

**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 165**

**Held at :**

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

Thursday, November 22 2007

**Tenue à:**

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

Jeudi, le 22 novembre 2007

**Appearances/Comparutions**

Mr. Peter Engelman	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Ms. Maya Hamou	Commission Counsel
Mr. Peter Manderville	Cornwall Police Service Board
Ms. Suzanne Costom	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Scott Seguin and Father Charles MacDonald
M <sup>e</sup> Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Mr. Carson Chisholm

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1 --- Upon commencing at 9:39 a.m. /

2 L'audience débute à 09h39

3 **THE REGISTRAR:** The hearing of the Cornwall  
4 Public Inquiry is now in session.

5 The Honourable Mr. Norman Glaude,  
6 Commissioner, presiding.

7 Please be seated. Veuillez vous asseoir.

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

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

12 I have seen the witness ---

13 **THE COMMISSIONER:** Yes.

14 **MR. ENGELMANN:** --- in the hallway.

15 **THE COMMISSIONER:** Good, that's not a  
16 problem.

17 **MR. ENGELMANN:** I'm sure he'll be here  
18 momentarily.

19 **THE COMMISSIONER:** So I think we all made it  
20 in. Mr. Sherriff-Scott, is he here?

21 **MR. ENGELMANN:** He's arrived just recently.

22 **THE COMMISSIONER:** Okay. What I ask is  
23 those of you who have any connections with the local and  
24 provincial police, if you could keep us advised of road  
25 conditions. I certainly don't want to hold anybody here if

1           they feel that they should be driving home. I don't know  
2           how long we're going to be today so I'm concerned about  
3           people driving home in the dark, so we'll have to wait and  
4           see.

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

6                       **THE COMMISSIONER:** One thing about coming in  
7           last is you can see if any of the colleagues have -- it's  
8           like that in clean-up, you know, if you see anyone in the  
9           ditch you can pick them up as you go.

10                   **MR. ENGELMANN:** Unfortunately, saw a bit of  
11           that last night.

12                   **THE COMMISSIONER:** Yeah. For a modest fee  
13           of course.

14                               **(SHORT PAUSE/COURTE PAUSE)**

15                   **THE COMMISSIONER:** How long do you think  
16           you'll be, Mr. Engelmann?

17                   **MR. ENGELMANN:** I'll be about two hours.  
18           I'm going to try and move through this fairly quickly.

19                   **MR. GUZZO:** Problem, sir, I'm sorry.

20                   **THE COMMISSIONER:** Oh, no, no, that's fine.  
21           Your ride in was uneventful I hope?

22                   **MR. GUZZO:** I turned around and came back  
23           last night.

24                   **THE COMMISSIONER:** Oh, did you?

25                   **MR. GUZZO:** Yes.

1 THE COMMISSIONER: Oh.

2 MR. GUZZO: I just -- it just looked like it  
3 was going to be a better deal.

4 THE COMMISSIONER: Well, you certainly  
5 planned that right.

6 All right. So, Mr. Engelmann, whenever  
7 you're ready.

8 --- GARRY GUZZO, Resumed/Sous le même serment:

9 --- EXAMINATION IN-CHIEF/INTERROGATOIRE EN-CHEF PAR MR.  
10 ENGELMANN (Cont'd/Suite):

11 MR. ENGELMANN: Good morning, Mr. Guzzo.

12 MR. GUZZO: Good morning, sir.

13 MR. ENGELMANN: Sir, I'd like to show you a  
14 letter. It's dated January 14<sup>th</sup>, 2000. It's a letter I  
15 believe you wrote to the then Attorney General Jim  
16 Flaherty. It's Document Number 124819. Madam Clerk, if  
17 that could be shown to the witness.

18 (SHORT PAUSE/COURTE PAUSE)

19 THE COMMISSIONER: Thank you. This is a  
20 letter addressed to the Honourable Jim Flaherty from Mr.  
21 Guzzo dated January 14, 2000.

22 MR. ENGELMANN: What would the next exhibit  
23 number be, sir?

24 THE COMMISSIONER: I'm sorry, 1002.

25 --- EXHIBIT NO./PIÉCE NO. P-1002:



1 (124819) Letter from Garry Guzzo to  
2 Hon. Jim Flaherty dated 14 Jan 00

3 **MR. ENGELMANN:** Mr. Guzzo, I just want to  
4 ask you a few questions about the letter. If you need some  
5 more time during my questions ---

6 **MR. GUZZO:** No.

7 **MR. ENGELMANN:** --- just take it.

8 **MR. GUZZO:** Thank you.

9 **MR. ENGELMANN:** This is a letter you wrote;  
10 correct?

11 **MR. GUZZO:** Right, I did.

12 **MR. ENGELMANN:** And the -- the re. clause is  
13 -- is not about Cornwall, it's about the Supreme Court of  
14 Canada Appeal *R. v Sharpe*?

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

16 **MR. ENGELMANN:** Why is that the re. clause?  
17 What's the connection?

18 **MR. GUZZO:** Mr. Flaherty has issued a press  
19 release on the position of the Ontario Government vis-à-vis  
20 this issue. He has ---

21 **MR. ENGELMANN:** Sexual abuse of children  
22 when you say this issue?

23 **MR. GUZZO:** The *Sharpe* issue. I think the  
24 *Sharpe* issue was a little narrower ---

25 **MR. ENGELMANN:** Yes.

1                   **MR. GUZZO:** --- if you like.

2                   And he has authorized our government to  
3                   intervene at the Supreme Court level on this matter and he  
4                   has decided to take the case himself and he's coming to  
5                   Ottawa and ---

6                   **MR. ENGELMANN:** When you say take it  
7                   himself, he actually decided to argue this?

8                   **MR. GUZZO:** He decided to argue it himself  
9                   and he -- he's, as I say, coming into my riding, into my  
10                  area. And I have a few points I want to make to him and I  
11                  try and relate it to the Cornwall situation, telling him  
12                  that it's only another 100 kilometres down the road and he  
13                  should come down and talk to some people, have a look and  
14                  not worry about pictures, worry about the real thing.

15                  **MR. ENGELMANN:** All right. And in the  
16                  second paragraph of the first page, you tell him a little  
17                  bit about your personal experience as a judge?

18                  **MR. GUZZO:** Yes, I do.

19                  **MR. ENGELMANN:** And, sir, from a quick  
20                  review, it appears that when you started on the Bench, you  
21                  say that you -- you saw two or three of these cases a year,  
22                  cases involving sexual abuse of children and by the time  
23                  your retired there were two or three a month?

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

25                  **MR. ENGELMANN:** Did that at all contribute

1 to your interest in the subject matter?, it's directly the  
2 reason why I left the Bench after 11 years, and it was the  
3 main -- main reason why I did. And I have to tell you that  
4 why I -- I find myself back involved with a major file in  
5 the new job, you know, that's dealing with the same thing.  
6 I can't explain it. I can't explain it to you and I can't  
7 explain it to my wife and family.

8 **MR. ENGELMANN:** Now, on the second page of  
9 the letter you refer to, in the first full paragraph, a  
10 couple of individuals. Mr. MacDonald, finally charged in  
11 early '99 who passed away in Florida, that -- is that  
12 Malcolm MacDonald?

13 **MR. GUZZO:** It is.

14 **MR. ENGELMANN:** And a Dr. Peachey. Do you  
15 know who he was?

16 **MR. GUZZO:** Yes, I had -- he was a former  
17 coroner and he was, I think, the medical man with the  
18 hockey team down here for a couple of years when I may have  
19 gone to a few games.

20 **MR. ENGELMANN:** You say that they had both  
21 faced preliminary hearings and been committed to trial.  
22 You also say in that paragraph:

23 "My concern, of course, relates to my  
24 fears for children in Eastern Ontario,  
25 namely Cornwall, where a pedophile ring

1                                   has been operating for over 30 years."

2                                   Now, you wrote this letter to Mr. Flaherty  
3                                   and you also copied the Solicitor General who was a new  
4                                   Solicitor General, David Tsubouchi, if I'm pronouncing it  
5                                   correctly?

6                                   **MR. GUZZO:** That's correct. Yes.

7                                   **MR. ENGELMANN:** And Progressive Conservative  
8                                   members of the Standing Committee on Justice?

9                                   **MR. GUZZO:** Yes.

10                                  **MR. ENGELMANN:** Why were you commenting or  
11                                  why were you suggesting the term "pedophile ring"?

12                                  **MR. GUZZO:** Well ---

13                                  **MR. ENGELMANN:** Where did it come from?

14                                  **MR. GUZZO:** I -- I don't know where it came  
15                                  from to be honest with you. I don't know whether I picked  
16                                  it up or I heard it, but my thinking on it and my  
17                                  definition of it was probably formed from reading the --  
18                                  some of the reports on the trial of Father Martin where the  
19                                  individual testified at being taken to a bar and turned  
20                                  over to the piano player and taken home by the piano  
21                                  player; the relationship between the individual who brought  
22                                  him to the bar that night.

23                                  And then I'm looking at a Crown Attorney  
24                                  whose name is being kicked around with a coroner. I'm  
25                                  thinking that there's a -- I -- I've got an imagine of a

1 group that's connected and I -- I use the term "ring",  
2 maybe unadvisedly, I don't know.

3 **THE COMMISSIONER:** I'm sorry, Father Martin?  
4 Do we -- do we know ---

5 **MR. ENGELMANN:** I'm not sure if -- is that  
6 one of the *Marleau*?

7 **MR. GUZZO:** I believe it was. I believe it  
8 was one of the earlier trials, yeah.

9 **THE COMMISSIONER:** Okay.

10 **MR. GUZZO:** I mean, that's where I get the  
11 -- the terminology, you know and I -- you know ---

12 **MR. ENGELMANN:.** But we've also -- there's  
13 an affidavit that had been circulated, had been posted on  
14 websites, talking about a clan of pedophiles a fellow by  
15 the name of Ron Leroux. I realize you didn't meet with  
16 him, but you were familiar with his allegations or you were  
17 aware of them?

18 **MR. GUZZO:** I had seen the affidavit. I had  
19 seen the affidavit, I think.

20 **MR. ENGELMANN:** All right. Is that why you  
21 refer to a "pedophile ring" or ---

22 **MR. GUZZO:** It may have -- it may have  
23 influenced me. Certainly I -- I use the term based on  
24 things I had heard.

25 **THE COMMISSIONER:** Sir, you're on page 3,

1 now?

2 MR. ENGELMANN: Page 2.

3 THE COMMISSIONER: Page 2.

4 MR. ENGELMANN: At the top of the page.

5 THE COMMISSIONER: Right, okay.

6 MR. ENGELMANN: So you were aware of the  
7 coroner and the former Crown Attorney?

8 MR. GUZZO: I was.

9 MR. ENGELMANN: And you were aware of some  
10 priests that had been charged?

11 MR. GUZZO: Yes, I had and ---

12 MR. ENGELMANN: And were you aware at this  
13 time about the -- you would have been aware about the  
14 former probation officers?

15 MR. GUZZO: Yes, I was.

16 MR. ENGELMANN: But as far as tying them  
17 together as a group, sir, do you have anything else to tell  
18 us about why you would have used the term "ring"?

19 MR. GUZZO: No, I can't -- I can't point to  
20 a connecting situation that leads me to that.

21 MR. ENGELMANN: Do you know if you could  
22 then?

23 MR. GUZZO: No, I don't think I could. I  
24 think I have an -- an image in my -- my mind and I'm  
25 sitting down and doing this letter only because Jim -- Mr.

1 Flaherty issues the press release that he sent out  
2 announcing that he was coming to Ottawa, announcing that we  
3 were taking the position and intervening in this matter  
4 before the Supreme Court and expressing the -- in that  
5 press release very, very serious concerns he has for  
6 protection of children.

7 **MR. ENGELMANN:** All right. Because at this  
8 point-in-time, as you acknowledge, neither the coroner nor  
9 Malcolm MacDonald had been convicted; they had just been  
10 committed to trial and then they died?

11 **MR. GUZZO:** That's correct.

12 **MR. ENGELMANN:** The charges were outstanding  
13 against Father Charles MacDonald; correct?

14 **MR. GUZZO:** I -- I believe so, I'm ---

15 **MR. ENGELMANN:** One of the probation  
16 officers had been found guilty but the other one had  
17 committed suicide, so hadn't been prosecuted?

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

19 **MR. ENGELMANN:** And there were other trials  
20 ongoing at that time?

21 **MR. GUZZO:** There were.

22 **MR. ENGELMANN:** So it might have been more  
23 apt to talk about "alleged pedophile ring", perhaps?

24 **MR. GUZZO:** Yes, and I'm prepared to admit  
25 the use of the word "ring" -- the ring -- the word "ring",

1 I have to tell you, has a -- has a special connotation  
2 amongst the members of our caucus at this point-in-time.

3 **MR. ENGELMANN:** What is that?

4 **MR. GUZZO:** Well, there's a standing joke  
5 around from the OPP in Toronto that there's a new -- a new  
6 definition of a dope ring in Toronto -- six Cabinet  
7 Ministers at a round table, you see, and we're all having a  
8 few good laughs about that, you know, so I use the word  
9 "ring" to jab them in the ribs.

10 **MR. ENGELMANN:** All right.

11 **MR. GUZZO:** Which I'm -- you know, which I  
12 -- I -- I don't write this letter if he doesn't issue the  
13 press release is what I'm telling you, I guess.

14 **THE COMMISSIONER:** Can I just -- lower down  
15 in that on the second page it says -- you say, the third  
16 paragraph from the bottom:

17 "It is now beyond doubt that a  
18 pedophile ring existed and continues to  
19 exist in Cornwall."

20 I would like to know what you're thinking;  
21 what's the basis for you for saying that?

22 **MR. GUZZO:** Well, the image I have of the  
23 connection of the individuals that I'm hearing about --  
24 probation officers, former Crown Attorneys, what have you -  
25 - and I think, as I stated yesterday, I've been advised as



1 to the number of people referred from counsellors, medical  
2 people, psychiatric people to The Men's Project.

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

4 **MR. GUZZO:** And I think I use a -- indicated  
5 yesterday that I found that alarming.

6 **MR. ENGELMANN:** Sir, in that same paragraph,  
7 just to carry on:

8 "...is clear that no matter how hard  
9 committed citizens push, certain people  
10 will never be charged. Yes, even more  
11 distinguished people than retired  
12 coroners and retired Crown Attorneys."

13 You're referring to someone in particular,  
14 at that point, that you're concerned that would never be  
15 charged?

16 **MR. GUZZO:** Yes. I had had a discussion a  
17 short while before that.

18 **MR. ENGELMANN:** This is January, 2000?

19 **MR. GUZZO:** Yes. I think -- when Mr.  
20 Flaherty takes over as Attorney General in the fall of --  
21 of '99 after the election, I have some discussions with him  
22 and with Mr. Tsubouchi ---

23 **MR. ENGELMANN:** Hang on. Mr. Flaherty's  
24 been the Attorney General for a while, correct? He's then  
25 succeeded by Mr. Young?

1                   **MR. GUZZO:** No, I don't think Mr. Flaherty  
2                   is the Attorney ---

3                   **MR. ENGELMANN:** Oh, I'm sorry, he took over  
4                   from Mr. Harnick. I apologize.

5                   **MR. GUZZO:** Yes. And Mr. Tsubouchi took  
6                   over short- -- I don't think he took over immediately after  
7                   the election but shortly after the election and so, you  
8                   know, they're both lawyers and I zero in on them trying to  
9                   talk about the Private Members Bill I'm bringing forward  
10                  and the -- and the issue, and in discussions I think with  
11                  Mr. Flaherty, I've -- we've talked about people we thought  
12                  were not going to be named and were not going to be charged  
13                  in this; that maybe there were enough complaints that they  
14                  should have been, but we don't have the files and we're --  
15                  we're talking in general terms.

16                  **MR. ENGELMANN:** Okay, you say a little  
17                  later:

18                                 "When that victim confronted the former  
19                                 Crown Attorney for the Province of  
20                                 Ontario who now acts as the defence  
21                                 counsel in these matters, it was clear  
22                                 that all the evidence in the case was  
23                                 available and brought to the proper  
24                                 authorities over 10 years ago."

25                                 Do you know who you were referring to here,

1 sir?

2 MR. GUZZO: I can't -- this ---

3 MR. ENGELMANN: "Former Crown who now acts  
4 as defence counsel"?

5 MR. GUZZO: The man's name is Johnson.

6 MR. ENGELMANN: Don Johnson?

7 MR. GUZZO: Yes.

8 MR. ENGELMANN: Yes, okay.

9 MR. GUZZO: And I -- but I -- I can't tell  
10 you the name of the individual who said to me, when he got  
11 to the trial and was testifying, "There was Mr. Johnson  
12 defending the accused and he was the Crown Attorney I went  
13 to 10 years ago and laid out my case and nothing was done".

14 MR. ENGELMANN: You can't remember who that  
15 is?

16 MR. GUZZO: I can't, I'm sorry. I can't.

17 MR. ENGELMANN: But it was a case involving  
18 sexual abuse of a young person?

19 MR. GUZZO: Yes. And it may have been one  
20 lawyer, you know. I'm -- I'm not suggesting that it was a  
21 strong case and something should have been done at that  
22 time. It may -- the evidence may not have been that strong  
23 or whatever, I have no idea, but the -- the man, whoever  
24 that alleged victim or victim was, was very upset with the  
25 situation, you know.

1                   And I explained -- you know, I tried -- I  
2                   remember -- I can picture the individual a bit but I can't  
3                   -- I can't recall him.

4                   **MR. ENGELMANN:** All right. And then just a  
5                   little later you talk about the press release and you talk  
6                   about a press conference, as well, in Cornwall, the OPP.  
7                   So are you saying that there was a press conference in  
8                   addition to the press release ---

9                   **MR. GUZZO:** No, that -- that's a misnomer;  
10                  it should have said "press release".

11                  **MR. ENGELMANN:** All right. And there's a  
12                  reference to "no stone was left unturned", and the press  
13                  release we looked at yesterday, you agree, didn't have that  
14                  wording?

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

16                  **MR. ENGELMANN:** But you believed it was a  
17                  Mr. Grasman from the OPP who used that term?

18                  **MR. GUZZO:** And -- and, you know, quoted --  
19                  quoted in more than one newspaper.

20                  **MR. ENGELMANN:** All right. And you're  
21                  reminding -- again what you've told us earlier at the end  
22                  of your letter, about four items from Minister Flaherty's  
23                  press release at the end?

24                  **MR. GUZZO:** Right.

25                  **MR. ENGELMANN:** And suggesting he come down

1 to Cornwall?

2 MR. GUZZO: Correct.

3 MR. ENGELMANN: All right.

4 THE COMMISSIONER: One more little thing  
5 there on that page, please.

6 You are saying that the former police chief  
7 of Cornwall is outside the country and refuses to talk to  
8 Project Truth? On what basis did you have to believe that?

9 MR. GUZZO: I believe -- I believe I was  
10 told that by the former Attorney General, Mr. Runciman, I  
11 think is my ---

12 MR. ENGELMANN: Mr. Runciman was a former  
13 Solicitor ---

14 MR. GUZZO: Solicitor General, rather, yes.

15 MR. ENGELMANN: Sir, it's my understanding  
16 that the OPP Project Truth team did interview former Chief  
17 Shaver. It wasn't until July of '99, I believe, when they  
18 went down to Florida to see him. Were you aware of that at  
19 this time in January of 2000?

20 MR. GUZZO: I was not aware of that. I'm  
21 learning it for the first time ---

22 MR. ENGELMANN: Just now?

23 MR. GUZZO: --- today, but I must tell you I  
24 suspected that they had when they were down there.

25 MR. ENGELMANN: You did receive a response

1 from the Minister.

2 If the witness could be shown 726099?

3 **THE COMMISSIONER:** Thank you. Exhibit 1003,  
4 a letter to Mr. Garry Guzzo from James Flaherty dated March  
5 7<sup>th</sup>, 2000.

6 --- **EXHIBIT NO./PIÈCE NO. P-1003:**

7 (726099) Letter to Garry Guzzo from Jim  
8 Flaherty dated March 7<sup>th</sup>, 2000.

9 **MR. ENGELMANN:** So I just want to make sure  
10 I've got the date right. The date is March 7<sup>th</sup>?

11 **THE COMMISSIONER:** Of 2000, yes.

12 **MR. ENGELMANN:** Yeah.

13 Mr. Guzzo, did you receive this response to  
14 your January 14<sup>th</sup> letter?

15 **MR. GUZZO:** I did.

16 **MR. ENGELMANN:** And had the Minister spoken  
17 to you between the time of your January 14<sup>th</sup> letter and  
18 this response, or can you remember?

19 **MR. GUZZO:** Yes, I remember having a chat  
20 with him.

21 **MR. ENGELMANN:** Okay. I don't think there's  
22 anything in your notes about that in that timeframe, but  
23 what do you recall?

24 **MR. GUZZO:** Oh, he let me know he wasn't  
25 very happy about it and, you know ---

1                   **MR. ENGELMANN:** Did he indicate to you then  
2                   or at some point shortly after this letter what he meant  
3                   by, "I can assure you that process will be followed"?

4                   **MR. GUZZO:** No, I don't recall addressing  
5                   the issue of the letter with him after I -- you know, it's  
6                   almost two months before I get this reply.

7                   **MR. ENGELMANN:** Yes.

8                   **MR. GUZZO:** But I get a verbal reply when I  
9                   bump into him in the hall or in the Whip's office or  
10                  wherever I deal with him. I -- you know, he -- he lets me  
11                  know he's not happy, you know, about it. He especially --  
12                  he didn't get a very good reception when he came to Ottawa,  
13                  if you recall, and he wasn't happy about the whole issue.

14                  **MR. ENGELMANN:** He didn't get a good  
15                  reception at the Supreme Court?

16                  **MR. GUZZO:** Correct.

17                  **MR. ENGELMANN:** Yeah. But are you talking  
18                  about from citizens or are you talking about the judges at  
19                  the Supreme Court, or both?

20                  **MR. GUZZO:** No, I'm not talking about -- I'm  
21                  talking at the Supreme Court hearing.

22                  **MR. ENGELMANN:** All right.

23                  **MR. GUZZO:** At the Supreme Court hearing.  
24                  And, you know, in our discussion following, he concurred  
25                  that he had made a mistake in taking it himself.

1                   **MR. ENGELMANN:** Yeah. Sir, getting back to  
2 Cornwall issues then, he also says in the letter:

3                               "I passed the information along to the  
4                               appropriate individuals in my  
5                               ministry."

6                   Did he indicate to you who that was?

7                   **MR. GUZZO:** No, he did not.

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

9                   Sir, I understand then later on in May of  
10 2000 you wrote to the new Solicitor General, Mr. Tsubouchi.

11                   If the witness could be shown Document  
12 124675?

13                   **THE COMMISSIONER:** Thank you. Exhibit 1004  
14 is a letter to the Honourable David Tsubouchi from Mr.  
15 Guzzo dated May 26<sup>th</sup>, 2000.

16 --- **EXHIBIT NO./PIÈCE NO. P-1004:**

17                               (124675) Letter to the Honourable David  
18                               Tsubouchi from Mr. Guzzo, dated May  
19                               26th, 2000.

20                   **MR. ENGELMANN:** Sir, is this your first  
21 letter, to your knowledge, to the new Solicitor General?

22                   **MR. GUZZO:** I believe it is, yes.

23                   **MR. ENGELMANN:** Why are you writing to him?

24                   **MR. GUZZO:** Well, as I explained, I'm trying  
25 to lay the groundwork for what you people are doing here,



1 and I want all the information out. And so I sit down and  
2 I pull together some material and I think I probably take  
3 the letter, if I'm not mistaken -- I don't know that I say  
4 it -- of April 3rd, when I started this process. The one  
5 -- the eight pager to Mr. McLaughlin.

6 **MR. ENGELMANN:** Right.

7 **MR. GUZZO:** And I -- Mr. Tsubouchi is a very  
8 interesting individual. He's a lawyer. He's done a lot of  
9 municipal work, we have a lot in common. And we get along  
10 rather well. And I -- I'm trying to put the information  
11 that I see as important before him, and I'm quite frankly  
12 begging for someone to come to me and say, "Look, you're  
13 wrong. Mr. Frechette didn't say this or didn't know that."  
14 Mr. Segal -- when I'm dealing with Mr. Flaherty and I'm  
15 giving -- I put it before him, didn't say this and didn't  
16 take that position, or give me some indication, some  
17 explanation of some of the questions that I have been  
18 asking about 67-week delay in delivery of documentation,  
19 anything like that. Just somebody to come to me and say,  
20 "Look, you're wrong." Nobody wants to do that. People who  
21 are very helpful, very friendly, we've got a lot in common,  
22 they wind up in cabinet in this position and they don't  
23 want to talk.

24 So I sit down and I write and I put  
25 everything in front of them, so they're never going to be

1       able to come to this position and say -- here today and  
2       say, "Well, yeah, but I didn't know" or, you know, if you  
3       subpoena Mr. Tsubouchi and he -- you know, he can't say, I  
4       -- when I sent him the letter each and every time I go and  
5       sit down with the Minister, corner them over in the House  
6       or in the Whip's office or wherever I can do it, and make  
7       them address the letter, make them address the letter so  
8       that they are knowledgeable as to what the allegations are  
9       and the questions that I'm asking and that are not being  
10      answered.

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

12                   So aside from writing to him, you would have  
13      had some discussions with him about this afterwards?

14                   **MR. GUZZO:** Yes, I did.

15                   **MR. ENGELMANN:** So we'll come to that. You  
16      send him four newspaper clippings?

17                   **MR. GUZZO:** I guess I did. They're ---

18                   **MR. ENGELMANN:** If I understand the gist of  
19      the first paragraph then, they're talk -- these are further  
20      clippings that talk about Project Truth coming to an end?

21                   **MR. GUZZO:** I believe that's what's  
22      happening at that time, yes.

23                   **MR. ENGELMANN:** And you say in that  
24      paragraph:

25                   "This is the fourth time I've read

1                   it. Detective Grasman predicting an  
2                   end to the investigation. Each of  
3                   the first three has proved to be  
4                   unreliable. His first prediction of  
5                   same occurred in 1998."

6                   What's the point you're making, sir?

7                   **MR. GUZZO:** Well, we keep announcing that  
8                   we're going to wind up Project Truth and then they announce  
9                   -- they don't announce it, but you say, "Well, why haven't  
10                  you done it?" And the Minister comes back and says, "Well,  
11                  they found some new people they want to talk to. They  
12                  found some new people they want to talk to." I mean, it's  
13                  not the type of response positioning that inspires a lot of  
14                  confidence.

15                  **MR. ENGELMANN:** All right.

16                  Then in the next paragraph we see that  
17                  figure, \$200,000 again.

18                  "...citizens of Cornwall, of their own  
19                  money to uncover the truth by  
20                  travelling to State of Ohio, State of  
21                  Vermont, State of Florida, other parts  
22                  of Ontario."

23                  Are you talking about the Dunlops and Mr.  
24                  Chisholm? Are you talking about others? Who are you  
25                  talking about?

1                   **MR. GUZZO:** Well, it's coming from a number  
2 of people, whether it's -- including, I would think, people  
3 associated with the Dunlops and Mr. Chisholm. There's a  
4 lady down here who's kind of the coordinating secretary.

5                   **MR. ENGELMANN:** Who's that?

6                   **MR. GUZZO:** I can't think of the name, but  
7 she's -- she's calling once a month to, you know, prompt  
8 me, you know, "Here's what's going on down here. Are you  
9 following this? Have you seen -- are you reading the  
10 Standard Freeholder? Do you know what they're saying in  
11 the other newspaper? They've got a -- there's a citizen's  
12 group ---

13                   **MR. ENGELMANN:** This is someone involved  
14 with a citizen's group?

15                   **MR. GUZZO:** Yes. And they're -- you know,  
16 they're doing a good job in keeping some people informed.  
17 I know the NDP House leader, Mr. Kormos, is receiving the  
18 material, I believe, and so is Mr. Cleary, because when I  
19 hear from this lady or when I get documentation from her I  
20 usually to talk to Mr. Cleary about it.

21                   **THE COMMISSIONER:** This is the second time  
22 I see the amount of \$200,000. You're saying in this letter  
23 that citizens in Cornwall have spent \$200,000. Where do  
24 you get that figure and ---

25                   **MR. GUZZO:** I believe it may have come from

1 her. You know, I certainly have no verification of it and  
2 ---

3 MR. ENGELMANN: Is this a woman by the name  
4 of MacEachern, Sylvia MacEachern?

5 MR. GUZZO: No. No, this is a -- this is a  
6 woman from -- I don't think Mrs. -- Ms. MacEachern is from  
7 Cornwall. This is a lady in Cornwall.

8 MR. ENGELMANN: All right.  
9 Was she someone you would have spoken to  
10 from time to time?

11 MR. GUZZO: Mrs. MacEachern?

12 MR. ENGELMANN: Yes.

13 MR. GUZZO: I've spoken to her on a -- at  
14 this time, I've spoken to her on a couple of occasions.  
15 She was writing for a paper.

16 MR. ENGELMANN: The Order?

17 MR. GUZZO: The Order, yeah.

18 MR. ENGELMANN: Yeah, okay.

19 MR. GUZZO: And she contacted me about the  
20 materials and ---

21 MR. ENGELMANN: But you're talking about  
22 someone else as far as the coordinator?

23 MR. GUZZO: Yes, and then ---

24 MR. ENGELMANN: Someone involved with one of  
25 the citizen's groups?

1                   **MR. GUZZO:** Yes, and it's because of the  
2 professional way in which this woman is keeping Mr. Kormos,  
3 Mr. Cleary and myself informed and providing that  
4 information the -- whether they're newspaper clippings or  
5 whatever, that when I get home in the summer and we've got  
6 a two, three-month break and people start showing up at the  
7 door, that's why I get the idea that people are stirring  
8 the pot and sending, you know ---

9                   **MR. ENGELMANN:** All right.  
10                   And this isn't Mrs. Dunlop?

11                   **MR. GUZZO:** No. No.

12                   **MR. ENGELMANN:** Yeah.

13                   **MR. GUZZO:** Well, she may have been part of  
14 the ---

15                   **MR. ENGELMANN:** All right.  
16                   So you're talking as well here -- and I just  
17 want to run through this quickly -- you're saying that --  
18 you're talking about people going to Florida. You're  
19 saying Project Truth officers did not attend in Florida  
20 until the spring of 1999. And how would you have been  
21 aware of that at this time; do you know?

22                   **MR. GUZZO:** I believe I was told that  
23 by ---

24                   **MR. ENGELMANN:** One of your colleagues  
25 or ---

1                   **MR. GUZZO:** --- Mr. Runciman or somebody in  
2 his department.

3                   **MR. ENGELMANN:** Right. You say:

4                                "This was six months after the records  
5                                of the hotels in question had be sold  
6                                for a tidy sum."

7                   And who would have told you that records  
8 from one of these motels or hotels had been sold sometime  
9 in '98?

10                   **MR. GUZZO:** The first information I heard  
11 about it was from a member of the golfing group in Florida.  
12 The older gentlemen who play at 8:00 in the morning who  
13 heard it from -- I believe the source was Dickson.

14                   **MR. ENGELMANN:** The retired police officer?

15                   **MR. GUZZO:** The retired police officer.

16                   **MR. ENGELMANN:** All right.

17                   **MR. GUZZO:** I assume that that's where this  
18 person picked it up.

19                   **THE COMMISSIONER:** Okay. So that's when you  
20 first heard about it. Do you have any further information  
21 in that regard?

22                   **MR. GUZZO:** Well, I -- sometime later, I  
23 think -- sometime later, I think I get confirmation of  
24 that.

25                   **THE COMMISSIONER:** From whom?

1                   **MR. GUZZO:** From somebody in Toronto and,  
2                   you know, I think it's coming through the Sol Gen  
3                   Department. Whether it was the Solicitor General that  
4                   confirmed it or whether it was somebody I was -- the Police  
5                   -- and the OPP or something, but -- or somehow I get a  
6                   feeling that I had that confirmed.

7                   **THE COMMISSIONER:** Okay. But -- so what do  
8                   you know of those details? So you're writing to a Minister  
9                   and you're saying, "Look it, I know that it was sold for a  
10                  tidy sum." So what are the details that you know about?  
11                  Who was it sold to? How much was paid? That kind of  
12                  thing.

13                  **MR. GUZZO:** Well, just a minute, I don't  
14                  know that I'm -- I don't know that I'm talking here about  
15                  Cornwall information.

16                  **THE COMMISSIONER:** No, you're talking about  
17                  -- no, no, you're talking that this was six months after  
18                  the records of the hotels in question had been sold for a  
19                  tidy sum. So you say that you know that the records of the  
20                  hotels in question had been sold for some money? So what  
21                  are the details that you know about that?

22                  **MR. GUZZO:** Well, the -- you know, the talk  
23                  is that the -- that I am hearing is that the bookkeeper is  
24                  no longer the bookkeeper, that he's in a hospital and that  
25                  the records that he had had been transferred to someone



1 else.

2 **THE COMMISSIONER:** Well, transferred to  
3 someone else does not equate to sold for a tidy sum?

4 **MR. GUZZO:** No, but the figure of \$55,000  
5 has -- is being kicked around the golf course as what he  
6 got for the -- for his documents.

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

8 So these are just rumours, speculation, talk  
9 of that nature?

10 **MR. GUZZO:** Yeah. I have not firsthand  
11 knowledge.

12 **THE COMMISSIONER:** No. No, but you're  
13 telling me that you received confirmation of those facts  
14 from the Sol Gen's Department?

15 **MR. GUZZO:** Yes, at some point in time in  
16 Toronto, we're having a general discussion about this whole  
17 thing and ---

18 **THE COMMISSIONER:** Who's we?

19 **MR. GUZZO:** I think it's Mr. Runciman, a  
20 lawyer from London, Ontario by the name of Bob Wood and a  
21 member of either Mr. Runciman's staff or a -- that is the  
22 ministerial staff or departmental staff. And the  
23 issue -- we're kicking around the issue that -- the bizarre  
24 -- the whole bizarre blurb of a situation like this where  
25 people maintain the records for 20 years and there's -- I

1 mean, some of the stories of some of the individuals who  
2 have been taken down because of the involvement here,  
3 prominent people in the State of Ohio and as far away as  
4 Wisconsin having been blackmailed, I think, because of this  
5 operation. They're rampant, but they circulate rather well  
6 in South Florida. And we're talking about the whole  
7 operation, as bizarre and complicated as it is.

8 And the individual with Mr. Runciman, as I  
9 recollect -- you know, I said I heard the figure of \$55,000  
10 when the man was ill or when he passed away, whatever  
11 happened to him, and that seems to be confirmed by the  
12 information that this individual has.

13 **THE COMMISSIONER:** Okay. Mr. Engelmann?

14 **MR. ENGELMANN:** All right.

15 So just back to the letter at page 2, you  
16 write about Deputy Commissioner Wayne Frechette. Providing  
17 some background there, I note you say:

18 "For the record, I would like you to  
19 know that I believe Mr. Frechette in  
20 March of '99. I believe he was telling  
21 the truth to this day. I also  
22 believe..."

23 You used the term "Constable Hall". You're referring to  
24 Detective Sergeant, then Detective Inspector Hall?

25 **MR. GUZZO:** I am. I am, yes.

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

2                   Then you're asking some questions about the  
3 different results form the '94 investigation and the  
4 current investigation?

5                   **MR. GUZZO:** Correct.

6                   **MR. ENGELMANN:** Now, you talk about untimely  
7 deaths in the third page and, you know, we've heard about  
8 several people committing suicide, but you seem to be  
9 suggesting here that some others may have done so also or  
10 that seems to be the implication. You say:

11                   "We've experienced three more  
12 untimely deaths of persons charged  
13 with offences under this  
14 investigation. My information  
15 coming in the State of Florida,  
16 which may not be 100 percent  
17 accurate, notwithstanding that the  
18 source has been impeccable to  
19 date, indicates that our former  
20 Crown Attorney, Malcolm MacDonald  
21 committed suicide a couple of days  
22 prior to Christmas while in the  
23 State of Florida."

24                   Now, it's our understanding that Mr.  
25 MacDonald -- Malcolm MacDonald passed

1 away.

2 What is your information here, sir?

3 **MR. GUZZO:** It came from a Fort Lauderdale  
4 police officer who indicated to me that they were of the  
5 opinion that it was a suicide.

6 **MR. ENGELMANN:** Well, if it had been,  
7 presumably there would have been some form of report, a  
8 coroner's report or something done, would there not?

9 **MR. GUZZO:** I would have thought so. I'm  
10 not sure whether there was or was not.

11 **MR. ENGELMANN:** You're also referring to an  
12 untimely death of a Mr. Dufor (sic) or Dufour. Do you know  
13 that individual?

14 **MR. GUZZO:** Only that he was named or  
15 charged and died rather quickly thereafter.

16 **MR. ENGELMANN:** And he was an individual  
17 working for whom? Do you recall?

18 **MR. GUZZO:** No, I think he was no longer in  
19 the area, working outside the area.

20 **MR. ENGELMANN:** But he had been working here  
21 in the area for an institution?

22 **MR. GUZZO:** I don't know for whom he was  
23 working, to tell you the truth, but he had been in the  
24 area, and my information was that he had been charged.

25 **MR. ENGELMANN:** Right. And do you recall

1 who you had heard that from?

2 MR. GUZZO: No, I don't. It may have been  
3 the -- no, I don't.

4 MR. ENGELMANN: All right.

5 Now, in or around June of 2000, I understand  
6 that Bill 103 was carried after first reading; is that  
7 correct?

8 MR. GUZZO: I think that's correct, yes.

9 MR. ENGELMANN: And I think you agreed with  
10 me yesterday that your primary focus in that bill and, I  
11 think, in subsequent bills was looking at how the police  
12 were investigating these issues?

13 MR. GUZZO: That is, as I looked at it, the  
14 major -- in fact, the only concern that the government had  
15 in this issue.

16 MR. ENGELMANN: That was your view, sir?

17 MR. GUZZO: Yes.

18 MR. ENGELMANN: And you, in fact, wrote a  
19 letter to the Freeholder on that, as I understand it, on or  
20 about September 13<sup>th</sup>, 2000. And perhaps we could look at  
21 Document 124865?

22 (SHORT PAUSE/COURTE PAUSE)

23 THE COMMISSIONER: Thank you. Exhibit  
24 Number 1005 is a letter dated September 13<sup>th</sup>, 2000 to the  
25 Editor of the Standard Freeholder from Mr. Gary Guzzo.

1 --- EXHIBIT NO./PIÈCE NO. P-1005:

2 (124865) Letter dated September 13<sup>th</sup>,  
3 2000 to the Editor of the Standard  
4 Freeholder from Mr. Gary Guzzo

5 MR. ENGELMANN: Just have a quick look at  
6 that, Mr. Guzzo. I'm wondering why it is you're writing to  
7 the Freeholder about Bill 103?

8 MR. GUZZO: There must have been something  
9 in the paper that triggered it. I notice -- I don't recall  
10 the letter.

11 MR. ENGELMANN: All right.

12 MR. GUZZO: But I notice that carbon copies  
13 go to two people that have been ---

14 MR. ENGELMANN: All right.

15 You say, one:

16 "Bill 103 concerns police behaviour."

17 Correct?

18 MR. GUZZO: Correct.

19 MR. ENGELMANN: Two:

20 "Does not concern itself with the issue  
21 of pedophile rings."

22 MR. GUZZO: Correct.

23 MR. ENGELMANN: And three, you talk about  
24 the OPP press -- well, you say press conference here.

25 MR. GUZZO: Again, a misnomer.

1                   **MR. ENGELMANN:** Christmas Eve '94.

2                   **MR. GUZZO:** Yes.

3                   **MR. ENGELMANN:** What is it you're trying to  
4 stress on the second page?

5                   **MR. GUZZO:** Well, when I'm -- I guess when I  
6 read that, the allegation or the indication may have been  
7 that I was on a witch hunt against the Catholic Church ---

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

9                   **MR. GUZZO:** --- or some individual in the  
10 Church and, you know, I'm ---

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

12                   So that year, in your notes, and in  
13 particular, if you could look at C-848(c), your original  
14 notes on the yellow paper? There's a Roman numeral. I  
15 think it might be iii. It has September '00 at the top.  
16 Yes.

17                   **MR. GUZZO:** Right.

18                   **MR. ENGELMANN:** I'm not sure if you were  
19 talking about -- the bill carried first reading sometime in  
20 June, and between then and September, are you receiving a  
21 number of calls or visits from alleged victims?

22                   **MR. GUZZO:** Yes, the summer is busy. The  
23 summer is busy. I say:

24                                   "Record 31 new victim calls."

25 Alleged victims I suppose should be the term. I say:

1 "The me toos have started to line up.  
2 At least seven seem interested in a  
3 civil action. Why not? Money is the  
4 goal..."

5 And ---

6 **MR. ENGELMANN:** You refer that being the  
7 case for a couple of individuals that you have obliterated  
8 the names of?

9 **MR. GUZZO:** Yes, that's right.

10 **MR. ENGELMANN:** And that would be C-32?

11 **MR. GUZZO:** I don't have that list.

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

13 **THE COMMISSIONER:** Madam Clerk, could you  
14 give him the list?

15 **MR. ENGELMANN:** I may have your list. I  
16 think our list may not be completely accurate, sir, because  
17 C-32 and C-33 are the same person, I believe, the first  
18 name and the last name?

19 **MR. GUZZO:** No.

20 **MR. ENGELMANN:** You think they're two  
21 different people?

22 **MR. GUZZO:** I think they're two different  
23 people.

24 **MR. ENGELMANN:** All right.

25 And C-34?



1                   MR. GUZZO: Yes.

2                   MR. ENGELMANN: All right.

3                   So those would be people that you had filled  
4 in right after "money is goal of"? You say:

5                   "Why not? Money is goal of..."

6                   MR. GUZZO: Yeah.

7                   MR. ENGELMANN: All right.

8                   Can you carry on with the note?

9                   MR. GUZZO: I have:

10                   "There's at least 10 in the group who  
11 are hurting. Some of these are sincere  
12 and believable but not strong and  
13 stable. All..."

14                   MR. ENGELMANN: And you give us three names,  
15 sir?

16                   MR. GUZZO: I do.

17                   MR. ENGELMANN: And the monikers are what  
18 for those names?

19                   MR. GUZZO: C-35, C-36 and C-37.

20                   MR. ENGELMANN: And what do you say about  
21 them?

22                   MR. GUZZO: "All finger Seguin..."

23 I'm talking about the probation officer.

24                   "Seem sincere. No criminal records as  
25 adults. First two reported to Cornwall

1                                   Police in '82 and '83 and that was  
2                                   their estimate of when and they are  
3                                   going to speak with counsel in Ottawa."

4                   **MR. ENGELMANN:** Do you recall, sir -- and  
5                   again, any independent recollection of these two  
6                   individuals who say they spoke to the Cornwall Police? Are  
7                   they the names above that we see, two of those three names?  
8                   It says:

9                                   "First two reported to Cornwall  
10                                  Police."

11                   Can we assume that those are the first two  
12                   names that you blacked out there, or do you know?

13                   **MR. GUZZO:** I would think the latter two  
14                   myself, as I look at it now, but I can't be certain. I  
15                   can't be certain.

16                   **MR. ENGELMANN:** Do you have any independent  
17                   recollection of the meeting with these individuals?

18                   **MR. GUZZO:** Yeah, I have their -- in this  
19                   group, they don't all come together but I -- over the  
20                   summer, I sit down. I've got a -- I have a recollection of  
21                   about five of them that I ---

22                   **MR. ENGELMANN:** Out of the 31?

23                   **MR. GUZZO:** Yeah, out of the 10.

24                   **MR. ENGELMANN:** Oh, out of the 10 ---

25                   **MR. GUZZO:** Out -- out of ---

1                   **MR. ENGELMANN:** Okay. Sorry.

2                   **MR. GUZZO:** About five of the ten who are,  
3                   you know, I say "hurting".

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

5                   **MR. GUZZO:** Hurting to an extent that -- but  
6                   that I -- that I refer to or I give some names of lawyers  
7                   in Ottawa that they may want to contact.

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

9                   And you say:

10                                 "No criminal records as adults..."

11                   So presumably when they saw -- and they say:

12                                 "...went to the Cornwall Police in  
13                                 '82/'83."

14                   So these individuals would be adults. Were  
15                   they men?

16                   **MR. GUZZO:** All male.

17                   **MR. ENGELMANN:** Yeah. All right.

18                   And just give us a sense, sir, about any --  
19                   well, first of all, did you take any statements, documents,  
20                   affidavits, anything like that from any of these  
21                   individuals?

22                   **MR. GUZZO:** No, but -- I did not.

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

24                   Did you give them advice, as you had in the  
25                   past, to other alleged victims?

1                   **MR. GUZZO:** And I think in this case in  
2                   particular, I gave them the names of a couple of lawyers in  
3                   the Ottawa area.

4                   **MR. ENGELMANN:** Do you remember which names  
5                   you might have given them?

6                   **MR. GUZZO:** I probably gave Mr. Yegendorf's  
7                   name, because I know he was actively involved.

8                   **MR. ENGELMANN:** And who else?

9                   **MR. GUZZO:** I gave the name of a husband and  
10                  wife team in the east end of Centretown with whom I had had  
11                  some discussions.

12                  **MR. ENGELMANN:** They're civil litigation  
13                  lawyers?

14                  **MR. GUZZO:** They do -- she does some civil  
15                  litigation and he does criminal. A French Canadian couple  
16                  who live in the Glebe area, the Centretown area, and I  
17                  think they practice downtown.

18                  And I referred a few people to them because,  
19                  in some cases French was the first language and I thought  
20                  that they would have an easier time communicating than with  
21                  Mr. Yegendorf.

22                  And I had other names I, you know ---

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

24                  **MR. GUZZO:** --- from the list that I may  
25                  have, from time to time, recommended.

1                   **MR. ENGELMANN:** Do you have any  
2                   recollection, sir, if these individuals told you whether  
3                   the Cornwall police would have investigated or followed up  
4                   on their complaints about Mr. Seguin?

5                   **MR. GUZZO:** I don't recollect, you know. I  
6                   simply want to know, "Did you go to the police at the time,  
7                   yes or no? If you didn't, you should go back now even  
8                   though it's 20 years later or whatever and make the -- get  
9                   on the record." But as to what happened or any comments  
10                  from them, I don't ---

11                  **MR. ENGELMANN:** You don't remember?

12                  **MR. GUZZO:** I don't remember.

13                  **MR. ENGELMANN:** All right, that's fine.

14                  **MR. GUZZO:** And I want you -- you know, I  
15                  have to tell you also that many of these people are showing  
16                  up without appointments.

17                  **MR. ENGELMANN:** Yes.

18                  **MR. GUZZO:** I mean, they arrive at -- at the  
19                  door. You know, "We're in town" or "We've heard about  
20                  this." You know, and while you don't want to make a  
21                  practice of doing that and disrupting your entire day,  
22                  you're being very careful not to dismiss them because if  
23                  they have been dismissed before, you're just part of the  
24                  problem.

25                  So I'm having a staffer talk to them and

1           then I'm going to give them 10 minutes each or something  
2           like that and in between other things.

3                           But I'm being very, very careful and I'm --  
4           I'm leaning on the staff, like if it's about this thing, we  
5           could have people in a fragile state. Handle with care,  
6           you know.

7                           **MR. ENGELMANN:** Do you recall, sir, if by  
8           this time you're mentioning the Men's Project or other  
9           services that might be available to some of these  
10          individuals when they see you? You said in this case, you  
11          said about 10 of them were hurting?

12                          **MR. GUZZO:** I would think I -- I do, from  
13          time to time, but -- but these people at this time, I can't  
14          recall. I can't recall, but I would venture to say that I  
15          can recall on at least 10 or 12 occasions referring --  
16          telling people about the project and how to get to the  
17          YM/YWCA in Ottawa.

18                          **MR. ENGELMANN:** All right.  
19                          So there were a number of times when you did  
20          that?

21                          **MR. GUZZO:** Oh, yes. Yeah.

22                          **MR. ENGELMANN:** Okay. And these people that  
23          are seeing you, these alleged victims, are they always from  
24          Cornwall or the Cornwall area, or on occasion are they from  
25          somewhere else? Or do you remember?

1                   **MR. GUZZO:** Oh, there are -- there are  
2 people coming in to see me who, you know, "I grew up in  
3 Toronto and this happened to me," you know, from all over.

4                   But on this file, the things I'm recording,  
5 the things I'm zeroing in on are people who are -- have  
6 contact with Cornwall, but they may be -- they may be  
7 Ottawa-based now or ---

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

9                   **MR. GUZZO:** --- in and around the Ottawa  
10 area or maybe they're -- I don't know, maybe they're  
11 visiting from out of -- they're in town.

12                   **MR. ENGELMANN:** But the allegations of abuse  
13 when they were young people come from the Cornwall area?

14                   **MR. GUZZO:** Relate to Cornwall.

15                   **MR. ENGELMANN:** All right. Okay.

16                   And just a bit further down on that page  
17 there's another blackout and that's ---

18                   **THE COMMISSIONER:** C-38.

19                   **MR. ENGELMANN:** --- C-38?

20                   **MR. GUZZO:** Yes.

21                   **MR. ENGELMANN:** And this is another  
22 individual who sees you, sir?

23                   **MR. GUZZO:** Yes, correct.

24                   **MR. ENGELMANN:** And he alleges he was abused  
25 by Father Lapierre?

1                   **MR. GUZZO:** Yes.

2                   **MR. ENGELMANN:** You have:

3                               "Which one, Paul or Hollis?"

4                   **MR. GUZZO:** And ---

5                   **MR. ENGELMANN:** Does that mean the fellow  
6 didn't know the first name of the priest?

7                   **MR. GUZZO:** Correct.

8                   **THE COMMISSIONER:** Now, how did you -- from  
9 what I understand of your testimony, you had received a  
10 phone call from Father Paul Lapierre sometime before  
11 talking about possible abusers. And so what was your  
12 reaction when you get this information?

13                   **MR. GUZZO:** I think by this time I'm aware  
14 that there are allegations or additional -- I may have --  
15 when I got that phone call, and if I recollect what my  
16 comment was, I put a question mark -- after I met with the  
17 people, for the first two anyway that were referred, I put  
18 a question mark around those.

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

20                   **MR. GUZZO:** Over this whole thing.

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

22                   **MR. GUZZO:** You know, there's a question in  
23 my mind as to whether I was being put on, on that  
24 situation, whether I was actually talking to Father  
25 Lapierre and it's still in my mind, because of the fact



1 that the call came to my home. Most people would not have  
2 that number, would not know, you know.

3 But anyway, that -- then when the -- when  
4 the two people come in to see me, as I recollect, I had a  
5 bit of a question mark as to what was really taking place  
6 here.

7 Here, when this fellow comes in, he's --  
8 he's very adamant and he has some detail but he doesn't  
9 know the name. He tells me that there's a witness to one  
10 episode and she will be willing to speak with me and I ask  
11 him to have her call.

12 I never hear and I never hear back from him.

13 **THE COMMISSIONER:** Okay. So what you're  
14 saying is you have some doubts that way back when that it  
15 was really Paul -- Father Paul Lapierre that was calling?

16 **MR. GUZZO:** You know, I think what I said, I  
17 have a -- I have question mark over that whole thing.

18 **THE COMMISSIONER:** Right.

19 **MR. GUZZO:** When I called back, I mean, I  
20 didn't get a church rectory or something like that. I got,  
21 I think, a private, "We'll have him call you." Then I have  
22 a call from a person.

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

24 **MR. GUZZO:** I get this.

25 **THE COMMISSIONER:** Okay.

1                   **MR. GUZZO:** But in this particular case  
2 here, I was quite impressed, I recollect, with ---

3                   **THE COMMISSIONER:** With C-38?

4                   **MR. GUZZO:** Yeah, with the number.

5                   And he assured me that this individual had  
6 -- had witnessed and he'd talked to the witness and that  
7 she was willing to talk to me. He -- he was -- told her  
8 that -- had contacted her. He told her he was coming to  
9 see me and she -- and I never heard of ---

10                  **THE COMMISSIONER:** Thank you.

11                  **MR. ENGELMANN:** Okay. Sir, did you -- would  
12 you have done what you often have done and suggested  
13 reporting to authorities and-or considering a civil action?

14                  **MR. GUZZO:** I -- I don't think we talked  
15 civil action.

16                  **MR. ENGELMANN:** Okay.

17                  **MR. GUZZO:** I don't think this person, you  
18 know, there was no -- but -- but I told him definitely that  
19 there should be a -- there should be a record of this  
20 someplace and you should go to the police regardless of how  
21 long ago it was.

22                  **MR. ENGELMANN:** All right. Now, in or  
23 around September I think, you, I believe, are written to by  
24 Detective Inspector Hall and I just want to show you a -- a  
25 letter to that affect.

1 Document Number 124850. And I'd also like  
2 the witness shown Document Number 701035, which I believe,  
3 Mr. Guzzo, was your response.

4 (SHORT PAUSE/COURTE PAUSE)

5 THE COMMISSIONER: Thank you. Exhibit 1006  
6 is a letter dated the 15<sup>th</sup> day of September, 2000, addressed  
7 to Mr. Garry Guzzo from Detective Inspector Hall.

8 --- EXHIBIT NO./PIÉCE NO P-1006:

9 (124850) Letter fr P.R. Hall to Garry  
10 Guzzo dated 15 Sep 00

11 MR. ENGELMANN: And, sir, Document Number  
12 701035?

13 THE COMMISSIONER: All right. And this is  
14 Exhibit Number 1007; a letter dated September 21<sup>st</sup>, 2000,  
15 attention Detective Inspector Hall from Garry Guzzo.

16 --- EXHIBIT NO./PIÉCE NO. P-1007:

17 (701035) Letter fr Garry Guzzo to  
18 P.R. Hall dated 21 Sep 00

19 MR. ENGELMANN: Mr. Guzzo, you would have  
20 seen these two letters at some point; one from Detective  
21 Inspector Hall and then the response from you?

22 MR. GUZZO: Just let me read the second one.  
23 I -- I saw the first one. I -- I didn't sign the second  
24 one, but I probably dictated it.

25 (SHORT PAUSE/COURTE PAUSE)

1                   MR. GUZZO: Yes.

2                   MR. ENGELMANN: All right. So he writes to  
3 you in mid-September. He sets out some efforts that he's  
4 made to get together with you earlier and says that he's  
5 reaching the conclusion of his investigation?

6                   MR. GUZZO: Correct.

7                   MR. ENGELMANN: Is that fair?

8                   MR. GUZZO: Yes.

9                   MR. ENGELMANN: And he asks to see you and  
10 he wants to be -- he wants to be assured that all potential  
11 victims had an opportunity to speak to him and his  
12 investigators. Is that a fair summary of his letter?

13                   MR. GUZZO: I think so.

14                   MR. ENGELMANN: And you write back to him a  
15 few days later and you tell him that you're most willing to  
16 meet with him?

17                   MR. GUZZO: Yes.

18                   MR. ENGELMANN: And you tell him about your  
19 only contact with the OPP to date?

20                   MR. GUZZO: Correct.

21                   MR. ENGELMANN: That being with Wayne  
22 Frechette?

23                   MR. GUZZO: And with -- with Detective  
24 Inspector Hall.

25                   MR. ENGELMANN: You set that out in the

1 letter?

2 MR. GUZZO: I -- do I not? Do I not say my

3 ---

4 MR. ENGELMANN: You hadn't met with him yet.

5 MR. GUZZO: No.

6 MR. ENGELMANN: You met with him in

7 November?

8 MR. GUZZO: No, but I've had -- my office  
9 has had contact with him.

10 MR. ENGELMANN: Okay.

11 MR. GUZZO: So -- so I mention it, I  
12 believe.

13 MR. ENGELMANN: All right. Well, you say:  
14 "I do regret if there's been some  
15 misunderstanding in communications  
16 here."

17 MR. GUZZO: Yeah.

18 MR. ENGELMANN: "But I wish to make it  
19 abundantly clear that I don't make it a  
20 habit of contacting the police with  
21 regard to investigations."

22 And that's a point you've made to us?

23 MR. GUZZO: Right.

24 MR. ENGELMANN: All right. So you -- and  
25 you both copy Shelley Hallett?

1                   **MR. GUZZO:** That's right.

2                   **MR. ENGELMANN:** All right. Now, shortly  
3 thereafter you send a package -- a letter dated October 4<sup>th</sup>  
4 to other provincial parliamentarians and I want to just  
5 take a look at a letter dated October 4, 2000, that you  
6 write to colleagues regarding private members' business and  
7 it is Document Number 124962.

8                   **THE COMMISSIONER:** Exhibit 1008 ---

9                   **MR. ENGELMANN:** Thank you.

10                   **THE COMMISSIONER:** -- is a letter dated  
11 October 4, 2000, from Garry Guzzo to -- you say to who?

12                   **MR. ENGELMANN:** It just says "colleagues",  
13 and I just wanted to ask Mr. Guzzo, is this -- is this to  
14 Progressive Conservative members of the House or is it to  
15 all members of the House.

16                   **--- EXHIBIT NO./PIÉCE NO. P-1008:**

17   (124962) Letter from Garry Guzzo to  
18   Members of the House dated 04 October  
19   2000 (Description Changed)

20                   **MR. GUZZO:** It's to all members of the  
21 House.

22                   **MR. ENGELMANN:** And why are you sending this  
23 letter to all members of the House?

24                   **MR. GUZZO:** Well, the Bill is coming up for  
25 second reading and I'm lobbying and soliciting support.

1                   **MR. ENGELMANN:** And, sir, you set out some  
2 background on the first page about how you became aware of  
3 this?

4                   **MR. GUZZO:** Yes.

5                   **MR. ENGELMANN:** And under the caption, "The  
6 Facts", you set out some other background facts over the  
7 next two-and-a-half pages; correct?

8                   **MR. GUZZO:** Correct.

9                   **MR. ENGELMANN:** And again you talk about --  
10 to start with, the different police investigations in '92,  
11 '93, '94. Is that correct?

12                   **MR. GUZZO:** I believe so, yes.

13                   **MR. ENGELMANN:** Sir, you -- you refer to a  
14 couple of things here.

15                   In the second paragraph, for example, you  
16 say:

17                                 "After approximately seven days, the  
18                                 Ottawa Police force apparently reported  
19                                 back they had no time to devote to this  
20                                 issue and closed their file."

21                   Now, had you seen some kind of a report at  
22 that time or had someone provided you with information at  
23 that time about the Ottawa City Police investigation?

24                   **MR. GUZZO:** I had nothing in writing. I had  
25 only comments from -- from people on -- associated with the

1 force.

2 **MR. ENGELMANN:** All right. And then about  
3 five paragraphs down you say:

4 "On an investigative trip to South  
5 Florida, these citizens turned up  
6 evidence of individual complainants  
7 having been registered."

8 And I'm wondering who turned up any evidence  
9 of that?

10 **MR. GUZZO:** Well, this -- this is part of  
11 the group that was associated with Dunlop, Chisholm, et  
12 cetera. And ---

13 **MR. ENGELMANN:** Mr. Chisholm testified here  
14 and he talked about going down to Florida with Mr. Leroux.  
15 I don't recall him saying that they came back with any  
16 registration slips of any sort?

17 **MR. GUZZO:** I ---

18 **MR. ENGELMANN:** I'm wondering who it is  
19 you're referring to, if it isn't yourself?

20 **MR. GUZZO:** No, I did not bring back any  
21 registration slips.

22 **MR. ENGELMANN:** You told us you saw some?

23 **MR. GUZZO:** I saw some, but I was told that  
24 they -- whoever got the letter from the owner of the hotel  
25 with regard to people staying there, also had registration



1 slips.

2 MR. ENGELMANN: Okay. Who would have told  
3 you that, sir?

4 MR. GUZZO: You know, I would -- I can't  
5 recall, but I have to limit it to maybe four or five people  
6 who would have mentioned that?

7 MR. ENGELMANN: Who would they be?

8 MR. GUZZO: Well, I would think either one  
9 of the Dunlops and the -- in the visit.

10 MR. ENGELMANN: The one visit you had with  
11 them in ---

12 MR. GUZZO: Yes.

13 MR. ENGELMANN: In '98?

14 MR. GUZZO: Mr. Seguin or the chap that was  
15 with him when I met with him on one or two occasions. I  
16 can't think of the name. I can describe the man or it may  
17 have come in -- way from some of the information that was  
18 being disseminated from the centre of, quote, "The  
19 citizen's groups by the lady who was feeding information".

20 MR. ENGELMANN: And you can't remember her  
21 name?

22 MR. GUZZO: I can't, I'm ---

23 MR. ENGELMANN: All right. Did you -- I'm  
24 looking at the fourth page of your letter. You reference  
25 the decision of the Divisional Court and this is the

1       judicial review of Dunlop, *Police Services Act* charges.

2                   You suggest that Mr. Justice McCrea, who  
3       delivered the unanimous judgement in Divisional Court, was  
4       questioning why the superiors of the Cornwall Police had  
5       not been charged for attempting to cover up and block  
6       information going to the Children's Aid Society as opposed  
7       to charging a lowly constable. Did you actually read the  
8       decision?

9                   **MR. GUZZO:** I did.

10                  **MR. ENGELMANN:** All right. And that was  
11       your interpretation, sir?

12                  **MR. GUZZO:** I may have been reading between  
13       the lines, but I think he was raising the issue.

14                  **MR. ENGELMANN:** Okay. I -- he did stay the  
15       charges. He agreed with the decision of the -- of the  
16       Police Services Board, a decision of the tribunal, to stay  
17       the charges, but I believe he would have said something  
18       like, "To treat the duty of disclosure is subject to orders  
19       of a superior officer would be contrary to the intention of  
20       the sub section and would defeat the paramount purpose of  
21       the Act", or something along those lines.

22                  So you're saying you just read between the  
23       lines that this is, in effect, what he was saying?

24                  **MR. GUZZO:** It's been a long time since I  
25       read the decision.

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

2                   **MR. GUZZO:** But I had that impression  
3 of ---

4                   **MR. ENGELMANN:** All right. All right, and  
5 do you -- you set out a number of issues in your letter.  
6 The issue about the 1994 investigation by the OPP?

7                   **MR. GUZZO:** Yes.

8                   **MR. ENGELMANN:** The issue about when  
9 Inspector Hall received information or didn't in issue  
10 number 2?

11                   **MR. GUZZO:** Yes, I believe so.

12                   **MR. ENGELMANN:** Issue number 3, your  
13 discussions with Deputy Commissioner Frechette. Issue  
14 number 4, some information from the *Police Services Act*  
15 volumes that you received?

16                   **MR. GUZZO:** Yes.

17                   **MR. ENGELMANN:** Issue number 5, your  
18 conversation with Murray Segal?

19                   **MR. GUZZO:** Yes.

20                   **MR. ENGELMANN:** Issue number 6 talks about  
21 what happened or didn't happen in Florida?

22                   **MR. GUZZO:** Yes.

23                   **MR. ENGELMANN:** Issue number 7, you're  
24 getting into some of your correspondence with the Premier  
25 and-or others?

1                   **MR. GUZZO:** Correct.

2                   **MR. ENGELMANN:** And, finally, you're ending  
3 by asking for their support for the Bill, which is just  
4 coming up?

5                   **MR. GUZZO:** Right.

6                   **MR. ENGELMANN:** All right. And the Bill was  
7 carried on second reading. Is that correct?

8                   **MR. GUZZO:** It was.

9                   **MR. ENGELMANN:** And that was on or around  
10 the 12<sup>th</sup> of the October, the year 2000?

11                   **MR. GUZZO:** I believe so, yes.

12                   **MR. ENGELMANN:** And did you have any  
13 indication from your caucus and-or -- the Conservative  
14 Caucus or some of your -- the Conservative Cabinet  
15 Ministers as to whether or not that Bill had some chance of  
16 success at third reading?

17                   **MR. GUZZO:** Well, I think when you see  
18 the -- when it came to caucus the week before it was to be  
19 debated, the -- the Premier indicated that he wanted it  
20 defeated.

21                   **MR. ENGELMANN:** Wanted it defeated?

22                   **MR. GUZZO:** Yes.

23                   **MR. ENGELMANN:** And do you recall if the  
24 Attorney General spoke to the matter, sir?

25                   **MR. GUZZO:** Mr. Flaherty was then the

1 Attorney General. He came to me a few weeks beforehand and  
2 told me he wanted to speak to the Bill and I said, "Well,  
3 you're not going to support it because you'll be sitting up  
4 in the nosebleed section with me if you do, so why should I  
5 let you support it?"

6 And he said, "Well, I have to get on the  
7 record". I said, "Well, if you do it, I think I'm  
8 obligated to have your parliamentary assistant".

9 But Cabinet Ministers do not speak on  
10 private members' Bills. Many of them never show up to vote  
11 unless it is an attack on government positioning or  
12 government legislation, and then the minister responsible  
13 would be front and centre in arguing against the Bill and  
14 the caucus would be whipped if it was a direct attack on  
15 our legislation or on our program.

16 But if it's normal private members' business  
17 concerning an individual's riding or something like that,  
18 then there's no whipping that's supposed to go. It's  
19 supposed to be a debate on issues of principle.

20 And so I said, "Well, I'll let your  
21 parliamentary assistant...", and that's when he tells me  
22 that he doesn't have one; that Mr. Martiniuk has resigned  
23 very recently and it hasn't been -- no one knows that at  
24 the time in the caucus.

25 So I'm in a bit of a box. I have to -- the

1 opposition could be -- not going to support my Bill.  
2 They're going to get half the time, now I have to give part  
3 of my 50 percent of the time over to him to let him speak  
4 against the Bill. I don't know what happens if I say no.  
5 I mean, I think I win. I think the speaker's going to side  
6 with me, but I'm trying to be a gentleman and, you know, so  
7 I let him speak. I don't give him a lot of time, but I let  
8 him speak.

9 MR. ENGELMANN: All right. And he does  
10 speak?

11 MR. GUZZO: He does.

12 MR. ENGELMANN: And he -- I'll take you to  
13 the transcripts you want, but essentially he argues against  
14 the Bill saying that there are matters before the courts  
15 and that holding a public inquiry could jeopardize  
16 investigations and-or court cases, or words to that effect?

17 MR. GUZZO: He argued strongly that you  
18 cannot testify at an inquiry until all the criminal and  
19 civil litigation is completed. Then and only then can you  
20 have an inquiry or should have an inquiry.

21 MR. ENGELMANN: And despite his speaking to  
22 it, it does pass at second reading, but you have concerns  
23 that it's not going any further. Is that fair?

24 MR. GUZZO: Well, when the -- when the  
25 Premier starts arguing against it, he didn't -- he didn't

1 whip anybody I don't think on that first Bill that come in.  
2 I think sent in a couple of Cabinet Ministers to vote  
3 against it, but the second time, the second Bill he  
4 definitely did -- whipped the caucus -- tried to whip the  
5 caucus to vote against him.

6 **MR. ENGELMANN:** And, sir, in or around  
7 November of 2000, and I'm just referring back to your  
8 notes. In particular, I think it's page 5 of C-848(C), you  
9 have a meeting with a couple of priests on or about U.S.  
10 Thanksgiving?

11 **MR. GUZZO:** That's correct.

12 **MR. ENGELMANN:** So that would be late  
13 November of 2000?

14 **MR. GUZZO:** As I recollect, it was the -- it  
15 was the 22<sup>nd</sup>. It was the day that ---

16 **MR. ENGELMANN:** The same day you met with  
17 Detective Inspector Hall?

18 **MR. GUZZO:** Correct.

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

20 And who were these priests -- oh, sorry, we  
21 have -- yeah, we have their names publicly. Is one of  
22 these priests from Ottawa, sir?

23 **MR. GUZZO:** No, he's from Italy. He has  
24 been in Ottawa, and he's working in Ottawa for a short  
25 period of time with the papal nuncio, I believe.

1                   **MR. ENGELMANN:** And this is Father Puccini?

2                   **MR. GUZZO:** Right.

3                   **MR. ENGELMANN:** And there's another priest  
4 as well?

5                   **MR. GUZZO:** Yes, this is a -- a man who's  
6 studying at the University of Toronto, St. Michael's, and  
7 is living near my apartment in downtown Toronto.

8                   **MR. ENGELMANN:** And that's Father Rawson,  
9 sir?

10                  **MR. GUZZO:** Yes.

11                  **MR. ENGELMANN:** And they -- one of them  
12 calls you up and invites you for supper?

13                  **MR. GUZZO:** I have talked to Rawson on a  
14 number of occasions. We eat at the same restaurant usually  
15 on a Monday night, and we've been introduced -- he  
16 introduced himself. He recognized me from something and he  
17 was very interested in the issue and he was the one who  
18 called and told me that Father Porchini was going to be in  
19 town and wanted to have a chat with me and they'd like to  
20 take me to dinner that night.

21                  **MR. ENGELMANN:** All right.

22                                So what are you saying in your notes here,  
23 sir? Let's look at -- no, it's not the page on the screen;  
24 it's the page that starts November U.S. Thanksgiving at the  
25 top.



1                   **MR. GUZZO:** Well, Father Rawson and I have  
2                   on other occasions, on Monday nights, discussed the  
3                   Cornwall issue and my involvement in the Private Members  
4                   Bill. In this discussion we deal with -- we don't deal  
5                   with Cornwall to any extent. We're dealing with the  
6                   Catholic Church, the problems facing the Catholic Church in  
7                   Canada, the United States and throughout the world.  
8                   Porchini has been ---

9                   **MR. ENGELMANN:** General problems or problems  
10                  of abuse?

11                  **MR. GUZZO:** No, problems of -- primarily  
12                  centred around the sexual abuse of children ---

13                  **MR. ENGELMANN:** All right.

14                  **MR. GUZZO:** --- that the Church is facing.  
15                  And this, Porchini, is extremely knowledgeable. He's --  
16                  he's youngish, I was surprised. He looked to be late 30s  
17                  at the most, but something I read later led me to believe  
18                  he was considerably older.

19                  **MR. ENGELMANN:** What do your notes say, sir?

20                  **MR. GUZZO:** My notes say:

21                                 "Dinner at Biagio's. Frustrated. The  
22                                 tables are close together and the  
23                                 Deputy Minister of Health is at the  
24                                 next table."

25                  And I'm trying to explain to them that we

1 can't -- I don't want to -- if we're going to be talking, I  
2 don't want too much to be heard. The issue is the CCB, the  
3 Catholic Conference of Bishops, and I think we're talking  
4 Canadian at that point.

5 **MR. ENGELMANN:** Yes.

6 **MR. GUZZO:** Failure to follow rules to  
7 enforce their noble policies -- to enforce their policy.

8 **MR. ENGELMANN:** What was that discussion  
9 about, sir; do you recall?

10 **MR. GUZZO:** Yeah, the -- I had had some  
11 meetings in Ottawa with Father Schonenbach, the Executive  
12 Director of the Catholic Conference of Bishops -- the  
13 Executive Director of the Catholic Conference of Bishops  
14 whom I'd known, and, you know, the -- I think he -- well, I  
15 had met him on a number of occasions. I met the man before  
16 he even entered the priesthood. He was a high-ranking  
17 civil servant of 10 years experience, as I recollect,  
18 before he gave it up and entered the priesthood. And I had  
19 known him -- met him at that time and -- so we've talked  
20 about different issues from Catholic education to, you know  
21 -- and when this thing comes up I have a discussion with  
22 Monsignor Schonenbach and he lays out the policy that is to  
23 be followed that they have adopted as a result of the  
24 American Catholic Conference and it's an acceptable policy,  
25 but they don't follow it in many cases, or individual areas

1 don't follow it. And we go ---

2 **MR. ENGELMANN:** That's your view, I assume,  
3 not Monsignor Schonenbach's? Or was he also of that view?

4 **MR. GUZZO:** Oh, I don't think he denied it.

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

6 **MR. GUZZO:** I don't think he denied it. I  
7 think it was agreed that certain areas, certain bishops did  
8 not follow.

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

10 **MR. GUZZO:** I think he would -- he would  
11 admit that. But we -- we have a nice discussion. It's a  
12 very enjoyable evening. Father Puccini is -- this is one  
13 of the -- he's a very, very knowledgeable in a lot of  
14 things, including wines, and he was very impressed with the  
15 wine selection there and we sampled a fair amount of it.

16 And we get into an issue that he describes -  
17 - I described it as the papal nuncio issue.

18 **MR. ENGELMANN:** What is that, sir?

19 **MR. GUZZO:** Well, Father Puccini has been  
20 visiting different jurisdictions with regard to the issues  
21 the Church is facing on sexual abuse of children. He has  
22 spent some time in Washington with the Catholic Conference  
23 of Bishops down there. He is in Canada now. He has been  
24 in Ireland. He -- you know, and he has a wealth of  
25 information. He tells me and Father Rawson of some

1 experiences that he has uncovered and one of the -- one of  
2 the most unusual I thought was a situation here in Canada,  
3 not related to Cornwall, where a bishop had used a papal  
4 nuncio to hide documents.

5 MR. ENGELMANN: So the term "unbelievable"  
6 we see in your notes, is that from you, sir?

7 MR. GUZZO: That's mine. That's mine, yes.

8 MR. ENGELMANN: Hiding documents because of  
9 diplomatic immunity or?

10 MR. GUZZO: Yes.

11 MR. ENGELMANN: Yeah, okay. And presumably  
12 he wasn't happy about that?

13 MR. GUZZO: Well ---

14 MR. ENGELMANN: That's why he was talking to  
15 you?

16 MR. GUZZO: He was ---

17 MR. ENGELMANN: He wasn't suggesting in any  
18 way that that was anything from the diocese here?

19 MR. GUZZO: No, no, this had nothing to do -  
20 - you know, he had heard of it happening in Washington on  
21 two occasions and he said -- and I have reason to believe  
22 that the practice was followed here. And you know, I think  
23 we were talking Western Ontario or Western Canada. And ---

24 MR. ENGELMANN: What else do you say in your  
25 notes then, sir?

1                   **MR. GUZZO:** When I returned to my apartment  
2 I made a -- made some notes and the next day I called  
3 Father Rawson.

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

5                   And is there any follow-up on what you've  
6 talked about -- about the Catholic Conference of Bishops  
7 and policies or do you recall?

8                   **MR. GUZZO:** Well, the next Monday I'm very  
9 anxious to go to the restaurant I go to on Monday nights.  
10 It's a -- kind of a ritual for me. And I'm looking forward  
11 to meeting Father Rawson, and I do, and as I recollect, we  
12 sat there for four -- three or four hours discussing what  
13 we had, you know -- it was quite revealing. It was quite  
14 revealing. It was ---

15                   **MR. ENGELMANN:** All right.

16                   But it was about issues with the Church  
17 generally?

18                   **MR. GUZZO:** It was about the global issue --  
19 yeah. That's right.

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

21                   **MR. GUZZO:** But I put it in because it put  
22 some things in -- for me, it put some things in context.

23                   **MR. ENGELMANN:** Now, I understand as well,  
24 and you have -- we'll get to your meeting with Inspector  
25 Hall in a second.

1 If I could just follow one last point, sir.

2 **THE COMMISSIONER:** Sure.

3 **MR. ENGELMANN:** There's a note just  
4 underneath this. This is the civil servant I think you  
5 said the CS?

6 **MR. GUZZO:** Yes.

7 **MR. ENGELMANN:** In the department of the  
8 Attorney General, and that's the provincial Attorney  
9 General, sir?

10 **MR. GUZZO:** Correct.

11 **MR. ENGELMANN:** Not the federal?

12 **MR. GUZZO:** Not the federal.

13 **MR. ENGELMANN:** Yeah. And so you had done  
14 some investigation regarding PO docs?

15 **MR. GUZZO:** I think -- I think that's PD  
16 docs. I think that's ---

17 **MR. ENGELMANN:** Oh, Perry Dunlop docs?

18 **MR. GUZZO:** I think so, yes.

19 **MR. ENGELMANN:** All right. And what -- what  
20 does your note say?

21 **MR. GUZZO:** It said:

22 "Civil servant in department of AG has  
23 done some investigation re: PD docs not  
24 forwarded to OPP and confirms what we  
25 were told in spring of '99."

1                   **MR. ENGELMANN:** All right. And -- which is  
2                   what? What were you told in the spring of '99?

3                   **MR. GUZZO:** That it ---

4                   **MR. ENGELMANN:** What we saw in the  
5                   newspapers, that Detective Inspector Hall didn't receive  
6                   everything?

7                   **MR. GUZZO:** That the documents -- I think  
8                   I'm referring to what Mr. Segal told me, that the documents  
9                   were forwarded to -- to London, Ontario.

10                  **MR. ENGELMANN:** All right. And how did your  
11                  contact with this civil servant come about?

12                  **MR. GUZZO:** He is -- he's a driver for one  
13                  of the Cabinet Ministers. He had been the -- in the first  
14                  House, the -- I think the ministers had exclusive drivers  
15                  -- individual drivers assigned to their staff, and now  
16                  these people had been shunted back to a pool in one of the  
17                  operative departments and they were being signed out and I  
18                  -- I met him one night when we couldn't get cabs. We were  
19                  sitting at the -- at the door of the legislature, the low-  
20                  lifers, waiting for a cab. The ministers are getting their  
21                  drive and Mr. Harnick says to me, you know, where are you  
22                  going and I told him. He says, "Jump in with me", and I  
23                  think another -- another chap -- another fellow  
24                  backbencher, we were going to the same thing, and Mr.  
25                  Harnick says, "I'm going -- I have to go in a minute, or

1 I've got to go to my riding, but I'll -- I'll -- my guy  
2 will drop you off and then -- drop me off and take you to  
3 where you're going".

4 So -- because you're not going to -- you  
5 know, it's raining or it's snowing or whatever and the cabs  
6 disappear in Toronto when it's -- when the weather's not  
7 good.

8 **MR. ENGELMANN:** All right. So this fellow  
9 that we've given a moniker, I can't remember the number, I  
10 think it was a temporary moniker, sir, C-41?

11 **MR. GUZZO:** Right.

12 **THE COMMISSIONER:** Yes, C-41.

13 **MR. GUZZO:** Right.

14 **MR. ENGELMANN:** You met him at -- through  
15 that one ride?

16 **MR. GUZZO:** I met him through the one ride  
17 and I'm -- I'm on to Mr. Harnick, I guess, about -- about  
18 the -- what I know at that time -- think I know ---

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

20 **MR. GUZZO:** --- about the documents and he  
21 -- he's driving and I guess he's listening and what have  
22 you. I -- I have seen him again, you know, in the same  
23 type of situation, driving somebody else, but on this  
24 particular case, where I -- in November here, at this time,  
25 he -- he was standing, waiting for people ---



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

2                   **MR. GUZZO:** --- he's waiting for the  
3 minister and he comes up to me and -- and says, "You know,  
4 I know what you were talking about and I helped -- I helped  
5 at the time ship those -- I -- Purolate those documents to  
6 -- to London, Ontario".

7                   **MR. ENGELMANN:** All right. So he approaches  
8 you?

9                   **MR. GUZZO:** He approached ---

10                   **MR. ENGELMANN:** He indicates that he's  
11 directly involved in the transfer of documents?

12                   **MR. GUZZO:** He -- he prepared the documents  
13 for shipment.

14                   **MR. ENGELMANN:** All right. All right.  
15 Perhaps ---

16                   **THE COMMISSIONER:** Can we take a break now?

17                   **MR. ENGELMANN:** Sorry.

18                   **THE COMMISSIONER:** Thank you.

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

21                   This hearing will resume in at 11:15 a.m. --  
22 - Upon recessing at 11:13 a.m. /

23                   L'audience est suspendue à 11h13

24                   --- Upon resuming at 11:31 a.m. /

25                   L'audience est reprise à 11h31

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

This hearing is now resumed, please be seated. Veuillez vous asseoir.

**THE COMMISSIONER:** Thank you.

Mr. Engelmann?

--- **GARRY GUZZO, Resumed/Sous le même serment:**

--- **EXAMINATION IN-CHIEF/INTERROGATOIRE EN-CHEF PAR MR.**

**ENGELMANN (Continued/Suite):**

**MR. ENGELMANN:** Thank you.

Mr. Guzzo, just before the break, you'd indicated to us, you talked to us, about a couple of meetings you'd had in November of 2000 and one of those meetings occurred on November 22<sup>nd</sup>, 2000, the same day you had a meeting with Detective Inspector Pat Hall. Is that correct?

**MR. GUZZO:** Correct.

**MR. ENGELMANN:** All right. And this was your first meeting with Detective Inspector Hall?

**MR. GUZZO:** It was.

**MR. ENGELMANN:** Do you have any other meetings with him, sir?

**MR. GUZZO:** No, I have not.

**MR. ENGELMANN:** All right. So this is the

1 one and only?

2 MR. GUZZO: Right.

3 MR. ENGELMANN: All right. And do you  
4 recall who else was in attendance at the meeting?

5 MR. GUZZO: There was a police officer from  
6 headquarters by the name of Lewis, and I had arranged to  
7 have one -- a lawyer sit in with me, who had to cancel at  
8 the last minute, and I asked a colleague from Ottawa East  
9 -- east end Ottawa, Brian Coburn to sit in.

10 MR. ENGELMANN: And when you say colleague,  
11 another MPP?

12 MR. GUZZO: Yes.

13 MR. ENGELMANN: Where was the meeting held?

14 MR. GUZZO: In my office on the first floor  
15 of the legislative building -- the second -- second floor  
16 of the legislative building.

17 MR. ENGELMANN: Do you have a sense, sir, of  
18 how long the meeting was?

19 MR. GUZZO: Well over an hour, but less than  
20 two.

21 MR. ENGELMANN: All right. We do have some  
22 notes of Detective Inspector Hall and I don't think you've  
23 seen them, sir, and I just want to show them to you if I  
24 can.

25 So Document Number 727759; it's a cross

1 document. It's an excerpt of that document number, Bates  
2 page 7110712 through 7110715.

3 **THE COMMISSIONER:** Thank you. This is  
4 Exhibit Number 1009 and these are excerpts of the notes of  
5 Detective Inspector Hall. Is that right?

6 --- **EXHIBIT NO./PIÉCE NO. P-1009:**

7 (727759 7110712-15) Detective Inspector  
8 P. R. Hall handwritten notes dated 22  
9 Nov 00 to 23 Nov 00

10 **MR. ENGELMANN:** Sir, on the first page, next  
11 to "10:50" ---

12 **MR. GUZZO:** Yes?

13 **MR. ENGELMANN:** --- it says:

14 "Meet with ..."

15 -- the word "with" comes twice:

16 "... MPP Garry Guzzo on Project Truth  
17 matters".

18 **THE COMMISSIONER:** You might be able to see  
19 better on the screen, sir.

20 **MR. GUZZO:** Oh, yes, thank you.

21 **MR. ENGELMANN:** It doesn't help me, but ---

22 **THE COMMISSIONER:** Well, it says:

23 "Interviewed any people he is aware  
24 that he feels ..."

25 **MR. ENGELMANN:** I was talking about that

1 third word, sir, next to "10:50", but --

2 **THE COMMISSIONER:** "Meet with ..." ---

3 **MR. ENGELMANN:** In any event, Mr. Guzzo,  
4 question -- you thought more than one hour, probably less  
5 than two.

6 It appears from his notes, in any event, the  
7 meeting commenced around 10:50 and I'm looking at the third  
8 page. It appears to end sometime just before 12:30 because  
9 at 12:30 he has lunch with Superintendent Lewis. Does that  
10 seem about right, sir?

11 **MR. GUZZO:** The time -- the time -- length  
12 of time seems about right. I would have thought that we  
13 didn't start to meet until 12:15 or 12:30, but I -- I could  
14 be wrong. I could be wrong.

15 **MR. ENGELMANN:** All right. And do you  
16 recall, sir, during the course of the meeting, whether or  
17 not Detective Inspector Hall asked you if you had any names  
18 of alleged victims that you could share with the OPP?

19 **MR. GUZZO:** We discussed -- we discussed  
20 names of alleged victims. We discussed a couple that I  
21 don't know whether I had seen them first or they came to me  
22 after they had talked to -- to him, but we had discussed a  
23 couple of people that we both had spoken with.

24 **MR. ENGELMANN:** All right. So you confirmed  
25 that some of the people you were speaking to were the same?

1                   MR. GUZZO: Yes.

2                   MR. ENGELMANN: And do you recall if he  
3 asked you if you could provide him with other names?

4                   MR. GUZZO: He did.

5                   MR. ENGELMANN: And were you in a position  
6 to do that, sir?

7                   MR. GUZZO: I -- I didn't -- I was not in a  
8 position to do that.

9                   MR. ENGELMANN: All right. So you did not  
10 provide him with further names at this time?

11                   MR. GUZZO: I did not. I don't -- I do not  
12 -- my recollection is I did not.

13                   MR. ENGELMANN: All right. Do you recall if  
14 you talked to him about the fact that you had asked people  
15 to go to police authorities?

16                   MR. GUZZO: Yes, and he was aware of that.

17                   MR. ENGELMANN: All right. Because some of  
18 those people had, in fact, come to see him?

19                   MR. GUZZO: I believe he indicated that.

20                   MR. ENGELMANN: All right. Do you recall,  
21 sir, if you would have discussed -- well, you had been  
22 asking a number of questions in the legislature about a  
23 number of issues involving the police investigations. Is  
24 that fair?

25                   MR. GUZZO: Yes.

1                   **MR. ENGELMANN:** And do you remember if you  
2 would have discussed the whole Dunlop document issue with  
3 Detective Inspector Hall?

4                   **MR. GUZZO:** We certainly -- we certainly  
5 talked about the delivery of the documents to him.

6                   **MR. ENGELMANN:** Yes. And the letter that he  
7 had signed that had appeared in the newspaper?

8                   **MR. GUZZO:** Yes, that came up, of course.

9                   **MR. ENGELMANN:** And did some of your  
10 concerns about how documents went from one ministry to  
11 another or how documents got to Pat Hall, did those  
12 questions and answers get resolved, sir, to your  
13 satisfaction?

14                   **MR. GUZZO:** No, not to my satisfaction.  
15 There was an explanation.

16                   It's interesting, most of the talking was  
17 done -- Mr. Coburn had nothing to say.

18                   **MR. ENGELMANN:** Right.

19                   **MR. GUZZO:** Most of the discussion took  
20 place between Detective Inspector Hall and myself.

21                   **MR. ENGELMANN:** Yes.

22                   **MR. GUZZO:** But with regard to the delivery  
23 of documents, Mr. Lewis -- and I don't know his title --  
24 Mr. Lewis intervened and -- and made some comments, as I  
25 recollect.

1                   **MR. ENGELMANN:** What do you recall about  
2                   that part of the discussion?

3                   **MR. GUZZO:** That the -- Detective Inspector  
4                   Hall was saying, and I believe honestly that, you know, a  
5                   lot of what Mr. Dunlop gave me at that time -- I did have a  
6                   fair amount of it -- but, you know, I asked him about,  
7                   "Well, you were quoted as saying you didn't have an awful  
8                   lot of it; all you had ever received -- you got nothing  
9                   from headquarters and all you received was some newspaper  
10                  clippings and some limited paper from Chief Fantino".

11                  And as I recollect, he said, "Yeah, you  
12                  know, I may have expressed that". But he said, "In  
13                  thinking back, I did have some of the material even though  
14                  I signed the letter that indicates somewhat differently".  
15                  And the -- nobody -- nobody questioned that the material  
16                  was received in that manner. It was a question of how much  
17                  he had prior -- prior to the service upon him by Mr. Dunlop  
18                  and whoever.

19                  **MR. ENGELMANN:** You mentioned the letter.  
20                  Did he express any regret or anything for having signed  
21                  that given his wording, or do you recall?

22                  **MR. GUZZO:** I think -- I think -- I don't  
23                  want to put words in his mouth, but I think and I was left  
24                  with the impression that if he had to do it again he might  
25                  not have done it.



1                   **MR. ENGELMANN:** Was there any discussion  
2                   about your call with Wayne Frechette that you can remember?

3                   **MR. GUZZO:** It certainly came up. It  
4                   certainly came up.

5                   As to what was said, I don't know, but I  
6                   didn't leave that meeting thinking any differently about my  
7                   views and what Mr. Frechette had said to me.

8                   **MR. ENGELMANN:** All right. And what about  
9                   your telephone conversation from Murray Segal. Did it come  
10                  up, do you know?

11                  **MR. GUZZO:** Yeah, I think it probably did  
12                  because, you know, one with the other, it did. It did,  
13                  because -- excuse me -- I remember saying to Detective  
14                  Lewis when there was some question about, you know -- I  
15                  said, "How many members of the legislature have you called  
16                  this week at home?"

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

18                  **MR. GUZZO:** I asked him. I said, "How many  
19                  members of the legislature have you called this week at  
20                  home?" And he kind of gave me a blank stare.

21                  And I said, "Well then, let's talk turkey".  
22                  I said, "I've never had another call at my home, at my  
23                  office, my constituency office, any place, from a  
24                  commissioner of the OPP". I said, "This man...",  
25                  indicating Detective Inspector Hall, "... wants to talk

1 about a file or something and he contacts my office, that's  
2 one thing but...", I said, "...calls at home, especially  
3 when you're on vacation?" I said, "You do that maybe in an  
4 emergency and why would you have an emergency with a back  
5 bench member?"

6 MR. ENGELMANN: Did either of them give you  
7 an explanation as to what ---

8 MR. GUZZO: No, of course not.

9 MR. ENGELMANN: Did Detective Inspector  
10 Hall, did he have a notebook with him? Was he taking notes  
11 while you were talking, do you remember ---

12 MR. GUZZO: I don't ---

13 MR. ENGELMANN: --- something afterwards?

14 MR. GUZZO: I -- I don't recall that he did.  
15 I don't recall that he did.

16 MR. ENGELMANN: And what about the other  
17 police officer?

18 MR. GUZZO: I don't recall, but he may have,  
19 but I don't think Inspector Hall was -- was writing notes  
20 at the time, but I -- I could be wrong.

21 MR. ENGELMANN: So he and you were talking?

22 MR. GUZZO: We're talking. And it's --  
23 yeah.

24 MR. ENGELMANN: So nothing arising from this  
25 interview answered questions vis-à-vis the Frechette call

1 or the Segal call? Is that what you're saying ---

2 MR. GUZZO: That's ---

3 MR. ENGELMANN: --- to your satisfaction?

4 MR. GUZZO: Well, yes, that's correct.

5 MR. ENGELMANN: All right. Now, did you  
6 talk at all about the 1994 investigation, the press  
7 release, and sort of the different results that he and his  
8 team were arriving at?

9 MR. GUZZO: Yeah, he -- he explained to me  
10 that more information was available now and that was good  
11 and, you know, that information or some of that information  
12 had -- had not been available back in '94.

13 But we did discuss certain files that had  
14 been available in '94 that were now the subject of -- of  
15 litigation that -- but -- but he made the point that a lot  
16 of it was new information.

17 MR. ENGELMANN: All right. So did that  
18 satisfy you as to what happened in '94 compared to what was  
19 happening in the late '90s?

20 MR. GUZZO: Not completely.

21 I asked him what it meant when Klancy  
22 Grasman used the term "no stone left unturned". I mean ---

23 MR. ENGELMANN: Do you recall what his  
24 response was?

25 MR. GUZZO: Well, I said, you know, "If what

1       you're saying is that these things hadn't -- hadn't cropped  
2       up and you're not leaving any stone unturned, it questions  
3       -- it brings to mind a question in my mind as to what is  
4       meant and how thorough the turning of the stones that took  
5       place".

6                   **MR. ENGELMANN:** There is a very brief  
7       reference to this in the notes on the second page about  
8       just after the half-way mark.

9                   **MR. ENGELMANN:** Do you see this "Press  
10      release of 24 December '94" and I think it says  
11      "Circumstances"?

12                   **MR. GUZZO:** Yes.

13                   **MR. ENGELMANN:** "Info on how I learned  
14      about..."; I'm not sure, sir.

15                   **THE COMMISSIONER:** Don't we have the written  
16      note, the typed notes of it? Do we not have typed notes of  
17      that?

18                   **MR. ENGELMANN:** I don't have them available,  
19      sir, right now. We will have them.

20                   All right. So there's some discussion about  
21      the press release, clearly?

22                   **MR. GUZZO:** Yes, yes.

23                   **MR. ENGELMANN:** Did you discuss Fort  
24      Lauderdale at all?

25                   **MR. GUZZO:** Yes, we -- we did.

1                   **MR. ENGELMANN:** And I'm looking at the  
2 bottom of this page, it says:

3                                   "Interview..."

4 or,

5                                   "Interviews of Claude Shaver. Trip to  
6 Fort Lauderdale. Efforts there."

7                   **MR. GUZZO:** Interview with --- yes.

8                   **MR. ENGELMANN:** So did he talk to you about  
9 efforts either that he or others made in investigating Fort  
10 Lauderdale?

11                   **MR. GUZZO:** I asked -- the only thing I  
12 remember about the reference to Fort Lauderdale, I asked  
13 him if he had been there; he said yes. I said, "Did you  
14 get copies of the registration slips?" And he said, "Yes".

15                   **MR. ENGELMANN:** He said he did?

16                   **MR. GUZZO:** He said he did.

17                   **MR. ENGELMANN:** Did he show them to you?

18                   **MR. GUZZO:** No, but I asked about certain  
19 ones. He -- he patted his briefcase and said, "We have  
20 them."

21                   **MR. ENGELMANN:** And which certain ones did  
22 you ask about, sir?

23                   **MR. GUZZO:** I asked about at least two of  
24 the people that I had seen and I asked about a Father  
25 LaRocque.

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

2                   And it's Father Eugene LaRocque?

3                   **MR. GUZZO:** Yes.

4                   **MR. ENGELMANN:** Did he indicate to you  
5 whether he had registration slips for that individual?

6                   **MR. GUZZO:** He did.

7                   **MR. ENGELMANN:** Did he actually show them to  
8 you?

9                   **MR. GUZZO:** No, he did not.

10                  **MR. ENGELMANN:** Did he tell you who he met  
11 with -- who he met with in Florida? Do you recall?

12                  **MR. GUZZO:** No, I don't believe he did. He  
13 didn't mention Claude Shaver, I can tell you that.

14                  **MR. ENGELMANN:** Sorry.

15                  **MR. GUZZO:** He did not mention Claude Shaver  
16 to me.

17                  **MR. ENGELMANN:** His note indicates,  
18 "Interview", I believe -- or "Interviews of Claude Shaver."  
19 You don't recall that coming up in the conversation, sir?

20                  **MR. GUZZO:** I distinctly do not.

21                  **THE COMMISSIONER:** Well, just a minute. We  
22 may be reading a little too much in the notes. I mean,  
23 they may -- the -- anyways, never mind. The note seems to  
24 say, "Interview of Claude Shaver"; right? So the issue of  
25 whether or not he was interviewed may have come up.

1                   **MR. ENGELMANN:** Fair enough. Did you ask  
2 him if he interviewed Claude Shaver?

3                   **MR. GUZZO:** No, I did not.

4                   **MR. ENGELMANN:** That was a concern you had  
5 expressed though, I believe in the legislature or in one or  
6 more of your letters?

7                   **MR. GUZZO:** Yes, I thought -- yes, I had.

8                   **MR. ENGELMANN:** Okay. And did you discuss  
9 at all -- well, do you remember at all if -- I would like  
10 you to look at the third page of the notes.

11                   **THE COMMISSIONER:** Madam Clerk?

12                   **MR. ENGELMANN:** About a third of the way  
13 down.

14                   **THE COMMISSIONER:** No, a third of the way.

15                   **MR. ENGELMANN:** "Guzzo indicated" -- it's  
16 just a little further down.

17                   **THE COMMISSIONER:** Right about there, Madam  
18 Clerk, yeah.

19                   **MR. ENGELMANN:** "That some of his  
20 colleagues thought he was being hard a  
21 little hard on the OPP. Said he  
22 reviewed the video of his presentation  
23 to the legislature..."

24 If you could scroll down a little more.

25                   "...and agreed he was too critical."

1                   **MR. GUZZO:** Too what? What's clinical ---

2                   **MR. ENGELMANN:** I think the word is

3                   "Critical".

4                   **MR. GUZZO:** --- critical?

5                   **THE COMMISSIONER:** "It was not his intent,  
6                                   he was referring to CPS. He apologized  
7                                   to the OPP for his critical comments  
8                                   and misinformation."

9                   **MR. GUZZO:** I recall the discussion that  
10                   they -- he pointed out a couple of issues to me where he  
11                   felt I was wrong and I concurred. And I told him why I was  
12                   concurring because members of the legislature had also come  
13                   to me. We have a member of the legislature who did not  
14                   return, but had been very close to me in the first House,  
15                   was married to an OPP officer in -- north of Barrie, north  
16                   of Orillia. And there was another member who had a child,  
17                   a daughter who was an OPP officer.

18                                   And I think they had spoken to me about my  
19                   comments and they both took issue with the contention that  
20                   when I suggested there appears that there is either an  
21                   incompetent investigation or a cover-up and both of those  
22                   individuals were very firm in telling me that it was not a  
23                   question of incompetence.

24                                   And I mentioned that to Detective Inspector  
25                   Hall. I said, "You know, I've had this back from" -- and I



1 named the people and, "You know, you may know who they are  
2 because one is married" you know, and I think there was an  
3 acknowledgement that they did, as I recollect. And I said,  
4 "That's what they told me." And I said, "If that's the  
5 case, I should apologize for using incompetence."

6 **THE COMMISSIONER:** Yeah, but the alternative  
7 isn't that much better, it's --

8 **MR. GUZZO:** Correct. Correct. And there is  
9 no reaction from either Mr. Lewis or Mr. Hall.

10 **MR. ENGELMANN:** All right.

11 So would you characterize any part of what  
12 you said to the officers as an apology then?

13 **MR. GUZZO:** Yeah, I would. I -- well, I  
14 don't know, I told him if I'm wrong, and I have made  
15 mistake, and they were other issues where they thought I  
16 was not so much harsh, but that I was wrong and I told him  
17 if I -- you know, I certainly -- if that's the case, I'm  
18 sorry, but I'd want to check my source and check my facts  
19 before I -- you know, but I would be prepared to apologize  
20 if I was wrong.

21 **MR. ENGELMANN:** All right.

22 So, and don't take this the wrong way, but  
23 it appears it's sort of the politician's apology, "If I was  
24 wrong, then I'm sorry"?

25 **MR. GUZZO:** Yeah, I --

1                   **MR. ENGELMANN:** Is that essentially what you  
2                   did?

3                   **MR. GUZZO:** I guess that's what it -- what I  
4                   did --

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

6                   **MR. GUZZO:** -- but I -- you know, I remember  
7                   -- I remember the discussion on incompetence and cover-up.

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

9                   Now, did you ever discuss with him whether  
10                  or not there were other people, other individuals that they  
11                  would be charging?

12                  **MR. GUZZO:** Well, I did. I asked about the  
13                  -- about a couple, yes.

14                  **MR. ENGELMANN:** And who was that?

15                  **MR. GUZZO:** I asked about Father LaRocque.

16                  **MR. ENGELMANN:** And did you -- what answer  
17                  did you get?

18                  **MR. GUZZO:** I remember distinctly he said --  
19                  Detective Inspector Hall said to me, "The -- well, the man  
20                  wasn't a bishop then." And I said, "Well, what difference  
21                  does that make?" And he said, "Well, you know, anything he  
22                  did or anything that happened down there would have to be  
23                  dealt with down there." And I said, "Well, I appreciate  
24                  that, but" --

25                  **MR. ENGELMANN:** Down where?

1                   **MR. GUZZO:** Well, in Fort Lauderdale. And I  
2                   said, "What about -- what about the value of corroborating  
3                   evidence from down there? You know, I would think that  
4                   with what you've been told..." -- and we talked about a  
5                   couple of allegations that have been made and the  
6                   corroborating evidence, I said, "Is there any intention?"  
7                   And he kind of looked at his associate and he said, "Well,  
8                   I -- you know, I don't know." I said, "Well, why not?"  
9                   And he said -- and this was very close to the last thing he  
10                  said to me before he left my office, "Don't play dumb with  
11                  me because I'll go and ask your Premier." And I said,  
12                  "Well, I already have, that's why I'm asking the questions  
13                  that I'm asking because everyplace I look, whether it's the  
14                  Cornwall Police, and Sergeant Lortie, and Deputy Chief St-  
15                  Denis saying the chain of command is broken. When I listen  
16                  to Mr. Frechette, he doesn't seem to know very much. Mr.  
17                  Segal is supposed to be the senior man in Prosecution's, he  
18                  hasn't seen the documentation. I go, first of all, to the  
19                  Cabinet Ministers who should know, they know nothing. And  
20                  then when they make inquiries and learn something, they  
21                  don't want to talk to me.

22                                I said, "Everyplace I look, the chain of  
23                                command is broken." And now he says to me, "Don't play  
24                                dumb with me, go and ask your Premier."

25                                    In other words, he's telling me, a police

1 investigation is being quarterbacked from the Premier's  
2 office.

3 MR. ENGELMANN: That was how you interpreted  
4 the comment?

5 MR. GUZZO: That's how interpreted the  
6 comment.

7 MR. ENGELMANN: The comment was from which  
8 police officer?

9 MR. GUZZO: Inspector Hall.

10 MR. ENGELMANN: Did you discuss with him any  
11 other individual who might be charged or whether they would  
12 be charged?

13 MR. GUZZO: I don't recall. I don't recall  
14 specific -- another specific individual.

15 MR. ENGELMANN: Did you discuss with him at  
16 all the death of Malcolm MacDonald?

17 MR. GUZZO: Specifically, no. It may have  
18 come up in the conversation, but I -- I don't recall  
19 anything about specifics.

20 MR. ENGELMANN: Just looking at the top of  
21 that page, sir, about a quarter of the way down, it appears  
22 to be a note saying, "Cause of death of Malcolm MacDonald".  
23 There's nothing else on it, but do you have any  
24 recollection of bringing this up or ---

25 MR. GUZZO: I don't -- I don't recall

1 discussing that specifically with him, but it could have  
2 been discussed.

3 **MR. ENGELMANN:** You've got something else  
4 there, a little further down:

5 "Discussed Leduc and agreement, not  
6 charged. Bishop involvement and lawyer  
7 Adams."

8 Do you have any recollection of talking to  
9 them about the -- the settlement that we've found out about  
10 here, the illegal settlement?

11 **MR. GUZZO:** Yeah, the \$32,000 issue was  
12 discussed -- was discussed and the denial that money was  
13 paid and then the admission and then the denial that there  
14 was a gag order, and then the disclosure of the gag order.  
15 And the -- I think it came up in relation to Sergeant  
16 Lorti's comments seen in the notes of Deputy Chief St-Denis  
17 when he used the word "cover-up" for the first -- the first  
18 time I had seen it.

19 He was it in terms of the church, a typical  
20 Catholic Church cover-up or a typical cover-up by the  
21 Catholic Church. And -- that -- we got -- when we got into  
22 this is to how -- you know ---

23 **MR. ENGELMANN:** Well, sir, you were aware  
24 were you not that Malcolm MacDonald had been charged with  
25 attempt obstruct justice as a result of that settlement?

1                   **MR. GUZZO:** Yes, I was.

2                   **MR. ENGELMANN:** And were you discussing  
3 issues about whether other people would be charged or why  
4 they were not charged with respect to that settlement?

5                   **MR. GUZZO:** Yes. That was -- that was the  
6 nature of the -- of the discussion.

7                   **MR. ENGELMANN:** All right. You don't  
8 remember the details?

9                   **MR. GUZZO:** Well, I don't remember Mr. Hall  
10 saying -- giving any explanation or getting into any, you  
11 know -- I'm -- I don't know whether I raised the issue or  
12 he did, but what we were looking and we're saying, you  
13 know, these are the questions, the type of things that  
14 aren't being answered and it's not making your job any  
15 easier and it's not making mine any easier.

16                   **MR. ENGELMANN:** All right. So at the end of  
17 this meeting, he doesn't have new names of alleged victims  
18 from you; correct?

19                   **MR. GUZZO:** Not from that conversation.

20                   **MR. ENGELMANN:** Does he have -- is there any  
21 -- any suggestion by him or by you that there would be  
22 follow-up if names are available or ---

23                   **MR. GUZZO:** No, we -- we're talking now  
24 about, you know, so your Bill is -- is finished and, you  
25 know, that's the end of it for you obviously, Mr. Guzzo,

1 and I -- we talk about the possibility of the Bill going  
2 for third reading, et cetera, you know.

3 **MR. ENGELMANN:** And you're -- you're telling  
4 him that's not going to happen?

5 **MR. GUZZO:** I'm telling him that it's not  
6 going to happen and, you know, so I don't think it's the  
7 end of the line by any means.

8 **MR. ENGELMANN:** All right. So you've had  
9 some discussions about the Dunlop document issue and what  
10 he received. You've had some discussion with him about the  
11 Frechette phone call and possibly the Segal phone call.  
12 You've had some discussion about the '94 OPP investigation  
13 and different results. You've had some discussion with him  
14 about investigations in Florida. You've had some  
15 discussions with him about whether or not they would charge  
16 certain individuals.

17 How did -- how did you feel about the  
18 meeting after it ended? What was your impression, your  
19 sense of what you had learned? Any impressions of Officer  
20 Hall or others?

21 **MR. GUZZO:** Well, I had a very positive  
22 impression with Hall and I had -- Detective Inspector Hall  
23 -- and I had all along because I was of the -- I had formed  
24 an opinion that he was working in a straitjacket. I mean,  
25 when I read -- especially when I read his letter and when I

1       knew what -- felt I knew about the documents having been  
2       sent to London, Ontario and not to headquarters and, you  
3       know, if Mr. Frechette doesn't know -- doesn't appear to  
4       know; I'm starting to have a lot of sympathy for this guy  
5       on the streets of Cornwall trying to do his job. But  
6       there's -- I haven't read these notes; I haven't seen them  
7       before and I'd like to ---

8                   **MR. ENGELMANN:** No.

9                   **MR. GUZZO:** --- scan them. We had another  
10       very important discussion.

11                  **MR. ENGELMANN:** Yes?

12                  **MR. GUZZO:** There was another issue  
13       discussed.

14                  **MR. ENGELMANN:** Can you tell us about it,  
15       sir?

16                  **MR. GUZZO:** We discussed the issue of the  
17       destruction of the films.

18                  **MR. ENGELMANN:** Oh, the tapes?

19                  **MR. GUZZO:** I don't know if he's got a note  
20       of it here.

21                  **THE COMMISSIONER:** Yes, he does.

22                  **MR. GUZZO:** He does?

23                  **THE COMMISSIONER:** Yeah. I don't -- just a  
24       second here.

25                  **THE COMMISSIONER:** Videotapes, just above



1 where, "Interview of Claude Shaver".

2 So probably down, Madam Clerk, page 2.

3 Yeah, that's right, second half, right there.

4 **MR. ENGELMANN:** There's a comment that says,  
5 "Videotapes..." ---

6 **THE COMMISSIONER:** "Videotapes, why  
7 destroy?"

8 **MR. ENGELMANN:** --- "...why destroy?"

9 **THE COMMISSIONER:** So what do you have to  
10 say about that?

11 **MR. GUZZO:** Well, I asked him about the  
12 destruction of the videotapes and he -- his answer -- he  
13 said to me, "Well, the man was dead. The man's dead. You  
14 can't -- you can't prosecute a dead man. The evidence was  
15 -- wasn't necessary."

16 **MR. ENGELMANN:** Who was he referring to?

17 **MR. GUZZO:** Mr. -- Probation Officer Seguin.

18 And I said -- I asked him, "Well, I said, as  
19 a matter of -- you know, should they not have been returned  
20 to his -- Mr. Seguin's estate?" And he said well, we  
21 didn't -- they weren't found there, they were -- you know,  
22 and somebody else -- and I think -- I don't know whether he  
23 mentioned Mr. Leroux or C-8 or whoever, but he -- he said,  
24 "Well, we got them from this person and we got to quick  
25 release signed by this person".

1                   And I said, "Well, you know, we've agreed  
2                   that they belong to Ken Seguin, why would they not have  
3                   gone to get a release from his estate before you destroyed  
4                   them?" And he had no answer. He had no answer.

5                   **MR. ENGELMANN:** Do you recall anything else  
6                   about the videotapes or discussion of the videotapes at  
7                   that time?

8                   **MR. GUZZO:** No. No, it came up, you know,  
9                   in a -- we covered a lot of miles in ---

10                  **MR. ENGELMANN:** Yeah.

11                  **MR. GUZZO:** --- an hour-and-a-half and ---

12                  **MR. ENGELMANN:** All right. But the miles  
13                  that you did cover had the questions that you were posing  
14                  to some of your colleagues and-or in the legislature? Had  
15                  they been answered?

16                  **MR. GUZZO:** Well, some, you know, some had.

17                  **MR. ENGELMANN:** Okay.

18                  **MR. GUZZO:** Some had, but, you know, I still  
19                  had -- I still had some reservations -- serious  
20                  reservations.

21                  **MR. ENGELMANN:** All right.

22                  **MR. GUZZO:** But, you know, and I want to  
23                  make this clear, I found Detective Inspector Hall quite  
24                  open and -- and helpful and trying to be helpful and fair.  
25                  The only time, as I -- as I mentioned that he kind of -- he

1 didn't try and -- he wasn't about to defend the 67-week  
2 differential and the -- you know, and the documents and  
3 that, that's when the other gentleman took over.

4 **MR. ENGELMANN:** But you did have some  
5 further information about what he and his team were doing  
6 as a result of that meeting?

7 **MR. GUZZO:** Yeah, and I had some sympathy  
8 for them. You know, there were other things we -- we  
9 talked about, how -- how difficult the investigation was  
10 and how hesitant people were, people who had gone through  
11 some of the -- you know, true victims. Anybody who has  
12 experienced the situation, to be able to come and -- and  
13 deal with it is one thing, but to deal with it publicly is  
14 quite another.

15 **MR. ENGELMANN:** You talked about some of the  
16 difficulties victims or alleged victims had in coming  
17 forward?

18 **MR. GUZZO:** Yes, and we talked about  
19 specific victims that we had both -- or alleged victims,  
20 but that we -- that each of us had -- we both had seen and  
21 -- and the strength that they demonstrated in being able to  
22 deal with it and the harm that it had done others who had  
23 seemingly wasted their lives as a result of maybe other  
24 things too, but because of this.

25 **MR. ENGELMANN:** All right. So let's take a

1 look at another letter. This is a letter you write to  
2 Premier Harris, Document Number 125055.

3 It's a letter dated December 8<sup>th</sup>, 2000, from  
4 Mr. Guzzo to Premier Harris.

5 **THE COMMISSIONER:** Thank you. Exhibit 1010  
6 is a letter dated December 8<sup>th</sup>, 2000, to the Honourable  
7 Micheal Harris from Garry Guzzo.

8 --- **EXHIBIT NO./PIÈCE NO. P-1010:**

9 (125055) Letter from Garry Guzzo to the  
10 Honourable Michael Harris dated  
11 December 8<sup>th</sup>, 2000.

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

13 **MR. ENGELMANN:** Mr. Guzzo, is this -- I know  
14 you haven't had the chance to read the whole thing, but  
15 this is a letter you would have written?

16 **MR. GUZZO:** Yes.

17 **MR. ENGELMANN:** And this is after Bill 103  
18 receives second reading?

19 **MR. GUZZO:** By a vote of 45 to 3.

20 **MR. ENGELMANN:** Yes. You say in the letter,  
21 first paragraph, you made it clear on the afternoon of  
22 October 12<sup>th</sup> when asked in the House with regards to this  
23 piece of legislation that it was not your intention to  
24 allow it to go forward?

25 **MR. GUZZO:** Yes.

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

2                   So why are you writing to him at this time?

3                   **MR. GUZZO:** It's Christmas season and maybe  
4 he's going to be in a charitable mood, I don't know. Maybe  
5 I don't feel I'm going to send him a Christmas card, this  
6 is -- I don't know, I just -- you know, I want to keep the  
7 thing moving and I want to keep -- and it gives me an  
8 opportunity to put forward some other information, I -- I  
9 guess. Trying to ---

10                  **MR. ENGELMANN:** All right.

11                  Is this a letter to him or perhaps a letter  
12 to him and to a future inquiry or ---

13                  **MR. GUZZO:** Well, it's just ---

14                  **MR. ENGELMANN:** --- you talked that about  
15 that earlier.

16                  **MR. GUZZO:** -- it certainly meant to  
17 document some -- some information. I'm -- I'm surprised  
18 that I don't -- that I don't circulate it. So, I mean, it  
19 doesn't -- it doesn't say that I sent it to --

20                  **MR. ENGELMANN:** Yeah.

21                  **MR. GUZZO:** --- the select committee and  
22 judicial affairs or justice committee or the -- or anybody  
23 else, and that surprises me. But it may be just an  
24 oversight. It would have -- I would think it was probably  
25 sent to the strong supporters that I had.

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

2                   Just a couple of questions then. Last  
3 paragraph, first page, you say:

4                   "it's true that the three probation  
5 officers are now deceased, two of  
6 them at their own hand, however,  
7 corroborative evidence remains."

8                   So the -- the two at their own hand are Ken  
9 Seguin and Nelson Barque. Is the third probation officer,  
10 is that the fellow you've mentioned in some correspondence  
11 we just looked at earlier, Brian Dufour, or is that someone  
12 else?

13                   **MR. GUZZO:** No. No, no.

14                   **MR. ENGELMANN:** I'm not saying he was a  
15 probation officer, but ---

16                   **MR. GUZZO:** No, I think I'm ---

17                   **MR. ENGELMANN:** Do you know who you're  
18 referring to there?

19                   **MR. GUZZO:** Yeah, but I haven't got a name,  
20 I'm sorry. But he's a -- it's a male probation officer in  
21 the Cornwall area.

22                   **MR. ENGELMANN:** Who at the time of your  
23 writing in December of 2000 was deceased?

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

25                   **MR. ENGELMANN:** That's -- that's as much as

1           you can tell us about the third individual?

2                   **MR. GUZZO:** Yes, and I -- I want to -- I  
3           want to make it clear that I -- I think the man had been of  
4           assistance to Sirrs in preparing the report. I don't think  
5           -- I don't think I ever heard him mentioned as an alleged  
6           perpetrator.

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

8                   **MR. GUZZO:** So ---

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

10                  **MR. GUZZO:** You know, when I read that now,  
11           you know, like, I'm afraid somebody might -- if I could  
12           remember the name, might think that, and I -- that -- I  
13           think he assisted Sirrs in doing the report.

14                  **MR. ENGELMANN:** All right.

15                   So you're not suggesting ---

16                  **MR. GUZZO:** No.

17                  **MR. ENGELMANN:** --- by that that there were  
18           three alleged perpetrators?

19                  **MR. GUZZO:** No. No.

20                  **MR. ENGELMANN:** All right. Just the two?

21                   All right.

22                   And in your last paragraph you seem to be  
23           referring to other inquiries like the Krever Inquiry and  
24           others in suggesting a course of action to Mr. Harris?

25                  **MR. GUZZO:** Yeah, I -- I'm jabbing him in

1 the ribs here a bit.

2 MR. ENGELMANN: I'm sorry?

3 THE COMMISSIONER: He's jabbing him in the  
4 ribs a little bit.

5 MR. ENGELMANN: Fair enough. Fair enough.  
6 Okay.

7 In your notes, sir, C-848C, the page we were  
8 on before, I believe it's page 5, you have a reference to  
9 April 1<sup>st</sup>, the bottom of the page. The bottom of that page.

10 MR. GUZZO: Yes, right.

11 MR. ENGELMANN: Can you -- can you tell us --  
12 - can you read the note to us, sir?

13 MR. GUZZO: Yeah, I think it's April '01.

14 MR. ENGELMANN: Yes.

15 MR. GUZZO: I think it's April '01,  
16 "Bank of Montreal, Bay Street.  
17 Lawyer in the Department of the  
18 Attorney General introduces himself;  
19 doesn't give name."

20 I don't think a complete name, but I think  
21 he may have given a first name.

22 "Said we are dragging our feet on the  
23 Cornwall prosecutions. Why? I asked  
24 why and he says, the same reason the  
25 OPP found no one to charge in the



1 first investigation."

2 **THE COMMISSIONER:** Okay. Does it continue?

3 **MR. ENGELMANN:** Is that it, sir?

4 **MR. GUZZO:** Well, I'm -- I'm ---

5 **MR. ENGELMANN:** Was that it for the note?

6 **MR. GUZZO:** That's it for the note.

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

8 **THE COMMISSIONER:** Okay.

9 **MR. ENGELMANN:** Can you tell us a little bit  
10 more about that encounter?

11 **MR. GUZZO:** Well, it's -- he's ahead of me  
12 in the queue, and he waits until I finish doing my banking,  
13 and I'm on my way out, and it's -- I recollect it being  
14 lunchtime and I'm on duty for question period, so I'm in a  
15 bit of a rush, and he just stops and says to me, you know,  
16 "I'm aware of your Bill; I'm aware of you're --- what  
17 you're doing." Encourages -- you know, he's encouraging.  
18 He said, "You know, there's a lot of support in our  
19 department for what you're doing and this, that and the  
20 other thing, and by the way...", you know, like, we're going  
21 to blow those prosecutions down there because we're  
22 dragging our feet on them.

23 And I said, "Well, in particular which  
24 ones?" And he told me, and he said -- and it was -- you  
25 know, I said, "Well, why would we be doing that?" And he

1 kind of gave me a --you know, like, "Don't -- you know  
2 better than I do", you know. And I thanked him. I thanked  
3 him and made a note of it when I got back to the House.

4 **MR. ENGELMANN:** Did he -- did you discuss  
5 which prosecutions those were?

6 **MR. GUZZO:** Well, I asked him what he was  
7 talking about and he mentioned -- definitely mentioned  
8 Leduc. I don't know whether he mentioned MacDonald, but I  
9 always put them in the same category. So when I took  
10 action, you know, when I got back and thought about it and  
11 raised it in Caucus I raised the two of them together  
12 because they were both dragging. At that point in time  
13 they both ---

14 **MR. ENGELMANN:** Dragging as in the time  
15 before the courts?

16 **MR. GUZZO:** Right they were --- they were  
17 both over Askov's --- the Askov limit at that time, well  
18 over the Askov limit at --- I think the Askov limit was 18  
19 to 22 months. So they're both over 22 months, I think, at  
20 that time.

21 **MR. ENGELMANN:** What --- what did this mean  
22 to you,

23 "Same reason OPP found no one to  
24 charge in the first investigation"?

25 **MR. GUZZO:** Well, I put a lot of different

1       interpretations to it. You know, by this time I'm quite  
2       disillusioned -- starting to be disillusioned with my  
3       government, my --- of which I'm a part, and I'm having some  
4       -- I'm having some doubts as to how effective we're  
5       governing if we're not following procedures better than it  
6       appears that we're following them.

7                   **MR. ENGELMANN:** And you said you talked to  
8       your Caucus about this information or some of this  
9       information, sir?

10                   **MR. GUZZO:** Yeah, you know, I go to the --  
11       to the AG. I have spoken to the AG about these things,  
12       about the fact that there are delays and I think at some  
13       point in time, not immediately thereafter, but at some  
14       point in time, we have a change -- I've raised it with --  
15       with Mr. -- well, Mr. Flaherty's the Attorney General, but  
16       ---

17                   **MR. ENGELMANN:** I'm looking at the next page  
18       of your notes. It says:

19                               "Spring '01, turn up heat on AG in  
20                               caucus re Leduc re MacDonald."

21                   **MR. GUZZO:** Yeah. I'm asking the -- you  
22       know, why these are not proceeding; why these are -- are --  
23       what's the hold-up?

24                               And I'm being told, "Well, it's all the  
25       defence. The defence is dragging it. We're anxious to go.

1 We're ready to go but the defence -- all the delays are at  
2 the -- caused by the defence, so don't worry about Askov;  
3 there'll never be an Askov situation on these".

4 And at some point in time when the new  
5 Attorney General takes over, a little later, Mr. Young, who  
6 comes from the back bench into the position, who is newly  
7 elected in '99 and is very interested in my Private Members  
8 Bill and very supportive of what I'm doing, et cetera, all  
9 of a sudden he's the Attorney General and he -- so I'm on  
10 him right away about the Bill and everything, and he's  
11 saying, "Yeah, I'm going to help you with this", and does a  
12 180 degrees shortly thereafter.

13 But when this thing comes up and I lean on  
14 him about the delays on the prosecutions and I say, "I'm  
15 going to raise it at caucus next week or the week after;  
16 put it on the agenda", he comes in with the newly minted  
17 deputy minister. We've just lost our deputy minister and  
18 they've taken a fellow from Bay Street, Mark -- Mr. Mark  
19 Friedman(sic), Friesan(sic), Friedman(sic)? And he is  
20 serving -- I think he served on an interim basis for six or  
21 eight months as the deputy minister -- and Mr. Young  
22 doesn't want to deal with it.

23 He has him in there to deal with the issue  
24 of the possibility of Leduc and MacDonald being Askov'd and  
25 we have a complete debate on it, in caucus, with the

1 assistant deputy minister, which is very rare unless you're  
2 bringing in a piece of colossal legislation that, you know,  
3 would the deputy minister be into the -- in caucus, and  
4 he's explaining.

5 And, quite frankly, I don't get into the --  
6 a couple of the other lawyers, there's a labour lawyer in -  
7 - up around Barrie, a fellow by the name of Tascona, and --  
8 -

9 MR. ENGELMANN: You're just speaking from  
10 memory here; this isn't in your notes?

11 MR. GUZZO: This isn't in the notes ---

12 MR. ENGELMANN: Yeah.

13 MR. GUZZO: --- but I mean it's -- it's  
14 vivid because Tascona takes the lead in, you know, in  
15 questioning ---

16 MR. ENGELMANN: The deputy minister?

17 MR. GUZZO: --- the deputy minister about,  
18 you know, "I don't care who's causing it. I don't care  
19 who's causing it. People are going to die, witnesses are  
20 dying every day, you know, like get the thing on. What  
21 could be holding this thing up?"

22 And it was Tascona and Bob Wood, not Garry  
23 Guzzo, that led the attack.

24 MR. ENGELMANN: And this is sometime in the  
25 spring of 2001, sir?

1                   **MR. GUZZO:** Well --

2                   **MR. ENGELMANN:** Or do you remember when?

3                   **MR. GUZZO:** No. The note here I'm talking  
4 about, I'm asking some questions; I'm not getting any  
5 answers.

6                                 And then as to -- I don't know whether I  
7 have a note as to when I brought it up, but I have a -- in  
8 the -- in the material there was a letter from this -- from  
9 the deputy minister, this particular deputy minister ---

10                   **MR. ENGELMANN:** Mark Freiman?

11                   **MR. GUZZO:** Right, right. Is it Mark, did  
12 you say?

13                   **MR. ENGELMANN:** I think so.

14                   **MR. GUZZO:** Right, yeah.

15                                 And it was right around that time, right  
16 after that meeting he sent me a letter on something else  
17 saying, "Be careful, you know, this issue was on the fringe  
18 of what came up at the -- you know, and it's a matter that  
19 is subject to a judicial fiat with regard to disclosure".  
20 So ---

21                   **THE COMMISSIONER:** So you're saying Frieman  
22 sent you a letter?

23                   **MR. GUZZO:** Yes.

24                   **THE COMMISSIONER:** And he says, "Be careful  
25 of ..."?

1                   **MR. GUZZO:** I think he -- he's -- it's right  
2           after the ---

3                   **THE COMMISSIONER:** The caucus meeting.

4                   **MR. GUZZO:** --- the caucus meeting and  
5           another -- another issue has come up other than Leduc ---

6                   **THE COMMISSIONER:** Right.

7                   **MR. GUZZO:** --- trial and he's just sending  
8           me -- he said, "Remember that Mr. Justice so-and-so has  
9           ruled that this is a matter of confidence".

10                   **THE COMMISSIONER:** A matter of ---

11                   **MR. GUZZO:** Confidence? Like it's -- what's  
12           the term? Not to -- it's not to be disclosed.

13                   **MR. ENGELMANN:** Privilege?

14                   **MR. GUZZO:** Privilege issue in -- it's in  
15           another trial that's being conducted and there's a non-  
16           disclosure issue.

17                   **MR. ENGELMANN:** Like a publication ban or  
18           something like that?

19                   **MR. GUZZO:** Publication ban or something  
20           like that, yeah.

21                   So he said -- you know, just a helpful -- I  
22           think a helpful reminder saying, "Maybe you don't know",  
23           you know ---

24                   **MR. ENGELMANN:** We're going to come to some  
25           correspondence you have with Mr. Young and how he refers

1           you to a Mr. James Stewart, and that's later on in 2001.

2                   **MR. GUZZO:** Yeah, right.

3                   **MR. ENGELMANN:** Might that be the timeframe

4           ---

5                   **MR. GUZZO:** No.

6                   **MR. ENGELMANN:** --- or do you recall?

7                   **MR. GUZZO:** No.

8                   **MR. ENGELMANN:** All right. In any event,  
9           sir, in the spring of 2001, there's a new Bill, Bill 48,  
10           that you propose?

11                   **MR. GUZZO:** Right.

12                   **MR. ENGELMANN:** And in or around May, I  
13           understand, it's carried, the first reading?

14                   **MR. GUZZO:** Yes, I believe so.

15                   What has happened is the -- Mr. Harris has  
16           pirogued the House and come back with a new -- with a new  
17           legislative format, a new Speech from the Throne, so we  
18           have -- my Bill died. The bill that had received the two  
19           readings has now died and so I throw it back on the order  
20           paper.

21                   **MR. ENGELMANN:** And you speak to the new  
22           Bill a number of times during the months of May and June  
23           after that. Is that correct?

24                   **MR. GUZZO:** I believe I did.

25                   **MR. ENGELMANN:** And is it true that it's



1 about this time when you also threatened to name names in  
2 the legislature? Names of alleged perpetrators?

3 MR. GUZZO: I would have thought it was a  
4 little later, but it could have been around that time as --  
5 yes. No, you're right, you're right, it was the second  
6 Bill. I was thinking it was probably the third Bill, but  
7 it was the second Bill when I made that error, yes.

8 MR. ENGELMANN: Sorry, when you ---

9 MR. GUZZO: When I made that error. That  
10 wasn't the smartest thing I ever did.

11 MR. ENGELMANN: I'm sorry?

12 MR. GUZZO: That wasn't the smartest thing I  
13 ever did.

14 MR. ENGELMANN: The threatening to name  
15 names?

16 MR. GUZZO: Well, it was -- you know, I  
17 mentioned it in caucus off the top of my head one time and  
18 without thinking about it, and immediately two of the  
19 individuals, one of them being Tascona, who was a labour  
20 lawyer and the other being Bob Wood from London, Ontario,  
21 who were very helpful throughout this thing, very  
22 supportive and knowledgeable, they -- they immediately came  
23 to me that afternoon and said, you know, "You would never  
24 do that, I hope", and I -- "because we couldn't support  
25 you". And I said, "No, no, I appreciate that".

1                   But when I mentioned it, for some reason I  
2 mentioned two names I think, or three names, from the Fort  
3 Lauderdale list and one of the names I mentioned was that  
4 fourth name that has never come up. I don't know why it  
5 was there, but it was in my mind, that fourth name on the  
6 list of the ones I had seen.

7                   **MR. ENGELMANN:** This is one that has been  
8 given a moniker now, sir?

9                   **MR. GUZZO:** Yes, we have. It's -- I think  
10 we have.

11                   **MR. ENGELMANN:** It should be right near the  
12 bottom if we did.

13                   **MR. GUZZO:** Yes, the 46 -- C-46.

14                   And as I -- I'm not sure of the spelling, as  
15 I told you, but I have never -- other than seeing it there,  
16 I've never heard that name from anybody or anything, but I  
17 mention it and the Premier goes nuts. The Premier got  
18 very, very, very upset and virtually, you know, and accused  
19 me of trying to embarrass people deliberately and, you  
20 know, over this one person, who -- who's unknown to me.

21                   And I -- I think at the time, "Well, there's  
22 got to be a mistake or something like that", but I -- I  
23 have -- I talked to, I think, Mr. Runciman's; by this time  
24 he's back in the Solicitor General's portfolio. And I have  
25 a chat with him and I told him almost immediately that I

1 wasn't going to do anything. I mean, I don't intend to,  
2 but the thing -- the thing comes out of caucus and it's out  
3 of control. It's spinning and I don't -- I don't deny it.  
4 And I ---

5 **MR. ENGELMANN:** Is one of those names that  
6 you mention in caucus get out to the press?

7 **MR. GUZZO:** Oh, I think a couple of them  
8 did. A couple of them did. And ---

9 **MR. ENGELMANN:** You got served with a Notice  
10 of Liabile as a result on one of them?

11 **MR. GUZZO:** Well, yeah, after the -- I did.  
12 Three weeks after the House -- two weeks after the House  
13 shut down, yeah.

14 **MR. ENGELMANN:** After the House shut down?

15 **MR. GUZZO:** Yeah.

16 **MR. ENGELMANN:** Okay.

17 **MR. GUZZO:** And after I didn't -- after I  
18 didn't do it, but anyway, the -- I'm tweeding  
19 the -- twiking the Premier's nose because I know that there  
20 is something with this name and -- that is irritating him  
21 and I'm trying to negotiate -- I'm trying to negotiate with  
22 him by -- you know, so ---

23 **MR. ENGELMANN:** Well, let me just ask you a  
24 couple of questions. You threaten to name names and you  
25 threaten this in the caucus?

1                   MR. GUZZO: I did.

2                   MR. ENGELMANN: And you said the Premier was  
3 very upset about that -- not about the naming of names, but  
4 the naming of one particular name as I understand you?

5                   MR. GUZZO: Right. Right.

6                   MR. ENGELMANN: And did you ever name names  
7 in the House that spring?

8                   MR. GUZZO: No, I did not.

9                   MR. ENGELMANN: And these would have been  
10 names of alleged perpetrators?

11                  MR. GUZZO: Right.

12                  MR. ENGELMANN: Did you ever intend to?

13                  MR. GUZZO: No, I really did not.

14                  MR. ENGELMANN: Why did you threaten to do  
15 it, sir?

16                  MR. GUZZO: Well, I came off the top of my  
17 head in a heated discussion. The question I can answer is,  
18 why I didn't let it drop. And I didn't let it drop because  
19 I knew I had Harris on the run -- Mr. Harris, the Premier -  
20 - on the run over this, whatever it was that triggered him.

21                  MR. ENGELMANN: In fact, not only did you  
22 not let it drop, didn't you give it some leg, sir? Weren't  
23 there a number of stories about this?

24                  MR. GUZZO: I guess I'm guilty. Yes, I  
25 think that's fair. I think that's fair.



1 dated 27 Jun 01

2 **THE COMMISSIONER:** So we'll go on for  
3 another five minutes, Mr. Engelmann ---

4 **MR. ENGELMANN:** Yes.

5 **THE COMMISSIONER:** --- and then we'll take  
6 lunch.

7 **MR. ENGELMANN:** All right. Now, there's no  
8 discussion here about naming alleged perpetrators, but  
9 there is something that I want to -- there is a discussion  
10 about pornographic movies. And you'll see -- see that in  
11 the very first paragraph. You talk about a seizure of a  
12 suitcase containing 24 or more pornographic movies. Do you  
13 see that in the very first paragraph?

14 **MR. GUZZO:** Right.

15 **MR. ENGELMANN:** And you say this evidence,  
16 these films have been in the hands of the OPP for over six  
17 years. Do you see that?

18 **MR. GUZZO:** Yes.

19 **MR. ENGELMANN:** Now, at this point in time,  
20 sir, you know, do you not, that these have been destroyed?

21 **MR. GUZZO:** Do I know that they've been  
22 destroyed?

23 **MR. ENGELMANN:** Yeah.

24 **MR. GUZZO:** I've been told by -- by  
25 Detective Inspector Hall and someone else both, yes, that

1           they had been.

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

3                   You don't mention that here; do you?

4                   **MR. GUZZO:** No. No, because -- well, go  
5           ahead?

6                   **MR. ENGELMANN:** Oh, sorry. You talk about  
7           it a little further down on the page. I apologize.

8                   **MR. GUZZO:** Yeah.

9                   **MR. ENGELMANN:** I -- you refer to a  
10          discussion you had with Detective Inspector Hall?

11                   **MR. GUZZO:** Right.

12                   **MR. ENGELMANN:** Mr. Guzzo, do you just want  
13          to have a look at that? Sir, I think you're repeating a  
14          little bit about what you told us about your conversation  
15          with Detective Inspector Hall, the bottom of the page?

16                   **MR. GUZZO:** Right.

17                   **MR. ENGELMANN:** What I'm curious about are a  
18          couple of things. On the second page, you say:

19                                "But here's the good news, copies of  
20                                some of those movies have been found.

21                                My question to you, is: What should we  
22                                do with those? The citizen's group has  
23                                them, what should they do? The Premier  
24                                has said, "Give them to the OPP." But  
25                                the citizen's group says, "They may

1 destroy these ones too." They've been  
2 very expensive. What would you  
3 recommend that these people do with the  
4 copies of these films that they have  
5 found, sir?"

6 And then the -- Mr. Turnbull, who is at that  
7 point the Solicitor General; is that correct?

8 **MR. GUZZO:** Correct.

9 **MR. ENGELMANN:** He says:

10 "Any evidence that is in the hand of  
11 citizens should be handed over to the  
12 OPP. It's very clear that the  
13 integrity of the justice system rests  
14 on our ability to proceed without  
15 inference, et cetera."

16 So I just want to understand. You've talked  
17 about some movies that were seized or some films. You  
18 talked about what Detective Inspector Hall told you that  
19 they'd been destroyed and now you say:

20 "There is some good news, copies of  
21 some of those movies..."

22 So let me just ask you this. You're  
23 suggesting in the House that some of those 24 movies are  
24 still available and were not destroyed?

25 **MR. GUZZO:** I -- at least one.



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

2                   **MR. GUZZO:** At least one -- one copy is in  
3 existence?

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

5                   And how did you know that on June 27<sup>th</sup>, 2001,  
6 sir? Who told you that or how did you know?

7                   **MR. GUZZO:** Let me just preface what you're  
8 saying is, I've gone to the new Solicitor General; Mr.  
9 Turnbull has taken over.

10                  **MR. ENGELMANN:** Right.

11                  **MR. GUZZO:** Went down to him and I've raised  
12 this issue about the films and he tells me that they -- the  
13 films -- they have the films, that they haven't been  
14 destroyed. And I said, "Are you sure, David?" "Well,  
15 yes", and he comes back a few days later and he said, "I  
16 talked to so and so and those films were not destroyed,  
17 contrary to what Hall has told me some time before." This  
18 is what the senior Cabinet Minister responsible is telling  
19 me. So I said, "Well, I want to put it on the record in  
20 the House."

21                   Now, I have ---

22                  **MR. ENGELMANN:** So I just -- Mr. Guzzo, I'm  
23 just trying to get a time here. So you're saying this  
24 presumably happened some time before June 27<sup>th</sup>, 2001, your  
25 discussion with David Turnbull?

1                   **MR. GUZZO:** Yeah, he -- I think when I'm  
2                   engaging him here, I think he's just become -- he's just  
3                   become Solicitor General shortly before.

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

5                   **MR. GUZZO:** So I raise the issue of  
6                   the -- of the films with him and he comes back to me and he  
7                   said, "No, you're wrong, the films were not destroyed."  
8                   And I said, "David you -- are you certain of that because  
9                   I'm, you know" -- and he comes back and said, "Yeah, I've  
10                  reaffirmed that." So I said, "Well, I'm going to put a  
11                  question in the House and you can answer it then?"

12                  **MR. ENGELMANN:** So that's the context behind  
13                  ---

14                  **MR. GUZZO:** That's why I do it. Now, with  
15                  regard to your question, you know, the issue I have -- I  
16                  have a person, alleged victim attend upon me and -- more  
17                  than -- at least two have spoken to me about films. I  
18                  haven't got a very good recollection of what it is, but  
19                  this one person says to me -- tells me he has a copy. I  
20                  said, "I would like to see it, you know."

21                  **MR. ENGELMANN:** All right. Now, this is a -  
22                  - is this is a person that you've already mentioned with a  
23                  moniker, sir?

24                  **MR. GUZZO:** It is.

25                  **MR. ENGELMANN:** Can you tell us what number

1 that would be?

2 **MR. GUZZO:** C-39.

3 **MR. ENGELMANN:** I just see the list?

4 I have a couple of more questions in this  
5 regard, sir; is it appropriate or do you want to break now?

6 **THE COMMISSIONER:** Let's break.

7 **MR. ENGELMANN:** Okay.

8 **THE COMMISSIONER:** My intention is to check  
9 on the weather.

10 If the weather is still stormy, that I don't  
11 want to send people home in the dark, so I would suggest  
12 that we rise at 3:30 this afternoon.

13 So let me know how that works with everyone  
14 else.

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

17 The hearing will resume at 2:00 p.m.

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

19 L'audience est suspendue à 12h37

20 --- Upon resuming at 2:04 p.m./

21 L'audience est reprise à 14h04

22 **THE REGISTRAR:** The hearing is now resumed;  
23 please be seated. Veuillez vous asseoir.

24 **GARRY GUZZO, Resumed/Sous le même serment**

25 **THE COMMISSIONER:** Mr. Engelmann.

1           --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.  
2           ENGELMANN (Cont'd/suite):

3                   MR. ENGELMANN: Good afternoon, sir.

4                   Good afternoon, Mr. Guzzo.

5                   MR. GUZZO: Good afternoon.

6                   MR. ENGELMANN: When we left off, we were  
7           talking about -- one second -- some comments in -- thank  
8           you -- Exhibit 1111 (sic); eleven hundred and eleven (sic).  
9                   I'm sorry?

10                  THE REGISTRAR: 1011.

11                  THE COMMISSIONER: 1011.

12                  MR. ENGELMANN: Oops. I jumped a hundred.

13                  THE COMMISSIONER: So we're in the Hansard?

14                  MR. ENGELMANN: That's right. We were  
15           looking at the Hansard and we had talked -- we were talking  
16           about films or videotapes; do you recall that ---

17                  MR. GUZZO: Yes, sir.

18                  MR. ENGELMANN: --- Mr. Guzzo?

19                  MR. GUZZO: Yes.

20                  MR. ENGELMANN: And you had reported on some  
21           good news, and you had also reported on the fact that some  
22           videotapes had been destroyed, and that had been confirmed  
23           -- or, at least, that is what you had been told by  
24           Detective Inspector Hall?

25                  MR. GUZZO: That's correct.

1                   **MR. ENGELMANN:** You told us that you'd heard  
2 something else from your cabinet colleague ---

3                   **MR. GUZZO:** Correct.

4                   **MR. ENGELMANN:** --- Mr. Turnbull?

5                   And I believe you told us that C-39 had told  
6 you about the existence of at least one tape?

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

8                   **MR. ENGELMANN:** Now you had met with C-39 -  
9 ---

10                   **THE COMMISSIONER:** Have you ever seen this  
11 tape, sir? Like not necessarily the playing of it, but  
12 have you ever seen this cassette?

13                   **MR. GUZZO:** It's not a cassette. It's the  
14 old 8-millimetre ---

15                   **THE COMMISSIONER:** Oh, really.

16                   **MR. GUZZO:** Yes.

17                   **MR. ENGELMANN:** Oh, okay, sorry. All right.  
18 So did you see that?

19                   **MR. GUZZO:** I saw some of it, yes. Part of  
20 it.

21                   **MR. ENGELMANN:** Okay, just I'll go there ---

22                   **THE COMMISSIONER:** Okay.

23                   **MR. ENGELMANN:** --- if I can.

24                   Well, sir, you met with C-39, according to  
25 your notes, in March of 1998; I'm looking at ---

1 MR. GUZZO: Yes, I think that's ---

2 MR. ENGELMANN: Yeah.

3 MR. GUZZO: --- that's correct.

4 MR. ENGELMANN: And at that time you told us  
5 he was the second of the two individuals.

6 I'm looking at page -- it's a Roman numeral  
7 page; it's either a v, vi or vii. It starts with "March  
8 '98" at the top.

9 "Meet two victims in Ottawa. One  
10 hurting."

11 Then underneath that you said:

12 "One hurting but has details re Barque.

13 'Police laughed at me.' Civil suit?

14 Don't want money. Common report."

15 MR. GUZZO: M'hm.

16 MR. ENGELMANN: And you gave us C-39's name,  
17 at that point; correct?

18 MR. GUZZO: Correct.

19 MR. ENGELMANN: And would you have seen him  
20 more than once, sir? In other words, this is the first  
21 time you saw him?

22 MR. GUZZO: This is the first time I saw  
23 him; yes it is.

24 MR. ENGELMANN: And would you have seen him  
25 subsequent to this, as well?

1                   **MR. GUZZO:** Yes, I did.

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

3                   And do you know when it is that he would  
4                   have indicated to you that he had a tape?

5                   **MR. GUZZO:** I don't recall any discussion  
6                   with regard to tapes with this -- with this individual, at  
7                   the first meeting.

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

9                   So you would have met with him on another  
10                  occasion; is that fair?

11                  **MR. GUZZO:** He -- he showed up at my office  
12                  over a year later -- at my constituency office.

13                  **MR. ENGELMANN:** All right.

14                  And do you know how many years later, sir?

15                  **MR. GUZZO:** I know it was -- I believe May  
16                  of '99.

17                  **MR. ENGELMANN:** All right.

18                  Well, when is it you actually -- and he  
19                  showed you the tape?

20                  **THE COMMISSIONER:** Sorry. He's not saying  
21                  it's a tape now; he's saying it's an 8-millimetre film.

22                  **MR. GUZZO:** Sorry. Film.

23                  **THE COMMISSIONER:** Yeah, it might become  
24                  important at some point.

25                  **MR. ENGELMANN:** Yes.

1                   You said he showed you a film at some point  
2           in time?

3                   **MR. GUZZO:** He has a film with him.

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

5                   When would that have been?

6                   **MR. GUZZO:** That was -- that was in May of -  
7           - of '99.

8                   **MR. ENGELMANN:** The reason I'm asking you,  
9           sir, and I'm going to come to this letter a bit later;  
10          maybe we'll go there right now -- document number 701008.

11                  **THE COMMISSIONER:** Can you check on that?

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

13                  **THE COMMISSIONER:** Thank you.

14                  Exhibit number 1022 is the letter dated July  
15          25th, 2001, to Detective Inspector Pat Hall from Garry  
16          Guzzo.

17                  **MR. GUZZO:** Right.

18                  **MR. ENGELMANN:** One thousand and twelve  
19          (1012), sir?

20                  **THE COMMISSIONER:** Twenty-two (22).

21                  **MR. ENGELMANN:** Twenty-two (22)?

22                  **LE COMMISSAIRE:** Pardon.

23                  **THE REGISTRAR:** Ten-twelve (1012)

24                  **THE COMMISSIONER:** Ten-twenty -- you put ten  
25          twenty-two (1022).



1                   **THE REGISTRAR:** Oh, no. It's 1012.

2                   **THE COMMISSIONER:** Oh, ten twelve (1012).

3                   **MR. ENGELMANN:** I'm calling it out of order.

4                   I see where ---

5                   **THE COMMISSIONER:** Ten-twelve (1012) it is.

6                   --- **EXHIBIT NO./PIÈCE NO 1012:**

7                                   (701008) Letter from Garry Guzzo to  
8                                   Detective Inspector Hall dated July 25,  
9                                   2001

10                   **MR. ENGELMANN:** So this is a letter that you  
11                   write to Pat Hall?

12                   **MR. GUZZO:** Right.

13                   **MR. ENGELMANN:** And in it you're responding  
14                   to a letter that he writes to you?

15                   **MR. GUZZO:** I -- I am, yes.

16                   **MR. ENGELMANN:** And you say among other  
17                   things:

18                                   "I advise that I do not have copies of  
19                                   these films nor any films nor have I  
20                                   seen same but they've been described to  
21                                   me as commercially-purchased copies of  
22                                   films which were in the possession of  
23                                   the individual from whom some materials  
24                                   were taken some time ago."

25                   So I have a couple of questions.

1 I'm assuming you're referring to -- well,  
2 maybe we should have the letter from Detective Inspector  
3 Hall so we know for sure.

4 Just give me a moment.

5 (SHORT PAUSE/COURTE PAUSE)

6 MR. ENGELMANN: Document number 701019.  
7 It's a letter from Detective Inspector Hall to Mr. Guzzo,  
8 dated July 18th, 2001.

9 THE COMMISSIONER: Exhibit number 1013; it's  
10 the letter dated July 18th, 2001, addressed to Mr. Guzzo  
11 from Mr. Pat Hall.

12 --- EXHIBIT NO./PIÈCE NO 1013:

13 (701019) Letter from Detective  
14 Inspector Hall to Garry Guzzo dated  
15 July 18, 2001

16 MR. ENGELMANN: So what happens here, Mr.  
17 Guzzo, is Detective Inspector Hall is picking up on the  
18 transcript that we looked at in 1011, Exhibit number, and  
19 he's telling you at the end:

20 "We are interested in determining who  
21 has these movies or knowledge of these  
22 movies you refer and how we may be  
23 provided a copy in order to conclude  
24 our investigations."

25 And this is that same transcript where

1       you're saying, well, here's the good news, copies of some  
2       of these movies have been found.

3                       So we're in the summer of 2001 and -- so I  
4       just -- I just want to situate ourselves. When -- and you  
5       believe that sometime in 1999, C-39 would have shown you a  
6       copy of a film -- a film?

7                       **MR. GUZZO:** I think -- I think that the -- I  
8       have it in my mind that it's in the run-up to the election  
9       of '99.

10                      **MR. ENGELMANN:** All right.

11                      **MR. GUZZO:** At -- at a busy time when he --  
12       when he shows up with it. I think it's -- I think it's at  
13       that time.

14                      **MR. ENGELMANN:** All right. So tell us the  
15       circumstances when C-39 shows you that he has a film?

16                      **MR. GUZZO:** I'm in a meeting; we're having a  
17       large meeting at the constituency office starting around  
18       6:00 or 6:30. I'm going overtime with a meeting that's  
19       running past six o'clock. They're coming in to break this  
20       one up to go to this other meeting where a number of people  
21       are -- are coming in for a sandwich, lunch, at dinner time.

22                      And I come out and C-39 is sitting there and  
23       I said to whoever was running the office at that time,  
24       what's this about? And he said, "Well, he's been here for  
25       a while, but he didn't have an appointment and, you know, I

1 told him and ..." So I said, "Well, I'm going to give him  
2 five or ten -- bring him in", you know.

3 **MR. ENGELMANN:** Yeah?

4 **MR. GUZZO:** And he's got this film and he's  
5 got this projector type of thing that doesn't work properly  
6 and he wants to show me this film.

7 And he puts the thing together and it's  
8 taking a long period of time. He wants -- somebody comes  
9 to the door, he said, I want -- I want the door locked, you  
10 know, and I said fine, fine. And he gets it and he starts  
11 with this film and I -- I mean, I may have watched three or  
12 four minutes of it at most, but he wanted me to see it and  
13 I held the other things up to accommodate him.

14 And when, you know, I would have -- the  
15 letter of July 25, '01 ---

16 **MR. ENGELMANN:** Yes?

17 **MR. GUZZO:** --- I would have dictated that.  
18 I didn't sign it, but I would have dictated it. So I --  
19 you know, but it's -- it's not accurate. When I do not  
20 have copies, when I -- nor have I seen -- nor have I seen  
21 same. If I put that into the dictation then it's my  
22 mistake and -- but I -- my recollection is that the date in  
23 question was, you know, and I had -- I had seen a small  
24 clip from this -- from this film.

25 **MR. ENGELMANN:** All right. Do you know if

1 the film you saw -- do you have any way of knowing whether  
2 the film you saw was part of a collection that was  
3 destroyed, or allegedly destroyed, after it had been seized  
4 from -- I'm just trying to remember ---

5 MR. GUZZO: Well, the man identified himself  
6 in the film.

7 MR. ENGELMANN: Yes.

8 MR. GUZZO: In the film, and he said ---

9 MR. ENGELMANN: The man identified himself  
10 as being one of the people in the film?

11 MR. GUZZO: In the film.

12 MR. ENGELMANN: All right. And is there  
13 anybody else in the film?

14 MR. GUZZO: Yes, there was one other male  
15 person.

16 MR. ENGELMANN: Yes?

17 MR. GUZZO: And he -- he told me where he  
18 thought it had come from as far as he was concerned, and  
19 ---

20 MR. ENGELMANN: Well, had he -- had he --  
21 had he made the film, sir?

22 MR. GUZZO: No. No.

23 MR. ENGELMANN: All right. Did he tell you  
24 who had made the film?

25 MR. GUZZO: Yes, he did. He ---

1                   **MR. ENGELMANN:** Who did he say had made the  
2 film?

3                   **MR. GUZZO:** He identified the -- the person  
4 -- the other person in the -- in the film.

5                   **MR. ENGELMANN:** As?

6                   **MR. GUZZO:** And he identified ---

7                   **THE COMMISSIONER:** As ---

8                   **MR. GUZZO:** As -- does he have a moniker,  
9 Mr. ---

10                  **MR. ENGELMANN:** I don't know, take a look at  
11 the list.

12                  **MR. GUZZO:** No, Ken Seguin.

13                  **MR. ENGELMANN:** All right. And did you know  
14 -- well, did -- did you know Mr. Seguin?

15                  **MR. GUZZO:** Well, I had certainly heard the  
16 name by that time, but ---

17                  **MR. ENGELMANN:** Yes. You didn't know him  
18 personally?

19                  **MR. GUZZO:** I -- I don't recall. I don't  
20 recall having contact -- any contact with him in my days in  
21 the -- on the Bench.

22                  **MR. ENGELMANN:** All right.

23                  **THE COMMISSIONER:** So what -- what were they  
24 doing on the film?

25                  **MR. GUZZO:** They were engaged in a sex act.

1                   **THE COMMISSIONER:** Okay.

2                   **MR. ENGELMANN:** And -- so this fellow had a  
3 copy of the film?

4                   **MR. GUZZO:** He did.

5                   **MR. ENGELMANN:** He said it was taken by Mr.  
6 Seguin and who was the other person in the film?

7                   **MR. GUZZO:** He did.

8                   **MR. ENGELMANN:** And did he say how it was he  
9 came to be in possession of a copy of the film?

10                   **MR. GUZZO:** The description I have is that  
11 he and another chap were trying to get money from Mr.  
12 Seguin at some point in time when they were engaged in --  
13 in the -- the legal system. He had been, I think, a  
14 probation -- on probation under Seguin and they were trying  
15 to get money. And they received these films -- he thought  
16 -- he was of the opinion, but I don't know how he knew it,  
17 but it was his opinion that they had come from Malcolm  
18 MacDonald with a threat that they would become public  
19 documents if they didn't stop trying to shake down Ken  
20 Seguin. And he -- he was admitting that he had been trying  
21 to get money from Seguin at that time.

22                   **MR. ENGELMANN:** Is this a black and white  
23 film?

24                   **MR. GUZZO:** It is.

25                   **MR. ENGELMANN:** All right. And did he leave

1 a copy of that film with you, sir?

2 **MR. GUZZO:** No, he did not.

3 **MR. ENGELMANN:** Did you encourage this  
4 individual to provide the film to the police?

5 **MR. GUZZO:** I told him that he should make a  
6 copy, first and foremost, make a -- make a copy of it and  
7 take it to the police, and he resisted the suggestion of  
8 the Cornwall Police. And I told him that as long as he had  
9 a copy, you know, there wouldn't be any problem. And we  
10 then had a short discussion about Project Truth and -- and  
11 Detective Inspector Hall.

12 **MR. ENGELMANN:** Now, this same individual,  
13 when he saw you back in March of '98, he hadn't mentioned  
14 Mr. Seguin had he? He just mentioned Mr. Barque if I'm  
15 reading your notes correctly?

16 **MR. GUZZO:** I don't think he did. I don't  
17 think he did mention Seguin at that time, but I think there  
18 were -- he -- I don't -- I was -- I was surprised, I think,  
19 you know, when I saw -- when he said Seguin, you know.

20 I mean, there was nothing that I saw in the  
21 film that would allow me to say definitely that he was the  
22 person in it other than the fact he claimed to be and that  
23 the other person, you know, there were no identifiable --  
24 no pictures that -- that showed identification.

25 **MR. ENGELMANN:** Could you see either of the



1 faces of the ---

2 MR. GUZZO: No, I did not.

3 MR. ENGELMANN: --- two individuals?

4 MR. GUZZO: I did not.

5 MR. ENGELMANN: That wasn't evident from the  
6 film?

7 MR. GUZZO: Not the part I saw.

8 MR. ENGELMANN: But it was clear to you that  
9 there were two individuals -- two male individuals?

10 MR. GUZZO: Two male individuals.

11 MR. ENGELMANN: Engaged in a sexual act?

12 MR. GUZZO: Yes.

13 MR. ENGELMANN: And you mentioned something  
14 about there might have been someone else; did I hear that  
15 correctly?

16 MR. GUZZO: Well -- well, he told me at that  
17 time that there was another chap. They both had received  
18 copies of -- of films. I assumed, but I don't know that I  
19 questioned, was -- was he engaged in, you know, with -- and  
20 with Mr. Seguin.

21 MR. ENGELMANN: All right.

22 MR. GUZZO: But I don't know whether I -- I  
23 questioned that, but I just took the -- you know.

24 MR. ENGELMANN: And is that an individual  
25 that you ever met with, sir?

1 MR. GUZZO: No, I did not.

2 MR. ENGELMANN: Do you know, sir, if C-39  
3 was a member of a citizens' group?

4 MR. GUZZO: I believe he was. I believe he  
5 had originally been referred to me by somebody in that --  
6 in the citizen's group.

7 MR. ENGELMANN: Do you know if anybody else  
8 knew of the existence of this particular tape, sir?

9 MR. GUZZO: I can't say.

10 MR. ENGELMANN: Or film, I'm sorry.

11 MR. GUZZO: Yeah.

12 (SHORT PAUSE/COURTE PAUSE)

13 MR. ENGELMANN: All right. Sir, I mentioned  
14 earlier that as a result of threats that you made ---

15 THE COMMISSIONER: Threats?

16 MR. ENGELMANN: Threats to name names.

17 THE COMMISSIONER: Oh, okay.

18 MR. ENGELMANN: --- in the legislature and  
19 you told us that --- I don't know if it was in hindsight,  
20 but that that might have been a mistake on your part?

21 MR. GUZZO: Right. I said that and I  
22 believe it, yeah.

23 MR. ENGELMANN: And there was media coverage  
24 of that for a least a couple of weeks in the spring or late  
25 spring of 2001; correct?

1                   **MR. GUZZO:** Correct.

2                   **MR. ENGELMANN:** And, as well, you were  
3 served of a Notice of Libel?

4                   **MR. GUZZO:** I believe I was, yes.

5                   **MR. ENGELMANN:** Document 126168, please.

6                   **THE COMMISSIONER:** Exhibit 1014 is a Notice  
7 of Libel to Garry Guzzo from David W. Scott -- David  
8 Sherriff-Scott, a date of -- solicitors for Bishop  
9 LaRocque.

10                   **--- EXHIBIT NO./PIÈCE NO. P-1014:**

11   (126168) Garry Guzzo Notice of Libel

12                   **MR. ENGELMANN:** Sir, this is a document  
13 dated June 28<sup>th</sup>, 2001. I'm just looking at the last page.  
14 Do you recall when you would have been served with this?

15                   **MR. GUZZO:** I had the -- the session is  
16 over, I'm back in Ottawa, but it's -- I have -- in my mind  
17 it's late June or early July.

18                   **MR. ENGELMANN:** Sir, are you sure that this  
19 happened in Ottawa? Might you have been served at the  
20 legislative building in the province of Ontario, in  
21 Toronto?

22                   **MR. GUZZO:** I might have. I remember being  
23 served one in late June or early July of one year. I don't  
24 mean to suggest I had that many, but I -- it's possible  
25 that I was served with this one in the legislative

1 building, yes.

2 **MR. ENGELMANN:** All right. And there's  
3 --- I don't want to go into it in any detail, but pages 12  
4 and 13, in citing a couple of articles from newspapers, on  
5 page 12 under paragraph 13 there's a reference to a portion  
6 of an article that says:

7 "Guzzo said he's upset, that his  
8 questions and LaRocque's name  
9 were leaked to the media saying  
10 it 'underlines... efforts to  
11 avoid having an inquiry'."

12 Do you see that? It's on the screen; the  
13 indented paragraph?

14 **MR. GUZZO:** Yes.

15 **MR. ENGELMANN:** And on the following page,  
16 same date, May 29<sup>th</sup> edition, this time The National Post,  
17 second paragraph:

18 "CBC Radio yesterday named the senior  
19 religious figure in Cornwall as one of  
20 four people who've been investigated by  
21 police during their inquiry into the  
22 sexual abuse of minors in the eastern  
23 Ontario town.

24 And then the final paragraph:

25 "The name was leaked to the press and

1                   it was done for a purpose, said Mr.  
2                   Guzzo. I don't know who else..."

3                   And then it says:

4                   " ...other than his Tory colleagues had  
5                   the material."

6                   So I think you told us about this earlier,  
7                   that after a discussion in caucus where you talked about  
8                   this, someone leaked the name of one of these four  
9                   individuals?

10                  **MR. GUZZO:** Correct.

11                  **MR. ENGELMANN:** And that was the name of  
12                  Eugene LaRocque?

13                  **MR. GUZZO:** It was.

14                  **MR. ENGELMANN:** And you did not do that,  
15                  sir?

16                  **MR. GUZZO:** I definitely did not.

17                  **MR. ENGELMANN:** Did -- was there ever any  
18                  kind of action taken against you, sir? Other than the  
19                  issuance of this notice?

20                  **MR. GUZZO:** I don't believe so.

21                  **MR. ENGELMANN:** Now, you wrote to the new  
22                  Attorney General at or about this time, that was David  
23                  Young, on June 28<sup>th</sup>, 2001?

24                  **MR. GUZZO:** Right.

25                  **MR. ENGELMANN:** If we could look at document

1 125041.

2 THE COMMISSIONER: Exhibit 1015 is a letter  
3 dated June 28<sup>th</sup>, 2001, addressed to the Honourable David  
4 Young from Garry Guzzo.

5 --- EXHIBIT NO./PIÈCE NO. P-1015:

6 (125041) Letter fr Garry Guzzo to Hon.  
7 David Young dated 28 Jun 01

8 MR. ENGELMANN: Sir, you recall writing this  
9 letter?

10 MR. GUZZO: I do.

11 MR. ENGELMANN: And it appears you cover at  
12 least a couple of issues in this letter; one is this issue  
13 of the leak of the name. I'm looking at the front page;  
14 you're talking about the caucus; and then towards the  
15 bottom:

16 "If I'm named in legal proceedings I'll  
17 be obliged to claim over(sic) versus  
18 the Caucus Chair. I believe the Caucus  
19 Chair when he states that he's  
20 satisfied that the leak did not come  
21 through his office."

22 So you're referring to the leak of -- of  
23 Father LaRocque's name?

24 MR. GUZZO: Yes, I think it was the only one  
25 that was leaked.

1                   **MR. ENGELMANN:** Right. So that issue is  
2 covered in this letter?

3                   **MR. GUZZO:** Yes.

4                   **MR. ENGELMANN:** And then on the second page,  
5 first paragraph, you're discussing this issue that you  
6 brought up earlier about the advice you had from Detective  
7 Inspector Hall about the destruction of films. And then a  
8 discussion that you had with the Solicitor General, the  
9 Caucus Chair ---

10                   **MR. GUZZO:** Yes.

11                   **MR. ENGELMANN:** --- concerning that same  
12 issue?

13                   **MR. GUZZO:** It looks that way.

14                   **MR. ENGELMANN:** All right. And, again,  
15 that's -- you're getting different -- different versions  
16 about whether these tapes or films have been destroyed?

17                   **MR. GUZZO:** Yes, I am.

18                   **MR. ENGELMANN:** And did you receive -- I  
19 understand, sir, you received a response to this letter the  
20 following day, June 29<sup>th</sup>. If the witness could be shown  
21 732754.

22                   **THE COMMISSIONER:** Exhibit 1016 ---

23                   **MR. GUZZO:** Thank you.

24                   **THE COMMISSIONER:** --- is a letter dated  
25 June 29<sup>th</sup>, 2001, addressed to Mr. Garry Guzzo from David

1 Young.

2 --- EXHIBIT NO./PIÈCE NO. P-1016:

3 (732754) Letter from Hon. David Young  
4 to Garry Guzzo dated 29 Jun 01

5 MR. ENGELMANN: So it appears, I'm looking  
6 at the middle paragraph, that the OPP was contacted and  
7 informed of the matter to which you refer so they could  
8 make appropriate inquiries?

9 MR. GUZZO: Right.

10 MR. ENGELMANN: "And in order to do this  
11 the OPP have requested that we  
12 provide to them a copy of your letter  
13 of June 28<sup>th</sup> and the attachments to  
14 that letter."

15 MR. GUZZO: Right.

16 MR. ENGELMANN: And he asks your permission  
17 to do that?

18 MR. GUZZO: Right.

19 MR. ENGELMANN: And what do we see in  
20 handwriting?

21 MR. GUZZO: I confirm agreement to forward  
22 material of 26 -- or 0628012, I think it's ---

23 THE COMMISSIONER: The OPP.

24 MR. GUZZO: OPP, yes, and somebody has  
25 initialled it for me.



1                   **MR. ENGELMANN:** All right. And then after  
2 that you get the correspondence we just looked at a minute  
3 ago, Exhibit 1013, the letter of July 18<sup>th</sup> from Detective  
4 Inspector Hall.

5                   Is that correct?

6                   **MR. GUZZO:** Yes, that's correct.

7                   **MR. ENGELMANN:** And then you write to  
8 him ---

9                   **THE COMMISSIONER:** Oh, wait a minute? Wait  
10 a minute -- oh, yes, okay, got it. Got it.

11                   **MR. ENGELMANN:** And then you write to him on  
12 July 25<sup>th</sup> and we've looked at that, that's Exhibit 1012?

13                   **MR. GUZZO:** Yes.

14                   **MR. ENGELMANN:** Correct?

15                   **MR. GUZZO:** Right.

16                   **MR. ENGELMANN:** All right. Now, sir, I  
17 understand that also that summer you took part in an  
18 interview on Canada AM with an OPP Superintendent by the  
19 name of Miller?

20                   **MR. GUZZO:** Yes.

21                   **MR. ENGELMANN:** Do you remember that?

22                   **MR. GUZZO:** I do.

23                   **MR. ENGELMANN:** If the witness could be  
24 shown exhibit -- sorry, Document Number 125437.

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

1 Number 1017 is a Bowdens Media Monitoring Limited -- and  
2 it's, I guess, the written transcript of the Canada AM  
3 program of August 24<sup>th</sup>, 2001.

4 --- EXHIBIT NO./PIÈCE NO. P-1017:

5 (125437) Transcript Interview between  
6 Jeff Hutcheson, Jim Miller, Garry Guzzo  
7 on Canada AM dated 24 Aug 01

8 MR. ENGELMANN: Mr. Guzzo, I believe this is  
9 a transcript of the -- of the interview that you and  
10 Superintendent Miller had on Canada AM?

11 MR. GUZZO: I believe it is, yes.

12 MR. ENGELMANN: I don't know if you seen  
13 this, sir? Have you had a chance to look at it?

14 MR. GUZZO: Not recently, but ---

15 MR. ENGELMANN: All right. On the third  
16 page in, there appear to be three questions that you're  
17 asking Inspector Miller to answer?

18 MR. GUZZO: Yes.

19 MR. ENGELMANN: The first being:

20 "How did the OPP miss those 115 charges  
21 in '94?"

22 MR. GUZZO: Correct.

23 MR. ENGELMANN: And I guess as part of that:

24 "How did the Cornwall Police miss them  
25 in '93".

1 -- et cetera.

2 The second question is concerning what  
3 you've talked about being a 67-week delay about service in  
4 documents?

5 **MR. GUZZO:** Correct.

6 **MR. ENGELMANN:** And the third point is  
7 destruction of evidence?

8 **MR. GUZZO:** Yes.

9 **MR. ENGELMANN:** Now, you say here:

10 "Films that were illegally seized and  
11 were not returned to their owners."

12 What knowledge did you have at this point as  
13 to how these were seized and why are you saying illegal?  
14 What do you know about this?

15 **MR. GUZZO:** Well, I'm going from -- from my  
16 discussion with Pat Hall and -- Detective Inspector Hall --  
17 when discussed them. We discussed where they were taken --  
18 where they were found. I suggested that there was no  
19 warrant to seize films and I think he concurred with that.

20 I also think that they were -- at least, I  
21 was of the opinion that the warrant was for another home.  
22 I had been told that and I asked him and that the documents  
23 -- the films were found in an adjacent home or a  
24 neighbouring home and I ---

25 **MR. ENGELMANN:** Did you ask him to see a

1 warrant or ---

2 MR. GUZZO: No, I did not.

3 MR. ENGELMANN: You never looked at the  
4 paperwork?

5 MR. GUZZO: I never did -- we were -- we  
6 were kicking the issue around and I had concluded that  
7 there was no warrant for films. And I -- I think he  
8 concurred with that.

9 MR. ENGELMANN: Does that necessarily being  
10 the search is illegal -- or the seizure, I mean? Maybe --  
11 forget the question. I'll move on.

12 THE COMMISSIONER: It's a legal question we  
13 can debate later.

14 MR. ENGELMANN: I shouldn't be asking legal  
15 questions.

16 MR. GUZZO: Yeah.

17 THE COMMISSIONER: Nor illegal ones.

18 MR. ENGELMANN: Sorry?

19 THE COMMISSIONER: I think you should stick  
20 to legal ones, not illegal ones.

21 (LAUGHTER/RIRES)

22 MR. ENGELMANN: Yes, well, I will refrain  
23 from asking questions that require a legal opinion.

24 THE COMMISSIONER: There you go.

25 MR. ENGELMANN: Sir, there's some

1 handwritten notes on the fourth page of this transcript.

2 Are those yours?

3 **MR. GUZZO:** I think they are.

4 **MR. ENGELMANN:** And what are you saying  
5 there?

6 **MR. GUZZO:** I have a question:

7 "What about the destruction of  
8 evidence?"

9 **MR. ENGELMANN:** And what's your point? What  
10 are you ---

11 **MR. GUZZO:** Well, I guess I'm still on  
12 the -- on the film issue.

13 **MR. ENGELMANN:** Okay. Now, at or about this  
14 time, I understand other things were going on that were  
15 somewhat related and I'm looking, sir, back to your notes  
16 and, in particular, page 6 of C-848C, the yellow copy.

17 I'm just going to ask you to read the  
18 reference under July '01 and summer of '01, and as you do,  
19 explain to us what this has to do Cornwall and abuse  
20 allegations?

21 **MR. GUZZO:** Well, I start out feeling that  
22 and accepting the explanation that the Cornwall Police have  
23 investigated themselves. The Ottawa Police have done an  
24 investigation of the situation and then the OPP came in and  
25 did a nine-month -- or seven-month investigation,

1 culminating with the press release on December 24<sup>th</sup> and  
2 nothing was found wrong. And everything was copacetic.

3 And I may -- I don't know whether there was  
4 some pressure about that in the summer of '01, but for the  
5 first time, I believe at that time, I'm -- I remember the  
6 evening quite well. I'm coming from some kind of a charity  
7 auction or something or maybe a golf tournament or  
8 something for charity.

9 I remember a couple of the people I'm with  
10 and there were some police officers at this golf tournament  
11 and we decided we're going to go and have a beer on the way  
12 home. There are a couple of former municipal politicians  
13 with me who know the police officers who are in the -- I  
14 think it was a golf tournament -- and the foursome that  
15 they had. And it's suggested that we go to the Police Mess  
16 on Argyle Avenue in Ottawa and have a nightcap.

17 **MR. ENGELMANN:** This is the City of Ottawa?

18 **MR. GUZZO:** Police force Mess.

19 **MR. ENGELMANN:** The Police force, yes?

20 **MR. GUZZO:** And we end up there.

21 **MR. ENGELMANN:** All right.

22 **MR. GUZZO:** And somebody in that group, or  
23 who was there having a beer at the end of the shift or  
24 whatever, says to me and tells me that, "You know, the  
25 Ottawa Force did not whitewash the Cornwall Police Force.

1           You're wrong when you make that statement. You should get  
2           your hands on the report."

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

4                       **MR. GUZZO:** And as to who that officer was,  
5           I cannot recall. I think it was somebody who was already  
6           there and not somebody who was at the golf tournament, but  
7           I -- my ears perk up and I -- I phone the Police Commission  
8           and I phone, I think, a former Chief of Detectives at that  
9           time. And I start banging on the door to try and get a  
10          copy of the report. I want to get my hands on it. And I  
11          don't get any -- I don't get any help. I'm not going to  
12          get it. I mean, it's clear, I've got some good contacts in  
13          there and I'm not getting a copy of this report.

14                      But I am told by a couple of senior police  
15          officers, either recently retired or still on the force,  
16          that, you know, "Yeah, you're wrong. We did not whitewash  
17          that. We didn't do an investigation."

18                      **MR. ENGELMANN:** All right. And I think you  
19          gave us some of those names earlier. It may have been in  
20          an in camera session, but told us that a number of officers  
21          indicated that to you from the City of Ottawa Police force.

22                      **MR. GUZZO:** Over the last seven years, many.

23                      **MR. ENGELMANN:** All right. What else do we  
24          see in the note under "Summer of '01"?

25                      **MR. GUZZO:** Fundraiser, golf tournaments for

1 the party, Leslie Noble wins a long-driving award. Senior  
2 OPP officers are guests. I think they have a four-some at  
3 this tournament each year.

4 And the union has a -- they're at  
5 everything. They -- they I guess it's part of their job to  
6 show up at these things, but there are a couple of other --  
7 there's another ---

8 **MR. ENGELMANN:** What does that say?

9 **MR. GUZZO:** "Couple." It says:

10 "Senior OPP officers guests. Union has  
11 LN..."

12 I think that's Leslie Noble:

13 "...on retainer. There will never be  
14 an inquiry. You are ruining your  
15 career and your health. Wake up."

16 **MR. ENGELMANN:** So who's telling you that?

17 **MR. GUZZO:** An OPP officer by the name of --  
18 oh, golly -- he's Italian; he's from Ottawa; he's from the  
19 heart of the Italian community. I didn't know him; I'd  
20 never met him but he knows and grew up with some of my  
21 family, some of my uncles, and he is -- he is -- he has  
22 some knowledge of what has been going on.

23 I think -- I had seen him before, but I had  
24 never spoken with him and he was a substitute on the  
25 security detail for the Premier, the group that provided



1 the security detail for the Premier in public. He had -- I  
2 had seen him one or two occasions there, but he wasn't in  
3 the -- he wasn't a familiar person who was there every  
4 time.

5 **MR. ENGELMANN:** His name's not coming to you  
6 right now?

7 **MR. GUZZO:** No, it isn't.

8 **MR. ENGELMANN:** All right. Who's Leslie  
9 Noble?

10 **MR. GUZZO:** Leslie Noble is a ---

11 **MR. ENGELMANN:** Is that man or a woman?

12 **MR. GUZZO:** That's a lady who is -- she was  
13 one of the original people in assisting Mr. Harris to do  
14 the Common Sense Revolution. She had a public events  
15 company, a PR company.

16 **MR. ENGELMANN:** All right.

17 **MR. GUZZO:** And she, over the years of our  
18 government, did extremely well for her clients and they  
19 still, quite frankly, they're still doing -- or one of her  
20 senior executives in this company now is the former second-  
21 in-command in the office of the present Premier, the  
22 Liberal Premier, and she's still doing very well for her  
23 clients.

24 **MR. ENGELMANN:** All right. So you're being  
25 told by other sources now that there's not going to be an

1 inquiry, but you're being told that by your own caucus and-  
2 or Cabinet as well?

3 MR. GUZZO: Yes.

4 MR. ENGELMANN: Let's just turn the page, if  
5 we can, and quickly look at what you've written here. This  
6 is October, 2001. I think you say "October", if I'm  
7 correct, on the left?

8 What do you have written here?

9 MR. GUZZO: I said I raised the issue of the  
10 August 24<sup>th</sup> T.V. interview with Detective Inspector Jim  
11 Miller and the August 28<sup>th</sup> press story of Canadian Press, I  
12 think "CP" would stand for. I'm asking:

13 "What other investigation? No warrant  
14 for the movies."

15 MR. ENGELMANN: Is this because you're being  
16 told that the tapes were seized from a different  
17 investigation?

18 MR. GUZZO: Well, yeah, in that transcript -  
19 --

20 MR. ENGELMANN: Yeah.

21 MR. GUZZO: You will see Detective Inspector  
22 Miller says to me -- I think I should quote it if I have  
23 it. I believe this is the one where we deal with -- I  
24 think it's the only time, so.

25 He says that:

1                    "The tapes in question did not relate  
2                    to Project Truth; that they were  
3                    related to another and totally  
4                    independent investigation taking place  
5                    in Cornwall at the time."

6                    And I raised the issue with the Solicitor  
7                    General. I want to know if he can tell me what the name of  
8                    that investigation was; how it seemed to involve two people  
9                    who were connected to the Project Truth situation and ---

10                   **MR. ENGELMANN:** So these are -- are these  
11                    notes to yourself what is going on?

12                   **MR. GUZZO:** Yeah.

13                   **MR. ENGELMANN:** What other -- is that  
14                    "surveillance" or ---

15                   **MR. GUZZO:** "What other investigation."

16                   **MR. ENGELMANN:** "What other investigations"?  
17                    Okay.

18                   **MR. GUZZO:** I make it, "No warrant for the  
19                    movies". And then I have:

20                                    "No warrant for RL's house."  
21                    I think that's the home in which they were seized.

22                   **MR. ENGELMANN:** Ron Leroux?

23                   **MR. GUZZO:** I think so. I think that's the  
24                    home in which they were seized and I'm -- I think I have a  
25                    -- Detective Inspector Hall has said to me that I was

1 right, that they had a warrant for Mr. Seguin's home, not  
2 for the home next door or across the street or wherever Mr.  
3 Leroux lived.

4 **MR. ENGELMANN:** Again, you didn't see the  
5 warrant that the OPP had?

6 **MR. GUZZO:** I don't think -- I don't think I  
7 ever saw the warrant, no.

8 **MR. ENGELMANN:** So these notes are sort of  
9 notes to yourself what is going on, et cetera?

10 **MR. GUZZO:** Right.

11 **MR. ENGELMANN:** What do you say here? Pat  
12 Hall?

13 **MR. GUZZO:** Yeah, I'm asking him a question:  
14 "What other investigation? Pat Hall  
15 did not know in December '01 either."

16 **MR. ENGELMANN:** This is you tired of being  
17 lied to?

18 **MR. GUZZO:** Right.

19 **MR. ENGELMANN:** All right. Now, in or  
20 around October of 2001, you write a letter to Shelley  
21 Hallett, I believe?

22 **MR. GUZZO:** Right.

23 **MR. ENGELMANN:** That is Document  
24 Number 125540 and the caption is "Leduc Trial".

25 **THE COMMISSIONER:** Thank you. Exhibit 1018

1 is a letter to Ms. Shelley Hallett from Garry Guzzo, dated  
2 October 17<sup>th</sup>, 2001.

3 --- EXHIBIT NO./PIÈCE NO 1018:

4 (125540) Letter fr Garry Guzzo to  
5 Shelley Hallett dated 17 Oct 01

6 (SHORT PAUSE/COURTE PAUSE)

7 MR. ENGELMANN: Sorry, 1017?

8 THE COMMISSIONER: One-eight (1-8).

9 MR. ENGELMANN: One-eight (1-8).

10 Mr. Guzzo, have you looked at the letter?

11 MR. GUZZO: I have.

12 MR. ENGELMANN: And you told us earlier that  
13 you didn't make a point of contacting police officers; you  
14 didn't want to interfere with what they were doing ---

15 MR. GUZZO: Yes.

16 MR. ENGELMANN: --- as I recall. And you  
17 responded if they responded to you.

18 Why are you writing to Shelley Hallett? I  
19 mean, isn't she prosecuting a case?

20 And I'm just wondering by the same logic,  
21 should you be writing to someone who's prosecuting a case?

22 MR. GUZZO: No, I -- I should take the same  
23 precaution but, quite frankly, if I wanted to know from her  
24 the answer to the question, I'd pick up the phone and --  
25 and call her and see if she'd tell me.

1                   But I -- I want to put it out and I -- I  
2                   feel comfortable she is going to do exactly what she did;  
3                   she sent it to her senior person.

4                   **MR. ENGELMANN:** Now, she was copied on some  
5                   other correspondence between you and Detective Inspector  
6                   Hall that we've had looked at?

7                   **MR. GUZZO:** Yes, that's right.

8                   **MR. ENGELMANN:** Did he explain to you or was  
9                   it explained to you what her role was?

10                  **MR. GUZZO:** Well, I guess -- no, I think  
11                  when he was trying to set up the meeting, that's when he  
12                  copied her and that's why I copied her on the reply, only  
13                  because she had been copied on the original one, and I  
14                  think he was just trying to keep her in the loop and keep  
15                  the information.

16                  But, you know, when I send this, I don't  
17                  expect a reply; I expect exactly what happened. She --  
18                  she's going to send it on to whomsoever and -- and I'm  
19                  going to get the uniform, standard, reply.

20                  **MR. ENGELMANN:** What are you seeking to  
21                  obtain? What kind of information were you seeking here by  
22                  way of this letter?

23                  **MR. GUZZO:** There's -- Justice McKinnon has  
24                  recused himself on this trial and I just think I'd like to  
25                  know if the -- if the issue was in front of the -- before

1           they got started, you know, as opposed to coming up when,  
2           as I recollect, it was Mr. Nadeau who occasioned the  
3           incident that caused Justice McKinnon to recuse himself.

4                   **MR. ENGELMANN:** So you wanted to know if  
5           there was any evidence of Mr. Dunlop's involvement right  
6           from the get-go in the trial?

7                   **MR. GUZZO:** Well, you know, I'm not really  
8           concerned about Mr. Dunlop's -- you know. I guess what  
9           happens is you've got too much time on your hands and you  
10          get thinking and I'm -- I'm wanting to see how this is  
11          going to play out. How -- how is she going to play it? I  
12          know what she's going to do, at least I'm -- feel  
13          reasonably certain. She's going to send the letter to --  
14          to her -- to the deputy minister and I'm going to get a  
15          note from -- from Mr. Young who was then the -- but I  
16          don't. It comes a different way. I get a letter back from  
17          -- from a Crown Attorney in Ottawa.

18                   **MR. ENGELMANN:** All right. But I'm -- I'm  
19          just trying to understand what you're seeking. You're  
20          seeking to know whether or not Mr. Dunlop's name appeared  
21          in questions that were put to perspective jurors at the  
22          beginning of the trial?

23                   **MR. GUZZO:** Right.

24                   **MR. ENGELMANN:** And the reason for seeking  
25          that information?

1                   **MR. GUZZO:** Well, surely if his name had  
2                   come up, Mr. MacKinnon would have recused himself  
3                   -- Justice MacKinnon would have recused himself right at  
4                   that point.

5                   **MR. ENGELMANN:** Oh, I see. As opposed to --  
6                   -

7                   **MR. GUZZO:** As opposed to six weeks into the  
8                   trial or four weeks into the trial.

9                   **MR. ENGELMANN:** All right. All right.  
10                   And did you, in fact, get a response to that  
11                   letter, sir?

12                   **MR. GUZZO:** I think I got a response from  
13                   Ms. Hallett saying I've sent it on to my deputy minister or  
14                   -- and then I got a response from the senior Crown in  
15                   Eastern Ontario.

16                   **MR. ENGELMANN:** All right. So document  
17                   125539. It's a letter from Shelley Hallett to Gary Guzzo  
18                   that same day, October 17, 2001.

19                   **MR. GUZZO:** Make note of it, you know,  
20                   that's a good point, the same day. Now, check and see how  
21                   long it takes my Minister -- the Minister to get back to me  
22                   when I'm sitting in the same office -- sitting in the same  
23                   room with him four days a week.

24                   **THE COMMISSIONER:** Exhibit 1019, Mr.  
25                   Engelmann.



1                   **MR. ENGELMANN:** Yes.

2                   **THE COMMISSIONER:** October 17, 2001, a  
3 letter to Mr. Garry Guzzo from Shelley Hallett.

4                   **--- EXHIBIT NO./PIÉCE NO. P-1019:**

5                                   (125539) Letter fr Shelley Hallett to  
6                                   Garry Guzzo dated 17 Oct 01

7                   **MR. ENGELMANN:** And I guess just as you're  
8 expecting, she's forwarded it to an appropriate person in  
9 the Ministry for response?

10                   **MR. GUZZO:** Right.

11                   **MR. ENGELMANN:** If the witness could be  
12 shown Document Number 125538. It's a letter from James M.  
13 Stewart, Q.C., Regional Director, Crown Operations East, to  
14 the Honourable Mr. Garry Guzzo, October 31, 2001.

15                   **THE COMMISSIONER:** So that will be Exhibit  
16 Number 1020.

17                   **--- EXHIBIT NO./PIÉCE NO. P-1020:**

18                                   (125538) Letter fr James Stewart to  
19                                   Garry Guzzo dated 31 Oct 01

20                   **MR. GUZZO:** Right.

21                   **MR. ENGELMANN:** That's the response you  
22 would have received, Mr. Guzzo?

23                   **MR. GUZZO:** Yes, this comes -- two weeks  
24 later I receive this response.

25                   **MR. ENGELMANN:** All right. And you don't

1 get an answer to your inquiry other than the matter's  
2 before the courts?

3 **MR. GUZZO:** Right.

4 **MR. ENGELMANN:** Sir, if I could then have  
5 you look at Document Number 125535.

6 **THE COMMISSIONER:** Thank you. Exhibit 1021  
7 is a letter dated November 29, 2001, addressed to Mr. Garry  
8 Guzzo from David Young.

9 **--- EXHIBIT NO./PIÉCE NO. P-1021:**

10 (125535) Letter fr Hon. David Young to  
11 Garry Guzzo dated 29 Nov 01

12 **MR. ENGELMANN:** And this is now then the  
13 Attorney General writing to you about this?

14 **MR. GUZZO:** This is it, November 29th --  
15 November 29th, a month after Mr. Stewart's letter and six  
16 weeks after Ms. Hallett got back to me on the same day.

17 **MR. ENGELMANN:** All right. And again, he's  
18 telling you that they've taken care of it, but if you have  
19 anything else, you can ask him?

20 **MR. GUZZO:** I think what he's saying is, as  
21 an MPP you should be coming through the Minister not  
22 writing to a staffer, a member of the staff. I think  
23 that's the -- the message I'm reading in that because I  
24 sent him over a note, I recall, I guess it's a handwritten  
25 note in the legislature, telling him I have contacted him

1 directly and I'm tired of not getting any answers.

2 **MR. ENGELMANN:** All right. Now, I  
3 understand that in or around October of 2001, Bill 48 is --  
4 passed the second reading?

5 **MR. GUZZO:** It does.

6 **MR. ENGELMANN:** And you had written to  
7 members of the Provincial Parliament shortly beforehand  
8 setting out some of -- setting out your case in support of  
9 the Bill?

10 **MR. GUZZO:** Right.

11 **MR. ENGELMANN:** And that was done on October  
12 18, 2001?

13 **MR. GUZZO:** Correct.

14 **MR. ENGELMANN:** And, sir, if the witness  
15 could be shown Document Number 125434. It's a cross  
16 document. And, Madam Clerk, there are attachments to that  
17 at 125435.

18 And just before it's marked, sir, I just --  
19 I wouldn't mind if Mr. Guzzo took a look at the whole  
20 package to let us know whether they were sent together and,  
21 if so, perhaps it could be marked as one exhibit.

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

23 **MR. GUZZO:** Thank you.

24 **THE COMMISSIONER:** So the question, sir, is,  
25 is the letter that you sent on October 18<sup>th</sup>, 2001, on the

1 Private Members' Bill on October 25, 2001, and the  
2 collection of documents, starting with Legislative Library  
3 heading "Justice,". Did you send that out as one package?

4 **MR. GUZZO:** I believe it did. It's -- in my  
5 file it's -- they're connected and I believe I did.

6 **THE COMMISSIONER:** All right. So Exhibit  
7 1022 will be the -- exactly that -- memo dated October 18<sup>th</sup>,  
8 2001, from Garry Guzzo re. The Private Members' Business,  
9 October 25, 2001, and the documents attached which are  
10 newspaper clippings.

11 **--- EXHIBIT NO./PIÉCE NO. P-1022:**

12 (125434 125435) Letter fr Garry Guzzo  
13 to Members of the House dated 18 Oct  
14 01; Newspaper clippings

15 **MR. ENGELMANN:** So, sir, in seeking support  
16 from members of the House, you included a number of  
17 newspaper articles, columns and editorials dealing with  
18 allegations of abuse from Cornwall and investigations of  
19 same?

20 **MR. GUZZO:** The newspaper articles of  
21 importance are the editorials in the Toronto and Ottawa  
22 papers -- I don't see one from the Cornwall paper -- but  
23 the Toronto and Ottawa papers supporting the position for  
24 an inquiry.

25 **MR. ENGELMANN:** And you -- you were

1 successful at least at that stage?

2 **MR. GUZZO:** Yes, it passed second passed  
3 second reading, not without some difficulty. The -- it was  
4 again opposed by the Premier in caucus and the Cabinet was  
5 whipped to come in and vote against it, I think. On this  
6 occasion, I think the vote was -- I think 56 to 20 or  
7 something like that.

8 **MR. ENGELMANN:** Mr. Guzzo, shortly  
9 thereafter, November 1st, I believe you wrote a letter to  
10 Mr. Murray Segal? I'd like you to look at Document Number  
11 125534.

12 **THE COMMISSIONER:** Exhibit 1023 is a letter  
13 dated November 1<sup>st</sup>, 2001, to Mr. Murray Segal from Garry  
14 Guzzo.

15 **---EXHIBIT NO./PIÈCE NO P-1023:**

16 (125534) Letter from Garry Guzzo to  
17 Murray Segal dated 01 Nov 01

18 **MR. GUZZO:** Yes, I'm familiar with this  
19 letter.

20 **MR. ENGELMANN:** Okay. And, sir, you  
21 enclosed Exhibit 985, your letter of April 3<sup>rd</sup> to Ron  
22 McLaughlin, with this letter?

23 **MR. GUZZO:** I did.

24 **MR. ENGELMANN:** And it referred to as we  
25 know at pages 5 and 6, your recollection of a call that

1           you'd had with Mr. Segal?

2                       **MR. GUZZO:** Correct.

3                       **MR. ENGELMANN:** Why are you writing to him  
4 now? This is, like, two-and-half years later in the fall  
5 of 2001. Why is it that you're writing Mr. Segal at this  
6 point-in-time?

7                       **MR. GUZZO:** Well, something has come up at -  
8 - at caucus; we're in discussion. I'm saying to --  
9 something -- something is said about, I guess, Mr. -- my  
10 conversation with Mr. Segal and some of the matters  
11 pertaining to the letter that I have distributed a number  
12 of times. Each time I've had a Bill, I've distributed that  
13 letter of April 3<sup>rd</sup>, '99.

14                      And I make the comment, I believe, that Mr.  
15 Segal concurs, and Mr. Young is the Attorney General at the  
16 time and for the first time -- for the first time in -- you  
17 know, I get some resistance and he makes the comment that,  
18 well, Mr. Segal doesn't agree with the contents of your  
19 letter.

20                      **MR. ENGELMANN:** Is this what you're talking  
21 about at the bottom paragraph of Exhibit 1023?

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

23                      **MR. ENGELMANN:** It says:

24                                      "The Attorney General, Mr. Young,  
25                                      stated you have concerns with regard to

1 the accuracy of what is reported in  
2 this letter as it relates to the  
3 aforementioned telephone conversation."

4 **MR. GUZZO:** Yes.

5 **MR. ENGELMANN:** You say:

6 "I find it most disturbing to learn of  
7 these concerns two-and-half years after  
8 the letter was written and copies were  
9 forwarded to the Minister."

10 -- et cetera?

11 **MR. GUZZO:** Numerous ministers had  
12 represented him and I had raised it with -- with each of  
13 them.

14 **MR. ENGELMANN:** All right. So the material  
15 would have been sent out in support of previous votes on  
16 the Bill, et cetera?

17 **MR. GUZZO:** And to all members of the House,  
18 but other -- the letter also would have been sent from  
19 time-to-time to the -- initially, to the AG and the  
20 Solicitor General. And I make it a point of talking to Mr.  
21 Harnick and to Mr. Runciman and later to Mr. Flaherty and  
22 Mr. Tsubouchi, with regard to the police officer.

23 And I'm driving it home that this is the  
24 situation. Nobody questions it. Nobody questions it and  
25 everybody seems to be accepting of it, and I remember a

1 discussion with Mr. Flaherty saying, "Have you also  
2 discussed this with Mr. Segal?" and Jim says, "Yes, I have  
3 -- concur, you know".

4 Now, two-and-a-half years later I get a shot  
5 in caucus saying well, they don't agree with it. This guy  
6 doesn't agree with it. So I sit down and write this  
7 letter.

8 **MR. ENGELMANN:** All right. And you've asked  
9 for a response by November 8<sup>th</sup>?

10 **MR. GUZZO:** I did, yes.

11 **MR. ENGELMANN:** And do you in fact get one,  
12 sir?

13 **MR. GUZZO:** I believe I did, yes.

14 **MR. ENGELMANN:** All right. Document Number  
15 125533.

16 **THE COMMISSIONER:** Thank you. Exhibit 1024  
17 is a facsimile transmission sheet to Garry Guzzo from  
18 Murray Segal and the letter at the back dated November 7<sup>th</sup>,  
19 2001.

20 --- **EXHIBIT NO./PIÈCE NO. P-1024:**

21 (125533) Letter from Murray Segal to  
22 Garry Guzzo dated 07 Nov 01

23 **MR. ENGELMANN:** So it's fair to say that Mr.  
24 Segal essentially says that his interpretation of the  
25 conversation is different than yours and he wants to agree



1 to disagree?

2 **MR. GUZZO:** Yes, but in my -- the last  
3 paragraph of my letter to him, I say get back to me by  
4 November 8<sup>th</sup>. And I'm telling him that if:

5 " ...respectfully undertake to correct  
6 any misinformation which I have  
7 distributed after reviewing same and  
8 comparing your written statement with  
9 the documentation I have on file."

10 So if I'm wrong, tell me where I'm wrong and  
11 I'm going to correct it. And he sends me this love letter.

12 **MR. ENGELMANN:** Have you ever been told  
13 where you went wrong?

14 **MR. GUZZO:** Never.

15 **MR. ENGELMANN:** Sir, I understand that in or  
16 around December of 2001 that Bill 48 was carried over to  
17 the next session?

18 **MR. GUZZO:** I believe so, yes.

19 **MR. ENGELMANN:** And I understand in May of  
20 2002 you again write to all members of the Legislative  
21 Assembly regarding a new Bill, providing explanations, a  
22 list of questions, et cetera. If you could look at  
23 Document Number 125908.

24 **THE COMMISSIONER:** Thank you. Exhibit  
25 Number 1025 is a letter -- well, a document prepared by Mr.

1 Guzzo dated May 14<sup>th</sup>, 2002, addressed to the Members of the  
2 Legislative Assembly.

3 --- EXHIBIT NO./PIÈCE NO. P-1025:

4 (125908) Letter from Garry Guzzo to  
5 Members of the Legislative Assembly  
6 dated 14 May 02 - Newspaper Clippings

7 MR. GUZZO: Yes, I'm familiar with this  
8 letter.

9 MR. ENGELMANN: All right. So you set out  
10 some background and then you ask a number of questions.  
11 And you have 19 questions you list. Is that correct?

12 MR. GUZZO: Yes, that's right.

13 MR. ENGELMANN: And you talk a bit towards  
14 the end about the delay in prosecution of at least one of  
15 the cases? The bottom of the third page and onto the  
16 fourth.

17 MR. GUZZO: Yes, that's correct.

18 MR. ENGELMANN: And, again, you're asking  
19 members of the House to support your Bill?

20 MR. GUZZO: Correct.

21 MR. ENGELMANN: And you send some newspaper  
22 clippings with that?

23 MR. GUZZO: Well, first I attach the  
24 questions I put in the letter immediately preceding.

25 MR. ENGELMANN: Yes.

1                   **MR. GUZZO:** Again, rather direct questions  
2 that are not that difficult to answer, you know, if you  
3 have the facts, and I do, I -- I enclosed some newspaper  
4 clippings, yes.

5                   **MR. ENGELMANN:** All right. So you -- you  
6 enclose previous questions that you had put in October and  
7 some new questions that you're posing in 2002?

8                   **MR. GUZZO:** Yes.

9                   **MR. ENGELMANN:** Now, you -- I understand,  
10 sir, as well, you wrote to the Attorney General at or about  
11 this time on May 23<sup>rd</sup>, 2002?

12                   **MR. GUZZO:** I believe I did, yes.

13                   **MR. ENGELMANN:** If you could look at  
14 Document Number 705627.

15                   **THE COMMISSIONER:** Thank you. Exhibit 1026  
16 is a letter addressed to the Honourable David Young dated  
17 May 23<sup>rd</sup>, 2002, and signed by Mr. Guzzo -- or sent by Mr.  
18 Guzzo.

19                   **--- EXHIBIT NO./PIÈCE NO. P-1026:**

20   (705627) Letter from Garry Guzzo to  
21   Hon. David Young dated 23 May 02

22                   **MR. GUZZO:** Yes, I recall this.

23                   **MR. ENGELMANN:** Why are you writing to the  
24 Attorney General at this point-in-time? What -- there  
25 appears to be a release or press release you're referring

1 to?

2 MR. GUZZO: And it comes immediately after a  
3 discussion in Cabinet -- in caucus and about -- I think  
4 what is going on right now is the situation with Bernardo  
5 and Homolka.

6 MR. ENGELMANN: Yes.

7 MR. GUZZO: And the -- the films.

8 MR. ENGELMANN: Yes.

9 MR. GUZZO: First of all, the making of the  
10 films of the --- of the violations.

11 MR. ENGELMANN: Yes.

12 MR. GUZZO: And then the selling of those  
13 films to pornographic manufacturers in, I believe, the  
14 United States. And the -- it's a major -- it's a major  
15 story of the day. I think maybe it's at the time that  
16 Justice Campbell has done his judicial review of the -- of  
17 the situation. I don't -- I don't know or whether we're  
18 right in the middle of it in '02, but in any event, the  
19 matter did come up at caucus in some way.

20 And in no way related this, the Cornwall  
21 situation, although the issue with the films was there, and  
22 then out of the clear blue, Mr. Young issued a news release  
23 related to the issues surrounding Homolka and Bernardo.

24 MR. ENGELMANN: And you're doing what by  
25 this letter, suggesting he's being inconsistent in his

1 position to ---

2 **MR. GUZZO:** Yes, I'm suggesting is concern  
3 with regard to suppressing physical evidence and  
4 destruction of evidence is here -- is inconsistent. I give  
5 him the transcripts, et cetera, and the newspaper articles  
6 and I'm saying to him, "What's so different here between  
7 Cornwall and Windsor? Where is your concern here and why  
8 does it become acceptable in one area? Is there a  
9 different Criminal Code for the western part of the  
10 province than there is for the eastern part of the  
11 province?"

12 **MR. ENGELMANN:** You don't get a response to  
13 this do you?

14 **MR. GUZZO:** No. No, nothing in writing.

15 **THE COMMISSIONER:** Well, do you get a  
16 response other than in writing?

17 **MR. GUZZO:** I get a cold shoulder and the  
18 Heisman Trophy pose.

19 (LAUGHTER/RIRES)

20 **MR. ENGELMANN:** Mr. Guzzo, let's just go  
21 back to C-848C for a minute; original notes.

22 **THE COMMISSIONER:** What page?

23 **MR. ENGELMANN:** Page 7.

24 I think we dealt with most of this page,  
25 sir. You have a reference:

1 "November '01, December '01, March '02,  
2 Caucus re. Leduc and MacDonald. No  
3 answer. All this fault of the Defence  
4 not the Crown. No fear of Askov."

5 I think you've talked to us about that?

6 **MR. GUZZO:** Yes, I have.

7 **MR. ENGELMANN:** Why the comment, "Lies and  
8 more lies"?

9 **MR. GUZZO:** Well ---

10 **MR. ENGELMANN:** Why are you saying that?

11 **MR. GUZZO:** I mean, I can't get a straight  
12 answer from people that you've known for a long time. You  
13 were on the same team.

14 In particular, I'm getting very, very bad  
15 vibes from the present Attorney General who, when he came  
16 in, this is his first term and his only term. And when he  
17 came in, he was very interested in what I was doing. Very  
18 supportive. Very concerned. And when he gets to be the  
19 Attorney General, he's as bad as anybody in refusing to --  
20 talk to you and refusing to answer questions.

21 And on the issues of the delays on Leduc and  
22 MacDonald, I mean, I don't -- I think one was 75 months and  
23 the other 72 months. And, you know, I'm saying that you've  
24 won. You know, you can get let the trials go you've won.  
25 They're not going to proceed with the -- you know, and

1 people are offering to bet me that, "Ah, you're wrong, they  
2 will. They will." You know, I shouldn't have taken the  
3 money, I guess.

4 **MR. ENGELMANN:** All right. And what are you  
5 saying at the bottom of the page then, sir?

6 "The second Bill passed second  
7 reading."

8 You have the vote numbers?

9 **MR. GUZZO:** Yes.

10 **MR. ENGELMANN:** "Publicity produces", is it,  
11 "Nine interviews"?

12 **MR. GUZZO:** With new victims, alleged  
13 victims.

14 **MR. ENGELMANN:** All right. "Referred some  
15 from" ---

16 **MR. GUZZO:** "Some from other victims, some  
17 from counsellors and one from a  
18 Cornwall priest."

19 **MR. ENGELMANN:** Right.

20 **THE COMMISSIONER:** Can you scroll down,  
21 Madam Clerk, to -- Madam Clerk? There you go.

22 **MR. ENGELMANN:** No, right to the ---

23 **THE COMMISSIONER:** Right to the bottom,  
24 Madam Clerk.

25 **MR. ENGELMANN:** Bottom of the previous page.

1 Previous page.

2 Again, sir, you don't have any names written  
3 here?

4 **MR. GUZZO:** I don't and ---

5 **MR. ENGELMANN:** Do you recall something  
6 about these nine alleged victims?

7 **MR. GUZZO:** One or two of them come to mind.

8 **MR. ENGELMANN:** Come to mind because you  
9 remember their names or you remember the names of the  
10 alleged perpetrators or what do you remember?

11 **MR. GUZZO:** I know the one from the Cornwall  
12 -- the priest, it's a telephone call. Makes an appointment  
13 and doesn't show up, so I have no detail.

14 A couple of the ones here, the counsellor in  
15 question that has referred them. I call the counsellor and  
16 say, "Are you aware of the Men's Project? Do you know  
17 about it?" And I don't think they do, as I recollect. And  
18 I think I said, "I think it would be better if you referred  
19 to The Men's Project than coming from me". And I think --  
20 but it's vague.

21 It's -- I don't have -- but, you know,  
22 November, December, it's a busy -- it's a busy season. The  
23 House is -- we're sitting long hours at the House to get  
24 the matters done in order adjourn for the Christmas break.

25 **MR. ENGELMANN:** I'm assuming these people



1 are seeing you either at your constituency office or at  
2 your law office in Ottawa?

3 MR. GUZZO: I think by now I've closed my  
4 law office.

5 MR. ENGELMANN: All right.

6 MR. GUZZO: I think I closed my law office  
7 immediately following my operation or within a few months  
8 of the operation.

9 MR. ENGELMANN: So these are -- but these  
10 are people seeing you in Ottawa?

11 MR. GUZZO: Yes.

12 MR. ENGELMANN: All right. And at this  
13 time, you don't remember who they were?

14 MR. GUZZO: Well, I don't have any names and  
15 I recollect the -- I was rather anxious to meet the  
16 individual who called about being referred to -- from the -  
17 - by the priest, but I know I recollect that -- never kept  
18 the appointment, but I'm just keeping track of numbers more  
19 or less.

20 MR. ENGELMANN: All right. You don't  
21 take ---

22 THE COMMISSIONER: Excuse me, how much  
23 longer do you think you're going to be?

24 MR. ENGELMANN: Maybe 15 minutes.

25 THE COMMISSIONER: Is that ---

1                   **MR. ENGELMANN:** Better than my previous  
2                   guesses?

3                                   **(LAUGHTER/RIRES)**

4                   **MR. ENGELMANN:** Yeah, I'm close.

5                   **THE COMMISSIONER:** Okay.

6                   **MR. ENGELMANN:** All right. Sir, on to the  
7                   next page if I can?

8                   **MR. GUZZO:** Yes?

9                   **THE COMMISSIONER:** Actually, there is no  
10                   really big magic in finishing today is there because Mr.  
11                   Guzzo's coming back?

12                   **MR. ENGELMANN:** Yes.

13                   **THE COMMISSIONER:** And you can regroup and  
14                   ask a few more questions when we come back and then let the  
15                   cross begin?

16                   **MR. ENGELMANN:** Yes, I could.

17                   **THE COMMISSIONER:** I think we'd better do  
18                   that. I don't know, I can see the weather is not any  
19                   better.

20                                   And so, Mr. Guzzo -- when do we want Mr.  
21                   Guzzo to come back?

22                   **MR. ENGELMANN:** Well, we have a couple of  
23                   options, sir.

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

25                   **MR. ENGELMANN:** What we're planning to do

1 now is have Mr. Doug Seguin come for Monday afternoon.

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

3 **MR. ENGELMANN:** I wasn't sure whether that  
4 was going to be at two o'clock or one o'clock?

5 **THE COMMISSIONER:** Make it one.

6 **MR. ENGELMANN:** One o'clock? We anticipate  
7 that evidence will carry over to the Tuesday. Then on the  
8 Tuesday afternoon, there are a couple of motions to deal  
9 with.

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

11 **MR. ENGELMANN:** The diocese has filed a  
12 request for supplementary funding.

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

14 **MR. ENGELMANN:** This is for further  
15 paralegal support, so I anticipate that will be a brief  
16 submission.

17 I've been advised by Mr. Neville that he  
18 will be seeking standing for Mr. Doug -- for the Estate of  
19 Ken Seguin. And you recall when you originally dealt with  
20 this issue, you granted the Estate of Ken Seguin standing  
21 for Phase 2 only ---

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

23 **MR. ENGELMANN:** --- but you did tell them  
24 they could come back before you if there was a conflict  
25 with the ---

1                   **THE COMMISSIONER:** Well, Corrections was  
2                   representing the Estate of Ken Seguin in Phase 1.

3                   **MR. ENGELMANN:** Yeah, Corrections was  
4                   essentially representing all employees, past and present.

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

6                   **MR. ENGELMANN:** Even retired or deceased.

7                   And I believe the way that it was left, and  
8                   this is a decision from two years ago now, right at the  
9                   beginning of this Inquiry, that if a conflict developed and  
10                  there was a need to have a Phase 1 representation, they  
11                  could reapply.

12                  **THE COMMISSIONER:** Yes.

13                  **MR. ENGELMANN:** Mr. Neville's given me oral  
14                  notice of that.

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

16                  **MR. ENGELMANN:** I've asked him to try and  
17                  get a submission in writing to us by the end of the day  
18                  tomorrow ---

19                  **THE COMMISSIONER:** M'hm

20                  **MR. ENGELMANN:** --- because some of the  
21                  other parties may want to respond and I would anticipate we  
22                  could do that on Tuesday afternoon, as well.

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

24                  **MR. ENGELMANN:** Then the plan will be that  
25                  we will start with the Corrections' evidence on Wednesday -

1 --

2 THE COMMISSIONER: M'hm.

3 MR. ENGELMANN: --- on November 28th.

4 And we're going to juggle with the witnesses  
5 around a bit, but we'll be starting with Peter Sirrs and  
6 his name was referred to today by the witness, having  
7 written reports some time early on.

8 And we anticipate his evidence will be  
9 followed by the evidence of Mr. Landry.

10 THE COMMISSIONER: M'hm.

11 MR. ENGELMANN: AEs and witness -- or  
12 document lists have been disclosed.

13 I anticipate that we will probably finish  
14 that evidence some time on Thursday ---

15 THE COMMISSIONER: M'hm.

16 MR. ENGELMANN: --- of next week, which is  
17 the 29th.

18 So one option would be for Mr. Guzzo to come  
19 back on Thursday, the 29th ---

20 THE COMMISSIONER: M'hm.

21 MR. ENGELMANN: --- and we have advised the  
22 parties that we would be sitting on Friday the 30th.

23 THE COMMISSIONER: M'hm.

24 MR. ENGELMANN: Not this Friday, but next  
25 Friday.

1                   So that would be one option. Or we could  
2                   try and fit in another Corrections' witness then and have  
3                   Mr. Guzzo come back on Monday, the 3<sup>rd</sup> of December; that is  
4                   a second option.

5                   **THE COMMISSIONER:** Okay.

6                   **MR. ENGELMANN:** The Corrections' witness,  
7                   who would either be on the Thursday or the Monday is Mr.  
8                   Downing, would be travelling to us from Toronto.

9                   I know. So ---

10                  **THE COMMISSIONER:** So what's the decision?  
11                  Which are you going to suggest?

12                  **MR. ENGELMANN:** Well, my colleague who's  
13                  calling that evidence would prefer to have Mr. Guzzo come  
14                  on the 29th.

15                  **THE COMMISSIONER:** All right.

16                  **MR. ENGELMANN:** And have Mr. Downing start  
17                  the week of the 3rd.

18                  **THE COMMISSIONER:** And have you canvassed  
19                  counsel? With two days, will that be enough. or a day-and-  
20                  a-half?

21                  **MR. ENGELMANN:** I haven't had a chance to  
22                  canvass counsel; perhaps we could do that right now, for a  
23                  minute?

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

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

1                   **MR. ENGELMANN:** I've been given  
2                   approximately 16 hours.

3                   I should tell you and remind people about  
4                   one duplication to cross-examination with respect to  
5                   interest; I have three hours from three groups.

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

7                   **MR. ENGELMANN:** That's the OPP, the OPPA and  
8                   counsel for Father MacDonald.

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

10                  **MR. ENGELMANN:** So others are less. In any  
11                  event, we'll --

12                  **THE COMMISSIONER:** So it's a long time?

13                  **MR. ENGELMANN:** Yeah, it's going to be a  
14                  couple of days and we'll have to -- well, we'll see how it  
15                  goes.

16                  I know the chief has been long. I've been  
17                  trying to cover some of the issues from ---

18                  **THE COMMISSIONER:** So are you available the  
19                  29th and 30th, sir?

20                  **MR. GUZZO:** I can make myself available.

21                  **THE COMMISSIONER:** Thank you.

22                  So what time on the 29th? It's a Thursday.

23                  Oh, Mr. Manderville is getting up and it's  
24                  not because ---

25                  **MR. ENGELMANN:** Before he gets up, let me

1 speak for him.

2 THE COMMISSIONER: You're going to speak for  
3 Mr. Manderville?

4 MR. ENGELMANN: I am.

5 THE COMMISSIONER: Holy ---

6 MR. MANDERVILLE: (off mic).

7 MR. ENGELMANN: I don't know about that.

8 Mr. Manderville has indicated he's not  
9 available on the Friday.

10 So perhaps what we could do is see that he  
11 does his cross-examination on the Thursday, or if we're  
12 going over, if we don't start late -- if we don't start  
13 until late on the Thursday, we may actually go over to the  
14 3rd, in any event.

15 THE COMMISSIONER: Whatever.

16 MR. ENGELMANN: So we'll get him at the  
17 beginning or at the end.

18 THE COMMISSIONER: Make the arrangements.

19 MR. ENGELMANN: I will.

20 THE COMMISSIONER: Mr. Guzzo's going to be  
21 here; we're moving. All right? Thank you.

22 Thank you, sir.

23 I know that I want to release you now. I  
24 understand that there's a short meeting to be held here in  
25 this room?



1                   **MR. ENGELMANN:** There is; off the record.

2                   **THE COMMISSIONER:** Yes, off the record with  
3 media representatives.

4                   **MR. ENGELMANN:** We would like the media  
5 representatives to join us.

6                   **THE COMMISSIONER:** Exactly. Thank you.  
7 Sorry?

8                   **MR. ENGELMANN:** Mr. Guzzo -- if you could  
9 remind Mr. Guzzo.

10                   **THE COMMISSIONER:** Oh, yes, you are not to  
11 discuss any of your evidence with anyone. If anyone tries  
12 to discuss anything with you, you have to report that to me  
13 on your return.

14                   All right? Thank you.

15                   Have a good weekend.

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

18                   This hearing is adjourned until  
19 November 26th at 1:00 p.m.

20 --- Upon adjourning at 3:28 p.m./

21 L'audience est ajournée à 15h28

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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



---

Dale Waterman, CVR-CM