

**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 114

Held at :

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

Tuesday, June 5, 2007

Tenue à:

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

Mardi, le 5 juin 2007

ERRATA

Volume 112
May 31st, 2007

Transcript
Pages 8 to 15

Mr. Peter Chisholm transcript identification read "MS. CHISHOLM" when it should have read "MR. CHISHOLM"

Volume 113
June 4th, 2007

Transcript

Spelling for Mr. Brian Kehoe should have read Mr. Bryan Keough.

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Janie Larocque	Commission Counsel
Ms. Julie Gauthier	Registrar
Mr. Mark Crane Mr. Peter Manderville	Cornwall Police Service Board
Mr. Neil Kozloff Ms. Suzanne Costom Ms. Diane Lahaie Ms. Gina Saccoccio Brannan, Q.C.	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Judie Im	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen A. Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. Mark Wallace	Ontario Provincial Police Association
Ms. Nadya Tymochenko	Upper Canada District School Board
Mr. Paul Marshall	Catholic District School Board
Ms. Jeannette Antoine	Ms. Jeanette Antoine

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1 --- Upon commencing at 9:46 a.m./

2 L'audience débute à 9h46

3 **THE REGISTRAR:** This hearing of the Cornwall
4 Public Inquiry is now in session. The Honourable Mr.
5 Justice Normand Glaude, Commissioner, presiding.

6 Please be seated. Veuillez vous asseoir.

7 **THE COMMISSIONER:** Thank you. Good morning
8 all. Mr. Engelmann.

9 **MR. ENGELMANN:** Good morning, Mr.
10 Commissioner.

11 **THE COMMISSIONER:** Good morning.

12 **MR. ENGELMANN:** Good morning, Ms. Antoine.

13 **MS. ANTOINE:** Good morning.

14 **THE COMMISSIONER:** For those who are joining
15 us, I think we are starting a little later, but I think
16 that's because you have requested a little more time, Mr.
17 Engelmann.

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

19 **THE COMMISSIONER:** By way of explanation.
20 How are you this morning?

21 **MS. ANTOINE:** Okay.

22 **THE COMMISSIONER:** Yes. Mr. Engelmann is
23 going to have some more questions of you and then we hope
24 to have finished by today. All right? So just be patient
25 with us today.

1 Mr. Engelmann.

2 MR. ENGELMANN: I understand you didn't have
3 a lot of sleep last night.

4 MS. ANTOINE: No.

5 MR. ENGELMANN: Sorry about that.

6 If you don't understand a question that I'm
7 putting to you, please just ask me to repeat it. All
8 right? Again, Ms. Antoine, you are going to have to speak
9 up just a little bit and just try and make sure you are
10 speaking into the microphone. Do you have some water next
11 to you?

12 MS. ANTOINE: Yes, thank you.

13 MR. ENGELMANN: Okay, thank you.

14 JEANNETTE ANTOINE: Resumed/Sous le même serment

15 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.

16 ENGELMANN (Cont'd/suite):

17 MR. ENGELMANN: At the end of the day
18 yesterday, we were talking about your being transferred to
19 another group home. This is after the Second Street group
20 home issue, and you told me that you went to a group home
21 that was called the Anson group home?

22 MS. ANTOINE: Yes.

23 MR. ENGELMANN: I just want to make sure,
24 and I still don't know Ontario that well despite living
25 here for 18 years, I think you said it was Midland or did

1 you mean ---

2 **MS. ANTOINE:** Minden.

3 **MR. ENGELMANN:** Minden. Do you know how to
4 spell that?

5 **MS. ANTOINE:** M-I-N-D-E-N.

6 **MR. ENGELMANN:** Okay. Where in Ontario is
7 that?

8 **MS. ANTOINE:** By Haliburton.

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

10 **MS. ANTOINE:** Peterborough, around that
11 area.

12 **MR. ENGELMANN:** Okay. I certainly know
13 where that is. So that's not near Cornwall?

14 **MS. ANTOINE:** No.

15 **MR. ENGELMANN:** All right. That group home,
16 to your knowledge, did the CAS here in Cornwall have
17 anything to do with that group home?

18 **MS. ANTOINE:** No.

19 **MR. ENGELMANN:** Now, you've told us that you
20 weren't physically or sexually abused by anybody at that
21 group home?

22 **MS. ANTOINE:** Right.

23 **MR. ENGELMANN:** Were there any issues of
24 physical or sexual abuse during the timeframe you lived
25 there?

1 MS. ANTOINE: Yes.

2 MR. ENGELMANN: All right. So if it wasn't
3 at the home, what was the issue and who was involved?

4 MS. ANTOINE: I was in a hotel, by my
5 father.

6 MR. ENGELMANN: By your father. All right.
7 Do you remember, had you ever met your father?

8 MS. ANTOINE: I met him once at my sister's
9 wedding.

10 MR. ENGELMANN: All right. How did that
11 come about?

12 MS. ANTOINE: She was getting married, and
13 she wanted me to be bridesmaid.

14 MR. ENGELMANN: Is that your sister,
15 Lorraine, who we've talked about?

16 MS. ANTOINE: Yes.

17 MR. ENGELMANN: Were you living at this
18 group home in Minden when she had her wedding?

19 MS. ANTOINE: Yes.

20 MR. ENGELMANN: How did you get from Minden
21 -- where was the wedding?

22 MS. ANTOINE: St. Andrews.

23 MR. ENGELMANN: St. Andrews just north of
24 Cornwall?

25 MS. ANTOINE: Yes.

1 MR. ENGELMANN: How did you get from one
2 place to the other?

3 MS. ANTOINE: Bryan Keough picked me up.

4 MR. ENGELMANN: Do you know why Bryan Keough
5 would have still been involved?

6 MS. ANTOINE: He said I was at high risk of
7 running away.

8 MR. ENGELMANN: All right.
9 So they had Bryan Keough drive to Minden to
10 get you?

11 MS. ANTOINE: Yes.

12 MR. ENGELMANN: And drive you back here?

13 MS. ANTOINE: Yes.

14 MR. ENGELMANN: All right. You explained
15 yesterday that, I think it was once or twice, he actually
16 put you in the trunk of his car ---

17 MS. ANTOINE: Yes.

18 MR. ENGELMANN: --- when he transported you
19 and, in fact, I think you told us he did that on the way
20 down to Minden. Did he do that at all on the way to the
21 wedding?

22 MS. ANTOINE: No.

23 MR. ENGELMANN: Were there any issues on the
24 way to the wedding between you and Mr. Keough?

25 MS. ANTOINE: No.

1 MR. ENGELMANN: Was there any discussion?

2 MS. ANTOINE: It was a quiet ride.

3 MR. ENGELMANN: All right. Did you just go
4 for the wedding or did you spend more time in St. Andrews?

5 MS. ANTOINE: I was there for the wedding
6 and I was supposed to meet my dad.

7 MR. ENGELMANN: And who told you told that
8 you would be meeting your father?

9 MS. ANTOINE: Bryan Keough said that my dad
10 would be walking my sister down the aisle.

11 MR. ENGELMANN: All right. So did you meet
12 your father at that wedding?

13 MS. ANTOINE: I've seen him, but I didn't go
14 near him.

15 MR. ENGELMANN: Do you remember why at the
16 time?

17 MS. ANTOINE: Creeped me out.

18 MR. ENGELMANN: I'm sorry?

19 MS. ANTOINE: He creeped me out.

20 MR. ENGELMANN: Why was that?

21 MS. ANTOINE: I don't know. As a little
22 girl, I kind of pictured, you know, a decent man and this
23 guy was very overweight and really gross. He looked like
24 he was a drunk, and I just didn't feel comfortable to meet
25 him.

1 **MR. ENGELMANN:** Did you meet him shortly
2 after the wedding then?

3 **MS. ANTOINE:** Yeah, he showed up in Minden.

4 **MR. ENGELMANN:** All right. How was that
5 arranged or do you know?

6 **MS. ANTOINE:** All I remember is the worker
7 at Minden group home said that my dad was coming for a
8 visit, and Bryan Keough said that if things went okay, I
9 was to go and live with him and his wife because they were
10 tired of paying for my care.

11 **MR. ENGELMANN:** Who's they?

12 **MS. ANTOINE:** CAS.

13 **MR. ENGELMANN:** Okay. Mr. Keough called you
14 to tell you that?

15 **MS. ANTOINE:** No. He showed up at the group
16 home.

17 **MR. ENGELMANN:** He showed up at the group
18 home. Did he show up with your father or did he show up on
19 his own?

20 **MS. ANTOINE:** He showed up on his own.

21 **MR. ENGELMANN:** Was there, in fact, a
22 meeting at the group home with your father?

23 **MS. ANTOINE:** Yes.

24 **MR. ENGELMANN:** Was someone else present?

25 **MS. ANTOINE:** There was the woman that ran

1 the group home, Eunice.

2 MR. ENGELMANN: All right and how was that
3 first meeting?

4 MS. ANTOINE: We stayed there. He sat
5 across from me. We just -- he tried to apologize about
6 being -- not being able to take care of us and why he gave
7 us up and just like things that didn't really matter to me.
8 Like, he told me he was married and he'd like to have me
9 home now.

10 MR. ENGELMANN: Now, you would have been
11 approximately how old then?

12 MS. ANTOINE: Seventeen (17).

13 MR. ENGELMANN: All right. Was there a
14 follow-up meeting with your father after that?

15 MS. ANTOINE: He showed up again.

16 MR. ENGELMANN: How was that arranged?

17 MS. ANTOINE: He called again and asked for
18 another visit.

19 MR. ENGELMANN: Was that to be a visit with
20 him alone or with him and someone else? Do you remember?

21 MS. ANTOINE: I was under the impression it
22 was at the home, but when he got there, he took me out of
23 the home.

24 MR. ENGELMANN: Where did he take you?

25 MS. ANTOINE: To a motel.

1 **MR. ENGELMANN:** Was this to be a day visit
2 or an overnight visit?

3 **MS. ANTOINE:** A day visit.

4 **MR. ENGELMANN:** Did something happen at the
5 hotel?

6 **MS. ANTOINE:** I ended up having to stay
7 there. He wouldn't let me out of the hotel.

8 **MR. ENGELMANN:** Was there any allegation of
9 physical or sexual abuse?

10 **MS. ANTOINE:** He had hit me; tried to force
11 himself on me. He was a big man. He was pushing me around
12 and all I wanted to do is go back to the home.

13 **MR. ENGELMANN:** Okay. Was there any
14 bruising as a result of what happened that day?

15 **MS. ANTOINE:** I had a bruise on my face and
16 when I did get back to the home, the worker asked me where
17 I got the bruise.

18 **MR. ENGELMANN:** Did you tell her what
19 happened?

20 **MS. ANTOINE:** (Off mic).

21 **MR. ENGELMANN:** Why not?

22 **MS. ANTOINE:** I was too scared.

23 **MR. ENGELMANN:** Did you have any further
24 meetings with your father after that?

25 **MS. ANTOINE:** Yes. He came back up.

1 MR. ENGELMANN: And?

2 MS. ANTOINE: He booked a hotel.

3 MR. ENGELMANN: And did you want to go visit
4 with him, or what happened?

5 MS. ANTOINE: No. I told Eunice that I
6 didn't want to go. I begged her to let me stay and not let
7 him in. And she asked ---

8 MR. ENGELMANN: Did you tell her why?

9 MS. ANTOINE: Not at first.

10 MR. ENGELMANN: Okay. Did you go visit with
11 your father again?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: Did something happen on that
14 visit? Did you spend the night together?

15 MS. ANTOINE: Yes.

16 MR. ENGELMANN: Did he have -- did he do
17 something to you?

18 MS. ANTOINE: He raped me.

19 MR. ENGELMANN: Did you tell anybody about
20 it at the time?

21 MS. ANTOINE: No.

22 MR. ENGELMANN: Were you at all concerned
23 about being pregnant or about anything else at that time?

24 MS. ANTOINE: Oh, yeah. Yes, I was.

25 MR. ENGELMANN: Did you have any further

1 visits with your father?

2 MS. ANTOINE: Yes. And that's when he came
3 to pick me up to take me home.

4 MR. ENGELMANN: And did you want to go to
5 his home?

6 MS. ANTOINE: No. I finally spoke to Eunice
7 and told her.

8 MR. ENGELMANN: What did you tell her then?

9 MS. ANTOINE: I told her that he raped me.

10 MR. ENGELMANN: You told her that then,
11 before you went to stay with your father?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: What did she say?

14 MS. ANTOINE: I don't remember exactly her
15 words but she told me that if I would have told her at the
16 beginning, she would have stopped this move.

17 MR. ENGELMANN: Did you talk to her about
18 this after you spent the time at your father's home ---

19 MS. ANTOINE: Yes.

20 MR. ENGELMANN: --- or before you went to
21 your father's home?

22 MS. ANTOINE: No, it was after.

23 MR. ENGELMANN: Okay. And did you go to
24 your father's home for some period of time?

25 MS. ANTOINE: For August.

1 MR. ENGELMANN: All right. And was he
2 married at the time?

3 MS. ANTOINE: Yes, he was married.

4 MR. ENGELMANN: Was his wife there at the
5 home?

6 MS. ANTOINE: Yes.

7 MR. ENGELMANN: Okay. Did you have any
8 discussions with Mr. Keough about going to that home?

9 MS. ANTOINE: Yes. I told him what my dad
10 did.

11 MR. ENGELMANN: So you told him what had
12 happened?

13 MS. ANTOINE: Yes.

14 MR. ENGELMANN: And what was his response?

15 MS. ANTOINE: He said I deserved it.

16 MR. ENGELMANN: Did he say anything to you
17 about why you should still go to that home?

18 MS. ANTOINE: They were tired of paying for
19 me. It was my dad's responsibility to pay now for me.

20 MR. ENGELMANN: And you actually told him
21 before you went to that home ---

22 MS. ANTOINE: Yes.

23 MR. ENGELMANN: --- that your father had
24 sexually assaulted you?

25 MS. ANTOINE: Yes.

1 **MR. ENGELMANN:** How long were you at your
2 father's home?

3 **MS. ANTOINE:** I believe a month; the month
4 of August.

5 **MR. ENGELMANN:** Was there anything that
6 happened there that was inappropriate?

7 **MS. ANTOINE:** He kept raping me.

8 **MR. ENGELMANN:** This happened again?

9 **MS. ANTOINE:** Over and over.

10 **MR. ENGELMANN:** And did you tell anybody
11 about that at the time?

12 **MS. ANTOINE:** I told Bryan, I took off and
13 called my sister; told my sister to come and get me and
14 that dad had just raped me.

15 **MR. ENGELMANN:** Did you run away from your
16 father's home?

17 **MS. ANTOINE:** Yes.

18 **MR. ENGELMANN:** Where did you go?

19 **MS. ANTOINE:** I hitchhiked back to
20 Peterborough.

21 **MR. ENGELMANN:** And where did you live in
22 Peterborough?

23 **MS. ANTOINE:** On the street.

24 **MR. ENGELMANN:** Remember how long you were
25 on the street?

1 MS. ANTOINE: About two weeks.

2 MR. ENGELMANN: And what eventually
3 happened? How did you get -- did you go back to the group
4 home or did you go somewhere else?

5 MS. ANTOINE: I went back to the group home.

6 MR. ENGELMANN: And how did that happen, did
7 someone take you there or did you ---

8 MS. ANTOINE: I called and Eunice came and
9 picked me up.

10 MR. ENGELMANN: And is this when you told
11 Eunice about your father and why you ran?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: And did you see anybody at
14 that time in the way of a doctor or a counsellor about what
15 happened?

16 MS. ANTOINE: No counsellor, but I did go to
17 a doctor.

18 MR. ENGELMANN: Do you remember who that
19 was?

20 MS. ANTOINE: It was to have a pregnancy
21 test done.

22 MR. ENGELMANN: Okay. Were you in fact
23 pregnant?

24 MS. ANTOINE: I was.

25 MR. ENGELMANN: And that was the pregnancy

1 of your first child?

2 MS. ANTOINE: My daughter.

3 MR. ENGELMANN: Did you go to the police at
4 all at that time about what your father did to you?

5 MS. ANTOINE: Not at that time.

6 MR. ENGELMANN: Was that much later?

7 MS. ANTOINE: Yes.

8 MR. ENGELMANN: All right. Now, Ms.
9 Antoine, I understand that several years later, in or
10 around 1989, by that point you'd had all of your three
11 children?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: That you had some further
14 dealings with the Children's Aid Society here in Cornwall?

15 MS. ANTOINE: Yes.

16 MR. ENGELMANN: And at that point, your
17 children were fairly young?

18 MS. ANTOINE: Yes.

19 MR. ENGELMANN: And how is it that the
20 Children's Aid Society was in touch with you.

21 MS. ANTOINE: My daughter made a complaint.

22 MR. ENGELMANN: And do you remember what she
23 was complaining about to them?

24 MS. ANTOINE: That I was abusing her.

25 MR. ENGELMANN: In what sense, physically,

1 sexually?

2 **MS. ANTOINE:** Hurting her, like punching
3 her, slapping her around.

4 **MR. ENGELMANN:** Okay. And did the
5 Children's Aid Society in fact investigate that?

6 **MS. ANTOINE:** Yes.

7 **MR. ENGELMANN:** Did they come to some
8 conclusion about whether you had done this?

9 **MS. ANTOINE:** There was no conclusion. They
10 actually told me to get my daughter counselling.

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

12 **MS. ANTOINE:** They actually told me to get
13 my daughter counselling.

14 **MR. ENGELMANN:** Okay. Had she called them
15 on one occasion or more than one occasion, do you know?

16 **MS. ANTOINE:** She called them frequently.

17 **MR. ENGELMANN:** All right. When they were
18 investigating your daughter's allegations of physical
19 abuse, did you tell them -- did you tell the worker doing
20 that investigation anything about your past and some of the
21 abuse you've talked to us about when you were a ward of the
22 CAS?

23 **MS. ANTOINE:** Yeah.

24 **MR. ENGELMANN:** Why did you do that?

25 **MS. ANTOINE:** Because there was no way they

1 were going to get my daughter and I'll do anything to
2 protect my kids.

3 **MR. ENGELMANN:** Why? What did you think
4 would happen if your daughter went into their care?

5 **MS. ANTOINE:** Same that happened to me.

6 **THE COMMISSIONER:** Is there a name for the
7 worker?

8 **MR. ENGELMANN:** Do you remember who that was
9 who was investigating at that time?

10 **THE COMMISSIONER:** Male or female?

11 **MS. ANTOINE:** Male, I believe.

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

13 **MS. ANTOINE:** I believe it was a male.

14 **THE COMMISSIONER:** All right.

15 **MR. ENGELMANN:** Might it have been Greg Bell
16 at some point?

17 **MS. ANTOINE:** Yes, yes, it was Greg Bell.

18 **MR. ENGELMANN:** All right. And do you
19 remember if Mr. Bell was involved in looking at your
20 allegations of physical and sexual abuse when you were a
21 CAS ward?

22 **MS. ANTOINE:** Yes.

23 **MR. ENGELMANN:** And do you remember if he
24 and an officer from the Cornwall Police Service would have
25 visited you sometime in 1989 about this?

1 MS. ANTOINE: Yes.

2 MR. ENGELMANN: Do you remember the name of
3 that officer or do you remember if the officer was a male
4 or a female?

5 MS. ANTOINE: It was a male.

6 MR. ENGELMANN: Okay. Do you remember if it
7 might have been Kevin Malloy?

8 MS. ANTOINE: Yes, it was.

9 MR. ENGELMANN: Okay. We understand that
10 some time in the fall of 1989 that Constable Malloy and Mr.
11 Bell would have visited you and talked to you about what
12 happened to you?

13 MS. ANTOINE: Yes.

14 MR. ENGELMANN: Remember that?

15 MS. ANTOINE: Yes.

16 MR. ENGELMANN: And do you remember if you
17 were asked to give a statement about what had happened?

18 MS. ANTOINE: Yes.

19 MR. ENGELMANN: And who was it that you were
20 principally complaining about when you talked to Mr. Bell
21 and Constable Malloy?

22 MS. ANTOINE: The group home; Bryan Keough.

23 MR. ENGELMANN: Bryan Keough and what
24 happened at the Second Street group home?

25 MS. ANTOINE: Yes.

1 **MR. ENGELMANN:** Do you remember if you, in
2 fact, wrote out a statement for Constable Malloy?

3 **MS. ANTOINE:** Yes, I did.

4 **MR. ENGELMANN:** All right. If the witness
5 could be shown, it's Document Number 739108.

6 **THE REGISTRAR:** I am sorry?

7 **MR. ENGELMANN:** My numbers are off a little
8 bit, 739081. I apologize.

9 Do you need a break, Ms. Antoine?

10 **MS. ANTOINE:** I think I'm going to be sick.

11 **THE COMMISSIONER:** Okay, let's take a short
12 break.

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

15 The hearing will resume at 10:15 a.m.

16 --- Upon recessing at 10:06 a.m./

17 L'audience est suspendue à 10h06

18 --- Upon resuming at 10:42 a.m./L'audience est

19 reprise à 10h42

20 **THE REGISTRAR:** Order. All rise. Veuillez
21 vous lever.

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

24 **JEANNETTE ANTOINE, Resumed/Sous le même serment:**

25 **MS. ANTOINE:** I apologize, Your Honour.

1 **THE COMMISSIONER:** Oh, there's no need to
2 apologize. You know, you're doing a valuable service to
3 this community in coming here today. And so my job is to
4 make sure that you're as comfortable as possible, so if you
5 need any breaks or anything like that we are here to serve
6 you. How's that?

7 **MS. ANTOINE:** Yes.

8 **THE COMMISSIONER:** All right.

9 Now, Mr. Engelmann, do you have any comments
10 or are we just going to -- are you ready to continue now?

11 **MS. ANTOINE:** Yes.

12 **THE COMMISSIONER:** So you understand, if you
13 need any breaks or anything like that at any time that's
14 quite all right with me. All right? Thank you.

15 **MS. ANTOINE:** Okay.

16 **MR. ENGELMANN:** You've had a little
17 something to eat as well, Ms. Antoine?

18 **MS. ANTOINE:** Yes.

19 **MR. ENGELMANN:** Okay. I think a document
20 may have been given to you.

21 **THE COMMISSIONER:** Exhibit 504, just for the
22 record, is a witness statement dated ---

23 **MR. ENGELMANN:** The date's a bit confusing,
24 sir.

25 **THE COMMISSIONER:** Okay.

1 **MR. ENGELMANN:** And I think this might have
2 been difficult for the witness. This isn't the actual
3 handwritten statement she gave. It's a typed version.

4 **THE COMMISSIONER:** Right.

5 **MR. ENGELMANN:** If you look down below the
6 second of the two lines it says "Statement was taken on
7 21st, January, 1990".

8 **THE COMMISSIONER:** Four?

9 **MR. ENGELMANN:** No, 1990. The date's all at
10 the top would indicate that it was a statement from 1994 so
11 it's a little confusing.

12 **THE COMMISSIONER:** Where's the 1990?

13 **MR. ENGELMANN:** If you look just under the
14 second of the two lines.

15 **THE COMMISSIONER:** Oh, yes. Yes, yes.
16 Okay. Thank you.

17 **---EXHIBIT NO./PIECE NO P-504:**

18 (739081) Jeannette Antoine - Witness
19 Statement - January 21, 1990

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

21 And I hope that wasn't too troubling, Ms.
22 Antoine.

23 I'm going to show you another document as
24 well if I can. If the witness could be shown 739109.

25 **THE COMMISSIONER:** Exhibit 505 is a

1 handwritten statement dated January 21st, 1990.

2 ---EXHIBIT NO./PIECE NO P-505:

3 (739109) Jeannette Antoine - Witness

4 Statement (handwritten) - January 21, 1990

5 **MR. ENGELMANN:** Now, Ms. Antoine, it's my
6 understanding, and I did read this some time ago, that
7 Exhibit 504, the typed version, is simply a typed version
8 of the handwritten document you've just been given, which
9 is Exhibit 505?

10 **MS. ANTOINE:** Yes.

11 **MR. ENGELMANN:** Is this your handwriting
12 that you're seeing now?

13 **MS. ANTOINE:** Yes, it is.

14 **MR. ENGELMANN:** Okay. And this actually
15 happened in 1990, not in 1994?

16 **MS. ANTOINE:** In 1990.

17 **MR. ENGELMANN:** I hope that's of some
18 reassurance.

19 **MS. ANTOINE:** Yes.

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

21 And you'll see the date that you've put on
22 the document, January 21st, 1990?

23 **MS. ANTOINE:** Yes.

24 **MR. ENGELMANN:** And the document is eight
25 pages long?

1 MS. ANTOINE: Yes.

2 MR. ENGELMANN: And you'll see that the
3 handwritten document is in the right order. It's just that
4 there are eight pages, not seven. So the end is actually
5 where it says "Nobody believes me anyway". Do you see
6 that?

7 MS. ANTOINE: Yes.

8 MR. ENGELMANN: All right.

9 So you met with Mr. Bell and Constable
10 Malloy the fall of 1989 and you gave this -- you wrote out
11 this statement yourself?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: All right. And when you
14 presented this statement, were you interviewed by Constable
15 Malloy about it?

16 MS. ANTOINE: I think so, I was.

17 MR. ENGELMANN: All right. In the statement
18 -- and I'm just going to use the typed one because it's
19 slightly easier for me to read, although your handwriting's
20 good -- you talk about Second Street group home?

21 MS. ANTOINE: Yes.

22 MR. ENGELMANN: And you talk about your
23 relationship with the worker Rod Rabey ---

24 MS. ANTOINE: Yes.

25 MR. ENGELMANN: --- that you talked to us

1 about yesterday. And the statement talks about some of the
2 physical abuse you've alleged?

3 MS. ANTOINE: Yes.

4 MR. ENGELMANN: And it also talks a little
5 bit about the sexual abuse you alleged?

6 MS. ANTOINE: Yes.

7 MR. ENGELMANN: It doesn't seem to have all
8 of what you talked about yesterday?

9 MS. ANTOINE: No.

10 MR. ENGELMANN: And do you know why that was
11 at the time?

12 MS. ANTOINE: I think I just wrote like what
13 was coming to me, and he wanted a statement and I just
14 wrote what came to me, to my mind.

15 MR. ENGELMANN: All right. So, for example,
16 on the fourth page of the typed version about 10 lines down
17 you talk a little bit about allegations of sexual abuse.
18 Do you see that?

19 MS. ANTOINE: Yes.

20 MR. ENGELMANN: Okay. But not all of what
21 you told us yesterday?

22 MS. ANTOINE: Not in complete detail, no.

23 MR. ENGELMANN: No. Okay. Were you
24 comfortable doing that at that time in 1990?

25 MS. ANTOINE: Writing?

1 MR. ENGELMANN: Yeah.

2 MS. ANTOINE: Yeah.

3 MR. ENGELMANN: Everything about it?

4 MS. ANTOINE: Well, some things.

5 MR. ENGELMANN: Okay. So some of it you
6 were comfortable writing about but not all of it?

7 MS. ANTOINE: Some things were difficult.

8 MR. ENGELMANN: Okay. Again, you not only
9 talk about what happened but you then talk about -- and I'm
10 looking at the sixth page. You talk about what happens
11 after you report the incident to the CAS, after you come
12 back from the cottage that you were at, and you talked
13 about being moved to a receiving home and then to Minden,
14 Ontario?

15 MS. ANTOINE: Yes.

16 MR. ENGELMANN: At the very end of your
17 statement you talk about meeting your father and a little
18 bit about what he did to you?

19 MS. ANTOINE: Yes.

20 MR. ENGELMANN: Now, do you recall if
21 Constable Malloy told you what it was he was going to
22 investigate?

23 MS. ANTOINE: I believe it was just the
24 physical abuse. I can't remember.

25 MR. ENGELMANN: Okay. And the physical

1 abuse by whom?

2 MS. ANTOINE: I think the group home. I
3 can't ---

4 MR. ENGELMANN: All right.

5 MS. ANTOINE: --- quite remember.

6 MR. ENGELMANN: Okay. Would he have told
7 you why the Cornwall Police Service might not investigate
8 the allegations against your father?

9 MS. ANTOINE: I'm not sure if it had
10 something to do with corporal punishment was okay back,
11 then or if it was at a distance. He was in Morrisburg and
12 the OPP had to be the ones that were involved.

13 MR. ENGELMANN: Okay. Might he have said to
14 you that it wasn't within the jurisdiction of the Cornwall
15 Police?

16 MS. ANTOINE: Yeah.

17 MR. ENGELMANN: And that it would have been
18 the OPP's responsibility because it happened somewhere
19 else?

20 MS. ANTOINE: And I'd have to make a report
21 through them.

22 MR. ENGELMANN: All right.

23 And with respect to -- do you know why he
24 would have just -- do you remember why he would have told
25 you that they were just going to investigate the physical

1 abuse at the home or by Mr. Keough and not sexual abuse?

2 MS. ANTOINE: I'm sorry, I can't remember.

3 MR. ENGELMANN: All right. Do you remember
4 if it was explained to you -- do you know if Mr. Keough or
5 anybody from the group home was charged for like an assault
6 or the physical abuse that you alleged?

7 MS. ANTOINE: Nobody was charged.

8 MR. ENGELMANN: Okay. Would Constable
9 Malloy or someone from the Cornwall Police have explained
10 to you why?

11 MS. ANTOINE: Corporal punishment was okay
12 back then.

13 MR. ENGELMANN: All right. And you remember
14 someone actually saying to you that what you described was
15 corporal punishment?

16 MS. ANTOINE: Yes.

17 MR. ENGELMANN: And that it was okay?

18 MS. ANTOINE: Yeah, they said it was okay.

19 MR. ENGELMANN: All right. Do you know if
20 after that -- were you satisfied with that as a response at
21 that time?

22 MS. ANTOINE: No.

23 MR. ENGELMANN: Did you go to another agency
24 to talk about what happened at the group home, or did you
25 meet with anybody from another agency?

1 **MS. ANTOINE:** I believe I told quite a few
2 people.

3 **MR. ENGELMANN:** Do you remember if you tried
4 to contact the CAS to talk to someone there about what
5 happened?

6 **MS. ANTOINE:** I called to see if I could get
7 in touch with Richard Bell (sic), I believe.

8 **MR. ENGELMANN:** Richard Abell?

9 **MS. ANTOINE:** Abell.

10 And maybe set up a meeting and discuss what
11 was going on.

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

13 Were you successful in reaching him and
14 setting up a meeting?

15 **MS. ANTOINE:** We did set up a meeting.

16 **MR. ENGELMANN:** Do you remember when you met
17 with him or where?

18 **MS. ANTOINE:** Met him at a Chinese
19 restaurant on Montreal Road. It used to be called Hum's.
20 I brought my girlfriend with me. She sat behind and I sat
21 and he sat. I just brought my friend so she could hear
22 what was being said.

23 **MR. ENGELMANN:** Okay. So she wasn't
24 actually at the table with you?

25 **MS. ANTOINE:** Not right at the same table.

1 She was sitting behind.

2 MR. ENGELMANN: All right.

3 And was Mr. Abell on his own?

4 MS. ANTOINE: Yes.

5 MR. ENGELMANN: All right.

6 And did you speak to him a little bit about
7 what happened at the 2nd Street group home?

8 MS. ANTOINE: Yes.

9 MR. ENGELMANN: And do you recall
10 approximately when that was? Let me ask you this. You're
11 not sure. Is that fair?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: Was it after you would have
14 met with Constable Malloy and you would have been informed
15 that there were not going to be any charges laid against
16 Mr. Keough?

17 MS. ANTOINE: I believe it was after that,
18 yes.

19 MR. ENGELMANN: And do you recall something
20 about what happened at that lunch, what was discussed?

21 MS. ANTOINE: The physical abuse and the
22 sexual abuse, we talked about.

23 MR. ENGELMANN: Yes.

24 MS. ANTOINE: Again, he had stated that
25 corporal punishment was okay. The meeting was quick.

1 MR. ENGELMANN: I'm sorry, it was?

2 MS. ANTOINE: The meeting was very quick.

3 MR. ENGELMANN: Okay. Did you talk to him
4 at all about -- well, did you explain to him that the
5 police were not going to proceed with a charge against
6 Brian Keough?

7 MS. ANTOINE: Yes.

8 MR. ENGELMANN: And did you express to him
9 satisfaction or dissatisfaction about that?

10 MS. ANTOINE: Well, I told him Brian should
11 have been charged, at least fired.

12 MR. ENGELMANN: Okay. And how did he
13 respond?

14 MS. ANTOINE: He didn't care. He didn't
15 seem to make a big deal out of it.

16 MR. ENGELMANN: Okay. Did he tell you
17 whether Mr. Keough was going to be fired or suspended or
18 investigated?

19 MS. ANTOINE: I believe he said he was still
20 working for them.

21 MR. ENGELMANN: And you recall him saying
22 something to you about corporal punishment being okay?

23 MS. ANTOINE: Yes.

24 MR. ENGELMANN: Did you talk to him at all
25 about going somewhere else with your story about what

1 happened?

2 MS. ANTOINE: I told him I was going to go
3 to the press, and he didn't like that.

4 MR. ENGELMANN: Did he discourage that or
5 encourage it?

6 MS. ANTOINE: He told me not to do it.

7 MR. ENGELMANN: All right.

8 MS. ANTOINE: It would cause problems for
9 me.

10 MR. ENGELMANN: All right.

11 And you didn't do that for quite a long time
12 after that, right?

13 MS. ANTOINE: I kind of chickened out.

14 MR. ENGELMANN: All right.

15 Well, someone from the press contacted you a
16 couple of years later. Is that fair?

17 MS. ANTOINE: Yes.

18 MR. ENGELMANN: A reporter by the name of
19 Greenwell?

20 MS. ANTOINE: Charlie Greenwell.

21 MR. ENGELMANN: Yes. Okay. So we'll come
22 to that because I think that was in late 1993 or early
23 1994?

24 MS. ANTOINE: Yes.

25 MR. ENGELMANN: How did you feel after the

1 lunch with Mr. Abell about where things were and how things
2 were being handled?

3 **MS. ANTOINE:** It wasn't handled right at
4 all. I was disappointed.

5 **MR. ENGELMANN:** Did he send you a letter
6 after that meeting, Ms. Antoine?

7 **MS. ANTOINE:** Yes, he did send me a letter.

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

9 Perhaps the witness could be shown document
10 number 739114. It's a letter from Richard Abell to
11 Jeannette Antoine dated October 29th, 1991? If that could
12 be the next exhibit?

13 **THE COMMISSIONER:** Thank you. Exhibit 506
14 is a letter from the Children's Aid Society addressed to
15 Mrs. Antoine, dated October 29th, 1991.

16 --- **EXHIBIT NO./PIÈCE NO. P-506:**

17 (739114) Letter from the Children's Aid
18 Society to Jeannette Antoine, dated October
19 29th, 1991

20 **MR. ENGELMANN:** Is this the letter we were
21 just talking about, the letter from Mr. Abell?

22 **MS. ANTOINE:** Yes.

23 **MR. ENGELMANN:** So he's referring to the
24 fact that he's just had a meeting with you last Friday?

25 **MS. ANTOINE:** Yes.

1 **MR. ENGELMANN:** Does that help you with
2 respect to when you might have met with him?

3 **MS. ANTOINE:** Yes.

4 **MR. ENGELMANN:** October 1991? All right.
5 And you've obviously -- and I'm looking at
6 the first full paragraph -- you told him that you had a
7 good relationship with Mr. Rabey?

8 **MS. ANTOINE:** Mr. Rabey.

9 **MR. ENGELMANN:** Rabey, I'm sorry.
10 And he's indicating to you in the next
11 paragraph that he spent some time reading your file. Do
12 you see that?

13 **MS. ANTOINE:** Yes.

14 **MR. ENGELMANN:** Okay. And on the second
15 page of the letter he says to you:

16 "The discipline imposed on you and the
17 other young people was harsh and it was
18 definitely seen as such when it came to
19 the attention of the Board of
20 Directors. Some very prompt action was
21 taken to confront the situation and
22 those practices ended with the timely
23 closure of the group home."

24 Were you told that at the time?

25 **MS. ANTOINE:** No. I was under the

1 impression that the group home stayed open.

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

3 Do you know if you were notified before this
4 letter that in fact it was closed?

5 **MS. ANTOINE:** No, nobody told me.

6 **MR. ENGELMANN:** All right.

7 And in the next paragraph he says:

8 "When we talked, you indicated you
9 wanted Brian Keough charged. That is a
10 police matter. I will leave it with
11 you to pursue that issue as you will
12 with the Cornwall Police Service."

13 **MS. ANTOINE:** Yes.

14 **MR. ENGELMANN:** Had you already told him
15 that the Cornwall Police Service had investigated and
16 wasn't going to be proceeding?

17 **MS. ANTOINE:** Yes.

18 **MR. ENGELMANN:** And in the next paragraph he
19 says:

20 "I suggest you follow up your interest
21 in learning more about your early
22 history."

23 And he says:

24 "Our Intake Department looks after
25 requests of this nature. So I have

1 referred your request and file material
2 to the unit supervisor, Mr. Bill
3 Carriere. You will be contacted when
4 the assigned social worker has had an
5 opportunity to familiarize herself with
6 the material..."

7 So apparently you expressed an interest in
8 having your case history or your file?

9 **MS. ANTOINE:** Yes.

10 **MR. ENGELMANN:** And what did you want, Ms.
11 Antoine, from it?

12 **MS. ANTOINE:** I wanted information, really
13 basic information, my mother's name, my -- birthdays, my
14 sister's birthday, any school records, any medication, like
15 needles that were -- if I had the measles or why we were
16 taken away; why were we -- me and my sister Lorraine were
17 together and then there was two other girls together; why
18 wasn't I adopted; why did we have so many workers and why
19 did we have so many homes, just general information to know
20 who I was. He only answered a very few questions.

21 **MR. ENGELMANN:** Did you want to know
22 anything about the abuse that you had alleged and whether
23 that was documented in any way?

24 **MS. ANTOINE:** Yes.

25 **MR. ENGELMANN:** So did you set out questions

1 for them that you wanted answered?

2 **MS. ANTOINE:** I wrote down numerous
3 questions.

4 **MR. ENGELMANN:** Do you have any idea how
5 many?

6 **MS. ANTOINE:** Thirty (30)? I'm not quite
7 sure.

8 **MR. ENGELMANN:** All right.
9 There were a number of questions?

10 **MS. ANTOINE:** There was quite a few.

11 **MR. ENGELMANN:** All right.

12 If the witness could be shown document
13 number 739113, please? It's a document entitled "Personal
14 Information on Jeannette Antoine".

15 **THE COMMISSIONER:** Thank you.

16 **MR. ENGELMANN:** If that could be the next
17 exhibit?

18 **THE COMMISSIONER:** Exhibit 507, Information
19 - Jeannette Antoine.

20 **--- EXHIBIT NO./PIÈCE NO. P-507:**

21 (739113) Information - Jeannette Antoine

22 **MR. ENGELMANN:** Ms. Antoine, do you have the
23 document in front of you now, Exhibit 507?

24 **MS. ANTOINE:** Yes. Excuse me?

25 **MR. ENGELMANN:** It's Exhibit 507. It's a

1 document; it has some artwork on the front. Do you
2 recognize that?

3 MS. ANTOINE: Yes.

4 MR. ENGELMANN: Why is that?

5 MS. ANTOINE: Those are -- that's how I
6 started out my questions to answer. It was like my cover.

7 MR. ENGELMANN: All right.

8 So that's work you did? And you'll see it
9 appears to be a short summary of some information.

10 MS. ANTOINE: Yes.

11 MR. ENGELMANN: Was this what you were given
12 by the Children's Aid Society?

13 MS. ANTOINE: Yes.

14 MR. ENGELMANN: To the best of your
15 knowledge?

16 MS. ANTOINE: It is what they gave me for
17 the questions that I wanted answered.

18 MR. ENGELMANN: All right.

19 So there's some personal information on the
20 first full page. And I'm not going to go into it, but some
21 of the questions you wanted about parents and siblings, et
22 cetera.

23 MS. ANTOINE: Yes.

24 MR. ENGELMANN: And medical information. On
25 the second page, there is a series of questions that start:

1 "Why was CAS involved with my family?
2 Why weren't Jeannette and I adopted?
3 How many placements did I have and with
4 whom did I live?"

5 So those were a few of the questions you
6 would have asked?

7 **MS. ANTOINE:** Yes.

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

9 Then on the next page you asked "Who were my
10 social workers?" and "When did I meet my mother?" I am
11 interested with the next question, "I was mistreated while
12 I was in care?" Okay.

13 Did you have any doubt about whether you
14 were mistreated while you were in care?

15 **MS. ANTOINE:** Doubt?

16 **MR. ENGELMANN:** Did you think you had been
17 mistreated while you were in the care of the Children's Aid
18 Society?

19 **MS. ANTOINE:** Oh yes, more than mistreated.

20 **MR. ENGELMANN:** Yes. So I am wondering why
21 that question? Do you see the question there?

22 **MS. ANTOINE:** Yes.

23 **MR. ENGELMANN:** What were you looking for?

24 **MS. ANTOINE:** I was -- for them to tell me
25 that, yes.

1 MR. ENGELMANN: You were looking for some
2 confirmation from them ---

3 MS. ANTOINE: Yeah.

4 MR. ENGELMANN: --- that they had written it
5 down and done something about it?

6 MS. ANTOINE: Yes.

7 MR. ENGELMANN: Now, there are seven
8 questions with some answers. Did you have all of your
9 questions answered?

10 MS. ANTOINE: No.

11 MR. ENGELMANN: Do you know where the
12 answers are to the other questions you had?

13 MS. ANTOINE: They never answered them.

14 MR. ENGELMANN: Did you get anything more
15 than this by way of your case history or summary, to your
16 knowledge?

17 MS. ANTOINE: This is all they gave me.

18 MR. ENGELMANN: Now, do you remember any
19 follow-up or any further conversations with officers from
20 the Cornwall Police Service other than Kevin Malloy?

21 MS. ANTOINE: I believe Shawn White.

22 MR. ENGELMANN: Yes.

23 MS. ANTOINE: Heidi Sebalj or something.

24 MR. ENGELMANN: Heidi Sebalj?

25 MS. ANTOINE: I believe there were a few

1 others.

2 **MR. ENGELMANN:** Okay. Do you remember
3 whether you would have met with Heidi Sebalj before or
4 after you met with Shawn White?

5 **MS. ANTOINE:** That, I am not sure who it
6 was.

7 **MR. ENGELMANN:** All right. Okay.
8 The notes would seem to indicate that you
9 met with Heidi Sebalj first ---

10 **MS. ANTOINE:** Okay.

11 **MR. ENGELMANN:** --- and that Shawn White was
12 later.

13 **MS. ANTOINE:** Okay.

14 **MR. ENGELMANN:** So it was a female police
15 officer, later a male police officer?

16 **MS. ANTOINE:** Right.

17 **MR. ENGELMANN:** Does that make some sense?

18 **MS. ANTOINE:** Yes.

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

20 And do you remember how or why Heidi Sebalj
21 was meeting with you?

22 **MS. ANTOINE:** Not quite.

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

24 Do you know if it was at her initiative or
25 at yours?

1 MS. ANTOINE: I'm not sure.

2 MR. ENGELMANN: All right.

3 And did you explain to her when you met with
4 her about some of the allegations you've talked about here,
5 and in particular allegations from the Second Street group
6 home?

7 MS. ANTOINE: Yes.

8 MR. ENGELMANN: All right.

9 And did you talk to her about both
10 allegations of physical and sexual abuse or just physical
11 abuse? Do you remember?

12 MS. ANTOINE: I think it was both. I am not
13 -- I can't be absolutely sure.

14 MR. ENGELMANN: All right.

15 And do you recall if you had more than one
16 meeting with Heidi Sebalj?

17 MS. ANTOINE: I think so. I think it was
18 being taped, actually. I'm not sure.

19 MR. ENGELMANN: You think one of them was
20 taped?

21 MS. ANTOINE: Yes.

22 MR. ENGELMANN: Yes. And was there a period
23 of time between those two interviews, to your knowledge?

24 MS. ANTOINE: I believe so, yes.

25 MR. ENGELMANN: And do you remember the

1 second time that you were interviewed whether there was
2 someone else present as well, another woman?

3 **MS. ANTOINE:** Yeah. I can't recall her
4 name.

5 **MR. ENGELMANN:** All right.

6 I understand that there was a woman by the
7 name of Geraldine Fitzpatrick from the Children's Aid
8 Society ---

9 **MS. ANTOINE:** Yes.

10 **MR. ENGELMANN:** --- who was also there. Is
11 that of some assistance?

12 **MS. ANTOINE:** Yes.

13 **MR. ENGELMANN:** If the witness could be
14 shown Document 739139 which is a transcript of an audio
15 taped interview. The date appears to be November 12th,
16 1993.

17 **THE COMMISSIONER:** Thank you.

18 Exhibit 508, it's a transcript of an audio
19 tape with Ms. Antoine, Constable Sebalj and Fitzpatrick.

20 **---EXHIBIT NO./PIÈCE NO P-508:**

21 (739139) Transcript of audio taped interview
22 between Ms. Antoine, Cst. Sebalj and Ms.
23 Fitzpatrick

24 **MR. ENGELMANN:** Now, do you -- it says --
25 I'm just trying to read something to you if I can, Ms.

1 Antoine. So to the first full paragraph, which is about
2 halfway down the first page, with the initial G., so I am
3 assuming that's Geraldine Fitzpatrick; it says:

4 "We're here to talk to you today, but I
5 don't know if Constable Sebalj had any
6 time to prepare you as to what the
7 interview was about or my understanding
8 is that you're not in any trouble.
9 Nobody's in any trouble, as far as I
10 understand, and I guess we wanted to
11 talk to you about -- you had mentioned
12 something to Constable Sebalj at one
13 time that you'd been in a group home by
14 the Children's Aid. I never even heard
15 about this group home. Can you tell us
16 about it, where it was and when that..."

17 Do you see that paragraph there?

18 **MS. ANTOINE:** Yes.

19 **MR. ENGELMANN:** So do you remember -- had
20 you been told or briefed about what this interview was
21 going to be about before you met with these two women?

22 **MS. ANTOINE:** I'm not sure.

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

24 **MS. ANTOINE:** There was so many people.

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

1 But you'd met with a Constable Malloy a few
2 years back ---

3 **MS. ANTOINE:** Right.

4 **MR. ENGELMANN:** --- about three years before
5 this and you'd been told that he wasn't going to be
6 pursuing charges. Do you know why Constable Sebalj was
7 meeting with you in late 1993 to talk about the same
8 incidents?

9 **MS. ANTOINE:** I'm not really sure.

10 **MR. ENGELMANN:** Okay. All right. That's
11 fine.

12 And I don't know if you can remember if they
13 would have explained it to you at that time or not.

14 **MS. ANTOINE:** I'm sorry.

15 **MR. ENGELMANN:** No, that's fine. That's
16 fine.

17 Do you know whether Mr. Keough or anybody
18 from the group home was charged as a result of the
19 statements you gave to Heidi Sebalj or Geraldine
20 Fitzpatrick?

21 **MS. ANTOINE:** Nobody was charged.

22 **MR. ENGELMANN:** Okay. Now, in early 1994,
23 were you approached by a reporter by the name of Greenwell?

24 **MS. ANTOINE:** Yes.

25 **MR. ENGELMANN:** And did he want information

1 about your history and information about what happened to
2 you when you were in the care of the Children's Aid
3 Society?

4 **MS. ANTOINE:** Yes.

5 **MR. ENGELMANN:** And did you agree to give
6 him some information?

7 **MS. ANTOINE:** I signed a consent for him to
8 go to the CAS and get reports.

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

10 If the witness could be shown Document
11 739332 which is a Children's Aid Society form that's
12 entitled "Consent to Release of Information". If that
13 could be the next Exhibit.

14 **THE COMMISSIONER:** Yes. Exhibit 509 is
15 exactly that, a Consent to Release of Information, signed
16 by Jeannette Antoine authorizing Mr. Greenwell for one
17 interview.

18 **--- EXHIBIT NO./PIÈCE No. P-509:**

19 (739332) Jeannette Antoine - CAS Consent
20 Form to Release Information to Charlie
21 Greenwell - January 12, 1994

22 **MR. ENGELMANN:** Ms. Antoine, is this the
23 consent that you filled out and signed?

24 **MS. ANTOINE:** Yes.

25 **MR. ENGELMANN:** There is a witness by the

1 name of R. Abell?

2 MS. ANTOINE: Richard Abell.

3 MR. ENGELMANN: Did you meet with Mr. Abell
4 to have this form witnessed?

5 MS. ANTOINE: No, I wasn't there.

6 MR. ENGELMANN: Okay. Charlie Greenwell
7 went in himself and ---

8 MR. ENGELMANN: Well, it appears he's
9 witnessed it. I'm just curious -- you don't recall if he
10 was present when you signed it?

11 MS. ANTOINE: Maybe he was. I'm sorry.

12 MR. ENGELMANN: All right. That's fine.

13 Do you know whether the CAS released
14 information to Mr. Greenwell so that he could follow-up on
15 this?

16 MS. ANTOINE: They refused to give him any
17 information.

18 MR. ENGELMANN: Okay. How do you know that?

19 MS. ANTOINE: They told me that he needed a
20 consent form. I remember Mr. Greenwell saying "Here's the
21 consent form". Then they started saying, well, it was
22 burnt, her files were put on a tape or a disk and got
23 destroyed, and they couldn't find no information about me.

24 MR. ENGELMANN: Were you actually told that
25 by someone at the CAS or was that what Mr. Greenwell told

1 you they told him?

2 **MS. ANTOINE:** That's what Mr. Greenwell had
3 told me.

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

5 **MS. ANTOINE:** And he couldn't get nothing.

6 **MR. ENGELMANN:** So he didn't get information
7 from them?

8 **MS. ANTOINE:** No.

9 **MR. ENGELMANN:** Did he end up interviewing
10 you or not?

11 **MS. ANTOINE:** Yes, he did.

12 **MR. ENGELMANN:** All right. To your
13 knowledge, was that interview televised?

14 **MS. ANTOINE:** Yes.

15 **MR. ENGELMANN:** After that interview is
16 televised, did anyone approach you about investigating your
17 complaint?

18 **MS. ANTOINE:** I -- I believe people started
19 -- like, I can't remember who but ---

20 **MR. ENGELMANN:** Did the Cornwall Police
21 contact you again after this interview was televised to
22 investigate your concerns?

23 **MS. ANTOINE:** I think it might have been
24 Shawn White. I'm not ---

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

1 MS. ANTOINE: Mr. White, Shawn White.

2 MR. ENGELMANN: Yes?

3 MS. ANTOINE: I'm not quite sure.

4 THE COMMISSIONER: Mr. White is?

5 MR. ENGELMANN: He is a constable with the
6 Cornwall Police Service.

7 THE COMMISSIONER: Thank you.

8 MR. ENGELMANN: Do you recall having an
9 interview with Constable White?

10 MS. ANTOINE: Yes.

11 MR. ENGELMANN: All right. If the witness
12 could be shown Document 739643.

13 THE COMMISSIONER: Thank you. Exhibit 510
14 is a Statement taken by S. White on the 1st of February
15 1994.

16 --- EXHIBIT NO./PIÈCE No. P-510:

17 (739643) Jeannette Antoine - Statement with
18 Cornwall Police Service - February 1, 1994

19 MR. ENGELMANN: Ms. Antoine, do you have the
20 document in front of you?

21 MS. ANTOINE: Yes, I do.

22 MR. ENGELMANN: That's Exhibit 508, sir?

23 THE COMMISSIONER: No, 510.

24 MR. ENGELMANN: Five-one-zero (510), sorry.
25 Is that your signature at the bottom of the

1 -- near the bottom of the first page?

2 MS. ANTOINE: Yes.

3 MR. ENGELMANN: All right. So it appears
4 you are being interviewed. This would have been shortly
5 after you would have spoken to Mr. Greenwell?

6 MS. ANTOINE: Yes.

7 MR. ENGELMANN: You spoke to him sometime in
8 January and you are being interviewed on February 1st?

9 MS. ANTOINE: Yes.

10 MR. ENGELMANN: Were you told by Constable
11 White that the Cornwall Police Service was doing sort of an
12 internal investigation about your initial complaint to
13 them?

14 MS. ANTOINE: I'm not quite sure.

15 MR. ENGELMANN: All right. Was the name
16 Sergeant Durocher ever mentioned to you?

17 MS. ANTOINE: I recognize the name. Can't
18 remember.

19 MR. ENGELMANN: You never met with him did
20 you?

21 MS. ANTOINE: No. I didn't meet him, but I
22 recognize the name.

23 MR. ENGELMANN: All right. Is that as a
24 result of some documents you've just seen recently or is
25 that for some other reason that you recognize that name?

1 **MS. ANTOINE:** Just by you saying it.

2 **MR. ENGELMANN:** All right. You're just not
3 sure why you recognize it?

4 **MS. ANTOINE:** Yeah.

5 **MR. ENGELMANN:** Okay. The statement starts,
6 it says:

7 "Cornwall Police Service are
8 investigating allegations of physical
9 abuse that occurred at a Children's Aid
10 group home at 220 Second Street West.
11 The home was opened from 1975 to the
12 later part..."

13 Thank you.

14 "...later part of 1976. What if anything
15 would you like to tell me?"

16 Do you see that?

17 **MS. ANTOINE:** Yes.

18 **MR. ENGELMANN:** So it appears that Constable
19 White only wants you to talk to him about allegations of
20 physical abuse at that one home?

21 **MS. ANTOINE:** Yes.

22 **MR. ENGELMANN:** Is that fair?

23 **MS. ANTOINE:** Yes.

24 **MR. ENGELMANN:** Did he explain to you or can
25 you remember if he explained to you why they weren't going

1 to be looking at allegations of sexual abuse or sexual
2 assault?

3 MS. ANTOINE: He stated that it was too far-
4 fetched.

5 MR. ENGELMANN: I'm sorry. Too far-
6 fetched?

7 MS. ANTOINE: I wasn't believable.

8 MR. ENGELMANN: Okay. So he told you that
9 he didn't believe what you had to say about sexual abuse or
10 sexual assault?

11 MS. ANTOINE: Yes.

12 MR. ENGELMANN: Was that right then, at the
13 first interview, or do you remember when?

14 MS. ANTOINE: I'm not sure when it was
15 actually said, but I do remember him stating that.

16 MR. ENGELMANN: Okay. Well at this point in
17 time, in any event, he is telling you he is only going to
18 investigate physical abuse?

19 MS. ANTOINE: Yes.

20 MR. ENGELMANN: All right. How did you
21 react when you were told that? That your allegations of
22 sexual abuse or sexual assault were too far-fetched for him
23 to investigate?

24 MS. ANTOINE: I was angry. I was -- I felt
25 like I had just gotten another beating, like, every time I

1 told it, didn't go anywhere. It's like nobody really
2 cared.

3 **MR. ENGELMANN:** Do you know if they were
4 ever investigated, your allegations of sexual abuse or
5 sexual assault, aside what we'll come to about your father?

6 **MS. ANTOINE:** I don't think they did
7 anything.

8 **MR. ENGELMANN:** Okay. You explained to us
9 earlier that back at that meeting, when you all came back
10 from the cottage when you had run away, that both you and
11 Dorothy had spoken in front of a number of people about
12 allegations of sexual abuse or sexual assault?

13 **MS. ANTOINE:** Yes.

14 **MR. ENGELMANN:** Do you recall at that time,
15 and I'm asking you to go back a number of years, whether
16 Sandy or Lorraine might have said anything as well?

17 **MS. ANTOINE:** I don't know what they said
18 when they were personally with other workers, but when we
19 all got together?

20 **MR. ENGELMANN:** Yes?

21 **MS. ANTOINE:** Everybody that was in that
22 group home had made comments and showed bruises, and we
23 talked about this.

24 **MR. ENGELMANN:** When you said everybody made
25 comments and showed bruises, comments about physical abuse?

1 Comments about sexual abuse or comments about both?

2 **MS. ANTOINE:** Both. It was -- everything
3 came out.

4 **MR. ENGELMANN:** Okay. But some of what came
5 out would have been one-on-one with you as individual
6 children?

7 **MS. ANTOINE:** Yes.

8 **MR. ENGELMANN:** When you were together as a
9 group, it came out as well?

10 **MS. ANTOINE:** Some stuff did come out.

11 **MR. ENGELMANN:** All right. Now despite the
12 fact that Constable White starts by saying, "We are
13 investigating allegations of physical abuse", I note there
14 are a couple of references to what could be called sexual
15 abuse in the statement. I just want to show you a couple
16 of things, if I can, Ms. Antoine?

17 **(SHORT PAUSE/COURTE PAUSE)**

18 **MR. ENGELMANN:** You talked about the fact --
19 and I'm looking at -- the number on the left side of the
20 page at the top is 7177153, where they're in the bathroom,
21 Mr. Keough and Mr. Tenger.

22 **THE COMMISSIONER:** Just a second, Mr. ---

23 **MR. ENGELMANN:** Sorry, it's near the top of
24 the page.

25 **THE COMMISSIONER:** We're still getting

1 there.

2 **MR. ENGELMANN:** It's right on the screen,
3 sir.

4 I realize it's -- are you okay reading that
5 on screen?

6 **MS. ANTOINE:** Yes.

7 **MR. ENGELMANN:** Top paragraph:

8 "When I took a shower after that, Bryan
9 Keough or Derry Tenger would be in the
10 bathroom with me."

11 **MS. ANTOINE:** Yes.

12 **MR. ENGELMANN:** So they would watch you when
13 you showered. Is that what you're saying?

14 **MS. ANTOINE:** Yes.

15 **MR. ENGELMANN:** And at the very end of the
16 statement, on the very last page, you say:

17 "Sandy did not tell me the circumstance
18 behind how she got the marks on her
19 breast from Bryan."

20 **MS. ANTOINE:** Yes.

21 **MR. ENGELMANN:** So you don't go into the
22 allegations of sexual abuse or sexual assault in any detail
23 here?

24 **MS. ANTOINE:** No.

25 **MR. ENGELMANN:** Okay. According to the

1 beginning of the statement, you were to talk about physical
2 abuse. Is that fair?

3 MS. ANTOINE: Yes.

4 MR. ENGELMANN: Again, do you recall if any
5 charges arose against Mr. Keough or anybody else from the
6 group home?

7 MS. ANTOINE: No charges.

8 MR. ENGELMANN: Ever?

9 MS. ANTOINE: Ever.

10 MR. ENGELMANN: Was there an explanation at
11 the end why that wasn't going to happen, or do you
12 remember?

13 MS. ANTOINE: All I remember is them telling
14 me that it was corporal punishment was no problem back
15 then.

16 MR. ENGELMANN: All right.

17 MS. ANTOINE: And to get over it.

18 MR. ENGELMANN: And who would have told you
19 to get over it? Do you remember?

20 MS. ANTOINE: I can't remember who, but I do
21 remember them telling me.

22 MR. ENGELMANN: Are you talking about a
23 police officer or a Children's Aid worker or both?

24 MS. ANTOINE: Some workers and I remember
25 one cop or detective -- I don't know who he really was --

1 but he said that I'm not the only one, you know, there's
2 other victims out there, and a little corporal punishment
3 is not, you know, a big deal and I needed to get over it.

4 MR. ENGELMANN: Was that a male or female
5 police officer?

6 MS. ANTOINE: I believe he was a male.

7 MR. ENGELMANN: Okay. Now, you also had
8 some involvement with the Ontario Provincial Police?

9 MS. ANTOINE: Yes.

10 MR. ENGELMANN: And you talked to them about
11 a complaint against your father?

12 MS. ANTOINE: Yes.

13 MR. ENGELMANN: It's a complaint of him
14 sexually assaulting you?

15 MS. ANTOINE: Yes.

16 MR. ENGELMANN: On more than one occasion?

17 MS. ANTOINE: Yes.

18 MR. ENGELMANN: And do you remember having
19 any contact with a female officer by the name of Anne
20 DeGiovanni?

21 MS. ANTOINE: Yes.

22 MR. ENGELMANN: I'm probably mispronouncing
23 her name, but ---

24 MS. ANTOINE: Yes.

25 MR. ENGELMANN: Okay. And do you recall if

1 you would have given her a statement?

2 MS. ANTOINE: I gave her -- I told her what
3 happened.

4 MR. ENGELMANN: All right.
5 If the witness could be shown document
6 123598?

7 THE REGISTRAR: Can you repeat that?

8 MR. ENGELMANN: I'm sorry, 123598. It's a
9 document entitled "Interview of Jeannette Antoine, Tuesday,
10 January 25, 1994".

11 THE COMMISSIONER: Thank you.

12 Exhibit 511 is an interview of Jeannette
13 Antoine, dated January 25th, 1994.

14 --- EXHIBIT NO./PIÈCE NO. P-511:

15 (123598) Interview of Jeannette Antoine -
16 January 25, 1994

17 MR. ENGELMANN: Do you have the document in
18 front of you?

19 MS. ANTOINE: Yes, I do.

20 MR. ENGELMANN: Do you recall if you wrote
21 out a statement again about this, and this is a typed form,
22 or do you remember, or whether this was simply an
23 interview?

24 MS. ANTOINE: I believe I wrote it out.

25 MR. ENGELMANN: All right. And if we look

1 at the third page -- okay, one more page; I'm sorry.

2 The handwritten notes we see on the side of
3 the page, those aren't your notes, are they?

4 **MS. ANTOINE:** No.

5 **MR. ENGELMANN:** All right. And so you
6 describe in some detail what happened between you and your
7 father and how you met him and what took place in Minden?

8 **MS. ANTOINE:** Yes.

9 **MR. ENGELMANN:** And, in fact, did Ms.
10 DeGiovanni have another meeting with you, another interview
11 as well?

12 **MS. ANTOINE:** I believe so.

13 **MR. ENGELMANN:** And if the witness could be
14 shown document number 123584?

15 **THE COMMISSIONER:** Thank you.

16 Exhibit 512 is an interview report dated the
17 30th of June 1994.

18 **--- EXHIBIT NO./PIÈCE NO. P-512:**

19 (123584) Interview Report from Jeannette
20 Antoine to OPP - June 30, 1994

21 **MR. ENGELMANN:** So the police officer
22 followed up and had an interview with you and asked you
23 some further questions to clarify some points. Is that
24 fair?

25 **MS. ANTOINE:** Yes.

1 **MR. ENGELMANN:** And, for example, asked you
2 when it first happened and questions of that nature?

3 **MS. ANTOINE:** Yes.

4 **MR. ENGELMANN:** Now, do you know if as a
5 result of these interviews and investigative work by the
6 OPP, whether in fact your father was charged?

7 **MS. ANTOINE:** Yes, he was charged.

8 **MR. ENGELMANN:** All right. So in this
9 circumstance, your complaint did lead to a criminal charge
10 against someone?

11 **MS. ANTOINE:** Yes.

12 **MR. ENGELMANN:** All right. Did this case in
13 fact go to a trial in the criminal courts?

14 **MS. ANTOINE:** Yes, it did.

15 **MR. ENGELMANN:** And did you appear as a
16 witness?

17 **MS. ANTOINE:** Yes.

18 **MR. ENGELMANN:** And did you have any
19 meetings with a Crown Attorney or a Crown Prosecutor?

20 **MS. ANTOINE:** Yes.

21 **MR. ENGELMANN:** Do you recall who that
22 person was?

23 **MS. ANTOINE:** I believe she was female.

24 **MR. ENGELMANN:** All right. Do you remember
25 if you would have meetings beforehand or not to discuss or

1 to talk to you about some of the questions that might be
2 asked of you?

3 **MS. ANTOINE:** I believe we did -- I did have
4 meetings, but I don't remember with who.

5 **MR. ENGELMANN:** All right. And you don't
6 know how many times you would have met?

7 **MS. ANTOINE:** No.

8 **MR. ENGELMANN:** I'm thinking about with a
9 lawyer, before you gave your evidence?

10 **MS. ANTOINE:** I'm pretty sure it was a few
11 times. I can't recall exactly how many.

12 **MR. ENGELMANN:** All right. Did you attend
13 and give evidence and testify at this trial?

14 **MS. ANTOINE:** Yes, I did.

15 **MR. ENGELMANN:** And did other people attend
16 and give evidence at the trial?

17 **MS. ANTOINE:** Yes.

18 **MR. ENGELMANN:** And who do you recall being
19 there and giving evidence?

20 **MS. ANTOINE:** Bryan Keough.

21 **MR. ENGELMANN:** He was called as a witness?

22 **MS. ANTOINE:** On my father's side.

23 **MR. ENGELMANN:** So your father's lawyer
24 called him as a witness?

25 **MS. ANTOINE:** Yes.

1 **MR. ENGELMANN:** And do you recall what he
2 would have talked about at the trial or anything about what
3 he said?

4 **MS. ANTOINE:** He said nothing happened.

5 **MR. ENGELMANN:** Mr. Keough?

6 **MS. ANTOINE:** That I was lying and if
7 anything happened I deserved it.

8 **MR. ENGELMANN:** Well, he said nothing
9 happened. Do you remember him actually saying that?

10 **MS. ANTOINE:** Yes.

11 **MR. ENGELMANN:** And him calling you or
12 suggesting that you were lying about it?

13 **MS. ANTOINE:** Yes.

14 **MR. ENGELMANN:** Do you actually recall him
15 saying if something happened you deserved it, as a witness?

16

17 **MS. ANTOINE:** Yes.

18 **MR. ENGELMANN:** Okay. Do you remember what
19 happened in the trial? Do you remember whether your father
20 was found guilty or not?

21 **MS. ANTOINE:** He was not guilty.

22 **MR. ENGELMANN:** Were you there when that
23 decision was announced?

24 **MS. ANTOINE:** No.

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

1 So you don't know the reasons?

2 MS. ANTOINE: No.

3 MR. ENGELMANN: Were you informed about when
4 you had to attend court at that time, going through that
5 court process?

6 MS. ANTOINE: Yes.

7 MR. ENGELMANN: Do you remember who would
8 have told you about when court was going to be? Was that a
9 lawyer or was that police officers, or do you remember?

10 MS. ANTOINE: I believe it was the Crown
11 attorney or -- I can't remember.

12 MR. ENGELMANN: Do you remember if there was
13 any witness support for you at that time?

14 MS. ANTOINE: No.

15 MR. ENGELMANN: Okay.

16 MS. ANTOINE: I don't believe I had anybody.

17 MR. ENGELMANN: All right.

18 Was there any counseling offered to you at
19 that time?

20 MS. ANTOINE: No.

21 MR. ENGELMANN: I just have a few questions
22 to ask you. And do you want a break before I ask you my
23 final three questions or are you prepared just to go to
24 that now?

25 MS. ANTOINE: Go ahead.

1 **MR. ENGELMANN:** All right.

2 I wanted to ask you, you've talked to us
3 about physical and sexual abuse that you allege you
4 suffered while you were in the care and custody of the
5 Children's Aid Society. Can you tell us briefly about some
6 of the effects of the alleged abuse on your life?

7 **MS. ANTOINE:** I don't trust them. I would
8 have done anything in my powers to make sure my kids never
9 entered a CAS.

10 I have flashbacks, nightmares. I had
11 problems with my personal relationship with my husband. I
12 have two boys and I have issues with them. I watched my
13 daughter like a hawk so nobody would touch her.

14 I hated the whole world. I had low self
15 esteem. I still do. I just -- I tried to commit suicide
16 twice. I never felt wanted. I never felt loved. All I
17 knew was how to beat somebody or rape somebody and I didn't
18 want that for my children.

19 And I have all teenagers and I couldn't ask
20 for better kids. My husband passed away and I'm alone now
21 with my one son left, and he knows. My kids know how to
22 treat women or anybody.

23 It's just -- it's still hard to this day.
24 Like, last night everything came back like a bullet. I
25 could just picture my dad on me, everything, and I want to

1 forget. My dad committed suicide two months ago, so that's
2 a relief.

3 I hope nobody goes through what I went
4 through.

5 **MR. ENGELMANN:** Ms. Antoine, you dealt with
6 a few institutions, with the Children's Aid Society
7 predominately, with the Cornwall Police Service, with the
8 OPP a little bit, with the court service a little bit.

9 Do you have any comments about their
10 response to your allegations and how you were dealt with by
11 these institutions?

12 **MS. ANTOINE:** If I was a teacher, they would
13 have gotten an "F". They failed me.

14 **MR. ENGELMANN:** Who failed you?

15 **MS. ANTOINE:** The system. They didn't do
16 anything. I would never trust anybody. I told so many
17 people and nobody did a thing and it was unfair. No matter
18 how many times I opened my mouth to tell people that I was
19 abused, they did not care.

20 **MR. ENGELMANN:** Some of the people you told
21 -- you told us about a teacher or two that contacted the
22 Children's Aid Society. Did you think that was appropriate
23 at the time or that they should have done something else?

24 **MS. ANTOINE:** Yes, they should have done
25 something else. I believe it was the worker. I told the

1 teacher and it stopped at the worker and it's the CAS.
2 They stopped. They didn't investigate. They didn't come
3 and do anything.

4 **MR. ENGELMANN:** What about the Cornwall
5 Police Service? They did interview you a few times about
6 physical and a little bit about sexual abuse. What about
7 that institutional response?

8 **MS. ANTOINE:** They could have done better.
9 I expected charges laid.

10 **MR. ENGELMANN:** Okay.

11 **MS. ANTOINE:** I have a lot of scars and they
12 should have -- Brian should have went to jail instead of
13 living his life the way he is now. I was violated. The
14 whole system failed.

15 **MR. ENGELMANN:** Were you aware, Ms. Antoine,
16 that the Cornwall Police Service, after you spoke to Mr.
17 Greenwell and Shawn White got involved, interviewed a
18 number of people about your allegations of physical abuse?

19 **MS. ANTOINE:** Yes.

20 **MR. ENGELMANN:** Okay. Did you think that
21 response was better or that response was appropriate?

22 **MS. ANTOINE:** To investigate allegations, it
23 just went so far and then it was like my word against
24 Brian's and I think it should have went further. I'd love
25 to confront Brian. I think they need to, for starters,

1 believe children when they say they are being abused.

2 MR. ENGELMANN: Okay.

3 MS. ANTOINE: I mean, even if they are
4 making it up, at least you've gone through the steps to
5 make sure.

6 MR. ENGELMANN: Just before I ask you about
7 some suggestions, when you did go to the OPP and express
8 concerns about the sexual assaults by your father? They
9 did investigate and laid a charge against your father,
10 correct?

11 MS. ANTOINE: Yes.

12 MR. ENGELMANN: And were you satisfied with
13 that? Did you think that was appropriate?

14 MS. ANTOINE: When they charged him?

15 MR. ENGELMANN: Yes.

16 MS. ANTOINE: Yes, but he got off.

17 MR. ENGELMANN: Okay.

18 MS. ANTOINE: And I believe Brian Keough had
19 a lot to do with that.

20 MR. ENGELMANN: All right.

21 So that's what you mean when you say the
22 system failed you at the end of the day. Okay.

23 Do you have some suggestions or
24 recommendations for us and for how institutions can do
25 better?

1 **MS. ANTOINE:** I'd be screening everybody
2 that applies for a CAS worker, check their background,
3 everything, get out some programs for the women that are
4 having these kids so that these kids don't go in the CAS.
5 The less children in the CAS, the better.

6 **MR. ENGELMANN:** When you say "in the CAS",
7 are you referring to foster homes or the group homes, or
8 both?

9 **MS. ANTOINE:** Anywhere, any group home. I
10 remember 19 different foster homes and three group homes
11 that I went into in my life.

12 **THE COMMISSIONER:** It's just raining.

13 **MS. ANTOINE:** I never belonged. Nobody
14 wanted me.

15 **MR. ENGELMANN:** So some of the places you
16 went would have been receiving homes? They would have been
17 short times? You talked about the three principal foster
18 homes.

19 **MS. ANTOINE:** Yes.

20 **MR. ENGELMANN:** The one principal ---

21 **MS. ANTOINE:** I know what it's like not to
22 be wanted.

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

24 **MS. ANTOINE:** Did you ever know what it
25 feels like not to be wanted? I never had a home to call

1 home.

2 **MR. ENGELMANN:** Is there anything else that
3 you wanted to add about a suggestion or recommendation for
4 us?

5 **MS. ANTOINE:** I'm just glad that I was able
6 to get my story out. It might help one child.

7 **MR. ENGELMANN:** Thank you very much, Ms.
8 Antoine, for coming and doing this.

9 Some of the other lawyers are going to have
10 some questions for you about what happened in your story.

11 Mr. Commissioner, I don't know if you want
12 to start that right away or you want to take a break?

13 **THE COMMISSIONER:** We'll take a short break.
14 We'll take the morning break and we'll come back in 15
15 minutes. All right?

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

18 The hearing will resume at noon.

19 --- Upon recessing at 11:44 a.m./

20 L'audience est suspendue à 11h44

21 --- Upon resuming at 12:06 p.m./

22 L'audience est reprise à 12h06

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

25 The hearing is now resumed. Please be

1 seated. Veuillez vous asseoir.

2 **JEANNETTE ANTOINE, Resumed/Sous le même serment:**

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

4 **MS. ANTOINE:** Okay.

5 **THE COMMISSIONER:** Terrific.

6 All right. So, Ms. Daley.

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

8 **DALEY:**

9 **MS. DALEY:** Ms. Antoine, first I want to
10 introduce myself to you. My name is Helen Daley and I'm a
11 lawyer for a group in Cornwall called the Citizens for
12 Community Renewal. Sometimes they're called CCR. And I
13 want you to know that that is an organization of concerned
14 citizens in this town with standing at this Inquiry and
15 they are a group of people determined to promote
16 institutional change here and to assure the protection of
17 children. All right? So that's where my clients are
18 coming from, so to speak.

19 I have a few questions for you, not very
20 many, and if anything I ask you upsets you or if you want
21 to take a break before you answer, please let me know. Is
22 that all right?

23 **MS. ANTOINE:** Okay.

24 **MS. DALEY:** Okay. Now, one thing I wanted
25 to see if I could get your help with is this, and I want us

1 to go back to the incident where you and the other children
2 left the Second Street group home and then came back and
3 talked to some CAS people about what was happening there.
4 Okay? That's the part of what you've told us about that I
5 want some clarification on it.

6 Do you understand?

7 **MS. ANTOINE:** Yes.

8 **MS. DALEY:** All right.

9 It's not clear; were you ever -- you,
10 personally, did you ever have a chance to speak privately
11 with two women CAS employees at that time?

12 **MS. ANTOINE:** No.

13 **MS. DALEY:** Was it your understanding that
14 the other children who were with you had an opportunity to
15 speak privately with CAS workers at that time; in other
16 words, people that were not from the group home?

17 **MS. ANTOINE:** You mean workers?

18 **MS. DALEY:** Yes.

19 **MS. ANTOINE:** Yes.

20 **MS. DALEY:** But you didn't have a chance to
21 speak just one on one with a CAS employee who was not from
22 the group home?

23 **MS. ANTOINE:** No.

24 **MS. DALEY:** Thank you.

25 You told us that police officers brought you

1 and the other children back from the cottage where you had
2 been staying to the CAS. Do you recall that piece of what
3 you told us?

4 MS. ANTOINE: Yes.

5 MS. DALEY: I wondered if you or the other
6 children felt that you could talk to the police officers
7 about what was happening to you at the group home?

8 MS. ANTOINE: I don't know if any other
9 children said anything.

10 MS. DALEY: Did you say anything?

11 MS. ANTOINE: I hadn't said nothing.

12 MS. DALEY: Was there a reason why you
13 weren't able to say anything?

14 MS. ANTOINE: It just didn't dawn on me. I
15 just knew that we were going to go back and I figured it
16 was all going to be settled there.

17 MS. DALEY: All right.

18 I want to talk to you a little bit about
19 Bryan Keough and his involvement in your care. Do you have
20 some understanding as to why Bryan Keough was still
21 involved with you once you were transferred to the Minden
22 group home?

23 MS. ANTOINE: I have no idea.

24 MS. DALEY: Did you understand he was still
25 your worker at that time?

1 **MS. ANTOINE:** I figured if I was out of the
2 district of Cornwall I would have been in somebody else's,
3 but he's the only one that I had contact with.

4 **MS. DALEY:** All right.

5 Sorry, there's one question -- I need to go
6 back just for a moment and talk to you about the time when
7 the children went and spoke to the CAS people in that
8 meeting.

9 Do you know -- were you able to speak with
10 any directors of the Children's Aid Society?

11 **MS. ANTOINE:** As a group.

12 **MS. DALEY:** But not individually?

13 **MS. ANTOINE:** No.

14 **MS. DALEY:** Thank you.

15 Were you able to -- I'll preface this by
16 saying that my impression from your evidence is that you
17 had a very difficult relationship with Bryan Keough. Were
18 you ever able to request another worker?

19 **MS. ANTOINE:** I have no idea because I never
20 did ask.

21 **MS. DALEY:** Okay. Do you think, as we sit
22 here today, that it would be a good thing if children in
23 care were able to request another worker if they had
24 difficulties with the worker assigned?

25 **MS. ANTOINE:** Oh yes.

1 **MS. DALEY:** All right.

2 And there's one other thing I'd like to get
3 your opinion about. Do you think it would make a
4 difference to kids in care if they could talk to someone
5 independent of the Children's Aid Society if they felt they
6 were being mistreated?

7 **MS. ANTOINE:** Like another -- like other
8 like social workers or ---

9 **MS. DALEY:** Well, somebody completely
10 independent of the Children's Aid Society, maybe like an
11 ombudsman type of person.

12 **MS. ANTOINE:** Yes, it should be somebody
13 that's impartial.

14 **MS. DALEY:** Do you feel that that would be a
15 helpful thing for children like yourself who are in care?

16 **MS. ANTOINE:** Yes.

17 **MS. DALEY:** Okay.

18 **MS. ANTOINE:** I do.

19 **MS. DALEY:** Thank you very much.

20 My clients particularly want to thank you
21 for coming here. We know that you came from a great
22 distance to be here and that you're talking about very
23 difficult things, and they're grateful.

24 **MS. ANTOINE:** Thank you.

25 **THE COMMISSIONER:** Thank you.

1 Mr. Lee.

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

3 MR. LEE: Good afternoon, Ms. Antoine.

4 MS. ANTOINE: Good afternoon.

5 MR. LEE: My name is Dallas Lee. I
6 represent a party at the Inquiry called the Victims Group.

7 I just have a very few questions for you, if
8 you don't mind. You told us yesterday that you attended
9 Catholic schools when you were younger; is that correct?

10 MS. ANTOINE: Yes.

11 MR. LEE: In particular, I think you
12 mentioned St. George's in Long Sault; is that right?

13 MS. ANTOINE: Yes.

14 MR. LEE: And Our Lady of Good Counsel in
15 Ingleside; is that correct?

16 MS. ANTOINE: Yes.

17 MR. LEE: Did you attend church while you
18 were a child as well?

19 MS. ANTOINE: Yes.

20 MR. LEE: You told us today you were in well
21 over a dozen foster homes. Would there have been -- were
22 you always placed in Catholic homes?

23 MS. ANTOINE: I don't know if they were
24 Catholic. I know the Reynens were. It was church. We
25 went to Easter church mass, everything.

1 MR. LEE: Sundays?

2 MS. ANTOINE: Every Sunday, sometimes
3 weekends. I gave confessions. We had the communion.

4 MR. LEE: And the Reynens was the home you
5 were in for the longest ---

6 MS. ANTOINE: Yes.

7 MR. LEE: --- period of time; is that right?

8 MS. ANTOINE: Yes.

9 MS. ANTOINE: I would like to show you a
10 document, if I could. You won't have this one yet, but the
11 clerk will bring it to you.

12 (SHORT PAUSE/COURTE PAUSE)

13 --- EXHIBIT NO./PIÈCE NO. P-513:

14 (739100) CAS notes re: Jeannette Antoine -
15 August 17, 1989

16 THE COMMISSIONER: Thank you. These are
17 notes, Mr. Lee?

18 MR. LEE: They are notes. My understanding
19 is that they were made by a woman named Susie Robinson who
20 was a CAS worker.

21 THE COMMISSIONER: Okay. Thank you.

22 MR. LEE: Do you have that document in front
23 of you, Miss Antoine?

24 MS. ANTOINE: I do.

25 MR. LEE: I would just like to take you --

1 this is in your handwriting. Is that right? It is your
2 handwriting?

3 **MS. ANTOINE:** No, it's not.

4 **MR. LEE:** No. If you can go down to the
5 bottom of the first page, the very bottom right-hand
6 corner. Do you see down at the bottom, it says, "Jeannette
7 Antoine, August 17, 1989"?

8 **MS. ANTOINE:** Yes.

9 **MR. LEE:** Is that your signature?

10 **MS. ANTOINE:** Yes.

11 **MR. LEE:** If we can look at the bottom of
12 the second page, I think on my copy it's a little bit cut
13 off. You see at the very bottom of that page, it appears
14 to be "Jeannette Antoine" as well. Does that look like
15 your signature?

16 **MS. ANTOINE:** Yes.

17 **MR. LEE:** My understanding, Miss Antoine, is
18 that on August 17th, 1989, you met with two CAS workers
19 named Greg Bell and Susie Robinson?

20 **MS. ANTOINE:** I remember Greg Bell.

21 **MR. LEE:** Do you ever remember having a
22 meeting with Mr. Bell? This, as I said, would have been in
23 August of 1989, and he brought a co-worker with him and she
24 took some notes?

25 **MS. ANTOINE:** I think it's coming back, yes,

1 I recall.

2 MR. LEE: And it looks like what happened is
3 that you would have signed each page of these notes. Do
4 you see your signature down at the bottom?

5 MS. ANTOINE: Yes.

6 MR. LEE: I want to take you to page 6 of
7 these notes. You can see in the top right-hand corner of
8 the page. For the record, it's Bates Number 7175590.

9 At the very, very top of that page, there's
10 a dark bold arrow, and it says, "People who knew" or
11 "People who know" perhaps. And there are some names listed
12 there. There's -- is it Dawn Asler? Does that mean
13 anything to you that name?

14 MS. ANTOINE: Yes.

15 MR. LEE: Who is that?

16 MS. ANTOINE: She was somebody that helped
17 my daughter in school. Actually, I met her yesterday and
18 we had a few words -- we talked a bit, but she helped me
19 with my daughter with her, like, schoolwork and stuff. But
20 she was also a worker from the CAS, I believe.

21 MR. LEE: Is that someone that you would
22 have told about some of what happened to you?

23 MS. ANTOINE: Yes.

24 MR. LEE: And the name to the right of that
25 appears to be "Diane Filion". Does that name mean anything

1 to you? Fillion, I may be pronouncing that wrong.

2 MS. ANTOINE: I don't recall.

3 MR. LEE: What about below that, "Bill
4 McNally"?

5 MS. ANTOINE: Yes.

6 MR. LEE: Who is that?

7 MS. ANTOINE: He was a worker at the CAS.

8 MR. LEE: Is that when you were a child or
9 when you ---

10 MS. ANTOINE: Yes, when I -- he was one of
11 my workers, actually.

12 MR. LEE: What about "Sue Hopkins"?

13 MS. ANTOINE: I don't recall.

14 MR. LEE: It doesn't ring a bell? Down
15 below that, there's a slash and it says, "Early '80s" and
16 beside that, it appears to say "Father Malone" or "Father
17 Maloney"; and then beside that in quotes:

18 "Leave well enough alone".

19 MS. ANTOINE: Yes.

20 MR. LEE: Can you tell me about that note?
21 Does that make any sense to you?

22 MS. ANTOINE: When I had spoken to him, he
23 had told me to leave well enough ---

24 MR. LEE: Who is that?

25 MS. ANTOINE: Father Maloney.

1 **MR. LEE:** Father Maloney. Is that here in
2 Cornwall?

3 **MS. ANTOINE:** Yes, he's actually from the
4 church.

5 **MR. LEE:** Do you remember -- so this is
6 something you would have told the CAS workers when you met
7 with them?

8 **MS. ANTOINE:** Yes.

9 **MR. LEE:** Do you remember when you met with
10 Father Maloney?

11 **MS. ANTOINE:** I don't recall that day.

12 **MR. LEE:** Now, we know that this document is
13 from 1989 and beside Father Maloney's name we have "Early
14 '80s". Does that refresh your memory at all? In the early
15 '80s, you would have been in your early 20s. Is that
16 correct? You were born in 1960?

17 **MS. ANTOINE:** Yes, I'd be 20.

18 **MR. LEE:** Do you recall talking to Father
19 Maloney as a young adult? You would have been out of CAS
20 care at this time.

21 **MS. ANTOINE:** Probably, but I -- like I
22 said, I talked to so many people.

23 **MR. LEE:** So you can't be sure of the
24 timeframe on that?

25 **MS. ANTOINE:** Yeah.

1 MR. LEE: Do you recall talking to Father
2 Maloney?

3 MS. ANTOINE: Yes.

4 MR. LEE: And he was a priest at the time?

5 MS. ANTOINE: Yes.

6 MR. LEE: Do you know what church this was
7 at? Was it at church that you spoke to him?

8 MS. ANTOINE: I believe through the
9 confession. I believe.

10 MR. LEE: Okay.

11 MS. ANTOINE: I'm thinking it was St.
12 Columban's or something. I'm not sure of the church.

13 MR. LEE: St. Columban's here in Cornwall?

14 MS. ANTOINE: Yes. I could be wrong. I'm
15 not quite sure.

16 MR. LEE: Okay. The quote we have there is,
17 "Leave well enough alone".

18 Do you recall him saying that to you?

19 MS. ANTOINE: Yeah.

20 MR. LEE: And do you recall telling the CAS
21 workers about that after the fact?

22 MS. ANTOINE: Yes.

23 MR. LEE: What had you told him that he
24 wanted you to leave well enough alone?

25 MS. ANTOINE: I was telling him about the

1 abuse from this -- the care -- the foster homes that I was
2 in, both me and Lorraine. And he just told us to leave it
3 alone.

4 **MR. LEE:** To clarify, were you alone telling
5 him about abuse suffered by you and Lorraine or were you
6 and Lorraine both there, telling him about this?

7 **MS. ANTOINE:** I was alone in there.

8 **MR. LEE:** And you didn't just tell him about
9 yourself. You told him that Lorraine was involved as well.
10 Is that right?

11 **MS. ANTOINE:** Yes.

12 **MR. LEE:** Do you recall if you told him
13 about physical and sexual abuse you had suffered?

14 **MS. ANTOINE:** I told him about both.

15 **MR. LEE:** About both of those. Did the
16 conversation go any further than "Leave well enough alone"?

17 **MS. ANTOINE:** No. I left, and that wasn't
18 mentioned again.

19 **MR. LEE:** Sorry? You left or you laughed?

20 **MS. ANTOINE:** I left the church.

21 **MR. LEE:** You left. Okay.

22 Did you ever hear from Father Maloney on
23 that again?

24 **MS. ANTOINE:** No, but I had seen him when he
25 baptized my children.

1 MR. LEE: He baptized your children?

2 MS. ANTOINE: Yes.

3 MR. LEE: Was there any discussion about
4 that at all?

5 MS. ANTOINE: None.

6 MR. LEE: Do you know Father Maloney's first
7 name?

8 MS. ANTOINE: Kevin, I believe.

9 MR. LEE: Kevin? Other than Father Maloney,
10 did you ever disclose your abuse -- the abuse you suffered
11 while in CAS care to any other priest?

12 MS. ANTOINE: I don't recall.

13 MR. LEE: So just Kevin Maloney?

14 MS. ANTOINE: I believe so.

15 MR. LEE: Miss Antoine, those are all the
16 questions I have for you. Thank you very much for coming
17 here and telling your story.

18 MS. ANTOINE: Thank you.

19 THE COMMISSIONER: Arising out of that,
20 there's a notation in this document that you were
21 kidnapped?

22 MS. ANTOINE: Yes.

23 THE COMMISSIONER: Can you tell me about
24 that?

25 MS. ANTOINE: I'm not -- when I asked the

1 CAS what happened during that, I was told that I was at the
2 Reynens, and somebody had taken me. I was getting off the
3 school bus, and somebody had grabbed me. And I was told
4 the Reynens were supposed to get \$10,000 and put it in a
5 bag and drop it off at Wal-Mart. And I was told, as I got
6 older, when I questioned the Reynens about it, they said it
7 was a hoax. I don't have a clue what ---

8 **THE COMMISSIONER:** It says here, "Constable
9 Donald Sutherland, Mrs. Reynen paid this money in a local
10 garbage bag" or something like that. I can't -- so you
11 don't have ---

12 **MS. ANTOINE:** I have no idea.

13 **THE COMMISSIONER:** --- no idea. Okay. All
14 right. Good. Who is next? Mr. Neuberger, do you have any
15 questions?

16 **MR. NEUBERGER:** No, thank you very much.

17 **THE COMMISSIONER:** Thank you. Ms. Im.

18 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS. IM:**

19 **MS. IM:** Hi, Ms. Antoine. My name is Judie
20 Im. I am counsel with the Ministry of the Attorney
21 General. I only have a few questions for you as well.

22 I want to direct your attention first to the
23 investigation that you spoke about that was conducted by
24 Constable Malloy. Do you recall speaking about that with
25 my friend, Commission counsel? This was when you had come

1 to the attention of the CAS when they came to your house to
2 talk to you about your daughter.

3 MS. ANTOINE: Okay.

4 MS. IM: Okay? And so you disclosed to them
5 and they -- what resulted from that was eventually
6 Constable Malloy came to speak to you and he took a
7 statement from you?

8 MS. ANTOINE: Yes.

9 MS. IM: Okay. And I believe you told
10 Commission counsel when he asked you some questions that
11 your principal concern at that time was the physical abuse
12 by Mr. Keough that occurred while you were in care at the
13 Second Street group home in Cornwall. Do you recall saying
14 that in your testimony earlier with ---

15 MS. ANTOINE: Yes.

16 MS. IM: Okay. I don't know if you are
17 aware, but it's my understanding that Constable Malloy
18 investigated this allegation and sought a Crown opinion
19 with respect to charges. Are you aware of that?

20 MS. ANTOINE: No.

21 THE COMMISSIONER: Do you know what that
22 means, a Crown opinion?

23 MS. ANTOINE: No.

24 MS. IM: Okay. What he did was, let me
25 backtrack then. What he did was he requested the Crown's

1 opinion on his investigation and the evidence that he had
2 gathered and what the Crown, in their opinion, thought of
3 whether or not charges, criminal charges, were warranted.

4 **MS. ANTOINE:** Okay.

5 **MS. IM:** Okay. So it's my understanding
6 that he did, indeed, approach the Cornwall Crown attorney
7 at the time with the results of his investigation and he
8 sought an opinion from the Cornwall Crown Attorney. And
9 it's my understanding that the Crown Attorney of Cornwall
10 and Constable Malloy were of the opinion that there was
11 insufficient evidence to lay charges. Were you made aware
12 of that?

13 **MS. ANTOINE:** No.

14 **MS. IM:** No. Okay.

15 Let's move on then to the second time --
16 that was about three or four years after that when
17 Constable White was investigating the same allegations of
18 abuse while you were a ward at the Second Street group home
19 in Cornwall. Do you recall testifying about Constable
20 White earlier?

21 **MS. ANTOINE:** Yes.

22 **MS. IM:** Okay. And are you aware that
23 Constable White sought a Crown opinion on whether or not
24 charges should be laid ---

25 **MS. ANTOINE:** No, I'm not.

1 **MS. IM:** --- in that matter?

2 Okay. It's my understanding that indeed
3 Constable White sought a Crown opinion from the Regional
4 Director of Crowns and specifically on two aspects of your
5 allegation.

6 One is in respect of the physical abuse by
7 Mr. Keough while you were a ward at the Second Street group
8 home. And it was the Crown opinion that there was
9 insufficient evidence to lay charges because of the
10 limitation period for common assault which as a summary
11 conviction offence the`` six months had passed. Were you
12 ever made aware of that?

13 **MS. ANTOINE:** No, I didn't.

14 **MS. IM:** Anybody explain that to you?

15 **MS. ANTOINE:** No.

16 **MS. IM:** Okay. It's also my understanding
17 that he requested a Crown opinion in respect of another
18 part of your allegations and that's in respect of the
19 sexual abuse -- the alleged sexual abuse by Mr. Keough on
20 yourself as well as others in the Second Street group home.

21 It's my understanding that the Crown opinion
22 was that there was insufficient evidence to lay charges
23 because of a lack of confirmation of the conduct by other
24 wards at the Second Street group home. Were you made aware
25 of that?

1 **MS. ANTOINE:** No, I wasn't.

2 **MS. IM:** No. Okay.

3 Do you recall being advised -- I believe you
4 stated in your testimony earlier that you were advised by
5 Constable White that indeed no charges were going to be
6 laid with respect to these allegations?

7 **MS. ANTOINE:** Yes, he told me no charges
8 were going to be laid.

9 **MS. IM:** Okay. And indeed it's my
10 understanding that Constable White and an Inspector Trew
11 met with you on October 26 of 1994 to advise you that no
12 charges were going to be laid with respect to these
13 allegations. Do you recall that meeting? Two officers --
14 meeting with two officers?

15 **MS. ANTOINE:** Yes.

16 **MS. IM:** Vaguely recall? Okay.

17 Just moving on now to your allegations with
18 respect to your biological father, Ernest Lapointe.

19 I am going to ask you some questions about
20 that?

21 **MS. ANTOINE:** Okay.

22 **MS. IM:** Okay. Now, I understand that there
23 was an investigation conducted by a Constable Anna
24 DeGiovanni. Do you recall your testimony earlier when
25 Commission counsel referred you to her?

1 MS. ANTOINE: Yes.

2 MS. IM: Okay. And that you met with her a
3 couple of times and she took a statement from you.

4 Do you recall that?

5 MS. ANTOINE: Yes.

6 MS. IM: Okay. Now, your allegation about
7 Mr. Lapointe were with respect to a couple of things and
8 you testified earlier about that. One was some assaults
9 that took place when he visited you in the Anson group home
10 in Minden; correct?

11 MS. ANTOINE: Right.

12 MS. IM: Right. And then when you -- the
13 second involved when you were released into your father's
14 care and you went to live with him for a period of time in
15 Morrisburg; correct?

16 MS. ANTOINE: Right.

17 MS. IM: Okay. Now I don't know if you're
18 aware, but it's my understanding that a Crown opinion was
19 sought on whether or not to lay charges in respect to that
20 matter.

21 Were you made aware of that?

22 MS. ANTOINE: No.

23 MS. IM: Do you recall Constable DeGiovanni
24 telling you in a telephone conversation when you called her
25 to ask her what the status of the investigation was, that

1 she told you that she was seeking a Crown opinion and that
2 it was in the Crown's hands at that point.

3 Do you recall her calling you?

4 **MS. ANTOINE:** I don't recall.

5 **MS. IM:** No. Okay. In any event, it's my
6 understanding that a Crown opinion was sought and the Crown
7 opinion was that indeed charges were recommended. And
8 you're aware that charges were eventually laid against your
9 father?

10 **MS. ANTOINE:** Yes.

11 **MS. IM:** Okay. And do you know which --
12 there were four charges laid.

13 Are you aware of that?

14 **MS. ANTOINE:** No.

15 **MS. IM:** Okay. Well, it's my understanding
16 that there is a charge laid -- there were four charges laid
17 for rape, indecent assault, incest and gross indecency.
18 Does that trigger your recollection?

19 **MS. ANTOINE:** I just know that he was
20 charged.

21 **MS. IM:** Okay, that's fair. Fair enough.

22 And once this was done, it's my
23 understanding that Constable DeGiovanni called you and said
24 "Indeed, charges are going to be laid". Do you call her
25 doing that?

1 MS. ANTOINE: Yes.

2 MS. IM: Okay. And it's also my
3 understanding the same Crown who gave that Crown opinion
4 was also assigned to prosecute your case. Do you recall
5 that it was a female Crown ---

6 MS. ANTOINE: Yes, it was.

7 MS. IM: --- who was assigned to prosecute
8 your case? Okay. Do you recall meeting her a few times?

9 MS. ANTOINE: Yes.

10 MS. IM: Okay. Indeed, you testified twice.
11 Do you recall testifying twice? One at a prelim and the
12 other at a trial? One at a preliminary inquiry which took
13 place over one day? And the other at a trial which took
14 over three day?

15 MS. ANTOINE: I think so, yes.

16 MS. IM: Do you recall attending court
17 twice, two times apart, twice, to testify?

18 MS. ANTOINE: I'm not sure if it was for two
19 different -- I thought it was like Monday and Tuesday sort
20 of thing.

21 MS. IM: Okay. Yeah, perhaps in your mind,
22 you kind of blended them together.

23 But it's my understanding that you testified
24 at a preliminary -- what's called a preliminary inquiry
25 that takes place before a trial. And that this happened on

1 October 18 of 1994 and that you testified again at a three-
2 day jury trial which took place on January 16 of 1996.

3 Does that accord with ---

4 **MS. ANTOINE:** I guess so.

5 **MS. IM:** Okay.

6 **THE COMMISSIONER:** But you don't have any
7 independent memory of that?

8 **MS. ANTOINE:** No.

9 **MS. IM:** Okay. I understand that -- you
10 testified earlier that you do recall meeting with the Crown
11 a couple of times; right?

12 **MS. ANTOINE:** Yes.

13 **MS. IM:** It's my understanding that the
14 Crown met with you at least two times.

15 One time was on October 5th of 1994 and it
16 was in preparation for your testimony at the preliminary
17 inquiry and at that time, I understand from her notes, that
18 she explained to you what a preliminary inquiry was, what
19 you could expect in terms of the procedure and to kind of
20 prepare you to give testimony to the preliminary inquiry.

21 Do you recall a meeting where something like
22 that might have been explained to you?

23 **MS. ANTOINE:** Yes.

24 **MS. IM:** Yes? Okay.

25 And indeed Constable DeGiovanni met with you

1 as well, so it was all three of you meeting in the Crown
2 attorney's office.

3 MS. ANTOINE: Yes.

4 MS. IM: Okay. And it's my understanding
5 that there was a second meeting and that the second meeting
6 between you, the Crown attorney and also another OPP police
7 officer, a Constable Steve Seguin, took place on December
8 1st of 1995. And this was in preparation for the trial that
9 was coming up, and she kind of went through the same steps
10 again to prepare you for the trial.

11 Do you recall that? You don't recall the
12 specifics but you recall a second meeting?

13 MS. ANTOINE: Yeah.

14 MS. IM: Yes, okay, that's fair.

15 I understand that before trial, a day before
16 the three-day trial, so the trial I understand was
17 scheduled for January 16th, 17th and 18th, and there was a
18 motion on the day before scheduled for January 15 of 1996.

19 This Motion was an application for all -- it
20 was a Motion brought by the Defence counsel for your
21 father, and it was an application for all CAS records
22 concerning you. Do you recall that procedure?

23 MS. ANTOINE: No.

24 MS. IM: It is my understanding that you
25 retained independent counsel to represent your interests in

1 that matter. Do you recall that?

2 MS. ANTOINE: I don't remember that.

3 MS. IM: No, you don't remember that? Okay.

4 THE COMMISSIONER: So you would have had a
5 lawyer there helping you.

6 MS. ANTOINE: I don't believe I did.

7 MS. IM: No?

8 MS. ANTOINE: I thought it was just the
9 Crown Attorney.

10 THE COMMISSIONER: It's okay.

11 MS. IM: Do you recall opposing that request
12 for your CAS records by your father's lawyer? That you
13 were opposed to him getting your CAS records?

14 THE COMMISSIONER: So I just want to make
15 sure you understand. Do you remember the trial?

16 MS. ANTOINE: Yes.

17 THE COMMISSIONER: There was a jury there,
18 people ---

19 MS. ANTOINE: Yes.

20 THE COMMISSIONER: --- in a jury box? All
21 right. And before the trial, Ms. Im is saying that the
22 lawyer for your father got up and said, "I want a copy of
23 this young lady's Children's Aid records".

24 And at that time, another lawyer would have
25 popped up helping you with that problem. Does that help --

1 and I'm just asking you. If you don't remember, that's
2 okay.

3 **MS. ANTOINE:** Honestly, I don't remember.

4 **THE COMMISSIONER:** Okay.

5 **MS. IM:** Okay. That's fine. That's fine.

6 Do you recall it being a difficult trial,
7 that it was really hardly fought and it being, you know,
8 pretty, very contentious? Do you recall that?

9 **MS. ANTOINE:** Yeah, it was difficult.

10 **THE COMMISSIONER:** After you testified, did
11 you stay for the rest of the trial or did you leave?

12 **MS. ANTOINE:** I left.

13 **MS. IM:** Oh, okay.

14 **THE COMMISSIONER:** Okay.

15 **MS. IM:** Now, just a couple of things that
16 you said in your testimony about the trial. One was that
17 you said that you were never told the reasons for the
18 decision, and you recall that the jury came back and
19 acquitted.

20 **THE COMMISSIONER:** Well.

21 **MS. IM:** Found your father not guilty.

22 **MS. ANTOINE:** I was at home.

23 **MS. IM:** Right. And I think what you said
24 to Commission counsel, my friend, earlier was that you were
25 never advised of the reasons for why your father was found

1 not guilty?

2 MS. ANTOINE: No.

3 MS. IM: Okay.

4 MS. ANTOINE: Nobody told me.

5 MS. IM: Okay. I was wondering if you are
6 aware that in a jury trial, no reasons are given. It's
7 just a finding of guilt or not guilt on the counts. Were
8 you aware of that?

9 MS. ANTOINE: No.

10 MS. IM: Okay. The other thing that you
11 said in your testimony earlier and that I just wanted to
12 clarify was that after you returned to the Minden group
13 home, after you came back from your father's place in
14 Morrisburg ---

15 MS. ANTOINE: Yes.

16 MS. IM: --- my friend asked you if you had
17 received counselling or if you had spoken to -- or if you
18 had seen a doctor, and I believe what you had said earlier
19 was that you saw a doctor, and you had a pregnancy test
20 done?

21 MS. ANTOINE: Yes.

22 MS. IM: And that it came back positive.

23 MS. ANTOINE: Yes.

24 MS. IM: Okay. I just want to clarify. Are
25 you stating, are you alleging that your -- Ernest Lapointe

1 impregnated you?

2 **THE COMMISSIONER:** Are we -- is that really
3 necessary?

4 **MS. IM:** Okay, you know what? Let me just
5 -- let me get to my point. Was this anything that you had
6 advised either the investigating officer or the Crown
7 attorney at the time of the prosecution of Ernest Lapointe?
8 Were they aware of that? Had you told them that?

9 **THE COMMISSIONER:** That's a lot of questions
10 hanging.

11 **MS. ANTOINE:** Oh, okay.

12 **MS. ANTOINE:** I don't know what you said.

13 **THE COMMISSIONER:** Okay. All right.

14 **MS. IM:** Okay, no, no.

15 **THE COMMISSIONER:** Before you went and
16 testified at the trial of your father, okay, before, did
17 you know who the father was of this child?

18 **MS. ANTOINE:** Yes.

19 **THE COMMISSIONER:** Okay, that's through your
20 experience, but did you, at any time, learn of what the
21 test results were as to who the father was?

22 **MS. ANTOINE:** Yes.

23 **THE COMMISSIONER:** When did you know that?

24 **MS. ANTOINE:** Right after she was born.

25 **THE COMMISSIONER:** Okay. And that would

1 have happened -- she was born before the trial?

2 MS. ANTOINE: In '79.

3 THE COMMISSIONER: Right. Okay.

4 MS. IM: Did you advise either Constable
5 DeGiovanni or the Crown who conducted the prosecution of
6 your father's trial of the results of the test?

7 MS. ANTOINE: I don't recall.

8 MS. IM: Okay. It is my understanding that
9 that's not anything that they were aware of.

10 THE COMMISSIONER: Let's -- that's a
11 submission in the same way somebody might ask, why didn't
12 anybody ask?

13 MS. IM: Sorry?

14 THE COMMISSIONER: A rhetorical question.

15 MS. IM: Yes. We'll move on.

16 THE COMMISSIONER: M'hm.

17 MS. IM: Okay, just moving to my final
18 question. It is my understanding that during the
19 proceedings against your father, the prosecution against
20 your father, that Constable DeGiovanni, working in
21 conjunction with the Crown attorney, contacted you a number
22 of times to try to keep you apprised of the court
23 proceedings. Do you recall telephone conversations between
24 you and Constable Anna DeGiovanni about when your father
25 was arrested and when ---

1 **THE COMMISSIONER:** Okay. Your questions are
2 too long.

3 **MS. IM:** Sure.

4 **THE COMMISSIONER:** Too many questions.
5 Did the police officer call you and tell
6 you, "Hey, your dad has been arrested"?

7 **MS. ANTOINE:** Yeah, a female called me.

8 **THE COMMISSIONER:** From time to time?

9 **MS. ANTOINE:** Just once. She said he was
10 arrested, and I had to -- we had to go to court.

11 **THE COMMISSIONER:** Okay. But somebody then
12 phoned you up and told you, "Okay, well, now you have to
13 come and meet the Crown attorney for a meeting"?

14 **MS. ANTOINE:** Yes.

15 **THE COMMISSIONER:** And then somebody phoned
16 you and said you have to go to court?

17 **MS. ANTOINE:** Yes.

18 **THE COMMISSIONER:** Did they come and pick
19 you up or did they ---

20 **MS. ANTOINE:** I met them there.

21 **THE COMMISSIONER:** Right. So somebody, a
22 police officer presumably, called you from time to time to
23 tell you when to show up and when not to show up?

24 **MS. ANTOINE:** Yes.

25 **MS. IM:** Okay. Thank you.

1 **THE COMMISSIONER:** It helps in plain
2 English.

3 **MS. IM:** Sure.

4 I also understand that Constable DeGiovanni
5 also referred you to the Sexual Assault Support Services
6 for women. Do you recall ever being told about the Sexual
7 Assault Support Services for Women?

8 **MS. ANTOINE:** No.

9 **MS. IM:** How about being referred to Sex
10 Assault Hotline. Do you recall being told about the Sex
11 Assault Hotline?

12 **MS. ANTOINE:** No.

13 **MS. IM:** Or referred to one? Okay, thank
14 you very much for your time. Those are my questions.

15 **THE COMMISSIONER:** Thank you.

16 We are going to take the lunch break now.
17 Thank God. And then how much -- we will finish this
18 witness today; will we?

19 **MR. ENGELMANN:** I'll just canvas counsel who
20 are left about time.

21 **THE COMMISSIONER:** Oh, well, then maybe
22 we'll stay later.

23 **MR. ENGELMANN:** There is a request by
24 counsel for the OPP to speak to a matter concerning the
25 witness we had scheduled -- one of the witnesses we had

1 scheduled for tomorrow.

2 **THE COMMISSIONER:** All right. So why don't
3 we do that right at the lunch, after lunch.

4 **MR. ENGELMANN:** You want to do that right
5 after lunch?

6 **THE COMMISSIONER:** Yes. How long will it
7 take? Will it take very long?

8 **MS. SACCOCCIO-BRANNAN:** Ten minutes.

9 **THE COMMISSIONER:** Ten minutes. All right.

10 **MS. SACCOCCIO-BRANNAN:** That's from me, Mr.
11 Commissioner. I don't know if any other counsel will need
12 to go.

13 **THE COMMISSIONER:** Okay. In any event, we
14 are going to come back here at two.

15 I would like you to come back for two
16 o'clock, but you are not going to come on right away. All
17 right. So Miss Parish will speak with you and I'm going to
18 deal with another administrative matter, which might take
19 maybe half an hour. But after that, I want you to come
20 back on and hopefully we are going to try to have
21 everything finished for you today. All right?

22 **MS. ANTOINE:** Okay, thank you.

23 **THE COMMISSIONER:** Let's come back at two.

24 **THE REGISTRAR:** Order. All rise.

25 À l'ordre. Veuillez vous lever.

1 The hearing will resume at 2:00 p.m.

2 --- Upon recessing at 12:42 p.m. /

3 L'audience est suspendue à 12h42

4 --- Upon resuming at 2:02 p.m. /

5 L'audience est reprise à 14h02

6 **THE REGISTRAR:** The hearing is now resumed.

7 Please be seated.

8 Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good afternoon. Mr.

10 Engelmann.

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

12 Commissioner.

13 **THE COMMISSIONER:** Good afternoon.

14 **MR. ENGELMANN:** You had asked that the

15 matter be spoken to right after the lunch break.

16 **THE COMMISSIONER:** Right.

17 **MR. ENGELMANN:** So our witness is presently
18 in the witness support room and has been notified that this
19 could take approximately half an hour.

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

21 **MR. ENGELMANN:** I have also canvassed
22 counsel and I believe that we will require the remainder of
23 the afternoon to finish the evidence of Ms. Antoine.

24 **THE COMMISSIONER:** Okay.

25 **MR. ENGELMANN:** So the matter that is just

1 to be spoken to briefly orally is we were informed this
2 weekend of a request by the OPP. It is more an objection
3 to the evidence ---

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

5 **MR. ENGELMANN:** --- that was scheduled to
6 commence tomorrow morning.

7 I'm not going to mention the person's name
8 because Christine Morris, one of my colleagues who is going
9 to be leading this evidence, was going to be seeking some
10 confidentiality measures.

11 In any event, this is a client of Mr. Lee's.
12 He's concerned about confidentiality.

13 I've spoken to Ms. Brannan and Mr. Lee. I
14 haven't had a chance to speak to other counsel, but I don't
15 see any need to mention this person's name ---

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

17 **MR. ENGELMANN:** --- in order to deal with
18 this issue.

19 As I understand the argument, and I'll wait
20 and listen to it before I respond to it, the concern is
21 that the leading of this evidence falls outside the mandate
22 of the Commission from the Order-in-Council.

23 So perhaps we'll just hear from Ms. Brannan
24 and other counsel who may wish to comment on the issue and
25 the process, and I'll certainly have some comments as well.

1 THE COMMISSIONER: All right.

2 MR. ENGELMANN: Thank you.

3 THE COMMISSIONER: Ms. Brannan, what's this
4 all about?

5 --- SUBMISSIONS ON JURISDICTION MATTERS BY/REPRÉSENTATIONS
6 SUR LES MATIÈRES DE JURISDICTION PAR MS. SACCOCCIO-BRANNAN:

7 MS. SACCOCCIO-BRANNAN: I beg your pardon,
8 sir?

9 THE COMMISSIONER: What's this all about?

10 MS. SACCOCCIO-BRANNAN: This is in respect
11 of the next -- the proposed witness that's next, and the
12 anticipated evidence that was received on Friday at 5:00
13 p.m. indicated to us that it is -- and it is our submission
14 that this evidence falls outside the Terms of Reference.

15 THE COMMISSIONER: M'hm.

16 MS. SACCOCCIO-BRANNAN: The allegations that
17 will be spoken to by this particular witness is in respect
18 of a sexual assault when she was 16 years of age. The
19 sexual assault, as I understand it from the AE, occurred on
20 December the 8th of 1993. The alleged perpetrators were 16
21 and 17 years of age and it was reported on December the 9th
22 of 1993 to the Alexandria Police Service, who then
23 realized, once the investigation ensued, that the matter
24 was within the jurisdiction of the Ontario Provincial
25 Police, and then the matter was handed over to the OPP.

1 And I think that's all that's necessary to
2 be known in order to understand the submissions that I'll
3 make regarding whether this falls inside or outside the
4 Terms of Reference. It's our submission that it falls
5 outside.

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

7 **MS. SACCOCCIO-BRANNAN:** And in that regard,
8 I turn to the Order-in-Council setting out your Terms of
9 Reference at paragraph 2, where it says:

10 "The Commission shall enquire into and
11 report on the institutional response of
12 the justice system and other public
13 institutions..."

14 And I'll move down to:

15 "...in relation to..."

16 And here are the operative words:

17 "...allegations of historical abuse of
18 young people in the Cornwall area..."

19 And the rest is not necessary. It's the words "historical
20 abuse" that are the operative words.

21 It's the position of the Ontario Provincial
22 Police that an allegation of sexual assault, having
23 occurred on December the 8th of 1993 and reported on
24 December the 9th of 1993, is not historical abuse. This
25 Commission of Inquiry's Terms of Reference deal with

1 allegations of historical abuse, not historical allegations
2 of abuse.

3 Now, it may be, Mr. Commissioner, that you
4 agree with us that the timing of the assault and the
5 reporting of the assault do not fall within your Terms of
6 Reference. However, if you do not agree with us, I then
7 turn to section 6 of the *Public Inquiries Act*.

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

9 **MS. SACCOCCIO-BRANNAN:** And there are five
10 steps that we're required to follow in dealing with the
11 stated case and, in particular, section 6(1) states:

12 "Where the authority to appoint a
13 Commission under this Act...

14 And we certainly aren't in that area.

15 "...or the authority of the Commission
16 to do any act or thing proposed to be
17 done or done by the Commission in the
18 course of its inquiry is called into
19 question by a person affected."

20 So at this point we have the calling of the
21 evidence of this individual; the Ontario Provincial Police,
22 a party with standing, calling it into question. It then
23 says:

24 "The Commission may have its own motion
25 or upon request of such a person state

1 a case."

2 So at this point, if you do not agree with
3 us, you may state a case to the Divisional Court and at
4 this point we make that request that you do so.

5 In the event that you decide to refuse to
6 state a case, the person requesting may apply to the
7 Divisional Court for an order directing the Commission to
8 state such a case.

9 And then where the case is stated, the
10 Divisional Court hears it and determines it in a summary
11 manner and while that is going on, that particular subject
12 matter of the stated case is stayed. In this particular
13 case, unlike *Starr*, it does not shut down this inquiry. It
14 only addresses the evidence of that witness and that
15 witness' mother. There are two witnesses involved.

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

17 **MS. SACCOCCIO-BRANNAN:** And that, simply
18 put, is where we're at. I don't intend to argue the
19 merits. There's no need to do that because of the timing
20 of the assault and then the timing of the reporting of the
21 assault. I don't believe it fits within the -- I would
22 submit that it doesn't fit within the Terms of Reference,
23 particularly the words "historical abuse".

24 **THE COMMISSIONER:** Thank you.

25 Ms. Daley, do you wish to make any comments?

1 --- REPLY ON JURISDICTION MATTERS BY/RÉPLIQUE SUR LES
2 MATIÈRES DE JURISDICTION PAR MS. DALEY:

3 **MS. DALEY:** Yes, thank you for that
4 opportunity.

5 I have two principal submissions, Your
6 Honour. First, I will make some submissions to you as to
7 the Terms of Reference because in my respectful view, the
8 proposed evidence of this witness and her mother are within
9 the terms, and then secondly, I want to make some
10 submissions to you concerning the evidentiary value of this
11 proposed evidence in relation to evidence that we've heard
12 already.

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

14 **MS. DALEY:** All right?

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

16 **MS. DALEY:** So on the Terms of Reference
17 themselves, my friend, Ms. Brannan, is quite right to point
18 out the language "historical abuse" within 2(a), but I
19 would just ask you please to note that there are certainly
20 other provisions that are not so limited.

21 Section -- one moment -- section 2(b), for
22 example, refers to allegations of abuse. So there's no
23 limiting words. The adjective "historical" is not found
24 there.

25 Similarly, section 3 of the mandate makes it

1 clear that this Commission is to enquire into and report on
2 processes, services, et cetera, that would encourage
3 community healing and reconciliation in Cornwall.

4 Again, that's not an aspect of the mandate
5 that is limited or qualified to historic abuse.

6 So my primary submission as to the
7 interpretation of the mandate, sir, is that if the intent
8 was to completely restrict the focus of this Inquiry to
9 historic abuse, then the limiting language would also have
10 been found within 2(b) and section (c), and it's not.

11 So on the face of the document, Your Honour,
12 my submissions would be that there is no intended limit.

13 But let me just comment briefly on the
14 second point, which is the evidentiary value, the
15 prospective evidentiary value of this evidence, and in that
16 respect I would suggest this.

17 As you, of course, know, we have heard ample
18 evidence from the OPP that they treat historic sexual abuse
19 allegations in the same manner as they treat and
20 investigate what I might call current allegations; that is
21 to say an allegation where there is no time gap between the
22 occurrence and the reporting.

23 And I gather that it has been stated here,
24 very firmly, that the training, the approach to the
25 investigation is the same regardless whether the assertion

1 is an historic one or a current one.

2 We have -- I would suggest that that would
3 then render it relevant for this Commission to look into
4 how, indeed, they did treat the allegation in the year 1993
5 when it was brought forward as a current allegation. It
6 will allow the Commissioner to test that assertion.

7 I think another aspect of the evidence
8 that's been heard so far is that between the years 1985 and
9 1990, there was a learning curve in place in terms of how
10 police forces investigate and dealt with sexual assault and
11 abuse allegations.

12 The proposed evidence deals with occurrences
13 and the reporting of occurrences in 1993. Again, receiving
14 that evidence, Mr. Commissioner, would allow the Commission
15 to test or to measure how, indeed, the forces responded to
16 an assault allegation after their learning curve was over.
17 In other words, again, it provides a means to allow you to
18 assess and to evaluate the evidence that you've heard.

19 I would conclude with one final point. The
20 witness that we've just finished with this morning is a
21 person who unfortunately, for whatever reason, was not able
22 to bring forward allegations at the time they were in fact
23 current.

24 We now have the proposed testimony of a
25 person who was able to do that. She did come forward when

1 it was current and I gather she came forward with her
2 mother's support.

3 I think it would instructive for the
4 Commission to hear about how that person was dealt with,
5 because we've heard a great deal about what happens when
6 people can't come forward. When they do come forward at a
7 time that's current to the events, I think it would be of
8 interest to the Commission to know how the investigation
9 ensued and how it was dealt with.

10 So those are my submissions. The latter
11 points just really go to the relevance of this 1993
12 testimony to the Commission's mandate.

13 Thank you.

14 **THE COMMISSIONER:** Thank you.

15 Mr. Lee.

16 ---REPLY ON JURISDICTION MATTERS BY/RÉPLIQUE SUR LES
17 MATIÈRES DE JURISDICTION PAR MR. LEE:

18 **MR. LEE:** Good afternoon, Mr. Commissioner.

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

20 **MR. LEE:** As I believe Mr. Engelmann stated,
21 I act for the witness, and as Ms. Brannan stated, her
22 mother would also be called. I do not act for the mother.

23 I suppose I should start by saying that I
24 fully adopt the submissions of Ms. Daley. She's cut down
25 on what I wanted to say by a fair bit. I think she's

1 analyzed this right.

2 Starting with her second point, in terms of
3 relevance, putting the argument about the mandate, is
4 clearly the evidence that she would give would be relevant.
5 She dealt with two police forces. She dealt with several
6 officers during that time. It was in relation to an
7 allegation of sexual assault. Clearly they are relevant
8 things and they're the kind of things that we've been
9 dealing with her that she has to say.

10 So the issue really is about the meaning, as
11 Ms. Brannan states, the issue of the meaning of historical
12 abuse.

13 As Ms. Daley said, she's pointed you to
14 other sections. I would also point out that the preamble
15 to the Order-in-Council speaks of whereas allegations of
16 abuse of young people, the word historic or historical is
17 not included there either.

18 The only other point that I wanted to make,
19 sir, is that it seemed to be a given from the start of this
20 Inquiry that anything that occurs in terms of institutional
21 responses or allegations of abuse after the date the Order-
22 in-Council came down, is outside the scope of this Inquiry.
23 In that sense, we're looking at things that were historic,
24 vis-à-vis the mandate, vis-à-vis the calling of the
25 Inquiry.

1 There's no definition in the mandate
2 obviously for the term historical or historical abuse, and
3 it seems to me that when we're -- when you, specifically,
4 are trying to decide what your mandate is and what your
5 mandate means, that some thought should be given to the
6 fact that you are being asked to run this Inquiry looking
7 at what happened before it was called, whether that was a
8 day before it was called, whether it was two years before
9 it was called, and I would submit that references to
10 historic or historical may well have reference to prior to
11 that date and not necessarily to the -- vis-à-vis the
12 assault to the allegation.

13 Unless you have any questions, I don't have
14 anymore to add, I think.

15 **THE COMMISSIONER:** No. The only comment I
16 have is the live feed's not on so they missed your
17 submission.

18 **MR. LEE:** I can go back from the top if you
19 like.

20 **THE COMMISSIONER:** Rewind.

21 **(LAUGHTER/RIRE)**

22 **THE COMMISSIONER:** So I'm looking over at
23 our -- how do we get the live feed back?

24 Five minutes?

25 So I think it's important for the folks who

1 are listening. Why don't we take a five minute break and
2 then we'll continue on.

3 **THE REGISTRAR:** Order. All rise. A
4 L'ordre. Veuillez vous lever.

5 --- Upon recessing at 2:19 p.m./L'audience est suspendue à
6 14h19

7 --- Upon resuming at 2:34 p.m./L'audience est reprise à
8 14h34

9 **THE REGISTRAR:** The hearing is now resumed.
10 Please be seated. Veuillez vous asseoir.

11 **THE COMMISSIONER:** Thank you.

12 I understand that we are not visually being
13 transmitted because the link is down, however, the audio is
14 still functioning. Is that correct? All right.

15 So, Mr. Lee, fortunately people were able, I
16 take it, to hear your eloquent submissions, however, they
17 were not able to see you and so that will be some
18 consolation I guess. We were all here and we heard you, so
19 that's what counts really.

20 In any event, all kidding aside, this is a
21 serious matter.

22 What I propose to do is to continue on, and
23 if the video comes back we'll advise people, otherwise,
24 there is the transcript and I think we just have to forge
25 on as best we can.

1 So Mr. Lee, you had completed your
2 submissions?

3 **MR. LEE:** I had.

4 **THE COMMISSIONER:** All right.

5 So now we'll go to Mr. Chisholm.

6 **MR. CHISHOLM:** Good afternoon, sir.

7 No submissions.

8 Thank you.

9 **THE COMMISSIONER:** All right.

10 Mr. Neuberger.

11 **---REPLY ON JURISDICTION MATTERS BY/REPRÉSENTATIONS SUR LES**
12 **MATIÈRES DE JURISDICTION PAR MR. NEUBERGER:**

13 **MR. NEUBERGER:** Good afternoon, Mr.
14 Commissioner.

15 **THE COMMISSIONER:** Good afternoon.

16 **MR. NEUBERGER:** Thank you.

17 My position, on behalf of my client, is I'm
18 in agreement with the OPP on this particular issue for a
19 couple of reasons, and if I can just state it this way.

20 The concept of historical abuse, I think,
21 that we've been operating under is more in line with what
22 I've understood always as the distinctive meaning that I've
23 known for historical abuse or historical sexual abuse,
24 which tends to regard allegations that are not made. at or
25 near the time of the actual alleged acts, and for obvious

1 reasons which make historical allegations more unique and
2 require different types of processes to work with in order
3 to investigate and then prosecute. That's why they have
4 their own particular meaning.

5 I think when we look at, I guess, an issue
6 of evaluation, as suggested by Ms. Daley, in order to see
7 where the police have come on their curve by 1993, I think
8 that actually brings to bear a particular point that, how
9 do we determine what allegations of sexual assaults are to
10 be inquired into in that comparison. Because I can assume
11 that in any given month or year, there may be dozens or,
12 unfortunately, even larger numbers of sexual assault
13 allegations reported, investigated, and then ultimately
14 sent for prosecution.

15 So the issue becomes how do we determine
16 which allegations of sexual assaults are we to inquire into
17 in making an assessment of sort of the learning curve in
18 1993, or for that matter 1994, in order to assess where
19 they are?

20 What I think is of poignant interest to us
21 are the investigative methods and the process, and so later
22 on we'll have, I guess, towards the fall, to call these
23 police agencies and inquire into the techniques that were
24 used throughout the years, which we've known about through
25 the contextual and expert evidence, and focus on, for

1 example, 1993 and 1994 and look at the evolution of
2 techniques. If there are differences between investigating
3 assaults versus historical abuse where there are specific
4 specialties which developed over time. I think that is an
5 extremely fruitful avenue and, of course, well within the
6 mandate to do at the Inquiry.

7 But when we look at it from the standpoint
8 of a complainant or a victim, if we pick one or two in any
9 given year, does it provide us with the broad scope that we
10 need in order to make that type of evaluation?

11 And I think that's what comes back to the
12 definition of historic abuse or historical sexual abuse.
13 It has a particular meaning within the Terms of Reference
14 which we have and a particular set of allegations which had
15 come forward at a particular time, some that hadn't, but it
16 was a distinct set of players involved in this. And when
17 we look at the term "abuse" as well, generally, most of the
18 evidence, if I'm correct, deals with individuals as the
19 perpetrators who were in some position of trust.

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

21 **MR. NEUBERGER:** As opposed to an individual
22 who may be the same age as the complainant not sharing any
23 position of trust. Again, there are very unique aspects to
24 that, which is extremely important for us to look into.

25 So on that basis, in sort of -- just short

1 right now, it is my position that on this particular point,
2 what I viewed from the evidence that is to be proffered of
3 this witness doesn't fall within the mandate, as I see it.

4 **THE COMMISSIONER:** Can I just ask you?

5 **MR. NEUBERGER:** Sure.

6 **THE COMMISSIONER:** First of all, I think it
7 is safe to assume that in a vast majority of cases, our
8 police forces throughout Ontario are doing a great job. So
9 I don't think that is the question. The question is, let's
10 assume for a minute that in 1995 that we see they're making
11 the same -- not making a progression ---

12 **MR. NEUBERGER:** M'hm.

13 **THE COMMISSIONER:** --- maybe regressing or
14 -- so it's not necessarily of saying, well, look it, you're
15 only focussing on the bad cases. It's a question of saying
16 are -- and I don't want to -- let's put it out like this.
17 The same mistakes are being done over again or are being
18 continued.

19 Wouldn't that be relevant, as opposed to ---

20 **MR. NEUBERGER:** Oh, I completely understand
21 your line of inquiry on that and why it's relevant, and I
22 think it's a good point.

23 It's just that if we were operating on the
24 basis of historical abuse in a particular set of
25 circumstances and then we want to take a look at are the

1 police agencies learning?

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

3 **MR. NEUBERGER:** Are they developing
4 techniques which are more specialized to deal with
5 complaints in general, not just historical sexual abuse? I
6 think what we need then is a sampling of a number of cases
7 over a number of years in order to give a comprehensive
8 view of whether that is borne out. Whether they are
9 learning from maybe some mistakes that were made in the
10 past; have they developed the techniques; are they
11 implementing them?

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

13 **MR. NEUBERGER:** I understand that line of
14 inquiry, and I think that is a very relevant line of
15 inquiry, but it would require us, I think, to give a larger
16 view of those investigations in order to have a true
17 understanding of, are they developing those techniques and
18 implementing them.

19 That would be my response.

20 **THE COMMISSIONER:** All right. And just to
21 cover that off.

22 **MR. NEUBERGER:** Sure.

23 **THE COMMISSIONER:** I am using the word
24 "mistake" as a hypothetical. We haven't -- we are not even
25 there yet.

1 **MR. NEUBERGER:** No, I understand. Yes, I
2 understand. This is what we anticipate if there were
3 difficulties because of certain things not done. I
4 completely understand.

5 **THE COMMISSIONER:** All right. No, just for
6 the public and everyone else, it's just an example. So
7 nothing has been determined until all of the evidence is
8 heard.

9 **MR. NEUBERGER:** We're in a bit of an
10 abstract at the moment.

11 **THE COMMISSIONER:** Exactly. All right,
12 thank you very much, sir.

13 **MR. NEUBERGER:** Thank you very much.

14 **THE COMMISSIONER:** Ms. Im.

15 --- **REPLY ON JURISDICTION MATTERS BY/REPRÉSENTATIONS SUR**
16 **LES MATIÈRES DE JURISDICTION PAR MS. IM:**

17 **MS. IM:** Thank you, Mr. Commissioner.

18 The Ministry agrees with the definition of
19 historic abuse that has been espoused by my friend and from
20 NCSS and the OPP. As well, we support their position that
21 it's because of the definition of historic sex abuse that
22 it does not fall within the mandate of this Commission of
23 Inquiry.

24 We adopt my friend Mr. Neuberger's arguments
25 about relevance, and there are some suggestions that we

1 wish to make on a without-prejudice basis to our position
2 that just as ways -- of exploring ways of perhaps making
3 the evidence of these witnesses acceptable, which might be
4 along the lines of, for example, not naming any individual
5 officers; not requiring institutional response with respect
6 to the events that are described; by agreeing that no
7 section 7 notice will arise out of these alleged events.
8 Perhaps there are other alternative measures that could be
9 agreed on amongst counsel.

10 Those are my submissions, sir. Thank you.

11 **THE COMMISSIONER:** All right. Mr.
12 Manderville.

13 **MR. MANDERVILLE:** Good afternoon, Mr.
14 Commissioner.

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

16 --- REPLY ON JURISDICTION MATTERS BY/REPRÉSENTATIONS SUR
17 LES MATIÈRES DE JURISDICTION PAR MR. MANDERVILLE:

18 **MR. MANDERVILLE:** I note that I'm not on
19 screen and that doesn't disappoint me. I've been told I
20 have a good face for radio.

21 (LAUGHTER/RIRES)

22 **MR. MANDERVILLE:** I adopt Ms. Brannan's
23 submissions and those of Mr. Neuberger.

24 The only point I would add, sir, is some
25 months ago, you heard from my client in their corporate

1 presentation, and heard evidence to the effect that my
2 client, on average, investigates roughly 1,100 sexual
3 assault allegations per year. If this sort of evidence
4 that is in issue is something that falls within the mandate
5 of this Commission, then all of those are in play. And I
6 don't think, I submit, that that is why this Inquiry was
7 called.

8 Thank you very much.

9 **THE COMMISSIONER:** Thank you.

10 Mr. Wallace.

11 **MR. WALLACE:** Good afternoon, sir.

12 **THE COMMISSIONER:** Good afternoon.

13 --- REPLY ON JURISDICTION MATTERS BY/REPRÉSENTATIONS SUR
14 LES MATIÈRES DE JURISDICTION PAR MR. WALLACE:

15 **MR. WALLACE:** The OPPA supports the position
16 put forward this afternoon by the OPP; that is that the
17 proposed evidence falls outside of the mandate as set out
18 in the Order-in-Council.

19 Additionally, with respect to the point that
20 Mr. Neuberger made, I would support that position and add
21 the following thought for your consideration.

22 A sample of one really, in my respectful
23 submission, would do nothing to inform you on the issue
24 that you would be looking at, that is whether there has
25 been a progression on the learning curve. And to then get

1 involved in an exercise as outlined by Mr. Manderville, in
2 my respectful submission, would change the focus entirely
3 of the hearings, and it would lead you astray from, really,
4 the task at hand. It would be a distraction to you.

5 Thank you.

6 **THE COMMISSIONER:** Thank you. Ms.
7 Tymochenko.

8 **MS. TYMOCHENKO:** I have no submissions.
9 Thank you.

10 **THE COMMISSIONER:** No comments, all right.
11 Mr. Marshall.

12 **MR. MARSHALL:** We have no submissions.
13 Thank you.

14 **THE COMMISSIONER:** Thank you. Mr.
15 Engelmann.

16 --- REPLY ON JURISDICTION MATTERS BY/REPRÉSENTATIONS SUR
17 LES MATIÈRES DE JURISDICTION PAR MR. ENGELMANN:

18 **MR. ENGELMANN:** The word "historical" is
19 used in one place in the Order-in-Council. We have heard
20 the term "historical" used for a number of different
21 things, and I don't intend to make an argument, but what I
22 intend to do is put out a problem. A problem that, quite
23 frankly, Commission counsel didn't think we had until this
24 weekend.

25 We have been treating the word "historical"

1 and, as I said, it's used in one case together with the
2 word "abuse". The word "abuse" finds itself at other
3 places as well, but we have been treating it to mean abuse
4 that occurred prior to the Order-in-Council. We have never
5 tied the word "historical" or restricted it to when the
6 abuse was reported.

7 We have done so for a number of reasons.
8 First of all, we believe in a broadened level of
9 interpretation of the mandate. We have never seen the word
10 "historical" tied to reporting. And, I guess, just
11 thinking about it since Saturday morning when I read about
12 this, what could it possibly mean if we were talking about
13 reporting only? Would it mean that we were only to examine
14 cases where adults have come forward to talk about the
15 sexual abuse they suffered as children? Of course, that's
16 not what we've been doing for the last year-and-a-half.

17 I guess this is why I was so surprised by
18 the email and by, quite frankly, the comments that I've
19 just heard.

20 Right from the start of this Inquiry, we
21 have been looking at when abuse occurred and we've been
22 looking at an evolution of how institutions have responded
23 to that abuse, whether the abuse was abuse that was
24 reported by children or whether it was abuse reported by
25 adults about when they were children.

1 And we've heard a lot of evidence over the
2 last year-and-a-half that, according to some of the
3 submissions I've just heard, has been outside of our
4 mandate. For example, all of our context experts talked
5 about how -- whether it be abuse reported by children or
6 abuse reported by adults when they were children, when we
7 go back to Drs. Wolfe and Jaffe, they talked about the
8 effect on both children and adult survivors. If we look at
9 the evidence of Dr. Bala ---

10 **THE COMMISSIONER:** Not Dr. Bala.

11 **MR. ENGELMANN:** Professor Bala. Sorry, I'm
12 old school with the Ph.D. Oh no, he doesn't have one.
13 There we go. Professor Bala.

14 The evolution of the law and how it evolved
15 both for child witnesses and for adult witnesses talking
16 about abuse as children.

17 We had evidence from Wendy Harvey dealing
18 with the prosecution of these cases, both from the
19 perspective of the child witness; in other words, the
20 current report, or the adult witness, the aged or
21 historical.

22 Wendy Leaver, about how police should be
23 investigating both the current and the historical cases,
24 the aged cases.

25 John Liston talked to us about both; Nico

1 Trocmé. I could go on. Every single context expert that
2 we called has dealt with either or both current and aged
3 reporting.

4 The same with the corporate policy evidence
5 we heard from all of these institutions. We've heard about
6 how they investigated current cases and how they
7 investigated aged cases, and we've heard about that over
8 time, the evolution. We heard about it from the Ministry
9 of the Attorney General, Mary Nethery. We also heard about
10 it from Sonia Faryna with respect to the support services
11 available for children and for adult survivors. Every
12 single institution, every single context expert, we've
13 looked at both and we've looked at it historically; in
14 other words, from some time in the past to the date of the
15 Order-in-Council.

16 We've even done it with the victims. We
17 started with our very first witness, Larry Seguin. He
18 reported as a child on the day it happened. He reported to
19 the Cornwall Police Service; Jason Tyo, Scott Burgess.
20 There were a few others. I mean, the vast majority have
21 been adults reporting historical sexual -- historical child
22 sexual abuse, but that has been a major part of the
23 evidence we have called.

24 Are the institutions now asserting that
25 we've led a lot of evidence that is outside of our mandate?

1 And if so, why haven't we heard about it?

2 We hear about it days before a witness is
3 called. Now, the anticipated evidence summary did go out
4 Friday at 5:00. The witnesses in question were identified
5 weeks ago as witnesses we were calling. The party bringing
6 this request knew when matters were reported or not. So
7 for all sorts of reasons, I would have thought this issue
8 would have been dealt with at least weeks ago, but
9 preferably months ago, or perhaps at the very start of this
10 Hearing, if in fact this is a real concern.

11 So what do we do now? You've been asked to
12 state a case, and that's your decision whether you wish to
13 do that or not. If you don't, then it's a party's decision
14 whether or not they want to bring this to the Divisional
15 Court.

16 But let's say it goes there, and let's say
17 the Divisional Court disagrees with the approach that
18 Commission counsel have taken throughout, that this is not
19 Project Truth II; this is broader than that. We have a
20 broad and liberal interpretation to a mandate and
21 historical abuse is abuse that has occurred before the
22 mandate. And, of course, your task was making all sorts of
23 recommendations about how institutions should respond to
24 child sexual abuse. So are you now just going to report on
25 how they respond to historical child sexual abuse; that is,

1 sexual abuse where adults have come forward to report?

2 I pose those questions because I am
3 concerned. I am concerned that an argument like this is
4 being made in June of 2007. We've been leading this
5 evidence since February of last year.

6 Unless you have any questions, sir, those
7 are some brief comments.

8 **THE COMMISSIONER:** Thank you.

9 Ms. Brannan?

10 **--- FURTHER SUBMISSIONS BY/REPRÉSENTATIONS SUPPLÉMENTAIRE**
11 **PAR MS. SACCOCCIO-BRANNAN :**

12 **MS. SACCOCCIO-BRANNAN:** Yes, sir.

13 **THE COMMISSIONER:** What's the test I'm
14 supposed to use in determining whether or not I should
15 accept your suggestion to stay the case?

16 **MS. SACCOCCIO-BRANNAN:** What is the test?

17 **THE COMMISSIONER:** Yes. Like what's the
18 standard?

19 **MS. SACCOCCIO-BRANNAN:** There is no
20 standard, Mr. Commissioner. It's whether you are, just as
21 Justice Grange was or wasn't in the *Sick Children's* cases,
22 comfortable with the jurisdiction under your Terms of
23 Reference. If you look at your Terms of Reference and you
24 say to yourself, "You know, Ms. Brannan's all washed up; I
25 am not going to stay the case."

1 THE COMMISSIONER: Right.

2 MS. SACCOCCIO-BRANNAN: "I do have
3 jurisdiction to deal with this particular evidence," that's
4 all that matters is how you feel about your jurisdiction.

5 That being said, Mr. Commissioner, let me be
6 very clear with respect to the position of the OPP. In
7 listening to Mr. ---

8 THE COMMISSIONER: Is this coming off the
9 wire here?

10 MS. SACCOCCIO-BRANNAN: No, no, no. It's
11 been written.

12 Listening to Mr. Engelmann here, it seems as
13 if he thinks that what we're trying to do is turn this
14 Inquiry upside down, and that is not the case.

15 You had asked us back in February and said
16 to us -- February of '05 -- '06 -- February of '06, that if
17 we had a concern with respect to how you were managing your
18 mandate, that we were to bring it to your attention. That
19 is all we are doing here today.

20 I would like an opportunity to respond to
21 two issues.

22 THE COMMISSIONER: Before you get there,
23 help me out here.

24 MS. SACCOCCIO-BRANNAN: Yes.

25 THE COMMISSIONER: I can't understand --

1 like, if I say no ---

2 **MS. SACCOCCIO-BRANNAN:** Yes.

3 **THE COMMISSIONER:** --- and I give you
4 reasons, and then you're going to go to the Divisional
5 Court, and I'm just looking at logistics, because one of
6 the problems that we -- one of my concerns is the witnesses
7 who are geared to come; they've taken time off, this and
8 that, and then we're putting the brakes to them, and
9 especially alleged victims, that might cause them some
10 trauma.

11 So what happens at Divisional Court? What
12 is their standard of review? I mean, are they just going
13 to say ---

14 **MS. SACCOCCIO-BRANNAN:** It's strictly an
15 interpretation of the Terms of Reference in relation to the
16 type of -- in this case, in relation to the type of
17 evidence that will be called.

18 **THE COMMISSIONER:** Right.

19 **MS. SACCOCCIO-BRANNAN:** I suspect that with
20 respect to the term "historical abuse" as found in the
21 Terms of Reference -- I don't suspect, I know -- we've
22 already pulled each and every one of the contextual
23 experts' evidence where they have defined the term.

24 It came as a huge surprise to us that
25 historical, from Mr. Engelmann's point of view, means prior

1 to the calling of this particular Inquiry, when I can read
2 to you from the transcripts Mr. Engelmann's own definition
3 of historical abuse.

4 **THE COMMISSIONER:** Right.

5 **MS. SACCOCCIO-BRANNAN:** And I'm happy to
6 provide that and Mr. Lee's as well, because that came as a
7 bit of a surprise to me.

8 Each one of the contextual experts talked
9 about historical child abuse or historical abuse as being
10 abuse that occurred when the child -- when the person was a
11 child and coming forward later on when they are an adult.

12 And they talked about abuse, and abuse in
13 the sense of a child being abused by a person in a position
14 of trust. That is not what we have here in respect of the
15 evidence of the next witness. This is a 16-year old woman
16 who's sexually assaulted by 16 and 17 year-old boys,
17 allegedly, and then reports it the next day.

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

19 And I agree with what -- Mr. Neuberger has
20 taken the words right out of my mouth in respect to Ms.
21 Daley's submissions.

22 How can just one case like that measure the
23 response of the institution? I don't even think we get
24 there when we look at the Terms of Reference, and I say
25 that because when I look at the preamble -- and I can

1 recall in the argument in *Starr* how important it was to
2 both the divisional -- the Court of Appeal and the Supreme
3 Court of Canada -- when we presented our argument, it was
4 all about the terms of reference and how those were to be
5 interpreted. Yes, there was law on the constitutionality
6 issue there, but it was strictly related to the terms of
7 reference.

8 And if you look at the preamble:

9 "Whereas allegations of abuse of young
10 people have surrounded the City of
11 Cornwall and its citizens for many
12 years..."

13 We know that what we're talking about here
14 is the allegations that we have been dealing with regarding
15 the diocese; that we've been dealing with regarding
16 probation; that we've been dealing with regarding the CAS.
17 We have not been -- the allegations of abuse of young
18 people surrounding the City of Cornwall and its citizens
19 for many years, is not about what the next witnesses
20 evidence is about.

21 **THE COMMISSIONER:** Okay. But what about the
22 argument that we've already heard, like from Mr. Seguin at
23 the beginning?

24 **MS. SACCOCCIO-BRANNAN:** Mr. Seguin was a
25 child. He was a child. That's abuse. Abuse, as Dr. Wolfe

1 said, of an individual who was a child at the time with a
2 person in a position of trust, which is what these
3 historical cases are.

4 And, yes, I agree, it's an anomaly. Yes,
5 why didn't we bring it up then? I don't know. I can't
6 answer that question. Other than it wasn't on the radar.

7 **THE COMMISSIONER:** Okay. And a 16 year-old
8 child is not a child?

9 **MS. SACCOCCIO-BRANNAN:** A 16 year-old woman
10 who is raped by a 16 year-old and -- pardon me, sexually
11 assaulted allegedly by a 16 year-old and a 17 year-old boy
12 is not the Larry Seguin case. It just isn't. It isn't
13 what the people of the City of Cornwall, as the preamble
14 said, were dealing with for many years. What they were
15 dealing with for many years were the allegations against
16 the diocese, probation, the CAS, and the investigation that
17 ensued called Project Truth.

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

19 **MS. SACCOCCIO-BRANNAN:** And in presenting
20 that to the Divisional Court, things such as what was in
21 Hansard, what was in the newspaper at time, are all things
22 that the court will be interested in seeing so that they
23 can determine just why it is this was called.

24 **THE COMMISSIONER:** Okay.

25 **MS. SACCOCCIO-BRANNAN:** And then, if you

1 look at the Seguin case and you look at the fact that he
2 was a child victim and it was investigated then, it was
3 also reinvestigated later on when he was an adult. So it
4 does fit within that box of historical abuse. This does
5 not.

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

7 **MS. SACCOCCIO-BRANNAN:** I would like to read
8 to you just two passages.

9 **THE COMMISSIONER:** So when is your 10
10 minutes up?

11 **MS. SACCOCCIO-BRANNAN:** It is, but -- it is,
12 Mr. Commissioner, and I regret having said 10 minutes, and
13 I can recall Mr. Parkinson who I juniored to for many
14 years, saying "Never give a time" and I made that error.

15 If I could just have a moment to just read
16 to you what's in the transcript?

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

18 **MS. SACCOCCIO-BRANNAN:** This is Mr.
19 Engelmann speaking in-chief with Detective Staff Sergeant
20 Kewley. Mr. Engelmann says:

21 "All right. What about -- and this no
22 doubt developed as well as you did more
23 of this. But dealing with historical
24 child sexual abuse, if the alleged
25 victim is coming forward for the first

1 time, either as an older child or as an
2 adult, what about the involvement of
3 the CAS and when, if at all, were you
4 going there?"

5 So at this point Mr. Engelmann -- and I can
6 tell you it came as a huge surprise to me, that
7 "historical" in Mr. Engelmann's mind means prior to April
8 the 4th of 2005.

9 Mr. Lee also said the very same thing in his
10 submissions here to you today. But when he was cross-
11 examining Ms. Harvey, the Crown Attorney, Mr. Lee says:

12 "I won't be very long with you. I'm
13 interested in discussing with you the
14 prosecution of historical child sex
15 abuse cases, and to be clear, to let
16 you know exactly what I'm talking
17 about, the example is a 40 year-old man
18 complains of abuse that occurred when
19 he was 10 years old. That's the kind
20 of situation I'm talking about here."

21 And if you read Suzanne Vella's book,
22 written with Elizabeth Grace, that's exactly what
23 historical child abuse or historical abuse is. A young
24 person having been abused by an individual who is in a
25 position of trust and then coming forward many years later

1 to report.

2 I have to adopt what Mr. Neuberger said with
3 respect to this being of assistance, this evidence being of
4 assistance to the Commission. Mr. Neuberger is absolutely
5 correct. In order for this evidence to be of assistance to
6 the Commission, and that's notwithstanding the fact that
7 you're stepping outside your jurisdiction in my respectful
8 submission, you have to have more than one case. You can't
9 determine a police force's response, as Ms. Daley would
10 have you do, to one case.

11 **THE COMMISSIONER:** But I throw back the same
12 argument to you. If the concerns in the past are being
13 replicated in there, one is enough.

14 **MS. SACCOCCIO-BRANNAN:** I'm not sure how one
15 can compare. And I heard what Ms. Daley said about the
16 evidence that came from the OPP about investigative skills
17 are investigative skills are investigative skills, and we
18 investigate cases using those skills.

19 But the fact of the matter is, is that in
20 this particular case, we'll be comparing apples and
21 oranges. We've got historical sexual abuse that you are
22 inquiring into, and how the police and the Crown's and the
23 probation and CAS handled it at the time, what the
24 institutional response was, and then your recommendations
25 as to how in future cases such as these they can be dealt

1 with.

2 And in there we're going to throw in the
3 sexual assault of a 16 year-old woman by a 16 year-old and
4 a 17 year-old boy. It just doesn't make any sense to me,
5 Mr. Commissioner. And I find -- I don't see how it could
6 be of value to you to make the recommendations that the
7 Order-in-Council has asked you to make.

8 For example:

9 "The Commission shall inquire to and
10 report on process, services or programs
11 that would encourage community healing
12 and reconciliation in Cornwall."

13 Why would they have put that in there?

14 Because the community was topsy-turvy as a result of what
15 had occurred. Things were upside down with respect to the
16 prosecutions that went through and never came to fruition.
17 That is what they're talking about, not about the sexual
18 assault of a 16 year-old girl.

19 And I don't mean to put that to any type of
20 a lower position. It's equally as important. But it's not
21 within your mandate.

22 So what happens next with respect to any
23 stay, I can tell you that the Divisional Court is prepared
24 to accommodate. I have already spoken with the Registrar.
25 I think that it would be incumbent upon all counsel here to

1 move it, so to speak, and just do it and get it done and
2 get it done quickly; as soon as the Divisional Court can
3 accommodate us, be there.

4 It can be done in a fashion, as we did in
5 *Starr*, one brief, one factum, so that we don't have, you
6 know, ten factums and ten Books of Authority, and that sort
7 of thing. It doesn't have to be done that way, because if
8 you read -- one thing that the *Public Inquiry Act* says "in
9 a summary manner", and what that tells me is take those
10 Terms of Reference and let's interpret them.

11 **THE COMMISSIONER:** Thank you.

12 **MS. SACCOCCIO-BRANNAN:** Thank you.

13 **THE COMMISSIONER:** I will probably give
14 reasons and a decision after we finish hearing from the
15 witness this afternoon.

16 **MS. SACCOCCIO-BRANNAN:** Okay.

17 **THE COMMISSIONER:** Thank you.

18 Let's call the witness.

19 **MR. ENGELMANN:** I would love to get a chance
20 to comment on my words, but I won't. We'll just get the
21 witness.

22 **THE COMMISSIONER:** Thank you.

23 **(SHORT PAUSE/COURTE PAUSE)**

24 **JEANNETTE ANTOINE, Resumed/Sous le même serment:**

25 **THE COMMISSIONER:** Have we resumed the live

1 feed yet? Sorry it took a little longer. I should know by
2 now that when lawyers say 10 minutes, it mean something
3 else.

4 So Mr. Manderville is going to ask you some
5 questions now, all right?

6 **MS. ANTOINE:** Okay.

7 **THE COMMISSIONER:** And I am convinced that
8 we're going to finish today. It might be a little later,
9 but we'll finish. All right? Thank you.

10 Mr. Manderville.

11 **MR. MANDERVILLE:** Good afternoon, Mr.
12 Commissioner.

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

15 **MR. MANDERVILLE:** Good afternoon, Ms.
16 Antoine.

17 **MS. ANTOINE:** Good afternoon.

18 **THE COMMISSIONER:** And just for the
19 edification of -- the video is not working, so people are
20 going to hear what you say, but they won't be able to see
21 us anymore.

22 **MS. ANTOINE:** Okay.

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

24 **MR. MANDERVILLE:** My name is Peter
25 Manderville. I'm counsel for the Cornwall Police, and I

1 actually told my friend I would be about 10 minutes,
2 unfortunately. I think I will be.

3 I want to speak to you very briefly about
4 the investigation done by Mr. Shawn White. So that would
5 have been in 1994, the police investigation. Do you
6 remember that?

7 **MS. ANTOINE:** Yes.

8 **MR. MANDERVILLE:** And you were speaking
9 about that with Mr. Engelmann and with a few other counsel
10 earlier today.

11 And I take it you met and spoke with Officer
12 White on a number of occasions concerning his investigation
13 and its progress?

14 **MS. ANTOINE:** Yes.

15 **MR. MANDERVILLE:** And you understand that
16 police officers, one of the things they do in an
17 investigation is try to locate witnesses who can assist the
18 officer in proving, in this case, your complaints, right?

19 **MS. ANTOINE:** Right.

20 **MR. MANDERVILLE:** And you understood that
21 that was an exercise that Officer White was doing?

22 **MS. ANTOINE:** Yes.

23 **MR. MANDERVILLE:** And you also understand
24 that in your case, with your complaints against Mr. Keough,
25 it would be your word against his unless some witnesses

1 could be located to confirm your story?

2 MS. ANTOINE: Right.

3 MR. MANDERVILLE: You understood that.

4 And you understood that Officer White sought
5 out and interviewed a number of people who had been at the
6 Second Street group home either as employees or as children
7 at the time you were?

8 MS. ANTOINE: I didn't know what he was
9 doing. I just told him what I went through.

10 MR. MANDERVILLE: And he told you from time
11 to time he had spoken to certain witnesses?

12 MS. ANTOINE: I believe he said that he had
13 spoken to Sandy, but he never said ---

14 MR. MANDERVILLE: Now, one advantage that we
15 have on this side of the podium over you is we've got a
16 whole host of documents that were created, in this case,
17 during the time of Officer White's investigation. And one
18 of these is the Crown Brief, and I'm sure you haven't seen
19 it -- it's very voluminous -- but it indicates that Officer
20 White interviewed 36 witnesses across the country and in
21 the U.S. concerning your complaints against Mr. Keough.

22 I take it you were not aware of that?

23 MS. ANTOINE: No.

24 MR. MANDERVILLE: That you weren't aware of
25 the number; you just knew he was interviewing some people?

1 MS. ANTOINE: Yes.

2 MR. MANDERVILLE: And do you remember
3 Officer White telling you that none of the people he had
4 interviewed could confirm your complaints about Mr. Keough?

5 MS. ANTOINE: No, I don't recall him telling
6 me that.

7 MR. MANDERVILLE: Do you remember him
8 telling you that some of the people simply could not recall
9 some of the events in question and others said they simply
10 had not seen what it was you were complaining about?

11 MS. ANTOINE: I don't believe he said
12 anything to me.

13 MR. MANDERVILLE: So you can't recall
14 anything of that nature?

15 MS. ANTOINE: No.

16 THE COMMISSIONER: No, I don't think she
17 says "I can't recall". I think she's going a little
18 stronger than that and saying "He didn't say that."

19 MR. MANDERVILLE: So if Officer White's
20 notes -- and they're 250 pages of notes -- if in his notes
21 he indicates he told you about certain witnesses he spoke
22 to and what that witness was saying, that's something you
23 can't recall anymore or you don't believe he mentioned that
24 to you?

25 MS. ANTOINE: I don't believe he mentioned

1 it to me.

2 **MR. MANDERVILLE:** And if his notes suggest
3 that he did, would you defer to what is written in his
4 notes?

5 **MS. ANTOINE:** Well, if I don't remember him
6 telling me, I would stick to what I believe in.

7 **MR. MANDERVILLE:** Do you recall Officer
8 White telling you he interviewed your sister Lorraine down
9 in the United States?

10 **MS. ANTOINE:** No.

11 **MR. MANDERVILLE:** You don't believe he ever
12 told you he interviewed Lorraine?

13 **MS. ANTOINE:** I don't know if he did or not.

14 **THE COMMISSIONER:** No, no, the question is
15 did he tell you -- do you remember if he told you that he
16 spoke to her, to Lorraine?

17 **MS. ANTOINE:** No, he did not tell me that I
18 remember.

19 **MR. MANDERVILLE:** Did Officer White ever
20 tell you that he had located any witnesses who could
21 confirm your allegations against Mr. Keough?

22 **MS. ANTOINE:** No.

23 **MR. MANDERVILLE:** And Ms. Im, for the
24 Attorney General's Office, discussed with you the fact that
25 the officers spoke with the Crown and got a letter from the

1 Crown to the effect that the Crown didn't feel there were
2 grounds to lay charges. You understood that?

3 **MS. ANTOINE:** Yes.

4 **MR. MANDERVILLE:** And I'm going to suggest
5 to you that that was in part because unfortunately there
6 were no witnesses who could corroborate your complaints.

7 **THE COMMISSIONER:** So there was no witnesses
8 that could help out your testimony. That's what
9 corroborate means.

10 **MR. MANDERVILLE:** Yes. I'm sorry about
11 using corroborate, to confirm that what you said had in
12 fact happened. There was no one who could say, "Yes, I
13 remember that". Do you understand that now?

14 **THE COMMISSIONER:** There was no one that he
15 found that could corroborate that.

16 **MS. ANTOINE:** Or was willing.

17 **THE COMMISSIONER:** So did he ever tell you
18 that?

19 **MS. ANTOINE:** No.

20 **MR. MANDERVILLE:** Thank you very much, Ms.
21 Antoine, and thank you for coming.

22 **THE COMMISSIONER:** Thank you.

23 And who from the OPP? Thank you, Mr.
24 Manderville.

25 Who from the OPP will be coming? Ms.

1 Lahaie?

2 **MS. LAHAIE:** No questions, Mr. Commissioner.

3 **THE COMMISSIONER:** No questions? Thank you.

4 Mr. Wallace?

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

6 **WALLACE:**

7 **MR. WALLACE:** Ms. Antoine, my name is Mark
8 Wallace and I'm the lawyer for the Ontario Provincial
9 Police Association. That is the association that would
10 include Constable DeGiovanni as one of their members.
11 That's the OPP officer who investigated the complaints that
12 you made concerning your dad.

13 You understand that?

14 **MS. ANTOINE:** Yes.

15 **MR. WALLACE:** Okay. So my questions are
16 really going to start off and are really only concerned
17 with your involvement with the OPP, which as far as the
18 police forces that we've been hearing about, would have
19 been the last force that you dealt with and, in fact, you
20 spoke to her in January of '94?

21 **MS. ANTOINE:** Yes.

22 **MR. WALLACE:** Do you recall that?

23 **MS. ANTOINE:** Yes.

24 **MR. WALLACE:** Mr. Engelmann, this morning,
25 brought up on the screen the long statement that she took

1 from you?

2 MS. ANTOINE: Yes.

3 MR. WALLACE: And, in fact, shortly after
4 that, she then took you for a drive in her car to try and
5 locate the house where you said all of these things took
6 place in Morrisburg?

7 MS. ANTOINE: Yes.

8 MR. WALLACE: Do you recall that?

9 MS. ANTOINE: Yes.

10 MR. WALLACE: Okay. You were successful,
11 were you not?

12 MS. ANTOINE: Yes.

13 MR. WALLACE: You found the house?

14 MS. ANTOINE: Yes.

15 MR. WALLACE: And she arranged for you and
16 her to actually go in the place just to confirm?

17 MS. ANTOINE: Yes.

18 MR. WALLACE: She went and spoke to the now
19 tenants who were there, and you went in. You had a look
20 and you were more than satisfied that this is the right
21 house?

22 MS. ANTOINE: Yes.

23 MR. WALLACE: Okay. We have heard that
24 Constable DeGiovanni took a further statement from you.
25 She had some further questions that she had to complete her

1 investigation; correct?

2 MS. ANTOINE: Yes.

3 MR. WALLACE: Throughout the time that you
4 dealt with her, she appeared to you to be really on your
5 side. Is that a fair statement?

6 MS. ANTOINE: Yes.

7 MR. WALLACE: She wasn't making you any
8 false promises though, eh? She said "I'll give you a good
9 investigation, but I'll have to take it to the Crown"?

10 MS. ANTOINE: Right.

11 MR. WALLACE: Yes. Ultimately, she did take
12 it to the Crown for an opinion. She did her investigation.
13 She took it to the Crown and the Crown agreed that there
14 was enough to lay charges and charges were laid?

15 MS. ANTOINE: Right.

16 MR. WALLACE: Now, you have indicated that
17 you felt that she was concerned about you; correct?

18 MS. ANTOINE: Right.

19 MR. WALLACE: This process of speaking to
20 the police and not really sure what was going to happen.
21 This was fairly stressful to you, was it not?

22 MS. ANTOINE: Yes.

23 MR. WALLACE: My understanding is on a
24 couple of occasions, she made some suggestions in terms of
25 counselling to you, that you might get some help to deal

1 with this sort of stress. Do you recall that?

2 MS. ANTOINE: Yes.

3 MR. WALLACE: Okay. And one of the places
4 was the Sexual Assault Centre; correct?

5 MS. ANTOINE: Yes.

6 MR. WALLACE: She also had enquired of you
7 if you were getting any professional help on your own. Do
8 you recall that?

9 MS. ANTOINE: Yes.

10 MR. WALLACE: And you told her that, yes,
11 you were seeing a doctor for this very thing; correct?

12 MS. ANTOINE: I don't recall telling her
13 that.

14 MR. WALLACE: Well, just ---

15 THE COMMISSIONER: Just a second. Did you
16 ever see a doctor about that?

17 MS. ANTOINE: No.

18 MR. WALLACE: Well!

19 THE COMMISSIONER: Okay.

20 MR. WALLACE: Give me one second, please.

21 THE COMMISSIONER: M'hm.

22 (SHORT PAUSE/COURTE PAUSE)

23 THE COMMISSIONER: But in the end, the
24 officer treated you well?

25 MS. ANTOINE: Yes.

1 **THE COMMISSIONER:** Do you have any
2 complaints about that officer?

3 **MS. ANTOINE:** No.

4 **MR. WALLACE:** Thank you.

5 Just -- I just don't want you to think that
6 I'm just making this up, ma'am, but you were seeing a Dr.
7 Aludevar? Does that name ring a bell, on Second Avenue
8 here?

9 **MS. ANTOINE:** No, it doesn't.

10 **MR. WALLACE:** It doesn't ring a bell at all?
11 Okay. In any event, you have agreed with the Commissioner
12 that she treated you well?

13 **MS. ANTOINE:** Yes.

14 **MR. WALLACE:** Yeah, and she had made some
15 references to you about counselling, which you followed up;
16 correct?

17 **THE COMMISSIONER:** Did you ever have any
18 counselling?

19 **MS. ANTOINE:** I've never had counselling.

20 **MR. WALLACE:** No, she steered you, she told
21 you where you could get it?

22 **MS. ANTOINE:** Yes.

23 **MR. WALLACE:** Yes. So ---

24 **MS. ANTOINE:** She recommended for me to get
25 counselling.

1 **MR. WALLACE:** Yes, and she was hoping that
2 you would -- you'd actually do that?

3 **THE COMMISSIONER:** Well, I don't know what
4 she thinks.

5 **MR. WALLACE:** Okay. But she did recommend
6 it to you?

7 **MS. ANTOINE:** Yes.

8 **MR. WALLACE:** Okay. She wasn't the officer
9 that you dealt with at the very end of the case? There's a
10 different officer that took over when the case went to
11 trial, or do you recall?

12 **MS. ANTOINE:** I don't remember.

13 **MR. WALLACE:** Okay. Those are my questions.
14 Thank you.

15 **THE COMMISSIONER:** Thank you.

16 Ms. Tymochenko, any questions? None. Mr.
17 Marshall?

18 **MR. MARSHALL:** No questions.

19 **THE COMMISSIONER:** Thank you. Mr. Chisholm.
20 So because we started a little later with
21 you this afternoon, what we'll do is we'll continue on for
22 a bit with Mr. Chisholm. Then we will take a break and we
23 will let Mr. Chisholm finish up after that.

24 All right?

25 **MS. ANTOINE:** Okay.

1 **THE COMMISSIONER:** Thank you.

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

4 **MR. CHISHOLM:** Good afternoon, Miss Antoine.
5 My name is Peter Chisholm. I am counsel for the Children's
6 Aid Society of the United Counties of Stormont, Dundas and
7 Glengarry.

8 I would like to start, if I could, Ms.
9 Antoine, by extending an apology to you for a number of
10 issues that need to be addressed.

11 Firstly, you may recall that you were
12 originally scheduled to testify a few weeks back, and that
13 had to be delayed because of the late discovery of some
14 documents in the CAS office that, no doubt, caused you some
15 unnecessary stress in your life. On behalf of the CAS, I
16 would like to apologize for that today.

17 **MS. ANTOINE:** Okay.

18 **MR. CHISHOLM:** Secondly, the CAS would like
19 to apologize to you for the inappropriate and demeaning
20 child-care measures that were used in the Second Street
21 group home when you were there.

22 A third issue that has to be addressed, Ms.
23 Antoine, is the -- and Mr. Engelmann touched upon that
24 today -- although the recording, the CAS recording reflects
25 harsh disciplinary practices, it does not have sufficient

1 detail to outline the experience that you had in the Second
2 Street group home.

3 Finally, Miss Antoine, the CAS regrets that
4 you were not able to experience permanence and stability
5 while in the care of the CAS and by that I make reference
6 to the number of foster homes that you -- and group homes
7 that you found yourself in during the course of your stay
8 with the CAS.

9 My client would also like to express its
10 appreciation to you for a couple of things. Firstly, for
11 you having the courage to come and testify at this Inquiry
12 today and yesterday. Secondly, having the courage to speak
13 out while you were in the Second Street group home back in
14 1976 and bring your concerns to the Board of Directors.

15 Now, having said that ---

16 **THE COMMISSIONER:** Just a second. Are you
17 okay with that? You don't look ---

18 **MS. ANTOINE:** I just can't believe that ---

19 **THE COMMISSIONER:** No, no. Okay, no, no.
20 Just listen to me for a minute.

21 That is something to digest what you just
22 heard. I just want to make sure you understand what he
23 meant and also if you want to take a break now or if you
24 wish to make any comment about that, you can.

25 **MS. ANTOINE:** I don't want to be

1 disrespectful.

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

3 **MS. ANTOINE:** I don't want to be
4 disrespectful, but it's a little -- 40 years too late for
5 these apologies. I mean, I understand what he is saying.

6 **THE COMMISSIONER:** Yes.

7 **MS. ANTOINE:** But no disrespect to him but -
8 --

9 **MR. CHISHOLM:** And none taken.

10 **MS. ANTOINE:** Forty (40) years too late.

11 **THE COMMISSIONER:** All right. Okay, so it's
12 there. Would you like to take a break now or would you
13 like to answer some questions from him for a bit?

14 **MS. ANTOINE:** I'll answer some questions.

15 **THE COMMISSIONER:** Thank you.

16 **MR. CHISHOLM:** What I'd like to do, Ms.
17 Antoine, is just take you back through some of the evidence
18 that you've given and just get some clarification on some
19 points that you've raised in your evidence in-chief, if I
20 could, please.

21 Taking you back to the Reynen foster home in
22 Ingleside, yesterday you described Shirley Reynen kicking
23 your sister Lorraine in the mouth. You recall that?

24 **MS. ANTOINE:** Yes.

25 **MR. CHISHOLM:** Okay. And I take it you're

1 not alleging that Shirley Reynen had abused you in any
2 fashion?

3 **MS. ANTOINE:** Just by making me do her
4 chores and stuff, but other than that, no.

5 **MR. CHISHOLM:** Okay. Yesterday you
6 described Mr. Reynen chasing you about and you went out
7 into the front yard, I believe, and struck your head on a
8 large rock which resulted in you getting a concussion and
9 stitches. Do you recall that?

10 **MS. ANTOINE:** Yes.

11 **MR. CHISHOLM:** And you told us that you had
12 to go to the hospital?

13 **MS. ANTOINE:** Yes.

14 **MR. CHISHOLM:** Do you recall what hospital
15 you would have gone to?

16 **MS. ANTOINE:** The General.

17 **MR. CHISHOLM:** The General in Cornwall?

18 **MS. ANTOINE:** Yes.

19 **MR. CHISHOLM:** Okay. Do you recall whether
20 or not you were admitted to the hospital?

21 **MS. ANTOINE:** I believe I was.

22 **MR. CHISHOLM:** Okay. And you told us
23 yesterday that while you were at the hospital, you were
24 asked how it was that you got hurt. Do you remember
25 talking about that yesterday?

1 MS. ANTOINE: Yes.

2 MR. CHISHOLM: Okay. And do you recall who
3 it was that asked you about how you came about to be hurt?

4 MS. ANTOINE: I don't recall.

5 MR. CHISHOLM: Okay. Is it fair to say a
6 staff member of the hospital?

7 MS. ANTOINE: A nurse or ---

8 MR. CHISHOLM: Okay. And you told us
9 yesterday that you asked your sister to tell someone that
10 you were injured. Do you remember that?

11 MS. ANTOINE: Yes.

12 MR. CHISHOLM: Do you recall what it was
13 that you said to your sister in terms of the message you
14 wanted to convey?

15 MS. ANTOINE: To let somebody know what
16 happened.

17 MR. CHISHOLM: Okay. And when you say "know
18 what happened", you told us yesterday that, if I recall
19 your evidence correctly, you did not come forth in the
20 hospital and tell the people who had asked how you were
21 hurt exactly what happened. Do you recall saying that?

22 MS. ANTOINE: Yes.

23 MR. CHISHOLM: Now, the message that you
24 wanted to send through your sister, was it similar to the
25 one you conveyed to the people who asked in the hospital or

1 was it in fact ---

2 MS. ANTOINE: I wanted her to tell them that
3 Bill Reynen pushed me.

4 MR. CHISHOLM: Now, yesterday you told us
5 that you were fearful of having the truth come out in the
6 hospital with respect to how it was that you were hurt. Do
7 you remember saying that?

8 MS. ANTOINE: Yes.

9 MR. CHISHOLM: And did you have that same
10 fear with respect to the message that you were conveying
11 through your sister?

12 MS. ANTOINE: No, because if I didn't say
13 it, then I wasn't going to get hurt.

14 MR. CHISHOLM: You spoke of a social worker
15 by the name of Mavis. You couldn't recall her last name.
16 is that right?

17 MS. ANTOINE: I'm not sure if it's Agnes,
18 Mavis Agnes. I'm not sure.

19 MR. CHISHOLM: Could it be Mavis Nixon?

20 MS. ANTOINE: Yes, it's possible.

21 MR. CHISHOLM: It's possible.

22 Did you ever tell -- if it was Mavis Nixon
23 or whomever the social worker was, did you ever let that
24 social worker know that you received a concussion and the
25 stitches as a result of what Mr. Reynen did in terms of

1 chasing you?

2 MS. ANTOINE: Yes, she knew.

3 MR. CHISHOLM: You told her?

4 MS. ANTOINE: Yes.

5 MR. CHISHOLM: And where were you when you
6 told Mavis of ---

7 MS. ANTOINE: I believe I was at the
8 Reynens.

9 MR. CHISHOLM: Okay. And you were able to
10 have that discussion ---

11 MS. ANTOINE: Yes.

12 MR. CHISHOLM: --- freely with Mavis?

13 MS. ANTOINE: It was on the side. Like, we
14 were just -- we had to be in a certain room and the Reynens
15 hadn't come in yet.

16 MR. CHISHOLM: So you could talk freely with
17 Mavis?

18 MS. ANTOINE: For like two seconds.

19 MR. CHISHOLM: And you were able to get the
20 message that you wanted conveyed to her?

21 MS. ANTOINE: Yes.

22 MR. CHISHOLM: And do you recall what Mavis'
23 reaction was when you told her?

24 MS. ANTOINE: She didn't believe me.

25 MR. CHISHOLM: She didn't believe you? Do

1 you recall the words that she used?

2 **MS. ANTOINE:** She just said that "Why would
3 he do something like that?" And then I had to tell her
4 what happened.

5 **MR. CHISHOLM:** And what did you tell her?
6 When you say you had to tell her what happened, how did
7 that change from what you told Mavis the first time?

8 **MS. ANTOINE:** I told him that Bill pushed
9 me.

10 **MR. CHISHOLM:** Yes.

11 **MS. ANTOINE:** And she said -- she wanted to
12 know why, what did I do. And I swore, and he come at me
13 with a belt.

14 **THE COMMISSIONER:** And so how did she
15 respond to that after that?

16 **MS. ANTOINE:** She had spoke to Bill Reynen
17 because they both came into the room.

18 **THE COMMISSIONER:** Right.

19 **MS. ANTOINE:** And she had asked Bill Reynen
20 and Bill said that Lorraine pushed me, that he had nothing
21 to do with it, and his wife backed him up.

22 **MR. CHISHOLM:** Yesterday, during your
23 evidence -- during the discussion that you had with Mr.
24 Engelmann, you were speaking of what had transpired at the
25 Reynen home, and at page 32 of the transcript, line 78, you

1 said, "Yeah, he would actually had sex with us".

2 Can I just get your interpretation or
3 definition of what you meant by that, having sex -- "have
4 sex with us"?

5 **MS. ANTOINE:** I don't understand what you're
6 trying to say.

7 **MR. CHISHOLM:** Yesterday you were speaking
8 to Mr. Engelmann about Mr. Reynen and you said, "Yeah, he
9 would actually have sex with us". I'm just trying to get a
10 definition of what you meant by that. Are you referring to
11 intercourse?

12 **MS. ANTOINE:** Well, yeah, that's ---

13 **MR. ENGELMANN:** Perhaps before the witness
14 answers, perhaps she could be shown the transcript because
15 I think she talked about "it changed over time". Just for
16 context it would be helpful.

17 **THE COMMISSIONER:** Well, I think we got to
18 where we want. Don't get Mr. Chisholm wrong. He's not
19 trying to be disrespectful. It's just we know that the
20 President of the United States has a different definition -
21 - well, the ex-President had a different definition of what
22 sex was. All right? So he's just trying -- he's being
23 very respectful and he just wants to know -- he's got some
24 difficult questions to ask. So he asked you does it mean
25 that at some point he had intercourse with you?

1 **MS. ANTOINE:** Eventually.

2 **THE COMMISSIONER:** Yes. Thank you.

3 **MR. CHISHOLM:** Now, while we have page 32 up
4 of the transcript, line 19, 20, 21, Mr. Engelmann said ---

5 **THE COMMISSIONER:** Just a second now. Just
6 so you understand, whatever you said -- whatever is being
7 said here is being recorded and then it's being typed up at
8 night. So this, what you're seeing on the screen now, are
9 the questions and your answers. Okay?

10 **MS. ANTOINE:** Okay.

11 **MR. CHISHOLM:** Thank you.

12 At lines 19 through 21, Mr. Engelmann said:

13 "Okay. Before you told CAS workers, do
14 you know if anybody else knew what was
15 happening?"

16 At line 22 you responded by stating:

17 "I told our schoolteacher."

18 **THE COMMISSIONER:** Just a second. We're not
19 on the right page.

20 **MR. CHISHOLM:** I'm sorry.

21 **THE COMMISSIONER:** No, no, you're not ---

22 **MR. CHISHOLM:** Page 32.

23 **THE COMMISSIONER:** Page 32.

24 **MR. CHISHOLM:** Lines 19 through 21.

25 Do you see, Ms. Antoine, Mr. Engelmann, at

1 line 19, states:

2 "Okay. Before you told CAS workers, do
3 you know if anybody else knew what was
4 happening?"

5 And your response at line 22 was:

6 "I told our schoolteachers."

7 **THE COMMISSIONER:** So what's the question?

8 **MR. CHISHOLM:** What schoolteachers
9 specifically did you tell, Ms. Antoine?

10 **MS. ANTOINE:** Mrs. Clancy, Mr. Seguin. I
11 don't recall anybody else.

12 **MR. CHISHOLM:** Okay. And you mentioned Ms.
13 Clancy and Mr. Seguin yesterday. Do you recall what it was
14 that you said to Mrs. Clancy, starting with her?

15 **MS. ANTOINE:** Just that we were being hurt
16 at the Reynens.

17 **MR. CHISHOLM:** You made no reference to
18 sexual abuse?

19 **MS. ANTOINE:** Not at first. It was after a
20 while.

21 **MR. CHISHOLM:** And we're speaking -- when
22 you say "after a while", we're still speaking of
23 schoolteachers. Is that right?

24 **MS. ANTOINE:** Yes.

25 **MR. CHISHOLM:** Okay. And again speaking of

1 Ms. Clancy, did you eventually -- what did you say to Ms.
2 Clancy with respect to sexual abuse, if anything?

3 **MS. ANTOINE:** Eventually she knew everything
4 that was going on in that home.

5 **MR. CHISHOLM:** And that is because you --
6 why do you believe that, because you told her?

7 **MS. ANTOINE:** Both my sister and I did.

8 **MR. CHISHOLM:** Okay. You and Lorraine?

9 **MS. ANTOINE:** Yes.

10 **MR. CHISHOLM:** Okay. Mr. Seguin -- you
11 mentioned Mr. Seguin, he is your -- he was a music teacher
12 at the school?

13 **MS. ANTOINE:** Yes.

14 **MR. CHISHOLM:** Do you know his first name?

15 **MS. ANTOINE:** Can't recall his first name.

16 **MR. CHISHOLM:** What do you recall saying to
17 Mr. Seguin with respect to sexual abuse?

18 **MS. ANTOINE:** Basically the same thing we
19 told Ms. Clancy.

20 **MR. CHISHOLM:** And there's not doubt you
21 made reference to sexual abuse?

22 **MS. ANTOINE:** Yes.

23 **MR. CHISHOLM:** Okay. Yesterday you
24 mentioned that Ms. Reynen caught Mr. Reynen abusing you in
25 the basement, do you recall that?

1 MS. ANTOINE: Yes.

2 MR. CHISHOLM: Do you recall how old you
3 would have been at the time Mrs. Reynen caught Mr. Reynen?

4 MS. ANTOINE: Between seven, nine, eight,
5 somewhere around there.

6 MR. CHISHOLM: Okay. Did Mrs. Reynen ever
7 speak to you about the sexual abuse after she discovered
8 what was going on?

9 MS. ANTOINE: Well, she blamed us, blamed me
10 for it.

11 MR. CHISHOLM: When you made reference to
12 that yesterday, was that at the time of the discovery?

13 MS. ANTOINE: Well, that was only the first
14 time, maybe at the second, I can't remember how many times
15 she found it, she knew about it.

16 THE COMMISSIONER: But his question was, so
17 she knew about it, during the rest of the days that you
18 were there or months, did she ever talk to you about it?

19 MS. ANTOINE: No. It was forbidden.

20 THE COMMISSIONER: Pardon me?

21 MS. ANTOINE: It was forbidden.

22 THE COMMISSIONER: And what makes you say
23 that?

24 MS. ANTOINE: Because if we said anything --

25 -

1 **THE COMMISSIONER:** Yes.

2 **MS. ANTOINE:** --- we were slapped or sent to
3 our room or -- she didn't want to talk about it.

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

5 **MR. CHISHOLM:** Yesterday you made reference
6 to being present at St. George's School in Long Sault when
7 Ms. Clancy asked about a bruise on your sister. Do you
8 recall that?

9 **MS. ANTOINE:** I remember an incident with
10 her having a bruise.

11 **MR. CHISHOLM:** And is that the incident with
12 respect to the kick that you described yesterday by
13 Shirley?

14 **MS. ANTOINE:** Shirley kicked Lorraine in the
15 mouth ---

16 **MR. CHISHOLM:** Yes.

17 **MS. ANTOINE:** --- as Lorraine was going up -
18 -- Shirley went up the steps. Lorraine went to go up after
19 her. Shirley back-kicked her in the mouth and got her
20 right in the mouth.

21 **MR. CHISHOLM:** I am wondering if the
22 injuries from that incident were the ones that Ms. Clancy
23 was asking you about, that you described yesterday?

24 **MS. ANTOINE:** I believe so.

25 **MR. CHISHOLM:** And do you recall what was

1 said to Ms. Clancy when she asked about Lorraine's bruise?

2 MS. ANTOINE: We told her.

3 MR. CHISHOLM: You told her what exactly?

4 MS. ANTOINE: Shirley kicked her in the
5 mouth.

6 MR. CHISHOLM: Okay. And you indicated that
7 Ms. Clancy called the CAS, then Mavis arrived at the
8 school. Is that right?

9 MS. ANTOINE: Yes.

10 MR. CHISHOLM: And do you recall what Mavis
11 said to you upon arrival at the school?

12 MS. ANTOINE: We talked in the car for a bit
13 about different things.

14 MR. CHISHOLM: When you say "we talked in
15 the car". You and Mavis?

16 MS. ANTOINE: And Lorraine.

17 MR. CHISHOLM: So the three of you?

18 MS. ANTOINE: Yes.

19 MR. CHISHOLM: Okay. You talked about
20 different things. What did you speak about?

21 MS. ANTOINE: What the Reynens were -- what
22 he did; what Shirley did. Mavis took us back home and she
23 talked to Betty Reynen about it and Shirley.

24 MR. CHISHOLM: And were you present during
25 those conversations or that conversation?

1 **MS. ANTOINE:** Yes. It was an accident.

2 **MR. CHISHOLM:** When you say it was an
3 accident, that was the position of Mrs. Reynen and Shirley
4 were taking? You have just given an oral answer.

5 **THE COMMISSIONER:** You have to answer loud.

6 **MS. ANTOINE:** Sorry, yes.

7 **THE COMMISSIONER:** No, no. That's okay.

8 So what you're saying then is after you told
9 Mavis, Mavis went in the house, in your presence, told Mrs.
10 Reynen and daughter I guess "Listen, these children are
11 saying that you kicked Lorraine in the mouth and what do
12 you have to say about it", kind of?

13 **MS. ANTOINE:** Yeah.

14 **THE COMMISSIONER:** Okay. And they said "Oh,
15 it was an accident".

16 **MR. CHISHOLM:** Yes.

17 **THE COMMISSIONER:** Okay. Had you mentioned
18 anything about sexual abuse to Mavis at that time?

19 **MS. ANTOINE:** No.

20 **THE COMMISSIONER:** Okay. Right.

21 **MR. CHISHOLM:** Yesterday, you spoke of items
22 such as clothes, dolls and jewellery appearing just prior
23 to a CAS worker coming to visit. You said the frequency of
24 that would be every two to three months. Do you recall
25 saying that?

1 **MS. ANTOINE:** Can you repeat that?

2 **MR. CHISHOLM:** Sure. Yesterday, you spoke
3 of just before a CAS worker would come to visit how clothes
4 and jewellery and dolls would appear in the Reynen home.
5 Do you remember talking about that?

6 **MS. ANTOINE:** Yes.

7 **MR. CHISHOLM:** Okay. And after the visit
8 they would disappear; right? Is that what you said?

9 **MS. ANTOINE:** Yes.

10 **MR. CHISHOLM:** Okay. And you said the
11 visits would take place every two to three months. Is that
12 right?

13 **MS. ANTOINE:** Yeah, about every three months
14 they'd show up, two or three months, unless they were
15 called.

16 **MR. CHISHOLM:** Okay. And in that case, they
17 would come more often. Is that right?

18 **MS. ANTOINE:** They'd come down and find out
19 what was going on and then leave.

20 **MR. CHISHOLM:** And in terms of the -- I'm
21 trying to determine if you can give us any guidance with
22 respect to how long did the clothing and dolls and
23 jewellery appear over the course of how many months or
24 years, bearing in mind the frequency of every two to three
25 months. So how long did that happen?

1 **MS. ANTOINE:** If a worker came over ---

2 **MR. CHISHOLM:** Yes.

3 **MS. ANTOINE:** --- it was there. The minute
4 they left, it was gone.

5 **MR. CHISHOLM:** So this may have taken place
6 over the course of several years. Is that ---

7 **MS. ANTOINE:** Yes, well as -- when we were
8 young, at 14 we didn't have dolls but ---

9 **THE COMMISSIONER:** When you were 14 would
10 they still prim up the place?

11 **MS. ANTOINE:** Yes, to make it look like we
12 had everything and there was actually nothing in the room
13 but a bed.

14 **THE COMMISSIONER:** Okay. But instead of
15 dolls, how would they change the ---

16 **MS. ANTOINE:** Posters, radios, better
17 jewellery. There was games, but we weren't allowed to
18 touch them. They were just there for show.

19 **MR. CHISHOLM:** If I could take you to page
20 40 of the transcript, lines 9 and 10.

21 Here at lines 9 and 10, Ms. Antoine, I
22 believe you're speaking of Mavis. You state at line nine
23 "We tried telling her bits and pieces". Mr. Engelmann
24 states "Okay". And then at lines 12 and 13 state "But she
25 didn't know it all until much later on".

1 What bits and pieces were you referring to
2 in your evidence when you told Mavis?

3 **MS. ANTOINE:** Well, if I had a bruise on me
4 and she saw it, I told her about it. With the sex and him
5 fooling around with us, it was just little bits that he was
6 in our bed reading books. He was supposed to be reading a
7 certain book, Blinkin' and Nod, or something and he'd be
8 touching us and ---

9 **MR. CHISHOLM:** So if I can just take you
10 back to the bruises, that's part of the bits and pieces, so
11 what would you say to Mavis whenever you had a bruise?

12 **MS. ANTOINE:** Tell her what -- I told her
13 exactly what happened.

14 **MR. CHISHOLM:** So, the bruise came about --
15 give me an example if you can?

16 **MS. ANTOINE:** They had a house built. And
17 there was no steps going into the basement. They hadn't
18 been put in yet ---

19 **MR. CHISHOLM:** Right.

20 **MS. ANTOINE:** --- and I was told to go down
21 the basement, but there was no way to get down there
22 because the steps were not there. So Mr. Reynen come up
23 from behind me and pushed me down those stairs, right down
24 the ---

25 **THE COMMISSIONER:** The hole.

1 MS. ANTOINE: --- no stairs, but a ---

2 MR. CHISHOLM: A hole?

3 MS. ANTOINE: --- hole.

4 MR. CHISHOLM: In to the basement?

5 MS. ANTOINE: Yes, and I landed on wood and
6 the cement because the house hadn't been fully built yet.

7 MR. CHISHOLM: And you would tell -- this is
8 what you would tell Mavis?

9 MS. ANTOINE: Yes, I'd tell her what
10 happened.

11 MR. CHISHOLM: Okay. Lines 12 and 13 said
12 that "She didn't know it all until much later on". Tell me
13 about that, when you say "much later on", how much later is
14 that?

15 MS. ANTOINE: I think when Bryan Keough
16 started coming around and taking Lorraine out of the house
17 for one-on-one chat.

18 MR. CHISHOLM: So would Mavis still be
19 coming when Mr. Keough would come to the home?

20 MS. ANTOINE: Yes.

21 MR. CHISHOLM: Yes. Okay. And Mr. Keough
22 would take Lorraine out for one-on-one chats, and how would
23 Mavis come to acquire knowing it all?

24 MS. ANTOINE: I wanted to leave the Reynens.
25 Lorraine wanted to leave and Bryan Keough came to pick her

1 up and she went to Berwick and stayed there and I was left
2 behind, and that's when most of it started coming out.

3 MR. CHISHOLM: You told Mavis?
4 You have to give an oral answer.

5 MS. ANTOINE: Sorry. Yes.

6 MR. CHISHOLM: Yesterday you spoke of a
7 broken wrist and that you were wearing a cast. Do you
8 recall that?

9 MS. ANTOINE: Yes.

10 MR. CHISHOLM: And how was it that your
11 wrist came to be broken?

12 MS. ANTOINE: By Bill Reynen.

13 MR. CHISHOLM: And you told -- yesterday you
14 said that you told this to Ms. Clancy and Mr. Seguin the
15 real reason why your wrist was broken. Is that right?

16 MS. ANTOINE: Yes.

17 MR. CHISHOLM: And you told them, just so
18 I'm clear, you told both of those teachers that Mr. Reynen
19 pulled your arm and twisted it. Is that right?

20 MS. ANTOINE: Yes.

21 MR. CHISHOLM: What was their reaction?
22 What was Mrs. Clancy's reaction?

23 MS. ANTOINE: She took me to the hospital.

24 MR. CHISHOLM: Ms. Clancy took you to the
25 hospital?

1 MS. ANTOINE: Yes.

2 MR. CHISHOLM: Okay. Now, by then the cast
3 was on, was it not?

4 MS. ANTOINE: I didn't have a cast. It was
5 all bruised, swollen.

6 THE COMMISSIONER: Okay. Well, I guess I
7 misunderstood yesterday.

8 So what you're saying is when you went to
9 school and told Ms. Clancy you didn't have a cast on?

10 MS. ANTOINE: No, I just -- I wasn't able to
11 move my arm, it was bruised.

12 THE COMMISSIONER: Okay. And she's the one
13 who took you to the hospital?

14 MS. ANTOINE: She's the one that took me to
15 the hospital. She had touched my arm and I backed up and
16 she took me to be cast.

17 MR. CHISHOLM: And what hospital, do you
18 recall?

19 MS. ANTOINE: The General.

20 MR. CHISHOLM: The General, again, in
21 Cornwall?

22 MS. ANTOINE: Yes.

23 MR. CHISHOLM: Okay. And did she ask you --
24 when she saw the injury she asked you what happened?

25 MS. ANTOINE: Yes.

1 **MR. CHISHOLM:** And you told her Bill Reynen
2 did that to you?

3 **MS. ANTOINE:** Yes.

4 **MR. CHISHOLM:** Do you recall what arm that
5 was? Was it your left or your right?

6 **MS. ANTOINE:** My right.

7 **MR. CHISHOLM:** Your right. Okay.

8 And what was Ms. Clancy's reaction when you
9 told her that ---

10 **MS. ANTOINE:** She said she was calling the
11 CAS again.

12 **MR. CHISHOLM:** Okay.

13 **MS. ANTOINE:** And that it's got to stop.

14 **MR. CHISHOLM:** She said that?

15 **MS. ANTOINE:** Yes.

16 **MR. CHISHOLM:** And yesterday you indicated
17 that Bryan -- you believe Bryan Keough showed up at school
18 after you told Ms. Clancy and Mr. Seguin what had happened
19 to your wrist. Do you recall saying that?

20 **MS. ANTOINE:** Yes.

21 **MR. CHISHOLM:** And what was it that Mr.
22 Keough said to you, do you recall?

23 **MS. ANTOINE:** I don't remember what he said
24 or if he said anything.

25 **MR. CHISHOLM:** He may not have said anything

1 to you. Was he there to see you, do you recall?

2 **MS. ANTOINE:** I'm not sure if it was me or
3 Lorraine.

4 **MR. CHISHOLM:** Okay. Well, is it fair to
5 say that Mr. Keough showed up to see one of you or both?

6 **MS. ANTOINE:** It had to have been either
7 both of us at the same time or one of us. I'm not sure.

8 **MR. CHISHOLM:** But as opposed to seeing
9 another child in the school, you're satisfied that Mr.
10 Keough showed up to see either you or Lorraine. Is that
11 right?

12 **MS. ANTOINE:** Right.

13 **MR. CHISHOLM:** Okay. And you can't recall
14 what Mr. Keough said to you?

15 **MS. ANTOINE:** No, I don't.

16 **MR. CHISHOLM:** If anything.

17 And you told us yesterday about being on a
18 swing set and Mr. Seguin, the teacher, making observations

19 ---

20 **MS. ANTOINE:** Yes.

21 **MR. CHISHOLM:** --- about you not wearing
22 underwear. Do you recall that?

23 **MS. ANTOINE:** Yes.

24 **MR. CHISHOLM:** And yesterday you stated you
25 couldn't -- you weren't wearing underwear because you

1 couldn't put anything on because of a big bruise on your
2 buttocks. Is that fair?

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

4 **MR. CHISHOLM:** And you showed that bruise to
5 Mr. Seguin. Is that right?

6 **MS. ANTOINE:** Part of the bruise, yes.

7 **MR. CHISHOLM:** Okay. And you told Mr.
8 Seguin that you got that bruise as a result of something
9 that Bill Reynen did to you. Is that right?

10 **MS. ANTOINE:** Yes.

11 **MR. CHISHOLM:** And what did Mr. Seguin do at
12 that point, if anything?

13 **MS. ANTOINE:** I believe he went and talked
14 to Ms. Clancy about it because he left the room.

15 **MR. CHISHOLM:** Now, you were in the room. I
16 thought you were describing a swing set that would have --
17 in my mind, it ---

18 **MS. ANTOINE:** Well, he removed me off the
19 swing set.

20 **MR. CHISHOLM:** Okay. And then took you into
21 the school?

22 **MS. ANTOINE:** Yes.

23 **MR. CHISHOLM:** Okay. And what did he do
24 with you once he removed you from the swing set and took
25 you into the school?

1 **MS. ANTOINE:** I was sitting by the
2 principal's office ---

3 **MR. CHISHOLM:** Yes.

4 **MS. ANTOINE:** --- and Ms. Clancy and I don't
5 remember the principal's name ---

6 **MR. CHISHOLM:** It wasn't Mr. Seguin?

7 **MS. ANTOINE:** It was Mr. Seguin that was --
8 I don't know if he was the principal.

9 **MR. CHISHOLM:** It's possible he may have
10 been a principal or a teacher, you're not sure?

11 **MS. ANTOINE:** He was a guitar player.
12 That's what I know of him. He used to go to the school and
13 play guitar.

14 **MR. CHISHOLM:** So he took you down to the
15 principal's -- outside the principal's office. Is that
16 right?

17 **MS. ANTOINE:** Yes.

18 **MR. CHISHOLM:** And he went to speak to Ms.
19 Clancy. Is that right?

20 **MS. ANTOINE:** Yes.

21 **MR. CHISHOLM:** And what happened to you
22 next?

23 **MS. ANTOINE:** He called the CAS.

24 **MR. CHISHOLM:** Who called the CAS?

25 **MS. ANTOINE:** I don't know. I was sitting

1 in another room.

2 MR. CHISHOLM: And how do you know the CAS
3 was called?

4 MS. ANTOINE: Because they showed up at the
5 school.

6 MR. CHISHOLM: Now, "they" being a CAS
7 worker?

8 MS. ANTOINE: Yes.

9 MR. CHISHOLM: And do you recall who that
10 worker was?

11 MS. ANTOINE: Bryan Keough.

12 MR. CHISHOLM: Bryan Keough.

13 And what did Mr. Keough -- did Mr. Keough
14 speak to you when he showed up at the school?

15 MS. ANTOINE: No, he put me in the car.

16 MR. CHISHOLM: And didn't say a word to you?

17 MS. ANTOINE: No.

18 MR. CHISHOLM: How did you know to get into
19 the car with him?

20 MS. ANTOINE: Because he grabbed my arm and
21 put me in the car.

22 MR. CHISHOLM: Without saying anything to
23 you?

24 MS. ANTOINE: No.

25 MR. CHISHOLM: And once you were in the car

1 what happened next?

2 MS. ANTOINE: He took me back to Mrs.
3 Reynen.

4 MR. CHISHOLM: And then what happened?

5 MS. ANTOINE: Them two talked. I was sent
6 to the room and he left. I didn't see him after that, that
7 day.

8 MR. CHISHOLM: So Mr. Keough came out to the
9 school, put you in the vehicle, took you to the Reynen
10 house but never said anything to you that day. Is that
11 right?

12 MS. ANTOINE: No. He talked to Mrs. Reynen.

13 THE COMMISSIONER: Did you overhear what
14 they were saying?

15 MS. ANTOINE: Just that I was causing
16 trouble and I needed to keep my mouth shut.

17 MR. CHISHOLM: And who was it that said
18 that?

19 MS. ANTOINE: Both of them were talking back
20 and forth.

21 MR. CHISHOLM: Okay. But who was it -- I
22 appreciate that, but who was it that said you were causing
23 trouble and you needed to keep your mouth shut?

24 MS. ANTOINE: I'm pretty sure Betty Reynen
25 is the one that said I needed to keep my mouth shut.

1 **MR. CHISHOLM:** And she said that to Mr.
2 Keough. Is that right?

3 **MS. ANTOINE:** And I believe Bryan said I was
4 the one causing the trouble.

5 **MR. CHISHOLM:** And you believe that's what
6 he said?

7 **MS. ANTOINE:** Yes.

8 **MR. CHISHOLM:** At page 48 of yesterday's
9 transcript, lines ---

10 **THE COMMISSIONER:** It'll come back up.
11 Forty-eight (48)?

12 **MR. CHISHOLM:** Page 48, yes, sir.

13 **THE COMMISSIONER:** Just a second. It will
14 come up.

15 **MR. CHISHOLM:** At lines 19 through 22.
16 The sentence reads:

17 “So Bryan Keough came down and took her
18 away...”

19 **THE COMMISSIONER:** Wait a minute. Where are
20 we?

21 **MR. CHISHOLM:** Oh, I'm sorry.

22 **THE COMMISSIONER:** Yes, in the middle of
23 that paragraph, the big paragraph on the screen?

24 **MS. ANTOINE:** Yes.

25 **THE COMMISSIONER:** Do you see it? “So Bryan

1 Keough came down..."

2 MS. ANTOINE: Yes.

3 THE COMMISSIONER: Okay.

4 MR. CHISHOLM: "Bryan Keough came down and
5 took her away and I wanted to go with
6 them and he said nobody would touch me
7 because Bryan Keough knew that Lorraine
8 had been raped."

9 How do you know that Mr. Keough knew that
10 Lorraine had been raped?

11 MS. ANTOINE: Because Lorraine told him in
12 front of me.

13 MR. CHISHOLM: So you were standing there
14 when Lorraine ---

15 MS. ANTOINE: I was holding on to her. She
16 was right there.

17 MR. CHISHOLM: Speaking to Mr. Keough?

18 MS. ANTOINE: Yes.

19 MR. CHISHOLM: Okay. And where were the
20 three of you standing when Lorraine reported the sexual
21 abuse to Mr. Keough?

22 MS. ANTOINE: Outside on the sidewalk.

23 MR. CHISHOLM: Outside ---

24 MS. ANTOINE: At the Reynens.

25 MR. CHISHOLM: So you were on the sidewalk

1 outside the Reynen residence.

2 And what exactly did you -- do you recall
3 what exactly Lorraine said to Mr. Keough?

4 **MS. ANTOINE:** She called him, told him to
5 come down to the Reynens.

6 **MR. CHISHOLM:** Yes.

7 **MS. ANTOINE:** He came down.

8 **MR. CHISHOLM:** Now, tell me this, did you
9 hear the original call to Mr. Keough that Lorraine had
10 made?

11 **MS. ANTOINE:** Like I said, I was hanging on
12 to Lorraine.

13 **MR. CHISHOLM:** So you did hear the telephone
14 call?

15 **MS. ANTOINE:** Yes.

16 **MR. CHISHOLM:** And what did she say whenever
17 she got a hold of Mr. Keough?

18 **MS. ANTOINE:** She told Bryan to come to the
19 Reynens.

20 **MR. CHISHOLM:** That's all she said?

21 **MS. ANTOINE:** That's all she said.

22 **MR. CHISHOLM:** No reason as to why she'd
23 come?

24 **MS. ANTOINE:** No, he didn't -- I don't know
25 what he said to her.

1 **MR. CHISHOLM:** No, I'm asking what you heard
2 of Lorraine. What did you hear Lorraine say to Mr. Keough?

3 **MS. ANTOINE:** To ask him to come to the
4 Reynens.

5 **MR. CHISHOLM:** Nothing beyond that?

6 **MS. ANTOINE:** No.

7 **MR. CHISHOLM:** And Mr. Keough complied with
8 that request and arrived at the Reynens. Is that right?

9 **MS. ANTOINE:** Yes.

10 **MR. CHISHOLM:** And you were standing on the
11 sidewalk with Lorraine. Is that right?

12 **MS. ANTOINE:** Yes.

13 **MR. CHISHOLM:** And what was said by Lorraine
14 to Mr. Keough at that point?

15 **MS. ANTOINE:** Lorraine was very upset. She
16 was crying. She said she had enough here. Bryan needed to
17 take her out of there, now, and she was hanging on --
18 grabbing Bryan. She was begging him, crying and telling
19 him that Bill Reynen was raping her and she needed to get
20 out of that house.

21 **MR. CHISHOLM:** So you heard Lorraine say
22 that "Bill Reynen was raping me"?

23 **MS. ANTOINE:** Yes.

24 **MR. CHISHOLM:** Okay. And what was Mr.
25 Keough's reaction whenever Lorraine said that?

1 MS. ANTOINE: "Go get your stuff."

2 MR. CHISHOLM: He said that to Lorraine?

3 MS. ANTOINE: Yes.

4 MR. CHISHOLM: And what did Lorraine do as a
5 result of ---

6 MS. ANTOINE: Lorraine and I both went in
7 the house. I assumed I was going too.

8 MR. CHISHOLM: Yes.

9 MS. ANTOINE: So we were packing what little
10 stuff we had.

11 MR. CHISHOLM: Yes.

12 MS. ANTOINE: We just had like a baggie.

13 MR. CHISHOLM: Yes.

14 MS. ANTOINE: And we both went out.

15 MR. CHISHOLM: Mr. and Mrs. Reynen were
16 where at this point?

17 MS. ANTOINE: Bill Reynen was working at the
18 store. He had a meat market in Long Sault. I have no idea
19 where Mrs. -- I believe she probably was in the hospital.

20 MR. CHISHOLM: You were free to speak to Mr.
21 Keough without being overheard by either of the Reynens.
22 Is that right?

23 MS. ANTOINE: Yes.

24 MR. CHISHOLM: Do you know whether Mr.
25 Keough had any discussions with the Reynens following

1 Lorraine's disclosure to him with respect to the sexual
2 abuse?

3 **MS. ANTOINE:** I don't know.

4 **THE COMMISSIONER:** Mr. Chisholm, I'll leave
5 it in your hands as to when we should take a break.

6 **MR. CHISHOLM:** We can take a break now, sir.

7 **THE COMMISSIONER:** Okay. And just an
8 estimate of time? More than an hour, less than an hour?

9 **MR. CHISHOLM:** It may be more than an hour,
10 sir.

11 **THE COMMISSIONER:** All right. We'll take a
12 short break now and then we'll keep on afterwards. Thank
13 you.

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

16 The hearing will resume at 4:15.

17 --- Upon recessing at 4:01 p.m./

18 L'audience est suspendue à 16h01

19 --- Upon resuming at 4:31 p.m./

20 L'audience est reprise à 16h31

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

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

25 **THE COMMISSIONER:** Thank you.

1 I'm very sorry to have kept you. I was on a
2 long distance phone call that needed to be answered.

3 All right. I understand that the witness is
4 tired and wishes to continue tomorrow?

5 **MR. ENGELMANN:** That's right. Our witness
6 support person indicated that to me and I have advised
7 counsel.

8 **THE COMMISSIONER:** Fair enough. So we'll
9 resume that at 9:30.

10 I will also give you my decision tomorrow
11 with respect to this matter. I can tell you though -- I'll
12 give you my reasons tomorrow. Book the date for Divisional
13 Court because I do not think that your application will be
14 granted.

15 Thank you.

16 Yes?

17 **MR. LEE:** I just wanted to let you know,
18 sir, that in relation to the witness that we're dealing
19 with that would have been called tomorrow, I intend to
20 bring a motion for confidentiality measures. I think that
21 needs to be done. If there's going to be a stated case, I
22 would like an order from you dealing with confidentiality.

23 **THE COMMISSIONER:** Okay. We can deal with
24 that.

25 **MR. LEE:** So we can deal with that tomorrow.

1 THE COMMISSIONER: Sure.

2 MR. LEE: Thank you.

3 THE COMMISSIONER: Thank you.

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

6 This hearing is adjourned until tomorrow
7 morning at 9:30 a.m.

8 --- Upon adjourning at 4:33p.m.

9 L'audience est ajournée à 16h33

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

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Sean Prouse, CVR-CM