

**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 232

Held at :

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

Wednesday, May 21 2008

Tenue à:

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

Mercredi, le 21 mai 2008

Appearances/Comparutions

Ms. Julie Gauthier	Registrar
M ^e Pierre R. Dumais Ms. Janie Larocque	Commission Counsel
Mr. Peter Manderville	Cornwall Community Police Service and Cornwall Police Service Board
Ms. Diane Lahaie	Ontario Provincial Police
M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Leslie McIntosh	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. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
Mr. William Carroll	Ontario Provincial Police Association
Mr. Ian Paul	Coalition for Action
Mr. Jeff Carroll	Mr. Jeff Carroll

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1 --- Upon commencing at 11:03 a.m./

2 L'audience débute à 11h03

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

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

8 Please be seated. Veuillez vous asseoir.

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

10 **MR. CARROLL:** Good morning.

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

12 **MR. DUMAIS:** Good morning, sir.

13 **THE COMMISSIONER:** Maître Dumais.

14 **JEFF CARROLL, Resumed/Sous le même serment:**

15 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
16 **DUMAIS (cont'd/suite):**

17 **MR. DUMAIS:** Good morning, Sergeant Carroll.

18 **MR. CARROLL:** Good morning.

19 **MR. DUMAIS:** We had left off yesterday with
20 our discussion on your obtaining the school records, and I
21 believe we had filed some -- the letter that you received
22 back from Greg McNally ---

23 **THE COMMISSIONER:** Yeah.

24 **MR. DUMAIS:** --- from the School Board and,
25 as well, we had filed some records that indicated or

1 confirmed that Mr. Latour had actually been at St. Peters
2 and had Mr. Greggain as a teacher in Grade 3 and 6.

3 So if we can just then move on from there,
4 Sergeant, and look at the next step you took into your
5 investigation. And I understand that Marc Latour had
6 indicated that his Grade 2 teacher was Ms. Gosling. And
7 it's spelled Gosling, I think, in your notes, but am I
8 right in saying it would be Ms. Goslin without a "G", or do
9 you know?

10 **MR. CARROLL:** To tell you the truth, I'm not
11 sure. I know several people with that family name in
12 Cornwall and I automatically spelled it the way that I know
13 other people spell it, and I spelt it the way I spelt it.

14 **MR. DUMAIS:** Fair enough.

15 My understanding is that Marc would have
16 mentioned to you that he thought that at the time he gave
17 his statement that she was deceased. Were you able to
18 confirm that?

19 **MR. CARROLL:** Yes, I was able to confirm
20 that.

21 **MR. DUMAIS:** All right.

22 So you're -- and she had died a while back?

23 **MR. CARROLL:** That's correct.

24 **MR. DUMAIS:** And am I correct as well in
25 understanding that you did not have the occasion to speak

1 to any other teachers who would have been -- who worked
2 with her at about the same period of time?

3 MR. CARROLL: No, I didn't.

4 MR. DUMAIS: All right.

5 And I think we established yesterday as well
6 that you did not speak to the principal either; correct?

7 MR. CARROLL: No, I didn't.

8 MR. DUMAIS: All right. Now, my
9 understanding is Marc, in one of his statements, would have
10 indicated that he would have sent a letter to his siblings
11 and, as well, he indicated that one of his sisters, Ms.
12 Joan Dingwall, would perhaps have relevant information for
13 you. Is that correct?

14 MR. CARROLL: That's correct.

15 MR. DUMAIS: And I understand that you did
16 make arrangements to speak to Ms. Dingwall; correct?

17 MR. CARROLL: Yes, I did.

18 MR. DUMAIS: And you took a statement from
19 her?

20 MR. CARROLL: Yes, I did.

21 MR. DUMAIS: Did you speak to any of the
22 other siblings?

23 MR. CARROLL: No, I didn't. Mrs. Dingwall
24 was the only person that I spoke to because Marc Latour
25 told me that she too had been a victim of Mr. Greggain.

1 **MR. DUMAIS:** All right.

2 And perhaps just before we -- I take you to
3 her statement, we can go chronologically and have a look at
4 the statement that you took from Mr. Jules Tyo.

5 Perhaps I can just take you firstly to your
6 notes, which would be Exhibit 1677, Sergeant. So I will be
7 taking you to Bates pages 907.

8 **THE COMMISSIONER:** I'm sorry; Exhibit?

9 **MR. DUMAIS:** One-six-seven-seven (1677).

10 **THE COMMISSIONER:** Yes. Bates page?

11 **MR. DUMAIS:** Nine-zero-seven (907).

12 **THE COMMISSIONER:** I don't think so. Nine-
13 two-two ---

14 **MR. DUMAIS:** Nine-two-zero-seven (9207).

15 **THE COMMISSIONER:** Nine-two-zero-seven
16 (9207). Okay.

17 tSee, Maître Dumais just wants to make sure
18 we're paying attention in the morning.

19 **MR. DUMAIS:** Thank you.

20 All right. So my understanding is that you
21 took this statement in -- the last statement from Marc in
22 March of 2001, and shortly after that you began your
23 investigation. And this is a meeting or a conversation you
24 had with Marc on the 25th day of July 2001.

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** And perhaps you can just read
2 for us the entry there at 1430 hours?

3 **MR. CARROLL:** "Leave from Marc Latour.
4 Civic number for Jules Tyo is..."

5 **THE COMMISSIONER:** We don't need to read the
6 address there and the telephone number either, okay?

7 **MR. CARROLL:** Okay.

8 **THE COMMISSIONER:** Just for privacy.

9 **MR. CARROLL:** "...[to the address of Jules
10 Tyo - address, phone number] Marc
11 wishes that his name not be given to
12 Tyo in any subsequent investigation."

13 **MR. DUMAIS:** All right.

14 Well, the last part, I guess, of the entry
15 we dealt with yesterday, but am I correct in understanding
16 that you went back at Marc and asked him if he could help
17 you out in obtaining Jules Tyo's address and phone number?

18 **MR. CARROLL:** Yes, Marc and I eventually
19 went for a drive out to the area where Mr. Tyo lived and he
20 identified the residence for me.

21 **MR. DUMAIS:** All right.

22 So am I correct in understanding you had not
23 been able to locate Mr. Tyo?

24 **MR. CARROLL:** I had some difficulty in
25 locating Mr. Tyo over a period of time, and given the fact

1 that other assignments were going on that required my
2 immediate attention, I didn't undertake very aggressive
3 steps in finding Mr. Tyo.

4 MR. DUMAIS: All right.

5 But eventually Mr. Latour provides you with
6 the information; the information is correct and you're able
7 to contact him. Is that ---

8 MR. CARROLL: That's correct.

9 MR. DUMAIS: All right.

10 And my understanding is that you would have
11 done so sometime in April of 2002. Is that correct?

12 MR. CARROLL: That's correct.

13 MR. DUMAIS: So it took you a bit of time to
14 get to Mr. Tyo; correct?

15 MR. CARROLL: Yes, sir.

16 MR. DUMAIS: And ---

17 THE COMMISSIONER: Sorry; how much time
18 would that be in all?

19 MR. DUMAIS: Well, Marc's statement would
20 have been taken, Mr. Commissioner, in March of 2001.
21 Sergeant Carroll would have obtained the address and the
22 phone number in July of 2001, and the meeting with Mr. Tyo
23 would have occurred in April of 2002.

24 MR. CARROLL: That sounds right.

25 MR. DUMAIS: All right.

1 So after you're provided with the
2 information from Mr. Latour with respect to Mr. Tyo's
3 address, did you make any attempts in July or during those
4 summers months to contact him?

5 **MR. CARROLL:** I recall placing a bunch of
6 phone calls to him, and on one occasion I went out to his
7 residence and left my business card in his door, hoping
8 that him or somebody from the residence would contact me.
9 They eventually did.

10 **MR. DUMAIS:** So it was Mr. Tyo that
11 contacted you?

12 **MR. CARROLL:** It was either Mr. Tyo or his
13 wife, but as a result of that contact, an arrangement was
14 made for him to meet me at police headquarters.

15 **MR. DUMAIS:** All right.

16 So do you recall if you had left your
17 business card or a message shortly before you met with him?

18 **MR. CARROLL:** It would have been -- yes, it
19 would have been a few days prior to.

20 **MR. DUMAIS:** And you'll agree with me,
21 Sergeant, that there's a considerable lapse of time before
22 you're able to get to Mr. Tyo and interview him. Is that
23 correct?

24 **MR. CARROLL:** Yes, sir, there was.

25 **MR. DUMAIS:** Now ---

1 **THE COMMISSIONER:** Any reason for that?

2 **MR. CARROLL:** I was involved with several,
3 several other major investigations and I was in the process
4 of setting up the Sex Offender Registry, as it operates in
5 the City of Cornwall.

6 **MR. DUMAIS:** All right.

7 So, Sergeant, you finally get to the
8 interview, and if I can just take you to Document Number
9 200089?

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **THE COMMISSIONER:** Thank you. Exhibit
12 Number 1682 is an interview with Jules Tyo dated April 12th,
13 2002.

14 **--- EXHIBIT NO./PIÈCE No. P-1682B:**

15 (200089) - Transcript of Video Taped
16 Interview - Jules Tyo by CPS dated 12 Apr 02

17 **MR. DUMAIS:** And now that I think about it,
18 Mr. Commissioner, perhaps what we should make this exhibit
19 is 1682B and what we'll do is we'll file the original
20 videotape ---

21 **THE COMMISSIONER:** Yes, very good.

22 **MR. DUMAIS:** --- as 1682 because this is one
23 that has not been filed.

24 **THE COMMISSIONER:** Thank you. So this will
25 be -- the transcript will be 1682B.

1 **MR. DUMAIS:** Now, Sergeant, this is, as I've
2 indicated, a transcript of the videotaped interview that
3 you took and you have seen this document before?

4 **MR. CARROLL:** Yes, I have.

5 **MR. DUMAIS:** All right. And you're meeting
6 with Mr. Tyo at your office; is that correct?

7 **MR. CARROLL:** Yes, sir.

8 **MR. DUMAIS:** All right. And essentially
9 you're asking him if he has any information regarding a
10 gentleman by the name of Gilf Greggain; is that correct?

11 **MR. CARROLL:** Yes, sir.

12 **MR. DUMAIS:** And prior to this videotaped
13 interview, did you have the opportunity to speak to him and
14 to discuss the matter whether or not he had anything of
15 value, of relevance to add to your investigation?

16 **MR. CARROLL:** If I did, it was in the couple
17 of minutes after meeting him in the lobby at Police
18 Headquarters and explaining to him that I wanted to take
19 him to a recorded interview room on the next floor. That's
20 all.

21 **MR. DUMAIS:** All right. Now, so my
22 understanding is that the incident he relates had nothing
23 to do with St. Peter's School or the specific allegation of
24 Marc Latour; correct?

25 **MR. CARROLL:** No, it didn't.

1 **MR. DUMAIS:** All right. So this is an
2 observation that Mr. Tyo would have made working as a
3 custodian in another school?

4 **MR. CARROLL:** In another school at another
5 time, quite some number of years ---

6 **MR. DUMAIS:** All right. And my
7 understanding is that what Mr. Tyo would have witnessed
8 would also have been witnessed by another custodian, Mr.
9 Don Delorme; is that correct?

10 **MR. CARROLL:** According to Mr. Tyo, it was.

11 **MR. DUMAIS:** All right. And this is new
12 information that was provided to you by Mr. Tyo. The name
13 of Don Delorme did not come from Marc Latour or in any
14 other parts of your investigation; correct?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** This is something that he would
17 have volunteered?

18 **MR. CARROLL:** That's correct.

19 **MR. DUMAIS:** All right. And you did at one
20 point in time, and we'll get to that shortly, conduct an
21 interview of Mr. Delorme?

22 **MR. CARROLL:** I spoke with Mr. Delorme over
23 the telephone, probably the very next day.

24 **MR. DUMAIS:** Okay.

25 **MR. CARROLL:** And I had some conversation

1 with him about just that.

2 **MR. DUMAIS:** Now, as he is giving his
3 statement, and I'm just looking here at the following page,
4 so page 2 of the statement, Sergeant, you're asking for
5 some information as to who would have worked at the school
6 or been there at the school or names he recalls, and Mr.
7 Tyo does provide you with a number of teachers' names or
8 principals or vice-principals. And one of those would have
9 been Ms. Boisvenue and he believed that she was either the
10 principal or the vice-principal. And then he names a
11 couple of other teachers, Lise Léger, Ms. Guggenthai, Ms.
12 Marleau.

13 Did you speak to any of these people?

14 **MR. CARROLL:** No, I didn't.

15 **MR. DUMAIS:** All right. And I understand
16 that Mr. Tyo was somewhat specific in his observation as to
17 where he was and where he would have observed Mr. Greggain,
18 and as well he would have been quite specific with his
19 confrontation with Mr. Greggain about what he had observed.

20 Did you have the chance to go back to the
21 school to see whether or not what Mr. Tyo was advancing
22 checked out?

23 **MR. CARROLL:** Sorry, I don't understand what
24 you're ---

25 **MR. DUMAIS:** All right. So Mr. Tyo is being

1 very specific as to what he observed, where he was
2 standing, where Mr. Greggain was, where the children were,
3 and then he goes on and has a confrontation with Mr.
4 Greggain in the stairwell. Do you recall that?

5 MR. CARROLL: Yes, I recall that.

6 MR. DUMAIS: All right. So did you ever go
7 back to the school to see whether or not Mr. Tyo's
8 observation checked out? Did you verify the building or --
9 -

10 MR. CARROLL: No, I didn't return to the
11 school. I am familiar with the school knowing where it's
12 situated in the city but I didn't return to the school.

13 MR. DUMAIS: And essentially, Mr. Tyo's
14 observation was that he thought Mr. Greggain was fondling
15 the kids; is that correct?

16 MR. CARROLL: That's what he said.

17 MR. DUMAIS: All right. And at one point in
18 time, and you don't necessarily have to go to the page but
19 I'm looking at page 8, you would have requested whether or
20 not Mr. Tyo would have consented to signing a release so
21 that you could obtain his employment records with the
22 School Board and he agreed with that. Is that correct?

23 MR. CARROLL: Yes, I recall that.

24 MR. DUMAIS: Do you recall if a release was
25 ever put to him and did he ever sign one?

1 **MR. CARROLL:** I don't recall if I actually
2 obtained that document from Mr. Tyo.

3 **MR. DUMAIS:** And I take it, Sergeant, it
4 would follow that there was no employment records found in
5 your -- within your file; correct?

6 **MR. CARROLL:** No.

7 **THE COMMISSIONER:** Well, wait a minute.
8 There was an authorization signed. If you look at four --
9 I believe so. Yes, look at the end of the statement. Page
10 4521, last paragraph; this is an authorization for
11 releasing information.

12 **MR. CARROLL:** Okay. I apologize. Thanks,
13 Mr. Commissioner, I had forgotten about actually preparing
14 the document for Mr. Tyo.

15 **THE COMMISSIONER:** No, it's okay.

16 **MR. CARROLL:** I don't believe I followed up
17 on executing that document but ---

18 **THE COMMISSIONER:** On giving it to the
19 School Board?

20 **MR. CARROLL:** Yes.

21 **THE COMMISSIONER:** Okay. All right.

22 **MR. DUMAIS:** Now, as you've indicated,
23 Sergeant, you did follow up with an interview with Don
24 Delorme, and if I can just take you to Exhibit 365, which
25 are your notes.

1 **THE COMMISSIONER:** Yes. What page, sir?

2 **MR. DUMAIS:** I believe the entry is at page
3 218.

4 So I think the answer indicates, Sergeant,
5 that you would have spoken to him on the 15th day of April
6 2002.

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

8 **MR. DUMAIS:** Do you recall how you got the
9 contact information for Mr. Delorme?

10 **MR. CARROLL:** I believe I might have just
11 looked up Don Delorme either in the telephone directory or
12 in our internal police files. There weren't a lot of
13 Donald Delorme's or D. Delorme's and it may have been some
14 hit and miss just to find him.

15 **MR. DUMAIS:** All right. But clearly when
16 you spoke to him, you established that it was the Don
17 Delorme that had been a custodian working with Mr. Tyo; is
18 that correct?

19 **MR. CARROLL:** Yes, it was.

20 **MR. DUMAIS:** Now, you're conducting here a
21 telephone interview; is that correct?

22 **MR. CARROLL:** Yes, sir.

23 **MR. DUMAIS:** And is there any explanation
24 for that?

25 **MR. CARROLL:** I reached Mr. Delorme at home.

1 He was either retired or not working and he had some
2 reservations on speaking with me, given the fact that his
3 relationship with Mr. Tyo was more than just that of a co-
4 worker's and Mr. Delorme had told me that he was a former
5 official with the union that would have been representing
6 Mr. Tyo from time-to-time, and that he had some concerns
7 whether or not he was in breach of some degree of
8 confidentiality that he still owed Mr. Tyo.

9 I told Mr. Delorme to just -- we'll cross
10 any bridge of you having to provide something formal to me
11 at a later time, but I appreciate just knowing what you
12 know for the time being. He was comfortable with that.

13 **MR. DUMAIS:** So then I think you found that
14 he would have been hesitant; correct?

15 **MR. CARROLL:** Yes, sir.

16 **MR. DUMAIS:** And you never asked him to
17 attend at the headquarters and complete a video interview?

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

19 **MR. DUMAIS:** And my understanding from your
20 notes then, Sergeant, is that Mr. Delorme did not recall
21 anything like what Mr. Tyo would have described. Is that
22 correct?

23 **MR. CARROLL:** No, he didn't.

24 **MR. DUMAIS:** And as a matter of fact, he
25 would have indicated that or you noted down in your notes

1 that he would have had little good to say about Tyo's
2 credibility. Is that correct?

3 **MR. CARROLL:** Yes, sir.

4 **MR. DUMAIS:** And I take it then, Sergeant,
5 that you view this tape from Mr. Delorme as -- I like the
6 way you put it -- as impeaching the testimony of Mr. Tyo.
7 Was that correct?

8 **MR. CARROLL:** That's correct.

9 **MR. DUMAIS:** All right. So essentially you
10 chose Mr. Delorme's version, that the events never
11 occurred, over Mr. Tyo's?

12 **MR. CARROLL:** Yes, I did.

13 **MR. DUMAIS:** All right. And did you, after
14 you completed the Delorme interview, telephone interview,
15 go back to Mr. Tyo and confront him with this information?

16 **MR. CARROLL:** No, I didn't.

17 **MR. DUMAIS:** All right. And you did not
18 otherwise attempt to corroborate Mr. Tyo's version of the
19 events in any other fashion?

20 **MR. CARROLL:** I didn't proceed much farther
21 with Mr. Tyo's version of events because (a) they didn't
22 take place at the school that Marc was a student at. They
23 took place at an absolutely much different time and in and
24 of themselves they had absolutely no context as to what
25 would have been going on in that gym class, whether Mr.

1 Greggain was teaching gymnastics or wrestling or some other
2 type of activity that would explain the reason that he was
3 having hands-on contact with the students. They simply
4 didn't relate to Mr. Latour's complaint.

5 **MR. DUMAIS:** All right. I mean, I think
6 what Mr. Tyo said, that he thought that he was fondling the
7 children; correct?

8 **MR. CARROLL:** Yes.

9 **MR. DUMAIS:** Now, I'm just going to take you
10 to -- Mr. Latour did attend at the Inquiry, Sergeant, and
11 he did speak to this matter or speak to a matter related to
12 Mr. Tyo and I'll just read out what he would have said.

13 And that's found at Volume 99, Commissioner,
14 at page 86, and I'll just read it in for the record. So
15 this is Mr. Latour speaking:

16 "While I know that he had spoke with
17 Mr. Tyo because after he did speak with
18 Jules Tyo, I was going fishing one day
19 and Mr. Tyo met me at the store in
20 Glenwalter and he said, 'Marc', he
21 says, 'I have to talk to you'. He
22 said, 'I'll be right back. Stay here.'
23 So he went home to bring -- I don't
24 know what he was bringing to his wife
25 or something or his child. Anyways, I

1 waited for him and he came back and he
2 had told me that Jeff Carroll had
3 interviewed him. He says and he says -
4 - he threatens me. He says that, 'If I
5 was going to lie for you that I can go
6 to jail for lying, you know'. He
7 mentioned my name to Jules when he told
8 me that he wouldn't."

9 So Mr. Latour appears to relate a
10 conversation that he had with Mr. Tyo, saying that you
11 would have gone -- at one point-in-time gone to him and
12 accused him of lying for Mr. Latour. Do you recall any
13 sort of conversation with Mr. Tyo to that effect?

14 **MR. CARROLL:** No, sir, I don't.

15 **MR. DUMAIS:** All right. And after you spoke
16 with Mr. Tyo and you took a statement from him, you did not
17 relate to him that you thought he may have been lying?

18 **MR. CARROLL:** No, I don't believe I did
19 that.

20 **MR. DUMAIS:** All right.

21 **THE COMMISSIONER:** You say you don't
22 believe?

23 **MR. CARROLL:** I don't recall making any type
24 of statements to Mr. Tyo that, "You might be lying and if
25 you are you could be in trouble".

1 I haven't watched my video interview of him
2 in quite some time, but I don't recall making any
3 statements to Mr. Tyo like that. I had no reason to say
4 anything like that to him.

5 **MR. DUMAIS:** But as a matter of fact, you
6 actually thought he was lying; correct?

7 **MR. CARROLL:** I don't know if I would go as
8 far as saying I thought that he was lying. I had some
9 difficulties with his statement in the fact that there was
10 absolutely no context to it. It was extremely vague and it
11 was just extremely vague. I didn't push him or challenge
12 him on any parts of his statement.

13 **MR. DUMAIS:** And, Sergeant -- and again,
14 made no attempts to corroborate it otherwise?

15 **MR. CARROLL:** Other than speaking to Mr.
16 Delorme, no, I didn't.

17 **MR. DUMAIS:** Correct, all right.

18 And, again, you did not take any steps to
19 reach Mr. Rochon, Mr. Dennis Rochon?

20 **MR. CARROLL:** No, I wasn't successful or I
21 didn't get anywhere in trying to locate Mr. Rochon. I do
22 remember at one time looking for possible persons that
23 Dennis Rochon could be. It's quite a common name in this
24 area. I didn't have any success in pursuing anything that
25 would lead me to find the right Dennis Rochon.

1 **MR. DUMAIS:** All right.

2 Now, I understand that shortly afterwards,
3 so in May of 2002, you would have spoken to Joan -- oh,
4 sorry -- on May 6th, 2002 you would have spoken to Ms.
5 Dingwall. And if I can just take you to the supplementary
6 occurrence report that you've filed, Document Number
7 735742?

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

9 **MR. DUMAIS:** So you spoke to her on that
10 day, Sergeant?

11 **THE COMMISSIONER:** Exhibit 1683 is a
12 supplementary occurrence report prepared by Sergeant
13 Carroll. Report time is 6th of May, 2002.

14 **--- EXHIBIT NO./PIÈCE NO. P-1683:**

15 (735742) - Supplementary Occurrence Report
16 dated May 6, 2002

17 **MR. CARROLL:** I remember that report, yes.

18 **MR. DUMAIS:** All right. So you would have
19 prepared this SOR, Sergeant?

20 **MR. CARROLL:** I would have prepared this
21 what, sir? Sorry.

22 **MR. DUMAIS:** The supplementary occurrence
23 report?

24 **MR. CARROLL:** Yes.

25 **MR. DUMAIS:** All right. And it appears to

1 indicate that Ms. Dingwall would have communicated with you
2 on the 6th day of May. Is that correct?

3 MR. CARROLL: Yes, sir.

4 MR. DUMAIS: All right. So do you recall,
5 Sergeant, whether or not you had made the initial contact
6 and she called you back or whether or not she did contact
7 you of her own volition?

8 MR. CARROLL: I believe after Marc or,
9 sorry, Mr. Latour told me that his sister had too been a
10 victim of Mr. Greggain, if he would mind calling his sister
11 and asking her if she would mind speaking to me simply
12 because she didn't have any idea who I was. In the days
13 later she called me and I arranged a time for her to come
14 in and meet with me.

15 MR. DUMAIS: All right.

16 Sorry, Sergeant, are you talking about the
17 statement in March of 2001 for Ms. Dingwall? Perhaps I
18 misunderstood you but -- so the last statement you would
19 have taken from Marc would have been in March of 2001 and
20 this is May 2002.

21 MR. CARROLL: Yes, it wasn't in the
22 statement that Marc had told me that his sister had been a
23 victim of Mr. Latour; it was in a phone call that happened
24 sometime after that.

25 MR. DUMAIS: All right.

1 **MR. CARROLL:** And it was in that phone call
2 that I asked Mr. Latour if he would mind calling his sister
3 and asking her to call me.

4 **MR. DUMAIS:** All right. And then -- and she
5 does contact you and ---

6 **MR. CARROLL:** She does that and I made
7 arrangements to come in and have her meet with me.

8 **MR. DUMAIS:** And if we can just then have a
9 look at her statement which is Document Number 200092.

10 **THE COMMISSIONER:** Thank you. Exhibit 1684
11 is a transcript of an interview of Joan Latour Dingwall on
12 May 9th, 2002.

13 **---EXHIBIT NO./PIÈCE NO P-1684B:**

14 (200092) - Transcript of Video-Taped
15 Interview by Joan Latour Dingwall w/CPS
16 dated 09 May 02

17 **MR. DUMAIS:** And again Commissioner, if we
18 can -- should make this a "B" exhibit.

19 **THE COMMISSIONER:** A "B"; so it will be
20 1684B and the tape will be Exhibit 1684.

21 **MR. DUMAIS:** All right Sergeant, this would
22 be a transcript of the interview that you would have
23 conducted with Joan Latour Dingwall on May 9th, 2002; is
24 that correct?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** And when you interviewed her,
2 she did confirm that she had been a student of Mr. Greggain
3 as well while she was in Grade 6; correct?

4 **MR. CARROLL:** That's correct.

5 **MR. DUMAIS:** And I understand that she
6 relayed to you an incident that would have required the
7 intervention of her parents; is that correct?

8 **MR. CARROLL:** Yes, she did.

9 **MR. DUMAIS:** And the incident that she
10 related to you would have been one of corporal punishment;
11 is that correct?

12 **MR. CARROLL:** Well, I believe there was an
13 incident of some type of discipline that Ms. Latour or
14 sorry Ms. Dingwall Latour had endured at school. I don't
15 recall if there was -- or I don't believe there was any
16 actual corporal punishment delivered to her by Mr.
17 Greggain.

18 **MR. DUMAIS:** But certainly it's an incident
19 that required the intervention of her parents I believe and
20 ---

21 **MR. CARROLL:** Well, according to her, her
22 father did attend or one of her parents did attend and
23 spoke with Mr. Greggain. Exactly what took place; I'm not
24 specifically sure simply because those people were no
25 longer around to talk to about what happened.

1 **MR. DUMAIS:** And by that you mean Mr. and
2 Mrs. Latour; correct?

3 **MR. CARROLL:** They have both passed away or
4 had both passed away.

5 **MR. DUMAIS:** And in taking the statement
6 from her, she does -- you did request any other relevant
7 information that she could have had with respect to Mr.
8 Greggain; is that correct?

9 **MR. CARROLL:** I believe I did, yes.

10 **MR. DUMAIS:** All right. So in one of the
11 stories or stories that she told you about Mr. Greggain,
12 that he was in the habit of taking students to hockey
13 games; is that correct?

14 **MR. CARROLL:** Yes.

15 **MR. DUMAIS:** All right. And she did provide
16 you with a name of one of the students that would have gone
17 to the hockey game with Mr. Greggain; is that correct? I'm
18 just looking at the top of page 2, Sergeant.

19 **MR. CARROLL:** You're referring to Brian
20 Caskanet?

21 **MR. DUMAIS:** Yes.

22 **MR. CARROLL:** Yes, she provided me with that
23 name.

24 **MR. DUMAIS:** All right. So -- and, again,
25 did you follow up with that, Sergeant?

1 **MR. CARROLL:** I didn't track down Brian
2 Caskanet.

3 **MR. DUMAIS:** Okay. Did you attempt to?

4 **MR. CARROLL:** I don't believe I did.

5 **MR. DUMAIS:** All right. And yesterday when
6 we talked about Ms. Dingwall, you did indicate to us that
7 you had requested a letter from her; the letter that Marc
8 Latour would have written to her; is that correct?

9 **MR. CARROLL:** Yes, I asked her if she had
10 it; would she let me have a look at it.

11 **MR. DUMAIS:** All right. And she did not --
12 she indicated that she -- the letter had been destroyed; is
13 that correct?

14 **MR. CARROLL:** That's right. And even if it
15 wasn't; she wouldn't have let me look at it anyways.

16 **MR. DUMAIS:** Right. And did she supply a
17 reason for that?

18 **MR. CARROLL:** Simply that it was personal.

19 **MR. DUMAIS:** All right. And she would have
20 confirmed that she would have been two years older than
21 Marc; is that correct?

22 **MR. CARROLL:** I believe so.

23 **MR. DUMAIS:** And she would have had Mr.
24 Greggain as a teacher when she was in Grade 6; is that
25 correct?

1 **MR. CARROLL:** I think so.

2 **MR. DUMAIS:** All right. And my
3 understanding is that you did get a release of information
4 from the -- for the Catholic District School Board for --
5 to retrieve Ms. Dingwall's information or school records;
6 is that ---

7 **MR. CARROLL:** Yes, I did.

8 **MR. DUMAIS:** --- your recollection? Do you
9 recall whether or not that was ever received?

10 **MR. CARROLL:** If I -- do you mean if I
11 executed that or if I ---

12 **MR. DUMAIS:** Yes.

13 **MR. CARROLL:** No, I don't believe I did.

14 **MR. DUMAIS:** All right. Any reason why you
15 didn't, Sergeant?

16 **MR. CARROLL:** I didn't think that I was
17 going to need her school records to establish exactly what
18 year she may have been in Mr. Greggain's class.

19 **MR. DUMAIS:** And why is that?

20 **MR. CARROLL:** It was clear that she was
21 further ahead in school than Marc simply because of their
22 age and I didn't think that that was going to be an issue
23 to attempt to help her prove anything.

24 **MR. DUMAIS:** All right. So it's more that
25 you didn't see it as an issue.

1 **MR. CARROLL:** I didn't see it as an issue.

2 **MR. DUMAIS:** All right.

3 **MR. CARROLL:** I asked her to give me the
4 release just in case it did become an issue so that I would
5 have -- wouldn't have to go looking for her should I decide
6 I really needed it.

7 **MR. DUMAIS:** And my understanding is that
8 Ms. Dingwall would have directed you to speak to Mr.
9 Greggain's son as well.

10 **MR. CARROLL:** She indicated to me that I may
11 want to speak to Mr. Greggain's son.

12 **MR. DUMAIS:** All right.

13 **MR. CARROLL:** I didn't follow-up with Mr.
14 Greggain's son in attempt to solicit a disclosure from him
15 relative to anything that took place between him and his
16 father.

17 **MR. DUMAIS:** Is it fair to say that after
18 the interview with Ms. Dingwall that that sort of completed
19 your investigation?

20 **MR. CARROLL:** I didn't have very many places
21 to go after that. I believe some time following, I made a
22 call to Marc Latour and let him know the outcome of the
23 interview with Mr. Tyo, and the fact that his sister really
24 didn't have any disclosures to make relative to Mr.
25 Greggain.

1 **MR. DUMAIS:** Right. So my understanding
2 then is that the next step you would have taken would be to
3 confront Mr. Greggain with the allegations; is that
4 correct?

5 **MR. CARROLL:** Yes, it was.

6 **MR. DUMAIS:** And can you just perhaps relate
7 to us how you went about doing that or what your intention
8 or your plan was?

9 **MR. CARROLL:** I don't know the exact date
10 but I simply called Mr. Greggain. It wasn't difficult to
11 locate an address and a telephone number for him. And I
12 asked him to come into the police station and speak to me
13 about an allegation concerning him from years ago.

14 **MR. DUMAIS:** All right. So don't mean to
15 interrupt, Sergeant, but perhaps I can just take you to the
16 Supplementary Occurrence Report that you filed. That's
17 going to assist you with the dates. That's Document Number
18 735743.

19 **THE COMMISSIONER:** Exhibit 1685 is a
20 supplementary occurrence report prepared by Sergeant
21 Carroll and dated the 2nd of September, 2002?

22 **MR. CARROLL:** Correct.

23 **--- EXHIBIT NO./PIÈCE NO. P-1685:**

24 (735743) - Supplementary Occurrence Report
25 dated September 2, 2002

1 **MR. DUMAIS:** All right.

2 So, Sergeant, I understand that -- so what --
3 - did you give him any of the specifics in your telephone
4 conversation?

5 **MR. CARROLL:** I believe I let him know that
6 this had to do with Marc Latour.

7 **MR. DUMAIS:** Do you recall the name? Do you
8 remember?

9 **MR. CARROLL:** I'd have to go and look at my
10 notes more than the supplementary report, but I believe I
11 gave him the name, and I believe Mr. Greggain remembered
12 Marc Latour.

13 **MR. DUMAIS:** All right.

14 And I think in fairness, perhaps I can just
15 point you out to your notes and we have the document
16 number. So it's 200133 so if you can have a look at
17 Exhibit 361, and I think the initial entry is at Bates
18 pages 930, Sergeant.

19 **MR. CARROLL:** Yes.

20 **MR. DUMAIS:** So you initially left a phone
21 message for him to contact you. Then on the following page
22 ---

23 **MR. CARROLL:** Yes, I see that. I believe he
24 returned my call.

25 **MR. DUMAIS:** I'll just let you read through

1 your notes.

2 (SHORT PAUSE/COURTE PAUSE)

3 MR. CARROLL: Okay.

4 MR. DUMAIS: So, Sergeant, you did advise
5 him that this was regarding an allegation that Marc Latour
6 had made; correct?

7 MR. CARROLL: Yes, I did.

8 MR. DUMAIS: And fair to say that Mr.
9 Greggain recalled who Marc Latour was. As a matter of
10 fact, recalled who his sister was as well?

11 MR. CARROLL: Yes.

12 MR. DUMAIS: All right. And arrangements
13 were made to meet with him, I believe, on the following
14 day, which would have been August 9, 2002?

15 MR. CARROLL: That's correct.

16 MR. DUMAIS: And did Mr. Greggain have any
17 reaction over the telephone when you contacted him?

18 MR. CARROLL: No, he didn't. He was kind of
19 surprised. He was soft spoken. He didn't get upset.

20 MR. DUMAIS: Do you recall whether or not
21 you got into any of the specifics of the allegations on the
22 phone?

23 MR. CARROLL: Not over the phone.

24 MR. DUMAIS: All right.

25 THE COMMISSIONER: Sir, did he say like,

1 what's this all about?

2 **MR. CARROLL:** Yes. I told him there was
3 allegations made a number of years ago concerning him by a
4 student by the name of Marc Latour; they were serious and
5 I'd like to talk to him about them in person.

6 **THE COMMISSIONER:** Okay.

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

8 **MR. DUMAIS:** I'll need to file the
9 transcript of the statement. It would be Document Number
10 200088.

11 **THE COMMISSIONER:** I thought we had.

12 **(SHORT PAUSE/COURT PAUSE)**

13 **THE COMMISSIONER:** Merci.

14 So Exhibit 1686A will be the videotape;
15 1686B will be the transcript of an interview with -- is it
16 Gilf? Gilf ---

17 **MR. CARROLL:** Gilf.

18 **THE COMMISSIONER:** --- Gilf Greggain, dated
19 September 8th, 2002.

20 **--- EXHIBIT NO./PIÈCE NO. P-1686B:**

21 (200088) - Transcript of Videotaped
22 Interview of Gilf Greggain with CPS dated
23 September 8, 2002

24 **MR. DUMAIS:** So you've reviewed this
25 document, Sergeant?

1 **MR. CARROLL:** Yes, sir.

2 **MR. DUMAIS:** So I understand that when Mr.
3 Greggain -- well, where did you take Mr. Greggain to
4 conduct this interview?

5 **MR. CARROLL:** He was interviewed in an
6 interview room that we have at police headquarters. It's
7 audio and video recorded.

8 **MR. DUMAIS:** All right. And my
9 understanding is that you would have advised him that he
10 was not under arrest and that at any point-in-time he could
11 leave the interview. Is that correct?

12 **MR. CARROLL:** That's correct.

13 **MR. DUMAIS:** And my understanding is that
14 you would have related to him essentially that he -- what
15 the allegation was, so what Marc Latour had indicated had
16 occurred. Is that correct?

17 **MR. CARROLL:** Yes, sir.

18 **MR. DUMAIS:** All right. And, again,
19 Sergeant, is it fair to say that Mr. Greggain would have
20 shown little shock or emotion?

21 **MR. CARROLL:** He didn't get very excited in
22 this interview.

23 **MR. DUMAIS:** All right.

24 And I'm just looking at one of his answers
25 at page 3 of the interview, so Bates pages 495. It's found

1 where you see the initials "GG", so it's the third sentence
2 of that paragraph.

3 "I'm not specifically sure. He must
4 have been a kind of a little devil guy,
5 had his share of problems in the
6 school."

7 Did you note at that time, Sergeant, that he
8 was making reference to -- he'd used the same expression
9 that Marc Latour had used in a number of his statements?

10 **MR. CARROLL:** Yes.

11 **MR. DUMAIS:** You had noted that then?

12 **MR. CARROLL:** I was aware of it as he was
13 speaking.

14 **MR. DUMAIS:** And he also mentions, at the
15 bottom of that same page, that he would often take children
16 to -- or students to hockey games on Saturdays in Montréal.
17 Is that correct?

18 **MR. CARROLL:** That's correct.

19 **MR. DUMAIS:** And then he does confirm on the
20 following page as well that he would have taught grade 3
21 for 1 year and then would have been transferred to teaching
22 grade 6 at St. Peter's. Is that correct?

23 **MR. CARROLL:** That's right.

24 **MR. DUMAIS:** Now, I'm just looking at page
25 5, which is Bates page 497, the last four entries on that

1 page where you're asking him questions about whether or not
2 he would have spanked Mr. Latour.

3 So the question that you're putting to him
4 is:

5 "Did Marc ever get a spanking?"

6 And then the answer is:

7 "You know the thing is, like I say,
8 imagine he was a little bit of a devil.
9 I wasn't prone to going that direction,
10 but I'm not saying it didn't happen. I
11 don't know if I did or the principal
12 did, but it seems to me that this was
13 something that teachers were doing. I
14 don't think it was."

15 "Could you have done it?"

16 "If I thought that something would --
17 something could come from it, I don't
18 know, I probably would have."

19 So certainly he's not being conclusive, but
20 he was not denying that he could have spanked Mr. Latour.
21 Is that correct?

22 **MR. CARROLL:** That's correct.

23 **MR. DUMAIS:** So the only aspect that he
24 denied is whether or not he had done so over his clothing
25 or whether or not he had pulled down his pants; correct?

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

2 **MR. DUMAIS:** All right.

3 And you do ask him as well whether or not he
4 had any knowledge of a gentleman by the name of Jules Tyo,
5 and he does describe him as a peculiar guy and he does
6 acknowledge the fact that he was a custodian in one of the
7 schools that he worked at. Is that correct?

8 **MR. CARROLL:** That's correct.

9 **MR. DUMAIS:** All right. And essentially he
10 denies what Mr. Tyo would have related to you and he denies
11 any confrontation with Mr. Tyo as it was related by him?

12 **MR. CARROLL:** That's right.

13 **MR. DUMAIS:** All right.

14 Is it fair to say as well that Mr. Greggain
15 did not appear to be concerned with your investigation in
16 that it was simply an accusation or simply an allegation.
17 Is that correct?

18 **MR. CARROLL:** I won't agree with the fact
19 that he didn't appear to be concerned. He appeared to be
20 very concerned. He was low key. He was composed. He
21 recognized this as an allegation, to which he was denying.

22 **MR. DUMAIS:** Well, if I can just take you to
23 page 10 of the interview? So that's the third entry on
24 that page, and he's answering one of your questions.

25 He's saying:

1 "Well, when you're saying accusations
2 to me, that's where it was at,
3 accusations. I don't see how it can go
4 any further than that because it never
5 happened. Therefore, it's an
6 accusation."

7 **MR. CARROLL:** Okay. I see that.

8 **MR. DUMAIS:** All right. So, I mean, he was
9 clearly under the belief that, at least at that point-in-
10 time, that no charge would be laid. Is that correct?

11 **MR. CARROLL:** Well, I don't know if that's
12 what he has in his mind. He's ---

13 **MR. DUMAIS:** Fair enough.

14 **MR. CARROLL:** He's responding to me by
15 saying, "That's an accusation and I'm telling you that I
16 didn't do it".

17 **MR. DUMAIS:** And at one point-in-time,
18 Sergeant, you do have a discussion with him with respect to
19 a polygraph test. Is that correct?

20 **MR. CARROLL:** Yes, sir, I do.

21 **MR. DUMAIS:** So do you recall what that --
22 what the gist of that conversation was?

23 **MR. CARROLL:** I'm seeing the polygraph as a
24 viable investigative tool at this point-in-time. I have no
25 evidence. I am not having any luck in finding anything to

1 corroborate what Mr. Latour is telling me happened. I'm
2 doing my best to encourage Mr. Greggain in this interview
3 to agree to undergo a test so that we can get some measure
4 of truthfulness versus deceptiveness, and I offer him to
5 take a test if I can arrange one to be administered.

6 **MR. DUMAIS:** And what was his position on
7 that?

8 **MR. CARROLL:** He, at first, seemed very
9 interested. If it was simply a matter of taking a test to
10 show that he was telling the truth, he would be willing to
11 do it, but I did tell Mr. Greggain that it's something that
12 he doesn't have to do and that prior to taking any such
13 test, he had the right to speak with a lawyer or to his
14 association or whomever he wanted.

15 If I were to expose someone to taking a
16 polygraph test without first having advised them of that,
17 what their rights were, I would not be very successful in
18 my approach to interviewing him if it ever went to court.

19 **MR. DUMAIS:** All right.

20 My understanding is you did file a
21 supplementary occurrence report on this very subject. If I
22 can just take you to Document Number 735745?

23 **(SHORT PAUSE/COURTE PAUSE)**

24 **THE COMMISSIONER:** Exhibit 1687 is a
25 Supplementary Occurrence Report prepared by Sergeant

1 Carroll, report time the 11th of December, 2002.

2 --- EXHIBIT NO./PIÈCE NO. P-1687:

3 (735745) Jeff Carroll - Supplementary
4 Occurrence Report dated December 11, 2002

5 MR. DUMAIS: So my understanding, Sergeant,
6 is that you interviewed him in August of 2002, spoke to him
7 about the polygraph?

8 MR. CARROLL: Yes, sir.

9 MR. DUMAIS: He advised he would speak to
10 counsel and get back to you?

11 MR. CARROLL: Yes, sir.

12 MR. DUMAIS: And my understanding is he did
13 not get back to you and you contact him on December 11,
14 2002?

15 MR. CARROLL: I gave him some time to get
16 back to me. I don't offer polygraph examinations very
17 often. I think this might have been the second time in my
18 career that I would have done this. I do feel though that
19 if something like this is offered, that it's best that I
20 don't hound the suspect or whomever that I'm wanting to
21 agree to do this. I didn't hound him. I gave him lots of
22 time to get back to me. By December he hadn't. I decided
23 at that point-in-time that I'll give him a call and just
24 make sure he didn't forget.

25 MR. DUMAIS: And, actually, you did call

1 him, Sergeant?

2 MR. CARROLL: I called him on that day, and
3 as it turned out, he kind of forgot about it and he told me
4 he would speak to counsel and he would get back to me.

5 MR. DUMAIS: So my understanding, Sergeant,
6 is then you would have received a call on December 18th.
7 And if I can just take you to Document Number 735746?

8 (SHORT PAUSE/COURTE PAUSE)

9 THE COMMISSIONER: Exhibit 1688 is a
10 Supplementary Occurrence Report prepared by Sergeant
11 Carroll. The report time the 18th of December, 2002.

12 --- EXHIBIT NO./PIÈCE NO. P-1688:

13 (735746) Jeff Carroll - Supplementary
14 Occurrence Report dated December 18, 2002

15 MR. CARROLL: I see that.

16 MR. DUMAIS: And my understanding, Sergeant,
17 is this is the supplementary occurrence report that you
18 filed confirming that Mr. Greggain's solicitor, Mr.
19 Markell, would have contacted you and indicated that Mr.
20 Greggain would not submit to a polygraph. Is that correct?

21 MR. CARROLL: That's correct.

22 MR. DUMAIS: Now, as I understand it, this
23 call back from Mr. Greggain's counsel was essentially the
24 last investigative steps that you would have taken in this
25 interview -- in this investigation; correct?

1 **MR. CARROLL:** Yes, it was.

2 **MR. DUMAIS:** All right. And I understand
3 that at one point in time you did speak to Marc and advised
4 him or had a discussion with respect to where the
5 investigation was at; is that correct?

6 **MR. CARROLL:** After this, I had contacted
7 Marc. I'm not sure of the date but I let him know that Mr.
8 Greggain wasn't going to take the polygraph test and
9 without that, I had very little evidence left to proceed
10 with and that I would like to review the case with the
11 Crown Attorney's Office.

12 **MR. DUMAIS:** All right. And my
13 understanding is that you would have called the -- is it
14 the Assistant Crown, Mr. Guy Simard; is that correct?

15 **MR. CARROLL:** Mr. Simard is an Assistant
16 Crown in Cornwall.

17 **MR. DUMAIS:** And that's the gentleman that
18 you would have spoken to?

19 **MR. CARROLL:** That was the person who was
20 going to be reviewing the materials to give me some sort of
21 assessment on reasonable prospect of conviction.

22 **MR. DUMAIS:** Sorry, Sergeant, I missed your
23 last answer. Sorry.

24 **MR. CARROLL:** Mr. Simard was the person at
25 the Crown Attorney's Office who would be reviewing the

1 materials, all of the materials, and would give me an
2 assessment on reasonable prospect of conviction.

3 **MR. DUMAIS:** All right. And you would have
4 had a telephone conversation with Mr. Simard; is that
5 correct?

6 **MR. CARROLL:** It was either Mr. Simard or
7 Mr. MacDonald, after the assessment was completed, that I
8 spoke with.

9 **MR. DUMAIS:** And do you recall whether or
10 not you got into any of the merits of the case or what this
11 case was about?

12 **MR. CARROLL:** In the total package, all of
13 the reports would be submitted, from the general occurrence
14 report, all of the statements and all of the supplements
15 that were included. We didn't bat around all of the merits
16 and all of the contents. I was asking for the entire
17 package to be assessed as is because I didn't see any other
18 evidence being immediately available that would speak to me
19 being able to establish reasonable grounds to believe an
20 offence was committed and I asked for the assessment to be
21 done on the package as it sat.

22 **MR. DUMAIS:** All right. And I believe you
23 would have spoken to Mr. Simard on January 3rd, 2003 and if
24 I can just -- can just have a look at Exhibit 362, which
25 are your notes, at Bates page 228.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. DUMAIS: So I believe the entry at -- do
3 you have the entry at 10:50? So:

4 "Discuss case with Guy Simard..."
5 Actually, I'll let you read it in, Sergeant.

6 MR. CARROLL: I believe the entry's at 13:50
7 that's my fault.

8 MR. DUMAIS: Okay.

9 MR. CARROLL: "Called Marc Latour.
10 Advised him..."

11 MR. DUMAIS: Sorry, Sergeant, it's the entry
12 at 10:50, the third entry on the top there.

13 MR. CARROLL: Oh, I'm sorry. Okay.
14 "Discussed with Guy Simard for the full..."

15 THE COMMISSIONER: "...full rundown..."

16 MR. CARROLL: Thank you.

17 THE COMMISSIONER: "...full rundown
18 given..."

19 MR. CARROLL: "...full rundown given.
20 Will require a full brief and assess
21 the -- and will assess in terms of
22 reasonable prospect of conviction.
23 Will require all video statements
24 transcribed."

25 MR. DUMAIS: Now, do you recall whether or

1 not these videos were ever transcribed, Sergeant?

2 MR. CARROLL: I -- I discussed it with my
3 supervisor, Staff Sergeant Derochie, and it was decided
4 that they would not be transcribed. They would be
5 disclosed to the Crown as is so that the Crown would have
6 to review the tapes.

7 MR. DUMAIS: All right. And in making that
8 determination, is one of the factor whether or not this
9 matter -- whether or not charges will be laid?

10 MR. CARROLL: I don't know what the factors
11 were in that case. There is usually a discussion that
12 takes place at the management level of whether or not we're
13 going to transcribe or not. I followed the instructions
14 that Staff Sergeant Derochie gave me.

15 MR. DUMAIS: All right. So this was not
16 your decision and you were not part of this ---

17 MR. CARROLL: This wasn't my call. That's
18 why I went to the Staff Sergeant.

19 MR. DUMAIS: Now, you indicate in your notes
20 that the Crown requires a brief to assess this in terms of
21 reasonable prospect of conviction; is that correct?

22 MR. CARROLL: That's correct.

23 MR. DUMAIS: All right. So then are you
24 essentially telling the Crown at this point that you have
25 reasonable and probable grounds and that you need his

1 assessment of reasonable prospect of conviction?

2 **MR. CARROLL:** No, I'm telling the Crown that
3 I don't have reasonable grounds to lay a charge at this
4 time and I want the entire package assessed on whether or
5 not they see that there's a reasonable prospect of
6 conviction with what I have.

7 **MR. DUMAIS:** But would you agree with me,
8 Sergeant, that a reasonable prospect of conviction is at a
9 higher level than reasonable and probable grounds?

10 **MR. CARROLL:** Yes, it is.

11 **MR. DUMAIS:** All right. But at this point
12 when you were having this discussion with Mr. Simard,
13 you're essentially telling him that you don't have any
14 reasonable and probable grounds; correct?

15 **MR. CARROLL:** That's right.

16 **MR. DUMAIS:** All right. Now, my
17 understanding is that you do eventually prepare a brief and
18 get a brief out to him. Do you recall whether or not the
19 brief was simply forwarded to him or whether or not you
20 would have delivered it and met with him and have some sort
21 of a discussion?

22 **MR. CARROLL:** I may have hand delivered it.
23 I took it over myself on the 6th of January and I have no
24 notations here of any discussion that I would have had with
25 Mr. Simard with respect to this. I doubt that I would have

1 made notes on my conversation with the Crown Attorney about
2 this anyways.

3 **MR. DUMAIS:** I couldn't find anything, so --
4 -

5 **MR. CARROLL:** I don't have any notes of
6 that.

7 **MR. DUMAIS:** All right. Now, do you recall
8 whether or not he had printed a Crown brief from OMPPAC?

9 **MR. CARROLL:** Yes, I don't know if we were
10 on OMPPAC or RMS at this point in time.

11 **MR. DUMAIS:** All right.

12 **MR. CARROLL:** Whichever database we were
13 working under, you can print the Crown brief and it prints
14 out automatically.

15 **MR. DUMAIS:** All right. So then you would
16 get from that all the General Occurrences Reports and all
17 the Supplementary Occurrence Reports that you would have
18 prepared and filed. You would have submitted to him all of
19 the video statements; so the four statements from -- that
20 Marc Latour would have given, as well as the statement from
21 Mr. Tyo. Is that correct?

22 **MR. CARROLL:** That's correct.

23 **MR. DUMAIS:** And as well the statement from
24 Ms. Dingwall and the statement from Mr. Greggain; correct?

25 **MR. CARROLL:** That's right.

1 **MR. DUMAIS:** All right. And did you submit
2 anything else, the school records that you had obtained
3 from the School Board?

4 **MR. CARROLL:** No, I don't think I did.

5 **MR. DUMAIS:** All right. And what about your
6 notes; had you submitted any of your notes?

7 **MR. CARROLL:** I don't believe I copied all
8 of my notes at this point in time.

9 **MR. DUMAIS:** All right. And do you recall
10 having any discussion with respect to Mr. Delorme because
11 you did not have a statement from him; correct?

12 **MR. CARROLL:** No, but the -- I believe there
13 was a supplementary report submitted with respect to my
14 conversation of Mr. Delorme.

15 **MR. DUMAIS:** Well, if you can just have a
16 look for a second at Exhibit 1685?

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

18 **THE COMMISSIONER:** That would be a loose one
19 someplace, would it not?

20 **MR. DUMAIS:** Pardon me?

21 **THE COMMISSIONER:** Yeah, I don't seem to
22 find it. Right here, okay, 1685 is -- do you have it?

23 **MR. CARROLL:** I don't have it.

24 **THE COMMISSIONER:** It's in -- it's in there
25 someplace.

1 **MR. DUMAIS:** So I'm looking at the third
2 paragraph from the bottom and I'll just read it out:

3 "As it stands now, nothing corroborates
4 the victim's claims. The only
5 witnesses named have not assisted in
6 any way. One witness has died some
7 time ago and one has had his
8 credibility impeached by another."

9 Is that what you're referring to?

10 **MR. CARROLL:** That, I believe, is what I'm
11 referring to.

12 **MR. DUMAIS:** All right. but that's the
13 extent of the explanation with respect to ---

14 **THE COMMISSIONER:** Don ---

15 **MR. CARROLL:** Mr. Tyo.

16 **MR. DUMAIS:** And Mr. Delorme's involvement?

17 **MR. CARROLL:** That's correct.

18 **MR. DUMAIS:** All right.

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

20 **MR. DUMAIS:** Now, if I could just take you
21 to Document Number -- and I believe this is an exhibit,
22 Exhibit 367, Document Number 735748.

23 **THE COMMISSIONER:** No -- oh, yes. I'm
24 sorry, yes. Do you have that, sir?

25 **MR. CARROLL:** Sorry, what was the number

1 again?

2 **THE COMMISSIONER:** Three-six-seven (367).

3 **MR. CARROLL:** That's my report, submitted
4 following a conversation with Murray MacDonald. Yeah, I
5 see it here.

6 **MR. DUMAIS:** All right.

7 So do you think at one point-in-time there
8 was a switch between Mr. Simard and Mr. MacDonald and it
9 was actually Mr. MacDonald that reviewed the file?

10 **MR. CARROLL:** Yes.

11 **MR. DUMAIS:** All right.

12 **MR. CARROLL:** Well, that I don't know. Mr.
13 MacDonald is the head Crown Attorney. It wouldn't be -- it
14 wouldn't be uncharacteristic for him to be the one that
15 gave the answer in this.

16 **MR. DUMAIS:** And I mean I'm just relying on
17 the supplementary occurrence report that you filed. I'm
18 looking at the second line.

19 "Mr. MacDonald indicated that he had
20 completed his review of all of the
21 evidence gathered in this investigation
22 and saw no reasonable prospect of
23 conviction should a charge be laid."

24 **MR. CARROLL:** That's correct.

25 **MR. DUMAIS:** All right. So it certainly

1 appears that it was Mr. MacDonald that reviewed the
2 material?

3 MR. CARROLL: It may or may not have been.
4 Who actually reviewed it -- I submitted it to Mr. Simard.
5 Which Crown Attorney actually conducted the review, I don't
6 know and I wouldn't concern myself with who did.

7 MR. DUMAIS: Fair enough.

8 And do you recall whether or not this
9 telephone conversation to you was a statement of fact as to
10 what his conclusion was or whether or not there was any
11 further discussion?

12 MR. CARROLL: No, there wasn't, this was it.

13 MR. DUMAIS: All right.

14 And there was certainly no advice to you
15 with respect to other avenues to explore or other witnesses
16 to interview or anything in that respect?

17 MR. CARROLL: No, there wasn't.

18 MR. DUMAIS: All right.

19 And you also noted that in the following
20 paragraph that he would have agreed with you that
21 reasonable and probable grounds to believe a sexual assault
22 occurred do not exist. Is that correct?

23 MR. CARROLL: That's correct.

24 MR. DUMAIS: All right. So he essentially
25 confirmed what your position was at the time you submitted

1 the brief; correct?

2 MR. CARROLL: That's right.

3 MR. DUMAIS: All right.

4 And essentially after your conversation with
5 the Crown Attorney, you would have advised Mr. Latour of
6 your intention not to lay charges in this matter and
7 essentially close off your files. Is that correct?

8 MR. CARROLL: Yes, I did.

9 MR. DUMAIS: And my understanding is that
10 following your conversation with the Crown Attorney's
11 office, you would have confirmed your conversation with Mr.
12 MacDonald in a correspondence to him, and if I can just put
13 to you Document Number 735768?

14 (SHORT PAUSE/COURTE PAUSE)

15 THE COMMISSIONER: Exhibit 1689 is a letter
16 to Murray MacDonald dated February 12th, 2003 from Jeff
17 Carroll.

18 --- EXHIBIT NO./PIÈCE NO. P-1689:

19 (735768) - Letter from Jeffrey Carroll to
20 Murray MacDonald dated February 12, 2003

21 MR. DUMAIS: So, Sergeant, is that the
22 letter that you would have sent to Mr. MacDonald?

23 MR. CARROLL: That's correct.

24 MR. DUMAIS: And this then terminated your
25 involvement in this investigation; right?

1 **MR. CARROLL:** Yes, it did.

2 **MR. DUMAIS:** All right. Now, these are the
3 questions I had for you on this investigation, Sergeant.

4 If we can simply move on now to another
5 investigation that you were involved with in August of
6 2000.

7 So I understand -- and that investigation is
8 the allegations that would have been made by a lady by the
9 name of Shelley Price. Do you recall that investigation,
10 Sergeant?

11 **MR. CARROLL:** Yes, I do.

12 **MR. DUMAIS:** And my understanding is that
13 sometime in August or around that period of time of 2000,
14 you would have received a copy of a statement from Ms.
15 Shelley Price from Dick Nadeau. Is that correct?

16 **MR. CARROLL:** A whole collection of writings
17 came into the police department.

18 **THE COMMISSIONER:** I'm sorry, what date is
19 that about?

20 **MR. DUMAIS:** I understand it would be
21 shortly before August 4th of 2000. I don't have an exact
22 date.

23 **THE COMMISSIONER:** Thank you, no, that's
24 fair enough.

25 **MR. DUMAIS:** And how were arrangements made

1 between you and Mr. Nadeau to have this material delivered
2 to you, do you recall?

3 **MR. CARROLL:** I don't really recall. At
4 that point-in-time I had a fairly good rapport with Mr.
5 Nadeau. He may have come in to see me personally and
6 dropped it off to me. I'm sorry, I don't recall.

7 **MR. DUMAIS:** All right.

8 And my understanding is that you would have
9 turned this over to your immediate supervisor, which would
10 have been Staff Sergeant Derochie. Is that correct?

11 **MR. CARROLL:** Well, Staff Sergeant Derochie
12 wasn't my immediate supervisor at the time, I don't
13 believe. However, it did end up in his hands as he was the
14 Professional Standards Officer.

15 **MR. DUMAIS:** What was his position?

16 **MR. CARROLL:** He was the officer in charge
17 of the Professional Standards Branch.

18 **MR. DUMAIS:** All right.

19 And my understanding that the only reason
20 why you would have received this statement initially was
21 because of your relationship with Dick Nadeau. Is that
22 fair?

23 **MR. CARROLL:** That's probably fair.

24 **MR. DUMAIS:** He was comfortable with you and
25 he would from time-to-time either refer people to you or

1 statements?

2 MR. CARROLL: There were occasions where
3 Dick Nadeau would either come in to see me directly or
4 would bring people to see me directly and that happened on
5 more than one occasion.

6 MR. DUMAIS: Because in August of 2000 you
7 were assigned to the SACA Unit. Is that correct?

8 MR. CARROLL: I don't believe I was in the
9 SACA Unit at that time. I don't think that happened until
10 the fall of 2000. I was part of the Criminal Investigation
11 Division ---

12 MR. DUMAIS: All right.

13 MR. CARROLL: --- at that time.

14 MR. DUMAIS: So you were then just in CID
15 conducting ---

16 MR. CARROLL: General investigations.

17 MR. DUMAIS: --- general investigations.
18 All right. Fair enough.

19 My understanding then is that Sergeant
20 Derochie would have approached you and assigned you the
21 Shelley Price investigation. Is that correct?

22 MR. CARROLL: That's correct.

23 MR. DUMAIS: All right.

24 And my understanding is that this -- the
25 initial -- the original statement or the statement that you

1 had received from Mr. Nadeau was delivered over to Staff
2 Sergeant Derochie because it involved allegations with
3 respect to some members of the Cornwall Police Services.
4 Is that correct?

5 MR. CARROLL: Those were some retired
6 members of the Service.

7 MR. DUMAIS: All right.

8 And my understanding is that you were asked
9 -- or I'm not sure if you were assigned or transferred, and
10 perhaps you can answer that firstly, to the Professional
11 Standards Bureau. Is that correct?

12 MR. CARROLL: I wasn't physically moved to
13 the Professional Standards Bureau. I remained where I was
14 working at the CIB for that time, but for the purposes of
15 that investigation and all of the work that was being done
16 under the umbrella of that investigation, that would be
17 supervised and directed by Staff Sergeant Derochie in
18 Professional Standards.

19 MR. DUMAIS: So for that short period of
20 time you're doing that exclusively; is that correct, this
21 investigation?

22 MR. CARROLL: I don't know if it was
23 exclusively, but that occupied a great deal of my time.

24 MR. DUMAIS: Right.

25 And my understanding, sir, is that in this

1 investigation you would have prepared a chronology of
2 events. Is that correct?

3 MR. CARROLL: That's correct.

4 MR. DUMAIS: And if I can just take you to
5 Exhibit 1343, sir?

6 THE COMMISSIONER: I don't think you have
7 it.

8 (SHORT PAUSE/COURTE PAUSE)

9 MR. CARROLL: I see that, yes.

10 MR. DUMAIS: And am I correct in assuming
11 that you prepared this chronology, Sergeant?

12 MR. CARROLL: Yes, I did.

13 MR. DUMAIS: All right.

14 And I understand that there are a number of
15 events that occurred prior to your involvement, so there
16 would have been an ongoing file on this. Is that correct?

17 MR. CARROLL: That's correct.

18 MR. DUMAIS: And I believe that you first
19 became involved -- and we can find the entry at Bates page
20 311 -- when the investigation is assigned to you by Staff
21 Sergeant Derochie; correct?

22 MR. CARROLL: That's correct.

23 MR. DUMAIS: So I understand that the first
24 step you took in this investigation was to attempt to
25 communicate with the complainant. Is that correct?

1 **MR. CARROLL:** Yes, sir.

2 **MR. DUMAIS:** And I see an entry there on the
3 same day, so the 4th day of August 2000, where you would
4 have attempted to communicate with David Price. Is that
5 correct?

6 **MR. CARROLL:** Yes.

7 **MR. DUMAIS:** And who was David Price,
8 Sergeant?

9 **MR. CARROLL:** David Price would be Shelley
10 Price's husband.

11 **MR. DUMAIS:** And my understanding is that
12 they were not, at the time, residing -- neither Shelley or
13 David or their family were not residing in Cornwall, but
14 rather they were in British Columbia. Is that correct?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** And I'm going to talk to you,
17 Sergeant, about your conversation, and just so that you're
18 aware, there's a name indicating the second paragraph,
19 which does have a moniker and I believe it is C-20, Mr.
20 Commissioner.

21 **THE COMMISSIONER:** Yes.

22 **MR. DUMAIS:** Perhaps if ---

23 **MR. CARROLL:** Okay.

24 **MR. DUMAIS:** So, Sergeant, the publication
25 ban has been ordered on some names and we refer to them as

1 monikers, so this being one of them.

2 MR. CARROLL: Okay. Thank you.

3 MR. DUMAIS: All right.

4 So my understanding is you had a
5 conversation with Mr. Price with regards to Mr. Nadeau's
6 involvement and that of C-20's involvement. Is that
7 correct?

8 MR. CARROLL: That's correct.

9 MR. DUMAIS: All right.

10 Can you recall what that conversation was?

11 MR. CARROLL: The conversation centred
12 around some knowledge that C-20 had with respect to the
13 involvement that a Mr. -- and I think the moniker only
14 applies to the C-20 name?

15 MR. DUMAIS: That's correct, Sergeant.

16 MR. CARROLL: I just want to be careful that
17 I don't blurt something out, but it involved knowledge of
18 Bob MacDonald, who was Shelley Price's father, having some
19 involvement with his children in the past.

20 MR. DUMAIS: And he was a potential witness;
21 is that correct?

22 MR. CARROLL: Potentially, yes.

23 MR. DUMAIS: All right.

24 And my understanding is that initially you
25 were trying to make arrangements to meet with the Prices to

1 go over their allegations. Is that correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: And you had received
4 authorization, I take it, to travel to British Columbia and
5 conduct these interviews. Is that correct?

6 MR. CARROLL: Yes, sir.

7 MR. DUMAIS: And I understand that a
8 tentative date had been set for October 15th and 16th of that
9 year. Is that correct?

10 MR. CARROLL: That's correct.

11 MR. DUMAIS: And you would have advised them
12 by leaving a message on their answering machine?

13 MR. CARROLL: Yes, sir.

14 MR. DUMAIS: But was -- but you were advised
15 shortly thereafter that they were cancelling the meeting.
16 Is that correct?

17 MR. CARROLL: Yes, sir.

18 MR. DUMAIS: All right.

19 And I believe they left it at they would
20 contact you once again to set up a different interview
21 time. Is that correct?

22 MR. CARROLL: Yes, sir.

23 MR. DUMAIS: And my understanding is that
24 your -- in your investigation you had the occasion to
25 interview other siblings. Is that correct?

1 **MR. CARROLL:** I conducted one interview with
2 Shelley Price's sister, a lady by the name of Cindy Larose.

3 **MR. DUMAIS:** Correct.

4 And I understand that this interview would
5 have been conducted on the 21st day of September 2000? I'm
6 looking at Bates page 314, your chronology.

7 **MR. CARROLL:** Yes, sir.

8 **MR. DUMAIS:** And essentially that Ms. Larose
9 denied her sister's allegations; is that correct?

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

11 **MR. DUMAIS:** And my understanding is that
12 you also spoke to another sibling out of British Columbia
13 on September 22nd of that year. Is that correct?

14 **MR. CARROLL:** That's correct. That would
15 have been a lady by the name of Sharon Day.

16 **MR. DUMAIS:** And she described an incident
17 to you which would have involved her father. Is that
18 correct?

19 **MR. CARROLL:** That's correct.

20 **MR. DUMAIS:** And that although she would not
21 corroborate her sister's allegations, certainly she did
22 disclose an occurrence that had occurred or happened to
23 her. Is that correct?

24 **MR. CARROLL:** Yes, she did.

25 **MR. DUMAIS:** And she did indicate that she

1 had been a victim of sexual abuse. Is that correct?

2 MR. CARROLL: She indicated something had
3 taken place between her and her father.

4 MR. DUMAIS: All right.

5 MR. CARROLL: And that that matter was dealt
6 with within their church and she had no interest in
7 pursuing it at all.

8 MR. DUMAIS: All right.

9 But certainly she had indicated to you that
10 she was a willing participant in this investigation and she
11 was prepared to provide you with a statement?

12 MR. CARROLL: Yes, she did.

13 MR. DUMAIS: And my understanding is that
14 you made a further attempt to set up an interview with the
15 Prices by sending a registered letter shortly after?

16 MR. CARROLL: Yes, sir.

17 MR. DUMAIS: And that would have been on the
18 26th day of September, 2000?

19 MR. CARROLL: Yes, sir.

20 MR. DUMAIS: And my understanding is that
21 the next contact that you had with the Prices would have
22 been on the -- that's the same day, so the 26th day of
23 September, and they would have indicated that they had no
24 faith in the Cornwall Police Services. Is that correct?

25 MR. CARROLL: Yes, sir.

1 **MR. DUMAIS:** And no faith in you since you
2 were a Cornwall Community Police Service officer?

3 **MR. CARROLL:** That's correct.

4 **MR. DUMAIS:** All right.

5 And that you were advised at this point-in-
6 time that you were not -- they were not -- or Shelley was
7 not prepared to make any statement?

8 **MR. CARROLL:** That's right.

9 **MR. DUMAIS:** And was there any discussion
10 with them to involve another police force to take the
11 statement from her?

12 **MR. CARROLL:** At one point-in-time we
13 indicated that we could arrange for the RCMP to take a
14 quick statement from them if they want. I believe there
15 was a written statement taken by an officer in British
16 Columbia.

17 The statement did not assist in any way in
18 helping to clarify the rather large number of writings that
19 Shelley had submitted as her statement and it wasn't enough
20 to begin any investigation.

21 **MR. DUMAIS:** All right. In your mind,
22 there's a need for someone else to meet with her ---

23 **MR. CARROLL:** There's a need for ---

24 **MR. DUMAIS:** --- and clarify some of the
25 allegations?

1 **MR. CARROLL:** Yes, there was a need for a
2 face-to-face interview so that a) Shelley could identify
3 these writings as her statements and at least to begin to
4 talk about a specific time when something specifically
5 happened to her.

6 **MR. DUMAIS:** All right.

7 Is it fair to say that it certainly appeared
8 that they did not want to give a statement to you since you
9 were a member of the Cornwall Community Police Service
10 force?

11 **MR. CARROLL:** I think that's fair, yes.

12 **MR. DUMAIS:** All right.

13 And essentially after this last conversation
14 you had no further dealings with this matter; correct?

15 **MR. CARROLL:** I sent them a letter. I think
16 that was my final communication with them. It was a
17 registered letter advising them that we remain open and
18 wishing to proceed with any investigation and to simply let
19 us know when they want to proceed.

20 **MR. DUMAIS:** All right. So you're just
21 involved a short period of time and that's the extent of
22 your involvement in this investigation?

23 **MR. CARROLL:** That's it.

24 **MR. DUMAIS:** Thank you, Sergeant.

25 Commissioner, perhaps -- I'm just about to

1 move on to another investigation.

2 **THE COMMISSIONER:** How about after lunch?

3 **MR. DUMAIS:** That's perfect.

4 **THE COMMISSIONER:** Thank you.

5 **MR. DUMAIS:** Thank you.

6 **THE COMMISSIONER:** See you at 2:00.

7 **THE REGISTRAR:** Order; all rise. A l'ordre;
8 veuillez vous lever.

9 This hearing will resume at 2:00 p.m.

10 --- Upon recessing at 12:37 p.m./

11 L'audience est suspendue à 12h37

12 --- Upon resuming at 2:06 p.m./

13 L'audience est reprise à 14h06

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

16 This hearing is now resumed. Please be
17 seated. Veuillez vous asseoir.

18 **THE COMMISSIONER:** Thank you.

19 **MR. DUMAIS:** Mr. Commissioner, if we can
20 start by -- there was a number of videotapes I indicated
21 that we should be filing ---

22 **THE COMMISSIONER:** Yes.

23 **MR. DUMAIS:** --- as principal exhibits this
24 morning. I now have the doc numbers. Actually, I had them
25 this morning. I just failed to mention them on the record.

1 So the first one is the videotaped interview
2 of Jules Tyo dated April 12th, 2002.

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

4 **MR. DUMAIS:** Which would be Exhibit 1682,
5 and the Doc Number is 735787.

6 **--- EXHIBIT NO./PIÈCE NO. P-1682A:**

7 (735787) Videotaped Interview of Jules Tyo
8 with CPS dated April 12, 2002

9 **MR. DUMAIS:** The second one is the videotape
10 interview of Joan Latour Dingwall dated May 9th, 2002, and
11 that is Exhibit 1684, Doc Number 735790.

12 **--- EXHIBIT NO./PIÈCE NO. P-1684A:**

13 (735790) Videotaped Interview of Joan Latour
14 Dingwall with CPS dated May 9, 2002

15 **MR. DUMAIS:** And the third one is the
16 videotape interview of Gilf Greggain dated September 8,
17 2002, Exhibit 1686, Document Number 735786.

18 **--- EXHIBIT NO./PIÈCE NO. P-1686A:**

19 (735786) Videotaped Interview of Gilf
20 Greggain with CPS dated September 8, 2002

21 **JEFF CARROLL, Resumed/Sous le même serment:**

22 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
23 **DUMAIS (cont'd/suite):**

24 **MR. DUMAIS:** Good afternoon, Sergeant.
25 I want to look at now the investigation you

1 conducted following an allegation that was made by Mr.
2 Albert Lalonde.

3 And I understand that once again this is a -
4 - that came to your attention by a referral made by a
5 gentleman by the name of Mr. Dick Nadeau. Is that correct?

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

7 **MR. DUMAIS:** And I understand, sir, that you
8 would have received a call on or about May 16th, 2002?

9 **MR. CARROLL:** That's correct as well.

10 **MR. DUMAIS:** And just to assist you, if I
11 can take you to Document 735728?

12 **THE COMMISSIONER:** Thank you.

13 Exhibit Number 1690 is an Investigation
14 Chronology and the first date on it is May 16th, 2002.

15 **--- EXHIBIT NO./PIÈCE NO. P-1690:**

16 (735728) Investigation Chronology No.
17 CW02001929

18 **MR. CARROLL:** That's it. I have it.

19 **MR. DUMAIS:** That's the chronology you
20 prepared in this investigation?

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

22 **MR. DUMAIS:** All right.

23 So the start date -- and, I mean,
24 essentially this chronology is based on your notes. Is
25 that fair?

1 **MR. CARROLL:** This basically mirrors my
2 notes. I was running this document at the same time just
3 to help me keep track of this case.

4 **MR. DUMAIS:** All right.

5 So I understand you get a call from Mr.
6 Nadeau. And what does he tell you?

7 **MR. CARROLL:** Mr. Nadeau calls me and tells
8 me that he's received a new complaint against Father
9 Charlie. This was the morning following the stay of
10 proceedings that was announced regarding a previous court
11 case involving Father Charlie, one of which was an OPP
12 matter. I knew very little about this case other than the
13 fact that it was a stay of proceedings announced. Mr.
14 Nadeau calls me the very next morning and tells me he has a
15 new complaint.

16 **MR. DUMAIS:** All right. And my
17 understanding is your -- you indicated to him at this time
18 -- he wanted to know whether or not Cornwall Police would
19 investigate this matter. Is that correct?

20 **MR. CARROLL:** That's correct.

21 **MR. DUMAIS:** All right. And he -- and
22 certainly you would have advised him then that you may need
23 to consult with your supervisors but certainly if the
24 occurrence happened within the jurisdiction of Cornwall
25 Police Services territory, you would investigate. Is that

1 correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: And one of the things that you
4 ascertained from him would be that the location of the
5 occurrence would have been at St. Columban's; is that
6 correct?

7 MR. CARROLL: That's correct.

8 MR. DUMAIS: And effectively that would be
9 within your jurisdiction; correct?

10 MR. CARROLL: Yes, it would be.

11 MR. DUMAIS: All right. So my understanding
12 then is you had a meeting with Staff Sergeant Derochie and
13 it's indicated in the presence of the D/C. I'm assuming
14 it's Deputy Chief Joe St. Denis; is that correct?

15 MR. CARROLL: No, that -- on that date, it
16 would be Deputy Chief Ron Lafferty.

17 MR. DUMAIS: All right. Sorry. Thank you.

18 And so you had some sort of a discussion as
19 to whether or not Cornwall Police Services would take on
20 this case; is that correct?

21 MR. CARROLL: That's correct.

22 MR. DUMAIS: And I take it that first and
23 foremost in your mind is one that the other cases regarding
24 Father Charlie had just terminated; is that correct?

25 MR. CARROLL: That's correct.

1 **MR. DUMAIS:** And they were investigated by
2 the Ontario Provincial Police; correct?

3 **MR. CARROLL:** That's right.

4 **MR. DUMAIS:** And the initial complaint in
5 this case had been made by a gentleman by the name of David
6 Silmser; correct?

7 **MR. CARROLL:** I believe so. I know nothing
8 about that previous case. It was well before my time in
9 the Sexual Assault Branch.

10 **MR. DUMAIS:** All right. So you had not
11 heard anything about the ---

12 **MR. CARROLL:** No.

13 **MR. DUMAIS:** --- David Silmser complaint?

14 **MR. CARROLL:** No.

15 **MR. DUMAIS:** But as you're meeting with
16 Staff Sergeant Derochie, certainly he's aware of this
17 complaint.

18 **MR. CARROLL:** That's correct.

19 **MR. DUMAIS:** All right. And he's -- does he
20 mention anything that this initial complaint was one that
21 was investigated by Cornwall Police Services?

22 **MR. CARROLL:** His instructions to me were
23 that if this is alleged to have happened within the City of
24 Cornwall, we would be investigating.

25 **MR. DUMAIS:** All right. So are you saying

1 that during this meeting with the Deputy Chief and Staff
2 Sergeant Derochie, there isn't a discussion as to whether
3 or not your Service is in a conflict of interest and should
4 not be investigating this matter?

5 MR. CARROLL: No, there is no discussion
6 that I was part and parcel of involving the senior command
7 people.

8 MR. DUMAIS: Are you aware if any such
9 discussion occurred before you became involved?

10 MR. CARROLL: No, I'm not.

11 MR. DUMAIS: All right. But certainly at
12 this point in time and before you meet with Mr. Lalonde,
13 you are aware that Constable Sebalj would have investigated
14 the David Silmsler complaint?

15 MR. CARROLL: Yes, I am. How I'm aware of
16 that I'm not exactly sure if it was just talk around the
17 office or press reports or whatever. I do know that she
18 had had some involvement in it. Exactly what that is, I
19 don't know at this time.

20 MR. DUMAIS: But you're not -- you're not
21 contemplating at this point in time whether or not you're -
22 - not necessarily yourself but your Service is in a
23 conflict and whether or not you should investigate this
24 complaint?

25 MR. CARROLL: I'm not contemplating that,

1 no.

2 MR. DUMAIS: Pardon me?

3 MR. CARROLL: I'm not contemplating that,

4 no.

5 MR. DUMAIS: All right. You don't have that
6 concern?

7 MR. CARROLL: Not at all.

8 MR. DUMAIS: Is it fair to say that in your
9 mind the decision has been made by other people and your
10 instructions are simply to investigate this matter?

11 MR. CARROLL: That's all. Yes, that's my
12 understanding.

13 MR. DUMAIS: Am I correct?

14 MR. CARROLL: That's correct.

15 MR. DUMAIS: All right. And at any point in
16 time, Sergeant, do you check whether or not there is an
17 existing file at your office, an OMPPAC file?

18 MR. CARROLL: I can't recall if I did that
19 at that point in time.

20 MR. DUMAIS: All right. Because we know
21 from previous testimony that we've heard that there was an
22 OMPPAC file and it was converted to a project file at one
23 point in time. Do you recall ever seeing that file?

24 MR. CARROLL: No, at that point in time I
25 wouldn't have had access to the project files.

1 **MR. DUMAIS:** All right.

2 **MR. MANDERVILLE:** Mr. Commissioner, I think
3 Commission counsel should make it clear to the witness
4 they're talking about the Silmsers investigation and not a
5 prior Lalonde investigation.

6 **THE COMMISSIONER:** Right. Okay.

7 **MR. DUMAIS:** Fair enough. Of course, I was
8 talking about the complaint that had been made by David
9 Silmsers and investigated by Constable Sebalj.

10 So you never looked at the project files?

11 **MR. CARROLL:** No, I didn't.

12 **MR. DUMAIS:** All right. Were you aware at
13 that time that it existed?

14 **MR. CARROLL:** I'm not sure if I was. I do
15 know that I wouldn't have had access to those materials and
16 that was all part and parcel of something that took place
17 well before my time in this area.

18 **MR. DUMAIS:** But certainly it involved the
19 same alleged perpetrator?

20 **MR. CARROLL:** I don't know that other than
21 the fact that you're telling me that right now.

22 **MR. DUMAIS:** Are you saying, Sergeant, then
23 that you did not know that David Silmsers had made an
24 allegation against Father Charlie?

25 **MR. CARROLL:** Yes, in hindsight I do now.

1 At the time, I wasn't alive to that at all. I was simply
2 following the instructions to attempt to investigate the
3 information that I received on that day.

4 MR. DUMAIS: All right. You didn't put your
5 mind to it?

6 MR. CARROLL: No, I didn't pay any attention
7 to that at all.

8 THE COMMISSIONER: I'm sorry. You're saying
9 you didn't make a connection between the Charles
10 MacDonald's charges with Silmsen as a complainant?

11 MR. CARROLL: No, I didn't.

12 THE COMMISSIONER: Okay. But I guess maybe
13 -- at the beginning of your testimony this afternoon, you
14 said that the Lalonde matter came in the day after the
15 stay.

16 MR. CARROLL: Yes, it was the day after --
17 the day after a stay of proceedings that was announced.

18 THE COMMISSIONER: Yes.

19 MR. CARROLL: Exactly what that case was all
20 about, I really didn't have any idea. It had nothing to do
21 with anything that I was involved in and really it was of
22 no interest to me at all; period.

23 THE COMMISSIONER: Okay.

24 MR. DUMAIS: All right. So my understanding
25 is that shortly after -- well, at one point in time after

1 this meeting, you would have received a call from a
2 gentleman by the name of Albert Lalonde. Is that correct?

3 **MR. CARROLL:** That's correct.

4 **MR. DUMAIS:** And he would have advised you
5 that Mr. Nadeau told him that he should give you a call;
6 correct?

7 **MR. CARROLL:** That's right.

8 **MR. DUMAIS:** And I take it that arrangements
9 were made to meet with him; is that correct?

10 **MR. CARROLL:** That's right.

11 **MR. DUMAIS:** All right.

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **MR. DUMAIS:** And I understand that the
14 following day, you received a further telephone call from
15 Mr. Lalonde indicating that his brother wishes to meet with
16 you as well; is that correct?

17 **MR. CARROLL:** That's correct.

18 **MR. DUMAIS:** And my understanding is that
19 both individuals would have showed up at Headquarters; is
20 that correct?

21 **MR. CARROLL:** That's right.

22 **MR. DUMAIS:** And my understanding is that
23 you proceeded to interview Marc Lalonde; is that correct?

24 **MR. CARROLL:** I met with Marc Lalonde
25 downstairs and I explained to him what was going to take

1 place. I did explain to him as well that he couldn't
2 partake in the interview that I was going to conduct with
3 his brother.

4 MR. DUMAIS: All right. So was that his
5 wish that he wanted to be present?

6 MR. CARROLL: Initially I got the impression
7 that he did want to be with his brother while I interviewed
8 him. I cleared that up in our first meeting in our
9 reception area that no, he couldn't be present. He
10 couldn't partake in the interview.

11 MR. DUMAIS: All right. And this -- was
12 this just a meeting that you had with Marc Lalonde or did
13 you actually proceed to take a statement from him?

14 MR. CARROLL: I didn't take a statement from
15 him at this time.

16 MR. DUMAIS: So it's just a discussion or --
17 -

18 MR. CARROLL: Just a meeting in the front
19 lobby.

20 MR. DUMAIS: Now, I take it then that you
21 did proceed to take an interview from Mr. Albert Lalonde;
22 is that correct?

23 MR. CARROLL: Yes, sir.

24 MR. DUMAIS: And if I can just take you to
25 Document Number 735636?

1 **THE COMMISSIONER:** Okay. Exhibit Number
2 1691 is a witness statement of Albert Lalonde taken on the
3 17th of May, 2002.

4 **--- EXHIBIT NO./PIÈCE NO. P-1691:**

5 (735636) - Witness Statement of Albert Roy
6 dated 17 May 02

7 **MR. DUMAIS:** Now, is this the witness
8 statement that you've entered into in your OMPACC file?

9 **MR. CARROLL:** Yes, the first part of this
10 document is a summary, a point-form summary of the
11 interview that I enter into the OMPACC system shortly after
12 the interview just so that there was a record there.
13 Further into the document is the attached transcript of
14 that interview that would have been transcribed sometime
15 after.

16 **MR. DUMAIS:** So then the summary part of the
17 statement, just so that we're clear, Sergeant, so that
18 Bates pages 714 and 715 is the summary with the complete
19 statement starting at Bates pages 716, correct?

20 **MR. CARROLL:** That's right.

21 **MR. DUMAIS:** And my understanding is that
22 the beginning of the statement once you would have
23 administered an oath; is that correct?

24 **MR. CARROLL:** Once I administered, sorry, an
25 oath? Sorry, I didn't hear you.

1 **MR. DUMAIS:** An oath was administered?

2 **MR. CARROLL:** Yes.

3 **MR. DUMAIS:** All right.

4 And this statement was a videotaped
5 statement as well; is that correct?

6 **MR. CARROLL:** That's right.

7 **MR. DUMAIS:** So if we can just look at your
8 summary just for a second, essentially Mr. Lalonde would
9 have described three incidents to you; is that correct?

10 **MR. CARROLL:** That's right.

11 **MR. DUMAIS:** So there would be the first
12 incident which would be located at St. Columban's Church;
13 is that correct?

14 **MR. CARROLL:** Yes, you are.

15 **MR. DUMAIS:** And that would be within your
16 jurisdiction, I believe you've already indicated to us?

17 **MR. CARROLL:** That's right.

18 **MR. DUMAIS:** All right.

19 And then there's the second incident which
20 would have been located at Centennial Park off of the
21 Avonmore Road; is that correct?

22 **MR. CARROLL:** That's right.

23 **MR. DUMAIS:** And this is an incident which
24 would have been outside of your jurisdiction?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** And eventually this incident
2 was investigated by the OPP; is that correct?

3 **MR. CARROLL:** No, the middle incident or the
4 one that took place on the Avonmore Road, although it is
5 outside of the jurisdiction normally looked after by the
6 Cornwall Police Service, in an investigation where you have
7 a single complainant at more than one locations quite often
8 there is agreement between our Service and the OPP that one
9 service will conduct the investigation. Whether it is in
10 or outside of the city boundaries, either service will
11 decide to let the other proceed with the investigation.

12 **MR. DUMAIS:** All right.

13 And is this what occurred with Mr. Lalonde's
14 complaint?

15 **MR. CARROLL:** Yes, it was.

16 **MR. DUMAIS:** All right.

17 And I understand that there was some
18 involvement by officers from the OPP as well; is that
19 correct?

20 **MR. CARROLL:** I consulted with officers from
21 the OPP to look for some of the information that they had
22 with respect to this complaint, that they had done
23 investigations involving Mr. Lalonde in the past and we
24 agreed to share information that each respective agency
25 had.

1 **MR. DUMAIS:** All right.

2 But certainly in your mind, Sergeant, this
3 is your investigation, a Cornwall Police investigation, and
4 whether or not someone else is assisting you, you are in
5 charge or in control?

6 **MR. CARROLL:** Yes.

7 **MR. DUMAIS:** And then there is a third
8 incident which would have occurred after a wedding and
9 again this is an incident that would have been located at
10 St. Columban's Church; is that correct?

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

12 **MR. DUMAIS:** And my understanding is that
13 Mr. Lalonde would have told you that he would have given
14 previous statements regarding these allegations; is that
15 correct?

16 **MR. CARROLL:** He mentioned something that he
17 had talked to the OPP about this.

18 **MR. DUMAIS:** All right.

19 **MR. CARROLL:** At sometime prior to this.

20 **MR. DUMAIS:** And is he being specific? Does
21 he know when he gave a statement?

22 **MR. CARROLL:** I don't recall that he was.
23 He just knew that he had spoken to the OPP about this in
24 the past and I took that for what it was worth at the time.
25 Well, for what -- I took that at face value and knew that

1 if I had to follow it up at a later date I could.

2 MR. DUMAIS: And you inquired as to what was
3 the status of the investigation since the statement had
4 been made with the OPP?

5 MR. CARROLL: Yes, I believe in a meeting
6 that took place later on between Staff Sergeant Derochie
7 and myself and members of the OPP, that matter had been
8 investigated as far as they could and there was a
9 determination that I think I recall that charges couldn't
10 be laid in that matter or they weren't laying charges in
11 that matter.

12 MR. DUMAIS: But certainly that's
13 information that you are getting from the OPP; is that
14 right?

15 MR. CARROLL: That's right.

16 MR. DUMAIS: I mean what's Mr. Lalonde
17 telling you? Does he know what the status is or ---

18 MR. CARROLL: He's not exactly sure himself
19 what the status is and exactly what was done with it.

20 MR. DUMAIS: And you're not at this point
21 concerned that he is part of the charges that were just
22 stayed as part of the other investigation?

23 MR. CARROLL: No, that's not a concern of
24 mine.

25 MR. DUMAIS: All right.

1 Now, my understanding with respect to the
2 third incident is that Albert would have disclosed that it
3 would have occurred after a wedding; is that correct?

4 **MR. CARROLL:** That's correct.

5 **MR. DUMAIS:** And I'm just looking just for
6 ease of reference at Bates pages 720. You can refer to it
7 if you want. And he was indicating to you at that time
8 that it would have been following the wedding of a Mickey
9 Tessier; is that correct?

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

11 **MR. DUMAIS:** And his recollection was that
12 he would have been an altar boy at the wedding; is that
13 correct?

14 **MR. CARROLL:** Yes, sir, you are.

15 **MR. DUMAIS:** And he had previously spoken to
16 someone from the wedding party and had been able to
17 ascertain that the date of the wedding would have been on
18 October 2nd, 1974?

19 **MR. CARROLL:** Yes, I recall that.

20 **MR. DUMAIS:** And did you ask Albert whether
21 or not he had any other evidence with respect to that, this
22 wedding?

23 **MR. CARROLL:** I don't think I did.

24 **MR. DUMAIS:** And Albert essentially -- all
25 right. Albert essentially would have disclosed to you that

1 he would have been under the care of a number of different
2 doctors and psychiatrists over the years; is that correct?

3 MR. CARROLL: That's right.

4 MR. DUMAIS: And he did, as well, during
5 this interview disclose the names of some of these doctors,
6 one being his personal physician, Dr. Clement of St-
7 Isidore; is that correct?

8 MR. CARROLL: That's correct.

9 MR. DUMAIS: And he also mentioned the name
10 of a Dr. Richter who he identified as his psychiatrist; is
11 that correct?

12 MR. CARROLL: That's right.

13 MR. DUMAIS: All right. And he would have
14 also mentioned that he would have been under the care of a
15 Dr. Ahmed locally; is that correct?

16 MR. CARROLL: That's correct.

17 MR. DUMAIS: And do you recall whether or
18 not he would have disclosed to you that he may have been
19 under the care of a Dr. Nadler at any point in time?

20 MR. CARROLL: I remember Dr. Nadler's name
21 was provided by Albert this day.

22 MR. DUMAIS: All right. So you get this
23 statement down from Mr. Lalonde. What are your thoughts?
24 How are you going to proceed with this investigation?

25 MR. CARROLL: My initial plan at this time

1 was to obtain releases of information from Albert and
2 arrange to speak to his doctors about any discussions they
3 had with him concerning his report of being assaulted by
4 Father Charlie.

5 He did mention to me that he has discussed
6 this with his doctors and that I saw as important pieces of
7 corroboration and I was going to want to get a hold of
8 those doctors and their notes.

9 MR. DUMAIS: All right. So my understanding
10 is you obtain a release to speak and obtain the records for
11 Dr. Richter and Dr. Clement, but you did not for the other
12 two doctors. Is there a reason for that?

13 MR. CARROLL: At this point in time, I
14 focussed solely on Doctor Clement. I obtained the release
15 for him and Dr. Nadler. I don't ---

16 MR. DUMAIS: Dr. Richter?

17 MR. CARROLL: Dr. Richter, I'm sorry. I
18 don't recall, at this point in time, pursuing Dr. Nadler
19 and Dr. Ahmed.

20 MR. DUMAIS: All right. And is there any
21 reason for that?

22 MR. CARROLL: Not that I can think of right
23 now.

24 MR. DUMAIS: Okay. So my understanding is
25 that you would have been interested in seeing the previous

1 statements that Mr. Lalonde would have made to the OPP; is
2 that correct?

3 **MR. CARROLL:** That's correct.

4 **MR. DUMAIS:** All right. And if I can just
5 take you to Document number 701430.

6 **THE COMMISSIONER:** Merci. Exhibit 1692 is a
7 memo to Detective Constable Joe Dupuis from Jeff Carroll,
8 dated -- undated.

9 **--- EXHIBIT NO./PIÈCE NO P-1692:**

10 (701430) - Memo from Jeffrey Carroll to Cst.
11 Joe Dupuis date unknown

12 **MR. DUMAIS:** So that's the first question,
13 Sergeant Carroll. I take it that you would have sent this
14 request or this correspondence to Detective Constable Joe
15 Dupuis sometime after you met with Mr. Lalonde.

16 **MR. CARROLL:** Yes, that's correct.

17 **MR. DUMAIS:** And do you recall when that
18 would have been?

19 **MR. CARROLL:** I may have it listed in my
20 notes or in the chronology but for some reason, in
21 preparing this memo, I forgot to date it. It would have
22 been very closely following my meeting with Albert.

23 **MR. DUMAIS:** All right. I can take you --
24 or perhaps we should file your notes at this point,
25 Document number 735654.

1 **THE COMMISSIONER:** Exhibit 1693 are
2 Detective Sergeant Jeff Carroll's notes and they are C-
3 00126.

4 **--- EXHIBIT NO./PIÈCE NO P-1693:**

5 (735654) - Notes of Jeffrey Carroll dated 17
6 May 02 to 18 Jan 05

7 **MR. DUMAIS:** And I can just take you to
8 Bates page 809, Sergeant. So the entry is on May 23rd,
9 2002.

10 It appears to say at the top, and I'm just
11 paraphrasing, that you would have met Albert at
12 Headquarters and had three consents signed, one for the
13 school board, one for Dr. Clement and one for Dr. Richter.

14 A little further down at 13:45:

15 "Contact Joe Dupuis, Lancaster OPP;
16 advise of my investigation into
17 Albert's complaint. He is familiar;
18 will give me all the info."

19 So does it make any sense that you would
20 have sent that correspondence?

21 Mr. Manderville believes that these notes
22 may have been filed as a prior exhibit, Exhibit 842.

23 I seem to remember that excerpts may have
24 been filed. This document has 35 pages. Am I correct; 842
25 would have been just excerpts?

1 **THE COMMISSIONER:** We will continue on with
2 this exhibit. Thank you.

3 **MR. DUMAIS:** So if I can just then take you
4 back to May 23rd, Sergeant. So you would have spoken to
5 Detective Constable Joe Dupuis on that date and made him
6 aware of your investigation. Does it make sense that you
7 would have sent him the correspondence that we've just
8 looked at shortly afterwards?

9 **MR. CARROLL:** Yes, it would have been.

10 **MR. DUMAIS:** All right.

11 **MR. CARROLL:** It's a normal practice that if
12 you're asking another agency to share any information that
13 they have with you, that's quite often done between
14 investigators over the phone but it's followed up very
15 quickly in writing.

16 **MR. DUMAIS:** All right. So then if we look
17 at what you requested, so the first thing is a synopsis of
18 information for all counts of indecent assault on a male by
19 Raymond St. Jean. Victims are Albert Lalonde and his
20 brothers.

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

22 **MR. DUMAIS:** So what was the reason for
23 requesting that synopsis?

24 **MR. CARROLL:** I'm not exactly sure right now
25 looking back, but I was aware that Raymond St. Jean had

1 been charged and convicted with sexually assaulting Albert
2 and his brothers, and I wanted to look at that, along with
3 all of the materials on Father Charlie at the same time.

4 **MR. DUMAIS:** All right. Could it have been
5 that when Mr. Lalonde initially made the complaint at the
6 OPP, he had made two separate complaints; one involving
7 Father Charlie and one complaint involving Mr. St. Jean?

8 **MR. CARROLL:** It is entirely possible.

9 **MR. DUMAIS:** All right. So the second
10 request that you made is a copy of all statements and
11 interview material. I take it by that you mean all of the
12 officers' notes.

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

14 **MR. DUMAIS:** From previous contact that he
15 would have had with Project Truth; correct?

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

17 **MR. DUMAIS:** And the third request that you
18 made is -- would have been to set up a meeting; correct?

19 **MR. CARROLL:** Yes, sir.

20 **MR. DUMAIS:** All right. So essentially just
21 to have a discussion as to exactly what statement he had
22 made, what progress they had made with their investigation,
23 if any, and to advise them of what your intentions were?

24 **MR. CARROLL:** That's correct.

25 **MR. DUMAIS:** Is that fair?

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

2 **MR. DUMAIS:** And my understanding is that
3 you would have received a response, and if I can just take
4 you to Document Number 701431 -- Document Number 701431 ---

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **THE COMMISSIONER:** Exhibit 1694 is a letter
7 addressed to the Chief of Police -- well, actually,
8 Attention Jeff Carroll, dated May 30th, 2002 from Inspector
9 Hall.

10 **--- EXHIBIT NO./PIÈCE NO. P-1694:**

11 (701431) Letter from Pat Hall to Jeffrey
12 Carroll dated May 30, 2002

13 **MR. DUMAIS:** Now, this correspondence is
14 addressed to the Chief, but certainly it's to be brought to
15 your attention. Is this the response that you would have
16 received to your correspondence to the OPP?

17 **MR. CARROLL:** I believe it was.

18 **MR. DUMAIS:** Okay. All right.

19 So together with this correspondence there
20 would have been a number of enclosures, and they are
21 listed.

22 So the first one would have been a statement
23 that Mr. Lalonde would have given to Detective Constable
24 Hurtubise dated April 25th, 1995. Is that correct?

25 **MR. CARROLL:** That's right.

1 **MR. DUMAIS:** And the second one is a second
2 statement that would have been given to Detective Constable
3 Mike Fagan and Constable Bill Zebruck dated May 12th, 1995?

4 **MR. CARROLL:** That's correct.

5 **MR. DUMAIS:** And then you are advised in the
6 middle paragraph that both interview reports had been
7 provided to Crown Attorney Curt Flanagan and that the
8 matter had been investigated and no charge had been laid.
9 Is that correct?

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

11 **MR. DUMAIS:** And the third interview is a
12 statement that Mr. Lalonde would have given to Detective
13 Constable Don Genier dated December 16th, 1996 regarding
14 allegations on -- speaking to Marcel Lalonde. Is that
15 correct?

16 **MR. CARROLL:** That's correct.

17 **MR. DUMAIS:** All right.

18 And you did review this statement and, as a
19 matter of fact, Mr. Lalonde had no allegations against Mr.
20 Marcel Lalonde. Is that correct?

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

22 **MR. DUMAIS:** So this is a statement that was
23 essentially irrelevant to your investigation; correct?

24 **MR. CARROLL:** Yes, sir.

25 **MR. DUMAIS:** All right.

1 And the third statement that -- or the
2 fourth document that you would have obtained is an
3 interview statement of Albert Lalonde taken by Police
4 Constable Carole Pirnat and, again, which would have been
5 dated April 25th, 1995, so the same date as the initial
6 statement; right?

7 **MR. CARROLL:** That's correct, sir.

8 **MR. DUMAIS:** Okay. And this fourth
9 statement was a statement regarding allegations against
10 Raymond St. Jean. Is that correct?

11 **MR. CARROLL:** I believe so.

12 **MR. DUMAIS:** And my understanding is that
13 that statement was, in effect, irrelevant to your
14 investigation as well?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** All right.

17 Other than the fact that this statement had
18 been taken on the same day that the statement by Detective
19 Constable Hurtubise. Is that fair?

20 **MR. CARROLL:** That's right. That's fair,
21 sure.

22 **MR. DUMAIS:** Now, I'd like to bring to your
23 attention the last paragraph of that correspondence. I'll
24 just read it out for you:

25 "We request a copy of your recent

1 interview of Albert Lalonde due to the
2 fact that an allegation against Father
3 Charles MacDonald took place in the
4 Avenmore area. We intend to
5 investigate this matter."

6 So ---

7 **MR. CARROLL:** Whatever discussions that I
8 had at the beginning of this investigation with an idea
9 that our agency was going to conduct an investigation into
10 all three at the outset of this, by the time it had gone
11 through Detective Constable Dupuis and him reporting to his
12 superiors on exactly what appeared to be transpiring, the
13 instructions in this memo from Detective Inspector Hall
14 indicated that the Avenmore incident was going to be
15 investigated by the OPP and I was only going to focus on
16 the matters that happened within the city.

17 **MR. DUMAIS:** All right. And would you have
18 found this out through this letter from Detective Hall?

19 **MR. CARROLL:** I believe so.

20 **MR. DUMAIS:** And following the receipt of
21 this letter, did -- I take it your supervisor at that time
22 is Staff Sergeant Derochie. Am I correct?

23 **MR. CARROLL:** That's correct.

24 **MR. DUMAIS:** All right. So did you have any
25 discussion with Staff Sergeant Derochie?

1 **MR. CARROLL:** He may have seen this document
2 before I did. I don't recall. With this, I was quite
3 clear that the only matters that I was going to have to
4 focus on is what took place in the City of Cornwall.

5 **MR. DUMAIS:** All right.

6 And so -- I just want to make sure I
7 understand. So this is not a joint investigation at this
8 point?

9 **MR. CARROLL:** No.

10 **MR. DUMAIS:** So you are investigating the --
11 and you went through three separate incidents, the first
12 and the third incidents, and the second incident, the
13 Avenmore Centennial Park incident, is investigated by the
14 OPP; correct?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** Sergeant, I just want to make
17 sure that the record is clear. I'm just going to ask you
18 to look at Document Number 735660, if you can?

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

20 **THE COMMISSIONER:** Thank you.

21 So Exhibit 1695 is what, your notes, sir?
22 Are those your notes?

23 **MR. CARROLL:** Those are my notes.

24 **THE COMMISSIONER:** Okay.

25 **MR. CARROLL:** Those are rough notes that I

1 took when I first met Albert and his brother at police
2 headquarters.

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

4 **--- EXHIBIT NO./PIÈCE NO. P-1695:**

5 (735660) Handwritten notes of Jeffrey
6 Carroll re: Albert Lalonde

7 **MR. DUMAIS:** All right.

8 So my understanding is you would have met
9 with both Albert and Marc. You took down some notes. At
10 one point-in-time you conducted the interview of Albert
11 Lalonde and decided to start a dedicated notebook? Am I
12 correct about that?

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

14 **MR. DUMAIS:** All right.

15 So then the document that we've just -- that
16 had been -- we just have been previously -- sorry,
17 Commissioner, I missed the ---

18 **THE COMMISSIONER:** One-six-nine-five (1695).

19 **MR. DUMAIS:** Thank you.

20 So Exhibit 1695 is the actual dedicated
21 notes that you started with this investigation. Is that
22 correct?

23 **MR. CARROLL:** Well, these are the rough
24 notes that I started when I first met Albert and his
25 brother.

1 They were transcribed into the dedicated
2 notebook almost right after that I had approval to start
3 the dedicated notebook.

4 **MR. DUMAIS:** Now, the authorization for the
5 release of school records that Mr. Lalonde would have
6 signed on May 23rd, did you actually follow-up with that
7 request?

8 **MR. CARROLL:** I can't recall if I did right
9 now.

10 **MR. DUMAIS:** Now, at one point-in-time, did
11 you have the occasion to interview Dick Nadeau in this
12 investigation?

13 **MR. CARROLL:** Yes, I believe I did.

14 **MR. DUMAIS:** And what was the reason for
15 your interview, Sergeant?

16 **MR. CARROLL:** It was interesting to me that
17 this complaint came forward through Dick Nadeau. Following
18 my interview with Albert -- I believe it may have even been
19 the very next day, Mr. Nadeau called and wanted to know
20 what the progress in the investigation was, and I told Mr.
21 Nadeau that I couldn't discuss the matter with him but that
22 I would like to meet with him and discuss with him just
23 what knowledge he had on this matter. Mr. Nadeau agreed to
24 do that and ---

25 **MR. DUMAIS:** And I understand that this

1 interview with Dick Nadeau was videotaped. Is that
2 correct?

3 MR. CARROLL: Yes, it was.

4 MR. DUMAIS: And if I can just take you to
5 Exhibit 841, please.

6 THE COMMISSIONER: So had you known Mr.
7 Nadeau before?

8 MR. CARROLL: I had met him on a couple of
9 occasions.

10 THE COMMISSIONER: Social ones?

11 MR. CARROLL: No, not social ones.
12 Professionally, he had come forward to the police on a
13 variety of matters. I don't know how I developed some
14 degree of rapport with Mr. Nadeau, but anytime that he had
15 dealings with the Cornwall Police Service, for a while it
16 seemed he would ask for me.

17 THE COMMISSIONER: M'hm.

18 MR. CARROLL: I tried to take advantage of
19 that as much as I could.

20 THE COMMISSIONER: M'hm. Okay.

21 So we're at Exhibit 841.

22 MR. CARROLL: Okay, that's the statement.

23 MR. DUMAIS: So, Sergeant, you did not
24 believe prior to the taking of this statement that Mr.
25 Nadeau was a witness to any of the allegations. Is that

1 fair?

2 MR. CARROLL: No, I didn't.

3 MR. DUMAIS: So your concern was primarily
4 what type of relationship Mr. Nadeau would have had with
5 Albert Lalonde. Is that correct?

6 MR. CARROLL: That's correct.

7 MR. DUMAIS: All right.

8 And Mr. -- and what did he disclose to you,
9 Sergeant?

10 MR. CARROLL: I believe Mr. Nadeau described
11 to me how he received an email at some point-in-time from
12 Mr. Lalonde that outlined some involvement between him and
13 Father Charlie.

14 MR. DUMAIS: And you knew at that time,
15 Sergeant, that Dick Nadeau had a website. Is that correct?

16 MR. CARROLL: That's correct.

17 MR. DUMAIS: And had he indicated to you
18 that he had posted Mr. Lalonde's statement or version of
19 his statement on his website?

20 MR. CARROLL: I believe I was aware of that.

21 MR. DUMAIS: All right. Do you think you
22 were aware prior to speaking to Mr. Nadeau?

23 MR. CARROLL: I can't be sure. I think at
24 this time I was aware of the existence of this website. I
25 -- I think I might have looked at it at one point-in-time

1 just to see what it was all about, but I didn't peruse it
2 very often at all.

3 **MR. DUMAIS:** But certainly that was a
4 concern of yours?

5 **MR. CARROLL:** That was a concern of mine. I
6 was most concerned with what influence Dick Nadeau may have
7 had with respect to any statements that Albert was making
8 or had brought forward to anybody.

9 **MR. DUMAIS:** And I guess that's one aspect.
10 The other was your concern about any information being made
11 public on -- more specifically on the website?

12 **MR. CARROLL:** That's correct.

13 **MR. DUMAIS:** And I take it that you would
14 have given a stiff warning to Mr. Nadeau. Is that correct?

15 **MR. CARROLL:** I would have asked him to
16 please not release any details and please not deal with
17 this through the media.

18 **MR. DUMAIS:** All right.

19 **THE COMMISSIONER:** And his response?

20 **MR. CARROLL:** He agreed to do that.

21 **MR. DUMAIS:** And I understand that Mr.
22 Nadeau would have indicated to you that he had in his
23 possession some sort of a narrative and you requested for a
24 copy of that. Is that correct?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** And he agreed to provide you
2 with that as well. Is that correct?

3 **MR. CARROLL:** That's correct.

4 **MR. DUMAIS:** And one of the reasons for your
5 interview was to ask him whether or not he had exerted any
6 influence on Mr. Lalonde. Is that correct?

7 **MR. CARROLL:** That's right.

8 **MR. DUMAIS:** And is it fair to say that he
9 did not appear to have done so?

10 **MR. CARROLL:** That's right.

11 **MR. DUMAIS:** And at one point-in-time during
12 this interview, you mentioned the name of Carson Chisholm.
13 Is that correct?

14 **MR. CARROLL:** That's correct.

15 **MR. DUMAIS:** And were you inquiring as to
16 exactly what they are -- what had been Carson's involvement
17 either with Mr. Nadeau or with Mr. Lalonde?

18 **MR. CARROLL:** Yes, I was because at one
19 point-in-time there was media publication that Mr. Chisholm
20 was in possession of a statement relative to a new matter
21 involving Father Charlie and I simply wanted to know how
22 many statements there was, who had them, and who and under
23 what circumstances were they taken.

24 **MR. DUMAIS:** All right. And did Mr. Nadeau
25 describe what his relationship with Carson Chisholm was?

1 **MR. CARROLL:** I'm not sure to what extent.
2 He confirmed to me or made me satisfied that the two of
3 them knew each other. Exactly what type of a relationship
4 they had with respect to this matter, I was not quite clear
5 at the time and to this day, I still am not.

6 **MR. DUMAIS:** All right.
7 If I can just take you to Bates pages 770,
8 Sergeant, perhaps I can ---

9 **MR. CARROLL:** Seven-seven-zero (770)?

10 **MR. DUMAIS:** --- shed some light -- yes.

11 **MR. CARROLL:** Okay.

12 **MR. DUMAIS:** So about mid-page -- so the
13 question is asked by yourself -- by you is:

14 "But you guys definitely talked before
15 I interviewed Albert or before last
16 Friday?"

17 Answer:

18 "Yeah, I just told him that Albert has
19 decided to come forward, that's
20 basically all and Carson was happy
21 about that. Carson and I don't run
22 close together, you know. We are sort
23 of at arm's-length from each other."

24 And your answer, "Okay."

25 And then:

1 "We never developed a relation. He has
2 his own agenda, you know."

3 Do you recall him telling you that?

4 **MR. CARROLL:** Yes, I -- yes, I recall that.

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **MR. DUMAIS:** And I take it following
7 Detective Hall's request to receive a copy of your
8 statement from Mr. Lalonde, that you did forward a copy of
9 the tape to their office. Is that correct?

10 **MR. CARROLL:** Yes, I did.

11 **MR. DUMAIS:** All right.

12 And in the initial stages of the
13 investigation, Sergeant, is there any discussion back-and-
14 forth between you and the OPP or is that -- are you both
15 doing your own thing?

16 **MR. CARROLL:** We're pretty well both doing
17 our own thing. I know the officers fairly well. There was
18 one occasion, maybe more, that I dropped out to the
19 Lancaster Detachment and I discussed with them just where
20 we both were and exactly what we were doing.

21 **MR. DUMAIS:** All right.

22 Now, my understanding is you would have then
23 looked at the different statements that Albert would have
24 given. Is that correct?

25 **MR. CARROLL:** Yes, I did.

1 **MR. DUMAIS:** And if I can take you then to
2 the first statement, the one dated April 25th, 1993 --
3 sorry, 1995?

4 **THE COMMISSIONER:** So would you like to do
5 that now or after the break?

6 **MR. DUMAIS:** After the break, of course.

7 **(LAUGHTER/RIRES)**

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

10 The hearing will resume at 3:15.

11 --- Upon recessing at 3:02 p.m. /

12 L'audience est suspendue à 15h02

13 --- Upon resuming at 3:25 p.m. /

14 L'audience est reprise à 15h25

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

17 This hearing is now resumed. Please be
18 seated. Veuillez vous asseoir.

19 **MR. DUMAIS:** I'm not sure if I had filed the
20 document before the break, Commissioner. It is Document
21 Number 710937.

22 **THE COMMISSIONER:** Maybe on my way out you
23 did. I don't think so.

24 **MR. DUMAIS:** Seven-one-zero-nine-three-seven
25 (710937). I don't think I filed it.

1 (SHORT PAUSE/COURTE PAUSE)

2 THE COMMISSIONER: Merci.

3 Exhibit Number 1696 is a statement of Albert
4 Lalonde. The date of the interview is 25th of April, 1995.

5 --- EXHIBIT NO./PIÈCE NO. P-1696:

6 (710937) - Witness Statement of Albert
7 Lalonde dated April 25, 1995

8 JEFF CARROLL, Resumed/Sous le même serment:

9 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.
10 DUMAIS, (cont'd/suite):

11 MR. DUMAIS: Now, Sergeant, you will recall
12 -- you will recall from your statement taken from Albert
13 Lalonde that you had some discussion with him with respect
14 to the fact that he had made previous statements and that
15 he wasn't sure as to what the status of the charges or
16 whether or not charges had been laid, and that he did
17 discuss with you the fact that he had been told or he was
18 under the belief that identification of the alleged
19 perpetrator was an issue in this case. Is that fair?

20 MR. CARROLL: That's correct.

21 MR. DUMAIS: All right. And I take it then
22 that in your investigation you would have reviewed the
23 previous statements given by Albert, the first one being
24 the one taken on April 25th, 1995?

25 MR. CARROLL: I'm not sure when I learned of

1 these statements and when I actually had them to review
2 but, yes, I did know that they existed.

3 **MR. DUMAIS:** All right.

4 Is it fair to say, Sergeant, that before you
5 made a decision to prepare the Crown brief or to meet up
6 with the Crown that you would have reviewed these
7 statements to find out what they contained?

8 **MR. CARROLL:** Yes.

9 **MR. DUMAIS:** All right.

10 And so the -- if we can look at the first
11 interview, the one dated April 25th, 1995, which is a
12 statement taken from Detective Constable N.A. Hurtubise.
13 So the typewritten version of the statement is just two
14 lines over six pages, a fairly short statement you'll agree
15 with me, Sergeant?

16 **MR. CARROLL:** Yes, it's not a long one.
17 Yes, it's fairly short.

18 **MR. DUMAIS:** I mean if you just compare it
19 to the statement that you would have taken from Albert
20 Lalonde.

21 **MR. CARROLL:** Comparatively, yes.

22 **MR. DUMAIS:** Yeah. And in this statement,
23 on the first page, Albert, as he's giving his statement,
24 identifies a number of other altar boys that he could
25 recall. Do you see that at the bottom of the page?

1 MR. CARROLL: Yes, I do.

2 MR. DUMAIS: Names a number of names there?

3 MR. CARROLL: Yes.

4 MR. DUMAIS: All right. So did you when --
5 once you reviewed this statement take any of these names up
6 with Albert to find out what the relevance of these names
7 were?

8 MR. CARROLL: No, I didn't take it.

9 MR. DUMAIS: All right. And certainly, you
10 did not either attempt to contact any of these altar boys?

11 MR. CARROLL: I didn't follow-up any of the
12 items from this statement.

13 MR. DUMAIS: All right.

14 So your concern, Sergeant, was principally
15 just to find out what Albert had previously said in the
16 statement and how that compared with your statement?

17 MR. CARROLL: That's right.

18 MR. DUMAIS: All right.

19 Now, on the second page of the statement,
20 that's Bates page 448 and I'll just -- it's about a little
21 higher than mid-page and I'll read it in for you. He
22 states:

23 "It was after I would think about him
24 but for no reason. It wasn't till a
25 year ago when he had first heard about

1 these allegations against Father
2 Charles that the day I heard it I got
3 very angry and I phoned the police in
4 Cornwall and I just told them that he
5 didn't do it and anybody that would
6 talk about it would say it's
7 impossible."

8 So that's something that he would have told
9 you in his statement as well. Is that correct? The fact
10 that he had called Cornwall Police Services?

11 **MR. CARROLL:** Yes, he told me that as well.

12 **MR. DUMAIS:** All right. Did you follow that
13 up at all whether or not there's an actual recording of him
14 calling at the station?

15 **MR. CARROLL:** I didn't follow that up and
16 all calls coming in are recorded, but we wouldn't have a
17 recording that goes back further than 30 days unless that
18 particular recording was seized for some reason.

19 **MR. DUMAIS:** All right. So by that time,
20 any record of that call would no longer be in existence.
21 Is that correct?

22 **MR. CARROLL:** That's right.

23 **MR. DUMAIS:** And he does as well disclose,
24 towards the bottom of this page, how he remembered these
25 allegations, and I'll just read it out to you.

1 It's about the seventh or eighth last lines:
2 "I was sitting watching TV and this is
3 when they announced on the TV that this
4 altar boy made these allegations, I
5 assume for \$2 million dollars, and it
6 was that instant when I had the first
7 flashback of the priest, Father
8 Charles, trying..."

9 And then he goes into some of the
10 allegations.

11 So certainly it appears from this statement
12 that he initially would not have any memory of the incident
13 and it would have come back to him as a flashback. Is that
14 correct?

15 **MR. CARROLL:** According to what he says,
16 yes.

17 **MR. DUMAIS:** All right. And when you're
18 meeting with him in 2002 -- correct?

19 **MR. CARROLL:** That's right.

20 **MR. DUMAIS:** He's still saying the same
21 thing, right, that initially he had no memory of this and
22 he essentially watching the news that it came back to him.
23 Is that correct?

24 **MR. CARROLL:** That's right.

25 **MR. DUMAIS:** And as you're reviewing this

1 statement, Sergeant, do you have any concerns with your
2 investigation?

3 MR. CARROLL: I don't understand what you
4 mean by that.

5 MR. DUMAIS: Is the allegation that Mr.
6 Lalonde made to you in 2002 and the investigation of that
7 allegation causing you some concerns? Does this statement
8 cause you concerns in your investigation?

9 MR. CARROLL: I'm considering it as far as
10 what impact it has for me to develop grounds to believe an
11 offence was committed on the basis of someone's flashbacks
12 that come to him in the course of watching news coverage of
13 an event on T.V.

14 MR. DUMAIS: All right. So you're concerned
15 about the impacts. Is that ---

16 MR. CARROLL: Yes.

17 MR. DUMAIS: All right.

18 Now, there is a second statement which you
19 would have reviewed and that's the statement of May 12th,
20 1995, and that's Document Number 710936.

21 THE COMMISSIONER: Merci.

22 Exhibit Number 1691 is a statement of Albert
23 Lalonde taken on the 12th day of May 1995; 1697. What did I
24 say? Oh, 1697. Thank you.

25 --- EXHIBIT NO./PIÈCE No. P-1697:

1 (710936) - Witness Statement of Albert
2 Lalonde dated May 12, 1995

3 **MR. DUMAIS:** You also reviewed the
4 statement, Sergeant?

5 **MR. CARROLL:** I think it was one of the
6 statements that was provided to me by the OPP when I asked
7 them for their past information.

8 **MR. DUMAIS:** And you would have reviewed the
9 statement in the course of your investigation in 2002?

10 **MR. CARROLL:** I believe I had an opportunity
11 to read it over, yes.

12 **MR. DUMAIS:** All right. And, again, this
13 statement -- again, and I'm just looking at the third
14 paragraph, goes to his recovered memory of the allegation.
15 Is that correct?

16 **MR. CARROLL:** Yes, that's ---

17 **MR. DUMAIS:** And, as well -- and I'm looking
18 at the third page -- would disclose, when he is asked who
19 you would have told about this, the names of Dr. Richter,
20 Dr. Clermont, which I believe is Dr. Clement, and his wife
21 Judy. Is that correct?

22 **MR. CARROLL:** That's correct.

23 **MR. DUMAIS:** And I understand that you made
24 arrangements to interview Dr. Clement. Is that correct?

25 **MR. CARROLL:** Yes, sir, I did.

1 **MR. DUMAIS:** And I understand that you did
2 not interview Dr. Richter. Is that correct?

3 **MR. CARROLL:** No. When I was having my
4 initial discussions with Constable Dupuis from Lancaster
5 OPP, we agreed that I would take care of interviewing Dr.
6 Clement, he would interview Dr. Richter and we would
7 exchange information.

8 **MR. DUMAIS:** All right. And is that what
9 happened?

10 **MR. CARROLL:** Yes, it is.

11 **MR. DUMAIS:** All right. And he also
12 indicates in there that he would have told his wife, Judy.
13 Were you able to ascertain whether or not ---

14 **MR. CARROLL:** I believe the OPP officers
15 interviewed Judy. I did not.

16 **MR. DUMAIS:** They would have interviewed her
17 in 2002 or at the time?

18 **MR. CARROLL:** I'm not exactly sure.

19 **MR. DUMAIS:** All right. And you were not
20 provided with a copy of that statement?

21 **MR. CARROLL:** I don't think I was but I
22 didn't interview Judy. I focussed on dealing with Dr.
23 Clement.

24 **MR. DUMAIS:** All right. But fair to say you
25 didn't request the statement either?

1 MR. CARROLL: No.

2 MR. DUMAIS: Now, there's a third statement
3 as well which is Document Number 710935.

4 THE COMMISSIONER: Thank you.

5 Exhibit 1698 is an interview report of
6 Albert Lalonde. Date of interview, the 16th of December
7 1996.

8 --- EXHIBIT NO./PIÈCE NO. P-1698:

9 (710935) - Interview Report of Albert
10 Lalonde with OPP D.C. Genier dated December
11 16, 1996

12 MR. DUMAIS: So this is a statement that
13 would have been taken by Detective Constable Genier and
14 that's the statement with respect to an investigation
15 involving Mr. Marcel Lalonde.

16 Do you recall whether or not you reviewed
17 this statement, Sergeant, during your investigation?

18 MR. CARROLL: Not specifically I don't.

19 MR. DUMAIS: All right. So you don't think
20 you did?

21 MR. CARROLL: I'm not sure whether ---

22 MR. DUMAIS: Or you have no memory?

23 MR. CARROLL: I don't have any memory of the

24 ---

25 MR. DUMAIS: All right.

1 Now, my understanding is that you made
2 arrangements to meet with Dr. Clement. Is that correct?

3 **MR. CARROLL:** Yes, I did.

4 **MR. DUMAIS:** And my understanding is Dr.
5 Clement lived outside of Cornwall. Is that correct?

6 **MR. CARROLL:** He lived in the village of St-
7 Isidore. It's just northeast of Cornwall, about 40 minutes
8 away.

9 **MR. DUMAIS:** And did you agree to meet with
10 him at his office?

11 **MR. CARROLL:** Yes, I did.

12 **MR. DUMAIS:** All right. And did you travel
13 -- you travelled alone I take it, Sergeant?

14 **MR. CARROLL:** Yes, I did.

15 **MR. DUMAIS:** All right. And I understand as
16 following his interview, you prepared a witness statement
17 which you filed in the OMPPAC file?

18 **MR. CARROLL:** Yes, I did.

19 **MR. DUMAIS:** I believe the -- sorry. I
20 believe the statement is Document Number 735646.

21 **THE COMMISSIONER:** Merci.

22 Exhibit 1699 is the witness statement of Luc
23 Clement taken on the 25th of June, 2002.

24 --- **EXHIBIT NO./PIÈCE NO. P-1699:**

25 (735646) - Jeffrey Carroll - Witness

1 Statement of Luc Clement dated June 25, 2002

2 MR. DUMAIS: Now, does this summarize your -
3 - the statement you took from Dr. Clement?

4 MR. CARROLL: This should be based on my
5 notes of the interview and the meeting that Dr. Clement had
6 and I had with respect to Albert.

7 MR. DUMAIS: All right. So Dr. Clement did
8 not provide you a written statement. Is that ---

9 MR. CARROLL: No, he didn't.

10 MR. DUMAIS: All right. So you, as you're
11 interviewing him, you're taking down information in your
12 notes and then you prepare this synopsis let's say?

13 MR. CARROLL: That's correct.

14 MR. DUMAIS: That's fair. So my
15 understanding is that Dr. Clement was Mr. Lalonde's
16 personal physician. Is that correct?

17 MR. CARROLL: That's correct.

18 MR. DUMAIS: And you would have gone through
19 his medical history with him and he would disclose that Mr.
20 Lalonde had been a patient of his at least since 1991,
21 where he would have treated him for stress-related problems
22 and depression?

23 MR. CARROLL: That's right.

24 MR. DUMAIS: And I understand that following
25 that, Mr. Lalonde experienced other problems which led to a

1 referral to a psychiatrist, Dr. Ken Richter?

2 MR. CARROLL: Yes, sir.

3 MR. DUMAIS: And as far as Dr. Clement knew,
4 he was being treated for panic disorder and agoraphobia; is
5 that correct?

6 MR. CARROLL: That's correct.

7 MR. DUMAIS: And again, in 1993, Dr. Clement
8 was being treated for some sort of a sleep disorder which
9 he believed hid a depression. Is that correct?

10 MR. CARROLL: Yes, that is.

11 MR. DUMAIS: And I take it that the
12 principal reason why you would have met with Dr. Clement is
13 that Mr. Lalonde would have told you that he would have
14 disclosed his allegations of abuse at the hands of Father
15 MacDonald to his physician. Is that correct?

16 MR. CARROLL: That's correct.

17 MR. DUMAIS: And as Dr. Clement is answering
18 the questions, is he going through a medical file?

19 MR. CARROLL: Yes, he is. He's got Albert's
20 chart opened up, which was quite large, but he was
21 referring to it all the way through our discussion.

22 MR. DUMAIS: All right.

23 So he's reading and providing information
24 according to the records?

25 MR. CARROLL: That's correct.

1 **MR. DUMAIS:** Because you do not leave with a
2 copy of the file. Is that correct?

3 **MR. CARROLL:** No, I don't.

4 **MR. DUMAIS:** And is there any reason for
5 that?

6 **MR. CARROLL:** Dr. Clement expressed a
7 concern to me that the contents of that file have
8 information entered from so many different physicians and
9 practitioners that were dealing with Mr. Lalonde that he
10 didn't feel that Albert's consent for records from him
11 would necessarily include all of the other people who were
12 contributories to Mr. Lalonde's file at one point in time.

13 He was willing to discuss it with me because
14 it was in his possession, but as far as giving the work of
15 many other people away, he was very guarded and leery about
16 doing that at that time.

17 **MR. DUMAIS:** All right.

18 So he is essentially refusing to disclose it
19 to you?

20 **MR. CARROLL:** He's not refusing. He was
21 very cooperative with me, although he was somewhat guarded
22 in what he was prepared to say and give away. He was very
23 open about the contents of the file. He just felt that if
24 I was going to get consent to get all of the contents of
25 it, my consent should probably reach further out to a lot

1 of the other practitioners who were part and parcel of this
2 entire bunch of records.

3 **MR. DUMAIS:** All right.

4 But he's refusing to disclose a paper copy
5 of the file with the consent document you had in hand?

6 **MR. CARROLL:** I believe he didn't want to do
7 that at that time.

8 **MR. DUMAIS:** All right.

9 Now, I take it that Dr. Clement would have
10 disclosed to you that in 1993, Mr. Lalonde would have had a
11 vague recollection of being abused by a priest; is that
12 correct? I'm just looking at the bottom two bullets.

13 **MR. CARROLL:** In '93? Okay. Yes.

14 **MR. DUMAIS:** Is that correct?

15 **MR. CARROLL:** Yes.

16 **MR. DUMAIS:** All right.

17 But I take it you would have asked Dr.
18 Clement whether or not Mr. Lalonde had identified
19 specifically Father Charlie in making this disclosure; is
20 that correct?

21 **MR. CARROLL:** Yes, I did, and Dr. Clement
22 relayed to me that there was no identification made; there
23 was no names provided and that his memories were vague.

24 **MR. DUMAIS:** And the only thing that his
25 notes would disclose was that he had a vague recollection

1 about being abused by a priest. Is that fair?

2 MR. CARROLL: That's right.

3 MR. DUMAIS: And again, in 1993, he
4 discloses other disorders that Albert would have suffered;
5 i.e. the personality disorder; paranoia ---

6 MR. CARROLL: That's correct.

7 MR. DUMAIS: --- and some emotional problems
8 as well. Is that correct?

9 MR. CARROLL: That's correct.

10 MR. DUMAIS: All right.

11 And his record also disclosed that at one
12 point in time he was referred to both Dr. Nadler and Dr.
13 Ahmed. Is that correct?

14 MR. CARROLL: That's correct.

15 MR. DUMAIS: And you, I believe, already
16 indicated to us that you did not question these two
17 doctors; is that correct?

18 MR. CARROLL: No, I didn't.

19 MR. DUMAIS: Now, in April of 1995, Dr.
20 Clement also marked down in his notes or in Mr. Lalonde's
21 file that he would have reported that he -- let me just
22 read it so I get it correct. I'm looking at about the
23 fifth bullet on the last page of your synopsis:

24 "In April of 1995, Dr. Clement
25 requested further psychiatric follow-up

1 with Lalonde by Dr. Richter and Dr.
2 Richter reported isolated mentioning
3 that a priest may be responsible but
4 this person was never identified."

5 Is that correct?

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

7 **MR. DUMAIS:** So, I mean, essentially the
8 same thing that he had noted.

9 Did you ask Dr. Clement when was the last
10 time he had seen Albert Lalonde?

11 **MR. CARROLL:** I'm not sure if I did or not.
12 I have no recollection of following that specific
13 questioning with him.

14 **MR. DUMAIS:** But certainly it appears from
15 his notes that the last time that Dr. Richter would have
16 seen him would have been in 1997; is that correct?

17 I'm just looking at your entry there:

18 "In June 1997, Dr. Richter discharged
19 Lalonde from treatment with a variety
20 of problems and no continuation of
21 therapy planned."

22 **MR. CARROLL:** I'm not exactly sure what Dr.
23 Clement would mean specifically or if the 1999 entry
24 doesn't also include some sort of meeting between Dr.
25 Clement and Albert Lalonde.

1 **MR. DUMAIS:** All right.

2 **MR. CARROLL:** I don't think I can answer
3 that.

4 **MR. DUMAIS:** But does Dr. Clement disclose
5 to you that he has not seen Albert Lalonde in quite a long
6 period of time?

7 **MR. CARROLL:** I can't recall that
8 specifically.

9 **MR. DUMAIS:** All right.

10 Now, if we can then just look at the -- your
11 -- the second-last entry in this page, and I'll read it out
12 for you:

13 "Dr. Clement was clear that there was
14 no identifiable disclosure of specific
15 sexual abuse suffered by Lalonde where
16 an offender was identified by him other
17 than the case of Raymond St. Jean. Dr.
18 Clement rendered an opinion as to
19 Lalonde's credibility by stating that
20 there simply was none given the history
21 described above."

22 Now, is that something that you asked of Dr.
23 Clement, whether or not he found Albert credible?

24 **MR. CARROLL:** I don't know if I framed that
25 in a question to him just like that. I did indicate that I

1 was conducting a criminal investigation with respect to
2 reports of abuse made by Albert and asked if he could
3 comment -- or probably asked if he could comment with
4 respect to Albert being a witness in that case. That's
5 what I believe led to Dr. Clement framing his answer the
6 way he did.

7 **MR. DUMAIS:** All right.

8 And clearly Dr. Clement is a personal
9 physician, a medical doctor; is that correct?

10 **MR. CARROLL:** Yes, he is.

11 **MR. DUMAIS:** All right.

12 And my understanding is that you then would
13 have taken this witness statement and provided a copy of
14 same to the OPP. Is that correct?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** All right.

17 Now, did they provide you with a similar
18 witness statement, Sergeant?

19 **MR. CARROLL:** I believe I obtained from them
20 the notes of Dr. Richter that they obtained from him
21 through their meetings with him.

22 **MR. DUMAIS:** And perhaps I can just put
23 those notes to you, and they are in two separate documents.
24 I believe they are Documents 735691 and 735717.

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

1 **THE COMMISSIONER:** Thank you.

2 Exhibit Number 1700 is a document called "Le
3 Centre Royal Comtois/Prescott-Russell Royal Comtois
4 Centre". The first date there is April 12th, 1995.

5 **--- EXHIBIT NO./PIÈCE NO. P-1700:**

6 (735691) - Notes of Ken Richter M.D.,
7 F.R.C.P. dated April 12, 1995 to November
8 23, 1995

9 **MR. DUMAIS:** So if you can look at then --
10 at the first document, Exhibit 1700, Sergeant. Are these
11 the notes that you would have received?

12 **THE COMMISSIONER:** Oh, oh, sorry. I forgot
13 the other one, yes.

14 Exhibit 1701 -- thank you, Mr. Manson -- is,
15 again, the same handwritten report from the Centre Royal
16 Comtois Prescott-Russell, and that date there is December
17 7th, 1995.

18 **--- EXHIBIT NO./PIÈCE NO. P-1701:**

19 (735717) - Notes of Ken Richter M.D.,
20 F.R.C.P. dated December 7, 1995 to February
21 22, 1996

22 **MR. DUMAIS:** So the first one is Exhibit
23 1770?

24 **THE COMMISSIONER:** Seventeen-hundred (1700)
25 and the other one is 1701.

1 **MR. DUMAIS:** All right.

2 So if you can just look at the first
3 statement, Exhibit 1700?

4 **MR. CARROLL:** Yes.

5 **MR. DUMAIS:** Are these the notes that you
6 would have received from the OPP?

7 **MR. CARROLL:** Yes.

8 **MR. DUMAIS:** All right. And I mean, they
9 were not part of the statement so there's no -- as far as
10 you know, there's no written statement or video or
11 audiotaped statement?

12 **MR. CARROLL:** Not the same way that I
13 prepared mine, but these are the notes that came from him.

14 **MR. DUMAIS:** All right. So that's the -- I
15 mean, my question is, is that the extent of what you would
16 have received?

17 **MR. CARROLL:** Yes.

18 **MR. DUMAIS:** All right. And I take it that
19 you went through these notes?

20 **MR. CARROLL:** Yes, I've read through these.

21 **MR. DUMAIS:** All right. And, again, Dr.
22 Richter would not have noted the identification of Albert
23 being abused by Father MacDonald in his notes. Is that
24 correct?

25 **MR. CARROLL:** The same themes are there,

1 that there may be vague memories that are isolated from
2 time-to-time, but there's no specific mention of anybody
3 other than, I believe, a gentleman by the name of St. Jean
4 that happened years prior.

5 **MR. DUMAIS:** So then did that make a
6 difference to you, that the name had not been specifically
7 noted in these doctor's notes?

8 **THE COMMISSIONER:** What note? What names?

9 **MR. DUMAIS:** That the name of Father
10 Charlie, sorry. You're right, Commissioner.

11 Perhaps, I can just take you to the first
12 document, the 1700.

13 On the first page, bottom right-hand corner,
14 Sergeant, there's the name in -- there's a name indicated
15 there, a priest, Father Charles MacDonald, certainly
16 appears to be in a different handwriting in a different
17 pen.

18 Do you recall whether or not that name was
19 there when you received these documents?

20 **MR. CARROLL:** I don't know if it was. I've
21 looked at these since that and that appears to be a post-it
22 note that was copied with the original that someone has
23 affixed to this note, that Father Charles MacDonald would
24 have been a priest around that time at that parish. It's
25 not part and parcel of Dr. Richter's notes.

1 **MR. DUMAIS:** All right. So, sorry, would
2 you have looked at your original copy of this document?

3 **MR. CARROLL:** I'm not sure whose original
4 copy that I looked at, but I've looked at that since then
5 and I'm looking at that now and that doesn't appear to be
6 part and parcel of Dr. Richter's notes. That's a post-it
7 note that has been copied along with the documents that
8 resulted in these copies being here.

9 **MR. DUMAIS:** All right.

10 And perhaps for greater certainty,
11 Commissioner, what we'll do is, we'll ask for the originals
12 that were in possession of Cornwall Police Services and
13 make that determination.

14 **THE COMMISSIONER:** I thank you.

15 **MR. DUMAIS:** So then if I could just take
16 you back to my question.

17 So the fact that neither of these two
18 doctors had noted the name of Father MacDonald as an
19 alleged perpetrator caused you some concern in your
20 investigation?

21 **MR. CARROLL:** Yes, it did. It really
22 impacted on my personal feeling that I had achieved the
23 reasonable grounds to believe that an offence had been
24 committed.

25 Looking at the present material that Albert

1 had given to me and the materials that have been obtained
2 in the past, I felt that it was time for me to have this
3 assessed by a Crown Attorney and determine again whether we
4 have a reasonable prospect of conviction here because the
5 materials, I felt, weren't allowing me to say that I had
6 reasonable grounds to believe an offence had been
7 committed.

8 **MR. DUMAIS:** All right. So when you say
9 that you feel it's time that you had a meeting with the --
10 someone from the Crown Attorney's office, are you saying,
11 "Well, I need some advice whether or not I should pursue
12 this investigation any further", or "I've done all I can.
13 I want them to assess my case and tell me whether or not I
14 have RPG's"?

15 **MR. CARROLL:** I was satisfied I didn't have
16 R&Pickering.

17 **MR. DUMAIS:** All right.

18 **MR. CARROLL:** I wanted it assessed in terms
19 of me going as far as I felt that I could go in this matter
20 and having it looked at by somebody who can assess the
21 entire package, both what I have obtained and what the OPP
22 will eventually have obtained, and we can make an
23 assessment if we have anything here that's prosecutable.

24 **MR. DUMAIS:** And my understanding is that
25 you did prepare a package for the Crown's office. Is that

1 correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: And if I can just take you then
4 to Document Number 735701.

5 (SHORT PAUSE/COURTE PAUSE)

6 THE COMMISSIONER: Thank you.

7 Exhibit 1702 was a letter to Mr. Lorne
8 McConnery, Crown's office, dated July 24th, 2002 from
9 Detective Sergeant Jeff Carroll.

10 --- EXHIBIT NO./PIÈCE NO P-1702:

11 (735701) - Letter from Jeffrey Carroll to
12 Lorne McConnery dated July 24, 2002

13 MR. DUMAIS: So I take it, Sergeant, that
14 this is the letter that you would have forwarded, together
15 with your investigation, to Mr. Lorne McConnery. Is that
16 correct?

17 MR. CARROLL: That's correct.

18 MR. DUMAIS: And accompanying this letter is
19 -- are three things.

20 The first one is the transcript of your KGB
21 statement taken on May 17th, 2002. The second is the
22 summary of the interview that we just went through that you
23 prepare following your meeting with Dr. Luc Clement, and
24 the third are the two documents which are the last -- well,
25 the second-last and third-last documents filed, which are

1 the notes taken by Dr. Ken Richter. Is that correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: And certainly it does not
4 appear that you would have received the school records of
5 Mr. Lalonde, and if you did, certainly you didn't forward
6 them on to the Crown's office?

7 MR. CARROLL: I didn't forward them at that
8 time. I'm not sure if I had them at that time. I didn't
9 see them impacting on answering the questions that I was
10 dealing with at this stage.

11 MR. DUMAIS: And my understanding is that at
12 that point-in-time, you would have received the wedding
13 photo from -- that Albert alluded to in his statement to
14 you. Is that correct?

15 MR. CARROLL: That's correct.

16 MR. DUMAIS: And did you -- did you have a
17 look at this photo?

18 MR. CARROLL: I had a look at the photo and
19 I believe I had Albert have a look at that photo. He
20 identified himself and he identified the event and the
21 parties that were involved in it, including Father Charlie.
22 After that was done, I returned that photo to the owner,
23 Mr. -- I believe his name was Tessier.

24 MR. DUMAIS: Yes.

25 MR. CARROLL: He didn't want me to hold on

1 to that photo for very long. His wife had passed away
2 since the wedding, and I asked him simply if I could borrow
3 the photo for the purposes of making that identification.
4 That was noted right at the time and that photo, as I
5 promised, was returned to Mr. Tessier as soon as I could.

6 **MR. DUMAIS:** But certainly that photograph
7 identified both -- or Mr. Lalonde was able to identify both
8 Father MacDonald and himself. Is that correct?

9 **MR. CARROLL:** Yes.

10 **MR. DUMAIS:** All right.

11 **MR. CARROLL:** At that time, yes.

12 **MR. DUMAIS:** Yes.

13 So you would not have forwarded on this
14 photo to the Crown's office either. Is that correct?

15 **MR. CARROLL:** No, I didn't.

16 **MR. DUMAIS:** All right.

17 And I take it in the second-to-last
18 paragraph that you're seeking his advice on the
19 reasonableness of charging at this time, given the
20 longstanding difficulties with respect to identification
21 and offence specifics. Is that correct?

22 **MR. CARROLL:** That's correct.

23 **MR. DUMAIS:** All right. And my
24 understanding is that Mr. McConnery would have reviewed
25 your file. Is that correct?

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

2 **MR. DUMAIS:** And he would have responded by
3 way of correspondence. Is that correct?

4 **MR. CARROLL:** Yes, he did.

5 **MR. DUMAIS:** All right. And your notes
6 would not have been part of the documents Mr. McConnery
7 would have reviewed either. Is that correct?

8 **MR. CARROLL:** No, I don't believe I
9 photocopied my notes and sent them at that time.

10 **MR. DUMAIS:** And is it fair to say that he's
11 doing a documentary review of the file? So he's not
12 meeting with you and having a discussion with you?

13 **MR. CARROLL:** I never met with Mr.
14 McConnery.

15 **MR. DUMAIS:** Now, my understanding is that
16 it took a bit of time for Mr. McConnery to get back to you,
17 and you would have contacted him again sometime in November
18 of 2002. Is that correct?

19 **MR. CARROLL:** That's correct.

20 **MR. DUMAIS:** And what did he tell you at
21 that time?

22 **MR. CARROLL:** On the 15th of November I was
23 returning a message to him. He told me that he had
24 completed reviewing the file. He made it clear to me that
25 he was familiar with this file. And exactly how and why, I

1 didn't go into discussing with him, but he feels that this
2 matter was investigated before and has been reviewed by
3 Crown counsel in the past.

4 He agreed with me that R&PG was not present
5 and, in his opinion, the likelihood of conviction was not
6 present. He told me that he had communicated this to the
7 OPP as well and that he would respond to me in writing
8 later on next week.

9 **MR. DUMAIS:** All right.

10 And, Sergeant, you're reading from your
11 chronology. Is that correct?

12 **MR. CARROLL:** Yes, I am.

13 **MR. DUMAIS:** All right.

14 And I believe you've made the notation in
15 your notes as well at pages -- Document 1695, Bates pages
16 821.

17 **THE COMMISSIONER:** So is it customary to
18 wait like four months for a response from a Crown? Well,
19 August, September, October, November -- yeah, three-and-a-
20 half months?

21 **MR. CARROLL:** It doesn't surprise me that it
22 may take that Crown that long to review that material.

23 **THE COMMISSIONER:** Okay.

24 **MR. CARROLL:** I waited until he tried to
25 contact me, and that's when I contacted him. I don't

1 normally call and push them for a response if I don't hear
2 from them. I know the matter is in their hands. It's
3 gotten that way through the Regional Supervisor of Crown
4 Attorneys. I tend to leave them alone until they get back
5 to me.

6 **MR. DUMAIS:** Is it fair to say, Sergeant,
7 that from your notes, Mr. McConnery appears to be telling
8 you this investigation had -- this matter has been
9 investigated by OPP previously, has been reviewed by other
10 Crowns, no new information. They decide back then not to
11 lay charges; there's nothing new here. Is that fair?

12 **MR. CARROLL:** That's the idea of the
13 assessment that I got from him.

14 **MR. DUMAIS:** All right.

15 And there was no discussion as to whether or
16 not other -- your -- there's no discussion whether or not
17 you should continue on with this investigation?

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

19 **MR. DUMAIS:** And your recollection was that
20 he felt that reasonable and probable grounds were not
21 present and he felt that there's no likelihood of
22 conviction either; correct?

23 **MR. CARROLL:** That was my understanding.

24 **MR. DUMAIS:** All right.

25 Now, I understand that you did as well

1 prepare a supplementary occurrence report, which you filed.
2 Sorry, Document Number 735648.

3 (SHORT PAUSE/COURTE PAUSE)

4 THE COMMISSIONER: Exhibit 1703 is a
5 Supplementary Occurrence Report from Sergeant Carroll.
6 Report time, the 11th of December, 2002.

7 --- EXHIBIT NO./PIÈCE NO. P-1703:

8 (735648) Jeffrey Carroll - Supplementary
9 Occurrence Report dated December 11, 2002

10 MR. DUMAIS: So that's the supplementary
11 occurrence report that followed your conversation with the
12 Assistant Crown?

13 MR. CARROLL: That's correct.

14 MR. DUMAIS: Sorry, the Crown Attorney.

15 And I'm just looking at the three last lines
16 of the first paragraph:

17 "Mr. McConnery advised that no
18 reasonable prospect of conviction
19 exists at this time given the fact that
20 this complaint had been previously
21 investigated and no new information had
22 come forward."

23 And that's in addition to the fact that his
24 review of the brief found that there was insufficient
25 grounds to lay a charge.

1 So you recall Mr. McConnery addressing the
2 two separate grounds, whether there were reasonable and
3 probable grounds and the reasonable prospect of conviction?

4 **MR. CARROLL:** That's correct.

5 **MR. DUMAIS:** All right.

6 And Mr. McConnery did advise as well in his
7 telephone conversation with you that he would provide
8 something in writing. Is that correct?

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

10 **MR. DUMAIS:** And if we can have a look at
11 Document Number 735700?

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **THE COMMISSIONER:** Exhibit 1704 is a letter
14 dated January 8th, 2003 addressed to Detective Sergeant Jeff
15 Carroll from Sean -- I'm sorry -- Lorne McConnery.

16 **---EXHIBIT NO./PIÈCE NO P-1704:**

17 (735700) Letter from Lorne McConnery to
18 Jeffrey Carroll dated 08 Jan 03

19 **MR. DUMAIS:** So now, is this the letter that
20 you received from Mr. McConnery?

21 **MR. CARROLL:** Yes, it is.

22 **MR. DUMAIS:** All right.

23 I'm just looking at the second paragraph and
24 I'll just read it out to you:

25 "In assessing the issue of reasonable

1 and probable grounds to lay criminal
2 charges, an officer must not only have
3 objectively supportable grounds to lay
4 a criminal charge but also the
5 subjective belief that the offence was
6 committed by the person alleged."

7 You've expressed quite clearly to me in our
8 discussion the concerns you have about that subjective
9 element. Is that correct?

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

11 **MR. DUMAIS:** All right.

12 So you do remember having that conversation
13 with him?

14 **MR. CARROLL:** Yes, I do.

15 **MR. DUMAIS:** All right.

16 And then, in the second paragraph he
17 reiterates, I guess, the -- what you've noted down is that
18 previous investigators and previous grounds believed that
19 he did not have reasonable and probable grounds back then;
20 is that correct?

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

22 **MR. DUMAIS:** All right.

23 And then Mr. McConnery advises you that:

24 "Ultimately this remains a police
25 decision but your view that no

1 reasonable and probable grounds exist
2 herein seems well founded to me."

3 Is that correct?

4 **MR. CARROLL:** That's correct.

5 **MR. DUMAIS:** And Mr. McConnery does not, in
6 this correspondence, appear to address the reasonable
7 prospect of a conviction; is that right?

8 **MR. CARROLL:** I thought he made mention of
9 it earlier up in the article or in the letter.

10 **(SHORT PAUSE/COURTE PAUSE)**

11 **MR. DUMAIS:** I don't see it, Sergeant.

12 **MR. CARROLL:** Okay.

13 **THE COMMISSIONER:** So in the meantime, from
14 July to January 8th, are you speaking to the victim -- the
15 alleged victim?

16 **MR. CARROLL:** I spoke to Mr. Lalonde after I
17 received the document from Mr. McConnery.

18 **THE COMMISSIONER:** So he was high and dry
19 from July until January 8th, six months?

20 **MR. CARROLL:** I'd have to check and see the
21 date that I actually contacted him. I don't know when that
22 was.

23 **MR. DUMAIS:** But certainly in order to
24 proceed further in the investigation, you're waiting for
25 the Crown's response; correct?

1 **MR. CARROLL:** That's correct. I let my
2 supervisors know that I wasn't planning on notifying him
3 until I got the written document from the Crown Attorney on
4 what his opinion was, and I did keep Mr. Lalonde up to date
5 in terms of "I've sent this matter off to the Crown and I'm
6 waiting until I get something back from them. And it would
7 be at that time that I would call and let you know."

8 **MR. DUMAIS:** All right.

9 Now, am I correct in assuming that you did
10 not review any of the Project Truth file in the Father
11 Charlie investigation and prosecution other than the
12 statements that were provided to you by Detective Paul?

13 **MR. CARROLL:** No, I didn't.

14 **MR. DUMAIS:** All right.

15 And am I correct in assuming as well that
16 you would not have spoken to either Staff Sergeant Brunet
17 or Constable Sebalj regarding this matter?

18 **MR. CARROLL:** No, I haven't.

19 **MR. DUMAIS:** All right.

20 And you did not either communicate or
21 contact with Father Charlie to interview him; is that
22 correct?

23 **MR. CARROLL:** I didn't interview Father
24 Charlie given the basis that I felt I didn't have grounds
25 to believe he committed an offence. I didn't bring him in

1 and do a caution interview with him just because of that.

2 MR. DUMAIS: All right.

3 But sometimes you do, Sergeant?

4 MR. CARROLL: Sometimes we do. I didn't
5 interview Father Charlie.

6 MR. DUMAIS: All right.

7 THE COMMISSIONER: Why not?

8 MR. CARROLL: He'd been interviewed several
9 times by the Project Truth officers in the course of these
10 investigations. This was a new complaint. At least at
11 first it appeared to be a lot of previous material put into
12 it. I didn't bring him in and do a caution interview with
13 him because I felt that he had been gone through that
14 before and his likelihood of cooperating and agreeing to
15 that wasn't going to be very high.

16 MR. DUMAIS: But did you know that at that
17 time, Sergeant?

18 MR. CARROLL: I felt that would be the case
19 and I discussed that with my supervisors, and we decided
20 that I wasn't going to re-interview Father Charlie.

21 THE COMMISSIONER: Who did you discuss that
22 with?

23 MR. CARROLL: I believe it would have been
24 Staff Sergeant Derochie at the time.

25 THE COMMISSIONER: So there wasn't any

1 question of, I guess, being intimidated or knowing that he
2 had Mr. Neville for a lawyer, for example?

3 MR. CARROLL: Not at all.

4 THE COMMISSIONER: No?

5 MR. CARROLL: Not at all.

6 MR. DUMAIS: All right.

7 So then this essentially terminated your
8 involvement with this file and you did not take any further
9 investigative steps; is that correct?

10 MR. CARROLL: That's correct.

11 MR. DUMAIS: All right.

12 And I take it that you would have spoken to
13 Mr. Lalonde and advised him that you were closing the file;
14 is that correct?

15 MR. CARROLL: That's correct.

16 MR. DUMAIS: All right.

17 THE COMMISSIONER: So are we finished with
18 this section?

19 MR. DUMAIS: We are, Commissioner.

20 THE COMMISSIONER: I'm going to have to ask
21 that we end for the day. So can we start at 9:30 tomorrow
22 morning? You don't have very long, do you?

23 MR. DUMAIS: No. I just need to speak to
24 Sergeant Carroll about Project Phoenix Song. I expect I'll
25 be about 30 minutes at most.

1 **THE COMMISSIONER:** I'm sorry, but I ---

2 **MR. DUMAIS:** That's fine.

3 **THE COMMISSIONER:** Thank you.

4 We'll see you tomorrow morning at 9:00.

5 **MR. CARROLL:** Thank you, sir.

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

8 This hearing is adjourned until tomorrow
9 morning at 9:30 a.m.

10 --- Upon adjourning at 4:22 p.m. /

11 L'audience est ajournée à 16h22

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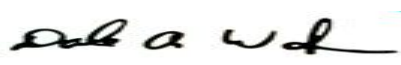
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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CVR-CM