

**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 120

Held at :

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

Tuesday, June 26, 2007

Tenue à:

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

Mardi, le 26 juin 2007

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Maya Hamou	Commission Counsel
Ms. Julie Gauthier	Registrar
Mr. Mark Crane Mr. Peter Manderville	Cornwall Police Service Board
Mr. Neil Kozloff Ms. Diane Lahaie	Ontario Provincial Police
Mr. David Rose M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Stephen Scharbach	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Allan Manson	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Mark Wallace	Ontario Provincial Police Association
Ms. Jennifer Birrell	Catholic District School Board
Mr. John R.S. Westdal	Mr. Jos Van Diepen

Table of Contents / Table des matières

	Page
List of Exhibits :	v
Preliminary Matters by/Remarques préliminaires par Mr. Peter Engelmann	1
Motion presented by/Requête présentée par Mr. John Westdale	3
Submissions by/Représentations par Mr. David Rose	21
Submissions by/Représentations par Mr. Peter Chisholm	27
Submissions by/Représentations par Mr. Peter Engelmann	28
Submissions by/Représentations par Mr. Allan Manson	34
Submissions by/Représentations par Mr. Peter Manderville	39
Submissions by/Représentations par Mr. Dallas Lee	41
Submissions by/Représentations par Mr. David Rose	42
Submissions by/Représentations par Mr. David Sherriff-Scott	44
Submissions by/Représentations par Mr. Neil Kozloff	45
Submissions by/Représentations par Mr. Mark Wallace	46
Submissions by/Représentations par Mr. Peter Engelmann	46
Ruling by The Commissioner/Décision par le Commissaire	51
RON LEROUX, Sworn/Assermenté	55
Examination in-Chief by/Interrogatoire en-chef par Mr. Peter Engelmann	55
Submissions by/Représentations par Mr. David Sherriff-Scott	89
Submissions by/Représentations par Mr. Peter Engelmann	92

Table of Contents / Table des matières

	Page
Submissions by/Représentations par Mr. David Sherriff-Scott	94
RON LEROUX, Resumed/Sous le même serment	97
Examination in-Chief by/Interrogatoire en-chef par Mr. Peter Engelmann (cont'd/suite)	97

LIST OF EXHIBITS/LISTE D'EXHIBITS

NO.	DESCRIPTION	PAGE NO
M7-1A	Notice of Application for Limited Standing, Entered by Jos van Diepen, June 26, 2007	2
P-561	(712801) Interview Report Ron Leroux w\ OPP Cst. Dussault dated 25 Nov 93	59
P-562	(725219) Interview Report Ron Leroux w\ C. McDonell and M. Fagan dated 28 Mar 94	59
P-563	(719538) Witness Statement by Ron Leroux dated 10 Oct 96	60
P-564	(711382) Statement of Ron Leroux sworn on 31 Oct 96	60
P-565	(720088) Statement of Ron Leroux dated 13 Nov 96 (1)	61
P-566	(720102) Statement of Ron Leroux dated 13 Nov 96 (2)	61
P-567	(719664) Affidavit of Ron Leroux sworn on 13 Nov 96	61
P-568	(716194) Video Taped Interview Report Ron Leroux w\ Perry Dunlop dated 01 Dec 96	62
P-569	(720044) Statement by Ron Leroux dated 04 Dec 96	62
P-570	(704042) Statement by Ron Leroux dated 07 Dec 96	62
P-571	(716192) Audio Taped Telephone Report Ron Leroux w\ Perry Dunlop dated 30 May 97	64
P-572	(712799) Video Taped Interview Report #1 Ron Leroux w\ counsel Charles Bourgeois \ OPP - Dan Anthony and Cathy Bell dated 07 Feb 97	64

LIST OF EXHIBITS/LISTE D'EXHIBITS

NO.	DESCRIPTION	PAGE NO
P-573	(712800) Video Taped Interview Report #2 Ron Leroux w\ counsel Charles Bourgeois \ OPP - Dan Anthony and Cathy Bell dated 07 Feb 97	65
P-574	(712804) Audio Taped Interview Report Ron Leroux w\ OPP - D.C. Genier and P.R. Hall dated 25 Nov 97	65

1 --- Upon commencing at 9:36 a.m./

2 L'audience débute à 9h36

3 **THE REGISTRAR:** Order. All rise. À
4 l'ordre. Veuillez vous lever.

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning all.

10 Mr. Engelmann.

11 **MR. ENGELMANN:** Good morning,
12 Mr. Commissioner.

13 Just before we proceed with our next
14 witness, there are a couple of housekeeping issues to be
15 spoken to, and we have a motion.

16 We received a letter yesterday and some
17 written submissions dealing with an application for a
18 limited standing on the part of a probation employee by the
19 name of Joss Van Diepen, and Mr. Westdal -- John Westdal is
20 here as his counsel. He's to my immediate right.

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

22 **MR. ENGELMANN:** I'm introducing a new face.

23 **THE COMMISSIONER:** Thank you.

24 **MR. ENGELMANN:** So we should deal with that
25 application, and there are also some issues dealing with

1 disclosure.

2 Do you want me to address those first or
3 deal with the application first?

4 **THE COMMISSIONER:** It matters not to me.

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

6 Well, then perhaps we could deal with the
7 application because ---

8 **THE COMMISSIONER:** Certainly.

9 **MR. ENGELMANN:** --- Mr. Westdal's here for
10 that purpose.

11 Sir, you should have -- the Registry Officer
12 should have a Notice of Application for Limited Standing.

13 **THE COMMISSIONER:** Okay.

14 **MR. ENGELMANN:** This is motion number 7.
15 And if that document -- the Notice of Application for
16 Limited Standing filed, by counsel, for the applicant Joss
17 Van Diepen, if that can be marked as Exhibit M7-A1.

18 **THE COMMISSIONER:** Thank you.

19 --- **EXHIBIT NO./PIÉCE NO. M7-A1:**

20 Notice of Application for Limited Standing,
21 Entered by Joss Van Diepen, June 26, 2007

22 **MR. ENGELMANN:** Now, we just received this
23 late yesterday. I'm not sure if Counsel for the parties
24 received it at all until it was passed out minutes ago to
25 them. So I'm not sure what, if any, comments they may

1 have, but I thought I'd turn the floor over to Mr. Westdal
2 to make his application.

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

4 Yes, sir.

5 **--- MOTION BY/REQUETE PAR MR. JOHN WESTDAL:**

6 **MR. WESTDAL:** Thank you for having me. I
7 know that time is precious, and I've seen from watching on
8 the Internet that you're sitting late and that this is the
9 last week before the summer break.

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

11 **MR. WESTDAL:** I'll try to be very efficient
12 with my time.

13 First, I may comment on the timing of filing
14 these materials. I appreciate it is at the eleventh hour,
15 and many counsel here have not had the opportunity to
16 review them. It was done at that late stage because I only
17 learned of the need to do so at the tenth hour.

18 I'm here to seek limited standing on behalf
19 of Joss Van Diepen. Joss' name has come up in some of the
20 testimony. So far he has not played a prominent role, but
21 a number of the witnesses have referenced him.

22 I learned late last week and then had
23 further discussions on the weekend with Counsel that the
24 next witness will be making statements about Mr. Van Diepen
25 that are highly prejudicial to him, and it raised the

1 question of what his procedural rights were with respect to
2 protecting his rights and interests. And that's what
3 brings me here today.

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

5 **MR. WESTDAL:** I've referenced limited
6 standing. I know that in your decision where you granted
7 standing and then considered funding applications you had
8 two categories; one was full standing and special standing.
9 Perhaps I can introduce a third category, and that's
10 limited standing. And I call it limited, because we are
11 not seeking the right to call witnesses to receive all of
12 the disclosure, to cross-examine extensively. But rather
13 we are seeking the right to cross-examine on matters that
14 directly impact Mr. Van Diepen and to receive statements of
15 anticipated evidence of witnesses that will directly impact
16 Mr. Van Diepen, and also to receive documentary disclosure.

17 I, as a party without standing, or
18 Mr. Van Diepen as a party without standing at the moment,
19 have received none of that. And so while I'm going to be
20 making some comments on what I believe the next witness
21 will say, I've seen nothing, and my comments only flow from
22 discussions I've had with Commission counsel and counsel
23 for the Ministry of Corrections.

24 With respect to Mr. Van Diepen, he is a
25 resident of St. Andrews West, which is about 15 minutes

1 northwest of here. He is a probation officer at the PO2
2 rank with the Ontario Ministry of Community and
3 Correctional Services and Adult Community Corrections,
4 which I'll refer to as the Ministry.

5 **THE COMMISSIONER:** He still is an employee?

6 **MR. WESTDAL:** Well, that's an interesting
7 question. He is actually on pre-retirement leave so he is
8 not engaging in the day-to-day duties of a probation
9 officer, but he still has the formal status as an employee
10 of the Ministry.

11 **THE COMMISSIONER:** Okay.

12 **MR. WESTDAL:** He works -- he commenced his
13 employment in 1975 and he remained active until 2007. And
14 he worked in the Cornwall probation office at the same time
15 that Nelson Barque and Ken Seguin did. He was the third
16 person in a three person team. And as, of course, we're
17 aware, Mr. Barque and Mr. Seguin are alleged to have
18 engaged in inappropriate conduct.

19 So through information that's been available
20 on the Internet and also, I understand, through rumours and
21 gossip and innuendo, the applicant is alleged to have been
22 present at parties at Mr. Seguin's house where
23 inappropriate conduct with juvenile male prostitutes has
24 taken place. I've seen that in an affidavit that was
25 posted on a website.

1 I know this is new, but just from
2 Mr. Van Diepen's perspective these are the things that are
3 out there.

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

5 **MR. WESTDAL:** He's alleged to have full
6 knowledge of Mr. Seguin's illegal sexual activity, and he's
7 alleged to have been privy to a full confession by Mr.
8 Seguin just prior to his suicide.

9 We have recently learned that the next
10 witness, Mr. Leroux, is -- and apparently in a statement of
11 anticipated evidence he will be -- or he has claimed that
12 Mr. Seguin told him that my client was aware of his
13 conduct; that had threatened to disclose that conduct but
14 wouldn't disclose it if he was able to take over the
15 jurisdiction or the geographical area that Mr. Seguin was
16 operating in.

17 And to give you a bit of background, at one
18 point in the Ministry the probation officers were assigned
19 to three areas. Mr. Seguin had Morrisburg and my client
20 had Winchester. The court in Winchester closed and many of
21 those files were transferred to Morrisburg, and there
22 became an issue of whether you would still have Mr. Seguin
23 and Mr. Van Diepen going to Morrisburg.

24 And I understand that there will be evidence
25 that my client threatened to disclose information, that

1 he's alleged to have known about, in exchange for obtaining
2 this Morrisburg area, and it's alleged that there are a
3 number of perks that go along with that.

4 **THE COMMISSIONER:** Uh'huh.

5 **MR. WESTDAL:** Those are very, very serious
6 allegations. I think that, again, without having heard the
7 evidence, that this may well constitute extortion if -- or
8 blackmail. Essentially the allegation is Van Diepen said
9 to Seguin "I'm going to disclose unless you give me that
10 territory." It could give rise to criminal liability, if
11 that's the case.

12 And certainly, if Van Diepen is alleged to
13 have knowledge and didn't do anything about it then the
14 implications of that are also huge. If he had knowledge
15 and had disclosed it at the time could things have been put
16 in place that might have prevented further abuses from
17 occurring?

18 Now, of course, Mr. Van Diepen vehemently
19 denies each and every one of these allegations. And there
20 may well be other allegations by other witnesses, but at
21 this stage, you know, I don't know, and I'm concerned that
22 even as witnesses are called in the future I won't know
23 until after the fact, because I don't have the ability to
24 receive the documents nor the statements of anticipated
25 evidence.

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

2 **MR. WESTDAL:** In terms of the test for
3 standing, under section 8 of the rules for this inquiry and
4 under section 5 of the *Public Inquiries Act*, you have to
5 determine whether Mr. Van Diepen would have a substantial
6 and direct interest in part one of this inquiry, and we say
7 that he does. I mean, this has impacted him in a profound
8 manner.

9 With respect to his employment, he has had a
10 client -- and when I say a client, a probationer that was
11 assigned to him, object to that because he was alleged to
12 be a homosexual pedophile.

13 He's also had to defend a breach of
14 probation ---

15 **THE COMMISSIONER:** Hold on now. Is this in
16 your material?

17 **MR. WESTDAL:** It is. I don't have a sworn
18 affidavit by Mr. Van Diepen, but it is in my Notice of
19 Application. I am looking at paragraph 10 at the moment.

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

21 **MR. WESTDAL:** He has also had to defend a
22 breach of probation when a client alleged that he feared
23 for his safety, as the applicant was a sexual predator.

24 **THE COMMISSIONER:** When did this occur?

25 **MR. WESTDAL:** This occurred -- I don't know

1 the precise timelines on that actually, but it was --
2 again, guessing two to three years ago, when he was
3 actively employed. So this has followed him.

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

5 **MR. WESTDAL:** And so this has impacted his
6 relationship with his coworkers, and his friends and
7 acquaintances, and those in the community at large. It's a
8 small -- St. Andrews is a small tight-knit community, and
9 he has lived there for 50 years.

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

11 **MR. WESTDAL:** The greatest impact has been
12 on the applicant's family, as these allegations percolate
13 through the community.

14 His wife and his children have had to face
15 accusations and innuendo that the husband and the father
16 was a sexual deviant, and it has resulted in emotional
17 turmoil and stress for him and the entire family.

18 Now, a question arises as an employee of the
19 Ministry. Would the Ministry not be protecting his
20 interests?

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

22 **MR. WESTDAL:** And I answer that, no. And
23 it's because many of these allegations deal with conduct
24 that happened outside the scope of his employment.

25 If the allegations concerned an interview

1 technique that is prescribed by the Ministry and that
2 technique is alleged to be improper, the Ministry would, of
3 course, defend that and seek to protect Mr. Van Diepen's
4 interests.

5 In this case, the allegations are removed
6 from him being the Probation Officer. They have to do with
7 his attendance at parties where illicit activity is
8 occurring. They have to deal with blackmail and extortion.
9 Those are clearly not part of his job description, and the
10 Ministry ---

11 **THE COMMISSIONER:** But they were done in the
12 course of his duties.

13 **MR. WESTDAL:** Oh, those things were not done
14 in the course of his duties. I mean attending a party on a
15 weekend ---

16 **THE COMMISSIONER:** No, not that, but this
17 allegation of switching Morrisburg around is ---

18 **MR. WESTDAL:** That is part of his
19 employment, but the manner in which he is alleged to have
20 accomplished that is certainly not within Ministry
21 protocol.

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

23 **MR. WESTDAL:** And I think that the Ministry
24 would have little or no incentive to test these allegations
25 in cross-examination.

1 I am also very concerned about a potential
2 conflict with the Ministry. At one point, we might be
3 hearing evidence from Mr. Van Diepen in which he takes
4 issue with some of the procedural checks within the office.
5 It's possible, in terms of oversight -- who knew what; who
6 should have been looking out for whom -- and it's possible
7 that his evidence will be in conflict with witnesses from
8 the Ministry, and undermining a potential in the Ministry's
9 interest.

10 And so I don't think that he can rely or
11 should be forced to rely on Ministry counsel to protect his
12 rights and interests.

13 **THE COMMISSIONER:** But we don't have any of
14 that evidence at this point.

15 **MR. WESTDAL:** We don't; no. He has not been
16 called, and I understand that we've heard from victims to
17 date.

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

19 **MR. WESTDAL:** But moving forward, the
20 possibility arises. And certainly we have had some
21 evidence dealing with Mr. Van Diepen to date, and I think
22 that the evidence of this next witness is really going to
23 -- some of it will focus very much on Mr. Van Diepen.

24 I know that there is a concern about delay,
25 and what I can say is that if the Ministry -- if I'm

1 granted standing, if Mr. Van Diepen is granted standing,
2 I'll work with Counsel for the Ministry to the extent
3 possible, limit or eliminate any duplication, and I think
4 that can be achieved. So to that extent, I don't foresee a
5 lengthening of proceedings just because the application is
6 granted.

7 I also think that by granting standing, it
8 will provide assistance to the Commission. If no one is
9 going to be testing evidence, you might not be receiving a
10 full picture, and this evidence is on very significant
11 matters, and it needs to be probed, and it needs to be
12 tested. And by doing so, you'll be provided with a
13 complete picture, rather than incur the risk of obtaining
14 only a partial or a distorted one.

15 The other comment I would like to make is
16 just in relation to procedural fairness. In the common
17 law, doctrine of fairness does apply to inquiries, and I
18 appreciate that it is a flexible principle. But in these
19 circumstances, when the witness is about to give evidence
20 about matters that might lead to criminal liability -- that
21 are very explosive in this situation, that if accepted
22 would suggest that Mr. Van Diepen could have done something
23 to prevent abuse, I think in a matter like that, procedural
24 fairness requires that he be given the right to cross-
25 examine.

1 I did bring some case law, if you are
2 interested.

3 **THE COMMISSIONER:** Yes, always.

4 **MR. WESTDAL:** Good. Now, I'll apologize. I
5 didn't bring case law for -- I didn't bring copies for
6 Counsel.

7 **THE COMMISSIONER:** Ah; rule number one.

8 **MR. WESTDAL:** I brought copies for yourself
9 and Commission counsel. And perhaps it's a ---

10 **THE COMMISSIONER:** It's like chewing gum;
11 can't do it in the courtroom unless you have some for
12 everyone.

13 **(LAUGHTER/RIRES)**

14 **MR. WESTDAL:** Okay, well, fair enough. I
15 did, at least, turn off my Blackberry, so that's rule
16 number two, I think.

17 Here are copies; I have copies for
18 Commission counsel.

19 **THE COMMISSIONER:** Thank you.

20 **MR. WESTDAL:** The Court of Appeal dealt with
21 standing in two important decisions. The first is the
22 Ontario Crime Commission decision, that's of 1962. And I
23 have -- because the copies I provided don't have page
24 numbers, I put a red sticky on the paragraphs that I would
25 like to draw your attention to. But in summary, the

1 Commission denied two individuals, who had been subject to
2 allegations of involvement in organized crime, the right to
3 be represented at the inquiry's hearing and denied the
4 right to examine and cross-examine, and were denied the
5 right to be provided with a transcript of a witness that
6 gave testimony in-camera.

7 Justice Schroeder wrote, and I have
8 highlighted the paragraph, but I will take the liberty of
9 reading it. Cut me off if you feel it's unnecessary, but
10 he indicates:

11 "In the present inquiry, allegations of
12 a very grave character have been made
13 against the applicants, imputing to
14 them the commission of very serious
15 crimes.

16 It is true that they are not being
17 tried by the Commissioner, but their
18 alleged misconduct has come under the
19 full glare of publicity, and it is not
20 only fair and just that they should be
21 afforded the opportunity to call
22 evidence, to elicit facts by
23 examination and cross-examination of
24 witnesses, and thus be enabled to place
25 before the commission of inquiry a

1 complete picture, rather than incur the
2 risk of obtaining only a partial or
3 distorted one.

4 This is a right to which they are, in
5 my view, fairly and reasonably
6 entitled, and it should not be denied
7 them.

8 Moreover it is no less important in the
9 public interest that the whole truth,
10 rather than half-truths or partial
11 truths should be revealed to the
12 Commissioner."

13 I think there are some parallels to this
14 situation. The allegations against my client are grave.
15 They do impute or they suggest that serious crimes have
16 been committed. There has been publicity, the full glare
17 of publicity.

18 I appreciate you are not here to be finding
19 or to deal with issues of liability, findings right and
20 wrong; however, in this community, your findings will carry
21 great weight in the court of public opinion. And this is
22 that court that can be extremely damaging to a resident of
23 50 years who still lives here.

24 In that decision, and it's the next
25 paragraph, the court deals with the issue of other counsel

1 protecting the applicant's interests. I will not read that
2 paragraph, but it does -- the court does find that Counsel
3 will not or cannot be relied upon to fully protect the
4 applicant's rights and interests.

5 **THE COMMISSIONER:** But other than the
6 allegation of some change of jobs in Morrisburg, much if
7 not everything that you have told me has been in your
8 client's knowledge and the Ministry's knowledge at the time
9 of the Application for Standing.

10 **MR. WESTDAL:** Yes.

11 **THE COMMISSIONER:** And so at that time,
12 Counsel got up and said I represent everyone in the
13 Ministry. And in fact, I found that the Estate of
14 Ken Seguin would be represented by the Ministry. And it
15 continued to hold that position.

16 So what has changed?

17 **MR. WESTDAL:** I think the change here is now
18 there's allegations that my client has essentially extorted
19 or blackmailed someone within the office.

20 **THE COMMISSIONER:** Well ---

21 **MR. WESTDAL:** And that ---

22 **THE COMMISSIONER:** --- it's not there yet,
23 but okay.

24 **MR. WESTDAL:** Yes, not there yet, but in
25 fairness, if I'm not granted standing in advance, I will be

1 bringing an application after the fact, and I think that
2 would lead to further delays, because you might have to
3 call the witness back if I'm granted standing.

4 So we are not there yet, but I don't know
5 what this witness is going to say. I have a sense of what
6 he's going to say, but I haven't been provided with the
7 statements. I haven't been provided with the statements of
8 any witnesses, and moving forward -- but I guess to your
9 point, if there are no statements that are prejudicial to
10 my client, I will be sitting silent. I might not even be
11 attending, and there would be no delay whatsoever, but if
12 there things that come up like what I believe will come up
13 with this witness, I believe I should have the right to
14 cross-examine on those very distinct points; very distinct.

15 That is why I go back to my opening
16 statement, it's not an application for full standing. I
17 mean, I think that he meets the definition or the criteria,
18 Section 5, a substantial and direct interest. As such, by
19 me actually only requesting limited standing, maybe I have
20 unnecessarily restricted my client's rights. Perhaps that
21 was done unwittingly. I don't know, but I still think that
22 when a witness is about to give this evidence and other
23 witnesses may give evidence, that Mr. Van Diepen should be
24 able to test that evidence.

25 I have included a second case.

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

2 **MR. WESTDAL:** It's the public inquiries in
3 *Shulman Case*, again of the Ontario Court of Appeal.

4 In *Shulman*, the court held that a party
5 affected by the inquiry should be allowed to have his own
6 lawyer and conduct examinations. Then, of course, any of
7 the statements he made, he had to expect that he could be
8 cross-examined by any person affected by that evidence.

9 Again, what I think it shows is that the
10 court has adopted a broad view, a broad interpretation of
11 direct and substantial, and wants to provide those
12 procedural protections to witnesses that will be affected
13 by evidence.

14 And the court, in this decision, touches on
15 the type of inquiry and distinguishes between an inquiry
16 that has an investigative nature to it to one that might be
17 for the purposes of drafting legislation or dealing with
18 rail subsidies. In an inquiry that has an investigative
19 element to it or has an investigative nature, the
20 procedural rights, I think, are -- must be applied and
21 enforced more vigorously. I have highlighted a section of
22 that decision.

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

24 **MR. WESTDAL:** I think that the nature of
25 this inquiry is like the nature of the inquiry dealt within

1 the *Shulman Case*, and in that case those procedural rights
2 were granted.

3 A final case I would like to mention is the
4 decision of the *Royal Commission on the Northern*
5 *Environment*.

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

7 **MR. WESTDAL:** It is a 1983 decision in
8 Ontario, and it does articulate some of the factors in
9 determining whether there has been a substantial and direct
10 interest.

11 One factor is -- and I have highlighted this
12 -- is the potential importance of the findings and the
13 recommendations to the individual involved, and I'll read
14 here:

15 "If a particular person would be
16 greatly affected by a recommendation or
17 a finding in relation to him or his
18 interests, then that would then be
19 taken into account in deciding whether
20 he had a substantial or direct
21 interest."

22 Clearly, I don't know what your findings
23 will be, what your rulings will be, but this has the
24 ability to gravely impact Mr. Van Diepen.

25 The final point I'll make about that case is

1 about the floodgates argument or setting a precedent -- no
2 need to?

3 **THE COMMISSIONER:** No need to hear from
4 that.

5 **MR. WESTDAL:** Okay. That brings me to an
6 end, but perhaps what I'll do in closing is just again
7 articulate exactly what we are seeking. And we're not
8 seeking the right to call witnesses. We are not seeking
9 all of the documents. It is really quite limited just to
10 the way Mr. Van Diepen is impacted.

11 **THE COMMISSIONER:** So if I were to give you
12 what you wanted, this word, the four-letter word, delay, --
13 -

14 **MR. WESTDAL:** Pardon me?

15 **THE COMMISSIONER:** Delay, you keep saying
16 delay. Are you saying that you're not going to be able to
17 cross-examine right off the bat?

18 **MR. WESTDAL:** I don't have any documents
19 whatsoever. I mean I have nothing. I would like the time
20 to review those documents. I don't even have the statement
21 of anticipated evidence. I will get up to speed as quickly
22 as I can. I don't know how many days this witness will be
23 on the stand.

24 And I might propose that if I were to cross-
25 examine, it would be last. That way, if the Ministry does

1 address the points I would address, there might be no need
2 for me to even proceed.

3 But I learned of this potential evidence on
4 a phone call on Thursday evening. I had discussions with
5 Commission counsel on Friday of last week.

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

7 **MR. WESTDAL:** That was the timing of it, and
8 to that extent, I apologize that this is being rather last
9 minute, but I, myself, was taken aback when I heard about
10 this. It's different than what I understood his evidence
11 would be; and in discussion with the client, the Ministry
12 and Commission counsel, I felt that this was the best
13 course of action.

14 **THE COMMISSIONER:** No, no. Things happen,
15 and we'll have to decide what we are going to do. Thank
16 you.

17 **MR. WESTDAL:** Okay.

18 **THE COMMISSIONER:** Anyone wish to offer any
19 further comments with respect to standing?

20 Mr. Rose, yes. Okay.

21 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DAVID ROSE:**

22 **MR. ROSE:** Good morning, Mr. Commissioner.

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

24 **MR. ROSE:** I support Mr. Westdal's
25 application and Mr. Van Diepen's application for limited

1 standing. And I just want to perhaps provide you,
2 Mr. Commissioner, with some assistance in terms of the
3 relationships that we have, which we talked about in
4 November 2005, as you referred to this morning.

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

6 **MR. ROSE:** Yes. We do represent the
7 Ministry as a whole and its individual employees. Mr. Van
8 Diepen has separate representation in his capacity as a
9 witness and has been for some months now. So, of course
10 this is not known to you.

11 **THE COMMISSIONER:** No.

12 **MR. ROSE:** It's of irrelevance to you;
13 however, certain things have been going on behind the
14 scenes, which Mr. Westdal has been playing a part as
15 representing Mr. Van Diepen in connection with appropriate
16 inquiries by your staff. So that's all been going on in
17 the last several months.

18 Where we end that or whether there's a line
19 there, Mr. Commissioner, is when there's an allegation that
20 Ministry staff will have committed an illegal act, and not
21 just something perhaps in breach of a policy or a
22 misinterpretation of a policy, but an illegal act.

23 At that point, the Ministry cannot say that
24 it represents the interests of an individual employee.
25 Now, that came to our attention on Thursday night. And so

1 when you say we're not there yet, it is my respectful
2 submission, reviewing documents generated by your staff,
3 that we are there. We are there today. That was brought
4 to our attention on Thursday -- or at least I became aware
5 of it Thursday night. Whether or not that information was
6 available on Thursday afternoon, I don't know. I don't
7 think anything turns on it, but all of this became
8 available to us on Thursday.

9 As Mr. Westdal has fairly put to you, this
10 was brought to his attention immediately. Mr. Westdal
11 immediately brought this to the attention of Commission
12 counsel.

13 So, in terms of Mr. Van Diepen's application
14 for limited standing, in my respectful submission, since
15 there is now -- we expect an allegation of criminal
16 misconduct as against Mr. Van Diepen; and perhaps it won't
17 turn out exactly like that, but reading what your staff has
18 provided to us, that is certainly a fair interpretation of
19 what you are about to hear.

20 In my respectful submission, the Ministry
21 cannot be called upon to represent that interest.

22 **THE COMMISSIONER:** So then you are saying
23 that's the sole interest that you cannot represent.

24 **MR. ROSE:** At that point, yes.

25 Now, I'm certainly cognizant, and the reason

1 why Mr. Van Diepen is, as I understand it, has his own
2 counsel, is that Mr. Van Diepen has certain other claims
3 because of what happened in Project Truth, and you've heard
4 about some of those already and I believe you've seen
5 website affidavits and the kinds of things that had been
6 bandied about the community. That certainly warrants Mr.
7 Van Diepen having separate representation.

8 If I can call it, the cumulative effect is
9 that now -- if we can call it the straw that's on the
10 camel's back or so forth -- that happened on Thursday
11 night, at which point we received an anticipated evidence
12 for the witness you're about to hear, and that has pushed
13 this into a different realm, in my respectful submission.

14 So I agree with Mr. Westdal, Mr. Van Diepen
15 has an ascertainable interest. Given what you're about to
16 hear he has a different perspective on this.

17 I agree with that as well, and in my
18 respectful submission, I've spoken with Mr. Westdal about
19 this, in a sense that if he is granted the standing that he
20 seeks we will certainly work together to make sure that
21 there is no duplication. So there are certain things --
22 I've indicated to Mr. Westdal, if Mr. Van Diepen is granted
23 standing we probably wouldn't have an interest in going
24 into certain areas that he wants to go into.

25 **THE COMMISSIONER:** So he says in paragraph

1 13 that you would have little incentive to test the
2 allegations.

3 **MR. ROSE:** I was about to go there.

4 **THE COMMISSIONER:** Oh, I'm sorry.

5 **MR. ROSE:** And I have that right in front of
6 me, and you can see that I've actually separated those two
7 sentences in paragraph 13.

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

9 **MR. ROSE:** I agree with Mr. Van Diepen that
10 the allegations go beyond the scope of the applicant's
11 employment with the Ministry.

12 In terms of little or no incentive, as I've
13 said before, when the allegations go into allegations of
14 criminal misconduct, at that point the Ministry cannot
15 vouch -- does not answer for its employees. I think the
16 phrase is vicarious liability. That ends. In other words,
17 we're not accountable for the actions of our employees if
18 they broach into criminal misconduct.

19 And going on -- that may very well be
20 Mr. Van Diepen's perspective. As I say, if we cross the
21 line, the Ministry is very clear -- we don't go beyond that
22 line.

23 Now, furthermore, with respect to paragraph
24 14 of the application, this is Mr. Van Diepen's
25 perspective. I appreciate that. I understand that.

1 However, I can tell you, Mr. Commissioner, and I tell the
2 public at large today right now, that the Ministry is not
3 interested, has never been interested, nor will ever be
4 interested in anything speaking to being a scapegoat.

5 However, I appreciate that may be
6 Mr. Van Diepen's perspective, and that may be something,
7 Mr. Commissioner, that you decide is where the Ministry and
8 Mr. Van Diepen part ways. That is his perspective. It is
9 not our perspective. However, we have a difference of
10 opinion here.

11 So in my respectful submission, sir, Mr. Van
12 Diepen has established a legal basis for standing and has
13 provided you with a plan by which there will be no, or
14 minimal disruption or delay.

15 Those are my submissions.

16 **THE COMMISSIONER:** Thank you.

17 Anyone else? Let's go down the list.

18 Mr. Manson, do you have any comments?

19 **MR. MANSON:** None.

20 **THE COMMISSIONER:** None.

21 Mr. Lee?

22 **MR. LEE:** Nothing.

23 **THE COMMISSIONER:** Thank you.

24 Mr. Chisholm?

25 **MR. CHISHOLM:** Good morning, sir.

1 **THE COMMISSIONER:** Good morning.

2 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. PETER CHISHOLM:**

3 **MR. CHISHOLM:** My client would support the
4 application brought by Mr. Van Diepen with respect to his
5 application for limited standing.

6 Based upon the submissions that you've heard
7 from Mr. Westdal this morning I would submit that the test
8 is set out in subsection 1 of section 5 of the *Public*
9 *Inquiries Act* is met by Mr. Van Diepen, in that he has a
10 substantial and direct interest in the subject matter of
11 the inquiry.

12 Subject to your questions or comments,
13 Mr. Commissioner, those would be my submissions.

14 Thank you.

15 **THE COMMISSIONER:** Thank you.

16 Mr. Scharbach?

17 **MR. SCHARBACH:** No submissions.

18 Thank you.

19 **THE COMMISSIONER:** Thank you.

20 Mr. Sherriff-Scott?

21 **MR. SHERRIFF-SCOTT:** Nothing, sir.

22 Thank you.

23 **THE COMMISSIONER:** Thank you.

24 Mr. Manderville?

25 **MR. MANDERVILLE:** Nothing to add,

1 Mr. Commissioner.

2 **THE COMMISSIONER:** Thank you.

3 Mr. Kozloff?

4 **MR. KOZLOFF:** Nothing to add, sir.

5 **THE COMMISSIONER:** Thank you.

6 Mr. Carroll?

7 **MR. CARROLL:** Nothing.

8 Thanks.

9 **THE COMMISSIONER:** Thank you.

10 Ms. Birrell?

11 **MS. BIRRELL:** Nothing to add.

12 **THE COMMISSIONER:** Mr. Engelmann.

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

14 **MR. ENGELMANN:** Mr. Commissioner, I've
15 listened attentively to the submissions, and I think
16 there's no question that there's a direct and substantial
17 interest. It's really a question of whether or not Mr. Van
18 Diepen can continue to be represented by counsel for the
19 Ministry.

20 And I recall back in November of 2005, two
21 things: One, your indicating that, in particular with
22 respect to the estate of Ken Seguin, that a conflict had
23 not been established before you determined not to give the
24 estate standing for phase one of any sort, but gave them
25 standing for phase two only.

1 So really the question is are we at the
2 stage where a conflict has arisen? And I guess I say I
3 don't really know.

4 What has happened is, and I think it may be
5 an overstatement, to say that criminal conduct was alleged.

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

7 **MR. ENGELMANN:** There is a suggestion that
8 Ken Seguin told the next witness that Mr. Van Diepen
9 threatened him with disclosure of his activity if he didn't
10 give up portions of his job, and I think Mr. Westdal went
11 through that in some detail about Morrisburg, et cetera.

12 So there's a question about, you know,
13 disclosure to whom, presumably the employer. In any event,
14 that is the new fact, and the question is are we now at a
15 situation where there is a conflict.

16 We don't have any affidavit evidence, and I
17 don't fault Counsel, nor do I fault Counsel for the delay
18 or short notice. He just became aware. He acted promptly.
19 He contacted Commission staff on Friday. He wrote
20 yesterday, and he filed submissions yesterday. So he's
21 done everything possible on behalf of his client.

22 The real question is -- and I don't know
23 what discussion, if any, he's had with Mr. Rose or his
24 colleagues about the defence the Ministry has already
25 launched with respect to, shall we say, Mr. Van Diepen's

1 interest; because we were advised right from the get-go
2 that all Ministry staff, whether they were current or
3 former, are being represented by Counsel for the Ministry.

4 And as you know, clearly from yesterday's
5 evidence, whether we're talking about -- excuse my labour
6 law jargon, but off-duty conduct or conduct in the
7 workplace, Mr. Rose asked a number of questions of
8 Mr. Renshaw about alleged off-duty conduct of
9 Mr. Van Diepen with respect to meetings that he may or may
10 not have had with Mr. Renshaw at his home, et cetera.

11 So I guess really the question is, are you
12 at that stage where you should grant some form of limited
13 standing? If you feel you are, I agree with Mr. Westdal's
14 suggestion that he be allowed to cross-examine last, and
15 that he not, in any way, duplicate cross-examination that
16 has already occurred.

17 **THE COMMISSIONER:** Okay. And should it be
18 limited to alleged wrong-doings that would take it outside
19 of the employment opportunities?

20 **MR. ENGELMANN:** I'm not sure. As far as I
21 know, the Ministry never disciplined Mr. Van Diepen in any
22 way. There were no oral reprimands. There were no written
23 reprimands. There was no suspension. So I don't know of
24 any, and I just may not be aware of it, but I don't know of
25 any conflict between the Ministry and Mr. Van Diepen that's

1 preceded this last comment in the AE.

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

3 **MR. ENGELMANN:** That's really your call,
4 sir, whether you would restrict it if he's here
5 representing his client and his interest. Presumably, I
6 would think he should be allowed to ask questions with
7 respect to his client, and I wouldn't limit him strictly to
8 the one incident. I guess the question is, simply, are we
9 at that stage?

10 **THE COMMISSIONER:** Thank you.

11 All right. Are there any other matters that
12 we should deal with before we take a break?

13 I'll need five or 10 minutes just to gather
14 my thoughts on this.

15 **MR. ENGELMANN:** Sir, there are some
16 disclosure issues that have risen with the next witness.
17 There are two issues. It was brought to Commission
18 counsel's attention on Monday that there could be a
19 transcript of an examination for discovery transcript in
20 existence with respect to this witness.

21 The facts, as I know them, are as follows.
22 The next witness will allege that he was sexually abused at
23 or around the age of 30, 31, while he was on probation, by
24 Nelson Barque.

25 And you've heard that name before, and he

1 has been confirmed as a -- as an abuser of kids who were on
2 probation or teenage boys who were on probation. Do you
3 recall that?

4 And there's been some evidence with respect
5 to Mr. Barque ---

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

7 **MR. ENGELMANN:** --- who is now deceased.

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

9 **MR. ENGELMANN:** In any event, Mr. Leroux is
10 part of a lawsuit that was brought by Mr. Yegendorf. We
11 heard something about that yesterday from the previous
12 witness.

13 There was, in fact, an examination for
14 discovery in that lawsuit.

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

16 **MR. ENGELMANN:** Commission staff have now
17 fully investigated that matter, have determined that no
18 transcript exists.

19 We are prepared to order the transcript. We
20 are prepared to pay for the transcript and we have made
21 arrangements to have it done as quickly as possible.

22 I'm not sure if the transcript will contain
23 any evidence that would make it relevant or sufficiently
24 relevant to admit that document into evidence. However, we
25 are ordering the transcript, and we are hoping to have it

1 by tomorrow.

2 I'm not sure if we will have it by tomorrow.
3 It may be the day after.

4 And, as I said, whether or not it contains
5 matters that are sufficiently relevant, time will tell.

6 Secondly, there have been requests -- and we
7 talked about this earlier -- there were letters written on
8 June 14th requesting a file from Mr. Dunlop's former
9 counsel, a man by the name of Charles Bourgeois.

10 A summons was issued and served on
11 Mr. Bourgeois yesterday and he has had discussions with my
12 colleague, Pierre Dumais. He has told us, after --
13 apparently, his staff has been searching records, archives,
14 et cetera, yesterday -- perhaps the day before -- I'm not
15 exactly sure on the timeline. They have not found a file.

16 Mr. Bourgeois has advised Mr. Dumais that it
17 is very unlikely that file exists. Ninety-eight percent
18 (98%) is how he's told us. They are continuing to search
19 for a file.

20 We have asked -- Mr. Bourgeois may well be a
21 witness in these proceedings. He is in discussions with
22 Mr. Dumais. I can advise Counsel immediately once we know
23 for sure and, if Mr. Bourgeois tells us that no file
24 exists, he will be asked to provide us with a full
25 certificate of production vis-à-vis those documents, or the

1 lack of those documents. I anticipate knowing that today.

2 So that's the update. Mr. Manson wishes to
3 speak to this issue. There may be other counsel who wish
4 to speak to the issue as well.

5 **THE COMMISSIONER:** Thank you.

6 Mr. Manson ?

7 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. ALLAN MANSON:**

8 **MR. MANSON:** Yes, Mr. Commissioner.

9 I want to say I'm very pleased to hear, Mr.
10 Engelmann, about the efforts that have been made in this
11 regard after yesterday's counsel meeting.

12 Our position is: the next witness will be
13 central to one of the major interests of our client and
14 this goes back to the standing application.

15 You will recall -- you can look at the
16 transcript from November 7th, 2005, when Mr. Wardle
17 addressed this at pages 25 to 27.

18 Our clients are very concerned with how
19 these various events and institutional responses impacted
20 on the community ethos, especially from the perspective of
21 information, misinformation and lack of information, and
22 how that generated what you've referred to as "the climate
23 of rumours and innuendoes".

24 And it's our position that the next witness,
25 for a variety of reasons that you'll see from the evidence,

1 was a big part in that impact on the community ethos.

2 As a result, it's our position that we'll be
3 hampered in the cross-examination -- and I'm not suggesting
4 any kind of adjournment. I'm -- we all want -- this will
5 be a hard week, and we all want it to proceed as
6 expeditiously as possible.

7 But it's our position that we need the
8 Bourgeois file because of material that has just come out
9 in the anticipated evidence with respect to dealings with
10 Mr. Bourgeois. It will be disappointing if there is no
11 file, but we'll deal with that when we hear about it.

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

13 **MR. MANSON:** The transcript we also need.
14 Mr. Engelmann told us it was ordered. Now, I don't know
15 who ordered it. My guess is it would have to be a party
16 that orders the transcript.

17 It may be that a summons is also required, a
18 summons to the reporter. We know who they are and perhaps,
19 with a summons, it will be prepared very, very quickly.

20 We can deal with the questions of relevance.
21 I don't -- it is relevant. At the end of the day, whether
22 there's something in it that needs to be admitted in front
23 of you -- but, for disclosure purposes, it's relevant.

24 Our position is: we would like to proceed
25 with the cross-examination subject to re-calling this

1 witness when we get this material.

2 And I know we've got -- there's time in
3 August. The only submission I would add to that is that he
4 ought to be under subpoena when he's finished here if he's
5 going to be re-called so that it's clear that we do expect
6 him back assuming that these materials provide an
7 appropriate basis for cross-examination.

8 So, this is a problem, but it is resolvable.
9 I would submit that we ought to be satisfied that every
10 effort is being made to get the material as soon as
11 possible and that you, Mr. Commissioner, be in agreement
12 that the witness be re-callable.

13 I don't know if he's under subpoena at the
14 moment.

15 **THE COMMISSIONER:** Is he under subpoena, Mr.
16 Engelmann?

17 **MR. ENGELMANN:** This witness has been served
18 with a subpoena.

19 **THE COMMISSIONER:** All right.
20 So all witnesses are returnable ---

21 **MR. ENGELMANN:** Yes.

22 **THE COMMISSIONER:** --- depending on if
23 there's grounds to have them come back.

24 **MR. ENGELMANN:** Yes.

25 **THE COMMISSIONER:** So I don't know that this

1 is a problem in the sense that, if we finish everything
2 this week, let's say ---

3 **MR. ENGELMANN:** Yes.

4 **THE COMMISSIONER:** --- and something comes
5 up, and you get up on -- in August and say: "Look it, this
6 transcript, I have some questions to bring back to this
7 person" and, you know, subject to some discussion about
8 relevancy and that kind of thing, I decide that -- yes --
9 and he'll come back.

10 **MR. MANSON:** The problem, Mr. Commissioner,
11 is again one of expedition.

12 I understand after yesterday's counsel
13 meeting that we may not be sitting the week of August 13th,
14 so I would submit that that would be the time to bring him
15 back and that, this week, we ought to have -- it could
16 always be cancelled, but if you -- if we wait ---

17 **THE COMMISSIONER:** If what can be cancelled?

18 **MR. MANSON:** The need for him to come back -
19 --

20 **THE COMMISSIONER:** Right.

21 **MR. MANSON:** --- but if we leave it until
22 August 20th ---

23 **THE COMMISSIONER:** Right?

24 **MR. MANSON:** --- to hear from me, when will
25 we be finishing with the witness?

1 My submission is it would be helpful to
2 everyone if we picked the date the week before and, if it
3 has to be cancelled, it has to be cancelled -- since that
4 date is empty now -- those dates are empty.

5 **THE COMMISSIONER:** Well, I think -- I'm
6 going to want to save a day or some time before that in
7 case there's some argument as to whether or not he needs to
8 come back.

9 **MR. MANSON:** Yes. Absolutely.

10 **THE COMMISSIONER:** All right.

11 And, so you're saying we should set aside a
12 week?

13 **MR. MANSON:** No, no, no. I'm saying, since
14 that week which we've all booked off to be in Cornwall ---

15 **THE COMMISSIONER:** Right.

16 **MR. MANSON:** --- now seems to be empty ---

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

18 **MR. MANSON:** --- that would be the
19 appropriate time to do it so that Mr. Engelmann and his
20 colleagues can continue a pace as of August 20th.

21 **THE COMMISSIONER:** Okay, well, that's --
22 that's something.

23 But, presumably, if it's correct that we're
24 going to get the transcript tomorrow, all of this for not,
25 because you people can ---

1 **MR. MANSON:** Absolutely.

2 I've just learned of this now and I'm very
3 pleased to hear that -- the efforts that have been made
4 over the past 24 hours.

5 And so, it may well be that it does
6 evaporate as an issue. We'll see how we proceed.

7 But I just wanted to make clear that there
8 is this problem, it is a limitation, and it may come back
9 but it is resolvable, Mr. Commissioner.

10 **THE COMMISSIONER:** Good. Thank you.

11 Any other comments in that regard?

12 Mr. Manderville?

13 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. PETER

14 **MANDERVILLE:**

15 **MR. MANDERVILLE:** Good morning,
16 Mr. Commissioner.

17 I firstly would echo Mr. Manson's request
18 and, obviously, if we are of a view that Mr. Leroux should
19 return, we will make our submissions to you, and you'll
20 decide as you will.

21 The only other disclosure request I would
22 make -- and I requested it of my friend in the past and
23 again on Friday, and I want -- and that is production of
24 the investigators notes concerning the -- Commission
25 investigators -- interviews of Mr. Leroux.

1 And the reason for this is, last Tuesday all
2 parties withstanding received the initial AE from
3 Mr. Leroux, which says what it says. Late in the day
4 Thursday the 21st of June we received some clarifications to
5 that, which I suggest represent a sea change from what had
6 been said in his AE two days before, and it's quite
7 apparent that Mr. Leroux has clarified a lot of what he had
8 told the investigator.

9 So we submit we should receive the
10 investigators notes to see the impetus for the change and
11 what exactly the investigator is being told by this
12 witness, and how his ever-evolving story continues to
13 evolve.

14 And that is what I am requesting for
15 disclosure, in addition to Mr. Manson's request.

16 **THE COMMISSIONER:** All right.

17 So in this ---

18 **MR. MANDERVILLE:** And I'm happy to answer
19 any questions you might have of me. I expect some of my
20 friends may want to address this too.

21 **THE COMMISSIONER:** All right.

22 So you're saying interview notes?

23 **MR. MANDERVILLE:** Yes.

24 **THE COMMISSIONER:** Okay. We'll see what
25 comes of that.

1 Mr. Manson, do you have any comments?

2 **MR. MANSON:** I have no position on that
3 particular issue.

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

5 **MR. LEE:** I have nothing to say about
6 Mr. Manson's request for the Bourgeois file or the
7 discovery transcript.

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

9 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DALLAS LEE:

10 **MR. LEE:** As far as Mr. Manderville's
11 request for interview notes from investigators, I would
12 oppose that. Those, in my submission, would fall in --
13 they're akin to asking for Mr. Engelmann's notes, as far as
14 I'm concerned. They're the work product of the Commission.
15 They surely must be protected.

16 We've been assured -- I mean, I'm probably
17 the only counsel in this room, to this point, given what
18 we've done at this inquiry so far, who can speak to
19 interactions with Commission counsel and what's been gone
20 on, and I can tell you we've been assured, since before
21 this inquiry started that, our clients and witnesses coming
22 up can speak openly with Commission investigators,
23 Commission counsel. We have never been privy to anything
24 from Commission investigators or Commission counsel. I've
25 never seen their notes. And we've been specifically told

1 in the past that we will never see those notes and they
2 will never be compellable because those are the work
3 product of the Commission. And I think that's the proper
4 approach, and it's the approach we've been working under.

5 Mr. Leroux is going to be in the box. He
6 can be asked about his stories, whether they change,
7 whether they didn't change, what he has to say. I don't
8 see any reason why we need to get the investigators notes
9 in the first place, and I say that it's improper to do so.

10 **THE COMMISSIONER:** Thank you.

11 Mr. Chisholm?

12 **MR. CHISHOLM:** No submission, sir.

13 Thank you.

14 **THE COMMISSIONER:** Thank you.

15 Mr. Rose?

16 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DAVID ROSE:**

17 **MR. ROSE:** I agree with Mr. Manderville and
18 Mr. Chisholm in everything -- sorry, and Mr. Manson, in
19 everything that they've said. I won't go into it anymore -
20 --

21 **THE COMMISSIONER:** Oh, I just wanted ---

22 **MR. ROSE:** --- except ---

23 **THE COMMISSIONER:** Go ahead.

24 **MR. ROSE:** --- to say that the issue, which
25 I referred to earlier when Mr. Westdal was making

1 submissions about Mr. Van Diepen, I referred to an incident
2 that happened on Thursday last week when this corrected
3 anticipated evidence arrived on my desk, and at that point
4 I communicated with Counsel my concern about a shift and an
5 explanation for the shift.

6 So, that was immediately -- that was
7 coincidental with Mr. Leroux's new corrected anticipated
8 evidence.

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

10 **MR. ROSE:** So again, this is not something
11 that's come up just this morning, although it did come up
12 last week, exactly when the shift happened. So I think all
13 counsel were alert to this issue as it happened last week.

14 **THE COMMISSIONER:** M'hm. I guess the only
15 issue I really want to discuss is the issue of production
16 of investigators notes.

17 **MR. ROSE:** Yes, that's it.

18 **THE COMMISSIONER:** Is there jurisdiction to
19 do that? If it's a case law, I mean, isn't there like --
20 work product? It's like asking your investigators, whoever
21 has been working in your office on this file, to produce
22 the notes.

23 **MR. ROSE:** Well, I mean, you'd have to get
24 past solicitor/client privilege on that.

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

1 **MR. ROSE:** You'd have to get around
2 litigation privilege.

3 I'm not aware of a privilege which applies
4 as between an investigator acting in the public interest
5 and a witness.

6 Now, as between a lawyer and a witness there
7 may be. I'm aware of a case called *Sungaila* some years ago
8 that I had some involvement in where Justice Campbell
9 refused to order production of a crown attorney's notes and
10 make a crown attorney available for cross-examination for
11 this purpose.

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

13 **MR. ROSE:** That might very well prohibit
14 production of Mr. Engelmann's notes, if that principle
15 applies; but not the investigators.

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

17 Thank you.

18 Mr. Scharbach?

19 **MR. SCHARBACH:** Sir, not having reviewed the
20 law on this particular point I have no constructive
21 submissions for you this morning.

22 Thank you.

23 **THE COMMISSIONER:** Thank you.

24 Mr. Sherriff-Scott?

25 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DAVID SHERRIFF-

1 **SCOTT:**

2 **MR. SHERRIFF-SCOTT:** I would support
3 Mr. Manson's submissions and those of Mr. Manderville, and
4 I think Mr. Lee articulates a concern which has not
5 developed a pace in the inquiry to date, and I think you're
6 hearing the request because of what may be regarded as
7 fairly extraordinary changes and shifts in the position of
8 the evidence that we're going to see, and I think that's
9 what's driving the request.

10 Thank you.

11 **THE COMMISSIONER:** Thank you.

12 Mr. Kozloff?

13 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. NEIL KOZLOFF:**

14 **MR. KOZLOFF:** Good morning, sir.

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

16 **MR. KOZLOFF:** While I'm not aware of any law
17 in relation to the obligation to disclose Commission staff
18 or Commission investigator notes, by analogy if a witness
19 is interviewed by a police officer in preparation for trial
20 and provides that officer with new information which is
21 analogous to a corrected summary of anticipated evidence,
22 in the ordinary course that officer's notes would be
23 disclosed at the earliest possible opportunity to the
24 defence.

25 So if that analogy has any merit to this

1 situation, in my submission the investigators notes in
2 relation to the preparation of Mr. Leroux leading up to the
3 corrected summary of anticipated evidence should be
4 disclosed.

5 So I support Mr. Manderville's application,
6 and I also support Mr. Manson's.

7 **THE COMMISSIONER:** Thank you.

8 Mr. Carroll -- Mr. Wallace. Sorry.

9 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. MARK WALLACE:**

10 **MR. WALLACE:** Good morning, sir.

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

12 **MR. WALLACE:** I can say, speaking from the
13 point of view of the practice of criminal law, that
14 documents that Mr. Kozloff has just referred to are
15 routinely disclosed when they reveal material differences
16 between the prior witness statements and what the officer
17 expects is going to be testified to in court. And to that
18 extent, I would support the application.

19 **THE COMMISSIONER:** Thank you.

20 Ms. Birrell?

21 **MS. BIRRELL:** Nothing, Commissioner.

22 **THE COMMISSIONER:** Thank you.

23 Mr. Engelmann?

24 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. PETER ENGELMANN:**

25 **MR. ENGELMANN:** I can't remember the words

1 Mr. Manderville used last -- the weeks are running
2 together, sir. I think it was last week.

3 There was an issue involving Mr. Renshaw,
4 and we were talking about individuals that he would see
5 fraternizing with either Malcolm MacDonald or Ken Seguin,
6 and an issue came up about,

7 "Well, it wasn't enough that you
8 suggest there's some link between these
9 people or that there's some evidence
10 that there's some link between these
11 people. You didn't tell us
12 specifically where they were seen
13 together. That wasn't in his
14 statement. And Mr. Engelmann, when you
15 become aware of something at the last
16 minute you have a duty to correct the
17 AE and give us more information."

18 I can't remember how many letters I got but
19 I certainly got one from his client, one from I think, the
20 OPP and the OPPA about positive obligation to bring forward
21 new information.

22 So that was done. I met with Mr. Leroux on
23 Thursday. As a result, there was some clarifications in
24 the anticipated evidence summary.

25 To suggest this is a sea change is a gross

1 exaggeration, and I mean a gross exaggeration. It was like
2 suggesting because you don't say that they meet in one
3 place, but they meet in two others, it's the same kind of
4 thing.

5 I mean if the issue is, is there a
6 relationship between two people -- if I'm acting for one of
7 those parties, I am going to explore that. I'm going to
8 ask, were you ever with this guy? It doesn't matter where,
9 when, et cetera. So to suggest you need to get
10 instructions for something like that and to suggest it's a
11 huge sea change or whatever ---

12 So, all this to say to ensure that there
13 were as little surprises as ever, and believe me, sir,
14 these anticipated evidence summaries, and I've looked at
15 them for other inquiries, far more detailed.

16 And we've been talking -- commission staff
17 has been talking about we are getting complaints about them
18 coming out too late, and we've talking about -- gee, we
19 should cut them down; really basic. But we thought, no,
20 no, let's provide them as much information as we can.
21 Let's do the work. So we are trying to do that. We are
22 trying to provide clarifications.

23 We have lawyers who work together with
24 investigators. We use a lawyer-investigator team response.
25 We have an investigation team, which is made up of lawyers

1 and investigators. So we have lawyers and investigators
2 interviewing. We have had that from the start.

3 We've had a very, very constant position on
4 this. That this is Commission work product, and we are not
5 going to disclose our notes, and we have done this with the
6 anticipated evidence summaries. That's why they are not
7 called Will States or Will Says.

8 We've done this for the protection of all
9 parties to encourage them to be candid with us, to
10 encourage them to feel comfortable with us. We're not just
11 doing this for victims and alleged victims. We intend to
12 do this throughout this process. This is to make everyone
13 feel comfortable in speaking with us.

14 There are a number of references to criminal
15 trials and, again, with the greatest respect to my friends,
16 this is not a criminal process.

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

18 **MR. ENGELMANN:** This is an investigation.
19 It is an inquiry. It's not an adversarial process. It is
20 not a trial.

21 So, with the greatest of respect to them,
22 and I have great respect for them, that's not the right
23 answer.

24 It is certainly the position of Commission
25 counsel, together with the investigators we work with, that

1 our notes are Commission work product, and if -- you know,
2 I'm not sure how many of us would have worked on the
3 anticipated evidence summary. It would have seen many
4 eyes, and certain people will determine putting certain
5 facts in are more important than putting other facts in.

6 I had a meeting with Mr. Leroux on Thursday
7 with his witness support person, and tried to flesh out as
8 best I could certain other facts that may not have been
9 apparent from that to be overly fair, in my respectful
10 submission, to the parties. And now, I met with Mr.
11 Manderville's request, and I'm -- I won't comment on my
12 disappointment or unfortunate -- I'll leave it. We are
13 where we are.

14 **THE COMMISSIONER:** Thank you.

15 All right. We'll take 15 minutes, and I'll
16 issue my directions. Thank you.

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

19 --- Upon recessing at 10:40 a.m. /

20 L'audience est suspendue à 10h40

21 --- Upon resuming at 11:13 a.m. /

22 L'audience est reprise à 11h13

23 **THE REGISTRAR:** The hearing is now resumed.

24 Please be seated. Veuillez vous asseoir.

25 --- **RULING BY THE COMMISSIONER/DÉCISION PAR LE COMMISSAIRE:**

1 **THE COMMISSIONER:** Thank you.

2 Three issues to deal with:

3 The first one has to deal with Mr. Manson's
4 request with respect to scheduling, given the transcripts
5 that are coming. My understanding, those transcripts are
6 going to be here tomorrow. My feeling is that we'll cross
7 that bridge when we get to it. I am hopeful that all of
8 this will be dealt with this week and, therefore, setting
9 dates in the future will not be necessary.

10 With respect to Mr. Manderville's request
11 that I order investigators from the Inquiry to produce
12 material, first of all, I haven't been given any law. I
13 think the request was there, but I don't know how thought
14 out it was.

15 In any event, I feel that it's premature.
16 There's no evidence that would bring me to consider the
17 difficult task of having Commission investigators provide
18 information, nor do I believe that there is any great
19 jurisdiction that would lead me to believe that it is
20 reasonable to do so in the circumstances.

21 As well, there will be cross-examination of
22 the witness and if there is a sea change, as is alleged,
23 which is not proven before me or that I'm satisfied is
24 there in any event, then we'll see.

25 In any event, if ever there is a motion to

1 be brought in that regard, I would think that it is of such
2 importance that it should be properly before me by way of
3 documentation, case law and the like.

4 With respect to Mr. Van Diepen's
5 application, let me say this. That the test for standing
6 for Part One of the Inquiry is set out in section 8 of the
7 Rules, as was pointed out, which refer to paragraph 5(1) of
8 the *Public Inquiries Act*, which says that:

9 "Persons or groups may be granted
10 standing by the Commissioner if the
11 Commissioner is satisfied that they are
12 directly and substantially affected by
13 Part One of the Inquiry, in which event
14 the party may participate in accordance
15 with Section 5(1) of the *Public*
16 *Inquiries Act*".

17 On November 17th, 2005, I granted full
18 standing to the Ontario Ministry of Community Safety and
19 Correctional Services for Phase One of the Inquiry. At
20 that time, the Ministry submitted that it was representing
21 all of its employees and former employees.

22 At that time, I denied standing for the
23 Estate of Ken Seguin based on the fact that the Ministry
24 had indicated it was representing the interests of Ken
25 Seguin and all of its employees.

1 I say that, at this point and alluding to
2 paragraph 14, that Mr. Van Diepen's evidence regarding
3 internal controls within the Cornwall Probation Office may
4 be against the Ministry's interests and may be contrary to
5 the testimony of Ministry witnesses. I have no such
6 evidence at this point and the statement of anticipated
7 evidence for the Ministry has not been issued.
8 Accordingly, on that issue, it is premature to deal with
9 that matter.

10 I do, however, find that with respect to the
11 issue of alleged criminal wrong-doing on his part, that he
12 should be granted some input with respect to that position.

13 Accordingly, I am going to give
14 Mr. Van Diepen limited standing as to the issues pertaining
15 to alleged criminal or quasi-criminal conduct that would
16 potentially put him in conflict with the Ministry.

17 Accordingly, after having Mr. Van Diepen and
18 Mr. -- I'm sorry -- the applicant's lawyer, Westdal?

19 **MR. ENGELMANN:** Westdal.

20 **THE COMMISSIONER:** Westdal; sorry, I just
21 don't have the note here.

22 That after he and his client had signed the
23 proper undertakings, I'm going to direct that Commission
24 counsel provide his counsel with all of the anticipated
25 evidences that reference Mr. Van Diepen's participation in

1 any criminal or quasi-criminal conduct.

2 As well, I take it that Mr. Rose and the
3 Ministry will provide him with the disclosure of whatever
4 material that has been disclosed to them dealing with this
5 issue, and that should take care of any disclosure issues.

6 All right. Thank you.

7 **MR. ENGELMANN:** I don't believe there's
8 anything else, sir.

9 **THE COMMISSIONER:** No.

10 **MR. ENGELMANN:** Perhaps we could call the
11 next witness, Ron Leroux.

12 **THE COMMISSIONER:** Thank you.

13 Good morning, sir.

14 I think we -- I don't know what happened to
15 Madam Clerk.

16 **MR. ENGELMANN:** I think she went the other
17 way, to get Mr. Leroux.

18 **THE COMMISSIONER:** Oh, to get Mr. Leroux.

19 **MR. ENGELMANN:** We'll have to wait just a
20 minute sir.

21 Welcome.

22 **MR. LEROUX:** Thank you.

23 **THE COMMISSIONER:** Mr. Leroux, before we
24 begin, let me tell you that I want to welcome you to the
25 Inquiry. That during your stay here on the witness stand,

1 if at any time you need to take a break, please let me
2 know, and we'll certainly try to accommodate you.

3 As well, you are going to be asked a lot of
4 questions here and so, if at some time, you don't
5 understand the question, it's okay to say, "I just don't
6 understand. Please repeat or change it around."

7 If you don't know the answer to a question,
8 it's okay to say, "I don't know the answer to that
9 question."

10 And if there's anything at any time that you
11 feel uncomfortable about, just look my way and tell me, and
12 we'll try to work things out for you. All right?

13 **MR. LEROUX:** Okay.

14 **THE COMMISSIONER:** Do you have any questions
15 at this point?

16 All right. There is a microphone right here
17 in front of you, and I am going to ask you to answer with
18 -- or vocalize your answer so that it can be recorded, and
19 then we are about ready to go.

20 **MR. LEROUX:** Thank you.

21 **THE COMMISSIONER:** All right, Madam Clerk,
22 if you could either affirm or swear in the witness.

23 **RON LEROUX, Sworn/Assermenté**

24 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
25 **PETER ENGELMANN:**

1 **THE COMMISSIONER:** Yes, I'm sorry; go ahead.

2 **MR. ENGELMANN:** Thank you. Good morning,
3 Mr. Leroux.

4 **MR. LEROUX:** Good morning.

5 **MR. ENGELMANN:** Thank you for coming.

6 Mr. Leroux, just to your right, if you can't
7 hear me, there's a small speaker, so if you have trouble
8 hearing me, you can turn it up.

9 **MR. LEROUX:** Yes.

10 **MR. ENGELMANN:** There's some water to your
11 right as well, sir, if you need it. You have a witness
12 screen in front of you and on occasion, there will be some
13 documents up on that screen.

14 **MR. LEROUX:** Okay.

15 **MR. ENGELMANN:** Do you have your reading
16 glasses, sir?

17 **MR. LEROUX:** Yes, I do.

18 **MR. ENGELMANN:** Okay.

19 **THE COMMISSIONER:** Also, before I forget,
20 let's not forget about the moniker for C-8.

21 **MR. ENGELMANN:** Yes, C-8.

22 Yes, I have spoken to Mr. Leroux about that,
23 and he's aware of the identity of C-8, and he will use the
24 description C-8.

25 **THE COMMISSIONER:** All right.

1 It's also a reminder to us all; it's
2 difficult to keep that in mind, but do our best.

3 **MR. ENGELMANN:** In fact, I'll keep this up
4 here, too.

5 Sir, I just want to remind you that there
6 are some court reporters here, so in answering the
7 questions, you have to give a verbal response, either a yes
8 or a no, or a full answer. You can't just nod or shake
9 your head. All right?

10 **MR. LEROUX:** Yes.

11 **MR. ENGELMANN:** Now, just before I ask
12 Mr. Leroux some questions, Mr. Commissioner, I just wanted
13 to introduce Mr. John Swales, who is in attendance. Mr.
14 Swales is over to my left.

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

16 **MR. ENGELMANN:** Mr. Swales is working with a
17 firm in London, Ontario. The name of the firm is Harrison
18 Pensa. They are a law firm in London.

19 There are two partners in that firm,
20 Dave Williams and Lou Crowley, who have sort of a watching
21 brief. They are assisting Mr. Leroux and, from time to
22 time, Commission counsel had discussions with them. We
23 certainly had discussions with Mr. Swales, who is a witness
24 support employee at the firm and who has been assisting Mr.
25 Leroux and assisting us in meeting with Mr. Leroux and

1 having him participate in this Inquiry.

2 **THE COMMISSIONER:** Thank you.

3 **MR. ENGELMANN:** So I just wanted to mention
4 that Mr. Swales is here on his behalf.

5 Mr. Leroux, I just wanted, by way of
6 background, sir --- You are aware that the Inquiry, this
7 particular Inquiry, is examining the institutional response
8 to allegations of historical abuse in the Cornwall area;
9 allegations against young persons in the Cornwall area?

10 **MR. LEROUX:** Yes.

11 **MR. ENGELMANN:** And are you also aware, sir,
12 that we have asked questions of some witnesses with respect
13 to allegations in the community of collusion or conspiracy
14 or cover-up by some of these institutions and/or officials?

15 **MR. LEROUX:** Yes.

16 **MR. ENGELMANN:** Sir, I am going to be asking
17 you -- I am going to start with questions on your
18 background, but at various times, I will be asking you
19 questions about some of the statements or interviews or
20 affidavits that you may have signed or at least
21 participated in.

22 **MR. LEROUX:** Yes.

23 **MR. ENGELMANN:** So what I would like to do
24 right now is just enter a few of those documents ---

25 **MR. LEROUX:** Okay.

1 **MR. ENGELMANN:** And we will come back to
2 them a bit later. Is that all right?

3 **MR. LEROUX:** That's fine.

4 **MR. ENGELMANN:** Mr. Commissioner, I have
5 about 14 documents. I would just as soon enter them now
6 and then we can refer back to them later. I would just
7 like to get some exhibit numbers.

8 The first document that I would like to
9 enter is document number 712801. It is a brief interview
10 note taken by Officer Dussault in Summerstown, Ontario. It
11 is a statement of Ron Leroux dated November 25th, 1993.

12 **THE COMMISSIONER:** Thank you. Exhibit 561.

13 **--- EXHIBIT NO./PIÈCE NO. P-561:**

14 (712801) Interview Report Ron Leroux w\ OPP
15 Cst. Dussault dated 25 November 1993

16 **MR. ENGELMANN:** The next document I would
17 like entered is document number 725219. That's a statement
18 of Ronald Leroux dated March 28th, 1994, taken by Officers
19 McDonell and Fagan. Those are officers of the OPP in
20 Norway, Maine, again that date, March 28, 1994.

21 **THE COMMISSIONER:** Thank you. That's
22 Exhibit 562.

23 **--- EXHIBIT NO./PIÈCE NO. P-562:**

24 (725219) Interview Report Ron Leroux w\ C.
25 McDonell and M. Fagan dated 28 Mar 94

1 **MR. ENGELMANN:** The next document I would like to enter,
2 sir, is document number 719538. It's a statement of Ronald
3 Leroux dated October 10th, 1996, taken by Mr. Perry Dunlop.

4 **THE COMMISSIONER:** Thank you. Exhibit 563
5 is a Witness Statement from Ron Leroux as indicated.

6 **--- EXHIBIT NO./PIÈCE NO. P-563:**

7 (719538) Witness Statement by Ron Leroux
8 dated 10 October 1996

9 **MR. ENGELMANN:** Sir, the next document --
10 Mr. Leroux, maybe just try and keep these in order, so it
11 will be easier to find 561, then 562, then 563 -- the next
12 document number 711382. This is an affidavit of Ronald
13 Leroux dated October 31, 1996. It was sworn in Auburn,
14 Maine. If that could be the next exhibit.

15 **THE COMMISSIONER:** Thank you.
16 Exhibit No. 564.

17 **--- EXHIBIT NO./PIÈCE NO. P-564:**

18 (711382) Affidavit of Ron Leroux sworn
19 on 31 October 1996

20 **MR. ENGELMANN:** Then there are three
21 statements dated November 13th, 1996. The first one is
22 document number 720088, Statement of Ronald Leroux dated
23 November 13th, 1996, taken by Perry Dunlop in Newmarket,
24 Ontario.

25 **THE COMMISSIONER:** Thank you. Exhibit 565.

1 --- EXHIBIT NO./PIÈCE NO. P-565:

2 (720088) Statement of Ron Leroux dated
3 13 November 1996 (1)

4 **MR. ENGELMANN:** Sir, the next document,
5 document number 720102. It's also identified as a
6 statement of Ronald Leroux dated November 13th, 1996, taken
7 by Perry Dunlop in Newmarket, Ontario. It's Exhibit 566.

8 --- EXHIBIT NO./PIÈCE NO. P-566:

9 (720102) Statement of Ron Leroux dated 13
10 Nov 96 (2)

11 **MR. ENGELMANN:** Then, sir, another document
12 with the same date, document number 719664, which is
13 entitled "Affidavit of Ron Leroux" and it's sworn in
14 Newmarket, Ontario, November 13th, 1996. That could be the
15 next exhibit.

16 **THE COMMISSIONER:** Thank you.
17 Five-sixty-seven (567).

18 --- EXHIBIT NO./PIÈCE NO. P-567:

19 (719664) Affidavit of Ron Leroux sworn on 13
20 Nov 96

21 **MR. ENGELMANN:** The next document, sir, is
22 document number 716194. Sir, this document is a
23 transcription of a videotaped interview report of Ron
24 Leroux. It's captioned "Conducted by Perry Dunlop". The
25 date is December 1st, 1996.

1 **THE COMMISSIONER:** Thank you.

2 Exhibit number 568.

3 **--- EXHIBIT NO./PIÉCE NO. P-568:**

4 (716194) Video Taped Interview Report:

5 Ron Leroux w\ Perry Dunlop dated 01 Dec 96

6 **MR. ENGELMANN:** Sir, the next document is
7 document number 720044. This document is a statement of
8 Ron Leroux, and it is dated December 4, 1996. That could
9 be the next exhibit.

10 **THE COMMISSIONER:** Thank you.

11 Exhibit 569.

12 **--- EXHIBIT NO./PIÉCE NO. P-569:**

13 (720044) Statement by Ron Leroux dated 04

14 Dec 96

15 **MR. ENGELMANN:** Sir, the next document,
16 document 704042. It's a statement of Ron Leroux, dated
17 December 7th, 1996. That could be the next exhibit.

18 **THE COMMISSIONER:** Five-seventy (570).

19 **--- EXHIBIT NO./PIÉCE NO. P-570:**

20 (704042) Statement by Ron Leroux dated 07

21 Dec 96

22 **THE COMMISSIONER:** Just a second; 569 and
23 570, are they ---

24 **MR. ENGELMANN:** The dates should be slightly
25 different.

1 THE COMMISSIONER: I'm sorry?

2 MR. ENGELMANN: The date on 569 should be
3 December 4th, 1996.

4 THE COMMISSIONER: No. Then we've got a
5 mistake. Five-sixty-nine (569) and 570, copies I've been
6 given are almost identical except there are pen marks and
7 signed differently.

8 MR. ENGELMANN: The date should be different
9 as well, sir.

10 THE COMMISSIONER: Just a second. The date
11 -- sorry, I was looking at the date that he was born.

12 MR. ENGELMANN: Just at the last page.

13 THE COMMISSIONER: I'm sorry. Hang on.

14 MR. ENGELMANN: So 569 I believe is December
15 4th.

16 THE COMMISSIONER: Yes, yes. And the other
17 one is December 7th?

18 MR. ENGELMANN: Yes.

19 THE COMMISSIONER: All right.

20 I'm sorry.

21 MR. ENGELMANN: Some of these statements are
22 very similar, but there are slight variations, so ---

23 THE COMMISSIONER: I'm just trying to pay
24 attention.

25 MR. ENGELMANN: So I believe the next

1 document -- yes, is a transcription of an audio-taped
2 telephone report between -- the caption says "Between Perry
3 Dunlop and Ron Leroux". There also seems to be a reference
4 to "Cindy".

5 Mr. Leroux, Cindy was your wife at that
6 time?

7 **MR. LEROUX:** Yes, that's correct.

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

9 So it's document number 716192. If that
10 could be the next exhibit, sir.

11 **THE COMMISSIONER:** Thank you.

12 That's 571.

13 **--- EXHIBIT NO./PIÉCE NO. P-571:**

14 (716192) Audio Taped Telephone Report: Ron
15 Leroux w\ Perry Dunlop, dated 30 May 97

16 **MR. ENGELMANN:** Sir, the next document is
17 document number 712799. This is a transcript of a
18 videotaped interview report number one, and this is
19 interview of Ron Leroux on February 7th, 1997, by officers
20 Bell and Anthony at the Orillia detachment of the OPP.

21 **THE COMMISSIONER:** Thank you.

22 Exhibit 572.

23 **--- EXHIBIT NO./PIÉCE NO. P-572:**

24 (712799) Video Taped Interview Report #1 Ron
25 Leroux w\ counsel Charles Bourgeois \ OPP -

1 Dan Anthony and Cathy Bell dated 07 Feb 97

2 **MR. ENGELMANN:** Sir, the next document is
3 part two of that same videotaped interview report involving
4 Ron Leroux and officers Anthony and Bell, and this is
5 document number 712800. That could be the next exhibit.

6 **THE COMMISSIONER:** Thank you.

7 Exhibit number 573.

8 **--- EXHIBIT NO./PIÉCE NO. P-573:**

9 (712800) Video Taped Interview Report #2 Ron
10 Leroux w\ counsel Charles Bourgeois \ OPP -
11 Dan Anthony and Cathy Bell dated 07 Feb 97

12 **MR. ENGELMANN:** And then lastly, sir,
13 document number 712804. This is a transcript of an audio-
14 taped interview report of Ron Leroux. The officers
15 involved were officers Genier and Hall from the Ontario
16 Provincial Police.

17 **THE COMMISSIONER:** Exhibit 574.

18 **--- EXHIBIT NO./PIÉCE NO. P-574:**

19 (712804) Audio Taped Interview Report Ron
20 Leroux w\ OPP - D.C. Genier and P.R. Hall
21 dated 25 Nov 97

22 **MR. ENGELMANN:** Sir, if I didn't give a date
23 that was November 25th, 1997.

24 **THE COMMISSIONER:** Yes. Thank you.

25 **MR. ENGELMANN:** Mr. Leroux.

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: Now that we've got the
3 paperwork out of the way I just want to start by asking you
4 a few questions about your background.

5 MR. LEROUX: Yes.

6 MR. ENGELMANN: Sir, I understand you were
7 born on January 23rd, 1947?

8 MR. LEROUX: That's correct.

9 MR. ENGELMANN: So you are now 60 years of
10 age?

11 MR. LEROUX: Exactly, yes.

12 MR. ENGELMANN: Were you born here in the
13 City of Cornwall?

14 MR. LEROUX: Yes.

15 MR. ENGELMANN: And, sir, did you reside in
16 the Cornwall area until approximately 1994?

17 MR. LEROUX: Yes, with the exception I moved
18 to Glengarry County in 1969.

19 MR. ENGELMANN: All right.
20 Were you there very long, sir?

21 MR. LEROUX: Twenty-six (26) years.

22 MR. ENGELMANN: Oh, sorry, when you say
23 "Glengarry Country" you mean Summerstown?

24 MR. LEROUX: RR#1 Cornwall.

25 MR. ENGELMANN: All right.

1 MR. LEROUX: Lot 17, Concession 1.

2 MR. ENGELMANN: All right.

3 You'll have to excuse me, but that's about
4 15 kilometres up the road from Cornwall along the river?

5 MR. LEROUX: It's roughly seven miles from -

6 --

7 MR. ENGELMANN: All right.

8 So if I call that the Cornwall area is that
9 okay?

10 MR. LEROUX: Yes, that's fine.

11 MR. ENGELMANN: All right.

12 So you lived in or around the City of
13 Cornwall from the time of your birth until approximately
14 the spring or early 1994?

15 MR. LEROUX: Yes.

16 MR. ENGELMANN: And, sir, I understand at
17 that point in time you moved to Maine in the United States?

18 MR. LEROUX: Yes, February the 4th, of '94.

19 MR. ENGELMANN: All right.

20 And you did that why, sir?

21 MR. LEROUX: Well, I had a neighbour that
22 committed suicide.

23 MR. ENGELMANN: All right.

24 That was one of the reasons?

25 MR. LEROUX: It was the best reason, yes.

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

2 And how was it that you came to move to
3 Maine?

4 **MR. LEROUX:** Well, my wife was from Maine;
5 actually born in Winston, Massachusetts.

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

7 So you and your wife left Summerstown and
8 moved to Maine?

9 **MR. LEROUX:** That's correct.

10 **MR. ENGELMANN:** And I understand that you
11 lived in Maine for approximately seven years?

12 **MR. LEROUX:** Yes, until 2001, roughly. She
13 died and buried her on the 2nd of March of 2001.

14 **MR. ENGELMANN:** Okay. And shortly after her
15 death you returned to Canada?

16 **THE COMMISSIONER:** Take your time there, Mr.
17 Leroux.

18 **MR. LEROUX:** Okay.

19 **MR. ENGELMANN:** That's correct?

20 **MR. LEROUX:** Yes.

21 **MR. ENGELMANN:** And, sir, you've lived in
22 the Cornwall area since then; since the spring of 2001?

23 **MR. LEROUX:** Yes.

24 **MR. ENGELMANN:** And from the time of your
25 birth in 1947 until you moved to Summerstown in 1969, did

1 you live here in the City of Cornwall?

2 **MR. LEROUX:** Yes.

3 **MR. ENGELMANN:** And then you lived in
4 Summerstown, I think you told us, for approximately 25
5 years?

6 **MR. LEROUX:** Yes.

7 **MR. ENGELMANN:** All right.

8 And when you lived in Summerstown is that
9 when you came to know Ken Seguin?

10 **MR. LEROUX:** That's correct.

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

12 We'll come to that a bit later.

13 Sir, can you tell us, when you were living
14 here in Cornwall, in your childhood, did you go to school?

15 **MR. LEROUX:** Yes.

16 **MR. ENGELMANN:** And, sir, which school did
17 you go to for your elementary school?

18 **MR. LEROUX:** St. Columban's Boys School.

19 **MR. ENGELMANN:** And, sir, my understanding
20 is that was a school that went from grades one to eight?

21 **MR. LEROUX:** That's correct.

22 **MR. ENGELMANN:** And during the time you were
23 there, sir, did the school change from being a school just
24 for boys to a school for both boys and girls?

25 **MR. LEROUX:** Yes, roughly '59; the Irish

1 brothers left.

2 MR. ENGELMANN: When you say "59" you mean
3 1959, sir?

4 MR. LEROUX: Nineteen-fifty-nine (1959).

5 MR. ENGELMANN: And you ---

6 THE COMMISSIONER: I'm sorry; who left?

7 MR. LEROUX: Pardon me?

8 THE COMMISSIONER: Who left?

9 MR. LEROUX: The Irish brothers.

10 THE COMMISSIONER: Oh, the Irish brothers.

11 Okay.

12 MR. ENGELMANN: And it was at that point,
13 sir, that it became a school for boys and girls?

14 MR. LEROUX: Yes.

15 MR. ENGELMANN: And, sir, I understand that
16 even though it was a school for eight grades that you spent
17 nine years there?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: You repeated one year?

20 MR. LEROUX: That's correct.

21 MR. ENGELMANN: And I understand then after
22 that you went to Cornwall Collegiate and Vocational School?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: And did you complete grade
25 nine at that school, sir?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: And was that it as far as
3 your formal education?

4 MR. LEROUX: That's about it.

5 MR. ENGELMANN: Sir, I wanted to ask you
6 then briefly about your employment history.

7 MR. LEROUX: Yes.

8 MR. ENGELMANN: I understand that throughout
9 your adult life you have done a variety of jobs?

10 MR. LEROUX: Yes.

11 MR. ENGELMANN: And just -- can you tell us,
12 sir, about the types of jobs you've had, and perhaps in
13 particular those jobs which have been the longest?

14 MR. LEROUX: Murray's Jewellers from roughly
15 '62, '63 until '77 when my father died.

16 MR. ENGELMANN: Okay. And that's a
17 jewellery store here in the City of Cornwall, or it was?

18 MR. LEROUX: At 224 Pitt Street.

19 MR. ENGELMANN: And you worked there full-
20 time, or both part-time and full-time?

21 MR. LEROUX: After grade nine, full time.

22 MR. ENGELMANN: And after you stopped
23 working in that store in approximately 1977, give us a
24 sense of what you did after that.

25 MR. LEROUX: Parks Commission, SLPC,

1 St. Lawrence Parks Commission.

2 MR. ENGELMANN: All right.

3 And were you assigned to a particular park,
4 and did you have a particular job?

5 MR. LEROUX: Yes, I was a park ranger at
6 Raisin River Park just off the Fraser Road between
7 Lancaster and Summerstown.

8 MR. ENGELMANN: Okay. And you said Raisin
9 River, sir?

10 MR. LEROUX: Raisin River.

11 MR. ENGELMANN: And how long were you a park
12 ranger, approximately?

13 MR. LEROUX: Probably eight or nine years.

14 MR. ENGELMANN: Okay. Until the mid-1980's?

15 MR. LEROUX: Yes.

16 MR. ENGELMANN: And what about subsequent to
17 that, sir, can you give us a sense as to the type of work
18 you've done?

19 MR. LEROUX: Yes. I opened up a
20 construction company. I won't give you the name because it
21 coincides with something else.

22 MR. ENGELMANN: Okay. Was that a company
23 that you would have started with C-8?

24 MR. LEROUX: That's correct.

25 MR. ENGELMANN: All right.

1 And approximately how long did you do that
2 work here in the Cornwall area?

3 **MR. LEROUX:** Eighty-five ('85) until '92,
4 '93.

5 **MR. ENGELMANN:** Okay.

6 **MR. LEROUX:** Ninety-three ('93).

7 **MR. ENGELMANN:** So you stopped that work
8 before you left for Maine?

9 **MR. LEROUX:** Yes.

10 **MR. ENGELMANN:** And when you were living in
11 Maine, did you also do construction or contract type work?

12 **MR. LEROUX:** Yes.

13 **MR. ENGELMANN:** What about since returning
14 to Cornwall, sir, in 2001?

15 **MR. LEROUX:** Zip. Nothing.

16 **MR. ENGELMANN:** Are you getting some kind of
17 ---

18 **MR. LEROUX:** Yes.

19 **MR. ENGELMANN:** --- pension?

20 **MR. LEROUX:** Yes, disability.

21 **MR. ENGELMANN:** And you've been diagnosed
22 with a particular disability, sir?

23 **MR. LEROUX:** Yes.

24 **MR. ENGELMANN:** Can you tell us what that
25 is?

1 MR. LEROUX: It's called ---

2 THE COMMISSIONER: Can you help him out
3 there, Mr. Engelmann?

4 MR. ENGELMANN: I can't remember the
5 specific diagnosis.

6 You're seeing, sir, medical doctors?

7 MR. LEROUX: Yes, for almost five years;
8 yes.

9 MR. ENGELMANN: And ---

10 MR. LEROUX: Dr. Wayne Nadler.

11 MR. ENGELMANN: You're seeing a psychologist
12 here by the name of Wayne Nadler?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: All right.

15 I'll come back to that.

16 MR. LEROUX: Okay.

17 MR. ENGELMANN: And you continue to see Dr.
18 Nadler today, sir?

19 MR. LEROUX: Yes.

20 MR. ENGELMANN: Sir, you advised us that you
21 attended St. Columban's Boys School.

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: And, sir, I understand that
24 when you were there you allege that you were sexually
25 abused?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: Can you tell us who it was
3 that you allege sexually abused you at that school?

4 MR. LEROUX: I can say the names?

5 MR. ENGELMANN: It's fine.

6 MR. LEROUX: Father Cameron,
7 Father MacDougald.

8 MR. ENGELMANN: So, sir, how did these two
9 priests come to be at the school?

10 MR. LEROUX: They came there for confessions
11 in the auditorium.

12 MR. ENGELMANN: Was there a particular day
13 of the week when they would come?

14 MR. LEROUX: Usually on a Thursday or a
15 Friday.

16 MR. ENGELMANN: And can you tell us where
17 you would go for confession in the school?

18 MR. LEROUX: Down the hallway to the
19 auditorium; wait outside the door, and then go in when the
20 next person came out.

21 MR. ENGELMANN: Would this have been in a
22 small room or a large room?

23 MR. LEROUX: A large auditorium, a school
24 auditorium.

25 MR. ENGELMANN: Do you remember anything

1 particular about the room?

2 MR. LEROUX: Yes, it had nice shiny hardwood
3 floors. It had a stage at the end with grey curtains or
4 burgundy curtains.

5 MR. ENGELMANN: Would the boys go into the
6 room together, or one at a time? How would this happen?

7 MR. LEROUX: If there was two priests there
8 was two people in different areas of the gymnasium, one at
9 the back, one at the front; two entrances going in.

10 MR. ENGELMANN: So would you come in through
11 the same entrance, or would you come in through separate
12 entrances?

13 MR. LEROUX: The priest was sitting at the
14 back. They use a back entrance. If there was a another
15 priest sitting at the front there would be -- use a front
16 entrance, because there were two doors at each end, one
17 door here; one door here.

18 MR. ENGELMANN: All right. How far apart
19 would these priests be seated?

20 MR. LEROUX: Oh, quite a distance, almost
21 the length of the auditorium.

22 MR. ENGELMANN: And it was just an open
23 room?

24 MR. LEROUX: Yes; just a large open
25 auditorium.

1 MR. ENGELMANN: All right. How well lit
2 would it have been?

3 MR. LEROUX: Dark.

4 MR. ENGELMANN: Why is that?

5 MR. LEROUX: They had construction paper on
6 the windows, on the sidewalk side, on the north side of the
7 building.

8 MR. ENGELMANN: How often would you and
9 other boys go for confession?

10 MR. LEROUX: Two to three times a month.

11 MR. ENGELMANN: You said it was always
12 either a Thursday or a Friday?

13 MR. LEROUX: Yes, always closer to the end
14 of the week.

15 MR. ENGELMANN: Do you recall approximately
16 how old you were or what grade you were in when you alleged
17 this started?

18 MR. LEROUX: Mostly Grade 5; Grade 4 or
19 Grade 5.

20 MR. ENGELMANN: Grade 4 or Grade 5?

21 MR. LEROUX: Yes.

22 MR. ENGELMANN: Do you know who your teacher
23 would have been at that time?

24 MR. LEROUX: Mrs. Leblanc.

25 MR. ENGELMANN: You allege you were sexually

1 abused by two priests?

2 MR. LEROUX: Yes.

3 MR. ENGELMANN: Would this have been one at
4 a time or together?

5 MR. LEROUX: No, one at a time; different
6 occasions. Different ---

7 MR. ENGELMANN: All right. And did one
8 happen before the other sir?

9 MR. LEROUX: The first one was Cameron.

10 MR. ENGELMANN: Did this happen on one
11 occasion or more than one occasion?

12 MR. LEROUX: Many.

13 MR. ENGELMANN: Okay. Without getting into
14 great detail, can you tell us what you mean by abuse?

15 MR. LEROUX: You tell them your -- what you
16 did -- in confession and he says, "Is there anything else?"
17 And I said, "No".

18 MR. SHERRIFF-SCOTT: I object, sir.

19 THE COMMISSIONER: I'm sorry?

20 MR. SHERRIFF-SCOTT: I object, sir.

21 THE COMMISSIONER: Yes?

22 MR. SHERRIFF-SCOTT: The allegations are in
23 statements. Statements are filed as exhibits, and now we
24 are going to hear the allegations *viva voce*.

25 I submit this is prejudicial. It's

1 inflammatory. It is unfair, and you have ruled on past
2 occasions in circumstances just like this that it would not
3 be appropriate to review the details of the allegations
4 with the witness.

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

6 **MR. SHERRIFF-SCOTT:** Moreover, in the
7 circumstances, it is important to remember that individuals
8 about whom these allegations are being made were
9 investigated but never charged, and so I think that a great
10 deal of sensitivity is required here and that the
11 allegations should not be led like this.

12 The document says what it says. The witness
13 has identified the people. He has identified where it took
14 place, and I think -- I submit, it would be grossly unfair
15 to have the public be treated to a recitation of this,
16 given the circumstances of the individual people who are
17 accused of this.

18 **THE COMMISSIONER:** Okay. Do you agree that
19 a recitation -- okay, I understand that -- a general
20 description, I suppose ---

21 **MR. SHERRIFF-SCOTT:** Sir, we went through
22 this with René Dubé, who regrettably passed away, but when
23 we went through this, you were anxious to ensure that your
24 counsel was not going to review the details of the
25 allegations.

1 **THE COMMISSIONER:** Right.

2 **MR. SHERRIFF-SCOTT:** And there had been a
3 trial in that circumstance where they had been repeated in
4 the public domain.

5 **THE COMMISSIONER:** Right.

6 **MR. SHERRIFF-SCOTT:** Now, there may have
7 been some website publicity here, but that's different than
8 that circumstance, and so I suggest that there's no need to
9 do this.

10 **THE COMMISSIONER:** No, no. I don't know
11 that Commission counsel is going to argue with you that
12 going into all of the details; no, I think it's just a
13 question of -- you know, if he says, "I was fondled", as
14 opposed to something else, would that not be sufficient and
15 without getting into the details?

16 Obviously, he made an allegation ---

17 **MR. SHERRIFF-SCOTT:** Yes.

18 **THE COMMISSIONER:** --- of sexual abuse.

19 **MR. SHERRIFF-SCOTT:** Yes.

20 **THE COMMISSIONER:** All right. So if we were
21 going to limit it to a generality like that, would that
22 satisfy your concerns?

23 **MR. SHERRIFF-SCOTT:** No.

24 **THE COMMISSIONER:** Okay, then explain.

25 **MR. SHERRIFF-SCOTT:** My concern is it's

1 already in the statement. The statement has been filed as
2 the record, and there's no need to lead the witness through
3 the details.

4 **THE COMMISSIONER:** Not through the details.
5 Okay.

6 Mr. Engelmann, what do you have to say about
7 that?

8 **MR. ENGELMANN:** Just so I'm perfectly clear,
9 I have no intention of being inflammatory in any way.

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

11 **MR. ENGELMANN:** And certainly don't want to
12 get into much in the way of details. It was going to be a
13 very general question.

14 I'm at a bit of a loss; I mean this is kind
15 of what we've done in many situations, whether people ended
16 up being charged or not. But perhaps these weren't Mr.
17 Sherriff-Scott's clients, but I'm certainly not -- not in
18 any way, intending to be inflammatory.

19 **THE COMMISSIONER:** No. But what I sense is
20 you asked a general question.

21 **MR. ENGELMANN:** Sure.

22 **THE COMMISSIONER:** The witness was asked to
23 answer in a specific way. And so maybe you ---

24 **MR. ENGELMANN:** Oh, I can lead.

25 **THE COMMISSIONER:** --- ask another question,

1 or do ---

2 **MR. ENGELMANN:** I was trying not to lead
3 through this, so I can if that's more appropriate.

4 **THE COMMISSIONER:** Just put the question
5 that -- and we'll see if Mr. Sherriff-Scott still objects.

6 **MR. ENGELMANN:** Can you -- Mr. Leroux, let's
7 talk about the first priest that you allege sexually abused
8 you. Without getting into the sexual aspect of it in a
9 physical way, was there some discussion about sex in any
10 way that you remember?

11 **MR. LEROUX:** Yes, a word was mentioned.
12 Masturbation. Do you play with yourself?

13 **MR. ENGELMANN:** Okay, so there was some
14 discussion or question from the priest about that?

15 **MR. LEROUX:** Yes.

16 **MR. ENGELMANN:** And at some point, whether
17 -- did the first allegation of sexual abuse happen at that
18 time, or was it at a later time sir?

19 **MR. LEROUX:** At that time.

20 **MR. ENGELMANN:** All right. With the other
21 priest -- you've mentioned Father MacDougald -- do you
22 recall how long after the first allegation or the first
23 alleged abuse by Father Cameron, that that would have taken
24 place?

25 **MR. LEROUX:** Within a week. The next trip

1 there.

2 **MR. ENGELMANN:** So you think it happened
3 shortly after?

4 **MR. LEROUX:** Yes. It wasn't long after.

5 **MR. ENGELMANN:** All right. Was there any
6 discussion with that priest at or about the time of the
7 alleged sexual abuse?

8 **MR. LEROUX:** No, he just -- can I ---

9 **MR. ENGELMANN:** All right. So he just
10 abused you. There was no discussion about masturbation or
11 playing with yourself?

12 **MR. LEROUX:** No.

13 **MR. ENGELMANN:** Sir, can you give us a sense
14 as to how often this would happen, or for how long?

15 **MR. LEROUX:** Went on for a few years.

16 **MR. ENGELMANN:** Can you tell us if the abuse
17 changed at all over those years, or whether it stayed the
18 same?

19 **MR. LEROUX:** The question again?

20 **MR. ENGELMANN:** Can you tell us whether your
21 allegations of abuse, the nature of the abuse, was
22 essentially the same over that period of time, or did it
23 change at all?

24 **MR. LEROUX:** I'm not sure. I don't ---

25 **THE COMMISSIONER:** You don't understand?

1 MR. ENGELMANN: You don't understand my
2 question?

3 MR. LEROUX: Not really.

4 MR. ENGELMANN: Yes, it's a bit hard to talk
5 about; I'm sorry.

6 THE COMMISSIONER: Did the acts that you
7 complained of -- were they always the same acts over time,
8 or did the acts change? The ones that you allege.

9 MR. LEROUX: Changed.

10 THE COMMISSIONER: Changed. Well, was it
11 always the same routine, always at confession?

12 MR. LEROUX: Yes.

13 THE COMMISSIONER: Okay. And it was always
14 in the ---

15 MR. LEROUX: Always in the auditorium.

16 THE COMMISSIONER: Pardon me?

17 MR. LEROUX: Always in the auditorium.

18 THE COMMISSIONER: All right.

19 MR. ENGELMANN: Sir, if you could take a
20 look at Exhibit 574. This is an audio-taped interview
21 report you gave in late November '97 to two OPP officers.

22 Do you have that document?

23 MR. LEROUX: Yes, 574.

24 MR. ENGELMANN: All right.

25 THE COMMISSIONER: So that was a statement

1 you gave in May. Do you recall that now?

2 **MR. LEROUX:** On ---

3 **THE COMMISSIONER:** I just want to help
4 situate you.

5 So this is a statement that was taken on
6 November 25th, 1997, I guess at your home at 44 Pine Street
7 -- or is that -- hold it. Am I wrong there? Where was
8 this statement taken?

9 **MR. LEROUX:** I moved to Pine Street in '99.

10 **MR. ENGELMANN:** So the date that is
11 indicated is November 25th, 1997.

12 **MR. LEROUX:** It would have to be in '99.

13 **MR. ENGELMANN:** Why do you say that?

14 **MR. LEROUX:** Because I was living at 17
15 Pleasant Street until 1999.

16 **MR. ENGELMANN:** Well, could we take a look
17 at that statement, sir, and in particular the third page
18 near the bottom.

19 You've just told us about some discussion
20 that the -- or some questions that the first priest would
21 have put to you just before you were allegedly abused the
22 first time.

23 Is that the type of discussion we see at the
24 bottom of that page, sir?

25 **MR. LEROUX:** From starting at east --

1 St. Columbans?

2 MR. ENGELMANN: Near the bottom of page 3,
3 sir.

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: It's on the screen.

6 MR. LEROUX: Oh, sorry.

7 THE COMMISSIONER: That last paragraph.

8 MR. LEROUX: Yes.

9 MR. ENGELMANN: All right.
10 That describes some of the discussion and
11 some of the actions?

12 MR. LEROUX: Some of it, yes.

13 MR. ENGELMANN: Okay. And a little further
14 on in the statement -- I'm looking at page 6, the first
15 lengthy paragraph after your name -- are you describing
16 there where the confession took place in the school? Do
17 you see that?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: So you're describing the
20 room? Is that correct?

21 THE COMMISSIONER: The page number is at the
22 bottom, sir.

23 MR. LEROUX: Oh, okay.

24 THE COMMISSIONER: You see, it says Leroux
25 Ron, and on page 6 of 129.

1 MR. LEROUX: Okay. I'm on page 7. I go
2 from 5 to 7.

3 THE COMMISSIONER: No, they're double paged.

4 MR. LEROUX: Oh, on the back.

5 MR. ENGELMANN: Sir, it's right on the
6 screen too, if that's helpful.

7 Are you describing the room where ---

8 MR. LEROUX: Yes.

9 MR. ENGELMANN: --- you allege the abuse
10 took place?

11 MR. LEROUX: Yes.

12 MR. ENGELMANN: All right.

13 Then at the bottom of page 7; right at the
14 bottom ---

15 THE COMMISSIONER: Madam Clerk.

16 MR. ENGELMANN: Are these the two priests
17 you allege sexually abused you in confession?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: And then on the next page
20 you're asked to describe them. Is that correct? Firstly
21 starting with Father Cameron.

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: Then towards the bottom of
24 the page do they ask you to describe Father MacDougald?

25 MR. LEROUX: Yes.

1 **MR. ENGELMANN:** And the alleged abuse you
2 describe on page 9 of the statement -- is that the alleged
3 abuse by the second priest?

4 It's the third time your name is mentioned,
5 sir, if you just look on the page. It's right in the
6 middle of the screen.

7 **MR. LEROUX:** Yes.

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

9 And there's a further description of your
10 allegations over the next couple of pages, and I'm not
11 going to go into them in any detail.

12 **MR. SHERRIFF-SCOTT:** Commissioner.

13 **THE COMMISSIONER:** Yes.

14 **MR. SHERRIFF-SCOTT:** I would like to make a
15 comment in the absence of the witness.

16 **THE COMMISSIONER:** Sure.

17 Sir -- Mr. Leroux, sometimes we're going to
18 ask you to leave because there is a discussion to be had
19 about administrative matters.

20 So I just want you to know that it has
21 nothing to do with you, and don't -- just lawyers. All
22 right?

23 So, if you can go with Mr. Spice, he'll show
24 you.

25 --- Witness leaves the room.

1 Yes, sir. Oh, hang on. Sorry. Yes, sir.

2 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DAVID SHERRIFF-
3 SCOTT:

4 MR. SHERRIFF-SCOTT: Yes, sir.

5 Just by way of general introduction to my
6 concern here, I know that in the past I've articulated
7 worries about the impact this kind of evidence has on the
8 community, and in particular people who I represent who
9 have never been charged with any wrong-doing.

10 THE COMMISSIONER: Right.

11 MR. SHERRIFF-SCOTT: And I'm anxious to
12 protect their interests, which I see as part of the
13 balancing exercise you must go through here in fairness
14 with equanimity and respect for everybody.

15 And after the witness has now completed this
16 recitation I am concerned that Mr. Engelmann is now leaving
17 this passage where the witness says, contrary to all of the
18 things he just said, that this went on, on multiple
19 occasions. It happened twice. And there's a description
20 of -- in the next couple of pages that are not going to be
21 referred to -- and I can do this in cross, Commissioner,
22 but I urge Commission counsel to have more equanimity in
23 the presentation of this evidence because of the damage
24 that it can do.

25 For example, if we go to page 11, he is

1 referring here to both priests at the top of the page and
2 Genier, the officer, says, "So it was touching, kind of
3 happened maybe twice with each one."

4 And the descriptor of the -- in the
5 preceding pages, "Father McDougald touched him on the
6 shoulder and on the behind", as he describes it,
7 "potentially twice".

8 There a host of other evidence, which I will
9 put to this witness about these men not even being in same
10 parish at the same time, et cetera; but the point I'm
11 trying to make is that I appreciate your assurances that
12 Commission counsel are neutrally presenting the facts. And
13 I'm not suggesting that Mr. Engelmann is departing from
14 neutrality, but I'm urging the Commission to be more
15 careful where the witness is saying things, I contend,
16 which are fundamentally contradictory to what he's just
17 saying now; pages on in the statement that we're now
18 leaving, leaving the impression of abuse going on for
19 whatever period of time, and me to correct it in cross-
20 examination.

21 I know I've sort of said, in the past, we
22 shouldn't have to do that if there's more equanimity in the
23 presentation. And so I'm pleading that that happen at this
24 stage, because this man -- you know, you are going to hear
25 a host of all kinds of abuse, of allegations about all

1 kinds of people in the community, and this is just the
2 start. So I would ask that that format be adopted, and I
3 just bring that concern to your attention.

4 **THE COMMISSIONER:** Okay, just a second.

5 **MR. SHERRIFF-SCOTT:** Yes.

6 **THE COMMISSIONER:** You are saying that with
7 respect to the allegations to the complaints that he has
8 made to police, that this is the extent of it with respect
9 to these two individuals?

10 **MR. SHERRIFF-SCOTT:** His personal abuse by
11 them is referred to in this statement, yes.

12 **THE COMMISSIONER:** And nowhere else does he
13 say it happened multiple times.

14 **MR. SHERRIFF-SCOTT:** Not that I can see. In
15 the next statement he says -- and my friend could bring
16 that out. I don't have those references. My reference,
17 when I'm reading it, and I was going to put it to him, and
18 I have it in my cross notes, especially considering what he
19 just said, I was scribbling asterisks in my margin that the
20 man said it happened twice. I'm just concerned that in the
21 presentation of these facts, the witness is departing from
22 his statements, and I shouldn't have to get up and rebuke
23 him with it.

24 My concern is -- and I can do that on cross,
25 but then I don't want to run into conflict with concerns

1 that you have about the treatment of these witnesses and so
2 forth. And so when I raise this concern, and you see a
3 public institution reacting, and you expressed concerns
4 about this, this week and last; sometimes there's a
5 proportionality and response to the type of allegation that
6 is happening.

7 **THE COMMISSIONER:** so let me just -- just to
8 understand -- he says multiple; the complaint says twice.
9 That's what you're at.

10 **MR. SHERRIFF-SCOTT:** Yes, and I think it's
11 with respect, and I don't want to be suggesting I know
12 Commission counsel's job better than he does, but I think
13 it behoves Commission counsel to point out these
14 contradictions to the witness, if we are going to be fairly
15 presenting with equanimity the facts that are germane to
16 the issues.

17 **THE COMMISSIONER:** Thank you.

18 **MR. SHERRIFF-SCOTT:** Thank you.

19 **THE COMMISSIONER:** Mr. Engelmann?

20 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. PETER ENGELMANN:**

21 **MR. ENGELMANN:** My friend just needs to be
22 patient.

23 **THE COMMISSIONER:** All right, so you weren't
24 going away without ---

25 **MR. ENGELMANN:** We have a number of

1 inconsistencies to bring out, and we've mentioned them in
2 the AE that we've given to Counsel, and we are going to go
3 to some of those. It's just a little bit more difficult
4 because I'm sort of changing how I was doing this because
5 of my friend's concerns about talking about the nature of
6 the abuse.

7 **THE COMMISSIONER:** Right.

8 **MR. ENGELMANN:** There are some differences
9 in how the abuse is described, but I'm not going there
10 because he's asked me not to because he thought it was
11 inflammatory. So I'm having to move around my presentation
12 a little bit, as I'm up here on my feet and I'm trying to
13 do that.

14 **THE COMMISSIONER:** Okay.

15 **MR. ENGELMANN:** But I can assure him and
16 everyone here that just as you asked us to do several
17 months back bringing out some inconsistencies.

18 And one of the reasons, sir, and challenges
19 with respect to evidence -- you asked us to try and bring
20 those out when we're leading the evidence.

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

22 **MR. ENGELMANN:** And so that the witness gets
23 a heads-up, and perhaps so that we don't have to have the
24 same questions asked again and again and again in cross-
25 examination. So I'm certainly intent on doing that, and if

1 Mr. Sherriff-Scott waits, he'll see what he sees. But I'm
2 trying to be fair to the witness and fair to everybody
3 else, all at the same time.

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

5 **MR. ENGELMANN:** This is a witness who is not
6 represented by Counsel in this hearing, who needs a witness
7 support person here, but he has given a number of
8 statements.

9 **THE COMMISSIONER:** Right, but I think that
10 the point that is well taken is that -- I know, I made a
11 note that he said on the stand that it happened multiple
12 times.

13 **MR. ENGELMANN:** Yes.

14 **THE COMMISSIONER:** Okay, and so if, in the
15 end, the complaint is that he -- they just did it -- he
16 alleges twice by each man, I think that should be refocused
17 at some point.

18 **MR. ENGELMANN:** M'hm.

19 **THE COMMISSIONER:** Okay.

20 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DAVID SHERRIFF-
21 SCOTT:

22 **MR. SHERRIFF-SCOTT:** Commissioner, by way of
23 parentheses, so that you (off mic)...overly persuaded my
24 concerns about unfounded tacky AE repeats this very
25 allegation and does not clarify that there were less than

1 two or more than two.

2 It says, in fact it happened and continued
3 for three to four years exactly as he's presented *viva voce*
4 versus the statement, which is inconsistent with it. And
5 that's ---

6 **THE COMMISSIONER:** All right, but ---

7 **MR. SHERRIFF-SCOTT:** No I just wanted to
8 make sure you understood my position. I'm hoping not to
9 leap into the breach too rapidly here, having regard to my
10 obvious concern about people's well-being.

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

12 **MR. SHERRIFF-SCOTT:** But, in fact, the AE
13 parrots, in effect, or summarizes the position that is at
14 variance with his evidence.

15 **THE COMMISSIONER:** Okay, so what do we do
16 with this situation where he says now -- and I don't know
17 that he's going to say this, but -- he says, "Oh, I said a
18 couple of times in the statement, but now I'm at the point
19 where I'm saying it happened hundreds of times."

20 **MR. SHERRIFF-SCOTT:** Well, I think you are
21 going to hear a lot of that today, but that's -- I think
22 what happens in the end, when that happens sir, then there
23 are two things to consider from your point of view, I would
24 submit.

25 Number one is that, well, then the

1 institutions couldn't have reacted to the fresh allegation,
2 and thus why are we hearing about this now; but secondly,
3 then that's a question of your determining whether the
4 witness is credible on these issues.

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

6 **MR. SHERRIFF-SCOTT:** And I can't stop him
7 from changing his -- departing from his statements, but
8 there's a summary of this point which is consistent with
9 his *viva voce* position, and it is not indicated as being
10 clarified in the AE, and thus I rise. Thank you.

11 **THE COMMISSIONER:** All right. Call the
12 witness back please.

13 **MR. ENGELMANN:** Just before we do, sir,
14 you'll -- you'll note not only with this witness, but with
15 other witnesses, there have been suggestions by them, after
16 the fact, that abuse happened on more occasions than first
17 reported.

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

19 **MR. ENGELMANN:** We certainly had that from
20 several of the witnesses. We have certainly heard that
21 from our experts as well.

22 **THE COMMISSIONER:** But I think, still, the
23 point is well taken that if the complaint he gave along the
24 way ---

25 **MR. ENGELMANN:** Yes.

1 **THE COMMISSIONER:** --- says four times, and
2 if he gets on the stand now and says multiple times, I
3 think we'd want to go there and talk to him about it.

4 **MR. ENGELMANN:** Yes, absolutely.

5 **THE COMMISSIONER:** Thanks.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **RON LEROUX, Resumed/Sous le même serment**

8 **THE COMMISSIONER:** All right, Mr. Leroux.
9 We have dealt with the administrative matters, and we can
10 carry on. I can tell you we'll carry on for about another
11 15 minutes, and then we'll take the luncheon break. All
12 right?

13 **MR. LEROUX:** Fine.

14 **THE COMMISSIONER:** Thank you.

15 **MR. LEROUX:** Thank you.

16 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
17 **PETER ENGELMANN (Cont'd/suite):**

18 **MR. ENGELMANN:** I will just be a minute.

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

20 **MR. LEROUX:** Can I say something?

21 **THE COMMISSIONER:** Okay.

22 **MR. LEROUX:** PTSD - Post-traumatic stress
23 disorder.

24 **THE COMMISSIONER:** Okay. Great, thank you.

25 **MR. ENGELMANN:** I apologize, Mr. Leroux, you

1 had told me that.

2 (SHORT PAUSE/COURTE PAUSE)

3 MR. ENGELMANN: All right. Mr. Leroux, you
4 commented on the alleged abuse at the school in a number of
5 statements. Is that a fair comment?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: In other words, you were
8 asked about this ---

9 MR. LEROUX: Seventy times.

10 MR. ENGELMANN: --- or you talked about this
11 with both police officers and with Perry Dunlop.

12 MR. LEROUX: Yes.

13 MR. ENGELMANN: What I am talking about is
14 the abuse you allege, by the two priests, in the school.

15 MR. LEROUX: Yes.

16 MR. ENGELMANN: So for example, if we look
17 at Exhibit 563, this is a witness statement that you
18 apparently gave to Perry Dunlop, October 10th, 1996.

19 MR. LEROUX: Yes.

20 MR. ENGELMANN: And sir, am I correct in
21 saying this is the first time you would have given a
22 statement to Mr. Dunlop?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: In any event, something
25 that's typed up, and you signed.

1 **MR. LEROUX:** Yes.

2 **MR. ENGELMANN:** In this particular
3 statement, and I am looking at the second page at the
4 bottom, it's Bates page 7070995. I just want to bring a
5 couple things to your attention. One is, bottom of the
6 page, you say:

7 "I remember when I was 14 years old and
8 I went to the boys' school at
9 St. Columban's, see I was going to
10 confession . . ."

11 I'm not going to read the rest of it; I'll
12 leave it for you.

13 **THE COMMISSIONER:** We have to change the
14 page here.

15 **MR. ENGELMANN:** Yeah. But it appears you're
16 suggesting here that you were 14 years of age when you
17 would have been allegedly sexually abused at school.

18 **MR. LEROUX:** Impossible.

19 **MR. ENGELMANN:** Okay. You're saying this is
20 a mistake?

21 **MR. LEROUX:** Yes.

22 **MR. ENGELMANN:** You also, in this statement,
23 only reference one of the priests, and it's the second one
24 you referred us to. And you say that -- after you describe
25 the action, you describe some discussion with him as well.

1 And you told us today and you've said in
2 other statements, that it was the first priest that spoke
3 to you and that there was actual discussion about
4 masturbation or words to that effect, and sexual abuse.
5 You see what I'm saying?

6 **MR. LEROUX:** Yes.

7 **MR. ENGELMANN:** Okay. So which priest was
8 it that you had the discussion with?

9 **MR. LEROUX:** Father MacDougald.

10 **MR. ENGELMANN:** I am sorry?

11 **MR. LEROUX:** MacDougald. Father MacDougald.

12 **MR. ENGELMANN:** Okay. You think ---

13 **MR. LEROUX:** Sorry, sorry, Father Cameron.

14 **MR. ENGELMANN:** Was it the priest that you
15 allege abused you first, or the priest that you alleged
16 abused you second?

17 **MR. LEROUX:** First.

18 **MR. ENGELMANN:** Okay. So is that also
19 inaccurate -- what we're seeing here in this particular
20 document, Exhibit ---

21 **MR. LEROUX:** Yes, ---

22 **MR. ENGELMANN:** --- 563.

23 **MR. LEROUX:** --- there is a lot of
24 discrepancies in this.

25 **MR. ENGELMANN:** I am sorry?

1 MR. LEROUX: There is a lot of discrepancies
2 in this.

3 MR. ENGELMANN: All right. Now let's take a
4 look at Exhibit 569 which is a statement you give again
5 apparently to Mr. Dunlop on December 4th, 1996.

6 THE COMMISSIONER: I'm sorry what exhibit
7 again?

8 MR. ENGELMANN: Exhibit 569.

9 THE COMMISSIONER: What page?

10 MR. ENGELMANN: It's the first page.

11 THE COMMISSIONER: Sorry.

12 MR. ENGELMANN: Could you just read the
13 second paragraph to yourself, sir?

14 Do you want that in bigger print sir?

15 THE COMMISSIONER: Madam Clerk, can you put
16 it in bigger print, just that top paragraph?

17 (SHORT PAUSE/COURTE PAUSE)

18 MR. LEROUX: That's not the same with me at
19 all.

20 MR. ENGELMANN: All right. I just want to
21 ask you a couple of questions. You've had a chance to read
22 that now?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: All right. Here you talk
25 about Father Cameron ---

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: --- and the discussions, and
3 the alleged sexual abuse; correct?

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: And then you talk about the
6 other priest.

7 MR. LEROUX: Yes.

8 MR. ENGELMANN: And you say he used the same
9 routine, but here you say he grabbed you on two occasions,
10 and you would have been about 12 years old at the time; do
11 you see that?

12 MR. LEROUX: Yes.

13 MR. ENGELMANN: All right. So today you
14 suggested to us that the abuse from the second priest
15 started shortly after the first priest. In fact, I think
16 you said the next week or so.

17 MR. LEROUX: Within a week.

18 MR. ENGELMANN: And here in the statement,
19 you're saying that that started when you were about 12. It
20 started with the first priest when you were around nine and
21 not until you were around 12 with the second priest. You
22 also say here that with the second priest, it only happened
23 on two occasions.

24 MR. LEROUX: No, this is all wrong.

25 MR. ENGELMANN: What's wrong?

1 **MR. LEROUX:** This was orchestrated by
2 someone else -- this ---

3 **MR. ENGELMANN:** This is a statement you're
4 giving to Perry Dunlop, sir. This one is December 4th,
5 1996. Tell me what you think is wrong with it?

6 **MR. LEROUX:** The words are wrong. The
7 dates, the ages are wrong.

8 **MR. ENGELMANN:** The age for what, sir?

9 **MR. LEROUX:** For the molestations. It's way
10 off.

11 **MR. ENGELMANN:** This would suggest nothing
12 happened with the second priest until you were 12, and that
13 it only happened twice.

14 **MR. LEROUX:** No.

15 **MR. ENGELMANN:** Do you know why you would
16 have described that at that particular time to Perry
17 Dunlop, or do you recall if you did describe that to him at
18 that time?

19 **MR. LEROUX:** I have no idea.

20 **MR. ENGELMANN:** Again sir, Exhibit 570, if
21 that could be brought up on the screen. This appears to be
22 the same as in the previous document, 569.

23 Again, you're describing comments by the
24 first priest and alleged abuse from nine years. Again you
25 say with the second priest, two occasions, and that you

1 would have been around 12. It's very similar to the last
2 statement, maybe identical.

3 MR. LEROUX: No, it's not true.

4 MR. ENGELMANN: But you did sign both of
5 these statements, sir?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: That is your signature?

8 MR. LEROUX: Oh, yes.

9 MR. ENGELMANN: Would you have read over the
10 document before you signed it?

11 MR. LEROUX: I never read anything they put
12 down.

13 THE COMMISSIONER: I'm sorry?

14 MR. LEROUX: I never read anything, any of
15 this that they wrote down.

16 THE COMMISSIONER: Who's "they"?

17 MR. LEROUX: Charles Bourgeois and
18 Perry Dunlop.

19 MR. ENGELMANN: Why would you not have read
20 it, sir?

21 MR. LEROUX: I never took the time to read
22 it.

23 MR. ENGELMANN: Did you not think it
24 important because you're signing your name to a statement
25 that you read it over?

1 MR. LEROUX: I was on a hell of a merry-go-
2 round for a year -- for a few years with them.

3 MR. ENGELMANN: Sir, we'll get into it a bit
4 later, but my understanding is that you don't meet Mr.
5 Dunlop until the fall of '96.

6 MR. LEROUX: That's correct.

7 MR. ENGELMANN: Some time in October.

8 MR. LEROUX: Over the telephone.

9 MR. ENGELMANN: Right. And then you meet
10 him in person, in Maine.

11 MR. LEROUX: With a lawyer.

12 MR. ENGELMANN: Right. Mr. Bourgeois.

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: All right.
15 And then you have several or many meetings
16 with them ---

17 MR. LEROUX: Many.

18 MR. ENGELMANN: --- over the next few
19 months.

20 MR. LEROUX: Yes.

21 MR. ENGELMANN: Until the spring of '97.

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: Is that fair? Is that
24 correct?

25 MR. LEROUX: That's correct; yes.

1 **MR. ENGELMANN:** And are you saying that at
2 each and every one of those meetings you signed documents
3 that you didn't read over?

4 **MR. LEROUX:** Yes.

5 **MR. ENGELMANN:** Why would you do that?

6 **MR. LEROUX:** I don't know. I just wanted to
7 get this thing over with. I went away from here. I did
8 not want anything to do with that man until he came down
9 with a lawyer.

10 **MR. ENGELMANN:** Sir, did you tell anybody at
11 or around the time of this alleged sexual abuse -- I'm
12 talking about the two priests -- the confession -- while
13 you were in St. Columban's Boys School or St. Columban's
14 School? Did you ever tell anyone about the abuse at that
15 time?

16 **MR. LEROUX:** Two people.

17 **MR. ENGELMANN:** Who was that?

18 **MR. LEROUX:** One was my father, because I
19 asked him what masturbation meant, sitting around a supper
20 table. We went down to -- he lost it. He totally lost it.

21 **MR. ENGELMANN:** All right.

22 Let's just stay with who you told first.

23 **MR. LEROUX:** My father.

24 **MR. ENGELMANN:** Okay. And who else?

25 **MR. LEROUX:** Brother John.

1 MR. ENGELMANN: And who was Brother John?

2 MR. LEROUX: He was either Vice-Principal or
3 Principal of the school at the time.

4 MR. ENGELMANN: All right.

5 So let's talk about your discussion with
6 your father first.

7 MR. LEROUX: Okay.

8 MR. ENGELMANN: And how did it come about
9 again, sir?

10 MR. LEROUX: I asked him what masturbation
11 meant.

12 MR. ENGELMANN: And where did you ask him
13 that?

14 MR. LEROUX: At the supper table.

15 MR. ENGELMANN: And did he respond?

16 MR. LEROUX: Not right away. He said "Get
17 up from the table and go in the other room."

18 MR. ENGELMANN: And what happened then?

19 MR. LEROUX: He said "Where did you hear
20 that?" and I said "From a priest."

21 MR. ENGELMANN: Did he ask you which priest
22 and where?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: And what did you tell him?

25 MR. LEROUX: That he asked me what it meant,

1 and he said "Did he do anything to you?" and I said "Well,
2 he touched me."

3 We got into the '56 Dodge and we went down
4 to see R.J. MacDonald, the pastor of St. Columban's Church.

5 **MR. ENGELMANN:** This is you and your father?

6 **MR. LEROUX:** Yes.

7 **MR. ENGELMANN:** And what happens at the
8 church?

9 **MR. LEROUX:** They had a little meeting in
10 the office. First he took me in; then the pastor said "I
11 want him outside or in your car. I don't want him in here
12 during this discussion." I sat out on the front steps and
13 I waited ---

14 **MR. ENGELMANN:** All right.

15 **MR. LEROUX:** --- and when he came out of the
16 -- pardon?

17 **MR. ENGELMANN:** I'm sorry; did you actually
18 hear any of the discussion that took place between your
19 father and R.J. MacDonald?

20 **MR. LEROUX:** No.

21 **MR. ENGELMANN:** All right.

22 So what happened next, that you can recall?

23 **MR. LEROUX:** He came out of there; he
24 grabbed me by the arm and practically threw me in the car
25 and then we went over to see Eddie Ostler.

1 **MR. ENGELMANN:** And who is Eddie Ostler,
2 sir?

3 **MR. LEROUX:** He was a Knights of Columbus
4 member, and he was also my father's friend, and he was also
5 a police officer at the time.

6 **MR. ENGELMANN:** Why do you mention Knights
7 of Columbus?

8 **MR. LEROUX:** Because my father was a Knights
9 of Columbus member.

10 **MR. ENGELMANN:** Okay. So he knew Officer
11 Ostler?

12 **MR. LEROUX:** Yes.

13 **MR. ENGELMANN:** And I'm sorry; what was the
14 first name of the officer?

15 **MR. LEROUX:** Eddie.

16 **MR. ENGELMANN:** Eddie?

17 **MR. LEROUX:** Eddie.

18 **MR. ENGELMANN:** All right.

19 And where did he go to meet with him?

20 **MR. LEROUX:** At the Cornwall police station
21 right, beside the fire station, next to Kennedy's Soda Bar.

22 **MR. ENGELMANN:** All right.

23 And were you present when your father met
24 with Officer Ostler?

25 **MR. LEROUX:** I was for a few minutes and

1 then back outside in the car.

2 MR. ENGELMANN: And do you recall what, if
3 anything, your father said to Officer Ostler?

4 MR. LEROUX: He was damn mad when he came
5 out, and he drove home; took off his Knights of Columbus
6 ring and tossed it in the desk drawer; never wore it again.

7 MR. ENGELMANN: Were you interviewed at that
8 time by Officer Ostler or anybody else from the Cornwall
9 police?

10 MR. LEROUX: No.

11 MR. ENGELMANN: You mentioned having a
12 discussion with Brother John. Can you tell us how that
13 came about?

14 MR. LEROUX: Yes. I was in confession.
15 They were doing it again. I stepped out into the hallway
16 afterwards. I went into the office. I mentioned that a
17 priest was touching me in there, and I got the strap.

18 MR. ENGELMANN: So this is after the time
19 that you had the discussion with your father?

20 MR. LEROUX: Yes.

21 MR. ENGELMANN: And you say it was happening
22 again. And why did you go to Brother John about it?

23 MR. LEROUX: Because I figured it would stop
24 it. I was urinating on the desks when I came out of there.
25 Teachers were noticing it. They said "If you have to go to

1 the washroom just get up and go. Do not bother putting
2 your hand up. Just go." But I didn't know I had to go.
3 It was just like fright. I was bedwetting until I was
4 about 12 or 13 years of age, maybe even 15. Sometimes even
5 lately.

6 **MR. ENGELMANN:** I'm sorry; I'm a little
7 confused, sir. I apologize. You went to see Brother John
8 because you were alleging you were continuing to be abused?

9 **MR. LEROUX:** Yes, because my father had made
10 a trip to see him, to talk to him, and he said he would
11 look out for me.

12 **MR. ENGELMANN:** How did you know that, sir?

13 **MR. LEROUX:** My father told me.

14 **MR. ENGELMANN:** And would that have been
15 after the evening when your father talked to R.J. MacDonald
16 and Eddie Ostler?

17 **MR. LEROUX:** I think the next day. I'm not
18 sure. It was in that timeframe anyway.

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

20 So after you got the strap, when you say you
21 reported to Brother John, what happened after that?

22 **MR. LEROUX:** I stopped talking about it.

23 **MR. ENGELMANN:** Stopped talking about it to?

24 **MR. LEROUX:** To anybody. My father didn't
25 talk about it anymore. And my father worked for the

1 St. Lawrence Seaway Authority; often went away for a month,
2 two months, three months; came home only on weekends.

3 He always asked me "How is everything
4 going?" I'd say "Fine." He'd always ask me if I was okay,
5 and I'd say "Fine."

6 **MR. ENGELMANN:** Sir, after that time with
7 the strap and you stopped talking about it, did you
8 continue to go to confession?

9 **MR. LEROUX:** Had to.

10 **MR. ENGELMANN:** And, sir, are you alleging
11 that one of the priests continued to abuse you?

12 **MR. LEROUX:** Yes, not as often, but a couple
13 of times a month then. Sometimes, they wouldn't bother.

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

15 **MR. LEROUX:** Sometimes they wouldn't do it.

16 **MR. ENGELMANN:** All right. Was that just
17 one other priest or are you saying that it was both of
18 them?

19 **MR. LEROUX:** Sometimes both.

20 **MR. ENGELMANN:** Sir, I'm wondering if this
21 might be an appropriate time.

22 **THE COMMISSIONER:** All right. Why don't we
23 take the lunch break, sir, and we'll come back at two
24 o'clock.

25 **MR. LEROUX:** Thank you.

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

3 The hearing will resume at 2:00 p.m.

4 --- Upon recessing at 12:41 p.m. /

5 L'audience est suspendue à 12h41

6 --- Upon resuming at 2:06 p.m. /

7 L'audience est reprise à 14h06

8 **THE REGISTRAR:** The hearing is now resumed.
9 Please be seated. Veuillez vous asseoir.

10 **THE COMMISSIONER:** Ready to go? Mr. Leroux?
11 Ready to go?

12 **MR. LEROUX:** Yes.

13 **THE COMMISSIONER:** Mr. Engelmann?

14 **MR. ENGELMANN:** Thank you sir.

15 **RON LEROUX, Resumed/Sous le même serment**

16 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
17 **PETER ENGELMANN (Cont'd/Suite):**

18 **MR. ENGELMANN:** Good afternoon.

19 Good afternoon, Mr. Leroux.

20 **MR. LEROUX:** Good afternoon.

21 **MR. ENGELMANN:** If you would like some
22 water, it's just to your right, sir.

23 **MR. LEROUX:** Okay.

24 **MR. ENGELMANN:** Just before the lunch break

25 ---

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: --- we were talking about
3 the issue -- you talked about disclosing to your father at
4 or about the time this was happening. You talked about
5 going with your father to the church, to the police
6 station. You also talked about discussions he told you he
7 had with Brother John, and you talked to us about being
8 strapped when you brought up that this was happening again.

9 MR. LEROUX: Yes.

10 MR. ENGELMANN: You recall that? Sir, I
11 just want to take you to a few statements or interviews
12 because I don't seem to see what you've described to us
13 here or certainly described to us, being Commission staff
14 or here at this Inquiry in your previous statements.

15 So for example if we look at Exhibit 563 --
16 I'll just be a moment. It's Bates page 7070996, at the end
17 of the first paragraph of that page, after describing
18 alleged abuse at school, you said:

19 "I thought of telling Brother John at
20 the school, but decided not to. I did
21 tell my father, and he said, 'you are
22 lying. These are men of the cloth."

23 Now, you described for us here something
24 quite different than that. So this particular statement,
25 sir, is, as I understand it, the first statement that you

1 had with Perry Dunlop?

2 MR. LEROUX: Yes.

3 MR. ENGELMANN: It's the one from October
4 10th of 1996. Then I just want to show you a couple of
5 other examples, Mr. Leroux, before I go anywhere else.

6 Exhibit 569, and this is a statement that, I
7 believe, Mr. Dunlop takes from you on December 4th of '96.
8 I'll just be a moment.

9 (SHORT PAUSE/COURTE PAUSE)

10 MR. ENGELMANN: I am looking at the bottom
11 of the second paragraph on the second page. Bates page
12 7072749. It starts:

13 "I remember telling my mother and
14 father about the confession incidents,
15 and they did not believe me saying that
16 priests were men of the cloth and they
17 would never do that."

18 Do you see that?

19 MR. LEROUX: This is not true.

20 MR. ENGELMANN: All right. And I think, sir

21 ---

22 MR. LEROUX: I would never talk to my mother
23 about that.

24 MR. ENGELMANN: Just give me a moment.

25 THE COMMISSIONER: Just a second now. Does

1 that refer to a different incident though?

2 **MR. ENGELMANN:** No, what it says is the
3 confession incidents. I believe it can -- there's only --
4 the only allegations about alleged abuse at confession were
5 in the school. Is that right, Mr. Leroux?

6 **MR. LEROUX:** Pardon?

7 **MR. ENGELMANN:** The only confession
8 incidents, if I can use that term, would have been the
9 alleged abuse in the school?

10 **MR. LEROUX:** That's correct.

11 **MR. ENGELMANN:** All right. I just want to
12 show you one other document. It is very similar to -- yes,
13 it's your -- I'm looking at Exhibit 572. It's the first
14 videotaped interview report with the OPP. Sir, again, I am
15 looking at Bates page 7048566, or to help you, at the
16 bottom of the page it says, "Page 8 of 127".

17 So right at the top of that page, it says:

18 "I remember telling my mother and
19 father about the confession incidents,
20 and they did not believe me."

21 **MR. LEROUX:** No.

22 **MR. ENGELMANN:** This is again very similar
23 to the one I just read you.

24 All right. So you're saying you never told
25 your mother?

1 MR. LEROUX: Never.

2 MR. ENGELMANN: All right. But what about
3 what you're saying about this? You're saying -- and just
4 to orient you, sir, what you're doing here in this
5 interview is you're reading a statement that you have with
6 you. And I'll come back to this interview, but this is an
7 interview with the OPP, where you're there with a lawyer by
8 the name of Charles Bourgeois?

9 MR. LEROUX: Yes.

10 MR. ENGELMANN: You remember that interview?

11 MR. LEROUX: Yes.

12 MR. ENGELMANN: And you are reading a
13 statement or an affidavit. Is that correct sir?

14 MR. LEROUX: Yes, I have all the paperwork.
15 It was comprised by them.

16 MR. ENGELMANN: Comprised by?

17 MR. LEROUX: Them and myself.

18 MR. ENGELMANN: Who is them?

19 MR. LEROUX: Charles Bourgeois and
20 Perry Dunlop.

21 MR. ENGELMANN: All right. And so some
22 paperwork had been prepared for you?

23 MR. LEROUX: Yes, everything was done.

24 MR. ENGELMANN: And did you read that
25 paperwork or statement at this meeting?

1 **MR. LEROUX:** Yes.

2 **MR. ENGELMANN:** All right. So you've told
3 us that you told your father, and you told us how your
4 father acted upon it, but in statements that you are giving
5 in late 1996 and early 1997, you are saying that you told
6 your father or you told your father and your mother, and
7 that they didn't believe you. These were men of the cloth,
8 et cetera.

9 **MR. LEROUX:** I never made that statement
10 anyway. It's there, but I didn't make it.

11 **MR. ENGELMANN:** Well, sir, this is a
12 videotaped interview report; the last one I just showed you
13 where you're actually reading a statement ---

14 **MR. LEROUX:** Yes.

15 **MR. ENGELMANN:** --- to the police officers.

16 **MR. LEROUX:** I did anything they told me to
17 do.

18 **MR. ENGELMANN:** You did anything, who told
19 you to do?

20 **MR. LEROUX:** Perry.

21 There was discrepancies with a lot of
22 things; there was discrepancies with the dividers, where
23 the hell would that come from, I mean, we'd never --
24 dividers?

25 **MR. ENGELMANN:** Okay.

1 MR. LEROUX: If I'd say anything about it,
2 he'd say "Don't worry about it".

3 MR. ENGELMANN: All right. Well on this
4 particular point though sir ---

5 MR. LEROUX: Yes?

6 MR. ENGELMANN: --- your evidence to us here
7 ---

8 MR. LEROUX: Yes?

9 MR. ENGELMANN: --- that your father went to
10 speak to R. J. MacDonald ---

11 MR. LEROUX: That's correct.

12 MR. ENGELMANN: --- and then your father
13 went to Eddie Ostler at the police.

14 MR. LEROUX: That's correct.

15 MR. ENGELMANN: And then apparently he went
16 to Brother John?

17 MR. LEROUX: That's correct.

18 MR. ENGELMANN: And you were informed about
19 that one?

20 MR. LEROUX: That's ---

21 MR. ENGELMANN: That doesn't appear to be in
22 any of your statements in 1996 or '97 to either Mr. Dunlop
23 or the OPP.

24 MR. LEROUX: No.

25 MR. ENGELMANN: Can you explain that for me?

1 **MR. LEROUX:** Well, I have been through a
2 lot. A death, you don't see dead bodies every day; then
3 abused.

4 I left the country. I was muddled up. Then
5 I had this guy hounding me, and then he sicks a lawyer on
6 me. And just do what you're told. I put everything on the
7 line to get this out of the way, and lost it all.

8 **MR. ENGELMANN:** Okay. Well ---

9 **THE COMMISSIONER:** What do you mean by that,
10 you put everything on the line, and lost it all?

11 **MR. LEROUX:** Well, when you start running
12 from country to country, and going to Toronto for weeks on
13 end, and getting on airplanes and running to Florida.

14 I mean, you're running a one-man operation
15 trying to pay a mortgage and put kids through school. And
16 you got this guy that's constantly hounding you and a lot
17 of times came down without any warning; all for a lousy
18 \$600.

19 **THE COMMISSIONER:** Okay. What do you mean
20 the \$600?

21 **MR. LEROUX:** One payment he made of \$600 for
22 my time; American money.

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

24 **MR. ENGELMANN:** This is Mr. Dunlop, you're
25 referring to sir?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: All right.

3 THE COMMISSIONER: And who was paying to fly
4 here and drive there? Were you getting reimbursed for your
5 travel expenses?

6 MR. LEROUX: Some of it.

7 THE COMMISSIONER: M'hm.

8 MR. LEROUX: Not all of it.

9 MR. ENGELMANN: And what did the 6 -- what
10 was the \$600 for Mr. Leroux?

11 MR. LEROUX: Fly from Toronto to
12 Pennsylvania, back to Portland, Maine.

13 MR. ENGELMANN: I am sorry, sir. Did he
14 give you \$600 for the airfare; what was the \$600 for?

15 MR. LEROUX: To pay for the airfare.

16 MR. ENGELMANN: All right.

17 MR. LEROUX: Because my wife wanted me home,
18 in no uncertain terms. She is starting to get sick, she's
19 starting to have problems. She died, not right then but --
20 -

21 MR. ENGELMANN: Okay. Well, I'll
22 (inaudible) if I can ---

23 MR. LEROUX: I went ---

24 MR. ENGELMANN: Okay. That's fine, I'm
25 wondering why you're telling us here for the first time or

1 what appears to be the first time ---

2 MR. LEROUX: That's why I'm here. I want
3 the truth out! I don't -- I had enough of it!

4 MR. ENGELMANN: Okay.

5 MR. LEROUX: I have been coerced constantly.

6 THE COMMISSIONER: You were coerced, you
7 say?

8 MR. LEROUX: Yes.

9 THE COMMISSIONER: Coerced, okay. Just take
10 a moment there.

11 All right.

12 MR. ENGELMANN: Are you okay?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: I'm going to move to another
15 topic, okay. And I'm going to come back to your
16 relationship with Mr. Dunlop. I want to talk about that in
17 some detail a bit later.

18 MR. LEROUX: Okay.

19 MR. ENGELMANN: I just -- I'm going through
20 some of your evidence and when we get to certain things; if
21 there's differences in some of these documents sir, I'm
22 just going to ask you to explain that, if you can. All
23 right?

24 Now, aside from making allegations of sexual
25 abuse against a couple of priests that you've named and you

1 said where that happened to you -- at your school. I
2 understand that you made an allegation of sexual abuse
3 against another priest at Cameron's Point. Do you recall
4 that?

5 **MR. LEROUX:** Yes. Of a Father Eugene.

6 **MR. ENGELMANN:** Right. And do you remember
7 approximately how old you were, sir, when that alleged
8 abuse took place?

9 **MR. LEROUX:** Around 13 years old.

10 **MR. ENGELMANN:** And sir, where is Cameron's
11 Point?

12 **MR. LEROUX:** Approximately nine miles east
13 of Cornwall, or seven-and-a-half miles east of Cornwall.

14 **MR. ENGELMANN:** So is that ---

15 **MR. LEROUX:** Just off the Number 2 Highway.

16 **MR. ENGELMANN:** Is that near Summerstown?

17 **MR. LEROUX:** Yes, it's a campground now, or
18 something like that.

19 **MR. ENGELMANN:** And how was it that you came
20 to go there?

21 **MR. LEROUX:** With Stanley LeGallais.

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

23 **MR. LEROUX:** With Stan LeGallais.

24 **MR. ENGELMANN:** Okay. You and Stan

25 LeGallais went there?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: And who was Stan LeGallais?

3 MR. LEROUX: He was student, and friend, and
4 altar boy.

5 MR. ENGELMANN: And what ---

6 MR. LEROUX: I couldn't be altar boy that's
7 why we were -- this nun was pushing us to go there to --
8 this Mother St. Caroline.

9 MR. ENGELMANN: Okay. You have to speak up
10 sir, I can't hear you.

11 MR. LEROUX: This Mother St. Caroline from
12 the boys' school ---

13 MR. ENGELMANN: Yes.

14 MR. LEROUX: --- there was a seminar; and
15 "You boys should be there. You should go there. You
16 should hang out with altar boys".

17 MR. ENGELMANN: Okay. So, do you recall
18 what time of year this was, sir, that you went to this
19 retreat?

20 MR. LEROUX: Around Labour Day, or after
21 Labour Day.

22 MR. ENGELMANN: And how did you get there,
23 you and Mr. -- you and Stan?

24 MR. LEROUX: I think -- I don't even think -
25 - we hitchhiked.

1 **MR. ENGELMANN:** Okay. Do you remember, was
2 this on a weekend or during the week; or do you remember?

3 **MR. LEROUX:** It was on a weekend.

4 **MR. ENGELMANN:** Okay. And you've told us
5 that you were -- that you allege that you were sexually
6 abused by a Father Eugene?

7 **MR. LEROUX:** Yes.

8 **MR. ENGELMANN:** And had you ever met him
9 before that time -- that evening?

10 **MR. LEROUX:** No.

11 **MR. ENGELMANN:** How did you know his name
12 was Eugene?

13 **MR. LEROUX:** That's what they were calling
14 him.

15 **MR. ENGELMANN:** Was Stan LeGallais about
16 your age?

17 **MR. LEROUX:** Yes.

18 **MR. ENGELMANN:** Were there any other
19 children there that were about your age?

20 **MR. LEROUX:** Yes.

21 **MR. ENGELMANN:** And did you know some of
22 them?

23 **MR. LEROUX:** No.

24 **MR. ENGELMANN:** Were you an altar boy ever
25 sir?

1 **MR. LEROUX:** No; I didn't want to be.

2 **MR. ENGELMANN:** Do you recall who the other
3 priest -- sorry, were there any other priests in
4 attendance?

5 **MR. LEROUX:** There were a few other priests
6 there, but I'm not sure who they were.

7 **MR. ENGELMANN:** And you said that -- how
8 would you describe Cameron's Point where this retreat was?
9 Is it a building? What is it?

10 **MR. LEROUX:** It was a building with wooden
11 steps that were made out of railroad ties going up to the
12 front of the cottage. It went down -- sloped down to the
13 water. There was a fire pit and there was hedges on both
14 sides of the yard.

15 **MR. ENGELMANN:** And it's described as a
16 point; was it facing on to a river?

17 **MR. LEROUX:** Facing the St. Lawrence River.

18 **MR. ENGELMANN:** And ---

19 **MR. LEROUX:** There was an island in front of
20 it. The main ship channel's on the other side.

21 **MR. ENGELMANN:** Okay. And when you and Stan
22 arrived, what do you recall seeing?

23 **MR. LEROUX:** Saw the fire; saw some boys
24 there; some with swim suits, some without. There was
25 drinking ---

1 **MR. ENGELMANN:** Drinking of what?

2 **MR. LEROUX:** Beer bottles; I can remember
3 beer bottles.

4 **MR. ENGELMANN:** All right. How was it that
5 you came to meet Father Eugene?

6 **MR. LEROUX:** He was sitting on the porch by
7 the door near a table with food on it and stuff like that.
8 I was reluctant to go and get food. I just wanted to go; I
9 didn't want to be there, it was ---

10 **MR. ENGELMANN:** And did you go over to him,
11 or what happened?

12 **MR. LEROUX:** He called me over in French.
13 He said something like "Viens ici" -- Come here.

14 **MR. ENGELMANN:** And did you go?

15 **MR. LEROUX:** Yes.

16 **MR. ENGELMANN:** All right. And did
17 something then happen to you?

18 **MR. LEROUX:** Yes.

19 **MR. ENGELMANN:** And do you allege that that
20 something was sexual abuse?

21 **MR. LEROUX:** Yes. I just froze up and I
22 stood there.

23 **MR. ENGELMANN:** Now, do you recall when, if
24 ever, you saw Father Eugene again?

25 **MR. LEROUX:** Yes.

1 MR. ENGELMANN: When was the next time you
2 would have seen him?

3 MR. LEROUX: In late '70s, early '80s.

4 MR. ENGELMANN: What was the occasion when
5 you saw him then?

6 MR. LEROUX: Can I say their names?

7 MR. ENGELMANN: You're not talking about
8 anybody who was abused?

9 MR. LEROUX: No.

10 MR. ENGELMANN: Okay, go ahead.

11 MR. LEROUX: I was asked by the mother of
12 this little girl if I would take her to St. Columban's
13 Church, which I did not want to do, but I did it anyway to
14 stand for her. She was making her confirmation. And there
15 he was.

16 MR. ENGELMANN: He was in the church?

17 MR. LEROUX: Yes.

18 MR. ENGELMANN: And how was he involved?

19 MR. LEROUX: He was Father Eugene LaRocque.
20 Bishop Eugene LaRocque.

21 MR. ENGELMANN: Did he confirm your friend's
22 daughter that day?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: When was the last time you'd
25 been in a church before that day?

1 MR. LEROUX: Fourteen (14) years old;
2 roughly '62.

3 MR. ENGELMANN: Did you see this man again
4 after that ever? This is now Bishop LaRocque?

5 MR. LEROUX: Oh, yes.

6 MR. ENGELMANN: Where would you have seen
7 him after that day in church?

8 MR. LEROUX: I saw him two doors from where
9 I lived in Summerstown or in R.R. 1 Cornwall, at Ken
10 Seguin's place driving a blue Buick, about a 1983 or '84.

11 MR. ENGELMANN: So we talked about you're
12 seeing him in '79, '80 or thereabouts?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: Now, you are talking about
15 seeing him at Ken Seguin's house?

16 MR. LEROUX: Yes.

17 MR. ENGELMANN: Is that at that time or is
18 that a few years later? When is that?

19 MR. LEROUX: This is in the late '80s, '87,
20 '88, '86; within a year or two of him moving in to his home
21 in Summerstown from Alguire Street.

22 MR. ENGELMANN: You're referring to Mr.
23 Seguin ---

24 MR. LEROUX: Seguin.

25 MR. ENGELMANN: --- moving in?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: And you say you saw the
3 Bishop arrive in a blue Buick?

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: Did I get that right?

6 MR. LEROUX: That's correct. A Park Avenue.

7 MR. ENGELMANN: Why was he there? Or do you
8 know?

9 MR. LEROUX: Visiting some friends.

10 MR. ENGELMANN: Friend of whose?

11 MR. LEROUX: Ken Seguin and Malcolm
12 MacDonald's.

13 MR. ENGELMANN: Was he dressed as a priest,
14 sir?

15 MR. LEROUX: No. He had a pair of jeans and
16 a plaid shirt I think. I'm not sure.

17 MR. ENGELMANN: Were you introduced to him?

18 MR. LEROUX: Oh, yes.

19 MR. ENGELMANN: And how was he introduced to
20 you?

21 MR. LEROUX: Ken introduced him to me. I
22 knew him.

23 MR. ENGELMANN: But what did they -- was he
24 called Eugene? What was he called?

25 MR. LEROUX: Rocky.

1 MR. ENGELMANN: Rocky?

2 MR. LEROUX: Rocky. He said, "This is
3 Rocky."

4 MR. ENGELMANN: Who would have described him
5 that way?

6 MR. LEROUX: I was introduced to him by
7 Malcolm as Rocky and by Ken as Rocky.

8 MR. ENGELMANN: After you saw him in the
9 late '70s or at the time you mentioned in the church or
10 later, did you ever contact the police about ---

11 MR. LEROUX: No.

12 MR. ENGELMANN: --- what you say happened?

13 MR. LEROUX: No.

14 MR. ENGELMANN: Do you recall who you first
15 would have told about that incident in Cameron's Point that
16 you described?

17 MR. LEROUX: I'm not sure. So many, I don't
18 know.

19 MR. ENGELMANN: All right.

20 MR. LEROUX: You see, I was not supposed to
21 be hitchhiking. So I did not mention it to anywhere, at my
22 parents' especially.

23 MR. ENGELMANN: At the time?

24 MR. LEROUX: That's correct.

25 MR. ENGELMANN: I'll just be a moment.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. ENGELMANN: I just want to take you to a
3 few statements.

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: About this, if I may. Let's
6 start with Exhibit 574. This is your interview with the
7 OPP in late November of '97, and that's the date they give.

8 Sir, if you could turn to page 11 of 129,
9 it's Bates page 7048723. It starts with the question from
10 Officer Genier:

11 "In your video statement, you stated
12 you were assaulted by Bishop LaRocque.
13 Can you be more specific about that?"

14 That's when you say:

15 "He wasn't a Bishop then. He was just
16 a priest."

17 Do you see that?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: And then on the following
20 page, near the bottom and then onto the next page, you
21 describe some of what you say you see there.

22 And on page 13 of 129, which is page
23 7048725, you talk about he says something in French, "Viens
24 ici", and it goes on.

25 Do you see that?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: I'll just be a moment.

3 (SHORT PAUSE/COURTE PAUSE)

4 MR. ENGELMANN: Sir, you don't indicate here
5 it appears anything about meeting him in 1979 or '80 at a
6 confirmation. Do you?

7 MR. LEROUX: I might not have been asked it.

8 MR. ENGELMANN: All right.

9 MR. LEROUX: A lot of these things came back
10 to me later, I've been through so much.

11 MR. ENGELMANN: All right.

12 If you could take a look at Exhibit 568.

13 THE COMMISSIONER: Wait a minute. Wait a
14 minute. Your question was does he talk about the
15 confirmation?

16 MR. ENGELMANN: Yes. Oh, I'm sorry. I'm
17 sorry. Sir, if you look at that same page ---

18 THE COMMISSIONER: On page ---

19 MR. ENGELMANN: --- page, sorry, page 15 of
20 129. I apologize.

21 Page 15 of 129, sir?

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: About the middle of the
24 page?

25 MR. LEROUX: It's not on the screen yet.

1 **THE COMMISSIONER:** Madam Clerk.

2 **MR. ENGELMANN:** My screen's not on, so I
3 don't ---

4 **THE COMMISSIONER:** What -- 574.

5 **MR. ENGELMANN:** Five-seventy-four (574).

6 **THE COMMISSIONER:** On page 15 of 29. And we
7 need the screen open.

8 Are the public screens on? Okay.

9 Actually we're on page 15, in the middle.

10 **MR. ENGELMANN:** Sorry, sir, in the middle
11 paragraph you do mention the -- you say "to be confirmed by
12 him or to make their first communion", and you also
13 reference turning up years later at Ken Seguin's house. I
14 apologize.

15 Sir, in your videotaped interview report by
16 Perry Dunlop, Exhibit 568, Bates page 7060106.

17 **THE COMMISSIONER:** Which would be?

18 **MR. ENGELMANN:** Page 18 of 48.

19 And you're talking about Cameron's Point,
20 and it's about two thirds of the way down the page. You
21 mention that the Bishop now, LaRocque, he was there, and
22 you also mention the names of other priests.

23 Sir, do you know if these other priests were
24 there or not?

25 **MR. LEROUX:** No.

1 **MR. ENGELMANN:** It seems sometimes you can't
2 -- you don't identify priests and other times you do --
3 being there at Cameron's Point.

4 **MR. LEROUX:** Not MacDougald or Cameron. I
5 would remember that.

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

7 **MR. LEROUX:** Not MacDougald or Cameron,
8 because I would remember that. They were not there.

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

10 So that's inaccurate?

11 **MR. LEROUX:** Yes.

12 **MR. ENGELMANN:** Sir, in this document, and
13 in several other documents, there is a reference made to a
14 ritual.

15 **MR. LEROUX:** Yes.

16 **MR. ENGELMANN:** And you'll see it on the
17 next page of this document, page 19 of 48.

18 And you talk about before they had spotted
19 us they were fondling the boys on the deck. Most of them
20 had no clothes on. Then you say in another there's three
21 or four boys going around the fire with white sheets on
22 their head ---

23 **MR. LEROUX:** Oh ---

24 **MR. ENGELMANN:** Sorry?

25 **MR. LEROUX:** That's not there. That doesn't

1 belong there.

2 MR. ENGELMANN: You've got a reference to a
3 ritual.

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: And we see this in other
6 statements as well, and I can take you to some of those.

7 MR. LEROUX: That's not something I saw.
8 That's something that was told to me by a man around my age
9 that works at -- or was working at a clothing store. I'll
10 give you the name. Just a second. The Squire Shop. I
11 turned around and told the story to Dunlop and he put it in
12 there.

13 MR. ENGELMANN: Okay. Well, Mr. Leroux ---

14 MR. LEROUX: Yes.

15 MR. ENGELMANN: --- this story about a
16 ritual and candles and rectums ---

17 MR. LEROUX: Didn't visualize that. Didn't
18 see that. Didn't see that with -- didn't see that.

19 MR. ENGELMANN: Okay. But you do repeat
20 that story on many occasions.

21 MR. LEROUX: Yes, because it's on the paper
22 that I'm reading.

23 MR. ENGELMANN: But this is a videotaped
24 statement now with Mr. Dunlop.

25 MR. LEROUX: Yes.

1 **MR. ENGELMANN:** And he's getting you to
2 describe this, and I'm looking at that page; page 19 of 48,
3 ---

4 **MR. LEROUX:** Yes.

5 **MR. ENGELMANN:** --- and he says to you,
6 right after you say something about it he says "It's pretty
7 vivid in your mind. You can remember that?" He asks you
8 that question. And the answer that's transcribed here
9 "Like it was yesterday."

10 **MR. LEROUX:** H'm.

11 **MR. ENGELMANN:** So it certainly appears from
12 the statement that you're describing something that you
13 claim to have seen ---

14 **MR. LEROUX:** I didn't see it.

15 **MR. ENGELMANN:** --- as opposed to something
16 that was told to you.

17 **MR. LEROUX:** Didn't see that. That's a lie
18 or something. That's -- no.

19 **MR. ENGELMANN:** So you're telling us that
20 you didn't see a ritual ---

21 **MR. LEROUX:** No.

22 **MR. ENGELMANN:** --- with boys with sheets
23 over their heads and candles in their rectum at Cameron's
24 Point ---

25 **MR. LEROUX:** No.

1 **MR. ENGELMANN:** --- the night you allege you
2 were abused?

3 **MR. LEROUX:** I was given two books by
4 Mr. Nadeau at the time that Perry left Cornwall in around
5 2001 -- no, about rituals -- yes, he gave me books on
6 rituals.

7 This was already entered in there before
8 that as another -- he said "This person that you talked to
9 at the Squire Shop" -- I don't know his name, but I don't
10 know if he's still working there. I have no idea. But he
11 brought that up.

12 **THE COMMISSIONER:** I'm sorry; who brought
13 that up?

14 **MR. LEROUX:** The person at the Squire Shop -
15 --

16 **THE COMMISSIONER:** Okay.

17 **MR. LEROUX:** --- had brought it up to me.

18 **THE COMMISSIONER:** Okay. And when would he
19 have told you that?

20 **MR. LEROUX:** It would be in the early '70's
21 or '80's. I went in to get measured for a suit or
22 something.

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

24 **MR. LEROUX:** That was when the Squire Shop
25 was in the old building; and he was from nativity.

1 **THE COMMISSIONER:** So, is there a reason why
2 you would adopt that -- you would tell Mr. Dunlop or the
3 police that you saw this with your own eyes?

4 **MR. LEROUX:** Yes.

5 **THE COMMISSIONER:** And why is that?

6 **MR. LEROUX:** Anger.

7 **THE COMMISSIONER:** Anger?

8 **MR. LEROUX:** For being molested. I just
9 wanted to get them back some how; some way.

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

11 **MR. ENGELMANN:** Well, if we look at Exhibit
12 564, for example, and that's the first affidavit from
13 October 31st, 1996. It's Exhibit 564.

14 **THE COMMISSIONER:** I don't know that it's an
15 affidavit, Mr. Engelmann.

16 **MR. ENGELMANN:** Oh, you're right. It's
17 described as one, but it's really a statement.

18 In any event, let's take a look at that one,
19 564, second page, paragraph 14.

20 You seem to be throwing a whole lot of
21 things into this paragraph about the Bishop and about altar
22 boys. But you see, if you look about halfway down that
23 paragraph you say "During this party I observed" -- this is
24 attributed to you -- "I observed a ceremonious ritual with
25 candles."

1 Do you see that?

2 MR. LEROUX: Yes. All right.

3 MR. ENGELMANN: So you're saying that that's
4 not true?

5 MR. LEROUX: That's not true.

6 MR. ENGELMANN: And you're saying you didn't
7 see that?

8 MR. LEROUX: No.

9 MR. ENGELMANN: Because we see that repeated
10 in many other statements and affidavits, Mr. Leroux.

11 You never said anything about ---

12 MR. LEROUX: No.

13 MR. ENGELMANN: --- that being inaccurate or
14 wanting to have it changed?

15 MR. LEROUX: About it being inaccurate?

16 MR. ENGELMANN: This particular paragraph?

17 MR. LEROUX: When I read it, I just read it
18 -- read it or said it, I mean ---

19 MR. ENGELMANN: Were you aware, sir, that at
20 some point, this -- hang on, let me just get the affidavit
21 for a moment.

22 THE COMMISSIONER: But you also in that
23 paragraph say, "This ritual went on on a weekly basis".

24 MR. LEROUX: Ah, no.

25 THE COMMISSIONER: Okay.

1 **MR. LEROUX:** Anything could have been
2 written in there, I wouldn't even say anything about it.
3 It just -- I just was so tormented constantly with this.

4 **MR. ENGELMANN:** Sir, another spot, Exhibit
5 567 -- excuse me, 567. This is an affidavit that you
6 commissioned or that is commissioned for you by Charles
7 Bourgeois in Newmarket, Ontario. In that paragraph 14 we
8 just looked at is now paragraph 15 on the top of page 4.

9 Again, sir, if you look about halfway down
10 the paragraph, you're describing what happens at Cameron's
11 Point. You are alleging that Eugene LaRocque did something
12 to you there?

13 **MR. LEROUX:** Yes.

14 **MR. ENGELMANN:** And then you're talking
15 about ceremonious ritual; candles?

16 **MR. LEROUX:** Yes.

17 **MR. ENGELMANN:** And altar boys. And then
18 you're talking about Bishop LaRocque and others.

19 I guess what I'm asking, sir, you've
20 acknowledged you didn't see this ritual?

21 **MR. LEROUX:** No.

22 **MR. ENGELMANN:** What about after that? The
23 comment about certain priests and molesting and fondling;
24 I'm not talking about yourself. I'm talking about others.
25 Did you actually see anybody else at Cameron's Point the

1 night you went there be either molested or fondled or
2 anything?

3 MR. LEROUX: Fondled, yes.

4 MR. ENGELMANN: That was some other altar
5 boy or that was an altar boy?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: All right.

8 So you never saw the ritual and you
9 certainly never saw it on a weekly basis.

10 MR. LEROUX: No.

11 MR. ENGELMANN: This is a story you heard
12 from someone else?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: Is the rest of it the story
15 you've heard from someone else, Mr. Leroux?

16 MR. LEROUX: No.

17 MR. ENGELMANN: You are sure about that?

18 MR. LEROUX: The rest of it is true.

19 MR. ENGELMANN: What about the top of the
20 paragraph?

21 MR. LEROUX: Except Birch Avenue. It's not
22 Birch Avenue, it's Birch Road, in Lauderdale. It's a road
23 not a ---

24 MR. ENGELMANN: You are saying that you saw
25 the Bishop there?

1 MR. LEROUX: Yes, with two other people.

2 MR. ENGELMANN: Who is that?

3 MR. LEROUX: Ken Seguin and Malcolm
4 MacDonald on one occasion. And on another occasion, with -
5 - can I say his name? -- Claude Shaver.

6 MR. ENGELMANN: These are people you would
7 have seen on Birch Road in Fort Lauderdale?

8 MR. LEROUX: Yes.

9 MR. ENGELMANN: What is Birch Road?

10 MR. LEROUX: It's a pickup point for
11 prostitutes, male prostitutes.

12 MR. ENGELMANN: Are they adult male
13 prostitutes?

14 MR. LEROUX: Well, no. There're anywhere
15 from 13, 14 to 20 or 23, 24.

16 MR. ENGELMANN: How do you know that that's
17 who is there? In the way of -- how do you know that there
18 are male prostitutes there?

19 MR. LEROUX: Because they are soliciting
20 there. They are sitting on a fence; they're talking or
21 making offers when you walk by, looking for money.

22 MR. ENGELMANN: Do you know this from your
23 own observation, sir? Is this the story that ---

24 MR. LEROUX: No, no, no. I was there. I've
25 seen this.

1 **MR. ENGELMANN:** So then you've walked along
2 Birch Road yourself, sir?

3 **MR. LEROUX:** Yes.

4 **MR. ENGELMANN:** I jumped ahead a little bit,
5 sir, but since we've talked about Florida, let's just go
6 there for a minute, if we can or a few minutes perhaps.

7 You said you've walked along Birch Road in
8 Fort Lauderdale, Florida?

9 **MR. LEROUX:** Yes.

10 **MR. ENGELMANN:** Do you have some sense, sir,
11 as to how many times you've gone down to Florida?

12 **MR. LEROUX:** Since 1967, I believe, probably
13 28 times; a few times from Maine; the last time with Carson
14 Chisholm.

15 **MR. ENGELMANN:** All right. How about trips
16 to Florida during the timeframe you knew Ken Seguin, mid
17 '80s until the time of his death?

18 **MR. LEROUX:** How many times?

19 **MR. ENGELMANN:** Approximately.

20 **MR. LEROUX:** Six, maybe eight times.

21 **MR. ENGELMANN:** Who would you go down with?

22 **MR. LEROUX:** Malcolm MacDonald, Ken Seguin,
23 twice with C-8.

24 **MR. ENGELMANN:** And how would you get there?

25 **MR. LEROUX:** Drive mostly.

1 MR. ENGELMANN: Sorry?

2 MR. LEROUX: Mostly drive.

3 MR. ENGELMANN: And you were there, would
4 you meet or see other people from the Cornwall area?

5 MR. LEROUX: Sometimes.

6 MR. ENGELMANN: Can you tell us who those
7 people are or were?

8 MR. LEROUX: We'd stay at Salt Air.

9 MR. ENGELMANN: What is the Salt Air?

10 MR. LEROUX: It's a motel just off Sunrise
11 Boulevard.

12 MR. ENGELMANN: I'm sorry?

13 MR. LEROUX: It's a motel just off Sunrise
14 Boulevard.

15 MR. ENGELMANN: In Fort Lauderdale?

16 MR. LEROUX: Yes.

17 MR. ENGELMANN: I'm sorry. Who would you
18 meet there? You've told us who you would go down with. Do
19 you remember some of the people you would meet there?

20 MR. LEROUX: Yes. Ron Wilson.

21 MR. ENGELMANN: Who is Ron Wilson?

22 MR. LEROUX: He would stay in Daytona Beach.
23 He is the Funeral Director from Cornwall, an ex-police
24 officer, and he used to be a friend.

25 MR. ENGELMANN: I'm sorry? He used to be a

1 friend?

2 MR. LEROUX: Yes.

3 MR. ENGELMANN: All right. Who else would
4 you meet down there?

5 MR. LEROUX: Meet or see?

6 MR. ENGELMANN: Meet or see.

7 MR. LEROUX: Claude Shaver.

8 MR. ENGELMANN: How did you know him or know
9 of him?

10 MR. LEROUX: I was introduced to him at the
11 house. I was lying under the backhoe and then he came over
12 with Malcolm and Ken.

13 THE COMMISSIONER: You were lying underneath
14 the backhoe?

15 MR. LEROUX: Yes.

16 THE COMMISSIONER: Oh!

17 MR. LEROUX: We had a backhoe.

18 MR. ENGELMANN: Is this at your house or
19 it's at someone else's house?

20 MR. LEROUX: No, this was at R.R. 1.

21 MR. ENGELMANN: Your house in Summerstown?

22 MR. LEROUX: And I reached out and shook
23 hands and I looked and it was Claude Shaver.

24 MR. ENGELMANN: Sorry sir, you had met him
25 at your home in Summerstown?

1 MR. LEROUX: Yes, and I also knew him
2 before.

3 MR. ENGELMANN: He was with Malcolm and Ken?

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: Is that the only time you
6 had met him ---

7 MR. LEROUX: No.

8 MR. ENGELMANN: --- before seeing him in
9 Florida?

10 MR. LEROUX: No.

11 MR. ENGELMANN: Where else would you have
12 met him or seen him?

13 MR. LEROUX: I'd seen him in Cornwall.

14 MR. ENGELMANN: Okay.

15 You described seeing him on one occasion in
16 Florida; if I understood you correctly?

17 MR. LEROUX: Once or twice maybe.

18 MR. ENGELMANN: All right.

19 MR. LEROUX: They go to Daytona 500, then
20 they do the trip down from Daytona. They stay at Pete's
21 Hotel there, it belongs to -- do I have to tell you that?

22 MR. ENGELMANN: Sorry?

23 MR. LEROUX: They stay at a motel in Flor --

24 -

25 MR. ENGELMANN: Who's they?

1 **MR. LEROUX:** Ron Wilson and some other
2 people that were with him. Was a guy from Brookshell
3 Motors too, it's not even mentioned anywhere in here. I
4 remember he worked for Brookshell Pontiac.

5 **MR. ENGELMANN:** All right.
6 Mr. Shaver would be with Mr. Wilson?

7 **MR. LEROUX:** Yes.

8 **MR. ENGELMANN:** All right.
9 So aside from Mr. Wilson and Mr. Shaver, who
10 else would you see or meet in Florida -- Fort Lauderdale?

11 **MR. LEROUX:** Father Eugene LaRocque --
12 Bishop LaRocque.

13 **MR. ENGELMANN:** Do you recall where you
14 would have seen him in Fort Lauderdale and the
15 circumstances?

16 **MR. LEROUX:** Between Birch Road and/or the
17 candy store and/or the Marlin Beach Hotel and/or Salt Air
18 Hotel; Jimmy January's Restaurant; The Jungle; I think it's
19 called the 4-5-6 up Sunrise.

20 **MR. ENGELMANN:** These places you're
21 mentioning, they're in Fort Lauderdale?

22 **MR. LEROUX:** Yes, these are bars.

23 **MR. ENGELMANN:** Okay.

24 And would he be with someone from Cornwall?

25 **MR. LEROUX:** Not necessarily; just in the

1 company of other young people.

2 MR. ENGELMANN: Anyone else from Cornwall
3 that you would see or meet; you've mentioned Mr. Wilson,
4 Mr. Shaver, and the Bishop?

5 MR. LEROUX: Ken Seguin.

6 MR. ENGELMANN: He would go down with you,
7 you said, I think.

8 MR. LEROUX: Yes. Yes.

9 MR. ENGELMANN: Are there any others that
10 you would meet that you wouldn't be travelling with?

11 MR. LEROUX: Oh, yes. Father Charles
12 MacDonald.

13 MR. ENGELMANN: And how did you know Father
14 MacDonald?

15 MR. LEROUX: Oh, I worked for him.

16 MR. ENGELMANN: What kind of work?

17 MR. LEROUX: I put a fence around the Parish
18 house at the back and I painted the entire downstairs in
19 the priests' house and some of the rooms upstairs.

20 MR. ENGELMANN: And where was that, sir?

21 MR. LEROUX: St. Andrews; in St. Andrews.

22 MR. ENGELMANN: All right.

23 In relation to time, do you have some senses
24 to when that would have been?

25 MR. LEROUX: Before 1990 roughly; between

1 '87-'88-'89, I'm not sure.

2 MR. ENGELMANN: And when would you have seen
3 Father MacDonald in Fort Lauderdale?

4 MR. LEROUX: Oh, a couple of occasions.

5 MR. ENGELMANN: And timeframe?

6 MR. LEROUX: Oh, between -- I can roughly
7 say between '86 and '91-'90.

8 MR. ENGELMANN: Okay.

9 What about those other people you mentioned,
10 Mr. Wilson, Mr. Shaver, the Bishop?

11 MR. LEROUX: Same timeframe.

12 MR. ENGELMANN: And would you see Father
13 MacDonald at any other places other than in Florida?

14 MR. LEROUX: Oh, yes.

15 MR. ENGELMANN: Where would you see him
16 aside from when you were working for him?

17 MR. LEROUX: Seguin's house; back door
18 Charlie.

19 MR. ENGELMANN: I'm sorry?

20 MR. LEROUX: Sorry. He would always come in
21 the back door of the house; just walk in.

22 MR. ENGELMANN: At Ken Seguin's?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: Were they friends?

25 MR. LEROUX: Yes.

1 MR. ENGELMANN: Close friends?

2 MR. LEROUX: Yes.

3 MR. ENGELMANN: What about Father Charlie
4 and Malcolm MacDonald; were they friends?

5 MR. LEROUX: Yes.

6 MR. ENGELMANN: Would you describe them as
7 close friends?

8 MR. LEROUX: Yes, but not as close as the
9 other two.

10 THE COMMISSIONER: The other two?

11 MR. LEROUX: Meaning Father Charlie and Ken
12 Seguin.

13 MR. ENGELMANN: Now, you've talked about
14 several people from this area being in Fort Lauderdale;
15 you've talked about them being in a -- in or around a place
16 in Fort Lauderdale where there were male prostitutes and,
17 in fact, you said teenage male prostitutes.

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: Did you actually see anyone
20 and I mean anyone from this area engaged in a sexual
21 activity with teenage boys or young men in Fort Lauderdale?

22 MR. LEROUX: That they took from here you
23 mean or them -- I'm misunderstanding the question?

24 MR. ENGELMANN: All right. I might have
25 another question given what you told me.

1 MR. LEROUX: Okay.

2 MR. ENGELMANN: But did you actually see
3 anybody engaged in sexual activity?

4 MR. LEROUX: Just Malcolm and Ken.

5 MR. ENGELMANN: So none of these other
6 people you've mentioned did you ever see engaged in any
7 sexual activity?

8 MR. LEROUX: No. No.

9 MR. ENGELMANN: You said something about
10 young people from here?

11 MR. LEROUX: Yes.

12 MR. ENGELMANN: Did some people go down with

13 ---

14 MR. LEROUX: I was pressured into trying to
15 establish if there was anyone from here to find out to chat
16 to. Ask around, I mean, if there was any -- could find out
17 anybody that went down with them, I said "No" it never was.

18 MR. ENGELMANN: You were pressured by whom?

19 MR. LEROUX: By Perry.

20 MR. ENGELMANN: All right.

21 MR. LEROUX: To find out if ---

22 MR. ENGELMANN: Okay.

23 You went down to Fort Lauderdale with C-8;
24 did you not?

25 MR. LEROUX: That's correct.

1 **MR. ENGELMANN:** And he would have been still
2 a teenager at some point.

3 **MR. LEROUX:** Who?

4 **MR. ENGELMANN:** C-8, when you would have
5 taken him to Florida?

6 **MR. LEROUX:** No, he was 21 years old on his
7 first trip to Florida.

8 **MR. ENGELMANN:** Okay.

9 **MR. LEROUX:** And, in fact, I have
10 photographs to substantiate that.

11 **MR. ENGELMANN:** But you would have a
12 relationship with him prior to age 21; is that fair?

13 **MR. LEROUX:** Yes.

14 **MR. ENGELMANN:** You just said you didn't go
15 to Florida before then; is that what you're saying?

16 **MR. LEROUX:** No.

17 **MR. ENGELMANN:** And did you see anyone from
18 Cornwall in Florida with teenage boys from here?

19 **MR. LEROUX:** No, with the exception of some
20 young fellow in a Mustang was from here, he had Ontario
21 plates and he was picked up by Malcolm. They left in a
22 car, that's all I saw.

23 **THE COMMISSIONER:** I guess the question is,
24 did you see anyone of the folks that you've named; you
25 leave Ontario and go in -- from the Cornwall area to

1 Cornwall with adolescent boys.

2 MR. LEROUX: No.

3 THE COMMISSIONER: Thank you.

4 MR. SHERRIFF-SCOTT: Commissioner, I am not
5 sure if the reporter's got the answer.

6 THE COMMISSIONER: Oh ---

7 MR. ENGELMANN: The answer was "No".

8 THE COMMISSIONER: Yes or no?

9 MR. SHERRIFF-SCOTT: He said "No" but I
10 don't know if the court reporter got that.

11 THE COMMISSIONER: We've got it now.

12 MR. ENGELMANN: You got it at the back row,
13 I think they got it in the front row.

14 Just be a moment.

15 THE COMMISSIONER: So you say in paragraph
16 15 -- and you may have asked that question but -- I
17 observed Bishop LaRocque talking to young male prostitutes
18 on Birch Road, Fort Lauderdale." Is that true?

19 MR. LEROUX: That's true; yes.

20 THE COMMISSIONER: I'm sorry, you have to
21 answer in the ---

22 MR. LEROUX: Yes.

23 THE COMMISSIONER: All right.

24 MR. ENGELMANN: Let's look at that same
25 document, the last page -- the page before that, on Exhibit

1 567.

2 THE COMMISSIONER: Page 5?

3 MR. ENGELMANN: It's page 3, paragraph 14.
4 Can you read paragraph 14, sir, just to
5 yourself.

6 (SHORT PAUSE/COURTE PAUSE)

7 MR. ENGELMANN: Do you see there?

8 MR. LEROUX: Yes.

9 MR. ENGELMANN: All right.
10 It's a paragraph that talks about a number
11 of people, but it seems to talk about Claude Shaver in
12 three places. And I just want to ask you, sir, did you
13 actually see Mr. Shaver at the places that are described
14 here?

15 MR. LEROUX: Yes.

16 MR. ENGELMANN: Did you actually see him
17 talking with young male prostitutes in Florida?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: All right.

20 So this isn't something that was told to
21 you? This is something you saw?

22 MR. LEROUX: No, I actually saw this.

23 MR. ENGELMANN: All right.

24 Sir, were you aware that Perry Dunlop was
25 suing the Cornwall Police Service?

1 MR. LEROUX: Not then.

2 MR. ENGELMANN: Did you become aware
3 sometime during your interactions with Perry Dunlop in ---

4 MR. LEROUX: In 2001, when I returned from
5 Maine State.

6 MR. ENGELMANN: What did he tell you about
7 that?

8 MR. LEROUX: He was leaving here.

9 MR. ENGELMANN: Right. So what does that
10 have to do with suing the Cornwall Police Service?

11 MR. LEROUX: He said he had a lawsuit
12 against them and he was leaving Cornwall. He said
13 "Everything is taking too long. I'm leaving."

14 MR. ENGELMANN: So during the timeframe --
15 and I'm talking about the fall of '96 and into early '97 --
16 are you saying you weren't aware that he was taking some
17 legal action against the Cornwall police?

18 MR. LEROUX: No.

19 MR. ENGELMANN: Sir, if you could take a
20 look at Exhibit 567. This is the affidavit ---

21 THE COMMISSIONER: Hold on.

22 MR. ENGELMANN: --- that you swore in
23 Newmarket.

24 Do you have that?

25 THE COMMISSIONER: Well, not quite. Madam

1 Clerk, the top of the page. There you go.

2 MR. ENGELMANN: Do you have that document,
3 sir?

4 THE COMMISSIONER: The front page to the
5 style of cause?

6 MR. ENGELMANN: Yes.

7 MR. LEROUX: Yes.

8 MR. ENGELMANN: All right.

9 So this is a document that says, in any
10 event -- there's a signature on the last page and there's
11 also a signature of a Commissioner, and it appears to be
12 Charles Bourgeois, who commissions this affidavit for you.
13 Do you see those two signatures on the last page?

14 MR. LEROUX: Yes.

15 MR. ENGELMANN: That's your signature on the
16 right; correct?

17 MR. LEROUX: Yes.

18 MR. ENGELMANN: All right.

19 And I believe the signature to the left is
20 Mr. Bourgeois. Do you recall he had an office in
21 Newmarket, Ontario?

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: And Mr. Dunlop and/or
24 Mr. Bourgeois asked you to go there on occasion?

25 MR. LEROUX: One occasion.

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

2 And I'm just wondering, sir, this is an
3 affidavit that you swear, presumably in front of
4 Mr. Bourgeois, and on the front page of the affidavit
5 there's a -- I don't know if you can see that, but there's
6 a court file number and there's a -- it says "Perry Dunlop,
7 plaintiff" and then it lists a number of people as
8 defendants ---

9 **MR. LEROUX:** Yes.

10 **MR. ENGELMANN:** --- including I believe
11 police officers and the Cornwall Police Service and the
12 Diocese of Alexandria Cornwall, and amongst others, Malcolm
13 MacDonald.

14 Do you see that?

15 **MR. LEROUX:** Yes.

16 **MR. ENGELMANN:** All right.

17 Do you not recall ever -- do you recall ever
18 having this explained to you what this ---

19 **MR. LEROUX:** Never recall seeing these names
20 before like this.

21 **MR. ENGELMANN:** Okay. So you don't recall
22 Mr. Dunlop or Mr. Bourgeois explaining to you in the late
23 '96 or early '97 that Mr. Dunlop was suing the police force
24 and the church and others?

25 **MR. LEROUX:** No.

1 **MR. ENGELMANN:** Okay. Well, do you recall
2 if he told you whether he was an active member of the
3 Cornwall Police Service or not?

4 **MR. LEROUX:** I found out that he had lost
5 his job for awhile but he was getting it back.

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

7 **MR. LEROUX:** And he was using his badge to
8 travel the subways.

9 **MR. ENGELMANN:** Who told you that, sir?

10 **MR. LEROUX:** I was with him. When we would
11 get into the subway he used the badge to -- had a badge in
12 his hand.

13 **MR. ENGELMANN:** Where was this?

14 **MR. LEROUX:** He'd flash it in the window in
15 Toronto.

16 **MR. ENGELMANN:** So when you were meeting
17 with him in the -- well, let's -- I'll come to this a bit
18 later, but when you met with him in the fall of '96 ---

19 **MR. LEROUX:** Yes.

20 **MR. ENGELMANN:** --- did he identify himself
21 as a Cornwall City Police officer?

22 **MR. LEROUX:** Yes.

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

24 And did he tell you whether he was on active
25 duty or not?

1 MR. LEROUX: I didn't ask. He didn't say.
2 He just asked me if I had heard his name before.

3 MR. ENGELMANN: I'm sorry?

4 MR. LEROUX: All he asked me is if I had
5 heard his name before. That's all.

6 MR. ENGELMANN: And had you heard his name
7 before?

8 MR. LEROUX: Yes.

9 MR. ENGELMANN: And you had heard it in
10 relation to what, sir?

11 MR. LEROUX: A very angry priest.

12 MR. ENGELMANN: I'm sorry; you have to be --
13 -

14 MR. LEROUX: Out of the mouth of a very
15 angry priest.

16 MR. ENGELMANN: And what was the context,
17 and who was the priest?

18 MR. LEROUX: Father Charles MacDonald at Ken
19 Seguin's house.

20 MR. ENGELMANN: And why would he have been
21 talking about Perry Dunlop?

22 MR. LEROUX: He was pissed about something -
23 - about an investigation or something having to do with
24 DS.

25 MR. ENGELMANN: All right.

1 And this was a conversation that who was
2 having?

3 **MR. LEROUX:** Charlie, Malcolm and Ken.

4 **THE COMMISSIONER:** Was there anyone else
5 there during that conversation?

6 **MR. LEROUX:** Not at the time, no.

7 **THE COMMISSIONER:** Okay. But you were
8 there?

9 **MR. LEROUX:** Yes.

10 **THE COMMISSIONER:** You were present. Okay.

11 **MR. ENGELMANN:** And where was this
12 conversation, sir?

13 **MR. LEROUX:** It was sitting in the living
14 room on a long couch shaped like a seven.

15 **MR. ENGELMANN:** Whose living room?

16 **MR. LEROUX:** In Ken's.

17 **MR. ENGELMANN:** All right.

18 **MR. LEROUX:** Charlie was sitting under a
19 lamp I think, a reading lamp and a reading chair, a swivel
20 chair or something in the corner.

21 **MR. ENGELMANN:** All right.

22 So let me ask you -- let me take you back --
23 and I'm sorry to jump around, but let me take you back to
24 Florida for a minute.

25 **MR. LEROUX:** Okay.

1 **MR. ENGELMANN:** Sir, have you alleged in any
2 way that you were sexually assaulted while you were in
3 Florida?

4 **MR. LEROUX:** Yes, by Malcolm MacDonald.

5 **MR. ENGELMANN:** How did that come about,
6 sir?

7 **THE COMMISSIONER:** What, the complaint?

8 **MR. LEROUX:** He was in the room next door
9 and he came into the room just as I was getting out of the
10 shower and he had a camera with him.

11 I remember breaking the camera and knocking
12 me down on the couch, jumping all over me. I mean he was
13 like, he was out of his mind screaming and yelling, and I
14 was hitting him and anyway I broke the camera. So I
15 replaced the camera, but I told him not to touch me. I
16 didn't want him touching me.

17 **MR. ENGELMANN:** Did you ever report those
18 allegations to anyone, sir, to your knowledge?

19 **MR. LEROUX:** I mentioned it -- I mentioned
20 it to Ken.

21 **MR. ENGELMANN:** Sir, during the time that
22 you came to know Ken Seguin, this would have been from the
23 mid-'80s until his death, in 1993, how would you describe
24 your relationship?

25 **MR. LEROUX:** Just friends.

1 MR. ENGELMANN: Okay.

2 MR. LEROUX: I really liked Ken. He was a
3 super human being.

4 MR. ENGELMANN: Would you say you became
5 close friends?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: How often would you see Mr.
8 Seguin?

9 MR. LEROUX: On a daily basis.

10 MR. ENGELMANN: Would you have meals
11 together, coffee together?

12 MR. LEROUX: Yes.

13 MR. ENGELMANN: And would this be at his
14 house or at your house?

15 MR. LEROUX: Both. My wife loved to feed
16 him.

17 MR. ENGELMANN: When did you get married?

18 MR. LEROUX: Nineteen ninety-three (1993);
19 just a second; it's on the 13th of September.

20 MR. ENGELMANN: All right. So that was only
21 a couple of months before he died. Correct?

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: Had your wife been with you
24 before then?

25 MR. LEROUX: Oh, yes.

1 MR. ENGELMANN: All right.

2 So Mr. Seguin got to know her as well?

3 MR. LEROUX: Oh, yes.

4 MR. ENGELMANN: And her first name was
5 Cindy?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: During the time Ken Seguin
8 was your neighbour, did anyone live with him, to your
9 knowledge?

10 MR. LEROUX: Yes.

11 MR. ENGELMANN: Do you remember who that
12 would have been?

13 MR. LEROUX: One was Gerry Renshaw.

14 MR. ENGELMANN: All right.

15 MR. LEROUX: Do you know approximately when
16 that would have been?

17 MR. LEROUX: Within a couple of years of him
18 dying I guess. I'm not sure.

19 MR. ENGELMANN: Okay. Do you remember for
20 how long?

21 MR. LEROUX: A couple of years.

22 MR. ENGELMANN: Do you remember if anybody
23 else lived at his home?

24 MR. LEROUX: Yes. Just short-term for
25 convenience because of marital problems. Can I say their

1 name?

2 **MR. ENGELMANN:** I don't know what name you
3 are going to say, sir, so I ---

4 **MR. LEROUX:** I have to think for a second.

5 **MR. ENGELMANN:** Was this someone who might
6 have been on probation with Mr. Seguin?

7 **MR. LEROUX:** Oh, yes. Probably was off at
8 the time, I'm not sure.

9 **THE COMMISSIONER:** Why don't we take the
10 afternoon break, and maybe you can clear that out.

11 **MR. ENGELMANN:** Sure.

12 **THE COMMISSIONER:** All right. Let's take a
13 break.

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

16 --- Upon recessing at 3:18 p.m. /

17 L'audience est suspendue à 15h18

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

19 L'audience est suspendue à 15h39

20 **THE REGISTRAR:** The hearing is now resumed.
21 Please be seated. Veuillez vous asseoir.

22 **RON LEROUX, Resumed/Sous le même serment:**

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

24 **ENGELMANN (Cont'd/Suite):**

25 **THE COMMISSIONER:** We will go for about

1 another hour and then we'll call it a day. How is that?

2 MR. LEROUX: Okay.

3 THE COMMISSIONER: Thank you.

4 MR. ENGELMANN: You are doing okay, Mr.
5 Leroux?

6 MR. LEROUX: So far, so good.

7 MR. ENGELMANN: Okay.

8 Mr. Leroux, I am going to come back to Ken
9 Seguin, if I may. I was jumping around a bit in my notes.
10 So I just want to go to a couple of other things, if I may.

11 You had indicated that you did some work for
12 Father MacDonald up at his parish or parish house?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: That was in St. Andrews?

15 MR. LEROUX: Yes.

16 MR. ENGELMANN: That's just outside of
17 Cornwall?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: Remember? That work
20 happened approximately when sir?

21 MR. LEROUX: Late '80s.

22 MR. ENGELMANN: Okay. While you were there,
23 would you occasionally -- for what period of time were you
24 working there? Was it a long time or ---

25 MR. LEROUX: Yes, most of the summer into

1 maybe late September.

2 MR. ENGELMANN: Okay, and was it just one
3 stretch of time that you can recall or was it more than
4 that?

5 MR. LEROUX: Two stretches.

6 MR. ENGELMANN: Okay, so they would have
7 been during two summers?

8 MR. LEROUX: No.

9 MR. ENGELMANN: Sorry?

10 MR. LEROUX: One summer, one fall.

11 MR. ENGELMANN: All right. And the work you
12 were doing was what again?

13 MR. LEROUX: I put a large fence around the
14 back from the side of the building in a circle to the other
15 side of the building. A very high fence, board fence.

16 MR. ENGELMANN: All right.

17 MR. LEROUX: I got a post-hole digger and
18 there was a power take-off and a tractor and dug the holes
19 for the posts.

20 MR. ENGELMANN: Did you do work -- was the
21 work you did just outside the parish house?

22 MR. LEROUX: No.

23 MR. ENGELMANN: What did you do inside?

24 MR. LEROUX: I painted the entire downstairs
25 and ripped out all the kitchen cupboards.

1 MR. ENGELMANN: So you were doing contractor
2 type work?

3 MR. LEROUX: Yes.

4 MR. ENGELMANN: And is this when you had a
5 company?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: With C-8?

8 MR. LEROUX: Yes.

9 MR. ENGELMANN: And, sir, is there anything
10 that happened to you while you were working at the Saint --
11 parish house that might be described as an allegation of
12 sexual assault or sexual abuse?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: Do you recall whether that
15 was while you were working at the parish house?

16 MR. LEROUX: Yes.

17 MR. ENGELMANN: Can you tell us who was
18 involved?

19 MR. LEROUX: Ostler. Gary -- Father Gary
20 Ostler.

21 MR. ENGELMANN: Okay. Do you recall, sir,
22 if you would have described that incident to anyone at the
23 time?

24 MR. LEROUX: I might have. Might have in an
25 affidavit somewhere.

1 **MR. ENGELMANN:** Did you report it to anybody
2 at the time that it happened?

3 **MR. LEROUX:** No.

4 **MR. ENGELMANN:** Did you bring it up to your
5 knowledge in some of your statements or discussions with
6 Mr. Dunlop or the OPP?

7 **MR. LEROUX:** Yes.

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

9 **MR. ENGELMANN:** I'll just be a moment.

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **MR. ENGELMANN:** Sir, if you could have a
12 look at Exhibit 574. It is the audio taped interview
13 report of Officers Genier and Hall, November 25th, '97. And
14 I'm looking at page 48 of 129. It's also Bates page
15 7048760.

16 Sir, you are having a discussion about
17 photographs near the top of the page. I would like to take
18 you to the bottom of the page.

19 It's Bates page 7048760. It's on the
20 screen.

21 So there is a reference, sir, at the bottom
22 of the page.

23 **THE COMMISSIONER:** Just to help me out here.
24 We are talking about photographs of a dinner party?

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

1 **THE COMMISSIONER:** Photographs of a dinner
2 party?

3 **MR. ENGELMANN:** Mr. Leroux, if you turn to
4 the previous page -- I was going to something else, but
5 let's go there, to the previous page.

6 Officer Genier, in the middle of the
7 previous page, 47 of 129, appears to be asking you
8 something about photographs and children at St. Andrews
9 dinner parties.

10 Do you see that in the middle of the page?

11 **MR. LEROUX:** Yes.

12 **MR. ENGELMANN:** Were you in attendance at
13 any dinner parties at St. Andrews Parish?

14 **MR. LEROUX:** That party was in the evening
15 after I had finished the outside work on a fence.

16 **MR. ENGELMANN:** So you recall being in
17 attendance for a dinner party or a deck party there?

18 **MR. LEROUX:** Yes, an outdoor barbeque; and
19 they were serving drinks on the back deck behind the fence.
20 The deck was attached to the building.

21 **MR. ENGELMANN:** And the Commissioner just
22 asked if you recall if one of the OPP officers was showing
23 you photographs, to your knowledge?

24 **MR. LEROUX:** I believe so. I remember
25 something about photographs with people sitting in a circle

1 on the deck. I had given those photographs to Dunlop.
2 There was pictures taken by Ken. There was pictures taken
3 by me of the work that was done, like the fence and that.
4 So we had each a camera there.

5 **MR. ENGELMANN:** Okay. And were there also
6 pictures taken of adults and boys who may have been there
7 for ---

8 **MR. LEROUX:** There was one boy there.

9 **MR. ENGELMANN:** Do you recall who that was?

10 **MR. LEROUX:** Yes, Daniel Flipsen.

11 **MR. ENGELMANN:** Do you recall who he was
12 there with, or was he on his own?

13 **MR. LEROUX:** He was a friend of Father
14 Charlie's.

15 **MR. ENGELMANN:** All right.

16 And I was taking you, sir, to the following
17 page, which is page 48 of 129. And, sir, you're referring
18 to an incident with Father Ostler at the bottom of the
19 page.

20 **MR. LEROUX:** Yes.

21 **MR. ENGELMANN:** Now, just so that I'm clear,
22 this is an incident that you say occurs when you're around
23 40 years old.

24 **MR. LEROUX:** In a hallway. I'm working and
25 he grabbed me in the hallway, and I didn't say some very

1 nice words to him and he looked surprised, like sort of
2 like ---

3 MR. ENGELMANN: But I just want to make sure
4 I'm very clear on this. This is an incident that you say
5 occurs when you're around 40 years old?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: All right.

8 And you say something about -- at the bottom
9 of the page -- you didn't consider it an assault.

10 MR. LEROUX: No.

11 MR. ENGELMANN: Like it was like a joke
12 really?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: All right.

15 Now, I'm on this document -- I'm just going
16 to go there. On the following page, page 49 of 129, there
17 appears to be a reference, the middle of the page, to a
18 fellow by the name of Pommier. Do you see that?

19 MR. LEROUX: Andre.

20 MR. ENGELMANN: Yes.

21 MR. LEROUX: Yes.

22 MR. ENGELMANN: And the officer is asking
23 you about him, and him being with children at Malcolm's
24 cottage. Do you see that?

25 MR. LEROUX: One boy.

1 **MR. ENGELMANN:** Okay. And who is being
2 referred to there?

3 **MR. LEROUX:** The boy?

4 **MR. ENGELMANN:** Yes.

5 **MR. LEROUX:** I have no idea.

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

7 And there appears to be a reference to
8 photographs. Do you know whose photographs they're talking
9 about there?

10 **THE COMMISSIONER:** On the top of the page,
11 or where?

12 **MR. ENGELMANN:** No. I'm sorry. I'm
13 mistaken. The reference to photographs was the page
14 before. Fair enough.

15 Sir, you were interviewed by OPP officers on
16 a few occasions, but I want to ask you, particular --
17 Exhibit 572, and this is the videotaped interview report in
18 Orillia, February 7th, 1997.

19 Just make that a little bigger, Madam Clerk.

20 Do you see the indication of the time there,
21 sir? Just to refresh your memory, this is apparently a
22 meeting where you're accompanied by a Charles Bourgeois,
23 and you read out a statement or an affidavit, or a document
24 in any event. Does that ring a bell?

25 **MR. LEROUX:** Yes.

1 **MR. ENGELMANN:** And it appears you're there
2 for some time. I'm looking at the time; interview
3 commenced, time interviewed concluded.

4 **THE COMMISSIONER:** A little over three
5 hours, from 4:48 to 8:06.

6 **MR. LEROUX:** It seems to me it was a lot
7 longer than that.

8 **MR. ENGELMANN:** Well, sir, if we turn to the
9 next exhibit, which is 573, there was a second part of
10 this, and it goes from apparently from 822 to 842 as well.
11 Do you see that?

12 **MR. LEROUX:** Yes.

13 **MR. ENGELMANN:** All right.

14 And then ---

15 **THE COMMISSIONER:** So in all you would have
16 been there from 5:00 -- shortly before 5:00 until about
17 quarter to nine at the very least. Does that ring a bell?

18 **MR. LEROUX:** I thought we had gone over like
19 before noon hour, but I could be wrong.

20 **THE COMMISSIONER:** Before noon?

21 **MR. LEROUX:** Yeah.

22 **THE COMMISSIONER:** Well, this is 4:00
23 o'clock in the afternoon.

24 **MR. LEROUX:** We wouldn't go that late.

25 **THE COMMISSIONER:** Pardon me? No, you

1 started -- well, ---

2 MR. LEROUX: At 4:00 o'clock in the
3 afternoon.

4 THE COMMISSIONER: It says you started at
5 4:48 in the afternoon and you ended at past quarter to nine
6 -- let's say quarter to nine.

7 MR. LEROUX: I know it was late. Getting
8 out of there was dark. I mean -- February, yes; it would
9 get dark early.

10 MR. ENGELMANN: Okay.

11 MR. LEROUX: And I was quite a while over
12 there.

13 MR. ENGELMANN: All right.

14 So you were with the OPP for a fair bit of
15 time on or about February 7th, '97 and Mr. Bourgeois was
16 there with you?

17 MR. LEROUX: Oh, yes.

18 MR. ENGELMANN: Did you -- I'll come back to
19 it, but did you ever retain him or hire him as your lawyer?

20 MR. LEROUX: No.

21 MR. ENGELMANN: Okay. Do you know why he
22 was there with you?

23 MR. LEROUX: To coach me.

24 MR. ENGELMANN: All right.

25 Did you ask for him to be there?

1 MR. LEROUX: No.

2 MR. ENGELMANN: Who asked for him to be
3 there?

4 MR. LEROUX: Perry.

5 THE COMMISSIONER: How do you know that?

6 MR. LEROUX: I asked Perry if he was coming
7 with us. He said "No, I'm sending Bourgeois with you.
8 He'll help you with this."

9 MR. ENGELMANN: And who arranged the meeting
10 with the OPP?

11 MR. LEROUX: Not me; Perry.

12 MR. ENGELMANN: Would you look at Exhibit
13 574, sir. This is a second interview with the OPP in 1997,
14 or it's stated to be in 1997.

15 Sir, do you have any recollection of the
16 date of this second meeting in Maine?

17 MR. LEROUX: It would have to be in '99, but
18 they have '97 on there.

19 MR. ENGELMANN: You're saying that simply
20 because of the address?

21 MR. LEROUX: Exactly.

22 MR. ENGELMANN: Okay. So you don't remember
23 the date of the meeting?

24 MR. LEROUX: No clue.

25 MR. ENGELMANN: All right.

1 **THE COMMISSIONER:** But do we know where it
2 took place, place of interview?

3 **MR. LEROUX:** Yes, I do.

4 **THE COMMISSIONER:** Where do you say it took
5 place?

6 **MR. LEROUX:** Goodwin's Motel.

7 **MR. ENGELMANN:** And this is the meeting with
8 Officers Genier and Hall?

9 **MR. LEROUX:** Yes.

10 **MR. ENGELMANN:** And it's the Goodwin's Motel
11 in Maine?

12 **MR. LEROUX:** Yes.

13 **MR. ENGELMANN:** Where in Maine, sir?

14 **MR. LEROUX:** Norway.

15 **MR. ENGELMANN:** Norway, Maine?

16 **MR. LEROUX:** Norway, N-O-R-W-A-Y. Norway.

17 **MR. ENGELMANN:** And were you living in
18 Norway at that time?

19 **MR. LEROUX:** Yes, 17 Pleasant Street.

20 **MR. ENGELMANN:** So the meeting was in Norway
21 at a hotel or motel and you were living there at the time?

22 **MR. LEROUX:** I was living in South Paris.
23 No, I was living in South Paris because they came to 44
24 Pine Street, knocked at the door. I remember because I had
25 a 45 calibre gun in my hand when I answered the door.

1 **THE COMMISSIONER:** Okay. So let's try this
2 again.

3 **MR. LEROUX:** Yeah.

4 **THE COMMISSIONER:** Where were you living?

5 **MR. LEROUX:** Forty-four (44) Pine Street;
6 but not in '97. I was on Pleasant -- 17 Pleasant Street.

7 **THE COMMISSIONER:** Right. Okay.

8 **MR. ENGELMANN:** In any event, sir, you don't
9 remember the month or the day of that second interview with
10 the OPP?

11 **MR. LEROUX:** No.

12 **MR. ENGELMANN:** This is an interview that,
13 if I look at the notes, lasted for just over two hours --
14 sorry just over three hours. So it's a fairly long
15 meeting.

16 **MR. LEROUX:** Yes, and we did it the next
17 day, after the ---

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

19 **MR. LEROUX:** It was the next day after we
20 arrived; I told I'd give them a couple of hours in the
21 morning because I had work to do. I mean, I was getting --
22 It was starting -- the weather was starting to get bad; it
23 was getting late in the -- and I wanted to get the job
24 done. I said "I can give you a couple of hours in the
25 morning". They said they'd take a motel. So I said

1 "There's only one in Norway is Goodwin's".

2 MR. ENGELMANN: All right.

3 So you arranged the place; you suggested the
4 place?

5 MR. LEROUX: Yeah. They said they wanted a
6 motel to go to.

7 MR. ENGELMANN: Do you remember these
8 officers?

9 MR. LEROUX: Oh, yes, little Pat Hall and
10 another little guy there, Genier, Gelineau. I forget,
11 Genier?

12 MR. ENGELMANN: They were -- were they male
13 or female?

14 MR. LEROUX: Both male.

15 MR. ENGELMANN: All right.

16 And you actually remember them?

17 MR. LEROUX: Yes, because he said "Don't
18 take your gun over there. We don't have guns."

19 MR. ENGELMANN: All right.

20 And that's what they told you?

21 MR. LEROUX: Yes.

22 MR. ENGELMANN: All right.

23 And the two officers that you saw in
24 Orillia, do you remember them?

25 MR. LEROUX: Cathy Bell and there was a guy,

1 I don't remember his name, Dave or something. I forget.

2 MR. ENGELMANN: All right.

3 So a male and a female.

4 MR. LEROUX: One of each, yes.

5 MR. ENGELMANN: All right.

6 In this particular interview, this is the
7 Exhibit 574; it starts by Officer Genier saying they're
8 going to be conducting an audio interview of Ron Leroux
9 concerning sexual abuse information and allegations in the
10 Cornwall area. And they ask you if you'll consent to the
11 audio statement and you agree.

12 MR. LEROUX: When they came to the door the
13 evening before, he handed me a stack of sheets,
14 approximately 50 to 60 long sheets.

15 MR. ENGELMANN: Yes.

16 MR. LEROUX: I put them on the dining room
17 table and I told them I'd meet them the next day. I'd go
18 over them. But I didn't. I just brought them over there
19 and dropped them back in their laps.

20 MR. ENGELMANN: So they gave you some
21 documents to read?

22 MR. LEROUX: Yes.

23 MR. ENGELMANN: But you didn't?

24 MR. LEROUX: No.

25 MR. ENGELMANN: All right.

1 **MR. LEROUX:** Because they were too vague.
2 They were a lot of spaces that weren't filled in. My wife
3 started to look at it; she said "I can't made head or tail
4 of this".

5 **MR. ENGELMANN:** Do you have trouble reading
6 sir?

7 **MR. LEROUX:** Yes.

8 **MR. ENGELMANN:** Is that a vision problem or
9 is that a literacy problem?

10 **MR. LEROUX:** Both.

11 **MR. ENGELMANN:** Okay. Sorry, I don't mean
12 to embarrass you.

13 **MR. LEROUX:** No, that's fine.

14 **MR. ENGELMANN:** All right.

15 Sir, we'll come to a couple of other
16 statements with the OPP at or around the time of Mr.
17 Seguin's death. But with respect to 1997 or later, are you
18 aware of any other interviews that you would have had with
19 the OPP, other than the one with Bell and the other officer
20 and Genier and Hall?

21 **MR. LEROUX:** Yes, one on Pleasant Street,
22 maybe a month after I'd bought the house on a Christopher -
23 - Chris McDonell and a detective in a suit from, he said
24 Ottawa. He said the Ottawa police were investigating the
25 OPP.

1 **MR. ENGELMANN:** Are you -- you're talking
2 back in '94, a month after you moved to Maine?

3 **MR. LEROUX:** Yes.

4 **MR. ENGELMANN:** Okay. Fine. There was that
5 one. There was also some discussions the day or a day
6 after Mr. Seguin's death; correct?

7 **MR. LEROUX:** Yes.

8 **MR. ENGELMANN:** And then there's these --
9 there are the two that we just talked about with ---

10 **MR. LEROUX:** That's it for Maine.

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

12 So let's not talk about something from '93
13 or '94, I am interested in '97 or later. To your
14 knowledge, other than the two that we're looking at here,
15 the one with Officers Bell and Anthony in Orillia and
16 Officers Genier and Hall in Maine; anything else in '97-
17 '98, that timeframe that you're aware of, by way of an
18 interview?

19 **MR. LEROUX:** Not that I can remember, no.

20 **MR. ENGELMANN:** Okay. And, sir, as part of
21 both the interviews with Bell and Anthony and then with
22 Hall and Genier, you would have described some allegations
23 of sexual abuse as against you?

24 **MR. LEROUX:** Yes.

25 **MR. ENGELMANN:** Were there -- and that's in

1 the course of these lengthy interviews. Were there any
2 other times where you were asked to elaborate or give more
3 information about abuse you alleged you suffered?

4 MR. LEROUX: To elaborate on it?

5 MR. ENGELMANN: To give more information.

6 Sorry.

7 MR. LEROUX: I don't remember.

8 MR. ENGELMANN: All right.

9 Did Officers Hall and Genier or the other
10 two officers, Bell and Anthony, did they tell you that they
11 would be investigating the allegations that you had made,
12 sir; allegations against these priests?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: Okay. And did you get
15 called from time to time to be asked questions about those
16 allegations, aside from these two interviews?

17 MR. LEROUX: Not that I can remember from
18 them, no.

19 MR. ENGELMANN: And did anyone tell you at
20 some point in time that they were not going to be laying
21 charges against the people you alleged abused you?

22 MR. LEROUX: No.

23 MR. ENGELMANN: Sir, in or about the late
24 1970s, do you recall if you were placed on probation?

25 MR. LEROUX: Yes.

1 MR. ENGELMANN: Had you ever been on
2 probation before?

3 MR. LEROUX: No.

4 MR. ENGELMANN: All right.

5 And do you recall who your probation officer
6 was at that time?

7 MR. LEROUX: Nelson Barque.

8 MR. ENGELMANN: Nelson Barque?

9 MR. LEROUX: Yes.

10 MR. ENGELMANN: And, sir, do you allege that
11 while you were on probation that he sexually assaulted you
12 in any way?

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: Now, sir, in the late 1970s
15 or 1980, thereabouts, you would have been 30, 31 years of
16 age.

17 MR. LEROUX: Yes.

18 MR. ENGELMANN: Is that correct?

19 MR. LEROUX: Yes.

20 MR. ENGELMANN: And how is it that you say
21 you were sexually assaulted? Again, without getting into
22 the details of the alleged assault, how did it come about?

23 MR. LEROUX: He said that he knew guys like
24 me.

25 MR. ENGELMANN: Who said that?

1 MR. LEROUX: Nelson Barque.

2 MR. ENGELMANN: You have to speak into the
3 microphone.

4 MR. LEROUX: Nelson Barque.

5 MR. ENGELMANN: Yes.

6 MR. LEROUX: And I also was dating a social
7 work secretary at the time named Claire Ward.

8 MR. ENGELMANN: Okay. This is when you were
9 on probation?

10 MR. LEROUX: Yes. And he played a lot of
11 head games with me. He told me he could breach me anytime
12 and things like that, and would you like to spend 18 months
13 in jail, and more or less he wanted me to do him.

14 MR. ENGELMANN: Sorry, he threatened ---

15 MR. LEROUX: He's stalking me at the malls,
16 down at the mall -- at the Sears Mall, and places like
17 that.

18 MR. ENGELMANN: Did Mr. Barque have
19 information from you about where you were living?

20 MR. LEROUX: Yes.

21 MR. ENGELMANN: Who you were living with?

22 MR. LEROUX: Oh, yes.

23 MR. ENGELMANN: And who were you living with
24 at that time? I'm not sure -- were you already living with
25 C-8 at that time?

1 MR. LEROUX: Not quite, but was there a lot.

2 MR. ENGELMANN: All right.

3 So he knew something about C-8, or not?

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: All right.

6 You told him about a girlfriend you had at
7 the time?

8 MR. LEROUX: Oh, yes.

9 MR. ENGELMANN: All right.

10 MR. LEROUX: Because they ask you what you
11 do, where you go, things like that, so you tell them.

12 MR. ENGELMANN: All right.

13 And you say he threatened you with breaching
14 you if you didn't do something to him?

15 MR. LEROUX: Yes.

16 MR. ENGELMANN: And that something was a
17 sexual act?

18 MR. LEROUX: Oh, yes.

19 MR. ENGELMANN: And where did this take
20 place?

21 MR. LEROUX: Once in a car; once in an
22 office; once in a parking lot -- my car.

23 MR. ENGELMANN: Whose office, sir?

24 MR. LEROUX: His office.

25 MR. ENGELMANN: His office, as in the

1 probation office?

2 **MR. LEROUX:** At 503 or 505 Pitt Street,
3 above the RCMP -- when the RCMP where there downstairs and
4 Malcolm's office, and then they were upstairs.

5 **MR. ENGELMANN:** Did you have an office in
6 that building at that time or was that later?

7 **MR. LEROUX:** That was later.

8 **MR. ENGELMANN:** That was an office that you
9 and C-8 had together -- it's your business?

10 **MR. LEROUX:** No, not exactly. Moved the
11 office from the house to there.

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

13 Now, as a result of what happened to you
14 while you were on probation, did you ever get involved in a
15 civil action against the Ministry of Corrections?

16 **MR. LEROUX:** Yes.

17 **MR. ENGELMANN:** Do you recall how you would
18 have gotten in touch with the lawyer at that time?

19 **MR. LEROUX:** Richard Nadeau.

20 **MR. ENGELMANN:** And how is it that you met
21 him?

22 **MR. LEROUX:** Perry Dunlop.

23 **MR. ENGELMANN:** So Perry Dunlop put you in
24 touch with Richard Nadeau?

25 **MR. LEROUX:** He brought him to me. He

1 brought him. He drove him. He took him in a car to me.

2 MR. ENGELMANN: And what did Mr. Nadeau talk
3 to you about?

4 MR. LEROUX: A lot of things about this, and
5 he was going to start his own website, and things like
6 that.

7 MR. ENGELMANN: Whose idea was it that you
8 file a lawsuit or a claim?

9 MR. LEROUX: His.

10 MR. ENGELMANN: His being?

11 MR. LEROUX: Dick Nadeau.

12 MR. ENGELMANN: And how is it that you ended
13 up at Mr. Howard Yegendorf's office?

14 MR. LEROUX: Through Dick Nadeau.

15 MR. ENGELMANN: Okay. So had you told
16 Mr. Dunlop about what happened with Mr. Barque?

17 MR. LEROUX: Yes.

18 MR. ENGELMANN: The reason I'm asking is I
19 didn't find that any of your statements.

20 MR. LEROUX: No, he didn't want to put it in
21 there anywhere.

22 MR. ENGELMANN: I'm sorry?

23 MR. LEROUX: He didn't want to put it in
24 there anywhere.

25 MR. ENGELMANN: Did he tell you why?

1 MR. LEROUX: I have no idea.

2 MR. ENGELMANN: But you told him about a
3 sexual assault ---

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: --- from Nelson Barque?

6 MR. LEROUX: Not in so many words. I just
7 mentioned -- he said "Have you ever been in any trouble?"
8 I told him about just ---

9 MR. ENGELMANN: All right.

10 But you told him about what happened between
11 you and Nelson Barque, and he referred you to Dick Nadeau?

12 MR. LEROUX: Yeah, but not just for that,
13 for everything.

14 MR. ENGELMANN: All right.

15 THE COMMISSIONER: What's everything?

16 MR. LEROUX: Everything to do with -- like,
17 he said "I'm bailing" -- he didn't say bailing, he said
18 "I'm leaving town," "I'm leaving town."

19 MR. ENGELMANN: Who said he was leaving
20 town?

21 MR. LEROUX: So I said "No." I mean, I said
22 "I'm back here in Cornwall. What do I do?" He said "I'll
23 get you somebody to be with, to talk to -- to Dick Nadeau."

24 MR. ENGELMANN: Okay. So let me just
25 understand what you're saying.

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: When is this, sir? What's
3 the timeframe?

4 MR. LEROUX: Around 2001, because my wife
5 had died -- we buried her the 2nd of March 2001. So I was
6 back here Tuesday.

7 MR. ENGELMANN: All right.

8 And it was about that time that Mr. Dunlop
9 is telling you that he's leaving Cornwall?

10 MR. LEROUX: Approximately, yes.

11 She was three-and-a-half months in a coma.
12 So it could have been in that three-and-a-half month
13 timeframe, too. I had been up here a few times for
14 subpoenas, for trials.

15 MR. ENGELMANN: You had to testify in a
16 case?

17 MR. LEROUX: Yes

18 MR. ENGELMANN: All right.

19 We'll come to that.

20 MR. LEROUX: Okay.

21 MR. ENGELMANN: So in early 2001 Mr. Dunlop
22 is telling you he's leaving. And where is he going?

23 MR. LEROUX: British Columbia -- British
24 Columbia.

25 MR. ENGELMANN: All right.

1 And before he leaves he introduces you to
2 Dick Nadeau?

3 **MR. LEROUX:** Yes.

4 **MR. ENGELMANN:** And it's Mr. Nadeau who
5 introduces you to Mr. Yegendorf. Did I get that right?

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

7 **MR. ENGELMANN:** Mr. Leroux, let me ask you
8 about C-8. His name's come up. When did you meet him?

9 **MR. LEROUX:** September of '79 or '80 -- '79,
10 '78 -- wait a -- '78 in Phoenix. Maybe 1980.

11 **MR. ENGELMANN:** How did you meet him?

12 **MR. LEROUX:** I had a black and gold CCM
13 bicycle stolen; and a neighbour had her boyfriend down and
14 he had stolen it, and she said "I think he lives in
15 Westgate Court." So I drove up to Westgate Court; drove
16 around.

17 C-8 at the time was standing at the corner
18 and I drove around the parking lot. Then he came over to
19 my car and he said "Who are you looking for or what are you
20 looking for?" I said "I'm looking for 25 Westgate Court."
21 I said "There's someone there who has stolen a very
22 expensive bicycle from my property." He says "Right
23 there." He knew where it was.

24 **MR. ENGELMANN:** Did you get your bicycle
25 back?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: And that's when you met C-8?

3 MR. LEROUX: Yes.

4 MR. ENGELMANN: Now, at or about that time
5 would you have become aware of issues or concerns he had
6 about a school teacher?

7 MR. LEROUX: Yes.

8 MR. ENGELMANN: And how did you become aware
9 of that?

10 MR. LEROUX: He was constantly stalking him.

11 THE COMMISSIONER: But how did you become
12 aware of that?

13 MR. LEROUX: He would come to my house
14 looking for him.

15 MR. ENGELMANN: And who was the school
16 teacher?

17 MR. LEROUX: A one Marcel Lalonde.

18 MR. ENGELMANN: And how was it that C-8 was
19 at your home?

20 MR. LEROUX: His mother put him there.

21 MR. ENGELMANN: What do you mean "put him
22 there"?

23 MR. LEROUX: She brought him there.

24 MR. ENGELMANN: And did he live with you for
25 some period of time?

1 MR. LEROUX: Oh, yes.

2 MR. ENGELMANN: And do you recall for
3 approximately how long?

4 MR. LEROUX: Ten (10), maybe 12 years.

5 MR. ENGELMANN: I'm sorry?

6 MR. LEROUX: Ten (10) or 12 years; maybe
7 longer. I'm not sure.

8 MR. ENGELMANN: Starting in approximately
9 when?

10 MR. LEROUX: In '79 or '80, until 1991, '92.

11 MR. ENGELMANN: Sir, at some point -- and
12 how old was he when he moved into your home?

13 MR. LEROUX: Sixteen (16) maybe.

14 MR. ENGELMANN: Might he have been 15?

15 MR. LEROUX: He was kicked out of school.
16 He was six foot one, about 180 pounds; big fellow.

17 MR. ENGELMANN: I'm just asking his age,
18 sir.

19 MR. LEROUX: Okay. Probably 16.

20 MR. ENGELMANN: And over the course of the
21 10 years or so that he lived with you, at some point, was
22 your relationship other than a platonic relationship?

23 MR. LEROUX: Yes.

24 MR. ENGELMANN: Sir, were you aware -- were
25 you aware that there was an investigation conducted,

1 concerning you, about allegations made by C-8 against you?

2 **MR. LEROUX:** Not really, no.

3 **MR. ENGELMANN:** Well, were you ever told by
4 police officers that C-8 alleged that you sexually abused
5 him?

6 **MR. LEROUX:** I don't remember.

7 **MR. ENGELMANN:** You don't remember if you
8 were ever asked that or told that?

9 **MR. LEROUX:** I don't remember.

10 **MR. ENGELMANN:** Were you ever informed that
11 you were under investigation, to your knowledge?

12 **MR. LEROUX:** No.

13 **MR. ENGELMANN:** Do you know if you were ever
14 interviewed specifically with respect to allegations as an
15 alleged perpetrator?

16 **MR. LEROUX:** No. If I was, I don't
17 remember.

18 **MR. ENGELMANN:** I'll just be a moment.

19 Sir, if you could look at -- I'm sorry. If
20 you could look at Exhibit 572. This is the interview with
21 Cathy Bell and Dan Anthony, the OPP officers in Orillia.
22 And I'd ask you to turn to -- it's Bates page 7048681.

23 **THE COMMISSIONER:** Page 123 of 127?

24 **MR. ENGELMANN:** Yes. In fact, it actually
25 starts the page before.

1 THE COMMISSIONER: Okay.

2 MR. ENGELMANN: Sir you are asked ---

3 MR. LEROUX: Okay. Yes. No, no, wait just
4 a second. I thought you meant other than, if there was an
5 investigation about that? I was there with -- I'm
6 misunderstanding all this.

7 MR. ENGELMANN: No, no.

8 MR. LEROUX: This is back in Orillia.

9 MR. ENGELMANN: Yes, you've been reading
10 this long statement. This is -- you're with Charles
11 Bourgeois and you're being asked some questions ---

12 MR. LEROUX: Yes.

13 MR. ENGELMANN: --- towards the end of it.

14 MR. LEROUX: Okay.

15 MR. ENGELMANN: And you were asked about
16 your sexual orientation on this page.

17 MR. LEROUX: Yes.

18 MR. ENGELMANN: You were asked if you'd ever
19 had a homosexual relationship. Do you see that?

20 MR. LEROUX: Yes.

21 MR. ENGELMANN: And you talk about being
22 with -- having a girlfriend and also meeting a man. And I
23 believe a young man; a teenager. We're talking about the
24 bottom of page 7048680, a long paragraph there; do you see
25 that?

1 MR. LEROUX: Yes.

2 MR. ENGELMANN: And that's C-8 that you're
3 talking about there.

4 MR. LEROUX: Yes.

5 MR. ENGELMANN: The male, not the female.

6 MR. LEROUX: That's correct.

7 MR. ENGELMANN: Yeah. There's a further
8 discussion on the next page about C-8. At the bottom of
9 the page, you're asked how old was he when you met; see
10 that right at the bottom of the page?

11 MR. LEROUX: Yes.

12 MR. ENGELMANN: You say, about 16.

13 MR. LEROUX: Yes.

14 MR. ENGELMANN: Then, on the following page,
15 you're asked about your age differences. And they also ask
16 you later on, on that next page, when your relationship
17 ended, and how. Fair enough?

18 MR. LEROUX: Yes.

19 MR. ENGELMANN: All right. They don't seem
20 to be, at this point in any event, suggesting to you that
21 they're investigating a crime.

22 MR. LEROUX: No.

23 MR. ENGELMANN: An alleged crime. Correct?

24 MR. LEROUX: No.

25 MR. ENGELMANN: But they are asking some

1 questions about your relationship.

2 MR. LEROUX: Oh, yes.

3 MR. ENGELMANN: All right.

4 And again sir, in Exhibit 574, this is now
5 the interview with Officers Genier and Hall. If the
6 witness could be shown 7048804, it's page 92 of 129.

7 THE COMMISSIONER: I'm sorry, what exhibit?

8 MR. ENGELMANN: Sorry, page 92 of 129,
9 7048804. If you look towards the bottom of that page,
10 you're again being asked some questions about how it is you
11 first came to meet C-8; is that fair?

12 Can we make the print a big bigger?

13 Towards the bottom of the page; keep blowing
14 it up a bit.

15 THE COMMISSIONER: Can you bring -- scroll
16 it down. Okay.

17 MR. ENGELMANN: You describe how you met;
18 correct?

19 MR. LEROUX: Yes.

20 MR. ENGELMANN: And on the following page,
21 you are asked by Officer Genier "When are you first made
22 aware that C-8 alleged that he was assaulted by Father ---"

23 THE COMMISSIONER: It's okay, keep rolling.

24 MR. ENGELMANN: I apologize.

25 THE COMMISSIONER: Madam Clerk, you'll --

1 Madam Reporter, you'll change the -- it's okay, just keep
2 going.

3 MR. ENGELMANN: Please strike the comments
4 from the record please?

5 THE COMMISSIONER: We will just change the
6 initials. Okay, go.

7 MR. ENGELMANN: Late in the day, I'm sorry.
8 So you're asked about C-8 and alleged
9 assault by Father Charles and Marcel Lalonde. Do you see
10 that?

11 MR. LEROUX: Yes.

12 MR. ENGELMANN: And, in fact, sir, did you
13 give evidence at the trial of Marcel Lalonde?

14 MR. LEROUX: Yes.

15 MR. ENGELMANN: As it related to C-8?

16 MR. LEROUX: Yes.

17 THE COMMISSIONER: Can you scroll down that
18 page again, Madam Clerk? Thank you.

19 MR. ENGELMANN: Sorry Mr. Commissioner, did
20 you have a question?

21 THE COMMISSIONER: No, no.

22 MR. ENGELMANN: So sir, you were never
23 advised about the conclusion of an investigation by the
24 police and then Crown prosecutors, of possible allegations
25 as against you?

1 MR. LEROUX: No.

2 MR. ENGELMANN: Now, sir, you've talked to
3 us about Ken Seguin, and your relationship with him.
4 You've talked to us about the fact that he had -- Mr.
5 Renshaw lived with him for some period of time?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: And I think you've told us
8 that there was one or more others who lived three at
9 various times?

10 MR. LEROUX: Yes.

11 MR. ENGELMANN: Would those have been short-
12 term arrangements or longer-term arrangements?

13 MR. LEROUX: Yes. Crowder, Robinson, Dale
14 Crowder.

15 MR. ENGELMANN: Who were these people?

16 MR. LEROUX: Roger Robinson. They were
17 friends of Ken's or Roger was an ex-parolee.

18 MR. ENGELMANN: Would he have probationers
19 or former probationers at his house from time to time?

20 MR. LEROUX: Yes.

21 MR. ENGELMANN: Would they from time to time
22 stay there?

23 MR. LEROUX: Yes, spend the weekends, spend
24 a few days.

25 MR. ENGELMANN: All right.

1 And do you know why they were there?

2 **MR. LEROUX:** Well, supposedly to do some
3 boathouse repairs or repairs around the house or do some
4 staining on the wood outside. He could get a wood frame
5 house with ---

6 **MR. ENGELMANN:** Were there many different
7 probationers or ex-probationers who would be there over
8 time?

9 **MR. LEROUX:** Yes.

10 **MR. ENGELMANN:** And do you know if -- did
11 Mr. Seguin ever tell you about sexual acts that he may have
12 performed with any of these probationers?

13 **MR. LEROUX:** Yes. Yes.

14 **MR. ENGELMANN:** Would that have been with a
15 few of them or many of them?

16 **MR. LEROUX:** Many.

17 **MR. ENGELMANN:** And you knew this because
18 what? How did you know this?

19 **MR. LEROUX:** Because he had a lot of nervous
20 breakdowns, he had a lot of problems. He was in trouble
21 with DS, and I started giving him a lot of my time and he
22 was talking. Plus what I saw of him; the coming, going.
23 Like he said he had to get off of Alguire Street. It was
24 getting too hot, and Malcolm kept dragging kids there, and
25 I had kids there, and I said, "Why are you going to sell a

1 beautiful home to come down here?"

2 MR. ENGELMANN: I am not sure I ---

3 MR. LEROUX: Your life is getting trashed.

4 MR. ENGELMANN: These are things he was
5 saying to you?

6 MR. LEROUX: Yes.

7 MR. ENGELMANN: When did he start talking to
8 you about some of this? Would that have been shortly after
9 you got to know him or was it after a period of time?

10 MR. LEROUX: After a period of time.

11 MR. ENGELMANN: And you say he had a nervous
12 breakdown or he was troubled?

13 MR. LEROUX: This was after he had starting
14 getting a lot of phone calls late at night, yelling matches
15 on the phone and stuff like that.

16 THE COMMISSIONER: From whom was he getting
17 those phone calls, do you know?

18 MR. LEROUX: From DS.

19 THE COMMISSIONER: How would you know that?

20 MR. LEROUX: He told me ---

21 THE COMMISSIONER: Who told you that, Mr.
22 Seguin?

23 MR. LEROUX: --- He told me he had to get up
24 a lot of money.

25 MR. ENGELMANN: Is that how he referred to

1 the person? As DS or did he ---

2 MR. LEROUX: No, he told me the name. I
3 just ---

4 MR. ENGELMANN: What was the name?

5 MR. LEROUX: David Silmser.

6 MR. ENGELMANN: So these probationers that
7 would be at his house from time to time, either
8 probationers or ex-probationers, you would observe them
9 from time to time there?

10 MR. LEROUX: Yes, sometimes he asked me for
11 money, to borrow some money.

12 MR. ENGELMANN: Would he from time to time
13 give them money?

14 MR. LEROUX: Yes. He didn't always have it.

15 MR. ENGELMANN: All right.

16 And sir do you know -- were you at his home
17 when he was with probationers or ex-probationers from time
18 to time?

19 MR. LEROUX: Yes.

20 MR. ENGELMANN: Did you know whether he
21 provided them either alcohol or drugs?

22 MR. LEROUX: Not drugs but alcohol. If they
23 wanted to bring drugs, they'd probably brought it
24 themselves because he wouldn't allow smoking in the house
25 or drugs.

1 MR. ENGELMANN: All right.

2 They had to do that outside?

3 MR. LEROUX: Yeah, yes.

4 MR. ENGELMANN: So how long was it that you
5 knew, sir, that he was providing alcohol and allowing
6 probationers to smoke drugs outside?

7 MR. LEROUX: Within a few months of moving
8 there to R.R. 1.

9 MR. ENGELMANN: What about ---

10 THE COMMISSIONER: I'm sorry?

11 MR. LEROUX: Within a few months of him
12 moving to that property. It was only 19 feet away from my
13 house. It was a small house in between.

14 MR. ENGELMANN: What about sexual acts with
15 teenage boys on probation? When if ever did you become
16 aware of that; that that was happening?

17 MR. LEROUX: Within about the same
18 timeframe.

19 THE COMMISSIONER: Is that when he started
20 telling you about it?

21 MR. LEROUX: Yes.

22 THE COMMISSIONER: Or did you actually
23 witness any of this?

24 MR. LEROUX: Well, he started telling me
25 about it.

1 **MR. ENGELMANN:** He started telling you about
2 it right away?

3 **MR. LEROUX:** Not right away. I would see
4 certain persons going there on a Saturday or a Sunday, and
5 I'd say, "You have an awful lot of young traffic". And
6 first, he was making up excuses and then, well, then he
7 started talking about it.

8 **MR. ENGELMANN:** Did you ever talk to him
9 about what he was doing?

10 **MR. LEROUX:** Yes. I say, "You are a person
11 who is in a position of trust. Like I'm nobody, but you
12 are in a position of trust." I mean, I said, "Do you know
13 what you are doing?" He said, "I can't help myself. I
14 can't help it." He says, "I wanted to be somebody else,
15 but I'm not that somebody else."

16 **MR. ENGELMANN:** Did you ever tell anybody
17 else about what he was telling you at that time?

18 **MR. LEROUX:** Somebody that was professional
19 or someone that was in a position of trust?

20 **MR. ENGELMANN:** Did you ever tell a police
21 officer?

22 **MR. LEROUX:** No, no. Oh, no. I don't trust
23 the police.

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

25 **MR. LEROUX:** I don't trust police.

1 **MR. ENGELMANN:** Okay, but you were telling
2 Mr. Seguin that -- presumably you were criticizing him if
3 you said he was in a position of trust or a position of
4 authority.

5 **MR. LEROUX:** Yes.

6 **MR. ENGELMANN:** You didn't tell anyone else?

7 **MR. LEROUX:** No.

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

9 **MR. LEROUX:** I promised him I wouldn't.

10 **MR. ENGELMANN:** He told you this in
11 confidence?

12 **MR. LEROUX:** Yes.

13 He had such a bad -- he had a wicked back
14 conscience. Like it bothered him. He smuggled a flower in
15 from the United States in his '67 Mustang or something, and
16 he talked about that a lot. Like things like that bothered
17 him, like illegal things, but yet he would do these things.

18 **THE COMMISSIONER:** Mr. Engelmann, you might
19 want to wrap up somewhere shortly.

20 **MR. ENGELMANN:** This would be a good time
21 actually, yes.

22 **THE COMMISSIONER:** All right.

23 Mr. Leroux, we are going to break for the
24 day, and we are going to come back at 9:30 tomorrow
25 morning.

1 What I want you to do though is be aware
2 that you are not to discuss your testimony with anyone and
3 if anyone tries to talk to you about that, you should
4 report that, you must report that to me tomorrow morning.

5 Is that understood, sir?

6 **MR. LEROUX:** Yes, Your Honour.

7 **THE COMMISSIONER:** Thank you.

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

10 The meeting is adjourned until tomorrow
11 morning.

12 --- Upon adjourning at 4:35 p.m. /

13 L'audience est ajournée à 16h35

14

15

16

17

18

19

20

21

22

23

24

25

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

I, Marc Demers a certified court reporter inthe 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, Marc Demers, 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.



Marc Demers, CVR-CM