of whether -- I



1 believe he would have for the real estate transactions.

2 MS. HAMOU: But you have no personal  
3 knowledge of this?

4 REV. BRYAN: No.

5 MS. HAMOU: Were you aware that Mr. Leduc  
6 had been retained with regards to the Silmsler settlement?

7 REV. BRYAN: No, I didn't.

8 I shouldn't say that because he gave -- he  
9 asked me for the cheque, so I assumed he must have had some  
10 -- but I never -- there was no payment made out for him.

11 MS. HAMOU: When he asked you to issue a  
12 cheque, that's when you realized he was working on the  
13 matter?

14 REV. BRYAN: That's right.

15 MS. HAMOU: Did you confirm this with him?

16 REV. BRYAN: I confirmed it with the Bishop.

17 MS. HAMOU: That Jacques Leduc was working  
18 on the matter?

19 REV. BRYAN: That the \$27,000 was to be  
20 given to Jacques.

21 MS. HAMOU: Okay, we're getting there. I  
22 just have another question for you with regards to Mr.  
23 Leduc's role.

24 Were you aware of his role in negotiations?  
25 I know you weren't there for negotiations but did you know

1 of ---

2 REV. BRYAN: No.

3 MS. HAMOU: --- his role in negotiations?

4 REV. BRYAN: I didn't realize negotiations  
5 were going on.

6 MS. HAMOU: Now, sir, I understand that on  
7 September 2<sup>nd</sup>, 1993 you were instructed by Jacques Leduc to  
8 write a cheque in the amount of \$27,000 payable to his firm  
9 in Trust?

10 REV. BRYAN: That's right.

11 MS. HAMOU: Was this standard practice  
12 within the Diocese to send the money in Trust to the  
13 lawyer's office?

14 REV. BRYAN: For real estate transactions,  
15 yes, and that was basically his role.

16 MS. HAMOU: Now, when Mr. Leduc informed you  
17 that he wanted you to write this cheque, did you ask him  
18 any questions?

19 REV. BRYAN: I believe I asked him what it  
20 was for and he said it was for a suit that would have been  
21 brought against Father Charles. Didn't indicated what kind  
22 of a suit. When I asked that one he said, "You really  
23 don't want to know", and I didn't.

24 MS. HAMOU: So it's at that point that you  
25 found out that Father MacDonald was ---

1                   **REV. BRYAN:** Was the one.

2                   **MS. HAMOU:** --- the priest involved?

3                   **REV. BRYAN:** That -- involved, yes.

4                   **MS. HAMOU:** Now, were you aware, sir, that  
5 the funds transferred to Jacques Leduc were eventually  
6 transferred to Malcolm MacDonald in Trust?

7                   **REV. BRYAN:** I believe Mr. Leduc did mention  
8 that Malcolm MacDonald was looking after the -- the claim  
9 itself.

10                   **MS. HAMOU:** And were you aware that the  
11 complainant received a cheque from Malcolm MacDonald's  
12 Trust account?

13                   **REV. BRYAN:** I wasn't too sure, but I  
14 assumed it -- the money was transmitted to one or the other  
15 from one or the other.

16                   **MS. HAMOU:** And, sir, outside the scope of  
17 real estate matters, do you know if this was common  
18 practice in the Diocese to transfer monies through lawyers'  
19 trust accounts?

20                   **REV. BRYAN:** Generally, it has been for real  
21 estate transactions at least, but I'm -- I'm at a loss to  
22 know about the others.

23                   **MS. HAMOU:** M'hm. Were you involved in any  
24 other matter with Jacques Leduc?

25                   **REV. BRYAN:** Other than real estate?

1 MS. HAMOU: Yes.

2 REV. BRYAN: No.

3 MS. HAMOU: So, sir, you indicated to me  
4 that you learned at this point that Father MacDonald was  
5 involved in some wrongdoing?

6 REV. BRYAN: In a liability claim, yes.

7 MS. HAMOU: In a liability claim for  
8 something he had done perhaps?

9 REV. BRYAN: I wasn't sure.

10 MS. HAMOU: Did you know what type of  
11 liability claim this related to?

12 REV. BRYAN: No, I didn't.

13 MS. HAMOU: And had there ever been a  
14 liability claim against a priest?

15 REV. BRYAN: Not to my knowledge.

16 MS. HAMOU: So at this point, did you  
17 believe this money was being put forward towards a  
18 settlement?

19 REV. BRYAN: Yes.

20 MS. HAMOU: But you had no details on the  
21 case?

22 REV. BRYAN: That's right.

23 MS. HAMOU: Did you understand that the  
24 payment of this money would resolve the situation?

25 REV. BRYAN: Yes.

1                   **MS. HAMOU:** Is this what Jacques Leduc told  
2                   you?

3                   **REV. BRYAN:** Yes.

4                   **MS. HAMOU:** Did he tell you anything else  
5                   with regards to the resolution of the matter?

6                   **REV. BRYAN:** Not that I can remember.

7                   **MS. HAMOU:** Now, before you prepared the  
8                   cheque, you informed me that you talked with the Bishop.  
9                   Can you tell me what the content of that conversation was?

10                  **REV. BRYAN:** Yes. I simply asked him  
11                  whether or not he had approved the \$27,000, and he said,  
12                  "Reluctantly, yes".

13                  **THE COMMISSIONER:** He said -- did he say  
14                  "reluctantly"?

15                  **REV. BRYAN:** He said "Reluctantly, yes".

16                  **THE COMMISSIONER:** Or did you look at him  
17                  and he seemed that he was saying ---

18                  **REV. BRYAN:** No, he said, "Reluctantly,  
19                  yes".

20                  **MS. HAMOU:** Did he tell you anything else  
21                  about the matter at that point?

22                  **REV. BRYAN:** No. He was busy in his office.  
23                  When he first comes in, sometimes not in the best of  
24                  humour, so ---

25                  **MS. HAMOU:** Did you confirm with the Bishop

1           that the matter related to Father MacDonald?

2                       **REV. BRYAN:** No.

3                       **MS. HAMOU:** And were you told who the  
4 complainant was at this point?

5                       **REV. BRYAN:** No.

6                       **MS. HAMOU:** Now, when such large sums were  
7 to be issued by the Diocese -- sorry for the  
8 characterization -- when such sums were to be issued by the  
9 Diocese, was it your practice to consult the Bishop to get  
10 his authorization?

11                      **REV. BRYAN:** I would say in most cases, yes,  
12 not just large sums but other sums too. If I wasn't aware  
13 of a particular priest even being used and being paid from  
14 the Diocese, I would ask.

15                      **MS. HAMOU:** Prior to sending the cheque, did  
16 Bishop Larocque discuss the matter with you at any other  
17 time?

18                      **REV. BRYAN:** No. I didn't send the cheque.  
19 The cheque was picked up by Mr. Leduc.

20                      **MS. HAMOU:** He came to pick it up at the  
21 Diocesan Centre?

22                      **REV. BRYAN:** He came to me, asking for the  
23 \$27,000 cheque and we waited for the Bishop that morning.

24                      **MS. HAMOU:** So was Mr. Leduc present when  
25 you had the discussion with the Bishop?

1                   **REV. BRYAN:** No, I just went upstairs and  
2                   asked.

3                   **MS. HAMOU:** And Mr. Leduc waited in your  
4                   office?

5                   **REV. BRYAN:** He waited -- I don't know  
6                   whether it was in my office, but yes.

7                   **MS. HAMOU:** Now, sir, when you became aware  
8                   that this was to settle a liability claim, did you not  
9                   think to advise the diocesan insurer?

10                  **REV. BRYAN:** No, I should have, but I also  
11                  knew that once you have made a decision, your insurance  
12                  company no longer covers that. So it would have been  
13                  useless.

14                  **MR. TAYLOR:** I didn't hear him.

15                  **THE COMMISSIONER:** It would have been  
16                  useless?

17                  **REV. BRYAN:** That's right.

18                  **MR. TAYLOR:** Before that, Mr. Commissioner.  
19                  The witness -- it's sometimes difficult to hear the  
20                  witness.

21                  **THE COMMISSIONER:** Sir, could you speak  
22                  right into the microphone, please? You can bring it up.  
23                  Maybe we can increase the volume.

24                  **REV. BRYAN:** I'm sorry; I'm a little short.  
25                  That's my problem.

1 MS. HAMOU: I hear you.

2 MR. TAYLOR: I'd just like, if we could, to  
3 have that answer because I didn't hear it.

4 THE COMMISSIONER: Yes. What was the answer  
5 again?

6 REV. BRYAN: What was the question?

7 THE COMMISSIONER: Who's on first? The  
8 question ---

9 MS. HAMOU: The question ---

10 THE COMMISSIONER: The question was ---

11 MS. HAMOU: I asked you why you didn't  
12 advise the diocesan insurers.

13 REV. BRYAN: Yes, and that was because the  
14 settlement had been agreed upon, and when a settlement has  
15 been agreed upon, your insurance is no longer covering you.

16 MS. HAMOU: At that point, sir, monies had  
17 not been paid towards the complainant. I mean, you had  
18 just ---

19 REV. BRYAN: It doesn't matter. If you have  
20 made a settlement agreement without signing it, you are no  
21 longer covered.

22 MS. HAMOU: And you knew this because of  
23 your involvement on the insurance management board?

24 REV. BRYAN: Yes, and I read my insurance  
25 policies.



1                   **MS. HAMOU:** Now, as far as you know, the  
2 cheque issued from the Diocese was \$27,000?

3                   **REV. BRYAN:** Yes.

4                   **MS. HAMOU:** You now know that the settlement  
5 was for \$32,000?

6                   **REV. BRYAN:** I was aware of that as well.

7                   **MS. HAMOU:** Did you know where the balance  
8 of funds was coming from?

9                   **REV. BRYAN:** I wasn't too sure whether it  
10 was from Malcolm or from Father MacDonald.

11                   **MS. HAMOU:** You believed it may be from  
12 Malcolm MacDonald himself?

13                   **REV. BRYAN:** Well, I wasn't -- I wasn't  
14 aware who it was, but I figured there's only two of them  
15 there, his legal counsel and himself.

16                   **MS. HAMOU:** Could it have been from anybody  
17 else?

18                   **REV. BRYAN:** That's a possibility, yes.

19                   **MS. HAMOU:** You were never advised?

20                   **REV. BRYAN:** No.

21                   **MS. HAMOU:** Now, if Bishop Larocque ---

22                   **REV. BRYAN:** I shouldn't say -- excuse me.

23                   **MS. HAMOU:** Pardon me.

24                   **REV. BRYAN:** I shouldn't say never because  
25 Mr. MacDonald sent another \$1,000 cheque later on that was

1 put towards what I assumed at the beginning was a loan to  
2 Father MacDonald.

3 MS. HAMOU: Actually, I'm going to address  
4 that point a little later with you ---

5 REV. BRYAN: Okay.

6 MS. HAMOU: --- when it comes in the  
7 chronology of time.

8 If Bishop Larocque had issued some further  
9 funds for the settlement, would you have been aware of it?

10 REV. BRYAN: If they come out of diocesan  
11 coffers, yes.

12 MS. HAMOU: He would have to go through you  
13 to withdraw money from diocesan accounts?

14 REV. BRYAN: Normally, yes. He didn't have  
15 to, but he did.

16 MS. HAMOU: Now, sir, as far as you know,  
17 did the Diocese loan any sum of money to Father MacDonald  
18 for this settlement?

19 REV. BRYAN: I'm not aware.

20 MS. HAMOU: Sir, I'd just like to take you  
21 to a new document. It's Document 129106. Madam Clerk is  
22 going to give it to you in a second.

23 (SHORT PAUSE/COURTE PAUSE)

24 THE COMMISSIONER: Exhibit 1961 is a payment  
25 -- it's a statement from the administration of account,

1 cash disbursements and chequebook account as of the date of  
2 the 10/27/93 to the period ending 09/30/93.

3 --- EXHIBIT NO./PIÈCE NO. 1961:

4 (129106) C.E.C. Administration Account -  
5 Cash disbursements - Chequebook Account

6 MS. HAMOU: Reverend Bryan, can you identify  
7 this document for me?

8 REV. BRYAN: Yes. Our bookkeeper was --  
9 started putting our entries in a computer but was always  
10 worried that the computer would fail, and so we had book  
11 entries separate to ensure it. So he was dual accounting  
12 at that particular time.

13 MS. HAMOU: So is this what would be  
14 considered the general ledger account?

15 REV. BRYAN: It would be the chequebook  
16 account, cash disbursements.

17 MS. HAMOU: And there's an entry about  
18 midway through the page indicating a sum of \$27,000?

19 REV. BRYAN: Yes.

20 MS. HAMOU: And the payee is Leduc,  
21 Lafrance, and I assume that's Cardinal?

22 REV. BRYAN: It's Cardinal, yes.

23 MS. HAMOU: And the date is September 2<sup>nd</sup>,  
24 1993?

25 REV. BRYAN: Yes.

1                   **MS. HAMOU:** So this would be the entry  
2 relating to the cheque you wrote and provided to Mr. Leduc?

3                   **REV. BRYAN:** That's right.

4                   **MS. HAMOU:** I see that on this document  
5 there is an indication, a handwritten note next to the  
6 numbers. Sir, do you see it? It's about in the middle of  
7 the page. Do you see that entry?

8                   **REV. BRYAN:** The little note beside it?

9                   **MS. HAMOU:** Yeah. There's a handwritten  
10 "Thursday" on one side and on the other side something that  
11 looks to be "medical". You can't make it out?

12                   **REV. BRYAN:** No.

13                   **THE COMMISSIONER:** Is it your handwriting,  
14 sir?

15                   **REV. BRYAN:** It doesn't look like it. It  
16 looks like the bookkeeper's.

17                   **THE COMMISSIONER:** Okay.

18                   **MS. HAMOU:** Reverend Bryan, what did the  
19 bookkeeper do in the Diocese? You were the bursar, but  
20 what was his role?

21                   **REV. BRYAN:** He looked after the books,  
22 basically the entries, and he would make up the  
23 disbursement cheques for me with -- and clipped to the  
24 particular billing that they belonged to.

25                   I would look at them, sign the billing, sign

1 the cheque and it would be forwarded.

2 MS. HAMOU: So he would assist you in some  
3 matters?

4 REV. BRYAN: In all of those and in  
5 preparing the cheques, et cetera, usually. In fact, I  
6 believe he prepared this one.

7 MS. HAMOU: Upon your direction?

8 REV. BRYAN: Yes.

9 MS. HAMOU: Reverend Bryan, do you have any  
10 knowledge of special contributions and/or donations that  
11 were made to the Diocese to cover the Silmsler settlement?

12 REV. BRYAN: Other than that 1,000 that Mr.  
13 MacDonald forwarded, no.

14 MS. HAMOU: Now, Chief Shaver testified  
15 before this Inquiry and mentioned that there was a  
16 suggestion of a breakdown for the funds provided in the  
17 settlement of 10,000 from the Diocese, 10,000 from Father  
18 MacDonald and 12,000 from a mystery person.

19 Do you have any idea what this relates to?

20 REV. BRYAN: No.

21 MS. HAMOU: And you never saw any large  
22 amount that came in, in around this time?

23 REV. BRYAN: No, and that would have been  
24 brought to my attention by the bookkeeper if he had  
25 received them.

1                   **MS. HAMOU:** What would the bookkeeper bring  
2                   to your attention? What were the types of things he would  
3                   point out to you?

4                   **REV. BRYAN:** Well, I would have to sign a  
5                   receipt for the donation given so that the person who sent  
6                   it would be given a tax receipt, if it was for a donation  
7                   to the Church itself, or the Diocese I should say.

8                   **THE COMMISSIONER:** What about if somebody  
9                   wanted to remain anonymous?

10                  **REV. BRYAN:** And they didn't want to ---

11                  **THE COMMISSIONER:** Claim it on their income  
12                  tax?

13                  **REV. BRYAN:** I don't think I ever saw any of  
14                  those. In fact, most people wanted to boost up somehow or  
15                  other but never had ---

16                  **THE COMMISSIONER:** Okay.

17                  **MS. HAMOU:** Sir, I'd like to take you to my  
18                  next document. It's Exhibit 1790.

19                  **THE COMMISSIONER:** Okay. Merci.

20                  **MS. HAMOU:** Do you have that document, sir?

21                  **REV. BRYAN:** Yes, I have.

22                  **MS. HAMOU:** And this is an interview of  
23                  Bishop Larocque with Detective Inspector Tim Smith and  
24                  Constable Mike Fagan on September 12<sup>th</sup>, 1994.

25                  **REV. BRYAN:** Yes.

1                   **MS. HAMOU:** I'd like you to go to page  
2                   7011460, and it's page 55 at the top if those numbers are  
3                   easier for you to locate.

4                   **REV. BRYAN:** I think I'm lost.

5                   **MS. HAMOU:** You think you're lost? Madam  
6                   Clerk will help you locate the passage.

7                   **REV. BRYAN:** I just went too fast. I'll  
8                   find it. Thank you.

9                   **MS. HAMOU:** So I'd like to refer you to the  
10                  third entry. It's the second entry by Mr. Smith, and I  
11                  quote:

12                                   "Can you tell me where the funds came  
13                                   from, Bishop?"

14                   And the Bishop answers:

15                                   "Part of the funds I was given to  
16                                   understand that 10,000 had come from  
17                                   the priest and 22,000 had come from the  
18                                   Diocese."

19                   Now, sir, what I'd like to ask you is if you  
20                   were ever aware of such an arrangement?

21                   **REV. BRYAN:** No.

22                   **MS. HAMOU:** And the Bishop never discussed  
23                   this with you?

24                   **REV. BRYAN:** No, but he may have assumed  
25                   that that was the breakdown but it wasn't.

1                   **MS. HAMOU:** Do you contend to know what the  
2 breakdown was?

3                   **REV. BRYAN:** Well, I know I was asked for  
4 the 27,000. So I assumed the rest of it was ---

5                   **THE COMMISSIONER:** I think -- did you want  
6 to continue with the next answer from the Bishop?

7                   **MS. HAMOU:** Sorry, sir; now I'm lost.

8                   **THE COMMISSIONER:** Page 55.

9                   **MS. HAMOU:** The Bishop continues -- he  
10 continues by indicating:

11                                "I have found out that the priest has  
12                               not paid 10,000. I think it was 5,000  
13                               and the rest was made up of Diocesan  
14                               funds."

15                   **REV. BRYAN:** Yes.

16                   **MS. HAMOU:** That would equate to 32 with the  
17 cheque that you would have written?

18                   **REV. BRYAN:** Yes.

19                   **MS. HAMOU:** I'd like to take you to a letter  
20 now, sir. It's a new document; Document 109625.

21                   **THE COMMISSIONER:** Exhibit 1962 is a letter  
22 from Angus Malcolm MacDonald to the Reverend Mr. Gordon  
23 Bryan on November 18<sup>th</sup>, 1993.

24                   **--- EXHIBIT NO./PIÈCE No. P-1962:**

25                               (109625) - Letter from A.M. MacDonald to



1 Gordon Bryan dated 18 Nov 93

2 MS. HAMOU: Sir, do you recall receiving  
3 this letter?

4 REV. BRYAN: Yes.

5 MS. HAMOU: If I read the letter, the first  
6 sentence indicates a telephone conversation. Do you recall  
7 speaking with Mr. MacDonald?

8 REV. BRYAN: No, I don't.

9 MS. HAMOU: You don't?

10 REV. BRYAN: I remember receiving the cheque  
11 though.

12 MS. HAMOU: Money issues; right?

13 REV. BRYAN: That's right.

14 MS. HAMOU: Now, a sum of \$1,000 appears to  
15 have been paid to the Diocese. Did you know why this  
16 amount was being given?

17 REV. BRYAN: I assumed it was to be added to  
18 Father Charlie's account that was -- he also still had a  
19 vocation fund that he hadn't paid.

20 MS. HAMOU: So as far as you know, where was  
21 this amount put to? Where was it put?

22 REV. BRYAN: I would think it would be put  
23 into our general account and taken off his -- what he owed  
24 as a loan from his vocation time -- his seminary time, I  
25 should say.

1                   **THE COMMISSIONER:** Wait a minute. You're  
2 going to have to help me out here. He's got a vocation  
3 account. What is that?

4                   **REV. BRYAN:** Basically it's for assisting  
5 seminarians ---

6                   **THE COMMISSIONER:** Yes.

7                   **REV. BRYAN:** --- in paying part of their  
8 funding for education.

9                   **THE COMMISSIONER:** Right.

10                  **REV. BRYAN:** So basically what happens is  
11 that -- what used to happen I should say in our case was  
12 that because we are a small Diocese, we didn't have  
13 sufficient funds for this kind of thing. We would loan the  
14 money to the seminarian and he would sign a note each time  
15 he received it each year.

16                  **THE COMMISSIONER:** Yes.

17                  **REV. BRYAN:** And he would end up with a loan  
18 account required to be repaid 50 percent on a regular basis  
19 after his ordination to the priesthood.

20                  **THE COMMISSIONER:** All right. But, you  
21 know, Father MacDonald by 1993 had been a priest for  
22 awhile.

23                  **REV. BRYAN:** And he hadn't paid very much  
24 during the time; so he still owed money. We wiped those  
25 out I think in about 1994 or '95.

1                   **THE COMMISSIONER:** Okay. So we'll call them  
2 student loans.

3                   **REV. BRYAN:** Yes, virtually that's what it  
4 was.

5                   **THE COMMISSIONER:** And a lot of people don't  
6 pay them in total; so that's okay. But -- and so you're  
7 saying when you got this \$1,000, you figured it was going  
8 into the seminary -- the student loan account?

9                   **REV. BRYAN:** That's right.

10                  **THE COMMISSIONER:** Okay. When you took out  
11 the \$27,000, did you do a bookkeeping entry and charge  
12 \$5,000 to Father MacDonald's student loan again?

13                  **REV. BRYAN:** The 27,000 you mean?

14                  **THE COMMISSIONER:** Not the -- I'm sorry.  
15 Out of the twenty -- did you ever -- when you were doing  
16 these transactions, did you ever charge something to his  
17 account?

18                  **REV. BRYAN:** Not at that particular time,  
19 no, and we didn't after that, no.

20                  **THE COMMISSIONER:** Okay.

21                  **MS. HAMOU:** So, sir, my question for you is,  
22 if these sums were to reimburse student debts, if we will,  
23 why did the come from Charles MacDonald's lawyer?

24                  **REV. BRYAN:** As a donation from him; I don't  
25 know.

1                   **MS. HAMOU:** As a donation from?

2                   **REV. BRYAN:** Mr. MacDonald I would assume.  
3                   I don't know.

4                   **MS. HAMOU:** Okay.

5                   **REV. BRYAN:** He mentioned about telephone  
6                   conversation. If he had, I probably would have asked but  
7                   when he said it, I assumed it was just a donation for that  
8                   account.

9                   **MS. HAMOU:** Mr. Commissioner, there's a  
10                  ledger, a document that we've had and I can get it for you  
11                  at the break, but there is a ledger from Malcolm  
12                  MacDonald's trust account that shows a deposit of \$1,000  
13                  from Charles MacDonald and a disbursement to the Diocese  
14                  for \$1,000.

15                  **REV. BRYAN:** Okay. So it's not a problem.

16                  **MS. HAMOU:** So do you still believe it's a  
17                  disburse -- sorry, a donation?

18                  **REV. BRYAN:** I would think so.

19                  **MS. HAMOU:** You still think it's a donation?

20                  **REV. BRYAN:** I would say a donation for his  
21                  account himself. I would not have made out a receipt  
22                  anyway, so ---

23                  **MS. HAMOU:** I'd like to take you to another  
24                  document now, Document 119897.

25                  **THE COMMISSIONER:** Thank you. Exhibit

1 Number 1963 is a letter dated May 2<sup>nd</sup>, 1995 addressed to  
2 Reverend Charles MacDonald from Bishop Eugene Larocque.

3 --- EXHIBIT NO./PIÈCE NO. P-1963:

4 (119897) Letter from Eugene Larocque to  
5 Charles MacDonald dated May 2, 1995

6 MS. HAMOU: Sir, did you ever see this  
7 letter or the letter on the back page which was from Father  
8 MacDonald and addressed to the Bishop?

9 REV. BRYAN: This one?

10 MS. HAMOU: Yeah, the one you have in front  
11 of you. And if you turn it around, there's another  
12 handwritten letter there as well. Did you ever see either  
13 of those letters, sir?

14 REV. BRYAN: No, but Reverend MacDonald had  
15 sent me a note. I'm just trying to read this one first.

16 MS. HAMOU: Sure. You can take your time to  
17 review the document, if you wish. I'm going to ask you a  
18 few questions about it.

19 (SHORT PAUSE/COURTE PAUSE)

20 REV. BRYAN: He mentions about the \$6,000  
21 the Diocese asked me to pay. I wasn't aware. So that  
22 \$1,000 would have been to bring it up to the \$6,000 then.

23 MS. HAMOU: So, sir ---

24 REV. BRYAN: I don't remember seeing this.  
25 Was this in the file for me?

1 MS. HAMOU: In the file?

2 REV. BRYAN: In one of the ---

3 MS. HAMOU: In the documents you reviewed  
4 before ---

5 REV. BRYAN: Yes.

6 MS. HAMOU: --- coming to the Inquiry? It  
7 would have been there. I believe it was one of the  
8 documents provided to you, sir.

9 THE COMMISSIONER: Would you like a moment  
10 to read it over?

11 REV. BRYAN: Yes, I would.

12 MS. HAMOU: Take your time.

13 (SHORT PAUSE/COURTE PAUSE)

14 REV. BRYAN: Yes.

15 MS. HAMOU: Now, sir, if we look at the  
16 first letter, it's a the letter written -- it's not the  
17 first in time but it's on the first page -- the letter  
18 written by Bishop Larocque, he indicates in his first  
19 paragraph having received Father MacDonald's two letters  
20 and having contacted the bursar.

21 Now, do you recall discussing these matters  
22 with the Bishop?

23 REV. BRYAN: As far as retaining legal  
24 counsel?

25 THE COMMISSIONER: Well, the bottom line is

1 Father MacDonald writes on April 27<sup>th</sup>, I guess -- or April  
2 19<sup>th</sup>, 1995 asking for the Diocese to cover his legal fees.

3 **REV. BRYAN:** Yes.

4 **THE COMMISSIONER:** Okay. So do you remember  
5 having a discussion about these two letters with the  
6 Bishop?

7 **REV. BRYAN:** No. It's possible, but it  
8 doesn't ring any bells with me.

9 **MR. SHERRIFF-SCOTT:** Commissioner, for the  
10 record, the letter says there is one letter of the 19<sup>th</sup>  
11 received on the 27<sup>th</sup>, which is actually the date stamp on  
12 the next page.

13 **THE COMMISSIONER:** Right. Thank you.

14 **MR. SHERRIFF-SCOTT:** Thank you.

15 **MS. HAMOU:** All right, sir. So those are my  
16 questions for that document.

17 I'd like to move to Exhibit 1932. Do you  
18 have it, sir?

19 **REV. BRYAN:** Yes, I have.

20 **MS. HAMOU:** Now, this is an interview you  
21 gave to Detective Inspector Tim Smith and Mike Fagan of the  
22 -- I'm sorry -- Ontario Provincial Police on September 13<sup>th</sup>,  
23 1994.

24 **REV. BRYAN:** Okay.

25 **MS. HAMOU:** Did you have a chance to review

1           this document in your preparation for testimony?

2                       **REV. BRYAN:** Yes.

3                       **MS. HAMOU:** I'd like to turn back to the  
4 issue of the receipt of the document from Mr. Leduc.

5                       **REV. BRYAN:** Okay.

6                       **MS. HAMOU:** So you issued the cheque ---

7                       **REV. BRYAN:** M'hm.

8                       **MS. HAMOU:** --- on September 2<sup>nd</sup>, 1993. I  
9 understand you would have received a brown envelope from  
10 Jacques Leduc. Can you indicate to me when this would have  
11 happened? And I can direct you to a passage if that could  
12 refresh your memory?

13                       **REV. BRYAN:** Please.

14                       **MS. HAMOU:** If you go on the second page,  
15 it's the last entry by yourself ---

16                       **REV. BRYAN:** Yes.

17                       **MS. HAMOU:** --- where you indicate:

18                               "The document came back to me with Mr.  
19 Leduc dropping it in the following  
20 week, I believe."

21                       **REV. BRYAN:** Yes.

22                       **MS. HAMOU:** Is that what you recall?

23                       **REV. BRYAN:** Yes. It perhaps was two weeks,  
24 but it was shortly after ---

25                       **THE COMMISSIONER:** I don't know how much



1 turns on it, but I believe Monsieur Leduc thought you had  
2 come to his office to pick up the envelope.

3 REV. BRYAN: No, because he used to go by my  
4 office to get to his office, so he'd drop that in as well.

5 THE COMMISSIONER: Okay. Fine.

6 MS. HAMOU: Now, sir, I'd like you to look  
7 at another exhibit, that's 1895.

8 REV. BRYAN: Is this one complete? Can I  
9 get rid of it?

10 MS. HAMOU: Well, actually, we're going to  
11 refer back to this one. So you might want to keep it open.

12 REV. BRYAN: Okay. Yes, I have it.

13 MS. HAMOU: You have it.

14 Do you recognize this document, sir?

15 REV. BRYAN: That's the envelope -- the  
16 brown envelope that the document release was received in.

17 MS. HAMOU: It's a copy of the envelope you  
18 would have received?

19 REV. BRYAN: That's right.

20 MS. HAMOU: Now, sir, when you received this  
21 envelope, there was the address of Malcolm MacDonald on it  
22 already?

23 REV. BRYAN: Yes, in the corner, yes.

24 MS. HAMOU: That's correct?

25 REV. BRYAN: That's correct.

1                   **MS. HAMOU:** Yes.

2                   There was also the address label addressed  
3 to Leduc, Lafrance, Cardinal?

4                   **REV. BRYAN:** Yes.

5                   **MS. HAMOU:** With the notation "Personal and  
6 Confidential" on the label?

7                   **REV. BRYAN:** Yes.

8                   **MS. HAMOU:** Now, what did Jacques Leduc tell  
9 you to do with this document once you received it?

10                  **REV. BRYAN:** He said, "Seal it well; mark  
11 private and confidential and to be opened by the Bishop  
12 only". And I suggested in case the Bishop's away perhaps I  
13 had better put mine on there too. And he said "Sure".

14                  **MS. HAMOU:** Okay. Now, just to address a  
15 few of those point separately, the first thing he asked you  
16 to do was to file it away?

17                  **REV. BRYAN:** Yes.

18                  **MS. HAMOU:** Did he ---

19                  **REV. BRYAN:** For posterity's sake, he said.

20                  **MS. HAMOU:** Okay. I was going to take you  
21 to your statement, but that's what you said, essentially.

22                  Now, did Jacques Leduc ever indicate to you  
23 that it should -- the document should be filed in any kind  
24 of secret archives?

25                  **REV. BRYAN:** No.

1                   **MS. HAMOU:** And does the Diocese have any  
2                   secret archives?

3                   **REV. BRYAN:** No.

4                   **MS. HAMOU:** In Cornwall or elsewhere?

5                   **REV. BRYAN:** No.

6                   **MS. HAMOU:** Now, did Mr. Leduc keep a copy  
7                   of this document in his files, to your knowledge?

8                   **REV. BRYAN:** He told me that he didn't have  
9                   a file on it, so I would assume that he didn't.

10                  **MS. HAMOU:** And was it the practice for him  
11                  to give you the documents ---

12                  **REV. BRYAN:** For all of the ---

13                  **MS. HAMOU:** --- that pertained to a  
14                  settlement or ---

15                  **REV. BRYAN:** All the other transactions were  
16                  -- yes, all the other transactions we normally filed away.  
17                  It was the only fireproof safe we had.

18                  **MS. HAMOU:** Pardon me, sir?

19                  **REV. BRYAN:** It was the only fireproof safe  
20                  we had for documents.

21                  **MS. HAMOU:** Okay. Now, sir, did you ever  
22                  have any draft documents? Since you had a file, you filed  
23                  this document, were there any other documents with regards  
24                  to this matter filed?

25                  **REV. BRYAN:** No.

1 MS. HAMOU: In any Diocese files?

2 REV. BRYAN: That I don't know about the  
3 Bishop's files because those were kept in his office or his  
4 secretary's office.

5 MS. HAMOU: Now, sir, with regards to the  
6 indications he gave you to mark the envelope ---

7 REV. BRYAN: Yes.

8 MS. HAMOU: --- he asked you to mark it to  
9 be opened by the Bishop only?

10 REV. BRYAN: Yes.

11 MS. HAMOU: And you added the bursar as  
12 well?

13 REV. BRYAN: I asked him if that was  
14 appropriate.

15 MS. HAMOU: Now, I see initials at the end  
16 of the "Private and Confidential" marking. Those are your  
17 initials?

18 REV. BRYAN: Those are mine, yes.

19 MS. HAMOU: So this is your writing on the  
20 envelope?

21 REV. BRYAN: That's right.

22 MS. HAMOU: Now, sir, when you received the  
23 envelope, was it sealed?

24 REV. BRYAN: Yes.

25 MS. HAMOU: Was it -- and excuse the

1 expression -- licked closed?

2 REV. BRYAN: It was closed that it was  
3 stuck, so yes.

4 MS. HAMOU: Okay. And you posed your  
5 initials and a piece of tape on top?

6 REV. BRYAN: I put a piece of tape on top  
7 first around the flap to ensure it wouldn't be opened  
8 inadvertently through filing and then put that note on.

9 MS. HAMOU: Did you initial the flap as  
10 well?

11 REV. BRYAN: No.

12 MS. HAMOU: Now, did Jacques Leduc indicate  
13 to you at this point what was in the envelope?

14 REV. BRYAN: No, other than a release.

15 MS. HAMOU: Did he tell you the release was  
16 in the envelope?

17 REV. BRYAN: Yes.

18 MS. HAMOU: And did he tell you if anything  
19 else was in the envelope?

20 REV. BRYAN: No.

21 MS. HAMOU: Now, where did you file this  
22 document, sir?

23 REV. BRYAN: In the document file which is  
24 in the other office where the bookkeeper would work. Our  
25 offices were kind of small so I was in another office with

1 the receptionist.

2 MS. HAMOU: Now, did you have your own  
3 personal files?

4 REV. BRYAN: No.

5 MS. HAMOU: The Bursar didn't have a file  
6 cabinet?

7 REV. BRYAN: I didn't need one. I had the  
8 one big one, the one big one we had with all our files in  
9 it.

10 MS. HAMOU: Okay. So you stored your  
11 documents in there.

12 Did the Bishop have any files?

13 REV. BRYAN: Yes, he has. He has a large  
14 filing cabinet up there too, or at that time I believe.  
15 I'm not too sure now.

16 MS. HAMOU: And, sir, can you explain to me  
17 what is filed in which -- why would you have ---

18 REV. BRYAN: Yes.

19 MS. HAMOU: --- filed it in the bigger file  
20 cabinet and not the Bishop's cabinet?

21 REV. BRYAN: In hindsight I probably should  
22 have dropped it off at the Bishop's office, but generally  
23 because it was a document that normally was -- a legal  
24 document, I stuffed it in our file.

25 MS. HAMOU: And which file did you stick it

1 in; did you stick it in loose or in ---

2 REV. BRYAN: It was all of the documents we  
3 had from 1884 I think or something along there that was put  
4 in another file folder and dropped in.

5 MS. HAMOU: So it had its own slot?

6 REV. BRYAN: I guess you'd say that, yes.

7 MS. HAMOU: As opposed to being put in  
8 Father MacDonald's file for example?

9 REV. BRYAN: We didn't have any files for  
10 the priests there.

11 MS. HAMOU: And, sir, you say in hindsight  
12 you should have given this envelope directly to the Bishop.  
13 Why is that?

14 REV. BRYAN: It was related to Father  
15 MacDonald and I assume I should have thought about it, that  
16 it should go in his file.

17 MS. HAMOU: Did the Bishop ever make a  
18 comment to you about having kept this in your filing  
19 cabinet?

20 REV. BRYAN: No, I -- I think he just forgot  
21 about it until we were confronted with it, and then when I  
22 brought it up he was kind of astonished I think that we did  
23 have it.

24 MS. HAMOU: And you never opened the  
25 document, sir, until January of ---

1                   **REV. BRYAN:** No, until I was called by Mr.  
2                   Leduc to open it and send him a copy.

3                   **THE COMMISSIONER:** You said you put it in a  
4                   file folder.

5                   **REV. BRYAN:** Normally our file folders are  
6                   just to hold the various documents so that they're  
7                   separated from each other.

8                   **THE COMMISSIONER:** Right. Was there a  
9                   title? Did you give it a title?

10                  **REV. BRYAN:** No, there wasn't a need.

11                  **THE COMMISSIONER:** Well ---

12                  **REV. BRYAN:** Most of our other files were  
13                  for mortgages, et cetera, so it would have stood out  
14                  anyway.

15                  **THE COMMISSIONER:** Okay.

16                  **MS. HAMOU:** Now, Reverend Bryan, you  
17                  received this envelope about a week after you would have  
18                  issued the cheque. Did you tell the Bishop that you had  
19                  received the settlement documents?

20                  **REV. BRYAN:** Unfortunately, no.

21                  **MS. HAMOU:** And do you believe the Bishop  
22                  knew that these documents were in possession of the  
23                  Diocese?

24                  **REV. BRYAN:** I guess I assumed so but after  
25                  the fact I found out I was wrong.



1                   **MS. HAMOU:** Now, sir, when you received the  
2 envelope from Mr. Leduc did he give you an indication of  
3 whether the sum of money had been paid to the complainant?

4                   **REV. BRYAN:** Yes, he said it was a full  
5 release so ---

6                   **MS. HAMOU:** A full release ---

7                   **REV. BRYAN:** --- the assumption had to be  
8 that they'd received the money.

9                   **MS. HAMOU:** And was there any other  
10 discussion with regards to the implication?

11                   **REV. BRYAN:** No.

12                   **MS. HAMOU:** Now, Reverend Bryan, I  
13 understand that in October of 1993 Staff Sergeant Lucien  
14 Brunet and Chief Shaver of the Cornwall Police came to the  
15 Diocese office?

16                   **REV. BRYAN:** Yes.

17                   **MS. HAMOU:** Did you attend this meeting?

18                   **REV. BRYAN:** No, they had a meeting with the  
19 Bishop.

20                   **MS. HAMOU:** And how did you know of this  
21 occurring?

22                   **REV. BRYAN:** Because they walked past my  
23 office.

24                   **MS. HAMOU:** And did the Bishop tell you what  
25 occurred in that meeting?

1                   **REV. BRYAN:** No, other than the Chief was  
2                   very angry at the beginning.

3                   **MS. HAMOU:** Did you see this yourself when  
4                   he walked out?

5                   **REV. BRYAN:** No.

6                   **MS. HAMOU:** And you didn't speak with them  
7                   on their way out?

8                   **REV. BRYAN:** I don't remember, other than  
9                   perhaps saying goodbye, but I don't remember.

10                  **MS. HAMOU:** Now, I'd like to take you to the  
11                  January 7<sup>th</sup> press release.

12                  **THE COMMISSIONER:** Well ---

13                  **MR. SHERFFIFF-SCOTT:** I'm just wondering if  
14                  the witness could have a break?

15                  **THE COMMISSIONER:** That's a good time for a  
16                  break. Thank you. Why don't we take a short break?

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

19                                 This hearing will resume at 3:15.

20                   ---Upon recessing at 3:01 p.m./

21                   L'audience est suspendue à 15h01

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

23                   L'audience est reprise à 15h19

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

1                   **THE COMMISSIONER:** Thank you.

2                   **ARCHDEACON GORDON BRYAN, Resumed/Sous le même serment:**

3                   **---EXAMINATION-IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MS.**

4                   **HAMOU (Cont'd/Suite):**

5                   **MS. HAMOU:** Reverend Bryan, when we broke I  
6 was about to ask you about a press release that was issued  
7 on January 7<sup>th</sup>, 1994. Do you recall being involved in the  
8 preparation of a press release ---

9                   **REV. BRYAN:** I wasn't, no.

10                  **MS. HAMOU:** --- in or around that date?

11                  **REV. BRYAN:** No.

12                  **MS. HAMOU:** There was also a press  
13 conference held on January 14<sup>th</sup>, 1994. Now, did you speak  
14 with the Bishop about this press conference?

15                  **REV. BRYAN:** No.

16                  **MS. HAMOU:** And at this time ---

17                  **REV. BRYAN:** I believe Mr. Leduc did, by the  
18 way. I'm not too sure. But I think ---

19                  **MS. HAMOU:** Pardon me?

20                  **REV. BRYAN:** I say I believe Mr. Leduc spoke  
21 to the Bishop about it.

22                  **MS. HAMOU:** But you had no conversations  
23 with the Bishop?

24                  **REV. BRYAN:** No, not on these press  
25 releases.

1                   **MS. HAMOU:** And by that time had the Bishop  
2 asked you to open the sealed envelope you had filed away?

3                   **REV. BRYAN:** I'm not too sure of the time  
4 frame there but I believe it was after that second one that  
5 Jacques Leduc asked me to open it.

6                   **MS. HAMOU:** And at this time were you aware  
7 of a covenant concerning criminal investigations?

8                   **REV. BRYAN:** When Jacques phoned me he  
9 mentioned about this, that he believed that this was in  
10 there and that it shouldn't have been.

11                   **MS. HAMOU:** Okay. Just a moment. Let's go  
12 back to January 7<sup>th</sup>, 1994. This would have been the first -  
13 -- the first time ---

14                   **REV. BRYAN:** The first press release.

15                   **MS. HAMOU:** --- that they would have dealt  
16 with this. At that time were you aware of such a clause?

17                   **REV. BRYAN:** No.

18                   **MS. HAMOU:** And did the Bishop have any  
19 discussions with you about the content of his press  
20 conference or press release?

21                   **REV. BRYAN:** No, I heard it for the first  
22 time whenever he gave it.

23                   **MS. HAMOU:** Okay. So you attended the press  
24 conference as an observer?

25                   **REV. BRYAN:** I attended because he requested

1 it, yes.

2 **MR. SHERRIFF-SCOTT:** My friend should get  
3 the sequence of these events straight and the chronology.  
4 There's a press release and then there's two press  
5 conferences. And so perhaps ---

6 **MS. HAMOU:** So, Reverend Bryan, to put you  
7 in context, there was a press release on January 7<sup>th</sup>.

8 **REV. BRYAN:** Yes.

9 **MS. HAMOU:** There was a press conference on  
10 January 14<sup>th</sup>.

11 **REV. BRYAN:** Yes.

12 **MS. HAMOU:** And this was followed by another  
13 press conference on January 24<sup>th</sup>.

14 **REV. BRYAN:** Yes.

15 **MS. HAMOU:** Does this sequence ring a ---

16 **REV. BRYAN:** The sequence -- I thought we  
17 only had two but there must have been three because I ---

18 **MS. HAMOU:** Well, there was a press release  
19 and then two conferences.

20 **REV. BRYAN:** Okay.

21 **THE COMMISSIONER:** There's a difference  
22 between a release and a conference.

23 **REV. BRYAN:** Yes, I realize that, yes.

24 **THE COMMISSIONER:** The release, a document  
25 goes out -- okay.

1                   **MS. HAMOU:** So in the first press conference  
2                   on January 14<sup>th</sup> you had no role?

3                   **REV. BRYAN:** No.

4                   **MS. HAMOU:** Now, Reverend Bryan, I  
5                   understand that between these two press conferences,  
6                   between the 14<sup>th</sup> and the 21<sup>st</sup> of 1994, you received a  
7                   telephone call from Jacques Leduc?

8                   **REV. BRYAN:** I don't know whether it was in  
9                   between them or whether it was after the second one. I'm  
10                  not too sure.

11                  **MS. HAMOU:** And, sir, did Jacques Leduc  
12                  indicate to you that he had received some correspondence  
13                  from David Silmsner's lawyer?

14                  **REV. BRYAN:** Yes, whenever that -- he called  
15                  me up, yes.

16                  **THE COMMISSIONER:** Can you remember -- do  
17                  you recall, what did he tell you?

18                  **REV. BRYAN:** He told me that there was a  
19                  covenant in there that shouldn't have been in the release  
20                  and would I fax him over a copy of it.

21                  **THE COMMISSIONER:** But before that I mean.  
22                  He phoned you up, "How are you doing? Do you remember that  
23                  letter, that envelope that I sent you? Do you want to pick  
24                  it out and..." ---

25                  **REV. BRYAN:** No, he basically said -- asked

1 me whether I would pull out the envelope that had been ---

2 THE COMMISSIONER: All right.

3 REV. BRYAN: --- in my file.

4 THE COMMISSIONER: M'hm.

5 MS. HAMOU: So he asked you to retrieve the  
6 envelope about Father MacDonald and fax him a copy of such?

7 REV. BRYAN: That's right.

8 MS. HAMOU: Did Mr. Leduc indicate to you  
9 why he was making this request?

10 REV. BRYAN: He indicated that there was a  
11 covenant in there that shouldn't have been in there.

12 MS. HAMOU: Now, sir, if we can go to your  
13 interview to the Ontario Provincial Police. That was  
14 Exhibit 1932.

15 (SHORT PAUSE/COURTE PAUSE)

16 MS. HAMOU: And, sir, if you go to the page  
17 identified by page 9 at the top, it's Bates page 7011264.

18 REV. BRYAN: Yes.

19 MS. HAMOU: Now, in your second intervention  
20 on this page -- so it's the fourth entry -- you mentioned  
21 that there was in the agreement a restrictive covenant  
22 about following criminal charges?

23 REV. BRYAN: Yes.

24 MS. HAMOU: Now, do you recall that this is  
25 what Mr. Leduc would have advised you of?

1                   **REV. BRYAN:** I think so, yes.

2                   **MS. HAMOU:** Now, you proceeded to open the  
3 envelope. Can you indicate to me what would have been in  
4 that envelope?

5                   **REV. BRYAN:** It was a letter addressed to  
6 Mr. Leduc and there was the release, I think two or three  
7 pages of release.

8                   **MS. HAMOU:** Sir, I'm going to refer you to a  
9 few documents and ask you to identify if those are the  
10 documents in question. The first document is 738036.

11                   **THE COMMISSIONER:**

12                   Thank you.

13                   Exhibit 1964 is a letter dated September 3<sup>rd</sup>,  
14 1993, addressed to Jacques Leduc from A.M. MacDonald.

15                   **--- EXHIBIT NO./PIÈCE NO. P-1964:**

16                   (738036) Letter to Jacques Leduc from A.M.  
17 MacDonald - September 3, 1993

18                   **MS. HAMOU:** Sir, is this the letter that was  
19 contained in the envelope?

20                   **REV. BRYAN:** That was the first thing that  
21 was in the envelope.

22                   **MS. HAMOU:** And the next document I would  
23 like you to identify is Exhibit 363A (sic).

24                   Mr. Commissioner, just to advise the  
25 parties, we have given notice on another document number,



1 but I was advised it was already an exhibit.

2 THE COMMISSIONER: So 363?

3 MS. HAMOU: "A"; 363 -- 263A.

4 REV. BRYAN: Yes.

5 THE COMMISSIONER: Right.

6 MS. HAMOU: So, sir, there is a document  
7 named, "The Full Release and Undertaking Not to Disclose".

8 Is that a document that was contained in the envelope?

9 REV. BRYAN: Yes.

10 MS. HAMOU: And you'll find at the back a  
11 Certificate of Independent Legal Advice. Do you recall  
12 having that as well in the envelope?

13 REV. BRYAN: Yes.

14 THE COMMISSIONER: Well, 263A is just the  
15 final release. I think 264 is the Certificate of  
16 Independent Legal Advice.

17 MS. HAMOU: They were filed separately.

18 THE COMMISSIONER: Yes.

19 REV. BRYAN: But I'm aware that that was on  
20 there too.

21 MS. HAMOU: So the two of them ---

22 REV. BRYAN: Because it was ---

23 MS. HAMOU: --- the full release ---

24 REV. BRYAN: Mr. Adams had signed that one.

25 MS. HAMOU: Pardon me?

1                   **REV. BRYAN:** Mr. Adams had signed that last  
2 one, I believe.

3                   **MS. HAMOU:** Mr. Adams had also signed the  
4 full release?

5                   **REV. BRYAN:** That's possible, yes.

6                   **MS. HAMOU:** Okay.

7                   Now, sir, were there any other documents in  
8 this envelope?

9                   **REV. BRYAN:** Not that I can remember. I  
10 think there was only five -- four or five pages.

11                   **MS. HAMOU:** So the letter we looked at ---

12                   **REV. BRYAN:** So this would have been it.

13                   **MS. HAMOU:** Okay.

14                   And is it at this point that you became  
15 aware that the document related to David Silmser?

16                   **REV. BRYAN:** Yes.

17                   **MS. HAMOU:** You didn't know this before?

18                   **REV. BRYAN:** I knew it as "DS" from the  
19 press release, I think, or the press, period.

20                   **MS. HAMOU:** Now, did you review this  
21 document ---

22                   **REV. BRYAN:** I read ---

23                   **MS. HAMOU:** --- when you opened it?

24                   **REV. BRYAN:** I read it, yes.

25                   **MS. HAMOU:** And did you see anything

1           problematic with it?

2                       **REV. BRYAN:** Well, Jacques had indicated  
3           about the criminal part of it, so that was brought to my  
4           attention very quickly as I read down.

5                       **MS. HAMOU:** I understand you faxed that  
6           document to Mr. Leduc at -- immediately after?

7                       **REV. BRYAN:** That's right. Well, actually I  
8           faxed it before I read it.

9                       **MS. HAMOU:** And, sir, I understand after  
10          faxing it you put it on the Bishop's desk after you had  
11          reviewed it?

12                      **REV. BRYAN:** I put it all back in the  
13          envelope and I put it on -- the envelope and the contents  
14          on the Bishop's desk, yes.

15                      **MS. HAMOU:** And when you put it on the  
16          Bishop's desk, by this time the envelope had been opened?

17                      **REV. BRYAN:** Yes.

18                      **MS. HAMOU:** Did you leave a note to the  
19          Bishop ---

20                      **REV. BRYAN:** His secretary was in and I  
21          indicated to her that that was the release -- excuse me --  
22          and that Jacques had asked me to open it.

23                      **MS. HAMOU:** And were you present when the  
24          Bishop finally reviewed the document?

25                      **REV. BRYAN:** No.

1           **MS. HAMOU:** So as far as you know, this was  
2           the first time the Bishop was reviewing this release?

3           **REV. BRYAN:** Yes.

4           **MS. HAMOU:** Did the Bishop have any  
5           discussions with you with regards to this document?

6           **REV. BRYAN:** No. Not after the fact, no.

7           **MS. HAMOU:** And do you know if he had any  
8           discussions with Mr. Leduc?

9           **REV. BRYAN:** I would -- I would anticipate  
10          that he would have, but I have no knowledge of that.

11          **MS. HAMOU:** Now, sir, this brings us now to  
12          the January 24<sup>th</sup>, 1993 press conference, and I believe you  
13          would have attended that press conference?

14          **REV. BRYAN:** Yes.

15          **MS. HAMOU:** What was your role in this press  
16          conference?

17          **REV. BRYAN:** In each case I was asked to  
18          attend and I did.

19          **MS. HAMOU:** Did you ---

20          **REV. BRYAN:** I held -- I think I held up the  
21          envelope at one of the press conferences, but ---

22          **MS. HAMOU:** Sir, actually I'd like to refer  
23          -- oh, I thought I heard you, Mr. Commissioner -- I'd like  
24          to refer you to a document, a new document, Number 115544.

25          **THE COMMISSIONER:** Exhibit 1965 is a

1 newspaper article from the Standard Freeholder dated  
2 Tuesday, January 25<sup>th</sup>, 1994.

3 --- EXHIBIT NO./PIÈCE NO. P-1965:

4 (115544) Newspaper article from Standard  
5 Freeholder - January 25, 1994

6 MS. HAMOU: Reverend Bryan, do you remember  
7 seeing this document?

8 REV. BRYAN: Yes.

9 MS. HAMOU: I'd like to direct you to the  
10 second -- the larger column, the first one beside the  
11 picture ---

12 REV. BRYAN: Yes.

13 MS. HAMOU: --- at the bottom?

14 REV. BRYAN: Yes.

15 MS. HAMOU: Madam Clerk is making it bigger,  
16 so perhaps you want to follow on the screen.

17 REV. BRYAN: Yes, that's what I'm doing.

18 MS. HAMOU: And I'd like you to direct your  
19 attention to the sentence that starts with:

20 "Bryan says he simply filed the  
21 envelope without giving it to the  
22 Bishop to read."

23 REV. BRYAN: Yes.

24 MS. HAMOU: And it's indicated the sealed  
25 envelope was first opened on January 19<sup>th</sup> after the alleged

1 victim's lawyer notified Leduc by letter -- by letter of  
2 the clause?

3 REV. BRYAN: Okay, I'm -- I wasn't aware of  
4 the date, but yes.

5 MS. HAMOU: And would this help you situate  
6 the time?

7 REV. BRYAN: Yes.

8 MS. HAMOU: And then you also -- there's a  
9 quote that is attributed to you:

10 "Generally these confidential  
11 documents are sealed and we do not open  
12 them unless there is a need for it',  
13 Bryan said nervously, holding up the  
14 yellow envelope for reporters to see."

15 Now, a few questions with regards to that,  
16 sir. Is this you in the picture?

17 REV. BRYAN: Yes, it is.

18 MS. HAMOU: Holding up the envelope?

19 REV. BRYAN: Very bad view.

20 MS. HAMOU: Now, sir, why were you nervous?  
21 Why is there an indication that you were nervous, do you  
22 know?

23 REV. BRYAN: Not really. I'm not used to  
24 cameras, so there was TV cameras all over the place.

25 MS. HAMOU: And you indicated to reporters

1           that it seemed these confidential documents were sealed and  
2           were not opened unless there was a need to do so. Had this  
3           been done before?

4                        **REV. BRYAN:** I don't know why, if -- if I  
5           said it, it just doesn't ring a bell because I never  
6           remember seeing any other of the sealed documents as such.

7                        **MS. HAMOU:** And there are no similar sealed  
8           documents in Diocese ---

9                        **REV. BRYAN:** Not to my knowledge, no.

10                      **MS. HAMOU:** --- files?

11                      **REV. BRYAN:** No. There may be, but they  
12           would be -- if they are, it would be the Bishop's file.

13                      **MS. HAMOU:** So to your knowledge this was  
14           the first time that the Diocese had reached such a  
15           settlement?

16                      **REV. BRYAN:** Yes.

17                      **MS. HAMOU:** Did you have any discussions  
18           with Bishop Larocque or Jacques Leduc after this press  
19           conference?

20                      **REV. BRYAN:** That I don't remember.

21                      **MS. HAMOU:** Now, Reverend Bryan, I'd like to  
22           turn to a slightly different subject.

23                                I'd like to ask you about your involvement  
24           with the Children's Aid Society, not your work on the  
25           board, but rather your involvement with their investigation

1 of the Father MacDonald matter.

2 **REV. BRYAN:** Yes.

3 **MS. HAMOU:** And for that I will refer you to  
4 my first document, which is 721641. I believe this is an  
5 excerpt, Madam Clerk, and the excerpt is 7081217.

6 **THE COMMISSIONER:** Exhibit Number 1966 is a  
7 letter dated November 10<sup>th</sup>, 1993 addressed to Reverend  
8 Gordon Bryan from William Carriere and Greg Bell of the  
9 Children's Aid Society.

10 **--- EXHIBIT NO./PIÈCE NO. P-1966:**

11 (7081217) Letter addressed to Reverend  
12 Gordon Bryan from William Carriere and  
13 Gregory Bell

14 **MS. HAMOU:** Now, sir ---

15 **REV. BRYAN:** Yes.

16 **MS. HAMOU:** --- on the second paragraph  
17 you'll note Mr. Bell and Mr. Carriere are asking you a  
18 question. They're asking:

19 "To best understand the placement and  
20 locations of occupiable space, plans  
21 covering all humanly accessible areas,  
22 including furnace rooms, storage rooms,  
23 tunnels, et cetera, will be helpful."

24 **REV. BRYAN:** Yes.

25 **MS. HAMOU:** Now, do you recall receiving



1 this letter?

2 **REV. BRYAN:** Yes. Actually, Bill Carriere  
3 had phoned me before sending a letter.

4 **MS. HAMOU:** And do you recall answering his  
5 request?

6 **REV. BRYAN:** I believe I looked for  
7 documentation at the parish level and also in our Diocesan  
8 archives, and I believe I retrieved, whether it was from  
9 the parish or from the archives, a hand-drawn map of the  
10 parish. I think they were looking for tunnels between  
11 houses or something.

12 **MS. HAMOU:** And it was in relation to which  
13 parishes, sir?

14 **REV. BRYAN:** St. Andrews.

15 **MS. HAMOU:** Sir, I'd just like to refer you  
16 to your response, which is Document 721648. It's a cross  
17 document.

18 **THE COMMISSIONER:** Exhibit 1967 is a  
19 document entitled Project Blue, Material from Alexandria-  
20 Cornwall Diocese. There you go.

21 **--- EXHIBIT NO./PIÈCE NO. P-1967:**

22 (721648) Materials from DAC re: "Project  
23 Blue"

24 **MS. HAMOU:** Sir, if you turn to the last  
25 page of the document, there's an envelope that seems to be

1 addressed to Mr. Greg Bell. Is this your handwriting, sir?

2 **REV. BRYAN:** Yes, it is.

3 **MS. HAMOU:** And you can take a look through  
4 the documents and can you tell me if these are the  
5 documents you would have dropped off to the CAS?

6 **REV. BRYAN:** Yes.

7 **MS. HAMOU:** Now, sir, this was the first  
8 request for information from the CAS. Did you have any  
9 further involvement with them with regards to their  
10 investigation of the Father MacDonald matter?

11 **REV. BRYAN:** I don't believe so.

12 **THE COMMISSIONER:** Who prepared these  
13 diagrams, sir?

14 **REV. BRYAN:** There was a lady in the parish  
15 who had drafted this up sometime earlier, and that was the  
16 one thing we had in the archives about St. Andrews is a  
17 very old parish church. So we just didn't have any of the  
18 drawings that would have been before the construction.

19 **THE COMMISSIONER:** Okay.

20 **MS. HAMOU:** Now, sir, this was around  
21 November 1993. I'd like to take you a few years further  
22 now to October 1995 and, in particular, I'll refer you to a  
23 document to refresh your memory. It's Document 120219.

24 **THE COMMISSIONER:** Exhibit 1968 is a letter  
25 dated October 18<sup>th</sup>, 1995. It's a memo re: phone call from

1 David Silmsers and signed by Reverend Gordon Bryan.

2 --- EXHIBIT NO./PIÈCE NO. P-1968:

3 (102219) Memo from Gordon Bryan re: phone  
4 call from David Silmsers dated 18 Oct 95

5 MS. HAMOU: Now, sir, I understand you  
6 prepared this memorandum after receiving a phone call from  
7 David Silmsers?

8 REV. BRYAN: Yes.

9 MS. HAMOU: On October 16<sup>th</sup>, 1995?

10 REV. BRYAN: That's right.

11 MS. HAMOU: Can you tell me what this phone  
12 call was about?

13 REV. BRYAN: Basically, he phoned the Bishop  
14 originally and the Bishop's secretary, Mrs. Daignault at  
15 the time, passed it down to me and he wanted to let the  
16 Bishop know that he was going to do some picketing at St.  
17 Columban's Church.

18 MS. HAMOU: Now, sir, was Mr. Silmsers angry  
19 when he talked to you?

20 REV. BRYAN: He didn't sound angry.

21 MS. HAMOU: He was just letting you know?

22 REV. BRYAN: That's right.

23 MS. HAMOU: And do you recall anything else  
24 from this call that you wouldn't have written in your memo?

25 REV. BRYAN: No, it was a very short call,

1 but basically he wanted to inform the Bishop about what he  
2 was going to do.

3 MS. HAMOU: And other than this memorandum,  
4 did you advise the Bishop of your discussion with Mr.  
5 Silmser?

6 REV. BRYAN: No, other than giving him the  
7 memorandum, no.

8 MS. HAMOU: And had you ---

9 REV. BRYAN: I think it said it all. I  
10 think it said it all as far as the conversation on the  
11 phone was.

12 MS. HAMOU: Pardon me? I'm not following  
13 you, sir.

14 REV. BRYAN: I said I believe my little memo  
15 said it all. I don't think there was a need for him asking  
16 me any more questions on it.

17 MS. HAMOU: I understand.

18 Now, did you contact the Cornwall Police  
19 Service with regards to this information?

20 REV. BRYAN: No.

21 MS. HAMOU: Did Mr. Silmser indicate to you  
22 that he had contacted the police?

23 REV. BRYAN: No.

24 MS. HAMOU: Sir, actually ---

25 THE COMMISSIONER: Whoa -- sorry; go ahead.

1                   **MS. HAMOU:** The second-last line in your  
2 memorandum, you indicate that he said he had called the  
3 police so they would be aware?

4                   **REV. BRYAN:** Oh sorry; you're right. So  
5 they were aware, yes. Sorry.

6                   **MS. HAMOU:** That's fine.  
7 Is this what Mr. Silmsler would have told  
8 you, that he had called the police?

9                   **REV. BRYAN:** Yes, because I just wrote it  
10 out as what he had said.

11                   **MS. HAMOU:** Now, was this matter resolved by  
12 an exchange of correspondence between Diocesan counsel and  
13 Mr. Silmsler's counsel?

14                   **REV. BRYAN:** I believe so, but I'm not  
15 absolutely sure.

16                   **MS. HAMOU:** So you're not aware of any steps  
17 that would have been taken after you passed this memo on to  
18 the Bishop?

19                   **REV. BRYAN:** I believe the Bishop phoned  
20 Diocesan counsel.

21                   **MS. HAMOU:** And did Mr. Silmsler eventually  
22 come to picket in front of St. Columban's as he had  
23 indicated?

24                   **REV. BRYAN:** Katwichi (phonetic). I don't  
25 know. I'm sorry; I'm using an African term. It's like

1 "maliche"; God knows.

2 MS. HAMOU: Sir, shortly thereafter, I  
3 understand that David Silmser, his lawyer Bryce Geoffrey  
4 and John McDonald attended St. Columban's Parish in your  
5 company?

6 REV. BRYAN: Yes. I believe our counsel  
7 phoned down to say that they were going to and asked if I  
8 would go with -- go to St. Columban's and meet them.

9 MS. HAMOU: And can you indicate to me what  
10 these people were looking for?

11 REV. BRYAN: I believe the counsel for Mr.  
12 MacDonald and I think for Mr. Silmser were looking for  
13 documents that would indicate that both of them had been  
14 altar servers.

15 MS. HAMOU: So perhaps parish bulletins?

16 REV. BRYAN: Parish bulletins and I believe,  
17 if I'm not mistaken, there was one document indicating that  
18 Sean Adams had served the parish for a transfer of  
19 properties or something. They wanted one of that. Other  
20 than that, I believe it was parish bulletins.

21 MS. HAMOU: And they wanted a copy of that  
22 document?

23 REV. BRYAN: That's right.

24 MS. HAMOU: And, sir, this was the first  
25 time you met David Silmser in person?

1                   **REV. BRYAN:** Yes, and John MacDonald as  
2 well. I didn't realize who they were until the pastor  
3 informed me that these were the two gentlemen who were  
4 suing.

5                   **MS. HAMOU:** And at this point did you  
6 realize that David Silmsers was the man you had talked on  
7 the phone with?

8                   **REV. BRYAN:** Yes.

9                   **MS. HAMOU:** Now, sir, were you aware that  
10 this visit by Mr. Bryce Geoffrey, David Silmsers and John  
11 MacDonald was done pursuant to a civil litigation claim  
12 that was ongoing?

13                   **REV. BRYAN:** I believed so, yes.

14                   **MS. HAMOU:** And who would have advised you  
15 of this?

16                   **REV. BRYAN:** It would have been counsel that  
17 would have advised me.

18                   **THE COMMISSIONER:** Your counsel, the  
19 Diocese's counsel you mean?

20                   **REV. BRYAN:** Yes. I think it was from Mr.  
21 Scott's office if I'm not mistaken.

22                   **MS. HAMOU:** I understand they located some  
23 documents and brought them to your office?

24                   **REV. BRYAN:** No, they found some documents  
25 in St. Columban's in the basement and I piled them up. I

1 think there was 24 or 25, took them to the office,  
2 photocopied the ones that had been requested and mailed  
3 them up to I believe again Mr. Scott's office.

4 **MS. HAMOU:** Is this after they had left?

5 **REV. BRYAN:** Yes -- well, no, I left at the  
6 same time as they did.

7 **MS. HAMOU:** But the documents were in your  
8 office?

9 **REV. BRYAN:** In my office first, yes.

10 **MS. HAMOU:** Okay. I would like to take you  
11 to Document 738146.

12 **THE COMMISSIONER:** Exhibit 1969 is a letter  
13 addressed to Mr. Peter Annis from Bryce Geoffrey dated  
14 November 21, 1995.

15 **--- EXHIBIT NO./PIÈCE NO. P-1969:**

16 (738146) - Letter from Bryce Geoffrey to  
17 Peter Annis dated November 21, 1995

18 **MS. HAMOU:** And, sir, I just wanted to bring  
19 your attention to the second-last sentence. It's a short  
20 paragraph but second-last sentence where Mr. Geoffrey  
21 indicates that, and I quote:

22 "I left with Father Gordon Bryan the  
23 original documents for your client's  
24 files which I would like to obtain  
25 copies of. I would ask that you



1 forward these to me at your earliest  
2 convenience."

3 So this ---

4 **REV. BRYAN:** That's probably right. It  
5 probably was carried out.

6 **MS. HAMOU:** This reflects your memory?

7 **REV. BRYAN:** Yeah. It would be one and the  
8 same documents; so, yes.

9 **MS. HAMOU:** And as far as you remember, all  
10 documents identified by these three men would have been  
11 sent to Bryce Geoffrey?

12 **REV. BRYAN:** Yes.

13 **MS. HAMOU:** Reverend Bryan, I'd like to ask  
14 you if you have any personal knowledge of any attempts by  
15 the Diocese and/or the Cornwall Police Service to cover up  
16 any allegations made by David Silmser?

17 **REV. BRYAN:** No.

18 **MS. HAMOU:** Now, I'd like to ask you if  
19 there was sufficient communication and consultation between  
20 the Cornwall Police Service and the Diocese with regards to  
21 the Father MacDonald matter?

22 **REV. BRYAN:** I couldn't speculate on that  
23 one.

24 **MS. HAMOU:** That's fair. I want you to tell  
25 me what you know.

1                   **REV. BRYAN:** About a communication between  
2                   the two? I think it was nil, but I have no idea.

3                   **MS. HAMOU:** But you don't know of any? You  
4                   know the Bishop met with Chief Shaver ---

5                   **REV. BRYAN:** Yes.

6                   **MS. HAMOU:** --- on one occasion? You didn't  
7                   know of any other meetings?

8                   **REV. BRYAN:** No. That's possible though.  
9                   The Bishop may have called another meeting with him, I  
10                  don't know.

11                  **MS. HAMOU:** And are you aware of any  
12                  friction that could have existed between the Bishop and  
13                  Chief Shaver?

14                  **REV. BRYAN:** No.

15                  **MS. HAMOU:** Now, sir, I'd like to ask you if  
16                  you ever attended any meetings with Duncan McDonald?

17                  **THE COMMISSIONER:** Well, first of all, do  
18                  you know Duncan McDonald?

19                  **REV. BRYAN:** I know him to see him, yes.

20                  **MS. HAMOU:** How do you know Duncan McDonald?

21                  **REV. BRYAN:** I know him to see him because  
22                  he's a Knight and at some of our regional meetings he would  
23                  have been there.

24                  **MS. HAMOU:** So let me make my question a bit  
25                  more specific. Did you ever attend any meetings with

1 Malcolm MacDonald, Duncan McDonald and Jacques Leduc?

2 **REV. BRYAN:** No. Duncan McDonald  
3 separately, yes, because he was on our cemetery board.

4 **MS. HAMOU:** With matters unrelated to Father  
5 MacDonald?

6 **REV. BRYAN:** Unless he was buried, no.

7 **THE COMMISSIONER:** Did you have any  
8 discussions with Mr. McDonald, Duncan McDonald, you know,  
9 about the Silmsler matter or any settlements with the church  
10 or any discontent he may have had in the way the church was  
11 handling things?

12 **REV. BRYAN:** No.

13 **MS. HAMOU:** Now, sir, did you ever discuss  
14 the Father MacDonald matter with Perry Dunlop, Helen Dunlop  
15 or Carson Chisholm?

16 **REV. BRYAN:** No.

17 **MS. HAMOU:** And were you aware that Perry  
18 Dunlop had disclosed David Silmsler's statement to the  
19 Children's Aid Society?

20 **REV. BRYAN:** Only when it came in the paper.

21 **MS. HAMOU:** Would you not have learned of  
22 this -- and I'm asking the question openly. Did you learn  
23 of this when Chief Shaver came to visit the Bishop in  
24 October of 1993?

25 **REV. BRYAN:** No, I would have learned it

1 from the newspaper, if anything.

2 **MS. HAMOU:** Now, sir, we've already  
3 discussed many of the issues that arose in your September  
4 13<sup>th</sup>, 1994 interview with the OPP with Detective Inspector  
5 Tim Smith and Mike Fagan.

6 I want to ask you about this point in time;  
7 so in 1994, September 13. Did you feel that your conduct  
8 was being questioned as Bursar of the Diocese?

9 **REV. BRYAN:** That's a question I don't know.  
10 I don't think so.

11 **MS. HAMOU:** Based on your perception at the  
12 interview, is that what it felt like or were they ---

13 **REV. BRYAN:** No, they were professional and  
14 I assumed it was basically because I had written the  
15 cheque.

16 **MS. HAMOU:** Sir, I would now like to take  
17 you to a new document, Document 120393.

18 **THE COMMISSIONER:** Thank you.

19 Exhibit Number 1970 is a document called  
20 "Malpractice Insurance" dated June 9<sup>th</sup>, 1989.

21 --- **EXHIBIT NO./PIÈCE NO. P-1970:**

22 (120393) - Reed Stenhouse Insurance coverage  
23 letters dated Jan-Jun, 1989

24 **MS. HAMOU:** And, sir, first I'd like you to  
25 take a look at the top page. There seems to be a

1 handwritten note indicating, "Gord, please return" with  
2 what seems to be Monseigneur Larocque's initials?

3 **REV. BRYAN:** That's right.

4 **MS. HAMOU:** Now, can you tell me what this  
5 was about and what the Bishop meant by this?

6 **REV. BRYAN:** The OCCB had requested this  
7 from the insurer -- I should say from the brokers and so  
8 the document came with his OCCB file and he just wanted to  
9 share it with me.

10 **MS. HAMOU:** And I note a second handwritten  
11 point here that says, "Our protocol covers all these  
12 points" and that seems to be your initials; GB?

13 **REV. BRYAN:** Yes.

14 **MS. HAMOU:** So did he ask you to review this  
15 document?

16 **REV. BRYAN:** No, he basically set it down  
17 for interest and I took the time to go through our last  
18 protocol. I can't remember which one it was at that time  
19 but it covered all the points.

20 **MS. HAMOU:** Now, sir, if you turn to the  
21 third page, so the second letter that's in the document.

22 **REV. BRYAN:** Yes.

23 **MS. HAMOU:** This letter pertains to coverage  
24 for sexual abuse and sexual assault.

25 **REV. BRYAN:** M'hm.

1                   **MS. HAMOU:** There are various issues  
2 addressed but my question for you is, this is in 1989. Was  
3 the issue of insurance coverage for alleged sexual abuse by  
4 clergy something at the forefront of your considerations?

5                   **REV. BRYAN:** At that particular time, no,  
6 but it was one of the -- when we had some of the -- once  
7 our protocols were gradually being upgraded, the Bishop had  
8 asked -- the bishops I believe had asked for this.

9                   **MS. HAMOU:** So let me rephrase my question.  
10 In terms of protocols with sexual abuse -- sexual abuse  
11 protocols being put in place by the Diocese according to  
12 your knowledge?

13                   **REV. BRYAN:** By our Diocese or throughout  
14 all of them?

15                   **MS. HAMOU:** No, the Diocese of Alexandria-  
16 Cornwall.

17                   **REV. BRYAN:** As far as I know, at that  
18 particular time, we had drafted one, yes.

19                   **MS. HAMOU:** And do you know in which context  
20 these documents would have been shared with you?

21                   **REV. BRYAN:** What documents? You mean this  
22 one?

23                   **MS. HAMOU:** Yeah, the one we're looking at.

24                   **REV. BRYAN:** That it was shared with me in  
25 what -- I'm still a little at ---

1                   **MS. HAMOU:** Well, I'm trying to understand  
2 why the Bishop would have sent you this for your review.

3                   **REV. BRYAN:** Mainly because I've -- I  
4 handled the insurance, so this would be part of -- part of  
5 the job to look at the insurance and see whether it's got  
6 the full coverage.

7                   **MS. HAMOU:** And according to yourself, you  
8 had compared this with the existing protocols in the  
9 Diocese.

10                   **REV. BRYAN:** Of the time, yes.

11                   **MS. HAMOU:** Do you recall what that protocol  
12 would have been at the time?

13                   **REV. BRYAN:** Good question. No.

14                   **MS. HAMOU:** Just a moment, sir.

15                   Sir, I'll come back to the issue of the  
16 protocol in 1989. I'd like to show you the protocol but  
17 I'll locate it and we'll look at it together.

18                   Now, the next piece of correspondence I  
19 would like you to look at is Document Number 101489.

20                   **THE COMMISSIONER:** Exhibit 1971 is a  
21 document faxed to Reverend Gordon Bryan from Patrick  
22 Powers, March 6<sup>th</sup> 1996.

23                   **--- EXHIBIT NO./PIÈCE No P-1971:**

24                   (101489) Document faxed to Rev. Gordon Bryan  
25 from Patrick Powers - 6 Mar 96

1                   **MS. HAMOU:** So Reverend Bryan, you seem to  
2                   have received this fax on March 8<sup>th</sup> 1996 from the  
3                   Archdiocese of Ottawa.

4                   **REV. BRYAN:** Yes.

5                   **MS. HAMOU:** And on the fax cover sheet there  
6                   is an indication, and the second line reads:

7                                   "Attached is our protocol regarding  
8                                   situations of child sexual abuse. I  
9                                   believe that this is what you are  
10                                  looking for."

11                   **REV. BRYAN:** Yes.

12                   **MS. HAMOU:** Sir, can you give me some  
13                   context as to why you were requesting sexual abuse  
14                   protocols?

15                   **REV. BRYAN:** The Bishop had asked me if ours  
16                   was sufficient. I didn't know, and so he said, "Well,  
17                   perhaps you should phone around," and I phoned to Pat  
18                   Powers' office, he wasn't there at the time, and I asked  
19                   whether he could send a copy of their protocol.

20                   **MS. HAMOU:** And, sir, did the Bishop  
21                   indicate to you why he wanted this document?

22                   **REV. BRYAN:** I assume to continue with his  
23                   attempt at getting a -- a proper document for protocol; a  
24                   protocol document for abuse.

25                   **MS. HAMOU:** So his attempts at putting



1 together a protocol for the Diocese of Alexandria-Cornwall?

2 REV. BRYAN: Yes.

3 MS. HAMOU: Now, Reverend Bryan, did you  
4 ever work on any protocol development at any time in the  
5 Diocese?

6 REV. BRYAN: You mean sexual protocol ---

7 MS. HAMOU: Yes.

8 REV. BRYAN: --- for abuse, yes?

9 MS. HAMOU: Specific to sexual abuse  
10 protocols.

11 REV. BRYAN: No, that was a committee that I  
12 was not on.

13 MS. HAMOU: And were you asked to weigh in  
14 by the Bishop?

15 REV. BRYAN: I was asked to look at one of  
16 their protocols, the wording, and I made suggestions to  
17 him, yes.

18 MS. HAMOU: Perhaps I can refer you to that  
19 document, sir. It is Document Number 101490.

20 THE COMMISSIONER: Exhibit 1972 is a  
21 document entitled Protocol for Priests Who Are the Subject  
22 Matter of Criminal Proceedings or Civil Litigation.

23 --- EXHIBIT NO./PIÈCE No P-1972:

24 (101490) Protocol for Priests Who Are the  
25 Subject Matter of Criminal Proceedings or

1 Civil Litigation - undated

2 MS. HAMOU: Now, sir, if we turn to the  
3 third page of this document, there appear to be handwritten  
4 notes.

5 REV. BRYAN: Yes.

6 MS. HAMOU: Are these your notes?

7 REV. BRYAN: Yes, they are.

8 MS. HAMOU: And if we turn to the next page,  
9 the same notes are typed up.

10 REV. BRYAN: Yes.

11 MS. HAMOU: Now, sir, I'd like to ask you in  
12 which context you were asked to comment on this protocol.

13 REV. BRYAN: I imagine that it was with any  
14 outlays of funding for housing, et cetera, so ---

15 MS. HAMOU: So you're referring to the issue  
16 of ---

17 REV. BRYAN: Proper lodging.

18 MS. HAMOU: Okay, so we can look at the  
19 recommendations one by one.

20 The first recommendation you make is with  
21 regards to point four.

22 REV. BRYAN: Yes.

23 MS. HAMOU: And you indicate that the word  
24 "reasonable" in terms of lodging -- "otherwise a two-  
25 bedroom apartment with" -- et cetera, "with furnishings

1 might be considered proper." And you're suggesting that  
2 the word "proper" be replaced by "reasonable"?

3 REV. BRYAN: Yes.

4 MS. HAMOU: With regards to ---

5 REV. BRYAN: We might have had some clergy  
6 who were high-stylers, so they may have gone to apartments  
7 that were four bedrooms instead of one.

8 MS. HAMOU: And the next point you bring  
9 about is with regards to number eight.

10 REV. BRYAN: Yes.

11 MS. HAMOU: And you're referring to the  
12 "may" so, "The Personnel Board may recommend restrictions,"  
13 and you say that it should be changed to "shall."

14 REV. BRYAN: It should -- "shall," yes.

15 MS. HAMOU: So you were suggesting that  
16 there be less discretion?

17 REV. BRYAN: Yes.

18 THE COMMISSIONER: That would be no  
19 discretion.

20 REV. BRYAN: That's called discretion, yes.

21 MS. HAMOU: And, sir, your next comment  
22 relates to section B3. You were suggesting to add a  
23 comment.

24 REV. BRYAN: Yes.

25 MS. HAMOU: And you -- you indicated that:

1 "All presbyterians should be kept  
2 updated by Diocesan authorities to  
3 avoid speculative discussions, gossip."

4 **REV. BRYAN:** Yes.

5 **MS. HAMOU:** And you indicate at the end that  
6 you like the tone and approach of this proposal.

7 **REV. BRYAN:** Yes, I did.

8 **MS. HAMOU:** Are you saying this with regards  
9 to -- with a view of other proposals?

10 **REV. BRYAN:** Well, it's ---

11 **MS. HAMOU:** Sorry, protocols.

12 **REV. BRYAN:** It was a development, so I  
13 assume this was getting better as it went.

14 **MS. HAMOU:** But you hadn't worked on the  
15 development of any other ---

16 **REV. BRYAN:** No, no. This, you'll probably  
17 notice, comes from St. Francis de Sales, so it would have  
18 been Father Gary Ostler's committee that had worked on that  
19 one.

20 **MS. HAMOU:** So you believe Father Ostler  
21 prepared this document?

22 **REV. BRYAN:** Well, I think with a committee,  
23 but I'm not too sure.

24 **MS. HAMOU:** And did you know if your changes  
25 were integrated to the final protocol?

1                   **REV. BRYAN:** That I'm not sure of. I  
2 believe so but I'm not sure.

3                   **MS. HAMOU:** I can tell you that we have the  
4 final protocol at -- Mr. Commissioner, I don't know if  
5 there's a need to go to it but I have made the  
6 verifications and indeed the changes were made to the ---

7                   **REV. BRYAN:** They're in it?

8                   **MS. HAMOU:** --- final protocol.

9                   **REV. BRYAN:** Good.

10                  **MS. HAMOU:** The next item I'd like to turn  
11 to -- and now we're in October of 1998 -- is a meeting you  
12 had with the Ontario Provincial Police.

13                  **REV. BRYAN:** Yes.

14                  **MS. HAMOU:** Oh, I'm sorry, the Document  
15 Number is 114316.

16                  **THE COMMISSIONER:** Is this a new document?

17                  **MS. HAMOU:** Yes, sir.

18                  **THE COMMISSIONER:** Thank you. Exhibit 1973  
19 are notes of Don Genier.

20                  **MS. HAMOU:** Mr. Commissioner, I believe the  
21 notes are Gordon Bryan's notes. Perhaps he can identify  
22 them.

23                  **THE COMMISSIONER:** Oh, all right.

24                  **REV. BRYAN:** Yes, they are my notes.

25                  **THE COMMISSIONER:** Okay.

1                   **MS. HAMOU:** On the second page, and what's  
2 on the front page seems to be a business card.

3                   **REV. BRYAN:** Yes.

4                   **MS. HAMOU:** That might have been given to  
5 you perhaps.

6                   **REV. BRYAN:** Yes, for Project Truth. Yes.

7                   **THE COMMISSIONER:** Okay, so what are these -  
8 - I just want to identify them for purposes of the exhibit.  
9 One nine seven three (1973) is a two-page document.

10                   **MS. HAMOU:** Mr. Commissioner, if it helps,  
11 this refers to an October 26<sup>th</sup> 1998 meeting.

12                   **THE COMMISSIONER:** Yes. Okay, that helps.  
13 Then we'll just identify it as well as being Document  
14 Number 114316.

15                   **--- EXHIBIT NO./PIÈCE NO. P-1973:**

16                   (114316) Two-page document - 26 Oct 98

17                   **THE COMMISSIONER:** Thank you. Go ahead.

18                   **MS. HAMOU:** Well, sir, do you recognise  
19 these as notes you would have taken during a meeting with  
20 Inspector Hall of the Ontario Provincial Police?

21                   **REV. BRYAN:** Yes.

22                   **MS. HAMOU:** And Bishop Larocque was in  
23 attendance during this meeting?

24                   **REV. BRYAN:** It was at -- I think it was at  
25 Bishop Larocque's house, yes -- or no, excuse me - 18 --

1 yes, his house.

2 MS. HAMOU: Bishop's house. And do you  
3 recall the circumstances leading to this meeting?

4 REV. BRYAN: Yes, Inspector Hall had wanted  
5 to find out a list of priests he had; whether they worked  
6 in the Diocese and where they were.

7 MS. HAMOU: Now, sir, I'd like to take you  
8 to a passage of your notes where there's the notation "1".

9 REV. BRYAN: Yes.

10 MS. HAMOU: And I'll read to you the  
11 passage:

12 "He supplied a list of required  
13 information which is..."

14 And you list the informations that were  
15 required by Mr. Hall.

16 REV. BRYAN: Yes.

17 MS. HAMOU: Now, sir, do you recall  
18 providing Mr. Hall with this information?

19 REV. BRYAN: Yes.

20 MS. HAMOU: And did Mr. Hall indicate to you  
21 why he was requesting the information at the time?

22 REV. BRYAN: I think it was to do with  
23 Operation Truth or Project Truth.

24 MS. HAMOU: Now, during this meeting, if we  
25 scroll down -- that's good Madam Clerk -- there is the

1 second paragraph after the list indicates:

2 "The inspector also mentioned that the  
3 CPP had forwarded allegations to the  
4 Quebec Police against Paul Lapierre."

5 **REV. BRYAN:** Yes.

6 **MS. HAMOU:** Now, do you recall this  
7 discussion, Reverend Bryan?

8 **REV. BRYAN:** Do I remember this whole thing?

9 **MS. HAMOU:** Well, do you remember -- do you  
10 have an independent recollection of the meeting?

11 **REV. BRYAN:** Not -- other than my notes, no.

12 **MS. HAMOU:** Okay.

13 **THE COMMISSIONER:** It's getting late and I  
14 guess I'm getting tired.

15 So you can't close your eyes and remember,  
16 you know, where you met the folks or anything like that?

17 **REV. BRYAN:** No.

18 **THE COMMISSIONER:** Okay. That's fair.

19 **MS. HAMOU:** As far as you're aware, is this  
20 the first time you would have learned of allegations  
21 against Paul Lapierre?

22 **REV. BRYAN:** I believe there were rumours  
23 but I never -- I never heard of any other than this, no.

24 **MS. HAMOU:** What do you mean by rumours?

25 **REV. BRYAN:** There was rumours about Paul



1 Lapierre having left the Diocese so I assumed they were  
2 rumours only.

3 MS. HAMOU: Were there any rumours of Paul  
4 Lapierre relating to sexual abuse?

5 REV. BRYAN: I don't know. The rumour was  
6 that he was leaving because of problems he had here, so --  
7 rumours are rumours are rumours.

8 MS. HAMOU: And, sir, I'd like to know if  
9 you'd prepared documents for Mr. Hall, are they the  
10 documents that are attached?

11 REV. BRYAN: I believe so, yes.

12 MS. HAMOU: There's a notation at the bottom  
13 of the last page indicating details, preparation, October  
14 28<sup>th</sup>.

15 THE COMMISSIONER: Prepared on. Maybe  
16 prepared on.

17 MS. HAMOU: Prepared on, yes.

18 REV. BRYAN: It's not my writing. I don't  
19 know.

20 MS. HAMOU: That's not your writing?

21 REV. BRYAN: No.

22 MS. HAMOU: And do you recall if there would  
23 have been a follow-up to this meeting?

24 REV. BRYAN: I don't believe there was.

25 MS. HAMOU: Now, sir, you were interviewed

1 by the Ontario Provincial Police in 2000 and I'd like to  
2 take you to the statement. It's Document Number 703736.

3 **THE COMMISSIONER:** Exhibit 1974 is an audio  
4 taped interview report, and a transcription of it, in any  
5 event, of Gordon Bryan taken on the 27<sup>th</sup> of January 2000.

6 --- **EXHIBIT NO./PIÈCE NO. P-1974:**

7 (703736) - Audio Taped Interview Report -  
8 Gordon Bryan with OPP P. Hall and J.B.  
9 Dupuis dated 27 Jan 00

10 **MS. HAMOU:** Now, sir, did you review the  
11 contents of this interview in preparation for your  
12 testimony?

13 **REV. BRYAN:** Yes.

14 **MS. HAMOU:** Do you recall this meeting with  
15 Detective Dupuis and Hall?

16 **REV. BRYAN:** I believe it was at the  
17 parkway, yes, I believe.

18 **MS. HAMOU:** And do you recall that they had  
19 provided you with some questions prior to the interview?

20 **REV. BRYAN:** No, they hadn't.

21 **MS. HAMOU:** I'd just like to take you to the  
22 second page of the document.

23 **REV. BRYAN:** Yes.

24 **MS. HAMOU:** The first entry; the last few  
25 sentences about midway through; the sentence that starts

1 with:

2 "We have prepared a number of questions  
3 from investigative material that was  
4 provided to the OPP."

5 **REV. BRYAN:** That was right at the hearing -  
6 - at the -- this right at the parkway that I received.

7 **MS. HAMOU:** So they gave you documents to  
8 review before you started the interview?

9 **REV. BRYAN:** To read, yes.

10 **MS. HAMOU:** And gave you a brief moment to  
11 review them?

12 **REV. BRYAN:** A few minutes, yes. It was  
13 only, I think, a page or two.

14 **MS. HAMOU:** Now, do you recall why you were  
15 being interviewed at this date?

16 **REV. BRYAN:** I believe it had to do with the  
17 possibility of a paedophile ring.

18 **MS. HAMOU:** I'll just bring you the first  
19 paragraph that we were just looking at in the first  
20 sentence, to give you a little context. Mr. Hall is  
21 indicating:

22 "We are investigating allegations of  
23 an alleged conspiracy between the  
24 Diocese of Alexandria-Cornwall, the  
25 Cornwall Police Service and the Crown

1 Attorney's Office involving the  
2 investigation of a sexual assault  
3 allegation against Father Charles  
4 MacDonald and the payment of the  
5 \$32,000 to the victim in the year of  
6 criminal charges."

7 **REV. BRYAN:** Yes.

8 **MS. HAMOU:** And this is what you recall?

9 **REV. BRYAN:** Vaguely, yes.

10 **MS. HAMOU:** Now, sir, in the context of this  
11 interview you were asked about dinner parties at St.  
12 Andrew's Parish.

13 **REV. BRYAN:** Yes.

14 **MS. HAMOU:** And you indicated that there  
15 were no parties, there were luncheons. Can you explain to  
16 me what you meant by this?

17 **MR. SHERRIFF-SCOTT:** Sir, I object to this  
18 line of questioning. These are interviews and pursuant to  
19 investigations. The man's response is embodied in his  
20 statement. We're focused on the institutional response to  
21 allegations of the Diocese and that's what the Commission  
22 is focused on as opposed to the flip side of the mandate,  
23 vis-à-vis organizations, which is what I urged the  
24 Commission to interpret the Diocese as. And so ---

25 **THE COMMISSIONER:** But that's gone. I don't

1 know why you keep repeating that.

2 **MR. SHERRIFF-SCOTT:** No, no, because it  
3 makes a difference in terms of the response. If the  
4 Commission's approach to this -- I know you know my  
5 position on this. There's no controversy about that. We  
6 understand each other in terms of your view and my view and  
7 so forth. But it makes a difference in terms of the  
8 jurisdiction.

9 If the Commission treats the Diocese as an  
10 organization then its interaction with institutions is on -  
11 - what's being measured here is the alleged institutional  
12 response and not the underlying factual matrix of  
13 investigations. These are all questions pertaining to  
14 those matters, and whether it's an allegation about a  
15 particular person it's certainly pursuant to allegations.  
16 And so this is the substratum of fact and pursuant to your  
17 ruling I think this is not something we should be dealing  
18 with.

19 **THE COMMISSIONER:** Any comments?

20 **MS. HAMOU:** I'm at a loss for words.

21 I wanted to explore these matters with  
22 Reverend Bryan to ascertain his knowledge of allegations  
23 that were made against priests and his knowledge about  
24 that. I'm not contending to ask him questions about  
25 allegations that would have or not have been made against

1 him.

2 **THE COMMISSIONER:** So I still don't  
3 understand for what purpose?

4 Mr. Sherriff-Scott is saying we have to look  
5 at the institutional response. So we have the OPP; we can  
6 look at the OPP's institutional response and see how --  
7 what kind of questions they ask the Reverend, see if they  
8 were complete, if they were thorough, that kind of thing.  
9 But from his vantage point ---

10 **MS. HAMOU:** I'm prepared to move on.

11 **THE COMMISSIONER:** Okay.

12 **MS. HAMOU:** Reverend Bryan, I'd like to take  
13 you to a new document, Document 104391.

14 **THE COMMISSIONER:** Thank you.

15 Exhibit Number 1975 is a memo addressed to  
16 Gord from Bishop Larocque and it's Document Number 104391.

17 --- **EXHIBIT NO./PIÈCE NO. P-1975:**

18 (104391) - Note from Eugene Larocque to  
19 Gordon Bryan

20 **REV. BRYAN:** Yes.

21 **MS. HAMOU:** Now, Mr. Bryan, do you recall  
22 seeing this note?

23 **REV. BRYAN:** Yes.

24 **MS. HAMOU:** And do you recall pursuant --  
25 that this note was written by the Bishop pursuant to a

1 phone call he had received by Richard Abell?

2 REV. BRYAN: Yes.

3 MS. HAMOU: And it appears from this note  
4 that the Bishop is deferring to you and asking you how  
5 previous complaints were handled?

6 REV. BRYAN: Yes.

7 MS. HAMOU: Now, sir, can you explain to me  
8 the context of this situation? Why was he asking you?

9 REV. BRYAN: I haven't a clue.

10 MS. HAMOU: Are you the one who dealt with -

11 --

12 REV. BRYAN: I paid the bills for  
13 counselling whenever they came through his office and he  
14 would sign them. So he would have more of an idea than I  
15 would on these.

16 MS. HAMOU: So do you know if the Bishop was  
17 paying for treatment for complainants of abuse by clergy?

18 REV. BRYAN: I believe that he was paying  
19 for abuse of -- paying for treatment of those who requested  
20 it. And again, I assumed it was clergy.

21 MS. HAMOU: And the requests went to him and  
22 you would take care of the payments?

23 REV. BRYAN: That's right.

24 MS. HAMOU: Now ---

25 MR. SHERRIFF-SCOTT: I'm just alerting my

1 friend there's a complete document with the Bursar's  
2 response in his handwriting, which is at 119946, and it is  
3 -- anyway, it might be of more assistance to you,  
4 Commissioner.

5 **THE COMMISSIONER:** Thank you.

6 **MS. HAMOU:** Madam Clerk, it's a cross  
7 document.

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

9 **MS. HAMOU:** Perhaps we can file this as the  
10 next exhibit, Mr. Commissioner?

11 **THE COMMISSIONER:** Certainly. Exhibit 1976  
12 is a note to Gord from the Bishop with a response. That's  
13 your handwriting at the bottom, sir? Sir, is that your  
14 handwriting?

15 **REV. BRYAN:** Yes, yes, I'm just looking at  
16 it. It's even small for me.

17 **THE COMMISSIONER:** It seems small. We can  
18 blow it up on the screen. Madam Clerk, could you blow up  
19 the response, the bottom part of 1976?

20 So just to get it clear, that is your  
21 response, sir? That's your handwriting?

22 **REV. BRYAN:** Yes, it is.

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

24 **--- EXHIBIT NO./PIÈCE NO. P-1976:**

25 (119946) Note from Eugene Larocque to Gordon



1 Bryan

2 MS. HAMOU: Now, sir, can you -- I'm having  
3 a little trouble reading some of these entries. Could you  
4 read to me how you suggested we handled former requests?

5 REV. BRYAN: From what it would appear,  
6 phoned the Children's Aid Society to give the names of the  
7 psychiatrist or the psychiatrist group.

8 MS. HAMOU: Okay.

9 REV. BRYAN: And that would be their  
10 request. Then called Peter Annis, and that was the -- I  
11 believe a request for assistance in which Peter had sent a  
12 letter to the other counsel indicating the process that  
13 needed to be followed.

14 THE COMMISSIONER: Well, it goes on to say -  
15 - the letter from Mr. Annis says:

16 "...requiring a form to sign indicating  
17 counselling session and any results not  
18 to be used in any court case."

19 REV. BRYAN: Yes.

20 MR. SHERRIFF-SCOTT: Commissioner, the  
21 letter is already in the record ---

22 THE COMMISSIONER: Yes, yes, of course.

23 MR. SHERRIFF-SCOTT: --- and it came from my  
24 examination of Mr. MacDonald, you'll recall.

25 THE COMMISSIONER: Yes. Thank you.

1                   **MS. HAMOU:** Now, sir, this is the advice you  
2 provided to the Bishop after receiving his note?

3                   **REV. BRYAN:** Yes.

4                   **MS. HAMOU:** And is this the manner in which  
5 you would handle similar requests?

6                   **REV. BRYAN:** When he would send them down to  
7 me, yes. If he initialled them indicating to be paid, they  
8 were paid though.

9                   **MS. HAMOU:** And did you keep any records of  
10 treatments that were provided to complainants?

11                   **REV. BRYAN:** Our files generally would not  
12 have held it for any length of time. It would have been  
13 connected to our billing. So after seven years, normally  
14 we don't keep the cheques or the billings.

15                   **THE COMMISSIONER:** You weren't receiving any  
16 reports. You were just getting the bills?

17                   **REV. BRYAN:** That's right.

18                   **THE COMMISSIONER:** Okay.

19                   **MS. HAMOU:** Now, I understand various  
20 payments would have been made for complainants. Do you  
21 have an idea of how many people would have been involved?

22                   **REV. BRYAN:** Not really, no. I believe the  
23 Bishop, when he would send it down, would go on to my desk,  
24 and I would give them over to the bookkeeper to make up a  
25 cheque.

1                   **MS. HAMOU:** And is this a matter, sir, that  
2 would have to go through Diocesan insurers?

3                   **REV. BRYAN:** I don't believe so, no, not for  
4 something of that nature.

5                   **THE COMMISSIONER:** Speaking of insurance,  
6 sir, do you recall what the deductible would have been on  
7 your policies?

8                   **REV. BRYAN:** It was about \$10,000 at one  
9 point, but I'm not too sure. Every year it fluctuated  
10 depending on the cost.

11                   **THE COMMISSIONER:** Right. Thank you.

12                   **MS. HAMOU:** Sir, I understand there would  
13 have been a settlement with a person we referred to as C-3  
14 at the Inquiry.

15                   And, Madam Clerk, I don't know if the  
16 witness has a moniker list?

17                   **THE COMMISSIONER:** We'll write down the name  
18 of that person.

19                   **MS. HAMOU:** So we refer to the name by a  
20 moniker, sir, because they're protected by confidentiality.

21                   **REV. BRYAN:** Yes.

22                   **MS. HAMOU:** So Madam Clerk will show you the  
23 name and I'd like you to tell me if there has been a  
24 settlement with this person?

25                   **REV. BRYAN:** Yes, there was.

1                   **MS. HAMOU:** And this was in regards to  
2                   allegations against Father MacDonald?

3                   **REV. BRYAN:** Yes.

4                   **MS. HAMOU:** And did C-3 also receive funds  
5                   for therapy?

6                   **REV. BRYAN:** No, or not to the best of my  
7                   knowledge, no.

8                   **MS. HAMOU:** Received a settlement?

9                   **REV. BRYAN:** He received a settlement to pay  
10                  his lawyer fees as recommended by the judge at the time.

11                  **MS. HAMOU:** I'm sorry, sir, you say he  
12                  received a settlement to pay for his lawyer fees?

13                  **REV. BRYAN:** Yes.

14                  **MS. HAMOU:** What do you mean by that?

15                  **REV. BRYAN:** I think they were at an impasse  
16                  and the judge suggested -- made the recommendation that it  
17                  would be thrown out providing that someone would assist in  
18                  paying for counsel of this gentleman.

19                  **MR. SHERRIFF-SCOTT:** If I can assist you,  
20                  sir, this was a result of a mid-trial conference.

21                  **THE COMMISSIONER:** A mid-trial conference?

22                  **MR. SHERRIFF-SCOTT:** I believe the trial  
23                  started and then basically stopped. The judge was -- they  
24                  had an in-chambers discussion about an appropriate  
25                  resolution; that was reached and papered, and that was the

1 end of the matter.

2 **THE COMMISSIONER:** Thank you.

3 **MS. HAMOU:** Now, sir, do you know if any  
4 cases of -- civil cases have gone to trial -- civil cases  
5 against the Diocese pertaining to allegations of sexual  
6 abuse?

7 **REV. BRYAN:** Not really. I don't know.

8 **MS. HAMOU:** It's not something -- I'm sorry?

9 **REV. BRYAN:** I don't know.

10 **MS. HAMOU:** Is this something you would have  
11 been involved in?

12 **REV. BRYAN:** In a trial?

13 **MS. HAMOU:** In the trial or in presenting  
14 documents to the lawyers or in any step of the proceedings?

15 **REV. BRYAN:** No.

16 **MS. HAMOU:** And the Bishop wouldn't consult  
17 you about these types of decisions?

18 **REV. BRYAN:** For what reason? What reason  
19 would he consult me? That's my ---

20 **MS. HAMOU:** That's my question to you.

21 **REV. BRYAN:** That's my question too.

22 **THE COMMISSIONER:** But did he consult you?

23 **REV. BRYAN:** Not to the best -- to the best  
24 of my knowledge, no.

25 **THE COMMISSIONER:** There we go. That's what

1 we need.

2 **MS. HAMOU:** So to your knowledge, sir, are  
3 David Silmser and C-3 the only people who received money  
4 from the Diocese in relation to allegations of sexual  
5 abuse?

6 **REV. BRYAN:** Yes.

7 **THE COMMISSIONER:** During the period of time  
8 when you were there?

9 **REV. BRYAN:** Yes.

10 **MS. HAMOU:** Mr. Commissioner, I leave it up  
11 to you. At this juncture, I have another issue I can  
12 cover. Should I continue?

13 **THE COMMISSIONER:** No. What I'd like to do  
14 is close for the day. We could come back at 9:30.

15 Could you canvass counsel to find out how  
16 long they're going to be in cross-examination so that we  
17 can prepare and advise the next witness when that person  
18 should be ready?

19 **MR. SHERRIFF-SCOTT:** Did you indicate 9:30,  
20 Commissioner?

21 **THE COMMISSIONER:** Yes.

22 **MR. SHERRIFF-SCOTT:** Thank you.

23 **THE COMMISSIONER:** Is that all right with  
24 everyone?

25 Thank you.

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

3                   This hearing is adjourned until tomorrow  
4                   morning at 9:30 a.m.

5                   --- Upon adjourning at 4:24 p.m. /

6                   L'audience est ajournée à 16h24

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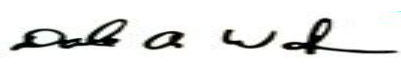
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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.

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Dale Waterman, CM