

**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 37

Held at :

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

Wednesday, May 31, 2006

Tenue à:

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

Mercredi, le 31 mai 2006

Appearances/Comparutions

Mr. Pierre R. Dumais	Commission Counsel
Ms. Louise Mongeon	Registrar
Mr. John E. Callaghan	Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Actg.Det.Supt.Colleen McQuade	
Ms. Diane Lahaie	
M ^e Claude Rouleau	Ontario Ministry of Community
Mr. Mike Lawless	and Correctional Services and
Mr. Lorenzo D. Policelli	Adult Community Corrections
Mr. Stephen Scharbach	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Allan Manson	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Ms. Lauren Schellenberger	
Mr. Jose Hannah-Suarez	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Mr. Pierre R. Dumais	Mr. Fidelis(Phil) C. DeBruyne

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1 --- Upon commencing at 10:02 a.m./

2 L'audience débute à 10h02

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 presiding. Please be seated. Veuillez vous
8 asseoir.

9 **THE COMMISSIONER:** Thank you. Good morning,
10 all.

11 **MR. DUMAIS:** Good morning, Commissioner.

12 The next witness we'll be calling, Mr.

13 Fidelis DeBruyne from the Ontario Police College.

14 **THE COMMISSIONER:** Thank you.

15 **THE REGISTRAR:** Can you place your right
16 hand on the Bible? Your name, please?

17 **MR. DeBRUYNE:** Fidelis DeBruyne.

18 **THE REGISTRAR:** Can you spell it, please?

19 **MR. DeBRUYNE:** F-I-D-E-L-I-S, last name D-E-
20 B-R-U-Y-N-E.

21 **FIDELIS DeBRUYNE, SWORN:**

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

23 **MR. DeBRUYNE:** Good morning.

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

1 **MR. DUMAIS:** Before we get started, Mr.
2 DeBruyne, you should have three volumes of documents to
3 your right which are titled Ontario Police College. If you
4 can take firstly Volume 1, and if you can turn to Tab 3,
5 and if you can just identify that document for us?

6 **MR. DeBRUYNE:** Yes, sir. This is my bio.
7 It gives a brief summary of my policing and teaching
8 background and, in particular, the background to my
9 secondment to the Ontario Provincial Police and ultimately
10 being reassigned to the Campbell Report Implementation
11 Project and some of my background relating to the area of
12 child abuse, sir.

13 **MR. DUMAIS:** Thank you.

14 And if you can just turn to Tab 4 now?

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

16 **MR. DUMAIS:** If you can identify that
17 document for us, please?

18 **MR. DeBRUYNE:** This is my curriculum vitae.

19 **MR. DUMAIS:** And it is current?

20 **MR. DeBRUYNE:** It is, sir.

21 **MR. DUMAIS:** And if you can turn then to Tab
22 7, and that is an outline of evidence which summarizes
23 different topics that you'll be addressing today, or part
24 of it?

25 **MR. DeBRUYNE:** That's correct, sir.

1 **MR. DUMAIS:** And if you can then just turn
2 to Tab 9 and identify that document for us?

3 **MR. DeBRUYNE:** This is an outline of my
4 PowerPoint presentation and my proposed evidence, sir.

5 **MR. DUMAIS:** All right.

6 These documents have already been filed as
7 exhibits. And just so that you know, all three volumes
8 should be accessible as we will be referring to documents
9 throughout the three volumes today.

10 If we can just have a look at your résumé
11 firstly, Mr. DeBruyne, I understand that you are an
12 instructor at the Ontario Police College as well as the
13 evidence coordinator; is that correct?

14 **MR. DeBRUYNE:** That's correct.

15 **MR. DUMAIS:** If you can just firstly take us
16 from 1974, when you first became a police officer with
17 Tillsonburg Police Services, and just take us throughout
18 your employment history up to today?

19 **MR. DeBRUYNE:** In 1974, I was hired as a
20 fourth class probationary constable with what was then the
21 Tillsonburg Police Service.

22 Subsequent to that, in 1977, I was employed
23 by the Ingersoll Police Force until 1983.

24 In 1983, I was seconded to the Ontario
25 Police College, and during my secondment in 1989, I became

1 a full-time instructor until 1997, and while still a full-
2 time instructor, I was seconded to the Criminal
3 Investigation Bureau of the Ontario Provincial Police and,
4 ultimately, the Campbell Report Implementation Project,
5 where my primary function initially was to be the Ontario
6 Major Case Management Manual Coordinator and, subsequent to
7 that, the Ontario Major Case Management Course Coordinator.

8 I returned to the College in April of 2002,
9 where I coordinated major case management as well as Power
10 Case Watson training and the initial stages of the Multi-
11 jurisdictional Major Case Management Course.

12 In 2004, I became the Evidence Coordinator,
13 and that is my present function, sir.

14 **MR. DUMAIS:** All right.

15 And are you still an instructor at the
16 College as well?

17 **MR. DeBRUYNE:** I am, sir.

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

19 If you can turn to page 2 of your résumé, I
20 understand that throughout your employment you completed
21 different degrees and certificates and that you've noted
22 those in the education section. And if I can just briefly
23 go through them, you completed a diploma in Law and
24 Security at Georgian College between 1972 and '74?

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

1 **MR. DUMAIS:** And as well, you obtained a
2 certificate in Advanced Police Studies.

3 What is the difference between the
4 certificate you obtained in 1986 and the one in 1992?

5 **MR. DeBRUYNE:** At that time, the Ontario
6 Police College, in partnership with the University of
7 Western Ontario, to increase the post-secondary education,
8 were offering different levels of certificates and they are
9 based on five credits, being a certificate in general
10 police studies, 10 credits being a certificate in advanced
11 police studies, and at that point in time I had 11 credits
12 from the University of Western Ontario, and had I completed
13 my degree, the third document would have been a diploma,
14 sir.

15 **MR. DUMAIS:** All right.
16 Your 11 credits are credits that you
17 completed towards your police studies; is that correct?

18 **MR. DeBRUYNE:** That would have been evening
19 courses, yes.

20 **MR. DUMAIS:** Now, in 1993, I understand that
21 you obtained a certificate in adult education at St.
22 Francis Xavier University?

23 **MR. DeBRUYNE:** Yes, and that was part of an
24 outreach program offered at the Ontario Police College.

25 **MR. DUMAIS:** And further, in 1999 you

1 obtained a diploma in adult education from the same
2 university?

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

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

5 Now, the next section of your résumé lists a
6 number of instructional courses that you have completed.
7 So the courses that we find at page 2 of your summary
8 between 1983 and 2005, these are all courses that you
9 completed that you deemed supervisory in nature?

10 **MR. DeBRUYNE:** Supervisory in nature, as
11 well as instructional background, sir.

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

13 And there at the top of page 3 there's a
14 number of instructional courses that you've completed as
15 well?

16 **MR. DeBRUYNE:** That's correct.

17 **MR. DUMAIS:** And you've completed a number
18 of investigative courses throughout your career from 1975
19 to 2006, and they are listed at page 3 of your résumé?

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

21 **MR. DUMAIS:** And if we can just go through
22 some of them, I'm looking at 1986, Sexual Assault Module.
23 So you completed that training at the Ontario Police
24 College?

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

1 **MR. DUMAIS:** And you completed a number of
2 advanced criminal investigation courses in 1985; is that
3 correct?

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

5 **MR. DUMAIS:** And you have completed as well
6 courses in case management, and I'm looking at the entry in
7 1985 as well, Case Management of Major Cases at the Ontario
8 Police College?

9 **MR. DeBRUYNE:** Yes, sir.

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

11 And you completed your criminal
12 investigation course at the College in 1981; is that
13 correct?

14 **MR. DeBRUYNE:** That's correct.

15 **MR. DUMAIS:** If we can just then turn to
16 page 4 of your résumé and just have a quick look at some of
17 your work experience. If you can start with perhaps the
18 third bullet where you chaired a Subcommittee on the
19 Design, Development and Delivery of the Ontario Major Case
20 Management Course? Perhaps you can just briefly explain
21 what you did there?

22 **MR. DeBRUYNE:** In 1997, as part of the
23 Campbell Report Implementation Committee, I chaired a
24 Subcommittee to Design, Develop and Deliver an Ontario
25 Major Case Management Course in accordance with the

1 recommendations -- one of the recommendations made by Mr.
2 Justice Campbell in the Bernardo Investigation Review, and
3 that was a two-week course at the time which was delivered
4 through three train the trainer courses that were delivered
5 subsequently in April, May and June of '98, sir.

6 **MR. DUMAIS:** Now, I'm looking at the fifth
7 bullet which indicates that you provided opinions on the
8 adequacy and effectiveness regulation regarding major case
9 management.

10 Can you explain what your involvement in
11 that was?

12 **MR. DeBRUYNE:** Throughout the Policing
13 Standards Manual Guidelines there are a number of
14 guidelines or policies, sir, that make reference to the
15 Ontario Major Case Management Manual and its implications
16 for the policy itself, particularly as that policy relates
17 to what was then a defined major case within the manual.

18 **MR. DUMAIS:** Now, the seventh bullet deals
19 with a course training standard which you wrote in 1983 on
20 joint training. Is that correct?

21 **MR. DeBRUYNE:** That's correct, sir.

22 **MR. DUMAIS:** And we'll be referring to that
23 in a little more detail in your presentation; is that
24 correct?

25 **MR. DeBRUYNE:** Yes, sir.

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

2 And I note as well that at different
3 instances in your career you've provided opinions to both
4 defence and prosecution counsel. Is that correct?

5 **MR. DeBRUYNE:** I have.

6 **MR. DUMAIS:** And were those opinions that
7 dealt with issues of training essentially?

8 **MR. DeBRUYNE:** Issues of training as they
9 related to discipline matters, sir.

10 **MR. DUMAIS:** Now, throughout your career
11 you've coordinated a number of courses as well, and I'm
12 looking at page 5 of your summary -- of your résumé, sorry
13 -- bullet 6, a homicide course, a sexual assault course, a
14 child abuse and violence against women course?

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

16 **MR. DUMAIS:** And you've received training
17 throughout your career as well and you've participated in a
18 number of conferences and train the trainer conferences?

19 **MR. DeBRUYNE:** I have.

20 **MR. DUMAIS:** And you've conducted a number
21 of train the trainer workshops throughout your career as
22 well?

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

24 **MR. DUMAIS:** And you were involved in
25 writing a number of training standards for the College,

1 some of them -- or some more relevant being the one on
2 sexual assault, child abuse and major case management. Is
3 that correct?

4 **MR. DeBRUYNE:** And just to make it clear,
5 sir, I participated as a member of a working group.

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

7 **MR. DeBRUYNE:** So I was one person on a
8 working group.

9 **MR. DUMAIS:** And after the standards were
10 prepared and the courses developed, some of these courses
11 were delivered by you; is that correct?

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

13 **MR. DUMAIS:** And you co-presented a paper on
14 child abuse training at an international congress in 1990
15 in Hamburg; is that correct?

16 **MR. DeBRUYNE:** That's correct.

17 **MR. DUMAIS:** And as well, you authored and
18 co-authored a number of publications on sexual assault,
19 victims of crime and young offenders in search and seizure?

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

21 **MR. DUMAIS:** And the last item on page 5 of
22 your résumé speaks to provincial standards dealing with
23 sexual assault, wife assault and criminal harassment.

24 Is that something different than the
25 standards for the courses?

1 **MR. DeBRUYNE:** It's different to the extent
2 that there were two different timelines involved. The
3 first timeline, I believe the Ministry put out a document
4 that starts around 1992 and works its way through to 1996,
5 and then we have adequacy which sort of enters the picture
6 around January of 1999 with the Policing Standards
7 Guidelines in February of 2000.

8 **MR. DUMAIS:** All right.

9 **MR. DeBRUYNE:** So we're talking two
10 different timelines, sir.

11 **MR. DUMAIS:** Okay. If then, Mr. DeBruyne,
12 if you can just -- I'll ask Madam Clerk to start the
13 PowerPoint presentation and for those who are following in
14 the Book of Documents, that's located at Tab 8 -- sorry,
15 Tab 9.

16 Now, Mr. DeBruyne, I understand that, from
17 personal knowledge, a review of documents found -- archived
18 documents found at the Ontario Police College and other
19 relevant documents, you have prepared a presentation
20 dealing with history or evolution of investigative training
21 at the Ontario Police College.

22 **MR. DeBRUYNE:** I have, sir.

23 **MR. DUMAIS:** And you've attempted to go back
24 as far as you could and starting with when the first course
25 was delivered at the Ontario Police College. Is that

1 correct?

2 **MR. DeBRUYNE:** In 1964, sir.

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

4 So then if you can just start and give us an
5 idea of what you did?

6 **MR. DeBRUYNE:** Thank you. Slide number 2.

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

8 **MR. DeBRUYNE:** Thank you. Slide number 2,
9 what I did and the research based on my personal
10 experience, plus what I was able to find in the archives,
11 I've divided it into criminal investigation training,
12 advanced criminal investigation training, general
13 investigation training, joint police/CAS child abuse
14 training and I'll talk about that in some depth. The
15 Investigating Offences Against Children Course, which the
16 next witness will talk about in detail, as well as the
17 Sexual Assault Investigation Course, and the major case
18 management training including PowerCase/Watson training
19 which is the software training, sir.

20 **MR. DUMAIS:** So essentially you will deal
21 with the historical evolution of those courses and we'll
22 have Ms. Barath address what the current courses and
23 standards look like. Is that fair?

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

25 **MR. DUMAIS:** All right.

1 And if you can take us through your first
2 topic, the criminal investigative training?

3 **MR. DeBRUYNE:** I was wondering if I could
4 ask Madam Clerk's help with the slide advancement.

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **MR. DeBRUYNE:** Thank you.

7 Nineteen sixty-four (1964), criminal
8 investigation training was commenced at the Ontario Police
9 College. I believe then it was referred to as a
10 detective's course. The first year, I believe it was five
11 weeks in length and then subsequent to that, the length of
12 the course increased to six weeks until the fall of 1986.

13 The objective for this particular course
14 indicated that the course was designed to develop
15 knowledge, skills and attitudes to deal with the practical
16 investigation of varied criminal cases most commonly
17 encountered in Ontario. The instruction was based on a
18 blend of lectures, demonstrations, practical exercises and
19 what was referred to as syndicate case studies.

20 It was broken up into two areas. One was
21 substantive and procedural law, including selected criminal
22 offences, powers of arrest, search and seizure, use of
23 force, laws of evidence and admissions and confessions.

24 The second part was investigative procedures
25 which included examples such break and enter, homicide,

1 auto theft, and those particular lectures were done by
2 guest lecturers from various police services across the
3 Province of Ontario.

4 **MR. DUMAIS:** Now, I understand that
5 following that, there was an advanced criminal
6 investigation training that was commenced?

7 **MR. DeBRUYNE:** That's correct. In the fall
8 of 1984, I believe the planning started and what was
9 decided was that there would be a diploma in advanced
10 criminal investigation training and that diploma would be
11 based on a number of modules that the College had made
12 available. One of those modules was called "Case
13 Management" and the case management module was mandatory
14 and most of these courses, by the way, were a week in
15 length.

16 The other modules that were offered were
17 homicide, interviewing and interrogation, sex offences
18 including child and family abuse and, for the most part,
19 sir, these were delivered by what we would refer to as
20 experts in the field, people actively doing these types of
21 investigations.

22 It also gave police services flexibility
23 with respect to only having people away from their
24 particular service.

25 Once the officer completed three of those

1 modules, one, as I indicated, was mandatory which was case
2 management, the officer would receive a diploma in advanced
3 criminal investigation training.

4 **MR. DUMAIS:** And do you know if the diploma
5 indicated that the advanced criminal investigation training
6 had been completed for homicide or for sex offences?

7 **MR. DeBRUYNE:** Actually, what they did, sir,
8 was you got a small certificate for each of the modules and
9 then once you completed three, as I've indicated, plus the
10 case management, or two plus the case management, then you
11 received a diploma in advanced criminal investigation.

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

13 Now, I understand that the next change in
14 this course occurred in 1989?

15 **MR. DeBRUYNE:** That's correct. And what
16 happens there, we start to shift away from the diploma in
17 advanced criminal investigation to where we talk about
18 these particular modules being for criminal investigation
19 training specialists. So they now become more standalone
20 as opposed to something that was worked collectively.

21 **MR. DUMAIS:** So is it fair to say that the
22 modules were being expanded?

23 **MR. DeBRUYNE:** Yes, sir. Robbery and young
24 offenders were added to the list.

25 **MR. DUMAIS:** And as well, it is my

1 understanding that there was a new coordinator to that
2 section. Is that correct?

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

4 **MR. DUMAIS:** Now, that advanced criminal
5 investigation training further evolved in 1991.

6 **MR. DeBRUYNE:** That's correct. From '91 to
7 '94, and they shift towards standalone at that particular
8 point in time and the standalone courses were based and
9 they used the expression "advanced case management",
10 "advanced homicide", "advanced interviewing", and they
11 continued to deliver robbery and sexual assault, and
12 although it does not appear, somewhere after that time,
13 sir, we also delivered proceeds of crime.

14 **MR. DUMAIS:** All right.

15 So essentially what occurred then is they
16 took the modules out of the course and made up standalone
17 courses on these various subjects?

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

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

20 And I believe you have included some of
21 these modules of courses in your Book of Documents?

22 **MR. DeBRUYNE:** That's correct. And for
23 advanced case management in the Book of Documents located
24 at Tab 24 and, Mr. Commissioner, I'm working from the page
25 numbers in the PDF document, pages 6 and 7, sir.

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

2 **MR. DeBRUYNE:** Advanced homicide
3 investigation, Tab 24, pages 6 and 9; advanced
4 interviewing, Tab 24, page 6; robbery investigation, Tab
5 24, page 2; and the sexual assault which is also located at
6 Tab 24, page 8, but also Tab 30 of the materials, sir.

7 **MR. DUMAIS:** I note that if we look at the
8 modules from 1989, it makes reference to sexual offences
9 including child and family abuse and the module in 1991
10 makes reference to sexual assault investigations.

11 So was there a shift at that time, a shift
12 away from child abuse training?

13 **MR. DeBRUYNE:** The shift had much more to do
14 with a partnership with what was then known as the
15 Institute for Prevention of Child Abuse, so that that
16 particular training child abuse became very specialized in
17 terms of our partnership with the Institute, sir.

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

19 So which explains why the module to the
20 course changed from dealing with child abuse to dealing
21 more specifically with sexual assault?

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

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

24 Now, I understand that there are 10 core
25 areas in adequacy which mandates training, and one of these

1 core areas deals with criminal investigators. Is that
2 correct?

3 **MR. DeBRUYNE:** That's correct, sir.

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

5 And how did the adoption of the Regulation
6 change the training at the Ontario Police College with
7 respect to criminal investigations?

8 **MR. DeBRUYNE:** Specifically for the Criminal
9 Investigation Course, we used to deliver five courses a
10 year. I think they probably had somewhere around up to 32
11 students and when adequacy came along, in anticipation of
12 that, we went to a -- I believe a two-week outreach model
13 where the course was delivered throughout the police
14 community at different sites and that particular course
15 also became a prerequisite for other training.

16 So at that particular point in time, there
17 was an instructor that was seconded in from another police
18 service and he worked with the full-time instructor to
19 deliver much or an increase in the number of courses across
20 the province.

21 **MR. DUMAIS:** Is it fair to say that as a
22 result of adequacy a number of police services were trying
23 to catch up that make sure that they complied so they had a
24 number of police officers to train?

25 **MR. DeBRUYNE:** I think that's a fair

1 evaluation.

2 **MR. DUMAIS:** And would that explain --
3 because there was -- because of the sheer number, would
4 that explain as well why a lot of these courses are offered
5 off site today?

6 **MR. DeBRUYNE:** It is certainly much easier
7 for us to train trainers and get the numbers out given the
8 limitations of the number of full-time staff we have. So I
9 would agree with you.

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

11 Now, I understand that you've gone through
12 the relevant sections of adequacy in your next slide. Can
13 you perhaps just take us through those?

14 **MR. DeBRUYNE:** Making reference to section 9
15 of the regulation itself, subsection 9(1) that, "Every
16 police force shall include one or more criminal
17 investigators who is a member of the police force",
18 subsection (4) says:

19 "The Chief of police shall not
20 designate a person as a criminal
21 investigator unless that person is a
22 police officer and has successfully
23 completed the required training
24 accredited by the Ministry or has
25 equivalent qualifications and skills as

1 approved by the Ministry."

2 Subsequent to that is section 11 which says
3 that:

4 "Every Chief of Police shall prepare a
5 criminal investigation management
6 plan."

7 **MR. DUMAIS:** And you make reference in that
8 statement to LE-006.

9 **MR. DeBRUYNE:** And that's located at Tab 51
10 of the material, sir.

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

12 And what is that document LE-006?

13 **MR. DeBRUYNE:** If you go to the Policing
14 Standards Manual dated February of 2000, the Ministry put
15 out a number of guidelines to assist police services to
16 meet the requirements of the Adequacy Regulation and what
17 that particular guideline states is that the police service
18 shall develop a criminal investigation crime management
19 plan and it gives it a minimum framework to work from. The
20 police service, of course, can add different terminology
21 and put different items into -- with respect to the
22 response, but that is the minimum response that they would
23 have to have.

24 **MR. DUMAIS:** So the last statement on that
25 slide refers to that -- to the 2000 Policing Manual;

1 correct?

2 **MR. DeBRUYNE:** That's correct, sir.

3 **MR. DUMAIS:** And from that evolved the
4 current General Investigation Training Course; is that
5 correct?

6 **MR. DeBRUYNE:** Yes, sir, and there may be an
7 issue of whether or not that came before that time because
8 the Guidelines came out in February of 2000 is my
9 understanding and Adequacy, I think, was filed in January
10 of 1999, albeit just section 37. I think just section 37
11 was proclaimed, which gave the police services a two-year
12 grace to put the first 36 sections in place. So the course
13 may have actually come before that particular guideline but
14 certainly in anticipation of it.

15 **MR. DUMAIS:** So just briefly, as I believe
16 your colleague will be addressing the current course, it's
17 a 10-day course essentially delivered to 24 police officers
18 at a time?

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

20 **MR. DUMAIS:** And in 2006 there were only two
21 courses delivered at the OPC and all other general
22 investigation courses were delivered offsite; is that
23 correct?

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

25 **MR. DUMAIS:** All right.

1 Does this then take us to your next topic,
2 Mr. DeBruyne?

3 **MR. DeBRUYNE:** Yes, and the next slide deals
4 once again with the Adequacy Regulation, specifically with
5 -- and you'll see that there's similar wording with respect
6 to the Board's establishing policies, but clause 12(1)(a)
7 of the Regulation states -- of the Adequacy Regulation:

8 "Every chief of police shall develop
9 and maintain procedures on and
10 processes for undertaking and managing
11 general and criminal investigations and
12 investigations into,
13 (a) physical and sexual abuse of
14 children."

15 And it is located in the Book of Documents
16 at Tab 49, sir.

17 **MR. DUMAIS:** And as a result of that the
18 Investigating Offences Against Children Course was
19 developed?

20 **MR. DeBRUYNE:** Actually, the Investigation
21 of Offences Against Children Course -- and I'll have a
22 colleague that will be speaking more to it -- I think is
23 2005 where this would have occurred, Adequacy, in terms of
24 a timeline of 1999 to this particular point in 2003 which
25 would have been called the Investigation of Sexual Offences

1 Against Children Course, sir.

2 MR. DUMAIS: All right.

3 So the description of the course that we
4 find at Slide 11 was first delivered when?

5 MR. DeBRUYNE: I believe in 2005 and my
6 colleague will be talking more about that course in detail.

7 MR. DUMAIS: Now, you had then looked at the
8 LE-027 which is found at the 2000 Policing Manual; is that
9 correct?

10 MR. DeBRUYNE: That's correct, Tab 49 of the
11 Book of Documents. What that does is layout the policy and
12 procedure and those things that are advised for the police
13 service to implement which includes a Multi-Disciplinary
14 Coordination Committee; the establishment of a Child Abuse
15 Protocol, which I'll speak about in more detail; compliance
16 with the Ontario Major Case Management Manuel, given that
17 those offences fit the definition of defined major case;
18 the procedures to be followed for undertaking and managing
19 child abuse investigations and the Framework for a Model
20 Child Abuse Protocol, and I've made reference that within
21 that particular framework it talks about joint training
22 between the police and the CAS.

23 The Framework for the Model Child Abuse
24 Protocol -- and when you look at the document, sir, it's
25 attached almost like an appendix.

1 **MR. DUMAIS:** And we find that at page 5 of
2 Tab 49?

3 **MR. DeBRUYNE:** That's correct, sir.

4 **MR. DUMAIS:** Go ahead.

5 **MR. DeBRUYNE:** It provides a template for
6 the police and the CAS to establish a Child Abuse Protocol
7 which includes the role and mandate of the police and CAS,
8 key definitions, the initial response procedures, the
9 investigation itself; including planning the joint
10 investigation, collection and preservation of evidence,
11 conducting joint investigative interviews of a child or
12 children, where appropriate, a post-interview consultation,
13 the interviewing with the non-offending parent, the
14 interviewing of the alleged offender, victims' assistance,
15 ongoing consultation and case tracking -- information
16 sharing and disclosure, the child protection proceedings,
17 joint training between police and CAS and it also deals
18 with, within the protocol, special circumstances including
19 the investigation of child deaths, multiple victim
20 investigations, historical investigations, investigations
21 involving domestic violence, assistance with apprehensions
22 of children, neglect, the duty to report, major cases,
23 investigations involving police or CAS staff, and
24 monitoring and evaluation.

25 **MR. DUMAIS:** It's a fairly comprehensive

1 template for a protocol.

2 **MR. DeBRUYNE:** Very much so, sir, and what
3 it does is it forces the police agencies within that
4 jurisdiction of the local CAS, for both parties to sit
5 down. And I believe there is also a requirement on the CAS
6 part with respect to their mandate to work with the police
7 on the protocols.

8 **MR. DUMAIS:** All right.

9 Now, I understand you will then speak to the
10 Sexual Offences, Domestic Violence and Child Abuse Module
11 that was part of the Criminal Investigative Course?

12 **MR. DeBRUYNE:** Actually, part of the
13 Advanced Criminal Investigation Program, sir.

14 **MR. DUMAIS:** Yes.

15 **MR. DeBRUYNE:** And it was first offered in
16 December 1985. It was five days in length and as indicated
17 before, it was part of the advanced criminal investigation
18 training and it was one of the modules that could be
19 completed towards the diploma. It addressed things like
20 the overview of the legislation pertaining to sexual
21 assaults, the investigation of sexual assaults including
22 the mandate and mechanics of the investigation, the
23 prosecution preparation and managing the complainant.
24 There was a component on child abuse overview, as well as
25 child abuse investigations and successful child abuse

1 investigations with emphasis on the cooperation between the
2 police and CAS, as well as interviewing offenders, and once
3 again, sir, this was supported by guest lecturers from the
4 outside.

5 **MR. DUMAIS:** And you have enclosed the
6 Training Module for that course at Tab 27?

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

8 **MR. DUMAIS:** And, as well, you have or as
9 part of the Training Module there is an agenda and a
10 timetable which provides or explains what subjects were
11 covered and how much time was spent on each subject?

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

13 **MR. DUMAIS:** If you can then take us to the
14 Sexual Assault Investigation Course?

15 **MR. DeBRUYNE:** We looked at the design of
16 this particular course and in 1994 delivered, commencing
17 1995. It was a 10-day course with 24 candidates and the
18 course description was it:

19 "provides sexual assault investigators
20 with instruction on victim issues,
21 legal issues, search and seizure
22 including search warrants, mechanics of
23 a sexual assault investigation,
24 secondary traumatic stress syndrome,
25 case management systems,...ViCLAS,

1 profiling, the role of the Centre of
2 Forensic Sciences, interviewing
3 suspects and witnesses, and psychiatric
4 disorders.
5 Candidates will be required to
6 participate in an off-campus skills-
7 based practical sexual assault
8 investigation exercise employing
9 investigative skills utilizing the
10 community and investigative resources.
11 Candidates will be required to submit
12 reports outlining a case management
13 system including a formal presentation
14 to a panel consisting of a Crown
15 Attorney, community front-line worker,
16 and a senior sexual assault
17 investigator.
18 Candidates must also complete pre-
19 course assignments including the
20 community resource survey, a...ViCLAS
21 submission form..."

22 And if you could keep in mind the fact then, sir, that this
23 is pre-February 1997. ViCLAS had not been regulated yet.

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

25 **MR. DeBRUYNE:** "...as well as...a pre-

1 course test and a closed book essay on
2 the rape trauma syndrome."

3 And what was unique about this particular course, it was
4 designed in partnership with our community stakeholders
5 such as rape crisis centre workers, the hospital, doctors
6 and counselling support groups, as well as victim
7 advocates.

8 **MR. DUMAIS:** And during the design of this
9 course you were the course coordinator?

10 **MR. DeBRUYNE:** I was, sir.

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

12 And you've indicated that you looked to
13 community partners to help you design the course. What
14 else did you look at or keep in mind in designing that
15 course?

16 **MR. DeBRUYNE:** There were a number of issues
17 that we certainly dealt with and the primary one was that
18 the training would reflect what a police officer, what a
19 detective would go through from the moment the detective
20 received the call until the presentation in court. So for
21 instance, one of the scenarios which was a stranger to
22 victim sexual assault involved an actual crime -- when I
23 say "actual crime scene", actual simulated crime scene --
24 there was ambulance involved, the emergency ward at the
25 hospital was involved, the rape crisis centre was involved.

1 We had a number of support systems that were in place and
2 they actually walked through these particular steps, so
3 that, say, at 9:00 o'clock at night a doctor would arrive,
4 a nurse would arrive in terms of what the local protocol
5 was in that community which was the City of London.

6 In addition to that, we also had
7 representatives of the Ministry of the Attorney General,
8 both what I would refer to as a field Crown, a Crown
9 Attorney that's actually prosecuting, as well as Crowns
10 from 720 Bay Street. The OPP Behavioural Sciences Section
11 played a significant role and we were able to utilize the
12 services of three detective sergeants from Peel, London and
13 the Ontario Provincial Police to assist us.

14 **MR. DUMAIS:** Now, at that time or at the
15 time of the design of the course, were you referring back
16 to the policing standard that existed?

17 **MR. DeBRUYNE:** The standard, I believe, was
18 dated 1996 but it was a work in progress at the time. So
19 we had a working group and some of the players that were
20 involved in the course were also members of the working
21 group. So we were able to take a number of those issues as
22 part of the work in progress, particularly as they related
23 to the core competencies of the sexual assault
24 investigator.

25 **MR. DUMAIS:** And the document which you have

1 enclosed at Tab 43 is the first standard that was drafted
2 out in this part of the policing manual. Is that correct?

3 **MR. DeBRUYNE:** Yes, and that would be the
4 end product that I was talking about, sir.

5 **MR. DUMAIS:** Is there something else you
6 wish to say about the standards before we look at other
7 resources?

8 **MR. DeBRUYNE:** No, sir.

9 **MR. DUMAIS:** All right.

10 Now, I understand that the Ministry also
11 disseminated some materials. Can you just talk about that
12 a bit?

13 **MR. DeBRUYNE:** This is one of the strengths
14 of our Ministry in terms of our Policing Services Division;
15 that it is not uncommon to put out what we refer to as "All
16 Chiefs Memos" which also includes the Commissioner of the
17 OPP. In February of 1997, the Ministry sent out a package
18 and the College also benefited from it for getting a copy
19 of this particular package, which included eight sets of
20 materials in terms of keeping the police services up to
21 date with respect to developments in the area of sexual
22 assault.

23 I have listed those particular documents,
24 and I'd like to stress this is coming out of the Policing
25 Services Division now in Toronto, and I provided a list of

1 those particular documents that were included. A couple of
2 those documents, and, in fact, a number of those documents
3 we had made reference in the design of our sexual assault
4 course.

5 **MR. DUMAIS:** All right.

6 So these documents were circulated to
7 different police services in 1997 by the Ministry but you
8 had a copy of most of the enclosures when you set out to
9 design your course?

10 **MR. DeBRUYNE:** That's correct, sir.

11 **MR. DUMAIS:** And all the documents which are
12 listed at slides 20 and 21 are the enclosures that were in
13 that package?

14 **MR. DeBRUYNE:** That's correct.

15 **MR. DUMAIS:** Now, you have then looked at
16 what adequacy provides -- and I'm looking at Slide 27 --
17 sorry, Slide 22 -- and before I get you to look at that,
18 perhaps you can just correct the error in that slide?

19 **MR. DeBRUYNE:** Mr. Commissioner, the bullet
20 point relating to Clause 12(1)(a) should actually read
21 "Clause 12(1)(r)". I incorrectly put it below but that
22 should really read "Clause 1(r)".

23 And what this relates to, once again going
24 back to the Adequacy Regulation, is:

25 "Every chief of police shall develop

1 and maintain procedures and processes
2 for undertaking and managing general
3 criminal investigations and
4 investigations into specifically sexual
5 assaults."

6 That is located at Tab 50 of the Book of
7 Documents, sir.

8 The next slide deals with the current sexual
9 assault investigation course. The length of that
10 particular course is nine days in length, the composition
11 of the classes 24 officers. The course description:

12 "The course is designed to assist
13 experienced investigators in developing
14 attitudes, skills and knowledge as they
15 relate to the investigation of sexual
16 assault incidents. Training methods
17 include audio-video presentations, case
18 study exercises and lectures."

19 Five courses in 2006; three of those
20 particular courses are at the Ontario Police College and
21 there are two satellite courses, and my colleague, Irene
22 Barath, the next witness, will be talking more about that
23 course in detail, sir.

24 **MR. DUMAIS:** My understanding now is that
25 you have looked at the evolution of major case management;

1 is that correct?

2 **MR. DeBRUYNE:** Yes, sir.

3 **MR. DUMAIS:** And you have a number of slides
4 dealing with the evolution of major case management but
5 what you have also prepared, just to assist us, is a
6 summary of the history of the different steps, and that's
7 located at Tab 52. Is that correct?

8 **MR. DeBRUYNE:** Yes.

9 **MR. DUMAIS:** And so I think what we should
10 do is just look at the different slides and go through them
11 slide by slide, but if parties want to follow the steps,
12 the history is there and we can go back to it if need be.

13 **MR. DeBRUYNE:** Yes, thank you.

14 In late 1984, the Criminal Investigation
15 Section of the Ontario Police College starts to design work
16 around a case management module and a senior OPP/CIB
17 inspector, who at the time was seen as a leader in this
18 particular area, was consulted and design work commenced.
19 This particular module became the mandatory component of
20 the Advanced Criminal Investigation diploma and, to the
21 best of my knowledge, sir, it was the first formal
22 structured case management training in Canada within a
23 training institution.

24 From 1985 to 1994, this particular module is
25 delivered in different forms in a five-day format at the

1 Ontario Police College. In the fall of 1992, the Canadian
2 Police College, under the leadership of Sergeant Mike
3 Shafer of the RCMP, posted a working group of senior
4 investigators from across Canada to commence the design of
5 a major case management course at the Canadian Police
6 College.

7 The pilot for that particular course, which
8 was a three-week course, was delivered in the fall of 1994.

9 In September of 1995, in anticipation of
10 what was going to be flowing out of the Bernardo
11 investigation, the Assistant Deputy Minister of Policing
12 Services Division of the Ministry of the Solicitor General
13 posted a one-week workshop at the Ontario Fire College
14 regarding recommendations for multi-jurisdictional major
15 case management investigations involving serial predators.
16 The results of this are actually identified in Mr. Justice
17 Campbell's report and is referred to as the "Fire College
18 Proposals".

19 In 1995, as a result of items that flowed
20 out of a multiple victim/multiple offender investigation in
21 London which was referred to as "Project Guardian", the
22 Ontario Police College commenced the design of a 10-day
23 course referred to as the "Case Management of Complex Abuse
24 Investigations" and this of course appears in the 1996
25 college calendar but actually had not been delivered, and

1 although it's identified as funding being cut, there was
2 another reason for it too.

3 **THE COMMISSIONER:** Which was?

4 **MR. DeBRUYNE:** At that particular point in
5 time, sir, I actually go on a leave in the summer of 1996.

6 **THE COMMISSIONER:** All right.

7 **MR. DeBRUYNE:** In December of 1995, the
8 Solicitor General requests Mr. Justice Archie Campbell to
9 do a review of the Bernardo investigation and that review
10 is located at Tab 59. The terms of reference are laid out.

11 In June of 1996, Justice Campbell releases
12 his report with 27 recommendations.

13 In September 1996, the Assistant Deputy
14 Minister of the Policing Services Division forms what is
15 referred to as the "Ontario Major Case Management
16 Committee". Its first Chair was an Ontario Provincial
17 Police Criminal Operations detective inspector.

18 The Committee submits what is referred to as
19 the "final report" dated December 13th, 1996 with
20 recommendations concerning case management standards and
21 software in accordance with the recommendations laid out in
22 Justice Campbell's report.

23 **MR. DUMAIS:** Before we go any further, Mr.
24 DeBruyne, if I can just take you back to your slide 24? In
25 your first bullet, it's indicated that in 1984, the

1 Criminal Investigation Section starts a design of a major
2 case management module. So are you referring to the case
3 management module that was part of the criminal
4 investigative course or are you making reference to a
5 variation of that module which became a major case
6 management module?

7 MR. DeBRUYNE: If it's the first bullet
8 point, sir, at 1984; just for clarification?

9 MR. DUMAIS: Yes.

10 MR. DeBRUYNE: That's actually -- we
11 actually designed a case management module, and if you can
12 bear in mind, this is well in advance of the events
13 involving Bernardo. That was done with the Criminal
14 Investigation Branch of the Ontario Provincial Police,
15 specifically a detective inspector by the name of Bud
16 Brennan who was seen as a leader in the field at the time.

17 That module was developed as being a
18 mandatory component to say that if you're going to be
19 involved in any particular serious or major investigation,
20 you needed to have a case management module to begin with.

21 MR. DUMAIS: The only reason why I asked the
22 question is you refer to it as the "Major Case Management
23 Module" and in other slides, it's just referred to as the
24 "Case Management Module".

25 MR. DeBRUYNE: It may have been case

1 management of major cases, sir. I want to be very careful
2 when I say that.

3 MR. DUMAIS: It's the same module,
4 essentially.

5 MR. DeBRUYNE: It's the same module.

6 MR. DUMAIS: Now, the only other question I
7 had was with respect to your comment as to -- and I'm
8 looking at Slide 25 -- why the course was not delivered in
9 1996, so the Case Management of Complex Abuse Investigation
10 Course, and you indicated that it was at that time that you
11 left the College. You were seconded; is that correct?

12 MR. DeBRUYNE: Actually, I was on a leave of
13 absence, sir, for personal reasons.

14 MR. DUMAIS: All right.

15 So are you saying you don't know why it was
16 not delivered or it was not delivered ---

17 MR. DeBRUYNE: What I'm saying to you are
18 two things, sir. The very first one is that to my
19 understanding there is a funding transfer that occurs in
20 1994 from the Institute for Prevention of Child Abuse to
21 the Ontario Association of Children's Aid Societies. The
22 Institute is still operating during this period of time and
23 there is work that is being done. In fact, there is a --
24 and I don't have a copy of the document, sir, but there's a
25 document referenced in the Project Guardian Report that

1 originated from the Institute dealing with the case
2 management of multiple victim/multiple offender
3 investigations.

4 During this design period in 1995, the
5 Institute closes its doors, I believe, effective September
6 1st. The focus on child abuse training then was as we would
7 refer to as core training, entry-level training, and we
8 didn't touch that particular advance.

9 **MR. DUMAIS:** All right.

10 So was the intent that this course be
11 delivered in conjunction with the Institute, with IPCA?

12 **MR. DeBRUYNE:** Had they been in existence,
13 they clearly would have been a partner.

14 **MR. DUMAIS:** All right.

15 So then funding for IPCA was taken away and
16 then you took a leave of absence. So two people involved
17 in the delivery were no longer there. Is that fair?

18 **MR. DeBRUYNE:** That's fair, sir.

19 **MR. DUMAIS:** If I can then just take you
20 back to Slide 27, which is Justice Campbell's Report.

21 **MR. DeBRUYNE:** Justice Campbell's Report,
22 which I believe is around 500 pages plus or minus, can be
23 best described into six basic themes. Those themes are a
24 common major case management system made for Ontario;
25 common major case management software system, which this

1 software system was later identified to be what we call
2 Power Case/Watson; a province-wide coordinated response to
3 serial predators; interdisciplinary support throughout
4 these particular investigations; a coordinated early
5 recognition system, which is commonly referred to as
6 triggering mechanisms and specialized training. And I
7 guess the report has also been summarized in three words,
8 referred to as communication, cooperation and coordination.

9 **MR. DUMAIS:** So following the issue of this
10 report, I understand that there was an Implementation
11 Committee that was set up?

12 **MR. DeBRUYNE:** The Ministry set up an
13 Implementation Project that commenced in June of 1997 and
14 the Project Director was a detective inspector from the
15 Criminal Investigation Branch of the Ontario Provincial
16 Police.

17 **MR. DUMAIS:** And I understand that shortly
18 afterwards, you were seconded to that Implementation
19 Committee; is that correct?

20 **MR. DeBRUYNE:** Initially to the Ontario
21 Provincial Police, the Criminal Investigation Bureau, and
22 then subsequently to the Campbell Report Implementation
23 Project. And I was seconded initially for the purpose of
24 the Ontario Major Case Management Manual, being responsible
25 for investigative standards for the purpose of case

1 managing and investigating defined major cases.

2 I worked very closely with the Ontario Major
3 Case Management Committee, which was a committee of senior
4 investigators from various police services in the Province
5 of Ontario with extensive investigative backgrounds and the
6 Ministry, the Policing Services Division, also supplied a
7 standards officer to work with us.

8 And subsequent to that, sir, I also took on
9 the additional role of working with the Ontario Police
10 College and the project to coordinate the Ontario Major
11 Case Management Course.

12 **MR. DUMAIS:** Now, I understand that as a
13 result of one of the recommendations from Justice
14 Campbell's Report that ViCLAS -- there was a regulation
15 that was adopted in 1997 regarding ViCLAS; is that correct?

16 **MR. DeBRUYNE:** That's correct, sir.

17 **MR. DUMAIS:** And then in the fall of 1997
18 the Committee commenced the design of what became the
19 Ontario Major Case Management Course; is that correct?

20 **MR. DeBRUYNE:** Yes, sir.

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

22 And then you refer to three train the
23 trainer courses which were delivered in April, May and June
24 of 1998, and this was delivered by CRIP.

25 **MR. DeBRUYNE:** I apologize, sir, it's the

1 Campbell Report Implementation Project.

2 MR. DUMAIS: All right. I see.

3 MR. DeBRUYNE: And the model that we chose
4 to utilize would be that we would train a number of
5 trainers and then deliver major case management training in
6 partnership with the police community throughout the
7 Province of Ontario.

8 MR. DUMAIS: So it was following those
9 courses that the standards were finalized; is that fair?

10 MR. DeBRUYNE: The initial draft standards,
11 I believe, are in place for the fall of 1998, and I would
12 like to emphasize draft standards at that point in time.

13 MR. DUMAIS: And at that time the course
14 that they were delivering was a 10-day course, and that was
15 being offered on an outreach basis, so not delivered at the
16 Ontario Police College; correct?

17 MR. DeBRUYNE: There may have been one or
18 two courses at the College, sir, but most of these courses,
19 well over 95 per cent of them would have been delivered
20 throughout the Province of Ontario.

21 MR. DUMAIS: Was this very similar to -- was
22 there a number -- I'll start my question again. Was there
23 a large number of police officers to train as a result of
24 this report and the work of the Implementation Committee?

25 MR. DeBRUYNE: Yes, there was, sir, and I

1 believe we trained well over 2,000 officers utilizing this
2 system.

3 **MR. DUMAIS:** Within a span of ---

4 **MR. DeBRUYNE:** From the fall of 1998, plus
5 the three additional train the trainer courses, until April
6 of 2003, I believe, sir. It may have been April of 2002.

7 **MR. DUMAIS:** So you were training
8 approximately anywhere between 700 and 800 police officers
9 on a yearly basis?

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

11 **MR. DUMAIS:** And I understand that this 10-
12 day course at one point was reduced to an eight-day course;
13 is that correct?

14 **MR. DeBRUYNE:** That's correct. And as the
15 General Investigation Techniques Course started to be
16 delivered on a larger number basis throughout the Province
17 of Ontario, some of the training became redundant, which
18 was actually a healthy thing, so we took out the redundancy
19 and reduced it to eight days.

20 **MR. DUMAIS:** And when were the Ontario Major
21 Case Management Manuals first published and used in the
22 delivery of these courses or to assist in the delivery of
23 these courses?

24 **MR. DeBRUYNE:** I think you'll find that we
25 had what we call loose-draft standards, would have been in

1 1998, early 1999, and then after that I believe we'll have
2 at least three different draft versions of the manual at
3 different times. And I think, sir, they're either late
4 1999-2000, plus 2001, and I think that particular 2001
5 version was used up until the October 2004 version of the
6 Ontario Major Case Management Manual, which is the manual
7 that is now regulated.

8 **MR. DUMAIS:** All right.

9 And at what point was the job of delivering
10 this course transferred back to the Ontario Police College?

11 **MR. DeBRUYNE:** April 1st, 2002.

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

13 And is it at that time that you returned to
14 the College yourself as well?

15 **MR. DeBRUYNE:** I do, sir.

16 **MR. DUMAIS:** Well, tell us about that, how
17 the transfer occurred or whether or not there were any
18 changes as a result of the transfer.

19 **MR. DeBRUYNE:** I went back to the College in
20 April of 2002 and I continued to coordinate, and at that
21 time major case management training, there were two
22 courses. One was the eight-day course referred to as Major
23 Case Management Training and the second course was the
24 Power Case/Watson Course which was our Major Case
25 Management Software Course.

1 And in 2002 there is a detective sergeant
2 from London who was seconded to work with me at the
3 College, and then in 2003, specifically June of 2003, the
4 Ministry temporarily suspended funding for major case
5 management training at the Ontario Police College, but the
6 individual police services still had the option of
7 delivering major case management training, but there was no
8 central coordination from the College.

9 **MR. DUMAIS:** All right.

10 If I can just take you back to your first
11 statement; you referred to Power Case/Watson software
12 training, and that was separate and apart from the Major
13 Case Management Course?

14 **MR. DeBRUYNE:** That's correct.

15 **MR. DUMAIS:** Okay. So were these two
16 courses delivered together?

17 **MR. DeBRUYNE:** They were eventually merged
18 together after 2003, but up until that point in time, they
19 were two separate courses that were delivered. My
20 experience was that you might have had a large number of
21 police officers take the Major Case Management Course, but
22 a smaller of police officers take the software course.
23 Much of that was contingent on the implementation model
24 that individual police services chose to use with respect
25 to the software.

1 **MR. DUMAIS:** So between 2002 and 2003, did
2 the Ontario Police College deliver this course?

3 **MR. DeBRUYNE:** Yes, it did.

4 **MR. DUMAIS:** And was it using the standard
5 and the course that had been designed by the Implementation
6 Committee?

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

8 **MR. DUMAIS:** So there were no changes to
9 that standard?

10 **MR. DeBRUYNE:** There were no changes during
11 that period of time.

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

13 So then in 2003 you've indicated that
14 funding for the delivery of that course was cut; is that
15 correct?

16 **MR. DeBRUYNE:** The explanation given to me
17 was funding was cut, but we would still give the police
18 services the discretion to go ahead and deliver the
19 training on its own. There just would be no coordinator at
20 the College in terms of where we would have a dedicated
21 position or positions to coordinate that training.

22 So for the software training, what they were
23 able to do is they could make arrangements, because the
24 Implementation Project was still running, to get the
25 software from the Implementation Project and deliver the

1 training themselves. That option was still there.

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

3 But from the time that the funding was cut,
4 Ontario Police College was no longer delivering that
5 course?

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

7 **MR. DUMAIS:** And we took a view -- we took a
8 look yesterday at the cost recovery of delivering courses.
9 So between 2002 and 2003, the Ontario Police College was
10 not delivering that course at a cost to different police
11 services; is that correct?

12 **MR. DeBRUYNE:** I don't know the answer to
13 that question, sir. It's just that if there's a cost
14 that's administered through the Register's office, I just
15 don't know. Sorry.

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

17 Perhaps, Commissioner, it's an appropriate
18 point to take a break.

19 **THE COMMISSIONER:** It is a good time.

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

22 The hearing will resume at 11:35.

23 --- Upon recessing at 11:17 a.m. /

24 L'audience est suspendue à 11h17

25 --- Upon resuming at 11:37 a.m. /

1 L'audience est reprise à 11h37

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

4 This hearing of the Cornwall Public Inquiry
5 is now in session. Please be seated. Veuillez vous
6 asseoir.

7 **FIDELIS DEBRUYNE, Resumed/Sous le même serment:**

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

10 **THE COMMISSIONER:** Yes, sir.

11 **MR. DUMAIS:** Mr. DeBruyne, we had just left
12 off in June 2003 and I understand that the next step was
13 the redesign of the course in 2004. Is that correct?

14 **MR. DeBRUYNE:** That's correct, sir.

15 **MR. DUMAIS:** And the redesign was being done
16 by the Ontario Police College?

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

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

19 If you can just start from there and take us
20 through your involvement?

21 **MR. DeBRUYNE:** At this particular time, the
22 redesign work starts. I have now shifted over from the
23 coordination of major case management training to my role
24 as evidence coordinator and another instructor takes over
25 in this particular capacity and my understanding is that

1 the two courses of the Ontario Major Case Management Course
2 and the PowerCase/Watson Course are merged into a single
3 course.

4 The first trainer courses are delivered in
5 August and October of 2004. In the fall of 2004, the
6 Ontario Police College hires a new major case management
7 coordinator and during this particular point in time, a
8 transitional major case management course is designed to
9 handle those particular officers who had received previous
10 training.

11 That particular related material can be
12 found at Tab 58 of the materials and I believe the last
13 transitional major case management course was delivered in
14 April of this year and to my understanding, sir, there
15 won't be anymore after that.

16 From the fall until the end of March, the
17 Ontario Police College continues to deliver the Ontario
18 Major Case Management Course and the Ontario Police College
19 Major Case Management Coordinator is assisted by two
20 seconded instructors. That particular course training
21 standard dated January 2005 can be found at Tab 57 of the
22 materials.

23 **MR. DUMAIS:** Are you aware if funding was
24 reinstated at that point in time?

25 **MR. DeBRUYNE:** I believe funding, sir, is

1 reinstated just prior to the delivery of the new Ontario
2 Major Case Management Course which were the two courses
3 that were merged together, and I think I identified in a
4 previous slide that the funding had been temporarily
5 suspended by the Ministry during that particular point in
6 time. The reasons I do not know why.

7 **MR. DUMAIS:** So it was suspended in 2003 and
8 it would have been reinstated then right before it was
9 redesigned by the Ontario Police College?

10 **MR. DeBRUYNE:** Yes, sir, and I'm not sure if
11 they just take an instructor from another section so she
12 could be funded under another budget line or if the funding
13 was actually restored. I don't know what the answer to
14 that is, sir.

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

16 Now, then the province regulates the major
17 case management system and publishes the Major Case
18 Management Manual. Is that correct?

19 **MR. DeBRUYNE:** That's correct, sir.

20 **MR. DUMAIS:** And I think you referred to
21 that earlier, but do you recall when this manual was
22 issued?

23 **MR. DeBRUYNE:** I believe the date of the
24 manual is October 1st, 2004 and the manual was regulated in
25 the Regulation itself which would have been January 1st,

1 2005. The Regulation, I believe, is located at Tab 55 of
2 the Book of Documents and the manual is located at Tab 56
3 of the Book of Documents.

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

5 And as far as you know, the present course
6 is presently under review. Is that correct?

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

8 **MR. DUMAIS:** And it is anticipated that the
9 2004 version of the course may be restructured or divided
10 into two separate courses, so one for major case management
11 and one for PowerCase software training.

12 **MR. DeBRUYNE:** Yes.

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

14 Now, you then take us through the Major Case
15 Management Regulation 354-04 which came in force on January
16 1st, 2005 and you have looked at that Regulation and how it
17 affects major case management training.

18 **MR. DeBRUYNE:** Yes, sir. There is a
19 requirement for anyone performing the function of major
20 case management primary investigation or file coordination
21 to successfully complete the Ontario Major Case Management
22 Course or its equivalent. And in addition to that -- and
23 I've put down the section numbers and page references
24 within the manual, sir. In addition to that, for the
25 multi-jurisdictional major case managers, there is an

1 additional requirement that they would successfully
2 complete the Multi-Jurisdictional Major Case Management
3 Course or its equivalent.

4 An outline of the Multi-Jurisdictional Major
5 Case Management course can be located at Tab 24. And with
6 respect to the PDF page number, sir, I believe it's at page
7 59, and that course was going to be delivered March 17th to
8 the 21st, 2003.

9 MR. DUMAIS: And that course was never
10 delivered either; is that correct?

11 MR. DeBRUYNE: That's correct, sir.

12 MR. DUMAIS: And did that coincide with the
13 funding cut which you've previously referred to in June
14 2003?

15 MR. DeBRUYNE: That was part of the reason.

16 MR. DUMAIS: All right. Are there other
17 reasons that you're aware of?

18 MR. DeBRUYNE: I'm not sure if there were
19 logistical issues that went along with it, sir, because --
20 and I would -- I can't answer that part of the question
21 because there's also a pool of multi-jurisdictional major
22 case managers that the province identifies so that the
23 province would send out an "All Chiefs" letter and then
24 individual police services would submit names back to major
25 case management to identify officers that would have the

1 necessary knowledge, skills and abilities to perform the
2 function of a multi-jurisdictional major case manager. So
3 there may have been a timing issue with both of those.

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

5 Now, the Regulations provide as well that
6 boards are to establish policies with respect to major
7 cases and that they are to comply with provisions from the
8 manual. Is that correct?

9 **MR. DeBRUYNE:** That's correct, sir.

10 **MR. DUMAIS:** And the Regulation as well
11 refers to the Adequacy Regulations. Is that correct?

12 **MR. DeBRUYNE:** Yes, sir. So what that would
13 implicate is that where a policy or procedure in existence
14 right now relates to a defined major case, then the service
15 would have to update its policy to ensure that in addition
16 to the minimum requirements laid out in the guidelines that
17 I talked about earlier, that the compliance with the
18 Ontario Major Case Management Manual would also take place.

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

20 So you could have adopted a policy following
21 Adequacy but you would not necessarily be in compliance
22 with the new Regulation, this new Regulation; correct?

23 **MR. DeBRUYNE:** I apologize, Mr. Dumais. I
24 don't understand your question.

25 **MR. DUMAIS:** I thought your answer was that

1 the new Regulation on major case management is asking
2 police services to go back and look at their policy.

3 **MR. DeBRUYNE:** Yes, anything that would
4 relate to a defined major case. So that, for instance, if
5 we took a look at what we talked about with sexual
6 assaults, that is a defined major case. So that particular
7 policy would need to be brought up to date to say in
8 addition to all the other things that we have already
9 mentioned within that policy, we also have to ensure
10 compliance with the Ontario Major Case Management Manual.

11 **MR. DUMAIS:** So then it invites police
12 services to modify their policies to make sure that
13 policies regarding different offences also comply -- that
14 there's a component to the Regulation or the policy that
15 deals with major case management as well?

16 **MR. DeBRUYNE:** Yes, as it relates to defined
17 major cases, so that sexual assault, child abuse, homicide,
18 abductions, those types of offences, they would have to
19 update those policies to ensure compliance with the Ontario
20 Major Case Management Manual.

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

22 Now, the Regulation also provides that each
23 police force is to use the most recent version of
24 PowerCase, and I take it that PowerCase has been updated
25 over the years?

1 **MR. DeBRUYNE:** Yes, it has.

2 **MR. DUMAIS:** And you've indicated as well
3 that the province circulated the Major Case Management
4 Manual to all police services. Is that correct?

5 **MR. DeBRUYNE:** That would have gone out with
6 an "All Chiefs" memo, including the Commissioner of the
7 Ontario Provincial Police, with a copy of the Regulation
8 and a copy of the manual, sir.

9 **MR. DUMAIS:** All right.

10 And that went out to, as far as you know,
11 all police services in the province?

12 **MR. DeBRUYNE:** Yes, sir.

13 **MR. DUMAIS:** Now, I believe that the next
14 slides, and I'm looking at Slides 37 through 41, are meant
15 to explain briefly what major case management is and if you
16 can take us through those slides briefly, Mr. DeBruyne.

17 **MR. DeBRUYNE:** In terms of one of the
18 earlier definitions of what case management was, this was
19 developed by -- at that time it was Detective Inspector but
20 now retired Detective Superintendent Bud Brennan -- but
21 case management was talking about the adaptation of proven
22 managerial skills and techniques to provide effective
23 planning and administration for major or high-impact
24 occurrence investigations. And I might emphasize at this
25 particular point in time how important communication was.

1 And this is adapted from the Major Case
2 Management Course at the Canadian Police College and was
3 also modified with respect to the work that was performed
4 by the Campbell Report Implementation Project, but to
5 indicate that these critical aspects included adequate
6 supervision, that there had to be an organizational
7 structure, and as Mr. Justice Campbell put it, one officer
8 clearly in charge, that we were talking about the
9 acquisition of resources and in particular on high-impact
10 occurrences, what we would refer to as front-ending those
11 particular resources and how we would allocate those
12 resources. And we have what we refer to as a "complexity
13 continuum" so that if you take a look at defined major
14 cases which are broken up into two areas, thresholds and
15 non-thresholds, that the less complex the investigation is,
16 the more likely you would have one officer performing a
17 number of functions and the more complex the particular
18 case, the more likelihood that you would have to have a
19 number of officers performing those particular
20 investigative functions.

21 The organizational structure that I'm
22 talking about in the next slide was developed within the
23 Campbell Report Implementation Project which clearly shows
24 that the officer performing the function of Major Case
25 Management is the one that clearly is in charge and that

1 victims' issues, for instance, which are very, very high on
2 the list, we would assign a victim liaison officer to work
3 with the victims in the particular case, and that
4 particular officer would report directly to the Major Case
5 Manager, similar to the officers performing the functions
6 of primary investigation and file coordination. You will
7 see that there are a number of other roles that go along --
8 investigative roles that would go along with that.

9 Within the Ontario Major Case Management
10 Manual itself there are defined major cases that I've
11 mentioned already that are broken into both threshold and
12 non-threshold. What this particular flowchart does is, as
13 you face the screen and look at the left side, it talks
14 about the investigative flow of the information with
15 respect to where a major case is not a threshold and where
16 the major case is a threshold where there is a higher
17 degree of accountability with respect to who conducts that
18 investigation.

19 Regardless of whether it is a threshold or
20 non-threshold, both those occurrences must be signed off by
21 an approved major case manager and there is minimum data
22 that is required to be entered into the software system.

23 The next slide deals with something that
24 Justice Campbell talks about in his report, is where you
25 have two or more jurisdictions -- and when I talk about

1 jurisdictions I'm talking about police jurisdictions where
2 investigations would be merged. There would be an
3 establishment of a joint management team which primarily,
4 for the most part, would deal with senior managers of the
5 involved police services. They would make a decision on
6 the selection of the Multi-Jurisdictional Major Case
7 Manager. If we were working from a pool it would have to
8 come from that pool. Otherwise, they would be looking at
9 someone with the knowledge, skills and abilities. And, for
10 instance, looking at that particular command triangle
11 there, the grey area, you could have as many as seven
12 bodies involved or as few as three bodies involved in that
13 type of complex investigation. Once again, you could see
14 the elevation of victim liaison and the importance of
15 victims where we would have that individual reporting
16 directly to the Multi-Jurisdictional Major Case Manager.
17 In addition, what flows off, ideally, we would have a Crown
18 attorney involved, depending on the jurisdiction and
19 something called an "Investigative Consultant Team" which I
20 will go into more detail after.

21 Throughout Justice Campbell's Report, he
22 references on a number of occasions the expression
23 "systemic failure". And the definition that we have
24 attached to those particular words is the failure to have a
25 system in place to address or respond to specific

1 investigative issues or having a system in place to address
2 or to respond to specific investigative issues, you have
3 failed to apply or enforce it.

4 Justice Campbell also talked about
5 interdisciplinary support within these particular
6 investigations and one of the ways that we could do this is
7 by way of case conference. And the definition there, and I
8 might add the next slide is an addition to it, is the
9 consultation with appropriate representation from all
10 involved agencies and any other experts who may assist in
11 any aspect of the investigation and, where applicable, the
12 Major Case Manager shall conduct a case conference at the
13 earliest opportunity for the purposes of obtaining
14 interdisciplinary input to assist in developing
15 investigative strategies, establishing priorities and
16 ranking the sequence of any investigative procedures.

17 For instance, within the Ontario Major Case
18 Management Manual, at Tab 56 of the Book of Documents,
19 there is specific reference to the Office of the Chief
20 Coroner and the role it would play in case conferencing.

21 As well, since that particular time where
22 that standard was initially developed, the Office of the
23 Chief Coroner has also issued a memo dated September 13th,
24 2002, I believe, that case conferencing shall be done
25 within two weeks of a homicide or suspicious death

1 investigation just to reinforce the importance of case
2 conferencing.

3 **MR. DUMAIS:** Are these case conferences an
4 example as to how to avoid what they call "tunnel vision"?

5 **MR. DeBRUYNE:** Absolutely, sir.

6 **MR. DUMAIS:** And you made reference to the -
7 - I'm looking at Slide 41 which is the Multi-Jurisdictional
8 Investigative Functions Chart.

9 So was the intent in designing the Multi-
10 Jurisdictional Course to take that aspect of the training
11 out of the Major Case Management Course and have a course
12 specific to that?

13 **MR. DeBRUYNE:** Yes, sir.

14 **MR. DUMAIS:** But it would still be ---

15 **MR. DeBRUYNE:** At an elevated level.

16 **MR. DUMAIS:** Oh, I see. So it's briefly
17 being addressed in the Major Case Management Course
18 presently?

19 **MR. DeBRUYNE:** Just in terms of what it is.
20 And the reason why we address it there is that if you are a
21 member of the command triangle performing the function of
22 case management primary investigation or file coordination,
23 you automatically become a member of the Investigative
24 Consultant Team. So that's why we also mention it in that
25 particular course, too.

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

2 This is defined, and you would find it on
3 page 10 of the manual located at Tab 56 of the Book of
4 Documents, that it's the group that has formed a case
5 conference. The formation of this team is mandatory -- and
6 I apologize. That should read "in a multi-jurisdiction
7 investigation" and is discretionary in a single
8 jurisdiction investigation.

9 "An Investigative Consultant Team may
10 include but is not limited to forensic
11 experts, medical experts, the Centre of
12 Forensic Science Experts, the Office of
13 the Chief Coroner, forensic psychiatry,
14 office of the local Crown Attorney,
15 forensic pathology and alternate multi-
16 jurisdictional major case manager and
17 other experienced investigators. The
18 Investigative Consultant Team shall
19 include members of the command
20 triangle."

21 **MR. DUMAIS:** And then at Slide 46 you go
22 through the different duties and responsibilities of that
23 consultant team and all those responsibilities are found in
24 the manual?

25 **MR. DeBRUYNE:** That's correct, sir.

1 **MR. DUMAIS:** And you've listed the different
2 disciplines that could form part of the command triangle in
3 your next slide, Slide 47?

4 **MR. DeBRUYNE:** Yes, sir.

5 **MR. DUMAIS:** All right.

6 Now, you make reference in your next slide
7 to peer evaluation or case review. Can you just briefly
8 explain what that is?

9 **MR. DeBRUYNE:** It would be best described as
10 what we would refer to as a fresh look at the evidence.
11 It's an examination of the administrative management and/or
12 operational aspects of the investigation including a peer
13 evaluation, and this can take place anytime during the
14 investigation. I'm aware of some investigations and what
15 we would refer to as a "whodunit" crime where all our
16 investigative leads and tips are all exhausted, we've done
17 everything we can do. So what would happen is the host
18 agency would invite individuals in with homicide or sexual
19 assault investigation -- investigative backgrounds, pardon
20 me -- with case management experience and they would
21 present; do a presentation with respect to what had been
22 done in that investigation and then ask, "Are there further
23 things that we can do?" And that was also one of the
24 things that was referenced in Justice Campbell's report.

25 **MR. DUMAIS:** All right.

1 So, essentially, a fresh look at the
2 investigation?

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

4 **MR. DUMAIS:** Now, you speak then to case
5 preparation and disclosure.

6 **MR. DeBRUYNE:** In keeping with some of the
7 principles that are discussed within Justice Kaufman's
8 review of the Morin investigation, the Paul Morin
9 investigation, we teach this both to the basic constables
10 as well as on their General Investigation Techniques Course
11 that what we are talking about is objectively investigating
12 the complaint or incident following proper police
13 procedures and, where reasonable grounds exist, laying
14 information and be able to present the facts in issue
15 beyond a reasonable doubt while complying with the rules of
16 evidence, including the Charter. The results of this
17 investigation are outlined in a Crown brief for Court
18 purposes and are subject to the rules of disclosure.

19 And when we talk about disclosure, we break
20 it up into primarily three areas. The first is what we
21 refer to as the "analysis of the investigation"; the second
22 is what we would refer to as the fruits of the
23 investigation and because, depending on the complexity of
24 the investigation where there could be a lot of paperwork
25 generated, we clearly indicate to investigators where there

1 is any evidence that is exculpatory, that that clearly
2 needs to be highlighted to the Crown attorney. And the
3 third area deals with what we would refer to as "privileged
4 communication" and that includes working with the Crown
5 depending on the police jurisdiction vetting what we would
6 say is not relevant information; also includes copies of
7 notebooks. As I have indicated before, exculpatory
8 evidence, we place emphasis that disclosure never stops;
9 that it's an ongoing responsibility. We talk about
10 disclosure registers to ensure that we have an accurate
11 record of everything that is disclosed to the Crown and
12 that within certain jurisdictions within the Province of
13 Ontario that there is a protocol set up between the local
14 Crown attorney and the individual police services within
15 that jurisdiction with respect to Criminal Case Management
16 and what we are talking about at this particular point in
17 time is the preparation for court.

18 **MR. DUMAIS:** And you speak to Criminal Case
19 Management Protocols.

20 **MR. DeBRUYNE:** In September 9, 2004 there
21 was a report prepared by the effective Scheduling Working
22 Group of the Criminal Justice Steering Committee for
23 presentation to the Justice Summit 2004. And what this
24 protocol identifies are best practices in all sectors; that
25 is, practices that promote the efficient movement of cases

1 through the Ontario Court of Justice and which preserve and
2 promote the rights of all persons charged with criminal
3 offences to due process in a timely fashion. The Ontario
4 Association of Chiefs of Police, to my knowledge, has a
5 committee or at least a group of individuals in place to
6 respond to those particular recommendations and, certainly,
7 I'm aware of and I believe there are some in the province,
8 the eastern part of this province, for instance, where some
9 of these protocols are also in existence between the local
10 Crown office and the individual police agencies affected.

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

12 Now, I believe you're moving to your next
13 topic which deals with child sexual abuse investigative
14 training and you have started with giving us an overview of
15 what IPCA, or the Institute for the Prevention of Child
16 Abuse organization, is or was.

17 **MR. DeBRUYNE:** Formerly the Ontario Centre
18 for the Prevention of Child Abuse, and the Institute for
19 Prevention of Child Abuse was a non-profit charitable
20 organization which was established in 1987 by the Ontario
21 Ministry of Community and Social Services. The Institute
22 was funded by government grants, fundraising, as well as
23 user fees.

24 "The Mission of the Institute was to
25 make society a safe and nurturing place

1 for children through:
2 a) Improving the quality of
3 intervention to support abused children
4 and their families, and
5 b) Addressing the underlying causes of
6 violence against children in society"

7 **MR. DUMAIS:** So they did not have a specific
8 mandate to deliver training?

9 **MR. DeBRUYNE:** That certainly was part of
10 their mandate, sir.

11 "The Institute sought to fulfil its
12 mission through training and
13 consultation services, prevention
14 services,...[as well as] information
15 sharing... [It] provided a national
16 contribution to the prevention of child
17 abuse by making its services and
18 programs available across Canada on a
19 fee for service basis... [and their]
20 training programs, for example, had
21 been provided across Canada from
22 Newfoundland to the Yukon."

23 And the information that I was able to
24 obtain, sir, showed that the Institute officially closed
25 its doors on September 1st, 1995.

1 **MR. DUMAIS:** Now, I understand that the
2 Institute for the Prevention of Child Abuse had a
3 relationship with the Ontario Police College in delivering
4 some training.

5 **MR. DeBRUYNE:** That's correct, sir.

6 **MR. DUMAIS:** Perhaps you can take us through
7 their involvement with the Ontario Police College as it
8 relates to training.

9 **MR. DeBRUYNE:** On Slide 54, I'll just
10 quickly review some of the training that we were involved
11 with. The core course for what we refer to as joint
12 training between the police and the CAS was referred to as
13 Child Sexual Abuse and we called it Part I, which was the
14 investigation and assessment, and I'll go through that
15 course in more detail after. Part II was strictly for
16 child protection workers, given the nature of what that
17 course was.

18 Part III was like an advanced interviewing
19 course, and I'll give a little bit more detail after, but
20 that course was delivered in a daycare environment. It had
21 a very small number of social workers and police officers
22 involved; ideally six police officers, six social workers.

23 There was also a Physical Abuse Course
24 developed; an Investigation and Assessment of Abuse
25 Regarding Children with Disabilities; Investigation and

1 Assessment of Allegations of Child Abuse in Child Custody
2 Disputes, and the direction we were working in was to merge
3 those particular courses into Special Issues in Child Abuse
4 Investigations. Then, the development of a Case Management
5 of Complex Abuse Investigations, and I'll go into more
6 detail with that.

7 And then with the establishment of our new
8 partner was the Ontario Association of Children's Aid
9 Society, which was the Investigation of Sexual Offences
10 Against Children Course.

11 And all those particular courses were
12 premised on joint training. In the ideal environment there
13 would be 50 per cent of the class would be social workers
14 and 50 per cent of the class would be police officers.

15 **MR. DUMAIS:** And were both the OPC and IPCA
16 involved jointly in the delivery of all these courses?

17 **MR. DeBRUYNE:** The ones that were delivered,
18 sir, with the exception of Part II -- Part II was delivered
19 strictly by Child Protection -- but what happened was the
20 Ontario Police College were able to obtain the services of
21 police officers throughout the Province of Ontario -- for
22 instance, we had a couple of police officers from this part
23 of the province -- and IPCA was able to obtain social
24 workers plus their own full-time training people to deal
25 with the child protection part. And what we attempted to

1 do was to have a police officer and a child protection
2 worker who was a trainer or a full-time trainer from the
3 Institute jointly deliver that training in individual
4 communities across the Province of Ontario. For instance,
5 I've delivered training up in Kenora with a trainer.

6 **MR. DUMAIS:** And you're referring to the
7 Child Sexual Abuse, Part II Course; correct?

8 **MR. DeBRUYNE:** Actually, Part I Course, sir.

9 **MR. DUMAIS:** I see.

10 **MR. DeBRUYNE:** The Part II is strictly for
11 child protection workers.

12 **MR. DUMAIS:** Okay. So then the Ontario
13 Police College was not involved in the delivery of that
14 course?

15 **MR. DeBRUYNE:** On Part II only.

16 **MR. DUMAIS:** And were most of these courses
17 being delivered at the Ontario Police College or were they
18 mostly delivered offsite?

19 **MR. DeBRUYNE:** Most of the courses were
20 delivered offsite in communities across the province.

21 **MR. DUMAIS:** Do you know the percentage or
22 the -- can you give us ---

23 **MR. DeBRUYNE:** Sir, I would say over 95 per
24 cent of those courses were delivered in communities across
25 the province.

1 **MR. DUMAIS:** Okay. So they were mostly
2 delivered offsite?

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

4 **MR. DUMAIS:** Now, you have started
5 explaining the Child Sexual Abuse, Part I Course.

6 **MR. DeBRUYNE:** This course was what we would
7 refer to as the core course for police officers and social
8 workers. The length at this particular time was four days.
9 The composition -- and, once again, the composition we
10 attempted to obtain were half the class would be police
11 officers, the other half of the class would be CAS workers.
12 And the course description as we have it here, and there is
13 more information located at both Tab 31 and 33 of the Book
14 of Documents, is that this is a four-day program designed
15 for child protection and police investigators.

16 "The training program provides up-to-
17 date information on current methods of
18 investigating and assessing allegations
19 to child sexual abuse. The program
20 promotes joint child welfare and law
21 enforcement intervention and emphasizes
22 the development of a coordinated
23 community response to child sexual
24 abuse. The program is co-facilitated
25 by police and child protection

1 workers."

2 **MR. DUMAIS:** And then the different topics
3 being covered in that course are listed in Slide 56.

4 **MR. DeBRUYNE:** Yes, sir, and the topics
5 included:

6 "The incidence and dynamics of child
7 sexual abuse; Joint child
8 protection/police investigations;
9 Investigative interviews with children;
10 Verification and assessment of
11 allegations; Investigative interviews
12 of non-offending parents; Child welfare
13 and criminal code legal provisions;
14 Investigative interview of offenders;
15 Risk assessment; and Inter-professional
16 communication and coordination."

17 And once again, as previously identified,
18 the course was delivered both at OPC and on our outreach
19 basis but primarily on outreach.

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

21 Then, if we look at Slide 57, it appears to
22 be a model that sets out the responsibilities of the
23 different players in a joint investigation; is that
24 correct?

25 **MR. DeBRUYNE:** It does, sir, and the

1 relevance of this particular model is that my understanding
2 was nothing has changed in terms of practice, what was
3 being taught, say, 10 years ago and what is in practice
4 today; that, in fact, there is a complaint made to the
5 police or child welfare agency, and then you can see the
6 different roles as we move through that particular
7 organizational chart.

8 And would you like me to walk through those,
9 sir?

10 **MR. DUMAIS:** I don't think it's necessary,
11 but I guess if -- so not only was this course advocating
12 joint training; it's advocating joint investigations as
13 well. Was that the premise of the course?

14 **MR. DeBRUYNE:** It was premised on the fact
15 that the joint training was being done because the ideal
16 way of doing these investigations are that they would be
17 joint investigations.

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

19 Now, this investigative model is taken out
20 of the course that was being delivered in 1994; is that
21 correct?

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

23 **MR. DUMAIS:** And as far as you know, is this
24 model still being delivered today in any type of course at
25 the Ontario Police College or elsewhere?

1 **MR. DeBRUYNE:** I don't know. I believe my
2 colleague, the next witness, ---

3 **MR. DUMAIS:** Okay.

4 **MR. DeBRUYNE:** --- would be better to answer
5 that.

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

7 Now, the next slide deals with Part III
8 course which is the Investigation and Assessment of Sexual
9 Abuse Regarding Very Young Children. Perhaps you can just
10 explain what the difference is between Part I and Part III.

11 **MR. DeBRUYNE:** The analogy I would use on
12 the General Investigation Techniques Course at the Ontario
13 Police College is that we give a core -- what we call core
14 information around investigative interviewing, but in
15 addition to that, we also have an Advanced Interviewing
16 Course. And so what would happen on Part I, they would get
17 core information around conducting interviews.

18 Part III was like the advanced one and the
19 difference with the Part III was the group was much
20 smaller. We physically delivered that course in a daycare
21 centre. There were a number of provisions in place for
22 consents and those kinds of things and we spent a little
23 bit more time on child development with respect to the
24 issues around interviewing. So it's just one notch higher
25 in terms of the interviewing skills that we were teaching.

1 **MR. DUMAIS:** And was it more -- was one more
2 practical than academic or was Part III more practical than
3 academic?

4 **MR. DeBRUYNE:** Part III was more practical,
5 sir.

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

7 And was there any portion of Part I that was
8 practical at all?

9 **MR. DeBRUYNE:** Yes. Part I, to my
10 understanding, we would set up role plays in Part I but it
11 became, after I left the Section, much more practical
12 because my understanding was there was an involvement with
13 young school children after the fact. So that course was
14 actually modified but that would have been after I left and
15 perhaps my colleague, Irene Barath, would have more
16 information on that.

17 **MR. DUMAIS:** All right.

18 And one aspect of the practical training
19 that you've noted was that interviews were being conducted
20 in a daycare setting; is that correct?

21 **MR. DeBRUYNE:** That's correct, sir.

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

23 So you physically attend a daycare centre
24 and conduct interviews?

25 **MR. DeBRUYNE:** Yes, sir.

1 **MR. DUMAIS:** And was that practice
2 controversial or was there opposition to that practice?

3 **MR. DeBRUYNE:** When I was involved, and I
4 delivered a number of these courses, we had signed consents
5 and the only thing that would ever come up with respect to
6 the videotapes, because we had an undertaking to destroy
7 them, was sometimes we would have parents ask if they could
8 sort of keep the videotapes as a bit of a souvenir to see
9 their child. These are very soft interviews in terms of --
10 the scenario was a clown coming into the classroom on day
11 one and the children would be interviewed three or four
12 days later on that event. So I never experienced any
13 controversy whatsoever, sir.

14 **MR. DUMAIS:** All right.

15 And the different topics that were presented
16 in this Part III Course are listed in Slide 59?

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

18 **MR. DUMAIS:** And these topics are taken
19 directly from the module or the table of contents of the
20 course for that year?

21 **MR. DeBRUYNE:** Yes, sir.

22 **MR. DUMAIS:** You then refer to special
23 issues and child abuse investigations.

24 **MR. DeBRUYNE:** This particular course was
25 designed to replace three individual courses that were

1 being offered before, and once again, sir, I'm not sure if
2 this course was delivered after I left or not, but in
3 summary, once again, the emphasis was placed on the
4 composition of the class being half police and half CAS,
5 and it was to provide the knowledge and skill training
6 regarding the difficult task of assessing allegations of
7 child abuse involving special issues such as children with
8 disabilities, child custody disputes and physical abuse
9 substantive in case law, also discussed at an advanced
10 level.

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

12 So you're not sure when the delivery of this
13 course started and when the delivery of the three other
14 courses stopped?

15 **MR. DeBRUYNE:** No. I am aware that at least
16 with one of the other courses, that I did read something
17 that the delivery of that course was stopped once the
18 Institute had closed its doors.

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

20 And is it the same situation that some of
21 these courses were -- or this specific course was, as well,
22 being offered at the Ontario Police College and on an
23 outreach basis as well?

24 **MR. DeBRUYNE:** Not that particular course,
25 but the smaller modules were, sir, because they were three

1 separate courses at the time.

2 **MR. DUMAIS:** I see.

3 Now, you have looked at different reports
4 that have addressed the issue of joint police/CAS child
5 abuse training; is that correct?

6 **MR. DeBRUYNE:** I have.

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

8 Perhaps you can take us through the
9 different reports that you've looked at.

10 **MR. DeBRUYNE:** The 1978 Ministry of
11 Community and Social Services Report of the Taskforce on
12 Child Abuse, which is also referenced as the Garber Report,
13 this particular report made recommendations related to the
14 incidents of child abuse and this report formed the basis
15 of the standards and guidelines for the management of child
16 abuse cases issued in February 1981 under what was then the
17 *Child Welfare Act*, 1978. That particular reference for the
18 documents is located at Tab 26 of the Book of Documents,
19 and I might add that those standards were later updated, I
20 believe, in 1992 as a result of joint consultation between
21 the Institute for Prevention of Child Abuse, the Ontario
22 Association of Children's Aid Societies and the Ministry of
23 Community and Social Services to address issues such as
24 joint protocols and joint investigations, and that update,
25 I believe, is located at Tab 41 of the Book of Documents.

1 One of the references in the original report
2 identified the need for joint CAS/police child abuse
3 investigations. You can take a look at Recommendation 10
4 of that particular report.

5 And Recommendation 20 references that the
6 Ministry of Community and Social Services, through the
7 Inter-ministerial Committee on Children's Services have
8 different disciplines, including appropriate child abuse
9 training content in the curricula for the respective
10 professions.

11 And I would ask if I could move two slides
12 that I've addressed those particular issues to Slide 64, if
13 that's okay.

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

15 **MR. DeBRUYNE:** In 1982 -- and, Mr.
16 Commissioner, I'd like to make a correction at this point
17 in time, please -- there is a judicial inquiry into the
18 care of one Kim Anne Popen by the Children's Aid Society,
19 and that should read the City of Sarnia and the County of
20 Lambton by His Honour Judge Ward Allen. There were 87
21 recommendations within this particular report and there are
22 many issues around training and joint investigations.

23 Also, Judge Allen references the Garber
24 Report within his report, and one of the things that is
25 clearly identified is that there's a clear case of poor

1 communication and breakdown in the investigation between
2 the police and CAS during the open investigation.

3 And if I may add, sir, subsequent readings
4 of other inquiries such as the Gove Inquiry and the Hughes
5 Report out in British Columbia that identified some of the
6 problems where these agencies work in silos, and when they
7 work in silos, there's a breakdown in communication. So
8 the emphasis, once again, clearly being on joint
9 investigations.

10 With respect to sexual abuse, there is a
11 document dated 1982 written by a gentleman by the name of
12 Ross Dawson who later on became heavily involved in the
13 Institute for Prevention of Child Abuse, but it's called
14 "The Sexual Abuse of Children: a Training Program for
15 Children's Aid Society Staff Providing Services to Sexually
16 Abused Children and their Families". This particular
17 document is referenced in a number of other documents, but
18 particularly with reference in forming the core training
19 related to sexually abused children. Mr. Dawson certainly
20 provided leadership and direction in this area and it was
21 the core document to demonstrate what was in place at that
22 particular time and it gave the future direction with
23 respect to child sexual abuse training.

24 In 1983 there's a Standing Committee on
25 Social Development, the Province of Ontario, and it's

1 referred to as the second report on family violence and
2 child abuse, addresses the need for a multi-disciplined
3 approach to child abuse investigations.

4 When you look at that particular document,
5 Recommendation Number 9 says:

6 "All Children's Aid Societies must
7 develop a good working relationship
8 with the local police for the
9 investigation of reports of child
10 abuse. In furtherance of that
11 relationship, each CAS should examine
12 the Child Sexual Abuse Protocol
13 developed by the Metropolitan
14 Chairman's Special Committee on Child
15 Abuse and consider adapting it to local
16 conditions."

17 There is also a detailed description on page
18 14 of that report.

19 Recommendation number 20 talks about the
20 Ministry of the Attorney General and Solicitor General:

21 "...must jointly devise a set of
22 guidelines for charging and prosecution
23 of professionals who do not report
24 suspected cases of child abuse."

25 And the Ontario Centre -- what was then

1 referred to as the Ontario Centre for the Prevention of
2 Child Abuse would take the lead for training professionals
3 on a multi-discipline approach and bearing in mind, sir,
4 this is pre-1987 when the Institute for Prevention of Child
5 Abuse actually came into existence.

6 **MR. DUMAIS:** And all the reports that you've
7 made reference to in the previous slides all preceded the
8 delivery of the first joint training course between OPC --
9 with OPC and IPCA; correct?

10 **MR. DeBRUYNE:** That's correct, sir.

11 **MR. DUMAIS:** Do you know if any of these
12 reports have any influence in the setting up of that
13 training?

14 **MR. DeBRUYNE:** I know that the reports in
15 the early stages, I know I certainly referenced them, and
16 the reports influenced me in writing a document that I
17 developed back in 1983 in response to a course I took at
18 the Canadian Police College where I wrote a core training
19 standard on joint police/CAS child abuse investigations.

20 Now then, in 1987, the Institute for
21 Prevention and Child Abuse comes into existence and in
22 partnership with the Institute, we deliver joint police/CAS
23 training on a province-wide outreach basis, and the
24 Institute used to put on annual conferences that addressed
25 many issues, including new legislation and, just by way of

1 highlight, certainly Bill C-15 which came into existence
2 January 1st, 1988, as well as issued around child
3 interviews, for instance.

4 In partnership with the Institute, we also
5 developed training at an advanced level that included
6 experts from Canada and the United States to develop our
7 trainers and to keep those trainers current, and that was
8 at a much higher level than what the trainers would be
9 normally delivering.

10 And that core training, which I've already
11 talked about, was identified as Parts 1, 2 and 3 which are
12 listed at the bottom of Slide 67, sir.

13 In 1988 ---

14 **MR. DUMAIS:** Perhaps if I can just interrupt
15 you for a second ---

16 **MR. DeBRUYNE:** Sorry, sir.

17 **MR. DUMAIS:** Perhaps this is an appropriate
18 time to break for lunch.

19 **MR. DeBRUYNE:** I'm sorry.

20 **THE COMMISSIONER:** No, no, no problem. But
21 I think it is time for lunch and enjoy some of the sun this
22 afternoon.

23 **MR. DeBRUYNE:** Thank you.

24 **THE COMMISSIONER:** Thank you. We'll see you
25 at 2:00.

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

3 The hearing will reconvene at 2:00 p.m.

4 --- Upon recessing at 12:33 p.m./

5 L'audience est suspendue à 12h33

6 --- Upon resuming at 2:02 p.m. /

7 L'audience est reprise at 14h02

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

10 This hearing of the Cornwall Public Inquiry
11 is now in session. Please be seated. Veuillez vous
12 asseoir.

13 **THE COMMISSIONER:** Good afternoon all.

14 Maître Dumais.

15 **FIDELIS DeBRUYNE, Resumed/Sous le même serment:**

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

18 **MR. DUMAIS:** Good afternoon, Mr. Debruyne.

19 I understand that in 1988, the Ministry of
20 the Solicitor General jointly released a handbook with the
21 Ministry of Community and Social Services that was called
22 "Child Abuse: A Guide for Ontario Police".

23 **MR. DeBRUYNE:** That's correct, sir.

24 **MR. DUMAIS:** And you had a look at that?

25 **MR. DeBRUYNE:** Yes, sir. It's located at

1 Tab 28 of the Book of Documents.

2 MR. DUMAIS: And did that document make any
3 reference to joint training?

4 MR. DeBRUYNE: It makes reference with
5 respect to the cooperation between the police and the CAS
6 and information sharing during these particular
7 investigations and outlines each other's mandates.

8 MR. DUMAIS: And are you aware how that
9 document was disseminated?

10 MR. DeBRUYNE: My understanding, sir, it was
11 disseminated province-wide through both ministries.

12 MR. DUMAIS: All right.

13 And your next bullet indicates that:

14 "The handbook was served as a blueprint
15 for joint police and CAS investigations
16 and general guidelines for police and
17 CAS, including working protocols."

18 A blueprint for what?

19 MR. DeBRUYNE: It would have been a
20 blueprint bearing in mind that protocols were developed
21 well in advance of the Adequacy Regulation. So protocols
22 go back -- in fact, some of the protocols go back as early
23 as 1983 and probably earlier than that and what this
24 particular handbook does is it lays out each other's
25 mandate, the responsibilities they have in the

1 investigation, including their responsibilities to the
2 safety of the child or children that are involved.

3 **MR. DUMAIS:** Your next item which is dated
4 1998 refers to training around the release of Bill C-15.
5 Is that correct?

6 **MR. DeBRUYNE:** Yes. That was a significant
7 piece of legislation that was put in place with respect to
8 what I would refer to as child-related offences and there
9 were a number of individuals from different disciplines
10 that were involved in training professionals, including our
11 trainers within the system. And when I say "our trainers",
12 sir, I'm talking about the police and the CAS trainers that
13 we had in place.

14 **MR. DUMAIS:** All right.

15 And you looked at other publications as
16 well?

17 **MR. DeBRUYNE:** There is a publication that
18 is referred to, Canada's Law on Child Sexual Abuse put out
19 by the Department of Justice by Mary Wells, as well as
20 understanding criminal prosecutions for child sexual abuse
21 which was Bill C-15 in the *Criminal Code* by Mr. Bala and
22 Catherine Stewart for the Institute.

23 **MR. DUMAIS:** And does that document discuss
24 joint training, joint investigations or joint prosecutions?

25 **MR. DeBRUYNE:** I took a reference on the

1 next slide, which is slide 69, and regarding -- under the
2 heading of "Special Note: Understanding Criminal
3 Prosecutions for Child Sexual Abuse," at page 44, there's a
4 quote:

5 "Training of personnel in mandated
6 systems, that is child protection and
7 police, is critical. Such training
8 needs to be: intensive (one day of
9 instruction in interviewing techniques
10 is insufficient); on-going (to mitigate
11 the disruption of turnover and to allow
12 for updating); interdisciplinary (to
13 further intersystem understanding and
14 co-operation); and province-wide."

15 **MR. DUMAIS:** And right before that on the
16 same slide, you refer to the release of the Badgley Report
17 in 1984?

18 **MR. DeBRUYNE:** Yes, sir. The Badgley Report
19 contained 52 recommendations, including the area of the
20 reform of sexual offences, including substantive offences,
21 as well as evidentiary and procedural changes especially
22 around children testifying and being videotaped. And I
23 believe that document was also a foundation with respect to
24 some of the legislative changes that came in existence on
25 January 1st, 1988 as a result of Bill C-15.

1 **MR. DUMAIS:** And in 1991, there was a report
2 of the Special Advisor to the Minister of National Health
3 and Welfare on Child Sexual Abuse. The report was prepared
4 by Mr. Rix Rogers.

5 **MR. DeBRUYNE:** That's correct, sir, and
6 within that report there were a number of recommendations
7 and I've identified those recommendations that I would
8 refer to as the main issues for the police, which included
9 protocols, prosecution priorities and support for victims,
10 specialized multidisciplinary training and inter-
11 professional cooperation being essential, designated
12 investigators and the levels of expertise that are
13 required, the implementation around Bill C-15, particularly
14 as it related to videotaping, testifying and support and
15 the establishment of police policies and procedures.

16 **MR. DUMAIS:** Now, the next slide, Mr.
17 DeBruyne, slide 71, expresses your views on the concept of
18 joint police and CAS training.

19 **MR. DeBRUYNE:** Yes, sir, particularly the
20 second bullet point and I'd like to emphasize that that's
21 my personal opinion on the basis of having the privilege of
22 working with the Institute.

23 From 1987 to 1995, as I indicated earlier,
24 my understanding was the funding was cut off at the
25 Institute or some people would say it was transferred to

1 OACAS.

2 During that first year, which would have
3 been 1994, the Ontario Association of Children's Aid
4 Societies, to my knowledge, didn't have the infrastructure
5 in place yet. It contracted the Institute for the
6 Prevention of Child Abuse to deliver what we would describe
7 as core training until that infrastructure was established.

8 My experience, having worked with the
9 Institute, was it exemplified the very best for the
10 development and design of child abuse training. And, sir,
11 I'd like to just clarify, if I may, that is no reflection
12 on the Ontario Association of Children's Aid Societies.
13 It's just that my experience with them has only been at the
14 core training level and nothing in advance.

15 The work done by the Institute, in my view,
16 was developed with leading-edge child abuse training, using
17 a multidiscipline approach, and we've already mentioned Mr.
18 Dawson's name much under his leadership.

19 The partnership that existed between the
20 institute and the province, and I'm sorry, the Ontario
21 Police College being province-wide, and the train the
22 trainer model which allowed child protection workers, CAS
23 workers who are trainers and police officers who are
24 trainers to be the highly qualified and well-trained
25 individuals that should be delivering this training and

1 this was on an ongoing annual basis, as I identified
2 earlier, using experts from different parts of Canada and
3 the United States.

4 **MR. DUMAIS:** And your next slide is taken
5 out of an article or -- is that an article from ---

6 **MR. DeBRUYNE:** It is, and I'm very familiar
7 with two of the authors being John Yuille and Wendy Harvey,
8 but this was referred to as a coordinated approach to
9 interviewing in child sexual abuse investigations. A
10 couple of the issues there, community and professional
11 awareness of child sexual abuse has grown during the 1980s;
12 a variety of agencies must respond to allegations of sexual
13 abuse and conflict between the mandates of different
14 agencies has hampered adequate interventions in child
15 sexual abuse cases.

16 A model for interagency training and
17 cooperation is outlined that maximizes the effective
18 response to report child sexual abuse while minimizing the
19 abuse of the child by the system itself. And the examples
20 of the application this model included, model for what we
21 referred to as interagency cooperation:

22 "Over the past five years, there has
23 been an increasing recognition of the
24 need for interdisciplinary child sexual
25 abuse investigation teams in Canada."

1 Underlining this awareness is the
2 recognition that the systematic abuse of children must stop
3 and, further, that joint training can provide all agencies
4 involved with a tangible vehicle for positive change.

5 **MR. DUMAIS:** And the next two slides, 73 and
6 74, is essentially a wrap-up chronologically of what you
7 have addressed on joint training, so slide 73 being the
8 chronology of the relationship between OPC and/or OACAS
9 from 1994 to 2003?

10 **MR. DeBRUYNE:** That's correct, sir.

11 **MR. DUMAIS:** And I believe that your
12 colleague will address part of that relationship. Is that
13 correct?

14 **MR. DeBRUYNE:** That's correct.

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

16 And slide 74?

17 **MR. DeBRUYNE:** It's just to illustrate that
18 as recently as 1998, that a CAS worker from Simcoe County
19 and another colleague of mine, who was at the time
20 coordinating this particular training, coauthored a paper
21 on joint police/CAS training and investigations,
22 reinforcing the need to do business that way and, in fact,
23 that paper was presented at an international child abuse
24 conference in San Diego. And the other pieces, sir, deal
25 with the Adequacy Regulation being filed, the two-year

1 grace period or what I refer to as the two-year grace
2 period, the Policing Standards Manual and January 1st, 2001
3 where the Adequacy Regulation is in place.

4 **MR. DUMAIS:** And in slide 75 you have listed
5 different events or reports that have impacted police
6 training in Ontario, and that's police training in general?

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

8 **MR. DUMAIS:** All right.

9 **MR. DeBRUYNE:** And what happens is that if
10 any inquest, the recommendations that flow out of it, one
11 of the things that will happen if it relates to training
12 and specifically for the Ontario Police College, the
13 director would prepare a response with respect to those
14 recommendations.

15 I'll give you an example of one a little
16 later with also that we have learned -- sometimes it's an
17 expression used, lessons learned from case reviews and
18 project debriefings where things have gone extremely well,
19 we want to reinforce those things, so those experiences are
20 shared in training. And where things have gone wrong, then
21 in the debriefing or the case reviews, there are
22 recommendations made and they too are implemented.

23 And then when you take a look at inquiries,
24 and I just put three there, but certainly Justice
25 Campbell's report, as we previously mentioned, located at

1 Tab 59 in the materials, Justice Kaufman at Tab 60, and
2 certainly, Justice Cory, with respect to the Sophonow
3 Inquiry. Case law every day -- when I say every day it
4 seems like every day the courts, in fact, make decisions
5 that impact police training directly or indirectly.

6 There is an expression that we're hearing
7 more of, referred to as best practices, where maybe absent
8 a regulation, that you would develop the best practice in
9 doing something, and I'll talk a little bit more about that
10 in detail in my last slide.

11 We have wonderful leadership from the Office
12 of the Chief Coroner who puts out a number of policies; for
13 instance, as it relates to child abuse particularly the
14 deaths of children under two years old; policies from the
15 Ministry of Community and Social Services; policies from
16 the Office of the Crown Attorney. I will be talking more
17 in detail in the upcoming slides with respect to the
18 Federal/Provincial/Territorial Heads of Prosecution Report
19 into wrongful convictions and, of course, legislation by
20 way of statutes and regulations that we experience on an
21 ongoing basis.

22 **MR. DUMAIS:** And I believe your next slide
23 discusses how finances can have an impact on training as
24 well?

25 **MR. DeBRUYNE:** One of the implications that

1 we have is that when funds are cut off we have no ability
2 to deliver that particular training. I make reference to
3 something that Justice Campbell talked about in his 1996
4 report:

5 "When police budgets are approved,
6 training is often the first thing to be
7 cut. Yet, when something goes wrong in
8 police work, it can often be traced to
9 inadequate training. It is a form of
10 institutional recklessness to reduce
11 police training budgets below the
12 essential requirements for good police
13 work."

14 And Recommendation No. 27 within Justice
15 Campbell's Report:

16 "Funding is required for the training
17 packages. The necessary funds are
18 modest compared with the human and
19 financial costs of failing to increase
20 to a more reasonable level the systems
21 of public protection against serial
22 predators. It would be institutionally
23 reckless to fail to do so."

24 **MR. DUMAIS:** And your next three slides deal
25 with Project Guardian. Is that an example of a multiple

1 offender/multiple victim investigation?

2 **MR. DeBRUYNE:** Yes, sir, and the
3 jurisdiction where this occurred in the fall of 1993 was
4 London, Ontario and it reviewed the matters concerning the
5 investigation and roles of different agencies, and one of
6 the things that was discussed in its review was the case
7 management strategy developed for dealing with the
8 complexity of an investigation of this type.

9 It talks about the development of
10 professional partnerships, including the police, the
11 Children's Aid Society, the Crown, the Victim Witness
12 Assistance Project and, in the City of London, the London
13 Family Court Clinic, and because of the circumstances of
14 this particular investigation, also the Health Unit.

15 Some of the recommendations that flowed out
16 of Project Guardian included expanding existing protocols
17 between police and Children's Aid Societies to include the
18 investigation of multiple offender/multiple victim cases,
19 and that there needed to be specialized training involving
20 police and CAS in situations of multiple victim/multiple
21 offender investigations which necessitate highly
22 sophisticated techniques of abuse investigation. And
23 within that report it also outlines, once again to use the
24 expression, the best practices model for multiple
25 victim/multiple offender investigations and to increase

1 training and education for professionals in the public on
2 the dynamics of organized child sexual exploitation and
3 child sexual abuse in general.

4 And within that report, and I believe I
5 mentioned this earlier in my evidence, there was a
6 consultation report produced by the Institute for
7 Prevention -- Institute for Prevention of Child Abuse dated
8 1992 that highlighted the complexity of multiple
9 victim/multiple offender investigations and made many
10 recommendations on how a community should proceed to ensure
11 there is integrity in the investigation. And many of the
12 recommendations from this consultation report are
13 consistent with the review of Project Guardian and the
14 findings of a best practice model for the handling of
15 multiple victim/multiple offender investigations.

16 **MR. DUMAIS:** And you reviewed those reports
17 and findings and designed a Case Management of Complex
18 Abuse Investigation Course; is that correct?

19 **MR. DeBRUYNE:** And once again, sir, I was
20 one of part of a group of individuals that worked on it.

21 What we came up with was a course that would
22 be 10 days in length, that was called "Case Management of
23 Complex Abuse Investigations" and the composition of this
24 particular course was a little bit different in that it
25 would have eight police officers at the rank of detective

1 sergeant or higher, with the idea that those police
2 officers would be a resource person to an investigation of
3 this nature in their community as well as eight CAS
4 supervisors and eight Crown Attorneys. Ideally, we were
5 hoping to get three from each jurisdiction. I'm not sure
6 how many counties there are in the province of Ontario but
7 I'm guessing 51-52, somewhere in there.

8 And the course description was that:

9 "This course takes an interdisciplinary
10 approach to the investigation and
11 prosecution of multiple victim/multiple
12 offender abuse investigations and the
13 emphasis will be placed on major case
14 management while defining the roles of
15 Children's Aid Societies, police and
16 Crown Attorneys. The candidates, upon
17 successful completion of this course,
18 will be identified and serve as
19 resource persons or case managers for
20 complex abuse investigations."

21 And there is a feeling that, given the
22 impact that these types of investigations have on the
23 community, on victims, on individuals to who these
24 allegations are made that, for the most part, the province,
25 we tend to be a post-charge screening province where, with

1 the Crown working with us, there would be an opportunity to
2 also look at some pre-charge screening and, as well, to get
3 legal advice for those elements of the investigation where
4 it's deemed necessary.

5 **MR. DUMAIS:** What was the group that helped
6 design that course? Who was part of that group?

7 **MR. DeBRUYNE:** I can tell you that one of
8 the individuals is Detective Superintendent Ken Heslop who
9 is in charge of the Criminal Investigation Division of the
10 London Police Service who, at that time I think, was the
11 case manager for Project Guardian.

12 There was at least one individual that we
13 spoke to from the Children's Aid Society. There would have
14 been one or two individuals that would have been consulted
15 from the Institute. In fact, there was a preliminary
16 presentation at a conference that the Institute had hosted.

17 And we would have also had contact with a
18 detective sergeant from Peel Region who was their lead in
19 terms of sexual assault investigations and, I believe,
20 there was also someone from the OPP, sir.

21 **MR. DUMAIS:** And was the course ever
22 presented to anyone?

23 **MR. DeBRUYNE:** No, it wasn't, sir.

24 **MR. DUMAIS:** I mean presented -- for
25 example, presented to the Ontario Police College for

1 offering?

2 **MR. DeBRUYNE:** It was. It actually appeared
3 in the 1996 calendar and I believe it was going to be
4 delivered the end of September, September 30th to October
5 11th, in that range -- 1996.

6 **MR. DUMAIS:** I see. So that's the course
7 you spoke of earlier that was never delivered and you took
8 a leave of absence shortly after or during that period of
9 time?

10 **MR. DeBRUYNE:** That's correct, sir.

11 **MR. DUMAIS:** And the topics of that course
12 are listed on Slide 81?

13 **MR. DeBRUYNE:** Yes.

14 If I may ask the assistance of Madam Clerk
15 just to go to the previous slide, please? Thank you.

16 And the various topics that we had selected
17 dealt with the issue of Major Case Management; freedom of
18 information as well as archive files; multiple
19 victims/multiple offenders; disclosure; substantive and
20 procedural law; search and seizure issues; managing
21 victims; funding and budget requirements. And when I talk
22 about funding and budget requirements I'm talking about
23 within the investigation itself; selecting and training
24 staff as well as any constitutional issues that may arise
25 as a result of that.

1 **MR. DUMAIS:** Do you think that today the
2 combination of the Major Case Management Course and the
3 Sexual Assault Investigation Course somewhat covers these
4 topics?

5 **MR. DeBRUYNE:** Some of the topics they would
6 cover. I think that what is really unique with respect to
7 this particular course is who your course candidates are.
8 In this case here what we're talking about is bringing
9 three disciplines that play a very significant role in
10 these types of investigations. So that, albeit these
11 topics may be touched on directly or indirectly in other
12 training, it's usually to the extent that in other courses
13 the candidates are strictly police officers.

14 **MR. DUMAIS:** And you have provided us with
15 an org chart or a flowchart at Slide 83 and that chart was
16 part of that course; is that correct?

17 **MR. DeBRUYNE:** It was and, if you can bear
18 in mind that was the mindset at the time, given what we
19 know as a result of our work with Justice Campbell's Report
20 and the Ontario Major Case Management Manual, we would
21 clearly modify that particular chart.

22 But what it demonstrates is a number of
23 disciplines coming together. And by the way, the
24 disciplines on the right side that's not all inclusive.
25 Those are just examples, but a number of disciplines coming

1 together for the purpose of what we call these complex
2 child abuse investigations that involve multiple
3 offenders/multiple victims. And that was the mindset at
4 the time.

5 Much of this, sir, is based on work, as I
6 mentioned to you before, that was done by retired Detective
7 Superintendent Bud Brennan.

8 **MR. DUMAIS:** Now, I understand that you have
9 also looked at an American model?

10 **MR. DeBRUYNE:** Part of the research I did
11 was to attempt to see if there was any other training that
12 was out there with respect to where we would bring in
13 disciplines together. I put the website in this particular
14 citation referred to as "Finding Words: Half A Nation" and
15 it deals with the American Prosecutors Research Institute
16 National Center for -- excuse me -- for the Prosecution of
17 Child Abuse.

18 What it does it's a forensic interviewing
19 course for law enforcement officers, child protection case
20 workers and prosecutors. The course was modelled after and
21 developed in collaboration with CornerHouse, an Interagency
22 Child Abuse Evaluation and Training centre in Minnesota.

23 My only point with that particular slide,
24 sir, is just to demonstrate these three disciplines coming
25 together for some specialized training.

1 **MR. DUMAIS:** And then you have looked at
2 different investigations or different audits; the Jane Doe
3 case from the Toronto Police Service, the *Beckstead* case
4 and the *Jason Hill* case, which -- to illustrate what
5 negligent investigations are.

6 **MR. DeBRUYNE:** This clearly demonstrates
7 another need for training with respect to what I would call
8 risk management and it refers to the concept of what we
9 call negligent investigations.

10 And what those particular cases do, and I
11 believe *Jason Hill*, which was last fall out of the Ontario
12 Court of Appeal, is now going to the Supreme Court of
13 Canada, but it reinforces that there is an obligation with
14 respect to the conduct of police officers, not only to the
15 accused but to the victims. And that obligation is that
16 there is a standard of care that applies to a reasonable
17 police officer performing duties relating to accused
18 persons or victims.

19 With the accused persons, did the police
20 have reasonable and probable grounds to believe that the
21 accused committed the offence or did the police continue to
22 have reasonable and probable grounds to believe that the
23 accused committed the offence?

24 And with respect to victims, which is the
25 *Jane Doe* case out of Toronto, it clearly demonstrates the

1 obligation that the police have with respect to the
2 notification of victims during an ongoing investigation.

3 **MR. DUMAIS:** And I understand that the
4 Zachary Rogers Inquest also had as one of its
5 recommendations, joint training for police and CAS workers.

6 **MR. DeBRUYNE:** And it talks about
7 Recommendations 12 and 13 related to the police and the CAS
8 and I picked this particular inquest because
9 recommendations were directed towards police and the CAS,
10 but the talk of joint police/CAS investigations and
11 certainly the sharing of the information. And the last
12 bullet point that I put there illustrates the importance of
13 the Office of the Chief Coroner with respect to the
14 policies and memos that they put out to police services
15 within the province.

16 **MR. DUMAIS:** Now, your next three slides
17 deal with the Federal/Provincial/Territorial Heads of
18 Prosecutions Committee. Firstly, briefly explain what that
19 committee consists of.

20 **MR. DeBRUYNE:** The
21 Federal/Provincial/Territorial Heads of Prosecutions
22 Committee was created in 1995. It brings together those
23 who are responsible for criminal prosecutions in Canada.
24 It is comprised of the heads of Prosecutions for each
25 province, the head of the Federal Prosecution Service, who

1 also acts as permanent Co-Chair, as well as the local
2 directors of Prosecutions of each of the three Territories.
3 This particular committee established a Working Group in
4 2002 on the Prevention of Miscarriages of Justice in
5 response to a number of wrongful convictions across the
6 country and various reports of commissions of inquiry they
7 generated.

8 The mandate of the group was twofold. First
9 of all, to develop a list of best practices to assist
10 prosecutors and police to better understand the causes of
11 wrongful convictions and, secondly, to recommend proactive
12 policies, protocols and educational processes to guard
13 against future miscarriages of justice.

14 And, in fact, last fall I attended a
15 conference in Winnipeg dealing with wrongful convictions.

16 The working group included prosecutors with
17 many years of experience, both at the trial and appellate
18 levels. It was chaired by Assistant Deputy Attorney
19 General from the Province of Manitoba and the Group also
20 benefited from extensive participation in its work by
21 representatives of the Canadian Association of Chiefs of
22 Police. And certainly, at least with myself at the
23 College, I've benefited very much from Detective Chief
24 Superintendent Frank Ryder who's one of the Co-Chairs on
25 the Law Amendments Committee for the Canadian Association

1 of Chiefs of Police with respect to some of these
2 recommendations.

3 Some of the key factors identified relate to
4 tunnel vision, mistaken eyewitness identification and
5 testimony, false confessions, in-custody informers, DNA
6 evidence, forensic evidence and expert testimony, as well
7 as education.

8 For the Ontario Police College, what we have
9 in fact done is partnered with Osgoode Professional
10 Development Centre in terms of a partnership in delivering
11 training on some of these issues. In fact, in April of
12 this year, I was part of a panel dealing with eyewitness
13 identification.

14 "The following options for educational
15 values should be considered" and one of the things it
16 talked about was joint educational sessions involving
17 Crowns, police, defence and forensic sciences --
18 scientists, pardon me.

19 The next slide, its sole purpose is with
20 respect to reducing tunnel vision, and these are things
21 that we reinforce on a regular basis in all levels of our
22 training, including the recruit training. But certainly if
23 we're talking about interviewing victims of child sexual
24 abuse, we would keep in mind that upfront there should be
25 an alternative hypothesis. We already talked about the

1 role of the Investigative Consultant Team; the case
2 management software, particularly its linkage analysis
3 ability; meetings/briefings, and I can't put enough
4 emphasis on how important communication is; a concept of
5 case conferencing involving so many disciplines; case
6 reviews and peer reviews; what I talked about earlier with
7 project debriefings on lessons learned; things like
8 preparation of an information for a search warrant where we
9 would do a fellow officer test; in other words, someone who
10 would not be familiar with the facts of the investigation;
11 and the establishment of "best practices" with respect to -
12 - and if I could use as an example eyewitness
13 identification, some principle as simple as double blind
14 administration and recording the process. And those are
15 things that Justice Cory talked about in the Sophonow
16 Inquiry.

17 And when we create best practices, the first
18 definition that I was able to find was back in the Policing
19 Services Manual dated 1992 which defined it as:

20 "Guidelines are highly recommended
21 policing practices. The majority of
22 the Standards Manual will consist of
23 guidelines. Guidelines are "best
24 practice" recommendations and a source
25 of new or innovative policing

1 concepts."

2 And once again, what we talk about is
3 consulting with the stakeholders to ensure we have a multi-
4 discipline approach; inquiries and the recommendations that
5 they make and how important they are to make sure that they
6 are in fact put into place to address issues around tunnel
7 vision; make sure that recommendations are practical, not
8 inconsistent with other legislation or standards; and we
9 build training around best practice to ensure that not only
10 is it accountable, accessible, but also affordable.

11 And that's my evidence, sir.

12 **MR. DUMAIS:** These are my questions.

13 Thank you.

14 **THE COMMISSIONER:** Thank you.

15 Mr. Manson, do you have any questions?

16 **MR. MANSON:** Yes, I do.

17 **THE COMMISSIONER:** Does the fact that you're
18 getting water mean that you have quite a few questions?

19 **MR. MANSON:** Yes.

20 **THE COMMISSIONER:** All right.

21 **MR. MANSON:** But they're brief questions.

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

23 **MANSON:**

24 **MR. MANSON:** Mr. DeBruyne, my name is Allan
25 Manson. I represent the Citizens for Community Renewal.

1 Just to get started, if we can go back to
2 your experience, I take it you were an on-the-line police
3 officer in Tillsonburg and Ingersoll between 1974 and '83?

4 **MR. DeBRUYNE:** That's correct, sir.

5 **MR. MANSON:** And then in different
6 capacities, though, you went to the Ontario Police College
7 from '83 to '97.

8 **MR. DeBRUYNE:** Actually, I never left the
9 Ontario Police College, sir, as far as being a full -- as
10 an instructor. I just did a secondment away from the
11 College.

12 **MR. MANSON:** But you were an instructor from
13 1983 to 1997?

14 **MR. DeBRUYNE:** Ninety-seven ('97). I would
15 -- also, sir, I delivered major case management training
16 throughout the Province of Ontario during my secondment.

17 **MR. MANSON:** Okay.

18 **MR. DeBRUYNE:** So if you're talking about
19 actual instruction at the Ontario Police College, your
20 statement is correct, but I also instructed on an outreach
21 basis during my secondment with the Campbell Report
22 Implementation Project.

23 **MR. MANSON:** And can you just quickly go
24 through the specific courses you would have taught during
25 that 14-year period? Well, let me ask you this; did you

1 teach the General Investigative Technique Course?

2 **MR. DeBRUYNE:** I would not have taught on
3 the General Investigative Techniques Course, sir, but I
4 taught on the five-week Criminal Investigation Training
5 Course which would have been from the fall of 1986 until
6 the late fall of 1989. So I was a member -- I was part of
7 a team of three and back then the training was five weeks
8 in length.

9 **MR. MANSON:** Did you teach any of the sexual
10 assault investigative courses?

11 **MR. DeBRUYNE:** I coordinated that particular
12 training commencing in 1995, so I would have been involved
13 in that training for two years, sir, 1995 and 1996.

14 **MR. MANSON:** And did you teach any of the
15 courses dealing with the investigation of offences against
16 children?

17 **MR. DeBRUYNE:** I taught -- and there's a
18 difference between the two, sir, so I want to make sure we
19 ---

20 **MR. MANSON:** Yes.

21 **MR. DeBRUYNE:** --- are clear on this, if I
22 may. I would have taught what we refer to as the
23 Investigation of Sexual Offences Against Children, because
24 the Investigation of Offences Against Children, who my
25 colleague will be talking about later, actually comes into

1 existence in 2005. So there's a difference in the name,
2 sir, and the timelines.

3 MR. MANSON: But just to confirm, you did
4 teach courses involving the investigation of sexual
5 offences generally and sexual offences against children --
6 -

7 MR. DeBRUYNE: Yes.

8 MR. MANSON: --- regardless of the name of
9 the course?

10 MR. DeBRUYNE: That's right, sir.

11 MR. MANSON: Just out of my own curiosity,
12 in a number of places in the material when there's
13 reference to the specific elements of courses, one of the
14 requirements for -- I believe you call them "candidates" --
15 is that they bring an annotated Criminal Code.

16 MR. DeBRUYNE: Yes, sir.

17 MR. MANSON: Can you tell me what kind --
18 who publishes this annotated Criminal Code?

19 MR. DeBRUYNE: Well, Martin's would
20 certainly be one of the versions of the Criminal Code and
21 what we talk about there is that it's not uncommon when we
22 talk about sections within the Criminal Code that there
23 will be explanations with respect to those sections. There
24 will also be a summary of case law ---

25 MR. MANSON: Yes.

1 **MR. DeBRUYNE:** --- with respect to them
2 versus, say, a small -- what my understanding is a
3 paperbound Carswell which will deal with strictly the
4 sections and will have no notes or case law to go with it.

5 **MR. MANSON:** There isn't a special police
6 edition annotated Criminal Code?

7 **MR. DeBRUYNE:** Well, I think there is a
8 Martin's police edition Criminal Code, sir.

9 **MR. MANSON:** Okay. Thank you.

10 **THE COMMISSIONER:** There is?

11 **MR. DeBRUYNE:** I'll make it a point of
12 following up on that, sir.

13 **THE COMMISSIONER:** I know there's a judicial
14 one.

15 **MR. MANSON:** We'll find out.

16 I want to look at the 1985 Child Sexual
17 Abuse Course which is at Document 27.

18 **THE COMMISSIONER:** Document 27.

19 **MR. MANSON:** I take it you were involved in
20 this course at some point, or else its successor?

21 **MR. DeBRUYNE:** If you could just bear with
22 me one moment, please, sir.

23 **MR. MANSON:** Sure.

24 **MR. DeBRUYNE:** I would have taken this
25 particular course as a candidate.

1 **MR. MANSON:** Given that the Badgley Report
2 came out in 1984, in your view as a teacher of -- a student
3 of this course and the teacher of related courses, was this
4 course -- does it reflect any of the elements of Badgley?

5 **MR. DeBRUYNE:** I think where Badgley would
6 have been quoted, and please bear in mind that legislative
7 changes have no flown out of Badgley ---

8 **MR. MANSON:** Yet.

9 **MR. DeBRUYNE:** --- as it impacts criminal --
10 -

11 **MR. MANSON:** I'm not talking about -- I'm
12 talking about ---

13 **MR. DeBRUYNE:** Certainly around incidence of
14 child sexual abuse, prevalence, those types of things, sir?

15 **MR. MANSON:** Yes.

16 **MR. DeBRUYNE:** Yes, there would have been
17 reference to it.

18 **MR. MANSON:** And my note says "look at page
19 3", so I'm going to look at page 3. I hope I can remember.

20 Under item 6 and 7, we see the basic
21 elements of the course as taught at that time. Is that
22 correct?

23 **MR. DeBRUYNE:** That would be the framework.

24 **MR. MANSON:** Now, in your experience, is
25 there anything distinctive as between investigating sexual

1 abuse of a child when the child is still a child as
2 compared to investigating a historical sexual abuse case?

3 **MR. DeBRUYNE:** Well, to begin with,
4 certainly as it relates to interviewing, there would be a
5 difference between interviewing a child with respect to
6 events that happened, depending on the age and the
7 development of that particular child, versus interviewing
8 an adult with respect to something that would have occurred
9 back a number of years ago. Something as simple as the
10 approach itself, sir.

11 **MR. MANSON:** Yes.

12 Now, looking at the adult with respect to a
13 historical sexual abuse, is there anything from your
14 experience that's distinctive about that kind of
15 investigation, as compared to interviewing an adult about a
16 15-year old fraud or theft?

17 **MR. DeBRUYNE:** My opinion is there is a
18 significant difference between interviewing a person of a
19 sexual abuse or sexual assault than there is a victim of a
20 fraud, a considerable difference, particularly as it
21 relates to the emotional impact that's connected to the
22 details that we're trying to recover during this particular
23 interview.

24 **MR. MANSON:** And would that emotional impact
25 affect the way the interviewer ought to approach the

1 subject?

2 **MR. DeBRUYNE:** Well, I would like to think
3 with care and sensitivity, sir, and if necessary we need
4 support people in place, the location of the interview, the
5 timing of the interview, what I call the background
6 information that I would collect, which is referred to as
7 the assessment phase in terms of making sure that I have
8 that information with me in terms of going in there, and I
9 would try to have as much as possible.

10 And I think the difference between making a
11 comparison, sir, is when I'm looking at a fraud, I'm
12 usually dealing with some tangible, physical evidence,
13 documents or whatever might be there. That's not
14 necessarily the case in an abuse investigation,
15 particularly a historical one, sir.

16 **MR. MANSON:** So would you agree with me that
17 an officer would be ill prepared if he went to interview a
18 victim who -- an alleged victim who was going to speak
19 about a 15-year old sexual abuse? That officer would be
20 ill prepared if he assumed that this was just like any
21 other 15-year old case?

22 **MR. DeBRUYNE:** What I'm suggesting to you,
23 sir, is I do not know what the state of mind is with
24 respect to that particular police officer. I don't know
25 what information he had at the time. And when I talk about

1 an assessment phase, this is all the information that I
2 attempt, or at least when I'm instructing, to make sure
3 that the investigators attempt to gather. I don't know
4 what was available. I don't know what the state of mind is
5 with that particular officer, and I think it would be very
6 unfair, in my opinion, to comment on that.

7 **MR. MANSON:** Well, what I'm suggesting is
8 that if an investigator's attitude was, well, one 15-year
9 old case is the same as another, you'd agree that that
10 would be a wrong attitude?

11 **MR. DeBRUYNE:** I never would say, in my
12 opinion, that one case of anything is like another case,
13 sir. What is in the mind of the victim is certainly much
14 different with one victim than it may be with the second
15 victim.

16 **MR. MANSON:** But you do agree, because you
17 said it a minute ago, that there are special aspects in
18 dealing with an old sexual abuse case because of the
19 emotional impact?

20 **MR. DeBRUYNE:** Yes, sir.

21 **MR. MANSON:** Okay. Now, when we move from
22 1985 to the 1994 Child Sexual Abuse Investigation and
23 Assessment Course, which is at Tab Document 33, the Child
24 Sexual Abuse Investigation and Assessment Course, I would
25 suggest to you that the focus of this course is on dealing

1 with children who are allegedly victims, not adults who
2 allegedly were victims?

3 MR. DeBRUYNE: That's correct, sir.

4 MR. MANSON: And when I look at the relevant
5 topics, I see in the third bullet -- fourth bullet --
6 verification and assessment of allegations.

7 MR. DeBRUYNE: Yes, sir.

8 MR. MANSON: Can you explain to us what that
9 means in the context of children?

10 MR. DeBRUYNE: There is an instrument that
11 is referred to as criteria-based content analysis, which is
12 just one particular instrument, and depending on the
13 instrument that was used -- and I'm speaking in the context
14 of the timeframe back then, sir ---

15 MR. MANSON: Exactly.

16 MR. DeBRUYNE: --- that the criteria,
17 depending on which one you would use, would be anywhere
18 from 14 to 19 criteria that we would look at in terms of --
19 and this is strictly an investigative aid. That's all it
20 is. This is not a crystal ball to say someone is telling
21 the truth and someone isn't. So we would look at this
22 various criteria that we would go through and then we would
23 also look at what we call validating factors.

24 A validating factor might be where, if I
25 could use as an example, that someone said they were in

1 location A 20 years ago and location A still exists, and
2 perhaps we had a piece of information with respect to the
3 individual who the allegation is made against that this
4 person was never, ever in this particular location. Yet
5 the person is able to give detailed information, just
6 assuming that the structure hasn't changed internally;
7 we're able to execute a search warrant or process in terms
8 of gaining lawful entry and we now have a set of facts with
9 respect to the layout of the premises versus what the child
10 -- when I say child; the adult has said but was a child
11 back then that would amount, in my opinion, to
12 corroboration.

13 And that, in fact, would be a validating
14 criteria.

15 **MR. MANSON:** Let me ask you this. You said
16 it's not a crystal ball, of course, but is it true that
17 under these criteria and the one that you mentioned would
18 include 14 criteria, if the score was really poor, that
19 this would influence the decision whether to proceed to
20 prosecution?

21 **MR. DeBRUYNE:** What I would suggest to you,
22 sir, that once again this is strictly an investigative aid.
23 Absent all other evidence, it may play a role not with
24 respect to necessarily whether or not I have reasonable
25 grounds to lay a charge, but in consultation with the

1 Crown, whether or not there's a reasonable prospect of
2 conviction. And I certainly, as an investigator, wouldn't
3 make that decision in isolation of that consultation.

4 And once again, I would have to look at the
5 totality -- and I'm sure you've heard that expression -- of
6 all the evidence, because if a person scored low, I would
7 not want to use that as a factor, a deciding factor that
8 the abuse did not occur.

9 **MR. MANSON:** But it would be a factor?

10 **MR. DeBRUYNE:** It would be a factor, but,
11 first of all, I wouldn't have the expertise to determine
12 that. Perhaps a psychologist who works with this
13 information on a full-time basis might. I would only use
14 it as an investigative aid, but I need to look at ---

15 **MR. MANSON:** Let me just -- most of the
16 other items, other topics, I can understand how they relate
17 to investigative -- advancing the investigation.

18 It seems to me that when you use the
19 language "verification and assessment of allegations",
20 you're talking about some kind of box score.

21 **MR. DeBRUYNE:** Well, it's probably a poor
22 analogy, but not long ago at the Ontario Police College, I
23 had a student come up to me and say that, "In 1989, you
24 taught me on this particular course". Well, the reality
25 was I didn't teach him on that course. He was at the

1 Ontario Police College in 1989. He took that particular
2 course in 1989, but we have something called source
3 misattribution. For whatever reason, my image, he got
4 mixed up with another instructor. But was he at the
5 Ontario Police College and was he there at that period of
6 time? Yes, he was. He just got the wrong individual, sir.

7 MR. MANSON: The point I'm trying to make is
8 the 14 criteria that you would teach ---

9 MR. DeBRUYNE: Or it could be as many as 19.

10 MR. MANSON: Or it could be as many as 19,
11 under verification and assessment of allegations, these
12 would be criteria that, number one, you consider
13 particularly relevant to child sexual abuse investigations
14 and, number two, would give you some sense, whether you
15 want to call it a box score or not, or some sense of the
16 strength of the allegations. Is that not true?

17 MR. DeBRUYNE: That would be a true
18 statement, but you need to be careful, if I can finish,
19 please -- you need to be careful that what we're talking
20 about, some of this criteria, is based on a child, for
21 instance ---

22 MR. MANSON: Yes.

23 MR. DeBRUYNE: --- that it would have been
24 disclosed at the time, may have not had the same
25 understanding as it would be if it was disclosed later on

1 as an adult.

2 **MR. MANSON:** Because adults respond
3 differently than children to the same source event,
4 psychologically?

5 **MR. DeBRUYNE:** Very much so.

6 **MR. MANSON:** Very much so.

7 Now, let's look at Document 24, which is the
8 OPC calendar from 1994 to 2006, and I want to look at page
9 8, please.

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

11 **MR. MANSON:** Page 8 of Document 24. This is
12 the -- if I can just see the title? If you could just
13 scroll back, please? This is entitled "Sexual Assault
14 Investigation Not Dealing with Children". So this is
15 dealing with adults.

16 Would this course include any reference to
17 historical sexual abuse ---

18 **MR. DeBRUYNE:** There would ---

19 **MR. MANSON:** --- in the sense of abuse of a
20 child who is now an adult?

21 **MR. DeBRUYNE:** No, and I want to be careful
22 of that, sir, because I tried to find specific information.
23 For some reason or another, I thought we had a case study
24 that related to something that went back a number of years
25 ago, but it was a young adult who now is an older adult. I

1 believe this training would have stayed away from anything
2 that would have been child related.

3 **MR. MANSON:** And you agree with me that in
4 the topics, there is nothing comparable to verification and
5 assessment of allegations?

6 **MR. DeBRUYNE:** Well, I would disagree with
7 you on that, sir. I think you may not see it as a separate
8 heading, but that is part of our investigative techniques
9 training with respect to looking at pieces of information
10 and looking at what we can substantiate those pieces of
11 information with.

12 **MR. MANSON:** So when you're dealing with
13 child sexual abuse, you've got to put verification and
14 assessment right up front for some reason, but when you're
15 dealing with adults, it comes in under investigative
16 techniques?

17 **MR. DeBRUYNE:** I think the difference is
18 that there was an instrument developed for child sexual
19 abuse, sir.

20 **MR. MANSON:** Okay. Now, a minute ago you
21 explained how this course did not deal with what we've been
22 calling historical sexual abuse.

23 Is it fair to say that until very recently
24 no courses spent any time with historical sexual abuse?

25 **MR. DeBRUYNE:** The training that I would

1 have been exposed to with respect to historical sexual
2 abuse would have been in the form of drafting informations.
3 In other words, what was the substantive law that was in
4 place? For instance, if I could just use as an example
5 Bill C-127, on January 4th, 1983 we no longer have rape.
6 It's now sexual assault.

7 **MR. MANSON:** No, I understand that.

8 But looking through the OPC calendars, until
9 2004, can you point to any course that dealt distinctively
10 with historical sexual abuses?

11 **MR. DeBRUYNE:** No, I can't, sir.

12 **MR. MANSON:** Now, can we look at Document
13 64, Investigating Offences Against Children? And if we
14 turn to -- we have to keep scrolling down until we get to
15 the schedule. Okay. Can you go back a page, please?

16 If we look at the Monday of week one, there
17 now is a slot, an hour and a half, called Historical
18 Offences; correct?

19 **MR. DeBRUYNE:** I see it in the slot, sir,
20 but my preference would be -- this course is coordinated by
21 my colleague who will be the next witness, and any
22 questions beyond what's in that slot might be better suited
23 for Ms. Barath.

24 **MR. MANSON:** But until we get to this,
25 there's no element similar to this? And I can talk to her

1 tomorrow about this.

2 MR. DeBRUYNE: That's correct, sir.

3 MR. MANSON: Perfect.

4 I want to ask you about the Document Number
5 66, which is entitled "Investigating Offences Against
6 Children". Is this something else that we should talk to
7 your colleague about?

8 MR. DeBRUYNE: Yes.

9 MR. MANSON: Or are you familiar with its
10 inception? I'm not going to ask you about its ---

11 MR. DeBRUYNE: To answer your question, I'm
12 not familiar with its inception, and the only reference
13 that I made before was directly out of the college
14 calendar, sir.

15 MR. MANSON: Okay. We'll save that.

16 I have to go a bit slow because I'm checking
17 a number of notes. Document 62, Sexual Assault
18 Investigation 2000 -- and again, if this is for your
19 colleague, please just tell me -- Wednesday, April 12 -- we
20 have to go another week -- Historical Case Study
21 Presentation. Is this the one you were referring to a
22 minute ago?

23 MR. DeBRUYNE: Once again ---

24 MR. MANSON: For Ms. Barath?

25 MR. DeBRUYNE: Yes, please.

1 **MR. MANSON:** Okay.

2 **MR. DeBRUYNE:** Thank you, sir.

3 **MR. MANSON:** How about 1991? I don't mean
4 that in a joking way. I understand that most of your
5 experience was up to 1997.

6 Can we look at Document Number 30, please,
7 Sexual Assault Investigation Course 1991. Is this a course
8 that you would have taught at some point?

9 **MR. DeBRUYNE:** I would have been a team
10 leader in the basic recruit program at that particular
11 time, sir.

12 **MR. MANSON:** So would you have had some
13 experience with this course?

14 **MR. DeBRUYNE:** Not with this one, sir.

15 **MR. MANSON:** Well, can I ask you a question
16 about it and see whether you -- one of the elements that is
17 in the calendar outline is profiling, criminal profiling.

18 Are criminal profiling elements in a number
19 of OPC courses today, or should I leave that question for
20 tomorrow?

21 **MR. DeBRUYNE:** It would be better suited for
22 tomorrow, sir.

23 **MR. MANSON:** Well, let's go back to 1991.
24 They were certainly in the criminal investigation
25 training/sexual assault investigation module in 1991;

1 correct?

2 **MR. DeBRUYNE:** That's correct, sir.

3 **MR. MANSON:** And, in fact, they were taught
4 by someone from the FBI?

5 **MR. DeBRUYNE:** I don't know that gentleman.

6 **MR. MANSON:** But the calendar indicates that
7 it was taught by Inspector Ron MacKay of the RCMP and
8 Special Agent Charles Wagner.

9 **MR. DeBRUYNE:** That's correct, sir.

10 **MR. MANSON:** Do you know anything about the
11 kind of profile that was being offered for sexual offenders
12 in 1991?

13 **MR. DeBRUYNE:** I don't know with respect to
14 those two gentlemen. I do know that when I started to
15 coordinate the training, that we would have brought a guest
16 lecturer in who would have been an Ontario Provincial
17 Police Officer from the OPP Behavioural Sciences Section.
18 I'm not familiar with either one of those two gentlemen
19 back to 1991.

20 **MR. MANSON:** But in general, just for our
21 education, when we talk about criminal profiling, what
22 you're -- what we're talking about is a set of
23 psychological or personality characteristics that might
24 usually be associated with a particular category of
25 offender?

1 **MR. DeBRUYNE:** Sir, I'm not trying to be
2 evasive, but I really believe that question would be better
3 suited for my colleague who is currently doing that
4 training as we speak.

5 **MR. MANSON:** Does that -- from your
6 experience, does that sound like -- I just made it up off
7 the top of my head. Is that an okay general description of
8 criminal profiling?

9 **MR. DeBRUYNE:** And once again, sir,
10 especially since you've made it up from the top of your
11 head, I would be very fearful to respond.

12 **MR. MANSON:** Be careful what you say now.

13 **MR. DeBRUYNE:** And I'm not trying to be
14 evasive, Mr. Manson.

15 **MR. MANSON:** No, I understand.

16 **MR. DeBRUYNE:** I believe Ms. Barath is the
17 better person to ask that question of.

18 **MR. MANSON:** You've read the Campbell
19 Report?

20 **MR. DeBRUYNE:** Very well, sir.

21 **MR. MANSON:** And we have the Executive
22 Summary as part of this documentation, but it's just the
23 Executive Summary, right?

24 **MR. DeBRUYNE:** Yes.

25 **MR. MANSON:** And you'll recall in the body

1 of the report he discusses the fact that as mind-boggling
2 as it might seem to some people, Bernardo was actually
3 interviewed by a couple of police officers substantially
4 before he was ever charged and arrested.

5 **MR. DeBRUYNE:** In reading the report, sir,
6 one of the biggest fears of the investigators were that
7 they would actually interview this guy and not know it.
8 That was a real fear.

9 **MR. MANSON:** And what Mr. Justice Campbell
10 points out is that one of the reasons the officers
11 subsequently ignored Bernardo was because of his appearance
12 and his social class; isn't that correct?

13 **MR. DeBRUYNE:** He was stereotyped, sir.

14 **MR. MANSON:** Now, what I want to suggest to
15 you is that criminal profiling is a kind of stereotyping,
16 isn't it?

17 **MR. DeBRUYNE:** I am not an expert to answer
18 that, sir. That would be better suited for someone out of
19 the Behavioural Sciences Section, certainly not me.

20 **MR. MANSON:** I should maybe go back to the
21 annotated Criminal Code.

22 **MR. DeBRUYNE:** That's quite the understudy
23 they go through to get to be an expert, and I certainly
24 don't have that qualification.

25 **MR. MANSON:** But you would agree with me

1 that criminal profiling, as it relates to sexual -- is
2 being taught at the OPC; it certainly was in 1991 and is
3 being taught now?

4 **MR. DeBRUYNE:** I can tell you it was taught
5 on the Ontario Major Case Management Course, sir.

6 **MR. MANSON:** Okay. When you were going
7 through the slides and there was a flowchart of Major Case
8 Management, right at the bottom of the flowchart was the
9 acronym CPCU -- SPCU, sorry.

10 **MR. DeBRUYNE:** I'm sorry, at that time it
11 was -- that was referred to as the Serial and Predator
12 Crime Unit Coordinator. I think it's referred to as Serial
13 Predator Crime Investigations now.

14 **MR. MANSON:** Okay. Mr. Commissioner, if I
15 can just -- the OPC courses are evaluated, aren't they?
16 There's usually at the end of the material in the calendar
17 a form for evaluations, whether it's 0 to 5, asking the
18 students to give you some feedback on how good the course
19 is?

20 **MR. DeBRUYNE:** Yes.

21 **MR. MANSON:** So if we were interested in,
22 for example, looking at the joint police courses that were
23 suspended and now essentially terminated, we could find out
24 what the line officers thought of those courses by going
25 back and looking at the evaluations, couldn't we?

1 **MR. DeBRUYNE:** I'm not sure if you go back
2 to 2003 for the Investigation of Sexual Offences Against
3 Children Course -- we are now computerized, so all of that
4 is automated, but I don't know if it goes back that far,
5 Mr. Manson. I would say today -- and perhaps Ms. Barath is
6 the better person to answer -- but I know that at the end
7 of courses, what usually happens is the class will go to
8 the library. It's all computerized. They fill out an
9 evaluation form, and that information is analyzed by our
10 Research and Evaluation Unit.

11 **MR. MANSON:** Going back a step, you would
12 agree that that segment of the Campbell Report that
13 detailed the dismissal of Bernardo, that kind of pre-
14 judgment based on class is very dangerous when we're
15 talking about sexual offenders, isn't it?

16 **MR. DeBRUYNE:** I think any time we
17 stereotype anyone, sir, it's dangerous.

18 **MR. MANSON:** Okay. Thank you.

19 **MR. DeBRUYNE:** We need to be open-minded to
20 it.

21 **MR. MANSON:** Thank you, Mr. DeBruyne.

22 **THE COMMISSIONER:** Thank you.
23 Why don't we begin by taking the afternoon
24 break.

25 Well, first of all, we should canvas. Mr.

1 Lee, do you have any questions?

2 **MR. LEE:** I have a couple, but I will be
3 less than five minutes.

4 **THE COMMISSIONER:** All right.

5 Thank you. We'll take a short break.

6 **THE REGISTRAR:** Order; all rise. À l'ordre;
7 veuillez vous lever. The hearing will resume at 3:25.

8 --- Upon recessing at 3:12 p.m./

9 L'audience est suspendue à 15h12

10 --- Upon resuming at 3:39 p.m./

11 L'audience est reprise à 15h39

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

14 This hearing of the Cornwall Public Inquiry
15 is now in session. Please be seated. Veuillez vous
16 asseoir.

17 **THE COMMISSIONER:** Thank you.

18 Mr. Lee.

19 **MR. LEE:** Good afternoon, Mr. Commissioner.

20 **FIDELIS DeBRUYNE, Resumed/Sous le même serment:**

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

22 **MR. LEE:** Good afternoon, sir. My name is
23 Dallas Lee. I'm counsel for the Victims Group.

24 I have a couple of very brief points I'd
25 like to address with you. If we could first bring up slide

1 14 of your presentation? This slide deals with LE-027,
2 which, as you described it, is the framework for model
3 child abuse protocol, and as you'll recall, this is what
4 provides a template for a police/CAS child abuse protocol.

5 In the bulleted list there under "Special
6 Circumstances" one of the points is historical. For
7 everybody's reference, this is found at Tab 49 of the
8 materials. There's nothing in Tab 49 that isn't on this
9 page in terms of historical. It quite literally is just
10 the word "historical".

11 My question to you is whether or not you
12 know of any such protocol that addresses historical sexual
13 abuse between a Children's Aid Society and a police
14 department?

15 **MR. DeBRUYNE:** Personally, I don't know,
16 sir.

17 **MR. LEE:** Do you know of any police or CAS
18 joint training that discussed historical sexual abuse at
19 any point?

20 **MR. DeBRUYNE:** I don't know -- like, from a
21 provincial point of view, sir, we don't have joint
22 police/CAS training and I can't speak to what may occur
23 locally within certain jurisdictions.

24 **MR. LEE:** At any point during your career,
25 did you either attend a joint training course between

1 police and CAS where you would have dealt with historical
2 sexual abuse, or did you teach such a course?

3 **MR. DeBRUYNE:** No, sir.

4 **MR. LEE:** If I can turn you briefly to slide
5 66 of your presentation, this deals with the 1983 Standing
6 Committee on Social Development, the second Report on
7 Family Violence Child Abuse. I didn't see this document in
8 your materials. Have you provided that to us or have you
9 not?

10 **MR. DeBRUYNE:** I have not provided it, but I
11 can get it, sir.

12 **MR. LEE:** You do have that?

13 **MR. DeBRUYNE:** I do, sir.

14 **MR. LEE:** Okay. Specifically what I'm
15 interested in is Recommendation 20 which reads:

16 "The Ministries of the Attorney General
17 and Solicitor General must jointly
18 devise a set of guidelines for the
19 charging and prosecution of
20 professionals who do not report
21 suspected cases of child abuse."

22 Do you know of any such guidelines, sir?

23 **MR. DeBRUYNE:** I'm not familiar with any,
24 sir.

25 **MR. LEE:** Can I take it then that you're not

1 aware of any OPC course that would have dealt with that
2 issue in any way?

3 **MR. DeBRUYNE:** We would have only addressed
4 it from the aspect that there is a charge for those, in
5 their professional capacity, who fail to report suspected
6 child abuse, and that would have been the only issue that
7 at least I would have addressed in training that has been
8 delivered in the past, sir.

9 But with respect to a set of guidelines, I
10 would respectfully suggest that this would be a decision
11 that would be made in consultation between the police, the
12 CAS and probably someone involved in the prosecution of
13 this matter, and I'm guessing that clearly this, at least
14 in my experience from a teaching perspective, would be an
15 example of where we would do pre-charge consultation.

16 **MR. LEE:** Within which course that you have
17 taught would you have discussed this issue?

18 **MR. DeBRUYNE:** I believe CSA Level 1.

19 **MR. LEE:** CSA?

20 **MR. DeBRUYNE:** We would have discussed the
21 substantive offence of a -- I believe, and I want to be
22 careful, at least my memory, sir, at the time the
23 legislation was -- there was an obligation for everyone to
24 report what the penalty was for professionals with respect
25 to failing to report.

1 **MR. LEE:** Right.

2 And your recollection -- just to be clear,
3 your recollection is that you would have discussed that
4 charge?

5 **MR. DeBRUYNE:** Yes.

6 **MR. LEE:** And the substance of it during
7 that course?

8 **MR. DeBRUYNE:** That's right, sir.

9 **MR. LEE:** Would you expect that to be
10 somewhere in course materials?

11 **MR. DeBRUYNE:** To answer your question, I
12 would expect it to be in the course materials, sir.

13 **MR. LEE:** And would you be able to provide
14 us with those materials?

15 **MR. DeBRUYNE:** I would make it a point of
16 certainly finding it, sir.

17 **MR. LEE:** Those are my only questions.
18 Thank you.

19 **THE COMMISSIONER:** Thank you.

20 Mr. Chisholm.

21 **MR. CHISHOLM:** Good morning, Mr.
22 Commissioner -- good afternoon.

23 **THE COMMISSIONER:** We've heard the witness
24 say that he has no complaints with the Children's Aid
25 Societies Associations and the training program. So we got

1 that out of the way.

2 **MR. CHISHOLM:** He's an ally, Mr.
3 Commissioner.

4 **THE COMMISSIONER:** Actually, I think he's an
5 independent witness.

6 **MR. CHISHOLM:** I think you're right.

7 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.
8 **CHISHOLM:**

9 **MR. CHISHOLM:** Good afternoon, sir. My name
10 is Peter Chisholm. I'm counsel for the Children's Aid
11 Society of the United Counties of Stormont, Dundas and
12 Glengarry.

13 If I could take you, please, to Tab 3 which
14 is your bio, and the last paragraph in particular. In the
15 last paragraph, sir, you indicate that you've lectured
16 extensively on child abuse training and that you were
17 involved in the design and delivery of a number of
18 specialist Child Abuse Courses.

19 Can you give us an idea as to the number of
20 child -- specialist Child Abuse Courses you would have been
21 involved with in designing, to start with? How many have
22 you designed?

23 **MR. DeBRUYNE:** The Child Abuse Courses that
24 we would have been delivering, from a specialist point of
25 view, would've dealt with physical abuse. Certainly the

1 core training, I was involved with and in fact I spent some
2 time with respect to the re-writing of the curriculum,
3 particularly from the police piece. We had what we called
4 Child Abuse Specialist Training which was the development
5 of -- at least during my period of time, where we would
6 bring in experts from the outside, both Canada and the
7 United States, with respect to it and certainly some of the
8 components by way of updates for the Level III that was
9 delivered in the daycare settings that I would've delivered
10 with, at that particular point in time, another full-time
11 member of the training staff from the Institute for the
12 Prevention of Child Abuse.

13 **MR. CHISHOLM:** And when you say delivered,
14 does that include designing those courses?

15 **MR. DeBRUYNE:** Design, and I want to be
16 careful in terms of the concepts, sir, because the concepts
17 belong to the Institute for the Prevention of Child Abuse.
18 So the pieces that we would've actually been involved with
19 are what we call "police-related pieces"; for instance,
20 dealing with -- just by way of an example, if we were
21 talking about section 715(1) of the Criminal Code or
22 Section 16 of the *Canada Evidence Act*, for instance, or
23 some of the substantive offences under the Criminal Code
24 relating to sexual interference, invitation to sexual
25 touching, those kinds of things by way of updates.

1 So when we talk about design, I'm not
2 talking about where did the concept come from, but the
3 significant content pieces. The Ontario Police College
4 were responsible for those.

5 **MR. CHISHOLM:** Okay. And in that first
6 paragraph you -- it states that you attended an
7 international congress in Hamburg, Germany, and you co-
8 presented a paper on "Joint Police/CAS Training". That
9 paper is not in your materials; is that right?

10 **MR. DeBRUYNE:** No, sir, and I did everything
11 possible. That was co-presented with Mr. Ross Dawson.

12 **MR. CHISHOLM:** Ross Dawson.

13 Do you recall the main thesis of your paper,
14 the highlights of it?

15 **MR. DeBRUYNE:** It would've dealt with --
16 joint police/CAS investigations would've been the thesis of
17 it, sir, and I did everything I could to find it. I found
18 the literature where the name of the paper occurs and where
19 Mr. Dawson and myself present it, but I couldn't find the
20 presentation itself.

21 **MR. CHISHOLM:** And you don't have any
22 recollection in terms of what it was that you said in the
23 paper today?

24 **MR. DeBRUYNE:** I'm sorry, I don't, sir.

25 **MR. CHISHOLM:** That's fair.

1 If I could take you, please, to Tab 4, your
2 CV, and specifically to page 4, and the second last bullet
3 on that page, you indicate that you wrote internal
4 documents relating to child abuse including a Course
5 Training Standard, "Joint Police/CAS Child Abuse Training"
6 in 1983.

7 **MR. DeBRUYNE:** That's correct, sir.

8 **MR. CHISHOLM:** And that standard was
9 utilized by whom?

10 **MR. DeBRUYNE:** It wasn't utilized by anyone,
11 sir. It was just as a result of my working experience in
12 sexual abuse investigations, I took a course at the
13 Canadian Police College called Systems Approach to
14 Training, Design and Delivery. That consisted of a number
15 of modules where you were required to design a particular
16 course, write a course training standard for it and it was
17 a topic that I picked, and I completed that course of study
18 and received a diploma.

19 **MR. CHISHOLM:** You prepared that standard as
20 part of a course you were taking?

21 **MR. DeBRUYNE:** That's right, sir.

22 **MR. CHISHOLM:** If I could take you to page
23 5, please, of your CV, and again, the second last bullet on
24 that page, you indicate that you worked closely with the
25 Ontario Association of Children's Aid Societies.

1 **MR. DeBRUYNE:** Yes.

2 **MR. CHISHOLM:** Can you tell us, sir, the
3 timeframe that you would've been working with the OACAS?

4 **MR. DeBRUYNE:** The contact person that I
5 would've worked with there is a lady by the name of Louise
6 Leck, L-E-C-K, and, sir, I believe it would have been 1994,
7 but I'm not sure what part of 1994, into 1995 and into
8 early 1996.

9 **MR. CHISHOLM:** What was your involvement
10 during that period of time with the OACAS?

11 **MR. DeBRUYNE:** Actually, there was -- the
12 first part was that during the first year we co-trained
13 with the Institute with respect to child abuse training and
14 then it would've been -- and I want to be careful with the
15 expression -- the design of what we would refer to as the
16 Investigation of Sexual Offences Against Children Course,
17 sir.

18 So I would've been involved with OACAS with
19 respect to the delivery of that particular course, the
20 update of that particular course and also working with
21 trainers from both the police end as well as child
22 protection workers or CAS workers that were trainers.

23 **MR. CHISHOLM:** And do I take it that you
24 were out of the -- you weren't involved with the OACAS in
25 April of 2003?

1 **MR. DeBRUYNE:** I was not, sir.

2 **MR. CHISHOLM:** You were not.

3 If I could take you, please, to Tab 9 of
4 your material, this is your presentation -- specifically,
5 the electronic version is page 57, please.

6 **MR. DeBRUYNE:** I'm sorry, 57, sir?

7 **MR. CHISHOLM:** Fifty-seven (57), yes. It's
8 up on the screen now. This is the -- we went to it earlier
9 today in your evidence. We didn't get into detail when you
10 were speaking to it with Mr. Dumais.

11 Can you tell us, sir, if this is an approach
12 that would be used by the police when the police would be
13 investigating an allegation of historical sexual abuse
14 taking place 10 or 15 or 20 years previously?

15 **MR. DeBRUYNE:** I don't know, sir. I would
16 say this; my experience has been that there are still child
17 protection issues, to my understanding, for a number of
18 reasons in historical cases and it might be second or third
19 generation. And so that I don't know how the protocol, the
20 local protocol would be written with respect to how they
21 would respond to that versus, say, a current situation that
22 happened today.

23 **MR. CHISHOLM:** Is it fair to say the steps
24 set out at page 57 require at least some modification,
25 being that if we're 15 or 20 years -- let's take my example

1 of 20 years -- we would not have a child to interview.

2 **MR. DeBRUYNE:** We wouldn't have a child. We
3 may not have a non-offending parent like some of this, and
4 we need to keep this in the context of familial abuse
5 versus the non-familial abuse, sir, and the difference that
6 there would be in the two approaches.

7 **MR. CHISHOLM:** Now, the steps set out at
8 page 57 that relate to -- do you draw a distinction between
9 the types of abuse? I see there was reference in one of
10 the boxes to a team interview of the non-offending parent.
11 Is this a situation only when we're speaking with abuse
12 within the family as opposed to acquaintance or stranger
13 abuse?

14 **MR. DeBRUYNE:** Well, there is a -- I have
15 seen some definitions of familial abuse, sir, even include
16 a babysitter, for instance. So depending on what the
17 context of that would be, but certainly this model would
18 speak to -- and if I could stereotype the familial abuse
19 where you would have a perpetrator being one of the parents
20 or caregivers within the home and then interviewing the
21 partner of that particular caregiver.

22 **MR. CHISHOLM:** If I could bring you now to
23 Tab 49, please. Tab 49 is the Policing Standards Manual
24 2000 and this is LE-027 dealing with child abuse and
25 neglect. It's Tab 49. It's on the screen now.

1 Am I correct, sir, that this is a guideline
2 that deals with the -- basically the requirement for the
3 police to enter into a protocol with the local Children's
4 Aid Society?

5 MR. DeBRUYNE: That's correct; to facilitate
6 the police service in writing their policy and procedure as
7 it relates specifically to child abuse and neglect.

8 MR. CHISHOLM: And secondly, this guideline
9 relates to procedures that the police service is to follow
10 with respect to conducting an investigation relating to
11 allegations of child abuse and neglect; is that fair to
12 say?

13 MR. DeBRUYNE: It does, sir, but if I could
14 just clarify something there? I would say there are two
15 parts to this. The first part is exactly what you've
16 described. The second part is the framework for what I
17 call the vocal protocol which lays out a number of
18 different points that I've already covered in my
19 presentation.

20 MR. CHISHOLM: And that framework is in the
21 appendix to this guideline; is that correct?

22 MR. DeBRUYNE: That's correct, sir.

23 MR. CHISHOLM: Now, can you -- if I could
24 take you to the appendix, and bear with me a second,
25 please. If I could take you to page 8 of 9 of the

1 electronic version, and it's towards the bottom of page 8.

2 Sir, you'll see this is the framework that
3 you've mentioned that it's in the appendix and there's a
4 heading, "Joint Training between Police and CAS".

5 **MR. DeBRUYNE:** Yes, sir.

6 **MR. CHISHOLM:** And beyond that heading,
7 there is no guidance in that appendix as to what the
8 protocol is to address in terms of the joint training.

9 **MR. DeBRUYNE:** That's correct, sir.

10 **MR. CHISHOLM:** Is that fair to say?

11 **MR. DeBRUYNE:** Very much so.

12 **MR. CHISHOLM:** And would you agree -- if I
13 can take you back to section 4. I say "section 4" because
14 it's numbered that way, "Child Abuse Protocol", paragraph 4
15 and that's on page 2 of 9, Madam Clerk.

16 Would you agree with me that paragraph or
17 section 4 sets out what the protocols should contain, the
18 protocols between the police and the CAS?

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

20 **MR. CHISHOLM:** And would you agree with me
21 that nowhere in section 4 is there any reference to joint
22 training between the police and the Children's Aid Society?

23 **MR. DeBRUYNE:** That is also correct. It's
24 silent on that.

25 **MR. CHISHOLM:** And would you agree with me

1 that the framework set out in the appendix is -- what do
2 you see that being? Is it a suggestion or is it something
3 more than a suggestion as to what is to be contained in the
4 protocol?

5 **MR. DeBRUYNE:** Well, it's not uncommon, at
6 least the way -- and I'm saying how I would interpret a
7 document, is that you would have something, say, in
8 Document A that might reference a protocol and then the
9 appendix to Document A gives you the framework for that
10 particular protocol.

11 It may not be all inclusive. For instance,
12 I referenced earlier a 1996 document under the old Policing
13 Standards Manual that dealt with sexual assault but
14 attached to that was Appendix A that dealt with eight what
15 we call core competency areas for sexual assault
16 investigators and so that they are laid out in a supporting
17 document.

18 **MR. CHISHOLM:** I'm curious because I see and
19 I'm taking you back to page 2 again, please, in paragraph
20 4, Clause A, it indicates that the protocol should include
21 a Statement of Principles. And then if I go back to the
22 appendix, we see a Statement of Principles. I'm wondering
23 why we don't have any reference to joint training in
24 section 4 and I don't expect you to be able to answer that
25 question but ---

1 **MR. DeBRUYNE:** No, and the ---

2 **MR. CHISHOLM:** That's why -- the root of my
3 question in this area to ---

4 **MR. DeBRUYNE:** The context in which I raised
5 joint training, sir, was that there was a feeling that we
6 responded to adequacy and the context of what I put this in
7 is that the only reference to training with respect to LE-
8 027 is joint training, joint police/CAS training referenced
9 within the protocol framework. That's the only reference
10 there is to training and I only put it in the context that
11 that reference to training is joint training.

12 **MR. CHISHOLM:** Sir, how important in your
13 view is joint training with respect to investigating child
14 abuse cases, child sexual abuse cases?

15 **MR. DeBRUYNE:** This is strictly my own
16 personal opinion, sir. Notwithstanding the fact that there
17 might be some other obstacles such as high numbers, I think
18 it's imperative. I think if you're going to break down
19 silence in these types of investigations, we're talking
20 about communication, we're talking about joint interviews -
21 - not only joint interviews of children but joint
22 interviews of non-offending parents and other principals
23 and the information there and I did considerable research
24 in terms of the documents in other inquiries and it
25 references joint training, sir.

1 **MR. CHISHOLM:** And when you made reference a
2 minute ago to high numbers, you're speaking about the high
3 numbers of police officers and child protection workers
4 that would have to be trained together? Is that your
5 reference to high numbers?

6 **MR. DeBRUYNE:** No, and I want to
7 differentiate the difference and I'm sorry, sir. I
8 received some information that the Ontario Association of
9 Children's Aid Societies had high numbers to train and that
10 there may have been some systemic issues with respect to
11 the former model of joint training. I didn't say that for
12 police but certainly as it relates to the Children's Aid
13 Societies.

14 **MR. CHISHOLM:** Just so I understand your
15 evidence, you've heard that there may be an issue with
16 respect to the number of child protection workers having a
17 greater need for this. There may be more child protection
18 workers that need this training versus corresponding police
19 officers?

20 **MR. DeBRUYNE:** That's the numbers that I
21 heard, sir, initially and this goes back to -- I want to be
22 careful -- I think around 2003 is the timeframe that I
23 heard there may have been as many as 4,000 in the Province
24 of Ontario. Those are not my numbers, sir. Those are just
25 numbers that were shared with me.

1 **MR. CHISHOLM:** And following along, someone
2 has told you that may present an obstacle to joint training
3 with the police.

4 **MR. DeBRUYNE:** The obstacle that -- and the
5 way it was explained to me was that the numbers were so
6 high that the model wouldn't work in trying to get those
7 numbers all through their core training. And once again,
8 sir, it would probably be better that you actually got that
9 right from the Ontario Association of Children's Aid
10 Societies.

11 All I can share with you is that my working
12 relationship with that organization, in my opinion, and I
13 say "my", the Ontario Police College, it was a wonderful
14 partnership.

15 **MR. CHISHOLM:** We heard yesterday -- well,
16 let's go back to the last type of training that you would
17 have been involved with, yourself, would have been -- in
18 child sexual abuse training would have been ISOAC?

19 **MR. DeBRUYNE:** Yes, sir.

20 **MR. CHISHOLM:** Okay. And we know that that
21 course was temporarily suspended in April 2003. Is that
22 your understanding?

23 **MR. DeBRUYNE:** Yes, sir, and that would have
24 been by way of an "All Chiefs Memo" that was put out to the
25 police community.

1 **MR. CHISHOLM:** And we saw that yesterday.
2 You've seen that "All Chiefs Memo"?

3 **MR. DeBRUYNE:** Yes, sir, and it's also
4 referenced in my PowerPoint presentation.

5 **MR. CHISHOLM:** It was entered as Exhibit 41
6 yesterday.

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

8 **MR. CHISHOLM:** Is that something we can pull
9 up, Madam Clerk?

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

11 **MR. CHISHOLM:** There, it's up on the screen
12 now, sir.

13 That's the "All Chiefs Memo" dated April 22,
14 2003. Is that was you had in mind when you were making
15 reference to the "All Chiefs Memo"?

16 **MR. DeBRUYNE:** Yes, sir.

17 **MR. CHISHOLM:** And can you tell me, sir, in
18 your view what the shortcomings of the ISOAC Training
19 Program would have been?

20 **MR. DeBRUYNE:** It was a five-day course and
21 the only thing I can think of in the context of what was
22 there would have related probably specifically to physical
23 abuse, elements around emotional abuse, as well as neglect.
24 That was explained to me when I made an inquiry in the
25 context that it did not address the issues in adequacy, and

1 once again, sir, this is just my own opinion.

2 The only thing I was trying to advance was
3 that adequacy is first introduced by way of section 37 of
4 the Regulation in January of 1999. It's in place January
5 1st, 2001. The guidelines are February of 2000 and the
6 training is suspended some two years and four months later.
7 So I just felt that if there were issues to be addressed as
8 it related to adequacy and the shortcomings, that they
9 would have been addressed prior to January 1st, 2001 because
10 we knew those issues back then, sir.

11 **MR. CHISHOLM:** During the ramp-up period
12 before the ---

13 **MR. DeBRUYNE:** The Regulation was actually -
14 - the first 36 sections first kicked in and that's just a
15 personal opinion, sir.

16 **MR. CHISHOLM:** That's fair and that's all
17 I'm asking of you.

18 Do I understand your impression to be that
19 some were of the view that the ISOAC training was too
20 narrow in its focus?

21 **MR. DeBRUYNE:** That's the information that I
22 have, sir.

23 **MR. CHISHOLM:** And did not cover other types
24 of child abuse?

25 **MR. DeBRUYNE:** That's correct, sir.

1 **MR. CHISHOLM:** If I can get you to focus
2 your mind on the issue of dealing with child sexual abuse
3 only, what shortcomings do you see with respect to the
4 ISOAC Training Program as it last existed?

5 **MR. DeBRUYNE:** I'm not sure and I believe my
6 colleague might be better to answer this question but there
7 may have been -- I'm not sure what the issues flow out of
8 the child pornography legislation and the Internet crime
9 and those types of things. I'm not sure what the
10 implications are, sir. So I want to be very careful but
11 I'm saying that that could be one particular area. My
12 personal bias was that that was an outstanding course at
13 the time I was involved with it with outstanding people
14 delivering it, both child protection and police officers,
15 and the nice thing about it, it was actually delivered in
16 many of the communities.

17 **MR. CHISHOLM:** So as opposed to being
18 delivered at the Ontario Police College in Aylmer, it came
19 out to all parts of Ontario?

20 **MR. DeBRUYNE:** That's correct, sir.

21 **MR. CHISHOLM:** Leaving apart the issues that
22 we may have to face with the advent of computer technology
23 and child pornography available on the Internet, are there
24 any other -- do you see any shortcomings with respect to
25 the ISOAC Program as it existed in 2003?

1 **MR. DeBRUYNE:** No, sir, and one of the
2 things that we constantly did as new legislation would come
3 in or new case-law would come in or if there were issues --
4 for instance, I understand there's a new bill coming in,
5 I'm led to believe there's a new bill coming in that will
6 impact, for instance, CAS matters, then both parties got
7 together to always update this training and then once the
8 curriculum was updated, we brought the trainers together
9 and updated the trainers.

10 **MR. CHISHOLM:** Yesterday we heard from
11 Director Gheysen that the ISOAC Program wasn't meeting the
12 needs of the CAS or the policing community. I don't know
13 if you heard -- did you hear that evidence yesterday?

14 **MR. DeBRUYNE:** I did, sir.

15 **MR. CHISHOLM:** And would you agree with that
16 statement or disagree with that statement?

17 **MR. DeBRUYNE:** Well, I would say that those
18 that I have spoken to -- and I want to be careful that
19 there is a difference between content, in other words
20 what's in the program, and the ability to deliver the
21 program because of high number of people to be trained.
22 But certainly from the limited number of people I spoke to
23 that were actually involved in the delivery of this
24 training, on both sides of the house, they thought it was a
25 good course. In fact, some individuals didn't realize

1 until this "All Chiefs" came out that it was being
2 suspended for this reason.

3 Now, that's just my personal opinion, sir.

4 **MR. CHISHOLM:** Based upon what you've been
5 told by others who were close to the program?

6 **MR. DeBRUYNE:** Yes, sir.

7 **MR. CHISHOLM:** Did you ever hear anyone who
8 participated in the ISOAC training say anything negative
9 about the program?

10 **MR. DeBRUYNE:** Not a single individual, sir.

11 **MR. CHISHOLM:** And that -- in answer to my
12 question, you're speaking of both police officers and child
13 protection workers. Is that right?

14 **MR. DeBRUYNE:** Yes, primarily but I can also
15 share this. We worked very closely -- like one of the
16 strengths of the former program was the partnership between
17 the Ontario Police College and the Ontario Association of
18 Children's Aid Societies. And that partnership allowed us
19 to bring in trainers to work with those trainers and that's
20 that specialty training I was talking about to elevate the
21 skill sets. And I would even take it a step further;
22 personal friendships were created out of those working
23 relationships, sir.

24 **MR. CHISHOLM:** Personal relationships
25 amongst police officers and child protection workers?

1 **MR. DeBRUYNE:** That's correct, sir.

2 **MR. CHISHOLM:** And would you agree with me
3 that that is critical with respect to developing that type
4 of relationship in order to allow for a successful
5 investigation of child sexual abuse allegations in the
6 future?

7 **MR. DeBRUYNE:** Absolutely.

8 **MR. CHISHOLM:** It was said by Bill Carriere,
9 a contextual witness from the local Children's Aid Society,
10 when he gave his evidence that sports teams, and I believe
11 he was speaking of hockey teams, practised together on the
12 ice before they have to play a game and it should be no
13 different with respect to child protection workers and
14 police officers who have to work together to investigate
15 allegations of child sexual abuse.

16 Would you agree with that statement or
17 disagree with that statement?

18 **MR. DeBRUYNE:** I'm not sure I would
19 necessarily use the same analogy but the principles behind
20 it I would agree with, sir.

21 **MR. CHISHOLM:** It's not a bad idea to have
22 the parties come together, is it?

23 **MR. DeBRUYNE:** Not at all. And in fact, if
24 I may, when I wrote the document back in 1983 on joint
25 police/CAS training and investigations, it was premised on

1 a wonderful working relationship that I personally
2 experienced working with social workers within a CAS
3 agency.

4 **MR. CHISHOLM:** One last question to you,
5 sir. The joint training that is available today with
6 respect to police officers and child protection workers,
7 how does that differ from what existed in ISOAC?

8 **MR. DeBRUYNE:** I don't believe there is any
9 joint training today, sir.

10 **MR. CHISHOLM:** And just to follow that ---

11 **MR. DeBRUYNE:** And I'm talking about from
12 the Ontario Police College. I don't know what's done at
13 the local level, sir.

14 **MR. CHISHOLM:** Tell me this; do you see --
15 does anything turn on whether the training, joint training
16 is done on a local level as opposed to a provincial level?

17 **MR. DeBRUYNE:** My belief is that training
18 has to be a standardized approach, that one of the inherent
19 dangers if it's not standardized is that there is potential
20 that there could be a new piece of case law, for instance,
21 that comes to our attention.

22 For instance, as Evidence Coordinator, I'm
23 privileged to having case law forwarded to me from 720 Bay
24 Street, and if it impacts, say, something around -- for
25 instance, if we were talking about physical abuse, section

1 43 of the Criminal Code, it becomes very significant that
2 all police trainers and all CAS trainers are made aware of
3 those updates.

4 And there may be -- and I don't know if it's
5 Bill 210, sir, I apologize -- I'm not familiar ---

6 **MR. CHISHOLM:** We'll forgive that one slip,
7 sir.

8 **MR. DeBRUYNE:** Okay. But the new
9 legislation that's coming out that will impact Children's
10 Aid Societies, for instance -- and it was that mutual
11 sharing of information back and forth.

12 And as I said, when we used to sit down once
13 or twice a year between -- whether it's the Ontario
14 Association of Children's Aid Societies or the Institute,
15 that was done well. So we would look at all these issues
16 and they would be front and centre for the trainers.

17 When you have it from a provincial point of
18 view, then whether you are in Kenora, Ottawa, Cornwall or
19 Windsor, everybody is aware of all the changes at the same
20 time, and I think that's essential, sir.

21 **MR. CHISHOLM:** Thank you, sir. Those are my
22 questions.

23 **THE COMMISSIONER:** Thank you.

24 From Probations and Corrections, Maître
25 Rouleau.

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

3 MR. ROULEAU: Good afternoon, sir.

4 MR. DeBRUYNE: Sir.

5 MR. ROULEAU: My name is Claude Rouleau. I
6 represent Corrections.

7 If I may take you back to slide 83 of your
8 presentation, I just have a point I need to clarify with
9 you, if I may, slide 83.

10 MR. DeBRUYNE: Yes, sir.

11 MR. ROULEAU: I'll just wait until it's on
12 the -- there we go. That's the chart -- am I correct in
13 saying that -- the chart about case management from complex
14 child abuse investigations, right?

15 Am I correct in saying that that was
16 designed by you?

17 MR. DeBRUYNE: What I want to make sure,
18 sir, is that there is a similar organization chart, and I
19 believe what I said in my evidence is that the concept
20 originated from a detective inspector, Retired Detective
21 Superintendent Bud Brennan of the Ontario Provincial Police
22 Criminal Investigation Bureau, and this particular
23 organization chart was modified to reflect joint police/CAS
24 with a component of multi-discipline added, depending on
25 what the discipline was, premised on what occurred during

1 the Project Guardian investigation.

2 MR. ROULEAU: So I understand that it was
3 developed the way you explained, but it was never put into
4 operation?

5 MR. DeBRUYNE: No, but I actually co-
6 presented this along with a number of issues at a national
7 conference. So we started some preliminary work on it, but
8 it was never delivered, sir.

9 MR. ROULEAU: Okay. And am I correct in
10 saying that it sort of represents your personal opinion as
11 to how those kinds of cases would have to be approached?

12 MR. DeBRUYNE: I met with Detective
13 Superintendent Ken Heslop, who was the Case Manager of
14 Project Guardian, and I asked him specifically whether or
15 not the issues, in the context of what is here, would
16 change based on what we now know as a result of Bernardo.
17 But the issues themselves, nothing would have changed. And
18 he's current. He's now in charge of the Criminal
19 Investigation Division and he was the Case Manager. He
20 took the lead, the Project Manager on Project Guardian.

21 And the reason why I met with him was to
22 ensure that if things had changed in the last 10 years,
23 then I need to be aware of those issues.

24 And I also spoke to someone that was
25 involved in the writing of the report of Project Guardian,

1 and the issues are still as valid today, sir, as they were
2 back then. The context is not so much what would be in the
3 content here, but it raises the issue of whether or not we
4 need to bring disciplines together that are involved in
5 these particular investigations.

6 And bear in mind this is something that
7 occurred 10 years ago. If I was asked to rewrite it today
8 based on what I know from the work that we did of Mr.
9 Justice Campbell's Report, it would change, but it would be
10 done in consultation with our partners.

11 **MR. ROULEAU:** Okay. And I'm also correct to
12 assume that it's not part of the manual as such as we
13 speak?

14 **MR. DeBRUYNE:** Just so you know, sir, this
15 is something that was done over 10 years ago.

16 **MR. ROULEAU:** Okay. And in fact, we see in
17 the upper left corner that your name appears there and it
18 says that it's based on case management and also on Project
19 Guardian, right?

20 **MR. DeBRUYNE:** That's correct, sir.

21 **MR. ROULEAU:** So those were the sources of -
22 - one of the few sources that you used to present that
23 model?

24 **MR. DeBRUYNE:** I only added this after the
25 slide presentation was reviewed ---

1 **MR. ROULEAU:** Okay.

2 **MR. DeBRUYNE:** --- to show that it was a
3 slide that I was introducing, premised on something that
4 had been created by someone else, and that's why there's
5 reference to both the case management module as well as
6 Project Guardian. And if I had wanted to, sir, I could
7 have added two more names, specifically Detective
8 Superintendent Ken Heslop and Retired Detective
9 Superintendent Bud Brennan.

10 **MR. ROULEAU:** Thank you, sir.

11 **THE COMMISSIONER:** Thank you.

12 Mr. Hannah-Suarez.

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

15 **MR. HANNAH-SUAREZ:** Just a few questions.
16 Thank you.

17 Now, you testified that since the Kaufman
18 Report and the Sophonow Inquiry there had been some
19 additions to the courses taught at the OPC to address the
20 causes of wrongful convictions and tunnel vision. Is that
21 correct?

22 **MR. DeBRUYNE:** And I want to make sure I
23 understood the question. It's not that we're teaching
24 courses on it.

25 **MR. HANNAH-SUAREZ:** I just ---

1 **MR. DeBRUYNE:** But we've incorporated those
2 concepts and we've integrated into the content of the
3 courses.

4 **MR. HANNAH-SUAREZ:** And the earliest of the
5 reports, being the Kaufman one, that came out in 1998; is
6 that correct?

7 **MR. DeBRUYNE:** The Guy-Paul Morin Report,
8 sir, the Kaufman Report?

9 **MR. HANNAH-SUAREZ:** Yes.

10 **MR. DeBRUYNE:** Yes, sir.

11 **MR. HANNAH-SUAREZ:** So I'm just interested
12 in some of the training on those issues that was offered
13 prior to 1998.

14 My first set of questions being in terms of
15 the basic constable training, can you indicate whether
16 there was any training specifically addressing the causes
17 of wrongful convictions?

18 **MR. DeBRUYNE:** I can't say there was
19 specific training with respect to the terminology "wrongful
20 conviction", sir. It's actually been in the last 10 years
21 that that terminology has come up with more frequency and
22 more particularly in the last five years.

23 **MR. HANNAH-SUAREZ:** And I would assume that
24 the same would be of the term "tunnel vision" as well?

25 **MR. DeBRUYNE:** Yes. The definition of

1 tunnel vision that we incorporate, which we take out of
2 Justice Kaufman's Report, although we may have not been
3 using the specific words, we still talked about a number of
4 the issues that we tailored with respect to tunnel vision.

5 For instance, we used to have an expression,
6 and if I may, disclosure is so important with respect to
7 the avoidance, full disclosure, ongoing disclosure,
8 including post-conviction disclosure. We talked about the
9 whole issue of what we would refer to as unsavory
10 witnesses.

11 And in particular in the Kaufman Report, as
12 it relates to in-custody informers, we would talk about
13 issues around the frailties of eyewitness identification
14 and the safeguards that we need to take.

15 So although we may have not been using the
16 so-called expression "tunnel vision", we talked about it in
17 a different context.

18 **MR. HANNAH-SUAREZ:** Okay. Now, in terms of
19 -- again sticking to the basic constable training just for
20 the moment, if you had to estimate the percentage of the
21 time that would have been dedicated to these sorts of
22 issues, what would your estimate be?

23 **MR. DeBRUYNE:** Well, today, in terms of case
24 preparation, and that's a standalone topic within the
25 evidence package ---

1 MR. HANNAH-SUAREZ: I meant prior to 1998.

2 MR. DeBRUYNE: I wouldn't know, sir.

3 MR. HANNAH-SUAREZ: That's fair enough.

4 MR. DeBRUYNE: Sorry.

5 MR. HANNAH-SUAREZ: Now, in terms of just
6 the general training into sexual offence allegations, you
7 would agree that it's important to instruct officers to
8 start all investigations from a neutral perspective; is
9 that fair?

10 MR. DeBRUYNE: Yes, sir. In fact, one of
11 the things we teach in terms of interviewing victims of
12 child sexual abuse is to make sure in the back of your mind
13 you have an alternative hypothesis.

14 MR. HANNAH-SUAREZ: And so within that
15 general idea then, you would also then instruct officers
16 not to start from a presumption that sexual abuse
17 allegations are true when you're starting your
18 investigation. Is that also fair?

19 MR. DeBRUYNE: And by the way, the opposite
20 would also hold true.

21 MR. HANNAH-SUAREZ: Yes.

22 MR. DeBRUYNE: So we're talking about a
23 level playing field on the premise that the investigation
24 will unfold and the facts will be gathered.

25 MR. HANNAH-SUAREZ: So you would agree that

1 if one started from either perspective, it would obviously
2 skew the investigation, on the one hand ignoring actual
3 cases of sexual abuse and, on the other hand, potentially
4 resulting in wrongful convictions. Is that fair?

5 **MR. DeBRUYNE:** I apologize, sir, I was
6 confused with that statement.

7 **MR. HANNAH-SUAREZ:** Sorry, it was a bit
8 long.

9 **MR. DeBRUYNE:** I'm sorry.

10 **MR. HANNAH-SUAREZ:** So just to rephrase it,
11 so just taking one side of the equation, so if we had a
12 presumption that the allegations were true from the start
13 of an investigation, you would agree that that would be a
14 potential danger in creating a wrongful conviction. Is
15 that a fair statement?

16 **MR. DeBRUYNE:** It's not so much that I
17 believe the allegations are true on the onset, but it's a
18 starting point for me. When the complaint comes in, I have
19 to premise that complaint that that's the starting point of
20 my investigation and bearing in mind that that's where,
21 objectively, I'll start to carry things out.

22 **MR. HANNAH-SUAREZ:** Okay. Now, I'm just
23 trying to relate this to some of the past testimony we've
24 heard. We've heard some testimony from past witnesses
25 indicating that some of the protocols that were operating

1 in the 1990s instructed them to start from a presumption
2 that the allegations were true, and I just wanted to see
3 whether that was carried through in the OPC training in the
4 1990s.

5 **MR. DeBRUYNE:** I'm aware of that particular
6 statement being made, but at the same time, the premise has
7 always been that the complaint is the starting point of
8 your investigation and it's the results of your
9 investigation where you will make a decision.

10 **MR. HANNAH-SUAREZ:** And those are my
11 questions. Thank you very much.

12 **THE COMMISSIONER:** Thank you.

13 Mr. Callaghan, do you have any questions?

14 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.
15 CALLAGHAN:

16 **MR. CALLAGHAN:** Good afternoon.

17 **MR. DeBRUYNE:** Good afternoon, sir.

18 **MR. CALLAGHAN:** I had left with Madam
19 Registrar an excerpt from the Bernardo or Archie Campbell
20 Report, and I don't know if people have it there.

21 **THE COMMISSIONER:** Yes, we do. Exhibit 42.

22 **MR. CALLAGHAN:** I will be referring to it.
23 I wonder if, just so I don't forget, if I can have it made
24 the next exhibit, whatever number that might be.

25 **THE COMMISSIONER:** Exhibit 42.

1 **MR. CALLAGHAN:** Thank you.

2 **--- EXHIBIT NO./PIÈCE NO 42:**

3 Bernardo Investigation Review - Report of
4 Mr. Archie Campbell Report

5 **MR. CALLAGHAN:** Now, sir, you've indicated
6 that you worked with Mr. Justice Campbell in that report in
7 terms of provided evidence and provided assistance to Mr.
8 Justice Campbell; correct?

9 **MR. DeBRUYNE:** I was part of a half-day
10 presentation, sir.

11 **MR. CALLAGHAN:** Right.

12 **MR. DeBRUYNE:** And I might add, just for
13 clarification, this is prior to the release of his report.
14 So he's actually hearing evidence during this particular
15 point in time.

16 **MR. CALLAGHAN:** So I take it that Mr.
17 Justice Campbell looked into the issue of sexual assault
18 training?

19 **MR. DeBRUYNE:** He did, sir.

20 **MR. CALLAGHAN:** Right.

21 **MR. DeBRUYNE:** And that would have been
22 sometime in 1995?

23 **MR. DeBRUYNE:** It would have been sometime
24 in 1996, sir. I believe the Terms of Reference start
25 somewhere around in December, and I believe I would have

1 given my evidence before Justice Campbell in 1996, but
2 certainly prior to the release of his June 1996 Report.

3 **MR. CALLAGHAN:** And one of the police forces
4 they were dealing with particularly in respect of the
5 Scarborough rape investigation was Metro Toronto; correct?

6 **MR. DeBRUYNE:** That's correct, sir.

7 **MR. CALLAGHAN:** And we've heard that they
8 have 25 per cent of the seats at OPC courses. We heard
9 that yesterday. Can you confirm that? If you can't, it's
10 in evidence, so I'll move on.

11 **MR. DeBRUYNE:** I can't -- I don't want to
12 comment on that, sir, but I would also add that I'm aware
13 that C.O. Bick College in Toronto has its own Child Abuse
14 and Sexual Assault course.

15 **MR. CALLAGHAN:** Right.

16 **MR. DeBRUYNE:** And I believe my colleague
17 who is testifying would be able to better share the numbers
18 from Toronto, but I can say that when I was coordinating
19 sexual assault training, I don't remember 25 per cent of
20 the seats being dedicated to the Toronto Police Service,
21 and I would suspect that has much more to do with the fact
22 they had their own course.

23 **MR. CALLAGHAN:** Their own course. I see.

24 And even having said that, at page 330 of
25 the Report, Mr. Justice Campbell found that sexual assault

1 training was clearly lacking in the early stages of the
2 Scarborough rape investigation. Do you see that?

3 MR. DeBRUYNE: I do, sir.

4 MR. CALLAGHAN: Right.

5 And I take it we're talking of a period in
6 the late '80s, early '90s?

7 MR. DeBRUYNE: I believe it relates to 18
8 sexual assaults that would have occurred between 1987 and
9 1992, plus three homicides, and that was what was confirmed
10 at the time, sir.

11 MR. CALLAGHAN: So that's -- am I correct,
12 late '80s, early '90s is the period in which he's
13 commenting regarding the training; correct?

14 MR. DeBRUYNE: That's correct, sir.

15 MR. CALLAGHAN: And I take it from the
16 evidence we've heard you're continually upgrading your
17 courses when there are things that need to be taught to
18 police officers.

19 MR. DeBRUYNE: Yes, sir.

20 MR. CALLAGHAN: And essentially, you, I take
21 it, keep up with best practices as best you can?

22 MR. DeBRUYNE: In some cases we write them,
23 sir.

24 MR. CALLAGHAN: Right, I understand that.
25 And then I take it -- we heard from Mr. Listen who was the

1 head of Children's Aid during Project Guardian. He gave
2 some testimony on how things change when there are major
3 events such as Project Guardian and you've referred to the
4 multi-victim/multi-offender work. So we learn as we go
5 along and standards change as we go as best practices.

6 **MR. DeBRUYNE:** Yes, and sometimes the
7 circumstances of the case. I mean of the common errors
8 that we make in these investigations is underestimating the
9 complexity and the snowball effect that sometimes these
10 things will take on.

11 **MR. CALLAGHAN:** Right. And I gather that
12 after, for example, Mr. Justice Campbell's report and I
13 take it also partway through addressing the whole Bernardo
14 thing, the syllabus that you were putting together was
15 changing, was being updated by what was learned through the
16 Bernardo investigation.

17 **MR. DeBRUYNE:** That certainly impacted us,
18 sir.

19 **MR. CALLAGHAN:** Right. And if I could take
20 you to page 332 of Mr. Justice Campbell's report at the
21 second paragraph, the last sentence, he says:

22 "Officers cannot be criticized for
23 saying or doing the wrong thing when
24 they have not been trained to approach
25 sexual assaults in a manner that is

1 sensitive to the victim and beneficial
2 to the investigation."

3 Would you agree that officers can only be
4 assessed by the standard of what they're being taught which
5 seems to be what Mr. Justice Campbell is saying?

6 **MR. DeBRUYNE:** Very much so and it's part of
7 some of the systemic issues that he talked about. You're
8 absolutely right.

9 **MR. CALLAGHAN:** So I take it that we have to
10 -- looking at sexual assault training, I think you've
11 indicated that the OPC started focusing on the criminal
12 investigation training section II with sexual assault
13 training in about 1985.

14 **MR. DeBRUYNE:** Yes, sir.

15 **MR. CALLAGHAN:** Right. And so I take it we
16 can take -- we might be able to take this in a bit of an
17 era and I recognize within any era, things change and
18 evolve, but between 1985 and the release of Mr. Justice
19 Campbell's report could be seen to be one era, I take it.
20 A second era might well be between Mr. Justice Campbell's
21 report and the Adequacy Standards, and now we have a new
22 era with respect to the Adequacy Standards.

23 Would that be a fair break-up?

24 **MR. DeBRUYNE:** My preference would be, sir,
25 to say from 1985 to about 1994 when we start to redesign

1 sexual assault training, and albeit Justice Campbell
2 releasing his report in June of 1996, we were able to
3 anticipate some of the issues. For instance, in of the
4 slides that I mentioned, the second week in September of
5 1995, the Ministry provided leadership in hosting a
6 workshop at the Ontario Fire College which is referenced in
7 there.

8 **MR. CALLAGHAN:** Right.

9 **MR. DeBRUYNE:** So I would say the new era
10 probably started around 1994 and then when Justice Campbell
11 releases his report in '96, in June of '96, and that would
12 take us right up to, I would respectfully suggest, into the
13 2003 era, sir.

14 **MR. CALLAGHAN:** And then there's further
15 evolution in that era?

16 **MR. DeBRUYNE:** Yes, sir.

17 **MR. CALLAGHAN:** And just in that, I know the
18 Fire College meeting was in '94 but actually getting it out
19 to the troops, I take it that's somewhere about '96 once
20 you've developed it and get a delivery model out to them?

21 **MR. DeBRUYNE:** I think 1995, sir.

22 **MR. CALLAGHAN:** Okay. That's fair enough.
23 And I take it then that -- and just for the record, I take
24 it you're following this inquiry to see what you might
25 learn to update your courses again.

1 **MR. DeBRUYNE:** Absolutely, sir.

2 **MR. CALLAGHAN:** Right. Then I guess it goes
3 without saying you welcome whatever recommendations that
4 come out of this inquiry in that regard?

5 **MR. DeBRUYNE:** I know if I'm the
6 coordinator, I would be taking them back to my boss, sir.

7 **MR. CALLAGHAN:** Okay. And in the context of
8 this and I take it you'd agree that we kind of have to be
9 very careful when we talk about the standards of policing
10 and best practices to actually mirror up what was happening
11 in that era with the best practice as probably being taught
12 by the OPC?

13 **MR. DeBRUYNE:** Yes, and it's not uncommon,
14 for instance, in police discipline cases where we may look
15 at, say, lack of conduct or neglected duty if I may, sir,
16 where someone will say, "What are you teaching" and I say,
17 "Well, this is what we're teaching today, but just
18 remember, back in that time we weren't teaching that".

19 **MR. CALLAGHAN:** Right. So it's following
20 sort of the best standards of the day hopefully?

21 **MR. DeBRUYNE:** Yes, hopefully.

22 **MR. CALLAGHAN:** I would like to just sort of
23 touch on something prerequisites and at Tab 24 is where I'd
24 be and I'm at the third page. And Madam Clerk, I
25 apologize, I'm a Luddite and I work with paper. So if I

1 get the wrong number, I'll let you know.

2 Now, this is part of that part 1 -- and
3 you've got the right one. Thank you, Madam Clerk.

4 I note that this is 1994 and I'm going to
5 take you through a few where the prerequisite seems to
6 change. I don't see any prerequisite established for this
7 course.

8 **MR. DeBRUYNE:** I believe in the context we
9 may have said something a little bit later on in another
10 document where there was a minimum of two years police
11 experience but I don't see it here, sir.

12 **MR. CALLAGHAN:** That's what I'm trying to
13 get at and I gather that in the context of pre-adequacy
14 standards, there were no requirements with respect to who
15 gets to investigate what. It was left up to the various
16 police forces from a legislative point of view.

17 **MR. DeBRUYNE:** Having said that, if you take
18 a look going back before adequacy, say, back into the
19 Policing Standards Manual that commenced in the fall of
20 1992, there is a standard on sexual assaults but it's only
21 applicable to sexual assaults. It doesn't apply to sex
22 offences against children. And in the context of that, I
23 believe there is some discussion about police officers
24 having the necessary core competencies to do those
25 particular investigations.

1 **MR. CALLAGHAN:** And that was -- you refer to
2 '92 and we always trip over that because that's when the
3 policing standards start, but the sexual assault one you
4 refer to came out in '96.

5 **MR. DeBRUYNE:** That's right, although it is
6 a work in progress.

7 **MR. CALLAGHAN:** Right, but it only came out
8 in '96?

9 **MR. DeBRUYNE:** Yes, sir.

10 **MR. CALLAGHAN:** And it also didn't deal, as
11 Mr. Manson's point is it didn't deal with historic sexual
12 assaults either?

13 **MR. DeBRUYNE:** No, it didn't, sir.

14 **MR. CALLAGHAN:** All right. And if I can
15 then, if I can just take you over just to get the flavour
16 of what I'm talking about, at -- with any luck, Madam
17 Registrar, we're at number 20 in that package, page 20.
18 And if I've got the right page -- I believe that's the
19 right one. You know what? There should be one on INAS.
20 My apologies, I don't have the right page.

21 **(SHORT PAUSE/COURTE PAUSE)**

22 **MR. CALLAGHAN:** This prerequisite is that
23 you had to be "an experienced police officer or child
24 protection worker who are or are about to be assigned as
25 child abuse investigators" and I'm just stopping there. I

1 take it that, you know, so often training didn't happen
2 until after the person has actually worked in the field a
3 little bit. That was quite customary?

4 **MR. DeBRUYNE:** Very much so, sir.

5 **MR. CALLAGHAN:** Right. And in this one, it
6 says they must have a minimum of two years of police
7 experience. Do you see that?

8 **MR. DeBRUYNE:** I do, sir.

9 **MR. CALLAGHAN:** Now, that's the first I
10 could find of a two-year police experience criteria and
11 that's 1995. Was that what you were thinking of?

12 **MR. DeBRUYNE:** And I apologize, sir. This
13 is the document I was thinking of when I referenced the
14 minimum of two years experience with respect to this
15 training.

16 **MR. CALLAGHAN:** Right. And who decides that
17 two years is appropriate?

18 **MR. DeBRUYNE:** It would be the course
19 coordinator making a recommendation back to, in my
20 particular case, a chief instructor or deputy director,
21 depending on what section I would be working in. And in
22 this particular case, although the experience may seem low,
23 in terms of the context of what we sometimes deal with
24 particularly in the northern locations, we're sometimes
25 talking about a smaller police service that you also want

1 to have members who want to do these types of
2 investigations too.

3 **MR. CALLAGHAN:** Right. And if I could take
4 you just to page 31 in that document just to show the
5 evolution a little of how things are changing, coming back
6 to the issue of standards changing -- with any luck, I've
7 got the right one this time, Investigation of Sexual
8 Offences Against Children, page 46 at the bottom.

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

10 **MR. CALLAGHAN:** It's Investigation of Sexual
11 Offences Against Children and I've counted 31 pages but
12 that's maybe because I can't count. That's why I went into
13 law.

14 **THE COMMISSIONER:** Investigation of Sexual
15 Offences Against Children Course?

16 **MR. CALLAGHAN:** Yes.

17 **THE COMMISSIONER:** All right.

18 **MR. CALLAGHAN:** It's 41. I can't count.

19 Now, this is a -- no, I don't believe that's
20 it. I have one -- I'll just put in on the record then. I
21 have a course Investigation of Sexual Offences Against
22 Children, March 10th, '98, and now the requirement is up to
23 a minimum of four years police experience.

24 Is that consistent with your recollection?

25 **MR. DeBRUYNE:** That would have been during

1 the period of time when I'm gone, sir, and if it's there,
2 then obviously the course coordinator of the day would have
3 reviewed it with respect to increasing the minimum
4 standard.

5 **MR. CALLAGHAN:** Okay. Now, sir, in terms of
6 your training, have you had occasion to work with the
7 Cornwall Police Services?

8 **MR. DeBRUYNE:** I have, sir.

9 **MR. CALLAGHAN:** And on what occasion was
10 that?

11 **MR. DeBRUYNE:** I coordinated in my capacity
12 as the Ontario major case management course coordinator, I
13 worked with the Cornwall Police Service where they
14 requested and hosted an Ontario Major Case Management
15 Course here in the community. In fact, I believe it was
16 just up the street from here, sir, at a high school.

17 **MR. CALLAGHAN:** And how did the service
18 compare or perform in respect of dealing with training?

19 **MR. DeBRUYNE:** As well as all the other
20 services, sir, and that was absolutely outstanding.

21 **MR. CALLAGHAN:** And have you had an occasion
22 to look at the policies and procedures of the Cornwall
23 Police?

24 **MR. DeBRUYNE:** I've had an opportunity to
25 provide personal opinions by way of feedback, sir, and I'm

1 not sure of the rank, Staff Sergeant Snyder or Sergeant
2 Snyder.

3 **MR. CALLAGHAN:** Sergeant Snyder. And how
4 did they compare with respect to the Adequacy Standards
5 and, for example, what you teach at the college?

6 **MR. DeBRUYNE:** Certainly the one standard
7 that I looked at which was the interviewing one, sir, that
8 it is extremely well written, that prescriptive that I
9 could take that document and create an in-service training
10 lecture out of it.

11 **MR. CALLAGHAN:** Thank you.

12 **THE COMMISSIONER:** Well, wait a minute now.
13 What year did you come to Cornwall and do that management?

14 **MR. DeBRUYNE:** It would have been, I think,
15 November of 2002, sir.

16 **THE COMMISSIONER:** Okay.

17 **MR. CALLAGHAN:** It was with respect to the
18 training that he spoke about going across the province.

19 **THE COMMISSIONER:** Yes, okay.

20 **MR. DeBRUYNE:** I'm sorry, sir.

21 **THE COMMISSIONER:** No, that's fine.

22 **MR. DeBRUYNE:** I should have prefaced the
23 question. My apologies.

24 **THE COMMISSIONER:** Thank you.

25 All right. Who is from the OPP? Any

1 questions from the OPP?

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

3 LAHAIE:

4 MS. LAHAIE: Good afternoon, Mr. DeBruyne.

5 MR. DeBRUYNE: Good day.

6 MS. LAHAIE: I'm Diane Lahaie with the OPP.
7 You've been an instructor with the OPC since
8 1983?

9 MR. DeBRUYNE: That includes my seconded
10 time.

11 MS. LAHAIE: And so you've seen many changes
12 through the years.

13 MR. DeBRUYNE: I have.

14 MS. LAHAIE: Sir, I want to turn to the
15 outline which was not your PowerPoint presentation but the
16 outline at Tab 7 of the materials, if I may? At page 2,
17 there is a description at the sixth bullet regarding the
18 alternative delivery modes for training and we see there
19 "traditional delivery at the OPC". That would be courses
20 that are actually offered at the college in Aylmer.

21 MR. DeBRUYNE: That's correct.

22 MS. LAHAIE: And then "satellite delivery".
23 Would this be defined as an OPC instructor attending a
24 location offsite to provide a course?

25 MR. DeBRUYNE: I believe the way I

1 understand it, and perhaps my colleague can correct me
2 tomorrow if I'm wrong, is that the satellite courses would
3 be the OPC instructors attending. The partnership would be
4 an OPC instructor and a member of that police service and
5 the police service delivery would be completely delivered
6 by that police service.

7 **MS. LAHAIE:** And in your early years as an
8 instructor, would you say that it was a more popular form
9 of training to have the training occur at OPC and that the
10 training which occurs outside of the institution at OPC is
11 something that has become more popular through the years
12 and certainly with the coming into effect of Adequacy?

13 **MR. DeBRUYNE:** Yes, I would and the only
14 thing I would like to clarify is that the joint police/CAS
15 training that we used to -- child abuse training we used to
16 do was always done, for the most part, on an outreach basis
17 with the exception of that.

18 **MS. LAHAIE:** And that began?

19 **MR. DeBRUYNE:** I think we probably
20 structured it more in the late '80s.

21 **MS. LAHAIE:** You provided some of the course
22 outlines for the courses of relevance to this inquiry and
23 I'm just using as an example one that is mentioned at your
24 PowerPoint presentation at page 15 or slide 15, "Domestic
25 Violence and Child Abuse".

1 This was first offered in 1985?

2 **MR. DeBRUYNE:** That's correct.

3 **MS. LAHAIE:** And we've seen from looking at
4 the syllabuses or syllabi of the various courses that, on
5 average, class sizes would be approximately 24 officers.
6 Would that have been the case back in 1985 approximately,
7 that number of officers?

8 **MR. DeBRUYNE:** On the modules it would have
9 been but on the Criminal Investigation Course, and I taught
10 in that section up until the late -- just before 1990, our
11 class size was in fact 32 on the Criminal Investigation
12 Course.

13 **MS. LAHAIE:** And in those types of courses
14 like the Sexual Offences, Domestic Violence and Child Abuse
15 Course, is it very much like today when we look at the
16 syllabus that this course would be offered twice or three
17 times a year?

18 **MR. DeBRUYNE:** Yes, and in fact in 1985, I
19 believe it was only offered once and I think in 1986 it may
20 have only been offered once.

21 **MS. LAHAIE:** And so essentially there would
22 have been an opportunity for a couple of dozen police
23 officers in the province to receive that training?

24 **MR. DeBRUYNE:** Each year, yes.

25 **MS. LAHAIE:** And the training was

1 principally done at OPC at that time; very little training
2 done outside of the College?

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

4 **MS. LAHAIE:** Would you say, searching your
5 memory back to those earlier years, that those courses were
6 predominantly attended by female investigators as opposed
7 to male investigators; that there was perhaps at that time
8 a disproportion, gender imbalance towards female officers
9 taking any kind of training with respect to sexual
10 offences, domestic violence abuse against children?

11 **MR. DeBRUYNE:** I wouldn't share that opinion
12 with respect to the balance of the gender in the class and
13 that course I was on in 1985 and I can't remember, but it
14 wasn't like there was a higher percentage of women on the
15 course versus men.

16 **MS. LAHAIE:** We've heard from other
17 witnesses that, for instance, the OPP at this time is
18 composed of 18 per cent of the members being female. Would
19 you say that there were, let's say, a fifth of the class
20 size or was it more like 50/50 back in those days at best?

21 **MR. DeBRUYNE:** It wouldn't have been 50/50.

22 **MS. LAHAIE:** So you would say that the
23 proportions were much the same in that it would have been,
24 let's say, 10 to 20 per cent at that particular point in
25 time would be female members?

1 **MR. DeBRUYNE:** I would really be unfair
2 because I would be guessing to say that. To think about
3 the composition of the class back to 1985 is over 20 years
4 for me. I apologize.

5 **MS. LAHAIE:** That's fine.

6 If we can go to slide 16 at Tab 9, the
7 Sexual Assault Investigation Course, this was a course that
8 was first delivered in 1995?

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

10 **MS. LAHAIE:** And would you know how many
11 courses would have been offered in the sexual assault
12 investigation in that first year at OPC?

13 **MR. DeBRUYNE:** I believe during that period
14 of time, which may have went into the fiscal year '96, I
15 think we're looking at about three courses that would've
16 been offered.

17 **MS. LAHAIE:** And there we see class size is
18 at 24 candidates?

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

20 **MS. LAHAIE:** At that time, in the mid-'90s,
21 is it still predominantly the situation that the training
22 is occurring at OPC?

23 **MR. DeBRUYNE:** That's correct, but what was
24 a little bit different about this particular course -- and
25 in fact the Ontario Provincial Police provide us with

1 additional resources -- is that our practical exercises
2 that were skill-based actually went off campus and they
3 were conducted in the City of London. For instance, we
4 utilized the hospital and the sexual assault treatment
5 centre, those kinds of things.

6 **MS. LAHAIE:** And at OPC then, if it's
7 offered three times, that would be 72 officers trained in
8 sexual assault that first year?

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

10 **MS. LAHAIE:** And those numbers have been
11 consistent for the courses being offered at OPC per se?

12 **MR. DeBRUYNE:** I can't speak for the present
13 but I'm guessing just on the one slide that I showed
14 earlier with respect to -- I believe we talked about three
15 courses at the Ontario Police College with two outreach
16 courses and assuming that there are 24 in the class, that
17 would be 120 officers. But my colleague would be better to
18 answer that.

19 **MS. LAHAIE:** And Adequacy Standards
20 obviously then created the need to look to alternative
21 methods of training such as satellite delivery,
22 partnerships and the police services themselves offering
23 the courses; is that correct?

24 **MR. DeBRUYNE:** That's correct, and in
25 particular, at least in my opinion, especially as it

1 related to the General Investigative Techniques Course, by
2 virtue of subsection 9(4) of Adequacy, that made that
3 mandatory.

4 **MS. LAHAIE:** Thank you.

5 The concept of offering courses on train-
6 the-trainer, is this something that came about around the
7 same time as the Adequacy Standards Regulation?

8 **MR. DeBRUYNE:** No, it was well in advance of
9 the Adequacy Regulation and I would suggest at least 10
10 years in advance of that particular regulation.

11 **MS. LAHAIE:** And so it would be your opinion
12 then or your recollection that training-the-trainer is a
13 concept that existed in the late '80s?

14 **MR. DeBRUYNE:** I would suggest that we first
15 started to do it, particularly as I referenced before with
16 respect to training both child protection workers and
17 police officers, that we used to bring in experts from both
18 the United States as well as Canada to bring our trainers
19 up to date and that was a form of train-the-trainer and
20 sometimes you might hear it in the context of facilitation.

21 So when I was coordinating, say, the women's
22 issues at the Ontario Police College and we developed a
23 course called the Wife Assault Facilitator Course and once
24 again the police community played a major role in that. So
25 that was sort of like a train-the-trainer course in that

1 concept.

2 **MS. LAHAIE:** And training-the-trainer, is
3 that training individuals that you intend to have offer the
4 courses at regional levels or at satellite locations or
5 partnership delivery?

6 **MR. DeBRUYNE:** That's correct and not only
7 for their own police services but in partnership with other
8 police services, too.

9 **MS. LAHAIE:** Thank you, sir. Those are all
10 my questions.

11 Thank you.

12 **THE COMMISSIONER:** Thank you.

13 Mr. Carroll.

14 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.
15 CARROLL:

16 **MR. CARROLL:** Good afternoon.

17 **MR. DeBRUYNE:** Sir.

18 **MR. CARROLL:** I am counsel for the Ontario
19 Provincial Police Association. I have very few questions
20 relating to Exhibit 41, which I think you have a copy of
21 somewhere there. That's the April 22nd letter of '03.

22 Do you have a copy of that?

23 **MR. DeBRUYNE:** I do, sir.

24 **MR. CARROLL:** Okay. Before I start ---

25 **THE COMMISSIONER:** Just one second.

1 Exhibit?

2 MR. CARROLL: Forty-one (41).

3 THE COMMISSIONER: Forty-one (41)?

4 MR. CARROLL: Yes.

5 THE COMMISSIONER: Which is the Revised
6 Standards?

7 MR. CARROLL: That's the All Chiefs Memo.

8 THE COMMISSIONER: All right, yes, yes, yes.

9 MR. CARROLL: May I ask you, generally about
10 the courses that you have taught or you're aware of being
11 taught, there are course evaluations that are expected at
12 the end of a presentation of a course?

13 MR. DeBRUYNE: That's correct.

14 MR. CARROLL: And do they flow from the
15 students with respect to their evaluation of the course on
16 various criteria?

17 MR. DeBRUYNE: That's correct.

18 MR. CARROLL: And is that a standard
19 practice that that's done with all courses, as far as you
20 know?

21 MR. DeBRUYNE: Yes, it is.

22 MR. CARROLL: And from your experience as an
23 instructor, what's done with those evaluations? Are they
24 utilized in any fashion?

25 MR. DeBRUYNE: What happens is they go to

1 our Research and Evaluation Unit.

2 MR. CARROLL: Right.

3 MR. DeBRUYNE: They do an analysis of not
4 only the numbers but the comments and then that analysis is
5 shared with the instructor with respect to, for instance,
6 you might have the right content but the wrong speaker,
7 maybe you have just the content isn't current or maybe you
8 have the content isn't relevant or maybe you have
9 everything as well.

10 MR. CARROLL: Did you say, sir, that you
11 returned to the College in '02; is that right?

12 MR. DeBRUYNE: Yes, sir.

13 MR. CARROLL: Upon your return in '02 or
14 '03, did you see anything in writing from the Ontario
15 Provincial Police who attended that course or those
16 courses, and specifically the ISOAC Course, that stated
17 that the course was not meeting their needs? Did you see
18 that, anything to that effect?

19 MR. DeBRUYNE: I didn't see anything to that
20 effect, sir.

21 MR. CARROLL: In the document in front of
22 you, Exhibit 41, it speaks about a meeting in the third
23 paragraph between managers of the Ontario Police College
24 and the Ontario Association of Children's Aid Societies,
25 right?

1 **MR. DeBRUYNE:** That's correct, sir.

2 **MR. CARROLL:** Those managers of the Ontario
3 Police College are not members of the Ontario Provincial
4 Police, are they?

5 **MR. DeBRUYNE:** No, they're not, sir.

6 **MR. CARROLL:** You seem to be the guy or the
7 instructor that over the years had the most knowledge and
8 the most input with respect to joint training. Is that a
9 fair statement?

10 **MR. DeBRUYNE:** I would say I was one of two,
11 sir.

12 **MR. CARROLL:** Who is the other one?

13 **MR. DeBRUYNE:** Mr. Chuck Lawrence.

14 **MR. CARROLL:** Okay.

15 **MR. DeBRUYNE:** Who is at C.O. Bick College.

16 **MR. CARROLL:** All right.

17 Were you consulted before this course was
18 temporarily suspended?

19 **MR. DeBRUYNE:** No, I wasn't but in fairness
20 to them, sir, I wasn't part of that Section with respect to
21 the delivery of this training.

22 **MR. CARROLL:** At that time?

23 **MR. DeBRUYNE:** At that time.

24 **MR. CARROLL:** You had been?

25 **THE COMMISSIONER:** You were not?

1 **MR. DeBRUYNE:** I was not at the time, sir.

2 **MR. CARROLL:** But had been for a number of
3 years an active participant in the delivery of that type of
4 program?

5 **MR. DeBRUYNE:** Up to 1996.

6 **MR. CARROLL:** Right. And the answer is you
7 were not consulted, right?

8 **MR. DeBRUYNE:** I was not consulted, sir.

9 **MR. CARROLL:** Okay. Thank you, Mr.
10 Commissioner.

11 Thank you, sir.

12 **THE COMMISSIONER:** Thank you.

13 Me Dumais, any questions?

14 **MR. DUMAIS:** Nothing further, Mr.
15 Commissioner.

16 **THE COMMISSIONER:** All right. Well, we'll
17 call it a day.

18 **MR. DUMAIS:** We'll call it a day.

19 **THE COMMISSIONER:** Terrific. Thank you very
20 much for your assistance, sir.

21 Thank you.

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

24 This hearing is adjourned. L'audience est
25 ajournée.

1 --- Upon adjourning at 4:55 p.m./

2 L'audience est ajournée à 16h55

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C E R T I F I C A T I O N

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Sean Prouse, CVR-CM