

**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 52**

**Held at :**

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

Wednesday, October 4, 2006

**Tenue à:**

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

Mercredi, le 4 octobre 2006

**Appearances/Comparutions**

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Raija Pulkkinen	Commission Counsel
Ms. Louise Mongeon	Registrar
Mr. Peter Manderville	Cornwall Police Service Board
Ms. Reena Lalji	
Mr. Neil Kozloff	Ontario Provincial Police
Ms. Suzanne Costom	
Dect.Staff Sgt.Colin Groskopf	
Mr. David Rose	Ontario Ministry of Community
Mr. Mike Lawless	and Correctional Services and
	Adult Community Corrections
Ms. Leslie McIntosh	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of
Ms. Elizabeth MacLennan	the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. David Bennett	The Men's Project
Ms. Marie Henein	Mr. Jacques Leduc
Ms. Jill Makepeace	
Mr. Mark Wallace	Ontario Provincial Police
	Association
Ms. Nadya Tymochenka	Upper Canada District School
Ms. Nicola Simmons	Board
Ms. Jennifer Birrell	Catholic District School Board
Ms. Lynn H. Harnden	

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1 --- Upon commencing at 10:13 a.m./

2 L'audience débute à 10h13

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

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

8 Please be seated. Veuillez vous asseoir.

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

11 I apologize for the delay in beginning. We  
12 are having some problems with the web cast, and I will be  
13 speaking with them because we can't -- we have to learn to  
14 begin promptly and to get this Inquiry moving as quickly as  
15 possible.

16 In that vein I should advise, folks, that  
17 given that we will be dealing with witnesses very shortly  
18 that I intend to keep a very strict timeline, and we've  
19 advised the parties that, where possible, we will begin at  
20 9:30 and work until five-ish to ensure that witnesses are  
21 properly dealt with and properly accommodated.

22 All right. Mr. Engelmann.

23 **MR. ENGELMANN:** Good morning, Mr.  
24 Commissioner.

25 I understand that we are up online.

1                   **THE COMMISSIONER:** Good.

2                   **MR. ENGELMANN:** So again, I apologize to  
3 counsel and members of the public for the delay.

4                   This morning, we have the continuation of  
5 opening statements from counsel for the parties.

6                   **THE COMMISSIONER:** Yes.

7                   **MR. ENGELMANN:** We will start this morning  
8 with the Ministry of the Attorney General of Ontario and we  
9 have their lead counsel here, Leslie McIntosh.

10                  **THE COMMISSIONER:** Thank you.

11                  Yes, Ms. McIntosh.

12                  --- **OPENING STATEMENT BY/DÉCLARATION D'OUVERTURE PAR MS.**

13                  **McINTOSH:**

14                  **MS. McINTOSH:** Good morning, Mr.  
15 Commissioner, and thank you for the opportunity to make an  
16 opening statement on behalf of the Attorney General for  
17 Ontario, for the purpose of Part 1 of the Inquiry.

18                  In your ruling on standing and funding, Mr.  
19 Commissioner, you granted standing to the Attorney General  
20 for Ontario for both Parts 1 and 2 of the Inquiry, and you  
21 referenced the fact that under the *Ministry of the Attorney*  
22 *General Act* the Attorney General is responsible for  
23 superintending all matters connected with the  
24 administration of justice in Ontario. As a result, it's  
25 clear that the mandate of the Inquiry to inquire into the

1 institutional response of the justice system directly  
2 affects the duties of the Attorney General.

3 This Inquiry has already heard some  
4 contextual evidence about the two main aspects of the  
5 justice system administered by the Ministry of the Attorney  
6 General, that is, the Crown attorney system and victim  
7 services.

8 You will recall, Mr. Commissioner, that  
9 under the *Crown Attorneys Act*, Crown attorneys are required  
10 to aid in the local administration of justice and perform  
11 the duties that are assigned to them under the laws of  
12 Ontario. And also under that Act, Crown attorneys are made  
13 agents of the Attorney General for the purpose of the  
14 Criminal Code.

15 The obligation of Crown attorneys in  
16 furthering the administration of justice is primarily a  
17 public duty. A Crown attorney is the representative of the  
18 public interest in the criminal process. The role of the  
19 Crown is a cornerstone of the criminal justice system and,  
20 as the Supreme Court of Canada has stated, it cannot be  
21 overemphasized that the purpose of a criminal prosecution  
22 is not to obtain a conviction, it is to lay before a jury  
23 what the Crown considers to be credible evidence relevant  
24 to what is alleged to be a crime.

25 Counsel have a duty to see that all

1 available legal proof of the facts is presented. It should  
2 be done firmly and pressed to its legitimate strength, but  
3 it must also be done fairly. The role of a prosecutor  
4 excludes any notion of winning or losing. His function is  
5 a matter of public duty than which in civil life there can  
6 be none charged with greater personal responsibility. It  
7 is to be efficiently performed with an ingrained sense of  
8 the dignity, the seriousness and the justness of judicial  
9 proceedings.

10 In our view, the Crown attorney system in  
11 Ontario is a model of professionalism, fairness and  
12 diligence. Crown counsel in Ontario are strong and  
13 effective advocates for the prosecution as well as  
14 guardians of the overall public interest in ensuring that  
15 the criminal justice system operates fairly for all.

16 The Attorney General is proud of the  
17 important contribution that Crown attorneys make to the  
18 administration of justice. Crown counsel act with the  
19 highest values of professionalism and dedication to public  
20 service in performing their mandated duties.

21 We believe that Crown counsel are also at  
22 the forefront of safeguarding and promoting the legal  
23 rights and obligations of fairness owed to the public, to  
24 victims of crime and to the accused in accordance with the  
25 Charter and all of the legal obligations imposed by other



1           legislation and the common law.

2                           The Attorney General is committed to a  
3           criminal justice system that operates fairly to all, is  
4           transparent in its administration and helps to make Ontario  
5           a safe place to live. The Attorney General is confident  
6           that the evidence led at this Inquiry will demonstrate that  
7           all Crown counsel acquitted their important public duties  
8           with professionalism and, at all time, in the public  
9           interest.

10                          The Attorney General is also committed to  
11           the wellbeing of those within our province who have  
12           experienced some form of victimization through a criminal  
13           offence and recognizes that this experience often causes  
14           profound distress to victims and their families.

15                          The Attorney General fully supports the  
16           Victims' Bill of Rights proclaimed in June of 1996 and  
17           which contains a legislative set of principles to support  
18           victims throughout the criminal justice process. The  
19           guiding principles, as you know, Mr. Commissioner, of the  
20           Victims' Bill of Rights, are that victims of crime should  
21           be treated with compassion and fairness and that the  
22           justice system should operate in a manner that does not  
23           increase the suffering of victims of crime and does not  
24           discourage victims of crime from participating in the  
25           justice process.

1                   The staff of Ontario Victim Services  
2           Secretariat, formerly the Victim Services Division of the  
3           Ministry of the Attorney General, invest their skills and  
4           energies on a daily basis to ensure that victims of crime  
5           are treated with dignity and respect and can access a  
6           network of coordinated victim-centred services throughout  
7           the province.

8                   The Ministry understands that this Inquiry  
9           will inquire into the institutional response of the justice  
10          system and other public institutions in relation to the  
11          allegations of historical abuse of young people in the  
12          Cornwall area. The Inquiry in Part 1 will include an  
13          inquiry into the policies and practices then in place to  
14          respond to such allegations, and the creation and  
15          development of policies and practices that were designed to  
16          improve the response to allegations of abuse.

17                  The Commission is also mandated to make  
18          recommendations directed to the further improvement of the  
19          response of the justice system in similar circumstances.

20                  Over the years, the Ministry of the Attorney  
21          General has endeavoured to improve its own institutional  
22          response to allegations of child abuse as the understanding  
23          of the incidents and seriousness of abuse has changed and  
24          improved over the past 30 years.

25                  Evidence already heard at the Inquiry from

1 expert witnesses has shown that there has been a growing  
2 awareness of both the incidents and the devastating effect  
3 of sexual abuse on child victims. This increase in public  
4 awareness is a fairly recent phenomenon. The evidence  
5 heard thus far has also demonstrated that the institutional  
6 and legal responses to the incidences of child sexual abuse  
7 has been progressively more responsive to the interests and  
8 needs of victims, to addressing the restrictiveness of  
9 evidentiary rules, to alleviating the intimidating nature  
10 of the court process and, generally, to creating more and  
11 more secure opportunities for victims to come forward to  
12 speak about their experience and seek the intervention of  
13 judicial institutions.

14 The Attorney General welcomes the  
15 opportunity to demonstrate that its own institutional  
16 response to the increasing knowledge and awareness of  
17 issues relating to child sexual abuse has been at the  
18 forefront of public institutions.

19 The Attorney General looks forward to  
20 assisting the Commissioner to arrive at recommendations to  
21 improve the response of the justice system even further.

22 The Attorney General has participated in the  
23 establishment of this Inquiry to ensure that the public of  
24 Ontario, especially the citizens of the Cornwall area, are  
25 able to have the full and independent public inquiry into

1           these matters that they deserve.

2                           In conclusion, the Attorney General, as a  
3 party to this Inquiry, fully supports the mandate of the  
4 Commissioner and is committed to offering his full  
5 assistance, so that the Commissioner can make all necessary  
6 inquiries into the matters set out in the Order in Council  
7 and make all appropriate recommendations relative to  
8 improving the institutional response of the justice system  
9 and other public institutions.

10                           The Attorney General recognizes the  
11 importance of this Inquiry to the citizens of Cornwall and  
12 to the surrounding community, and also recognizes the  
13 importance and benefits of the recommendations to come to  
14 all citizens of Ontario.

15                           Thank you, Mr. Commissioner.

16                           **THE COMMISSIONER:** Thank you very much.

17                           **MR. ENGELMANN:** Mr. Commissioner, the next  
18 party is the Ontario Provincial Police. Present for the  
19 OPP this morning, Neil Kozloff, Diane Lahaie and Suzanne  
20 Costom, and Mr. Kozloff will be addressing you.

21                           **THE COMMISSIONER:** Thank you.

22                           Good morning, sir.

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

24                           --- OPENING STATEMENT BY/DÉCLARATION D'OUVERTURE PAR MR.  
25 **KOZLOFF:**

1                   **MR. KOZLOFF:** Mr. Commissioner, I would  
2 first like to take this opportunity to thank the Commission  
3 for the opportunity to open and to introduce the Ontario  
4 Provincial Police legal team. My name is Neil Kozloff, and  
5 I appear as lead counsel for the Ontario Provincial Police.

6                   Present in the hearing room are two of my  
7 associate counsel, Diane Lahaie and Suzanne Costom. The  
8 third member, Ms. Gina Brannan, Q.C., is in Toronto and I  
9 expect is watching our every move on the live web cast.

10                  Together we represent the Ontario Provincial  
11 Police, the Commissioner and all commissioned officers.

12                  You have already heard the opening statement  
13 delivered by my colleague, Mark Wallace, on behalf of the  
14 Ontario Provincial Police Association. Mr. Wallace and his  
15 colleague, Bill Carroll, represent the non-commissioned  
16 officers of the OPP; that is to say all officers holding  
17 the ranks currently comprised of constable, sergeant,  
18 sergeant major and staff sergeant, and which have in the  
19 past included the rank of corporal.

20                  Commissioned officers of the OPP include the  
21 commissioner, the deputy commissioner, chief  
22 superintendent, superintendent and all inspector ranks.  
23 These officers have received their royal commission and are  
24 therefore entitled to be referred to as commissioned  
25 officer. They are in effect the senior management ranks of

1 the Ontario Provincial Police.

2 During the substantive evidence portion of  
3 this Inquiry upon which we are about to embark, I together  
4 with Ms. Lahaie and Ms. Costom will be the counsel directly  
5 involved. Ms. Brannan has previously attended with respect  
6 to contextual evidence, corporate presentations, motions  
7 and court appearances related to these proceedings, and she  
8 will continue to do so. And in addition, we will continue  
9 to be the beneficiaries of her wise counsel.

10 Our instructing officer is, as you know,  
11 Acting Detective Superintendent Colleen McQuade. Acting  
12 Superintendent McQuade began the OPP's preparations for  
13 this Inquiry in November 2004; literally on the day  
14 following the Premier's announcement that an inquiry would  
15 be called. She has assembled a hardworking and highly  
16 capable team of officers and civilian employees to assist  
17 her and the OPP legal team.

18 The prodigious efforts and careful attention  
19 to detail of Acting Superintendent McQuade and her team are  
20 evident not only to us as OPP counsel but also to  
21 Commission counsel, investigators and staff and to counsel  
22 representing other parties with standing.

23 Acting Superintendent McQuade has been  
24 present during the majority of proceedings thus far in this  
25 Inquiry and will continue to attend in the hearing room

1 when circumstances permit. Her performance, sir, is an  
2 eloquent demonstration of the care and concern of the  
3 Ontario Provincial Police for the citizens of this  
4 community and the issues raised in this Inquiry.

5 By way of introduction, Mr. Commissioner,  
6 the Ontario Provincial Police has a direct and substantial  
7 involvement in the events giving rise to this Public  
8 Inquiry. Mr. Commissioner, you have recognized this by  
9 granting full standing to the OPP in respect of both Phase  
10 1 and Phase 2.

11 The Ontario Provincial Police together with  
12 the Cornwall Community Police Service are the relevant  
13 investigative authorities in the United Counties of  
14 Stormont, Dundas and Glengarry. As such, the OPP is one of  
15 the public institutions whose response to allegations of  
16 historical abuse of young people in the Cornwall area will  
17 be scrutinized in this Public Inquiry. It is important to  
18 keep in mind as we embark on this process that we are  
19 looking back into history with the benefit of hindsight.

20 We maintain that neither public institutions  
21 nor individuals should be held to a standard of perfection.  
22 At the same time, the Ontario Provincial Police welcomes  
23 public scrutiny of its work in this community. It is in  
24 the public interest.

25 I would add that the OPP recognizes that

1 introspection on the part of public institutions serves the  
2 public good.

3 The Commission has now identified the first  
4 of those substantive witnesses who are to be called to give  
5 their testimony in the days to come. We know who those  
6 initial few witnesses will be. We do not know as yet the  
7 identity of the other witnesses that Commission counsel  
8 intends to call.

9 As counsel acting for the OPP, it is our  
10 hope and it will certainly be our guidepost that all  
11 witnesses to come before this Inquiry will be treated with  
12 respect, compassion and patience even as counsel may probe  
13 and, where necessary, dispute the evidence.

14 I want to take a moment, Mr. Commissioner,  
15 to read the opening words from the preamble to the Order-  
16 in-Council that established this Commission of Inquiry.

17 "Whereas allegations of abuse of young  
18 people have surrounded the City of  
19 Cornwall and its citizens for many  
20 years, the police investigations and  
21 criminal prosecutions relating to these  
22 allegations have concluded. Community  
23 members have indicated that a public  
24 inquiry will encourage individual and  
25 community healing."



1                   Let me say something, Mr. Commissioner,  
2                   about allegations. Allegations are unproven facts. Only  
3                   some of the allegations were made to police officers, only  
4                   some of the allegations could be investigated and only some  
5                   of the allegations could be tested in a court of law. And  
6                   those are not the only allegations that should concern us  
7                   here.

8                   For many years, misinformation,  
9                   inaccuracies, false rumours, half truths and outright lies  
10                  have been fed to this community regarding historic abuse in  
11                  the Cornwall area. The misinformation, the inaccuracies,  
12                  the false rumours, the half truths, the outright lies  
13                  became newsworthy, and so they were disseminated through  
14                  the local, regional and national media. They were  
15                  communicated via various websites, some of which continue  
16                  to publish to this day.

17                  Eventually, they were the subject matter of  
18                  gossip and repetition around the water coolers, in the  
19                  lunchrooms, at the hair salons and barber shops, along the  
20                  courthouse corridors and on the streets of Cornwall and the  
21                  surrounding communities. The spread of misinformation,  
22                  inaccuracies, false rumours, half truths and outright lies  
23                  has poisoned the atmosphere in this community. It has  
24                  caused anger, mistrust, divisiveness, and disharmony. It  
25                  has ruined lives in the process.

1                   We have some good news for those in this  
2                   community who are interested in the truth. Let me say that  
3                   it is our sincere belief that those interested in the truth  
4                   are the overwhelming majority in this community. Many of  
5                   those inaccuracies, false rumours, half truths and outright  
6                   lies were investigated and disproved.

7                   The fruits of those investigations have been  
8                   turned over to the Commission and now to the parties with  
9                   standing and will undoubtedly become a matter of public  
10                  record.

11                  We recognize that there is in this community  
12                  an overwhelming need to heal. However, we believe that it  
13                  would be a mistake for anyone to rely upon this inquiry  
14                  alone as the answer that all that ails this community as a  
15                  consequence of the events which bring us here. It is not a  
16                  panacea. This inquiry alone cannot heal this community.

17                  We believe, however, that by exposing the  
18                  events to careful scrutiny, this Inquiry can address the  
19                  negative effects that have resulted from the  
20                  misinformation, inaccuracy, false rumours, half truths and  
21                  outright lies. This will assist the community and, in  
22                  particular, those individuals directly affected by the  
23                  events in question to begin the healing process.

24                  The Ontario Provincial Police applied for  
25                  standing at this inquiry in order to be able to participate

1 fully in the work of this Commission. The OPP has  
2 participated in this inquiry and will continue to do so in  
3 an open, transparent, cooperative, professional and  
4 responsible manner. The OPP team has endeavoured to assist  
5 Commission counsel and to work cooperatively and  
6 productively with the other parties with standing and their  
7 counsel and will continue to do so.

8 As one of the public institutions in the  
9 justice system with standing at this inquiry, the OPP  
10 welcomes the review and public scrutiny of its responses to  
11 the allegations of historical abuse of young people in the  
12 Cornwall community.

13 The OPP recognizes that it is important for  
14 you, Mr. Commissioner, to understand what policies and  
15 practices the OPP had in place at the time of its responses  
16 to the various allegations.

17 We also recognize that you will need to be  
18 cognizant of the policies and practices that were designed,  
19 created and developed to improve its response to  
20 allegations of abuse. That is because when the evidence at  
21 this inquiry is complete and final submissions have been  
22 made, you will be making recommendations directed to the  
23 further improvement of the OPP response in similar  
24 circumstances.

25 At the same time, the OPP undertakes to

1 assist you in the inquiry process that when you do come to  
2 make your recommendations, they will be based upon an  
3 accurate record of what occurred in the Cornwall area.

4 Some final words, we must not lose sight of  
5 the fact that when the evidence at this inquiry is complete  
6 and the final submissions have been made and your report  
7 and recommendations, Mr. Commissioner, have been delivered,  
8 when the work of this inquiry is over, the Ontario  
9 Provincial Police will continue to serve and protect the  
10 people of the United Counties of Stormont, Dundas and  
11 Glengarry.

12 It is our hope that at the end of the day,  
13 this inquiry will have done its part to encourage public  
14 discourse, ensure public accountability, renew confidence  
15 in public institutions, strengthen cooperation between the  
16 citizens of Cornwall and the United Counties and the public  
17 institutions that serve them, promote healing and bring  
18 closure. People of this community deserve as much.

19 Thank you.

20 **THE COMMISSIONER:** Thank you, sir.

21 **MR. ENGELMANN:** Mr. Commissioner, the next  
22 party to make submissions is the Children's Aid Society.  
23 Peter Chisholm is here as is Elizabeth McLennan, in-house  
24 with the Society. Mr. Chisholm will be making submissions.

25 **THE COMMISSIONER:** Thank you.

1 Good morning, sir.

2 --- OPENING STATEMENT BY/DÉCLARATION D'OUVERTURE PAR MR.  
3 CHISHOLM:

4 MR. CHISHOLM: Good morning, Mr.  
5 Commissioner.

6 I'd like to start by taking you through the  
7 Society's view of the commission's primary mandate. The  
8 Commission's primary mandate is to examine the  
9 institutional response of the justice system and other  
10 public institutions in relation to allegations of  
11 historical abuse of young people in the Cornwall area.

12 While the mandate of the Commission speaks  
13 of historical abuse of young people, from the contextual  
14 evidence called thus far it would seem that the public  
15 institutional response relating to child sexual abuse may  
16 be at the crux of this inquiry.

17 We've heard evidence with respect to the  
18 problem. We've heard from the expert witnesses such as Dr.  
19 David Wolfe and Dr. Peter Jaffe and there is no doubt child  
20 sexual abuse is a problem that has plagued many communities  
21 both in Ontario and beyond.

22 We know from the expert evidence given thus  
23 far that child sexual abuse was deeply hidden within  
24 society in general and that society in the past was in a  
25 state of denial with respect to this problem.

1                   The contextual evidence presented reveals  
2                   that until not that long ago child sexual abuse was a  
3                   problem that, for the most part, went undetected by the  
4                   institutions which were tasked with protecting young people  
5                   in our society.

6                   It was only fairly recently that child  
7                   welfare legislation and practice directives started to  
8                   focus on the problem of child sexual abuse. We know that  
9                   child sexual abuse can have a devastating impact on those  
10                  who were victimized and on their parents, spouses, children  
11                  and other family members.

12                  Later today, this inquiry will begin its  
13                  evidentiary hearings. During these hearings, we will hear  
14                  from some members of the Cornwall community whose lives  
15                  have been adversely affected as a result of child sexual  
16                  abuse. It will be important for all of us to bear in mind  
17                  what the experts have told us about the negative effects of  
18                  child sexual abuse when we hear from the witnesses who will  
19                  be testifying in the upcoming weeks.

20                  There is some good news in the evidence  
21                  we've heard thus far. The evidence presented to date would  
22                  suggest that a number of the public institutions have  
23                  responded in a positive fashion to the challenge presented  
24                  by child sexual abuse. There is little doubt that the  
25                  institutional response to allegations of abuse of young

1 people has become more sophisticated with the passage of  
2 time.

3 This Commission of Inquiry provides the  
4 Cornwall community with the opportunity to take note of  
5 where we have been in the past, where we are today and  
6 where we wish to be in the future with respect to how this  
7 community's public institutions respond to abuse of our  
8 young people. The practices, policies and protocols of our  
9 community's public institutions have evolved over the past  
10 50 years and will hopefully continue to do so in the next  
11 50.

12 There are a number of themes and principles  
13 that I would submit that are imported to bear in mind in  
14 the continuation of this inquiry. The first principle is  
15 that the responsibility of keeping children safe is not  
16 only that of the police or the Children's Aid Society.  
17 Keeping children safe is a community responsibility that is  
18 best accomplished through the establishment of  
19 collaborative networks within the professional community  
20 and the general public.

21 The second theme, and I have touched upon  
22 this, is that both society and public institutions of today  
23 are not the same as the society and public institutions  
24 that existed 50 years ago. They have evolved. An example  
25 would be a child placed in foster care 50 years ago would

1 have a very different experience than a child placed in  
2 foster care today.

3 You'll recall the testimony of Ian MacLean  
4 that was given in April of this year with respect to the  
5 fostering philosophy and how the approach many years ago  
6 permitted foster parents to raise a foster child as their  
7 own in contrast of that to the approach and philosophy of  
8 today which might be best summarized by the African proverb  
9 that it takes a village to raise child.

10 Because public institutions have evolved  
11 over the years, it is important that any assessment of  
12 their past performance be measured against the standard of  
13 the day in question and not by today's standards.

14 The third theme that I submit should guide  
15 this inquiry deals with the accountability of public  
16 institutions. In order for a public institution to be  
17 effective in its work, be it policing, protecting children  
18 or some other endeavour, it is important that the public  
19 institution enjoys the confidence of the public. To enjoy  
20 the confidence of the public, institutions must be  
21 accountable to the public.

22 A fourth theme that I would ask you to bear  
23 in mind, Mr. Commissioner, is that from the perspective of  
24 the Children's Aid Society, it must be emphasized that  
25 child sexual abuse forms a relatively small proportion of



1 the cases of child mistreatment that the Children's Aid  
2 Society must deal with. We must not lose perspective by  
3 focussing on child sexual abuse to the exclusion of other  
4 forms of child abuse.

5 It is society's position that  
6 recommendations directed to the improvement of the public  
7 institutional response to child sexual abuse should not be  
8 made at the expense of efforts designed to prevent harm to  
9 children brought about by other forms of mistreatment such  
10 as domestic violence or neglect, to name but two examples.

11 Another theme I would ask you to bear in  
12 mind, Mr. Commissioner, is the impact of technology on  
13 child sexual abuse. The Internet, which facilitates  
14 distribution of child pornography and which allows abusers  
15 to contact potential victims through chat rooms, has become  
16 a new weapon that can be used to harm and to lure children.  
17 This non traditional aspect of child maltreatment is not  
18 currently dealt with in the *Child and Family Services Act*  
19 and is an area that needs more attention from a child  
20 welfare perspective.

21 At the same time, Mr. Commissioner, the  
22 technology has allowed us to record, track and access  
23 information concerning child sexual abuse in a way that we  
24 never could in the past.

25 Given the prevalence of the problem, the gap

1 in the child protection legislation and the benefits that  
2 technology can now provide with respect to data on child  
3 sexual abuse, the Commission may well wish to consider  
4 making recommendations that will address these issues.

5 The sixth theme, Mr. Commissioner, deals  
6 with joint training and joint investigations. The  
7 contextual witnesses who testified with respect to the  
8 issue of joint training and investigation all seem to be of  
9 the view that cooperation among the authorities produces  
10 better child sexual abuse investigations. The importance  
11 of cooperation between police officers, child protection  
12 workers and Crown attorneys cannot be underestimated.

13 As such, it is worthwhile keeping the  
14 experts' advice in mind when we move forward in this  
15 Inquiry.

16 The final theme with respect to Phase I  
17 would be the importance of Phase II of this Inquiry. As a  
18 result of rumours, allegations and uncomplimentary media  
19 coverage the Cornwall community has suffered over the past  
20 many years, Part II of the Inquiry will hopefully present  
21 the community with an opportunity to heal and move forward.

22 While much of the focus thus far has been on  
23 Part I of the Inquiry, we must not lose sight of the  
24 importance of the second phase of the Inquiry. We should  
25 all approach Phase II of the Inquiry with an open mind and

1 create a thinking which would allow the citizens of  
2 Cornwall and area to heal and move forward.

3 Finally, Mr. Commissioner, dealing with the  
4 factual issues which need to be addressed during this  
5 Inquiry, at least one party with standing has suggested  
6 that local institutions in Cornwall failed to respond  
7 appropriately to allegations of historical abuse of young  
8 people. Given such suggestions, it will be necessary for  
9 the Commission to review the public institutional responses  
10 to allegations of historical abuse of young people with a  
11 view to determining whether or not such responses were  
12 appropriate at the time.

13 The Children's Aid Society is a public  
14 institution that is accountable to the public. The  
15 Children's Aid Society is of the view that it responded  
16 appropriately to any information brought to its attention  
17 suggesting that children were at risk. If the Children's  
18 Aid Society failed, Mr. Commissioner, to respond  
19 appropriately, it wants to be told about it.

20 Thank you for the opportunity to make these  
21 submissions.

22 **THE COMMISSIONER:** Thank you.

23 **MR. ENGELMANN:** Mr. Commissioner, the next  
24 party to give an opening statement is the Upper Canada  
25 District School Board. Nadya Tymochenko is here for the

1 Board.

2 **THE COMMISSIONER:** Thank you.

3 Good morning.

4 --- OPENING STATEMENT BY/DÉCLARATION D'OUVERTURE PAR MS.  
5 **TYMOCHENKO:**

6 **MS. TYMOCHENKO:** Good morning. Thank you,  
7 Mr. Commissioner, for giving the Upper Canada District  
8 School Board this opportunity to make opening submissions  
9 in Part 1 of the Inquiry.

10 The Upper Canada District School Board  
11 sought full standing for Parts 1 and 2 of the Inquiry  
12 limited to those issues that affect publicly-funded  
13 educational institutions and the interests of the Board.

14 The Board considers it very important that  
15 educational institutions be involved in responding to the  
16 allegations of abuse of young people in the Cornwall area,  
17 including policies and practices in place to respond to  
18 such allegations and the creation and development of  
19 policies and practices that were designed to improve the  
20 response to allegations of abuse.

21 As the publicly-funded educational  
22 institution responsible for educational services for  
23 English language public schoolchildren in the jurisdiction  
24 of Lanark, the United Counties of Leeds and Grenville, the  
25 United Counties of Prescott and Russell and the United

1 Counties of Stormont, Dundas and Glengarry, the Board is  
2 responsible for providing educational services to  
3 approximately 34 of the areas' children and we have  
4 approximately 5,500 staff.

5 The Board sought standing in order to  
6 provide information regarding the Board's policies,  
7 procedures and practices historically and presently and to  
8 make recommendations with respect to the further  
9 improvement of a response of publicly-funded educational  
10 institutions of child sexual abuse.

11 Senior Board staff, both past and present,  
12 have testified regarding the policies and procedures and  
13 practices that have been in place and that are in place to  
14 report a child in need of protection and to screen  
15 employees who might have access to children.

16 The Board has identified that the  
17 institutional response of school boards has evolved over  
18 time.

19 You heard evidence regarding the many  
20 changes that resulted from Justice Robins' Report,  
21 including legislative and policy changes; for example,  
22 legislation requiring criminal background checks for all  
23 employees, service providers with access to children, as  
24 well as the Board's policy requiring such criminal  
25 background checks for all its volunteers.

1                   You also heard evidence regarding the change  
2                   in the definition of sexual inappropriate conduct to more  
3                   broadly include examples of sexual harassment, as well as  
4                   grooming behaviours.

5                   The Ontario College of Teachers has adopted  
6                   Justice Robins' sexual misconduct definition into its own  
7                   sexual misconduct guidelines which now form the Board's  
8                   practice and the Board's standards with respect to its  
9                   teachers.

10                  As well, the Board has shared some concerns  
11                  regarding a provision of training for staff to enable them  
12                  to identify children in need of protection and has, in a  
13                  limited manner, shared ways that improvements might be  
14                  facilitated. We hope that in Part 2 we will be able to  
15                  provide further information.

16                  The Board, as a public institution with  
17                  responsibility for educating children in this jurisdiction,  
18                  has a duty to provide a secure, safe environment, free from  
19                  sexual misconduct or the risk of sexual misconduct.

20                  Moreover, the Board plays an important role  
21                  through education in shaping our future society.

22                  The Board acknowledges that victims of  
23                  historical sexual abuse or students of its schools and not  
24                  perpetrators have access to victims through the Board's  
25                  schools.

1           The Board respectfully submits that the  
2           evidence the Commission will hear in Part 1 of the Inquiry  
3           regarding victims who chose not to report abuse to School  
4           Board staff as well as the response of School Board staff  
5           to abuse that was reported should be used to inform the  
6           educational programs, policies and practices in the future  
7           to stem sexual misconduct by Board staff and service  
8           providers and to ensure that all victims feel safe and  
9           secure to report alleged abuse and to ensure that staff are  
10          aware of and comply with their duty to report a child in  
11          need of protection.

12                           Thank you.

13                   **THE COMMISSIONER:** Thank you.

14                   **MR. ENGELMANN:** Mr. Commissioner, the last  
15          party wishing to make opening -- well, there are two  
16          parties that haven't had an opportunity to make opening  
17          submissions. One is the party you just granted standing  
18          to, and we have spoken to counsel and they are not prepared  
19          to make opening submissions today. So we will find a time  
20          that doesn't interfere with witness schedules and a time  
21          that's convenient to counsel to do that.

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

23                   **MR. ENGELMANN:** The last party that has not  
24          had an opportunity to make opening submissions is Father  
25          Charles MacDonald. I attempted to accommodate Mr. Cipriano

1 by putting him on the end of the list. He advised he was  
2 not able to be here today and we are presently trying to  
3 work out an appropriate time for him to come and give an  
4 opening submission that wouldn't be interfering with the  
5 evidence from witnesses.

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

7 **MR. ENGELMANN:** So I will endeavour to let  
8 you know as soon as I can as to when that can be arranged.

9 --- OPENING STATEMENT BY/DÉCLARATION D'OUVERTURE PAR MR.  
10 **ENGELMANN:**

11 **MR. ENGELMANN:** I too wish to make some  
12 submissions at the start of this process and I want to  
13 start by thanking all counsel for the parties for their  
14 insightful opening statements. They provided us with some  
15 written thoughts as to their views as to where we should be  
16 going and how we should be working together, and now they  
17 have come forward over the last day or so and provided us  
18 with their oral submissions. We are getting to know them  
19 and we are working together, I think, in a collaborative  
20 way and I look forward to working with all of them through  
21 the substantive Inquiry.

22 I recall just yesterday hearing Mr. Wallace  
23 for the OPPA and two or three other of my friends  
24 indicating that the problem of child sexual abuse is not  
25 simply a problem for Cornwall.



1                   And just driving here this morning,  
2           listening to the news about a congressman, who is a person  
3           in a position of authority and trust, allegedly abusing  
4           teenage boys in Washington and how he was allegedly abused  
5           as a child brings that home. The next story about a man  
6           who killed some children in Pennsylvania who is an alleged  
7           child sexual molester when he was younger; a judge who  
8           allegedly abused teenage prostitutes. All three stories on  
9           the news this morning, and it just brings home that this  
10          problem is prevalent. This problem just isn't a problem  
11          for Cornwall, Ontario or Canada. It's a problem throughout  
12          the world.

13                   So we're here and we're here to look at how  
14          institutions respond to this problem, how hopefully they  
15          can prevent the problem, but when it does happen, how they  
16          respond to it and whether they have responded to it  
17          appropriately.

18                   We have heard from some of the counsel about  
19          what brought about this Inquiry. We need look no further  
20          than the preamble to the Order in Council to have some  
21          sense, but there are a number of important points, and to  
22          recognize the context in which the Inquiry is occurring we  
23          have to look at the events which came to light in the early  
24          '90s here in the City of Cornwall and in the surrounding  
25          community, allegations of abuse against many people here in

1 the community of Cornwall, investigations by police, both  
2 the Cornwall Community Police Service and the OPP, criminal  
3 prosecutions and concerns by many people in the community,  
4 whether they are victims or alleged victims, offenders or  
5 alleged offenders, or members of various institutions or  
6 just people at large as to how the investigations were  
7 dealt with, the outcome of some of the charges that went  
8 through the courts, et cetera.

9 Some of the groups that are before you such  
10 as the Victims Group said that as part of the context and  
11 the need for the Inquiry revolves around, at least in part,  
12 rumours, innuendo and allegations relating to a ring or  
13 clan of persons within and without public institutions who  
14 perpetrated sexual abuse and conspired to prevent victims  
15 from coming forward. That's an allegation that's out  
16 there. It's an allegation that many of the counsel you've  
17 heard over the last day have said we must look at. Many  
18 have said that half truths, mistruths, lies have been  
19 perpetrated. We need to look at those issues and determine  
20 if there's any substance to them.

21 As on the one hand people have said the ring  
22 exists, the clan exists, public institutions either  
23 participated or didn't do enough, on the other hand, we've  
24 heard just the opposite, where people say there is no  
25 problem. There's no problem with a clan. There's no

1       problem with child sexual abuse and any reports were  
2       overblown or exaggerated and that institutions responded  
3       appropriately, whether they were investigating others or  
4       investigating their own to one or to rogue elements within  
5       them.

6               All of the parties here have indicated a  
7       desire for the Commission to do its important fact-finding  
8       function and we intend to do that.

9               The differences really revolve around the  
10      emphasis, the scope of the mandate and its focus.

11              It is hoped that this Inquiry will allow the  
12      community to know more about what happened and why, and  
13      that is why the fact-finding role that we are entering into  
14      in Phase 1 of this Inquiry is so important. And it is  
15      hoped that it will help to restore and build confidence in  
16      this community and in the province at large in our public  
17      institutions. It is also hoped it will encourage  
18      individual and community healing, and some of the counsel  
19      have said already and have had some kind words already  
20      about the role that the Commission has played with respect  
21      to witness support, counselling services, the appointment  
22      of an advisory panel and many of the things that have taken  
23      place as an adjunct to Phase 1 or as part of Phase 2 of the  
24      Inquiry to allow that healing process to start.

25              Phase 1 of this Inquiry presents some unique

1 challenges. The allegations for which we're looking at  
2 institutional response are historical. They span several  
3 decades. There are numerous public institutions involved  
4 in this case, so the responses are different not only  
5 because of the different nature and functions of those  
6 public institutions but because some of them employed  
7 alleged offenders whereas others were simply involved in  
8 investigating them from afar.

9 There have been many calls for this Inquiry  
10 for a long time and for many reasons and from many  
11 perspectives. And as you've heard on several occasions  
12 already, there are many, many documents because of the  
13 historical nature and the number of participants and  
14 institutions.

15 Despite this fact and the fact that there  
16 are many parties, all counsel have demonstrated a great  
17 deal of commitment to their clients and to the work of this  
18 Inquiry.

19 Another difficult and unique issue that we  
20 are dealing with are privacy concerns. They're recognized  
21 right in the Order in Council and there are some unique  
22 privacy concerns in this case, both common law and  
23 statutory, and I'm thinking, for example, of the *Youth*  
24 *Criminal Justice Act* ss just one. But we must balance  
25 those privacy issues, those confidentiality issues with an

1 objective, open, fair, transparent and thorough inquiry and  
2 yet also recognize that such an inquiry must be efficient.

3 We've already seen and tried to develop some  
4 methods for dealing with this Inquiry, which I believe is  
5 like none so far. You've seen some technological  
6 advancements and some days they seem to work better than  
7 others, but we have a website with a video stream. We have  
8 video monitors in the hearing room. We have electronic  
9 documents. We have electronic databases and we have public  
10 access with the assistance of video screens and, of course,  
11 the WebCam that is being broadcast hopefully as I speak.

12 We have an opportunity here to examine the  
13 past, to find out what happened and to find out whether the  
14 responses to these allegations were appropriate or not and  
15 for you to make recommendations at the end of the day to  
16 help prevent any inappropriate responses from happening  
17 again or to strengthen and make constructive comments on  
18 those that were appropriate.

19 Even though the emphasis here is on the  
20 institutional response, as we go through Phase 1 of this  
21 Inquiry, we can't lose sight of the inter-relationship with  
22 this phase and the healing and reconciliation phase that is  
23 concurrently running in Phase 2. That inter-relationship  
24 poses some further challenges, especially in a case where  
25 many of those allegations of child sexual abuse were not

1       acknowledged or not admitted and, in several cases, where  
2       the facts had not be fully adjudicated. We have to deal  
3       with the harm that some of these allegations have caused to  
4       individuals and the community at large.

5                   In Phase 1, we need to hear from some  
6       victims and alleged victims, but in doing so we must be  
7       sensitive. We must be cognizant and aware that this  
8       process may be difficult for many witnesses and we want to  
9       take steps to minimize any harm this will cause them during  
10      Phase 1 as, of course, in causing harm in Phase 1, we're  
11      doing the opposite of what we would try to be doing or what  
12      we're supposed to be doing in Phase 2 and allowing for  
13      healing and reconciliation. It just shows how much inter-  
14      relationship there is between these phases.

15                   I want to talk briefly about the mandate and  
16      the comments on the approach of the parties and our view.  
17      The mandate is set out in Sections 2 and 3 of the Order in  
18      Council, and a number of counsel have referred to Section  
19      2, which of course is really what we're doing here in Phase  
20      1:

21                                "Inquiring into and reporting on the  
22                                institutional response of the justice  
23                                system and other public institutions,  
24                                including the interaction of that  
25                                response with other public and

1 community sectors, in relation  
2 to...historical abuse of young people in  
3 the Cornwall area..."

4 We've talked about looking at policies and  
5 practices then in place, the response to such  
6 allegations and the creation and development of  
7 policies and practices designed to improve the  
8 response.

9 And again, the important role in Section 3  
10 of the Order in Council, to:

11 "...inquire into and report on processes,  
12 services or programs that would  
13 encourage community healing and  
14 reconciliation."

15 Given the public nature of this Inquiry,  
16 given the historical nature of the Inquiry and  
17 given some of the complex issues that I have  
18 talked about, Commission staff, its counsel and  
19 its investigators have been seeking the  
20 assistance of the parties and the public for  
21 their views on the scope of our mandate. We had  
22 a number of meetings over the past year and, in  
23 effect, we've undertaken a consultation process  
24 with each and every one of the parties and with  
25 some of the parties, we've had several meetings.

1                   We've heard over the past day of the views of  
2                   several of these parties on the scope of our  
3                   mandate.

4                   Some of the parties see our role as more  
5                   limited, more defined in scope and would suggest that we  
6                   should look only at Project Truth investigations or a few  
7                   incidental and ancillary investigations; how they were  
8                   conducted; how complaints were received; and how the  
9                   institutions reacted.

10                  Some parties as well have said we must be  
11                  very sensitive to the timeframe and to what people knew at  
12                  the time as they were working with this difficult issue and  
13                  investigating and/or prosecuting child sexual abuse and  
14                  that it would be inappropriate to hold them to a more  
15                  contemporary or learned standard.

16                  This more limited approach is one that is  
17                  more present focused and may not allow us to look at the  
18                  systemic or root causes of some of the nature of the  
19                  responses in the 1980s and the 1990s.

20                  Other parties have taken a broader approach,  
21                  whether dealing with the Victims Group, the Citizens for  
22                  Community Renewal, the OPP, OPPA, and several of them have  
23                  talked about the need to uncover the truth, to lift the  
24                  cloud to allow the members of the Cornwall community to  
25                  truly understand how local institutions responded and



1           whether they responded appropriately.

2                           We need to be cautious. We need to  
3           emphasize the fact that we're not looking and we're not  
4           trying to uncover the truth of an allegation of child  
5           sexual abuse but whether the institutional response to  
6           those allegations was appropriate in all respects.

7                           The jurisprudence tells us, in my respectful  
8           submission, that the mandate of public inquiries is to be  
9           interpreted broadly. We have heard a submission yesterday  
10          that that is not the case. I think we have to look no  
11          further than the consortium case from the Supreme Court of  
12          Canada in 1998 about the broad nature of the mandate of  
13          judicial inquiries and the power to authorize a judicial  
14          inquiry was stated as an important safeguard of the public  
15          interest and should not be diminished by a restrictive or  
16          overly technical interpretation of the legislative  
17          requirements for its exercise.

18                          As I said, we heard some jurisprudence and  
19          some submissions from counsel for the Diocese yesterday  
20          about a more narrow or limited approach and, in doing so,  
21          the importance of balancing the rights of individuals with  
22          the investigative functions of public inquiries.

23                          We say that those two goals are not mutually  
24          exclusive. We say and we believe we can have a thorough  
25          and broad inquiry, but we can do so and balance the rights

1 of individuals as we go through this process. The two are  
2 not mutually exclusive. Certainly while the Commission  
3 will look at the actions of some individuals, we know that  
4 the focus of the Inquiry is on the institutional response.

5 There is, for the most part amongst the  
6 counsel and the parties, a consensus that the Inquiry must  
7 examine all relevant public institutions. We have the  
8 benefit of many, certainly most of them, as parties here  
9 before the Inquiry.

10 Some parties are also of the view that the  
11 Inquiry must also look at the actions of key players and by  
12 key players, we will be looking at the actions of those in  
13 charge of the various public institutions over time, their  
14 deputies, their employees and a number of others,  
15 including, for example, the oft-mentioned Perry Dunlop.

16 So it is Commission counsel's view that we  
17 should take a broad, thorough approach. We need to look at  
18 the historical basis, the roots of the causes of some of  
19 the issues that then blew up in the early '90s and led to  
20 the Project Truth Inquiry and looking back in time to  
21 appreciate the context and the changes over time. We have  
22 to look at the policy and culture in place at the time. We  
23 need to be fair and judge individuals based on the  
24 standards at the time in question, but we also need to be  
25 vigilant and careful so as not to simply excuse

1 inappropriate response because of possible ignorance or  
2 inappropriate behaviour no matter when it occurs.

3 So just generally speaking, where are we  
4 going and what are the stages? Well, perhaps I'll start  
5 with where we've been. Mr. Commissioner, I don't want to  
6 say much on that because you've commented on that in your  
7 preliminary remarks. We have had certainly a number of  
8 decisions on standing and funding, and we just had one.  
9 There may be more to come. But we have as a result parties  
10 representing a very broad range of interests and views,  
11 which makes for a thorough and successful inquiry, in my  
12 respectful submission.

13 We had a number of context-setting experts  
14 who told us a number of important things, starting with Dr.  
15 David Wolfe, an expert in child sexual abuse and the impact  
16 of child sexual abuse on victims who told us about the  
17 underreporting of child sexual abuse and some of the  
18 reasons for it. He told us about the overwhelming  
19 prevalence of the acquaintance molester form of abuse, as  
20 opposed to the stranger danger. He told us about some of  
21 the peculiar issues and difficult issues when we're dealing  
22 with alleged abuse by persons in positions of trust and  
23 authority. He also spoke about the evolution of the  
24 knowledge in this area and the evolution of the parties  
25 having to deal with it from the Badgley Report in the early

1 80s and onwards.

2 We heard from Professor Nicholas Bala, an  
3 expert on the evolution of legislation, law and legal  
4 processes involving children and, in particular, child  
5 sexual abuse. He spoke to us about the difficulty in  
6 successfully prosecuting some cases of child sexual abuse  
7 and how the laws have been changed and modified to help  
8 with that. He also spoke about the level and  
9 sophistication of training that he was directly involved in  
10 with police officers, Children's Aid officers, Crown  
11 prosecutors and judges in the mid to late 80s and onwards.

12 We heard from Dr. Nico Trocmé, an expert in  
13 the reporting of child abuse and, in particular, child  
14 sexual abuse who spoke to us about the increase in  
15 reporting of child abuse and neglect, and he told us that  
16 it has been steadily rising over the past 35 years in the  
17 province of Ontario.

18 We heard from John Liston, an expert in the  
19 child welfare response to allegations of child sexual  
20 abuse. And he spoke to us about how institutions worked  
21 together with inter-agency policies and procedures and how  
22 important that work is. He talked to us about that  
23 development in the mid 80s and onwards and how that isn't  
24 enough, and the parties' need to build and maintain working  
25 relationships, personal relationships in addition to simply

1           having written protocols.

2                                 We heard from Dr. Peter Jaffe, another  
3           expert in child sexual abuse and, in particular, the  
4           institutional and community response to it. Dr. Jaffe  
5           spoke to us about the subject of the prevention of child  
6           sexual abuse and how it has to be integrated into all  
7           community systems and institutions and that we need a  
8           national public awareness strategy. He told us that we  
9           cannot deal with issues of violence and abuse within the  
10          confines of courtrooms or therapists' offices and that  
11          these have to be important public issues addressed in all  
12          institutions, from local governments to churches and other  
13          institutions. And, of course, he told us the story that  
14          Mr. Bennett repeated to us yesterday, and it illustrates,  
15          at least from the view of an important public figure, the  
16          conflict that people in positions of authority sometimes  
17          have between doing what your heart tells you to do and what  
18          your head tells you to do.

19                                 We heard from Robert Fulton, an expert in  
20          social work with a particular emphasis in community needs  
21          assessments. Mr. Fulton provided some statistical and  
22          demographic information about Cornwall and surrounding  
23          areas and he spoke to us about population, education,  
24          family composition, et cetera, in explaining to us some of  
25          the risk factors that exist when it comes to child sexual

1 abuse.

2 We heard from Wendy Leaver, a detective with  
3 the Metro Toronto Police Force and an expert in the  
4 investigation of sexual offences and historical sexual  
5 offences and the training of police officers in this area,  
6 and she spoke to us about the evolution of knowledge and  
7 training of police officers dealing with offences against  
8 children from the Badgley Report onwards, a report she was  
9 personally involved in.

10 Although the experts to date were context-  
11 setting and therefore generally provided non Cornwall-based  
12 evidence, at this preliminary stage some themes may be in  
13 existence. We have to be cognizant of, as we go forward  
14 and listen to this evidence, the underreporting theme, the  
15 deniability problem, the denial of acquaintance-type abuse,  
16 disbelief of allegations against persons in positions of  
17 authority, whether or not allegations are true, other  
18 themes that have come from some of those experts.

19 There's still more important context-setting  
20 evidence to come. We have evidence to come from Father  
21 Loftus, a psychologist and priest and an expert in the  
22 response of the Catholic Church to allegations of child  
23 sexual abuse and the treatment of priests who may have been  
24 sexual offenders.

25 We also have the evidence of Wendy Van

1 Tongeren, an experienced Crown prosecutor with particular  
2 expertise in the area of the prosecution of sex crimes and  
3 crimes against persons who experience vulnerability.

4 Sir, you have heard corporate policy  
5 evidence from almost all of the public institutions  
6 represented here, and I believe that was a good  
7 illustration in the main about the collaborative efforts  
8 and the cooperation between Commission counsel and counsel  
9 for many of our parties, and that policy evidence has  
10 illustrated the relevant policies and procedures that were  
11 in place over time and the evolution of them.

12 We still have some holes to plug. So, Mr.  
13 Kozloff, we may see Ms. Brannan again for that purpose with  
14 the OPP. We have some holes to plug there. We have a  
15 corporate presentation from a school board and there may  
16 well be other policies and procedures that parties have to  
17 bring to our attention.

18 A number of important issues have been  
19 debated and they've been resolved, and I'm reminded about  
20 when I started this, talking to some Commission counsel for  
21 other inquiries -- I remember the comment, "Don't worry,  
22 Peter; things will just get going. There won't be many  
23 motions or preliminary matters. It doesn't really happen  
24 at preliminary inquiries." Well, we've had a few here, and  
25 perhaps that says something about the sensitivity of some

1 of the issues we're dealing with or the complexities of the  
2 mandate.

3 We've had the usual ones, the standing and  
4 funding decisions that you would expect at any public  
5 inquiry. Then we've had issues dealing with whether the  
6 Diocese is a public institution, whether alleged victims of  
7 Father MacDonald can testify.

8 As you've said already, Mr. Commissioner,  
9 there is a leave application pending with the Court of  
10 Appeal on that issue.

11 There have been issues with removing names  
12 and/or identifying features from affidavits that have been  
13 filed. There have been rulings on funding requests to go  
14 to the Divisional Court. There have been rulings on Rule  
15 31, solicitor-client privilege, a judicial review  
16 application and an amendment to our Rules. There have been  
17 rulings on redaction, and I'm sure I've missed some.

18 But there have been a number of times when  
19 we've come to you, and that doesn't mean that counsel  
20 haven't made efforts to try and resolve issues without  
21 coming to you. I think all of us would say that we have  
22 made and have had good meetings and good compromises on  
23 many issues, but there are times when decisions have been  
24 required and those decisions need to be made in an open,  
25 transparent and public way and in fashion.



1                   There are still issues and there will be  
2                   issues with respect to witnesses and/or other key players  
3                   who may wish to participate, and some of them may request  
4                   funding for counsel or possibly even party status.

5                   I just want to comment on that for a minute  
6                   with respect to Perry Dunlop. We have invited him to  
7                   participate in this process, and as you've heard from the  
8                   opening statements over the last day, there are several  
9                   parties that say it's very important that we examine what  
10                  he did and how his efforts may or may not have affected  
11                  some of the work that was being done by local police  
12                  forces, the Crown, the Children's Aid Society, et cetera.  
13                  We have invited him to participate. This is a provincial  
14                  public inquiry. We are fully cognizant of our summons  
15                  power and some of the limitations in asking people to come  
16                  from out of province, but we have invited him to  
17                  participate. To date, we have not had an acceptance of our  
18                  invitation. That invitation is still outstanding, and it's  
19                  clear from counsel for the Cornwall Community Police  
20                  Service that they are not representing Mr. Dunlop and if he  
21                  wishes to participate in this process, he could apply for  
22                  party status or certainly, as a witness, could apply for  
23                  counsel assistance. So we will see if he takes us up on  
24                  our offer as we go on.

25                  So where are we going? Well, as you know,

1 Mr. Commissioner, we've gone through and we have given two  
2 large disclosures to all of these parties that are on  
3 something called an external hard drive. And I'm going to  
4 get better at this as we go on, but I'm sure that applies  
5 to the vast majority of my friends who may not be  
6 completely computer literate. There are more disclosures  
7 to come. There are some redaction or removal issues with  
8 respect to some sensitive documents, and those will be  
9 issues that we will be dealing with.

10 But where we're going right now is we're  
11 starting our evidentiary hearings. We're going into some  
12 of that fact-finding that so many people have urged upon us  
13 and that public inquiries, since the get-go, have been told  
14 this is their primary function. It's taken some time to  
15 get to this point, but I think important groundwork has  
16 been laid.

17 So Stage 1 of those evidentiary hearings is  
18 we're going to hear testimony from some victims and alleged  
19 victims of child sexual abuse. In some cases, we will have  
20 factual overviews or reports of their evidence, where those  
21 individuals are either unable, unwilling, or otherwise not  
22 in a position to offer that testimony in person.

23 After that stage we will be going into Stage  
24 2, if I can call it that, where we're hopeful to have some  
25 testimony of offenders and/or alleged offenders. We have

1 invited offenders and alleged offenders to do that and to  
2 give that evidence *viva voce*, in person. To date, no one  
3 has taken us up on that offer. We think their stories can  
4 provide some evidence about some of the concerns we've  
5 heard and some of the problems they have suggested they had  
6 with respect to the justice system and other public  
7 institutions.

8 We have asked two of the parties that are  
9 present here, Jacques Leduc and Father Charles MacDonald to  
10 come forward and testify about some of the concerns they  
11 may have had and we've heard some of those concerns, at  
12 least through submissions of counsel with respect to  
13 incomplete investigations, possibly biased investigations  
14 or tunnel vision.

15 Unfortunately, to date they have indicated  
16 to us that their clients do not wish to testify, and I say  
17 that's unfortunate because if they have firmly held police  
18 that the investigations were inappropriate in any way, we  
19 believe that their first-hand views would be helpful to the  
20 work of this Inquiry.

21 Again, if we have none who come forward, we  
22 may or may not have some factual overviews or reports about  
23 some of those concerns.

24 The third stage is testimony from employees  
25 or officials of institutions with respect to their response

1 to allegations of historical abuse against young people  
2 and, in some cases, that testimony will be from  
3 institutional witnesses regarding the employment of an  
4 offender or alleged offender within their institution. And  
5 that's what I talked about earlier when I talked about an  
6 internal response as opposed to an external one.

7 We already know from the corporate policy  
8 evidence that the policies and procedures for dealing with  
9 both have changed over time and at the end of the day, the  
10 Inquiry will look at policies and procedures and gauge  
11 actions based on them and determine whether or not there  
12 were deficiencies, and if there were, no matter what they  
13 were, to comment on them, whether that's a failure to  
14 comply with a duty to report or any other perceived or  
15 stated deficiency.

16 How do we do this? How do we lead the  
17 evidence of victims and alleged victims? We start by  
18 saying there's been much discussion about how the evidence  
19 of victims and alleged victims will be led. Almost daily I  
20 get advice about what I should do or shouldn't do, and  
21 believe me, I'm not alone in getting that advice. I'm  
22 working with a team of lawyers and investigators who are  
23 trying to do this and trying to do this in an efficient and  
24 thorough manner.

25 The nature of the evidence that will be led

1 is shaped by the focus of this Inquiry. In other words,  
2 we're looking at the institutional response of the justice  
3 system and other public institutions and the interaction  
4 with community sector organizations. We are not engaging  
5 in trial-like prosecutions, as some would suggest.

6 The Commission will have to keep in mind  
7 individual rights. This is a concern raised by one of my  
8 friends yesterday and privacy and confidentiality concerns  
9 over the course of this evidence. Commission counsel is  
10 aptly aware of the difficulty that some of this evidence  
11 will cause, some of the difficulties it will cause for  
12 victims and/or alleged victims to testify and surely for  
13 alleged offenders or offenders if they choose to and,  
14 again, for some of those officials working in some of those  
15 institutions dealing with this difficult allegation or  
16 difficult allegations of child sexual abuse.

17 The media has played an important role in  
18 covering not only this Inquiry but some of the allegations  
19 and some of the controversy, some of the rumours and  
20 innuendo that you've heard about over the course of the  
21 last day and earlier and they play an important role in  
22 respect of this public inquiry as with any other public  
23 inquiry, and when looking at the media we have to be  
24 concerned about balancing not only the public's right to  
25 know but public privacy and confidentiality concerns.

1                   We have heard already there will be some  
2                   applications to ban the publication of names and we will  
3                   have to deal with these issues on a case-by-case basis as  
4                   we go forward, and there will be individuals who wish to  
5                   testify but not wish to testify fully in a public way,  
6                   whether that be in camera, by way of non identifying  
7                   initials or otherwise.

8                   So those are steps, those are processes that  
9                   we will be putting into place -- we will be attempting to  
10                  put into place as we proceed.

11                  And as I said, the media, both the  
12                  mainstream media and some of the alternative media you've  
13                  heard about today from counsel and yesterday, these  
14                  websites we've heard about, have contributed in some ways  
15                  as to how the community's views have been shaped with  
16                  respect to these allegations. I'm very hopeful that in  
17                  performing our fact-finding function here, we can deal with  
18                  this and we can get to the bottom of many of the issues  
19                  that have been swirling around the City of Cornwall.

20                  Now, in doing this and in calling this  
21                  evidence, there will be some shortcuts, and by using  
22                  shortcuts we are in no way trying to restrict or make this  
23                  Inquiry less thorough.

24                  We cannot realistically call all victims and  
25                  alleged victims who had concerns surrounding the

1 institutional response to allegations of abuse. For many  
2 reasons several people who fit those categories have told  
3 us they do not want to appear, they do not want to testify  
4 no matter what protection we can offer them because of  
5 where they are in their lives, with their families, with  
6 their jobs, et cetera. We have also heard, as you have  
7 heard, about some of those institution officials, like Mr.  
8 Dunlop and others, who may not wish to testify.

9 So some of these shortcuts will be dealt  
10 with through the use of section 5 of the Order in Council  
11 and I just want to reference that very briefly because I  
12 think the government in passing this specific Order in  
13 Council recognized some of these difficulties that we would  
14 face and how we could try and do this in a thorough yet  
15 efficient way.

16 What we have talked about and what we are  
17 allowed to do according to the Order in Council is refer to  
18 and rely on any of the following materials: transcripts or  
19 records of public preliminary matters, trials or appeal  
20 proceedings; factual overview reports, whether they're  
21 prepared by commission counsel or by parties; the testimony  
22 of representative witnesses in certain cases, where  
23 appropriate; and medical, professional, social science and  
24 similar evidence and background evidence by way of reports.

25 What are some of the questions we have been

1 asked to answer in the identification of themes and  
2 patterns? Well, as I said, we have parties here from all  
3 spectrums, all perspectives, and we have public  
4 institutions, many of whom have come forward over the last  
5 day and said, "We did things right from top to bottom. We  
6 don't think our employees did anything wrong. They acted  
7 in good faith and they did the best job they could in the  
8 circumstances they were in."

9 So we will be looking at the appropriateness  
10 of the response, and that appropriate response would be a  
11 complete response, a professional response, a competent  
12 response, a sensitive response, an effective response and  
13 an efficient response when we're dealing with allegations  
14 of child sexual abuse.

15 We also have parties who have suggested that  
16 they were inappropriate responses and we are going to hear  
17 that from several victims and alleged victims. And those  
18 inappropriate responses, and this is in no sense or order,  
19 could be insensitivity, inexperience, a lack of training,  
20 perhaps tunnel-vision or blindness, indifference, wilful  
21 blindness, incompetence, systemic failures, lack of  
22 resources, lack of training and knowledge, undue influence.  
23 We have even heard, at its worst, allegations of collusion,  
24 conspiracy or cover up.

25 So we have to look at appropriate responses,



1           whether they were appropriate responses, whether they were  
2           inappropriate responses and those are some of the themes  
3           that we will be looking at in judging appropriateness or  
4           inappropriateness, and, in many cases, whether there was a  
5           response at all will be an issue.

6                       Some areas that we will be looking at: the  
7           big picture context. We've had media reports swirling  
8           around about the number of charges that arose out of  
9           Project Truth, the number of persons who were charged and  
10          yet the small number of convictions. We hope to elaborate  
11          on that in more detail so that the public can be made aware  
12          of what happened.

13                      There are allegations that witnesses were  
14          not interviewed, that documents were ignored, that  
15          investigations were interfered with by third parties and  
16          others, and the community is and has been living these  
17          events and has the right to know what happened.

18                      There are a number of questions which flow  
19          from this. A number of those questions are set out by the  
20          Citizens for Community Renewal in their oral and written  
21          submissions, including, on the investigation side, whether  
22          the allegations were investigated, whether they were  
23          investigated appropriately, fairly, thoroughly, was there a  
24          coordinated interrelationship between the Crown and the  
25          investigators, were there systemic flaws. We intend to go

1           there. We intend to ask and answer those questions.

2                       The same with the prosecutions, whether they  
3           were handled appropriately, were they successful or  
4           unsuccessful and how do you measure that standard. Ms.  
5           McIntosh told us today we have to be aware of what it is  
6           and what the goal of a successful prosecution is.

7                       We will hear from victims and alleged  
8           victims about how they were treated by the institutions at  
9           hand, whether they were supported, kept informed,  
10          consulted, and the concern about re-victimization by public  
11          institutions, how it arises, how it can be minimized.

12                      We hope to hear, at least in some fashion,  
13          from offenders or alleged offenders about how they were  
14          treated, were the investigations of their charges thorough,  
15          were they objective, were they open minded, how were they  
16          dealt with by public institutions.

17                      And again, looking at systemic failures, if  
18          any, and identifying them, identifying whether there were  
19          patterns and whether there was coordination between  
20          institutions and community sector organizations.

21                      We will look at those allegations of  
22          conspiracy and try and answer how they arose, why they grew  
23          and how they should be dealt with at the end of the day.

24                      As I said, sir, I'm not like some of my  
25          friends and able to do things a little more quickly than I

1 first anticipated, so I apologize for the length. I have  
2 just some brief concluding remarks.

3 I'm looking forward, as are all of my  
4 colleagues on our legal team and on our investigation team,  
5 to this new stage of the Inquiry, the evidentiary hearings.  
6 We recognize that this is important and yet difficult work.  
7 We are delighted that counsel for the parties have shown a  
8 willingness to work together with us to collaborate and we  
9 have heard now the positive goals they have. I think every  
10 single person that has come forward has said they want to  
11 see this community mend.

12 We have heard it said by parties that those  
13 who allege the existence of a ring or a clan must come  
14 forward. They must be examined. They must be cross-  
15 examined. We agree. This is their opportunity. If people  
16 are going to make these allegations they should come  
17 forward and they should do so here. This is the  
18 opportunity to do so.

19 Those people who come forward can do so in  
20 various ways and, as we have said earlier, with various  
21 protections, and the inquiry has established a counselling  
22 program as well as a witness assistance and support  
23 program.

24 There may still be more victims and more  
25 alleged victims, more perpetrators, more alleged

1 perpetrators or offenders who have views on what has  
2 happened and they may have an important story to tell.

3 One of the things that has worked very well  
4 over the last year, despite what some have to say about  
5 certain websites, that our website has attracted the  
6 public, it has attracted public responses.

7 We have had consultation with the parties,  
8 with their counsel and we continue to have dialogue with  
9 the public and we welcome that dialogue.

10 I would welcome those members of the public  
11 who are listening to contact us if they have important  
12 stories to tell, whether they can tell them to us with  
13 their names or without, because it's important when we're  
14 looking at the institutional response in this case to know  
15 the full story. So we encourage the public to continue to  
16 contact us as they have.

17 And for some of them that write to us a lot,  
18 I apologize if we don't get back to you all as quickly as  
19 we can, but we encourage you to continue to correspond with  
20 us and share your views with us, whether they be views on  
21 experts we should be calling, whether they be views on the  
22 advisory panel or whether they be views on the mandate and  
23 scope of this Inquiry. We have been pleased with the  
24 public response to date and we continue to welcome your  
25 input and views.

1                   It is only through that type of dialogue  
2                   that we can do the thorough job of fact-finding that all of  
3                   us on the Commission team wish to do here. We are ready,  
4                   willing and able to do it and we need your help to do it.

5                   Mr. Commissioner, I have some very brief  
6                   comments on some of the comments that we heard that I  
7                   haven't been able to incorporate and I wanted to start with  
8                   a comment by the Cornwall Community Police Service from  
9                   yesterday.

10                  As I said, I certainly agree with Mr.  
11                  Callaghan's comment that people who allege conspiracy or  
12                  innuendo or rumours or collusion on the part of his client  
13                  need to come forward. He needs to have a chance to  
14                  confront them.

15                  He also suggested to us that we're not  
16                  really leading a representative sample of victims or  
17                  alleged victims and that we shouldn't be making  
18                  determinations based on a few witnesses that come forward  
19                  and who may have had concerns about the Cornwall Community  
20                  Police Service.

21                  And I believe he told us that there were  
22                  1,100 sexual offences successfully investigated and/or  
23                  prosecuted. Well, tell us about them, give us some  
24                  examples and we'll look at a representative sample. We're  
25                  not just here to look at inappropriate behaviour. We're

1 here to look at appropriate behaviour and what's done. So  
2 we welcome his client to come forward and give us further  
3 information.

4 We welcome officials from the Ministry of  
5 Community and Correctional Service, as Mr. Neuberger told  
6 us, who will come forward and tell us how they dealt with  
7 individuals who may have been sexually abused by two  
8 employees of their Ministry and how those other officials  
9 dealt with it, how they got victims or alleged victims of  
10 sexual abuse off to appropriate counselling, et cetera. So  
11 we welcome those witnesses in that discussion.

12 Counsel for Jacques Leduc told us about some  
13 of the concerns that he has with what has happened and I  
14 would repeat my invitation that they should reconsider and  
15 he should come forward and tell us some of those concerns  
16 firsthand so that we can deal with them here.

17 Counsel for the CCR told us about the need  
18 to have a broad and thorough inquiry and I think we have  
19 addressed that. I think we're on the same page on that.  
20 And they told us how important it was to have the role of  
21 Perry Dunlop examined. That will be examined and if Mr.  
22 Dunlop does not participate we will be putting together a  
23 factual overview report on that and we know already from  
24 some of the public institutions involved here that they  
25 will be having comments on his role and how it affected

1 their ability to respond.

2 We heard from the Diocese and I think I have  
3 commented on that and the need for a careful balancing and  
4 the need not to violate individual rights, and we think we  
5 can do that with a broad and thorough inquiry.

6 We heard from the OPPA about how we should  
7 approach this task in the spirit of transparency and we  
8 intend to do that, and how the process must be fair and  
9 thorough.

10 We heard from the Men's Project about some  
11 of the work that's been done on Phase 2 and also the  
12 comment at the end by Mr. Bennett about how we must look at  
13 the legal process itself and whether it can contribute to a  
14 lack of humouring and is there another way, perhaps a  
15 better way to do this.

16 We heard from counsel for the Victims Group  
17 about the fact that there's two sides to the Perry Dunlop  
18 story and the need to look at very carefully some of the  
19 actions of institutions to determine whether there was  
20 naivety, ignorance, incompetence or something more  
21 sinister.

22 We heard from the Ministry of the Attorney  
23 General about a number of issues and about the role of  
24 Crown prosecutors and we will have to look at that and how  
25 the Ministry of the Attorney General wishes us to be a full

1 independent public inquiry.

2 We heard from the OPP about the need to deal  
3 with all witnesses with respect, compassion and patience  
4 and I'm sure that all counsel echo those concerns.

5 We heard from the Children's Aid Society  
6 about our mandate, the contextual nature of the mandate and  
7 some of the problems that are associated with child sexual  
8 abuse and that, in particular, that it was important for  
9 all of us to bear in mind the negative effects of child  
10 sexual abuse when hearing the evidence of witnesses.

11 And we heard from the Upper Canada District  
12 School Board about how the School Board and others have  
13 adopted the Robins' Report to change and to deal with some  
14 of the issues that arose therein about abuse within  
15 schools.

16 So I think there are common themes here,  
17 sir. We look forward to working with all counsel and  
18 particularly look forward to starting this next phase of  
19 the Inquiry.

20 Those are my not-so-brief opening comments.

21 Thank you.

22 **THE COMMISSIONER:** Thank you.

23 So where do we go from here now?

24 **MR. ENGELMANN:** What I would propose, sir,  
25 is I believe I have a witness waiting and that is Mr. Larry



1 Seguin who will be our first witness this afternoon.

2 I propose perhaps that we take our lunch  
3 break now and perhaps we come back earlier than our usual  
4 start of 2:00.

5 **THE COMMISSIONER:** So 1:30?

6 **MR. ENGELMANN:** Yes, 1:30 would be fine.

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

8 We will break until 1:30 and we will start with the  
9 evidence.

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

12 The hearing will reconvene at 1:30.

13 --- Upon recessing at 11:43 a.m./

14 L'audience est suspendue à 11h43

15 --- Upon resuming at 1:33 p.m./

16 L'audience est reprise à 13h33

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

19 This hearing of the Cornwall Public Inquiry  
20 is now in session. Please be seated. Veuillez vous  
21 asseoir.

22 **THE COMMISSIONER:** So, Mr. Engelmann? Mr.  
23 Engelmann, good afternoon. I take it we're about ready for  
24 our first witness?

25 **MR. ENGELMANN:** We are.

1 THE COMMISSIONER: All right.

2 Well, I have a few comments though.

3 MR. ENGELMANN: I am glad.

4 THE COMMISSIONER: Why is that?

5 MR. ENGELMANN: I am always happy to have  
6 your comments, sir, and I need two minutes.

7 THE COMMISSIONER: Good.

8 MR. ENGELMANN: I would be very happy to  
9 have your comments now.

10 THE COMMISSIONER: All right.

11 MR. ENGELMANN: I think the witness is just  
12 outside for a health break for a moment.

13 --- FINAL OPENING STATEMENT BY/DÉCLARATION D'OUVERTURE

14 FINALE PAR JUSTICE NORMAND GLAUDE:

15 THE COMMISSIONER: Okay. Good. Well, why  
16 don't I say what I have to say and then we will see where  
17 the witness is. Very good.

18 I think it's appropriate to say "And so it  
19 begins at long last." Some of you have waited years, some  
20 of you waited patiently and others less so.

21 Good afternoon. I just have a few comments  
22 to make then we will get right with you.

23 Some feel apprehension. Others feel a sense  
24 of relief. As we embark on the stage of this Inquiry,  
25 there will be some difficult questions asked, certainly

1           difficult questions or answers given.

2                           If this stage of the Inquiry is to be  
3 meaningful, it is essential that we all be sensitive to the  
4 issues at hand and that no matter how charged the testimony  
5 may be at times, we must treat all of the witnesses with  
6 respect and that translates to keeping an orderly room,  
7 quiet and attentive, asking the media to respect the wishes  
8 of the witnesses and my orders dealing with confidentiality  
9 and, in that regard, I ask them to refer to the protocols  
10 that we posted.

11                           On the administrative side, there may be  
12 some slight delays in bringing documents on the screen.  
13 There may be times when I decide to hold an in camera  
14 hearing. Those are hearings which exclude the public,  
15 where I am called upon to make decisions about  
16 confidentiality measures. There will be times when we  
17 exclude the public to determine whether or not there should  
18 be confidentiality measures or complete in camera evidence.  
19 That does not mean that the hearings are private. As you  
20 know, the parties represent all of the interests possible  
21 from alleged victims and victims to alleged perpetrators to  
22 police and community interest groups. And so the public  
23 can rest assured that as we conduct in camera hearings,  
24 that all matters are fully argued and all points of view  
25 are being considered.

1           As well, after the hearing is completed, I  
2 shall publically explain the issue and provide my reasons  
3 for the ruling. In that way, the public will continue to  
4 be fully informed as to the progress the Inquiry is making.

5           Finally, a word to the public. This Inquiry  
6 will continue to be open and transparent. The reason for  
7 that is simple; it is to give you, the public, full access  
8 to the facts surrounding the events touching the matters  
9 that give rise to this Inquiry.

10           In so doing, while this is not a trial, the  
11 public is much like a jury. A jury is presented with facts  
12 and is asked to come to a decision applying the law to the  
13 evidence -- law of the evidence with the facts as they find  
14 them. In order to do its job properly, all juries are  
15 reminded at the outset that they must keep an open mind  
16 until all of the evidence is heard, until all is said and  
17 done. It will be all too easy to latch on to one set of  
18 facts in this Inquiry and make your determination. That  
19 would be a grave error. We have waited long enough for  
20 this Inquiry. It is imperative that we get it right.

21           Accordingly, if you wish to be part of the  
22 jury, so to speak, I charge you with the responsibility of  
23 keeping an open mind until the last witness is heard and  
24 the last submission is delivered. Then, and only then,  
25 will we be in a position to assess and come to proper

1 conclusions in this matter.

2 And with that, Mr. Engelmann, I see that our  
3 witness is here and you are ready to go.

4 **MR. ENGELMANN:** Thank you.

5 The first witness is Mr. Larry Seguin. If  
6 the witness could be sworn, please?

7 **LARRY SEGUIN, SWORN/ASSERMENTÉ:**

8 **THE COMMISSIONER:** Mr. Seguin, you're here  
9 as the first witness in this Inquiry on the evidentiary  
10 hearings and what I want to do is just run through some  
11 guidelines for you.

12 **MR. L. SEGUIN:** Sure.

13 **THE COMMISSIONER:** The first thing is that  
14 I'd ask you to wait until the question is asked to give an  
15 answer. If at any point in time you don't understand the  
16 question, it's okay to say "I don't understand" and have  
17 them repeat it. Sometimes lawyers, you know, they get lost  
18 in their words and we have to straighten them out every  
19 once in a while.

20 The other thing is, if you don't know the  
21 answer to a question, it's okay to say that "I don't know  
22 the answer". All right?

23 So if at any time you want a break or if  
24 there is anything you don't understand, simply turn to me  
25 and we can talk and iron things out.

1                   **MR. L. SEGUIN:** Okay.

2                   **THE COMMISSIONER:** Do you have any questions  
3 of me at this time?

4                   **MR. L. SEGUIN:** No.

5                   **THE COMMISSIONER:** All right. Keep your  
6 voice up loud.

7                   Mr. Engelmann, go ahead.

8                   **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**  
9 **ENGLEMANN:**

10                   **MR. ENGELMANN:** Thank you.

11                   Mr. Seguin, I just also wanted to echo a  
12 couple of comments the Commissioner made. If you can't  
13 hear me or understand the question, just ask me to repeat  
14 it.

15                   **MR. L. SEGUIN:** Okay.

16                   **MR. ENGELMANN:** And after I ask you  
17 questions, some of the lawyers for some of the other  
18 parties here may have some questions for you.

19                   **MR. L. SEGUIN:** Sure.

20                   **MR. ENGELMANN:** We're going to have a few  
21 documents that I am going to ask you to look at and you'll  
22 get a paper copy when I do that and you'll also have the  
23 document up on the screen. So you'll have a choice if you  
24 want to read it on a hard copy form or on the screen.

25                   **MR. L. SEGUIN:** Okay.

1                   MR. ENGELMANN: All right.

2                   MR. ENGELMANN: If you can't hear me loudly  
3 enough, there is a microphone right next to you and you can  
4 turn that up if you need to ---

5                   THE COMMISSIONER: Actually, it's called a  
6 speaker.

7                   MR. ENGELMANN: A speaker.

8                   MR. L. SEGUIN: A speaker.

9                   MR. ENGELMANN: Yes. All right.

10                   So, Mr. Seguin, let me just start with some  
11 preliminary questions. I understand that you're a member  
12 of the Victims Group; is that correct?

13                   MR. L. SEGUIN: Yes.

14                   MR. ENGELMANN: And as a member of the  
15 Victims Group you're represented by Mr. Lee and his firm?

16                   MR. L. SEGUIN: That's correct.

17                   MR. ENGELMANN: And did you swear an  
18 affidavit in support of the Victims Group application for  
19 standing and funding in this Inquiry?

20                   MR. L. SEGUIN: Yes, I did.

21                   MR. ENGELMANN: All right.

22                   Mr. Seguin, are you aware that this Inquiry  
23 is examining how public institutions responded to  
24 allegations of sexual abuse against young people in  
25 Cornwall?

1                   MR. L. SEGUIN: Yes, I am.

2                   MR. ENGELMANN: Now, we have a number of  
3 public institutions involved in this case, but as I  
4 understand your concerns and concerns you have about a  
5 public institutional response, are they mostly about the  
6 Cornwall Police Service?

7                   MR. L. SEGUIN: Yes.

8                   MR. ENGELMANN: Sir, I understand that there  
9 were two incidents of sexual abuse that you reported?

10                  MR. L. SEGUIN: That's correct.

11                  MR. ENGELMANN: And I understand with  
12 respect to the second incident, you also have some concerns  
13 about another public institution?

14                  MR. L. SEGUIN: That's correct.

15                  MR. ENGELMANN: And that's the Ministry of  
16 the Attorney General or Crown Prosecutor Office?

17                  MR. L. SEGUIN: Yes.

18                  MR. ENGELMANN: Mr. Seguin, can you tell us  
19 your date of birth and your current age?

20                  MR. L. SEGUIN: October the 4<sup>th</sup>, 1971 and my  
21 age is 35.

22                  MR. ENGELMANN: So your birthday is today?

23                  MR. L. SEGUIN: That's correct.

24                  MR. ENGELMANN: You're 35 years of age today?

25                  MR. L. SEGUIN: Yes.



1                   **MR. ENGELMANN:** Mr. Seguin, I understand  
2                   that either you or your mother would have reported two  
3                   incidents of sexual abuse that -- would have reported that  
4                   you were sexually abused as a child on two instances. Is  
5                   that right?

6                   **MR. L. SEGUIN:** That's correct.

7                   **MR. ENGELMANN:** I'll deal with these two  
8                   separately, but I want to start with the first one. I just  
9                   want to try and confirm the date. It's my understanding  
10                  that the first incident in the first report of child sexual  
11                  abuse was in February of 1978?

12                  **MR. L. SEGUIN:** That's correct.

13                  **MR. ENGELMANN:** Do you recall the time of  
14                  year that it was when this happened?

15                  **MR. L. SEGUIN:** It was in the wintertime.

16                  **MR. ENGELMANN:** Okay. And how old would you  
17                  have been then?

18                  **MR. L. SEGUIN:** Six.

19                  **MR. ENGELMANN:** I understand, sir, that you  
20                  and/or your mother reported that you were sexually abused a  
21                  second time in late October of 1987.

22                  **MR. L. SEGUIN:** That's correct.

23                  **MR. ENGELMANN:** And at that time you would  
24                  just have turned 16?

25                  **MR. L. SEGUIN:** Yes.

1                   **MR. ENGELMANN:** So, Mr. Seguin, I'd like to  
2 take you to the first incident, if I could. And I'd like  
3 to show you a document which I believe is a statement that  
4 you gave the police about that incident.

5                   For the record, the document number in the  
6 electronic database system is 736048.

7                   Mr. Seguin you should have a document that  
8 is two pages.

9                   **MR. L. SEGUIN:** Yes.

10                  **MR. ENGELMANN:** And, the Bates page number  
11 for the record 7139970. It's a document that has in bold  
12 print "Cornwall Police Service Statement of a Witness"?

13                  **MR. L. SEGUIN:** That's correct.

14                  **MR. ENGELMANN:** It appears to be dated on  
15 February 15<sup>th</sup>, 2001.

16                  **MR. L. SEGUIN:** Yes.

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

18                  And there is a signature at the bottom of  
19 the first page?

20                  **MR. L. SEGUIN:** That's the bottom ---

21                  **MR. ENGELMANN:** A signature of witness?

22                  **MR. L. SEGUIN:** Yes, that's my signature.

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

24                  And could you turn to the second page? Tell  
25 us whose signature appears at the bottom of that page.

1                   MR. L. SEGUIN: That would be my signature.

2                   MR. ENGELMANN: All right.

3                   Mr. Seguin, do you remember -- are you able  
4 to tell us whether this is in your handwriting or in  
5 someone else's handwriting?

6                   MR. L. SEGUIN: This is in my own  
7 handwriting.

8                   MR. ENGELMANN: All right.

9                   And this appears to be a statement that you  
10 gave to the Cornwall Police Service February 15<sup>th</sup>, 2001, at  
11 or around 11:00 in the morning?

12                   MR. L. SEGUIN: That's correct.

13                   MR. ENGELMANN: Do you recall giving that  
14 statement, sir?

15                   MR. L. SEGUIN: Yes, I do.

16                   MR. ENGELMANN: And do you recall in whose  
17 presence you would have given that statement?

18                   MR. L. SEGUIN: Sergeant Rick Carter.

19                   MR. ENGELMANN: I'm wondering if that could  
20 be the next exhibit, Mr. Commissioner?

21                   THE COMMISSIONER: Yes, 62.

22                   --- EXHIBIT NO./PIÈCE No. P-62:

23                                   Larry Seguin - Statement of a Witness -  
24                                   February 15, 2001

25                   MR. ENGELMANN: Mr. Seguin, this statement

1 that you wrote out in your own hand for the Cornwall Police  
2 Service in 2001 is now just over five years old?

3 MR. L. SEGUIN: Yes.

4 MR. ENGELMANN: And it's referring to events  
5 which took place almost 30 years go.

6 MR. L. SEGUIN: That's correct.

7 MR. ENGELMANN: To your knowledge, if you  
8 can help us here, do you know if this statement -- I just  
9 want you to look at the first page and a half of the  
10 statement for a minute. Again, you can either read the  
11 hard copy or the screen. If you need the screen moved, you  
12 can just ask the clerk.

13 MR. L. SEGUIN: Okay.

14 (SHORT PAUSE/COURTE PAUSE)

15 MR. L. SEGUIN: Yes, I recognize the  
16 statement.

17 MR. ENGELMANN: So you've had an opportunity  
18 to read the first page and a half or so, sir?

19 MR. L. SEGUIN: Yes, I did.

20 MR. ENGELMANN: And to your knowledge, does  
21 that accurately describe what you would have told not just  
22 the police when you wrote the statement in 2001, but what  
23 you might have told the police officer at that time in  
24 1978?

25 MR. L. SEGUIN: That's correct.

1                   **MR. ENGELMANN:** It describes both an  
2 abduction and a sexual abuse.

3                   **MR. L. SEGUIN:** Yes.

4                   **MR. ENGELMANN:** And this is by a man who you  
5 didn't know?

6                   **MR. L. SEGUIN:** That's correct.

7                   **MR. ENGELMANN:** Can you give us a sense as  
8 to what time of day this might have occurred, sir?

9                   **MR. L. SEGUIN:** Between 3:30 and 5:00 p.m.

10                  **MR. ENGELMANN:** And how do you know that or  
11 what makes you think that?

12                  **MR. L. SEGUIN:** I know it was after school  
13 and also I know I was trying to get back to my house in  
14 time for my favourite show, which I know started before or  
15 at 5:00 p.m.

16                  **MR. ENGELMANN:** Okay.

17                  **MR. L. SEGUIN:** I believe it started at  
18 5:00. I'm not too sure exactly.

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

20                  And, sir, you described being abducted or  
21 taken from a place near your mother's home, the home you  
22 were living in?

23                  **MR. L. SEGUIN:** That's correct.

24                  **MR. ENGELMANN:** Taken to somewhere else here  
25 in the City of Cornwall?

1                   MR. L. SEGUIN: Yes.

2                   MR. ENGELMANN: And then returned close to  
3 your mother's home?

4                   MR. L. SEGUIN: Yes.

5                   MR. ENGELMANN: And do you know  
6 approximately when it would have been that you would have  
7 returned to your mother's home?

8                   MR. L. SEGUIN: It would have been  
9 approximately an hour. It seemed longer at the time, but I  
10 figure it would have been about that time, about an hour at  
11 the most.

12                  MR. ENGELMANN: And what did you do when you  
13 got home?

14                  MR. L. SEGUIN: I told my mother what had  
15 happened. She had phoned the police.

16                  MR. ENGELMANN: Do you have some sense as to  
17 how long it took the police to arrive?

18                  MR. L. SEGUIN: I remember it was fairly  
19 quickly that they had showed up, the police.

20                  MR. ENGELMANN: So I want to ask you what  
21 then happened. Do you recall if the police officer asked  
22 you some questions at the scene -- I mean at your mother's  
23 home?

24                  MR. L. SEGUIN: Yes, I had told the officer  
25 what had happened. We ended up going to the scene to try

1 and retrieve a glove that was discarded.

2 MR. ENGELMANN: Okay.

3 MR. L. SEGUIN: And then also the officer  
4 took myself and my mother to the Hotel Dieu Hospital. I'm  
5 not sure exactly which happened first, if we went to the  
6 hospital first and then went to look for the glove or if we  
7 looked for the glove first, but I think we probably would  
8 have went to look for the glove first. I'm not sure  
9 exactly which ---

10 MR. ENGELMANN: Okay. So the police officer  
11 came to the house?

12 MR. L. SEGUIN: Yes.

13 MR. ENGELMANN: Was it one officer or two?

14 MR. L. SEGUIN: One.

15 MR. ENGELMANN: Do you remember if it was a  
16 man or a woman?

17 MR. L. SEGUIN: It was a man.

18 MR. ENGELMANN: Do you remember his name or  
19 number?

20 MR. L. SEGUIN: No, I don't.

21 MR. ENGELMANN: Okay. And there was some  
22 discussion at the house or not?

23 MR. L. SEGUIN: Yes, I told him what had  
24 happened and ---

25 MR. ENGELMANN: Okay. And then he either

1 took you to the place you described as where you were  
2 sexually abused?

3 MR. L. SEGUIN: Yes. I believe -- now that  
4 I'm thinking, I'm pretty sure it happened first. We went  
5 to the scene and then we went to the hospital afterwards.

6 MR. ENGELMANN: But you remember doing both?

7 MR. L. SEGUIN: Yes.

8 MR. ENGELMANN: And you remember doing both  
9 with the police officer?

10 MR. L. SEGUIN: That's correct.

11 MR. ENGELMANN: Do you remember if your  
12 mother was there?

13 MR. L. SEGUIN: Yes, my mother was there.

14 MR. ENGELMANN: Sir, do you remember being  
15 examined by a doctor at the hospital?

16 MR. L. SEGUIN: Yes, I do.

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

19 MR. L. SEGUIN: I was just informed of the  
20 doctor, who was my family doctor, Dr. Legault. From  
21 memory, I don't remember it being him.

22 MR. ENGELMANN: Okay. You know that because  
23 you've looked at a report?

24 MR. L. SEGUIN: That's correct.

25 MR. ENGELMANN: All right.



1 Was your mother present during that  
2 examination?

3 MR. L. SEGUIN: Yes, she was.

4 MR. ENGELMANN: Do you know if the police  
5 officer was there?

6 MR. L. SEGUIN: I believe he was.

7 MR. ENGELMANN: Now, the spot that you would  
8 have attended with the police officer, was that somewhere  
9 in the City of Cornwall?

10 MR. L. SEGUIN: Yes.

11 MR. ENGELMANN: Do you remember  
12 approximately where that was?

13 MR. L. SEGUIN: It would have been down  
14 Brookdale Street towards the bridge, heading towards the  
15 401, although I'm not sure if it would have been Tollgate  
16 Road or the road afterwards.

17 MR. ENGELMANN: Okay.

18 MR. L. SEGUIN: It was one of the two  
19 streets.

20 MR. ENGELMANN: And where were you living  
21 then?

22 MR. L. SEGUIN: At 52 Westgate Court.

23 MR. ENGELMANN: And what is Westgate Court,  
24 Mr. Seguin?

25 MR. L. SEGUIN: Westgate Court is low rental

1 units which is located close to 13<sup>th</sup> Street, right beside  
2 the Best Western.

3 MR. ENGELMANN: Okay. Now, Mr. Seguin, we  
4 know from some reports that you would have attended the  
5 hospital on February 17<sup>th</sup>, 1978.

6 MR. L. SEGUIN: That's correct.

7 MR. ENGELMANN: And do you recall that your  
8 hospital attendance was the same day as the reported sexual  
9 abuse?

10 MR. L. SEGUIN: Yes, it was.

11 MR. ENGELMANN: And that was apparently a  
12 Friday?

13 MR. L. SEGUIN: Yes.

14 MR. ENGELMANN: Can you tell us if there was  
15 any follow-up by the officer later that night or sometime  
16 that weekend?

17 MR. L. SEGUIN: No, there wasn't.

18 MR. ENGELMANN: Okay. Can you tell us if  
19 there was any follow-up by that officer with you at any  
20 time after Friday, February 17<sup>th</sup>, 1978?

21 MR. L. SEGUIN: No, there wasn't.

22 MR. ENGELMANN: Do you know if there was any  
23 follow-up by the officer with your mother?

24 MR. L. SEGUIN: I don't believe there was.

25 MR. ENGELMANN: Do you know if you ever saw

1 that police officer again?

2 MR. L. SEGUIN: I can't say. I don't  
3 remember his face. I may have run into him afterwards on  
4 an unrelated matter, but I don't believe that I ran into  
5 him again.

6 MR. ENGELMANN: So after February 17<sup>th</sup>, 1978,  
7 did anyone from the Cornwall Police Service ever initiate  
8 any contact with you about the abduction and sexual abuse  
9 complaint that you made as a six-year old boy?

10 MR. L. SEGUIN: Are we talking before I had  
11 actually seen the person again?

12 MR. ENGELMANN: I'm asking you if they ever  
13 initiated the contact.

14 MR. L. SEGUIN: No, they didn't.

15 MR. ENGELMANN: Now, in 1978, your statement  
16 indicates some of the things you would have told them about  
17 the car, the fact that there was a dog, things of that  
18 nature.

19 MR. L. SEGUIN: That's correct.

20 MR. ENGELMANN: Do you recall if you would  
21 have given them a description of the man at that time?

22 MR. L. SEGUIN: I know I had given him a  
23 description verbally, but as far as them having somebody  
24 come for a sketch or anything like that, that wasn't done.

25 MR. ENGELMANN: Okay. Now, this was 1978

1 now when this happened, when you reported it. Do you  
2 remember if you would have provided them with a licence  
3 plate number at that time?

4 MR. L. SEGUIN: At that time, no.

5 MR. ENGELMANN: Okay. Now, Mr. Seguin, did  
6 something happen the following year with respect to the  
7 same person that you reported as sexually abusing you?

8 MR. L. SEGUIN: Yes.

9 MR. ENGELMANN: And can you tell us briefly  
10 what happened?

11 MR. L. SEGUIN: I had seen the person who  
12 had sexually assaulted me and kidnapped me. I had seen the  
13 car in the parking lot. I had made a mental note of the  
14 licence plate and I went in and told my mother.

15 MR. ENGELMANN: Okay. Well, let me just  
16 stop you there for a minute.

17 So this is in 1979?

18 MR. L. SEGUIN: Yes.

19 MR. ENGELMANN: And do you remember the  
20 season or the month?

21 MR. L. SEGUIN: It would have been the  
22 spring or summer.

23 MR. ENGELMANN: Okay. And you say that  
24 because?

25 MR. L. SEGUIN: Because I just remember we

1           were all of us playing outside and it was nice weather. So  
2           I know it would have been in either the spring or the  
3           summer.

4                   **MR. ENGELMANN:** Okay. Do you remember if it  
5           was a weekday or a weekend?

6                   **MR. L. SEGUIN:** I believe it would have been  
7           a weekend because a lot of us were playing outside and it  
8           was early enough in the afternoon. So I believe it would  
9           have been a weekend.

10                   **MR. ENGELMANN:** Okay. And you said you saw  
11          this man again?

12                   **MR. L. SEGUIN:** Yes.

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

14                   And do you describe this in Exhibit 62, in  
15          your statement to the Cornwall Police Service in 2001?

16                   **MR. L. SEGUIN:** Yes.

17                   **MR. ENGELMANN:** And where do we find that?

18                   **MR. L. SEGUIN:** On page 2, the last  
19          paragraph from the bottom.

20                   **MR. ENGELMANN:** And again, you would have  
21          written this out?

22                   **MR. L. SEGUIN:** Yes.

23                   **MR. ENGELMANN:** So you saw the man?

24                   **MR. L. SEGUIN:** Yes.

25                   **MR. ENGELMANN:** Did you see him in a house

1 or enter a house?

2 MR. L. SEGUIN: It would have been in the  
3 parking lot is where I seen him.

4 MR. ENGELMANN: Okay. And you saw the same  
5 car again?

6 MR. L. SEGUIN: Yes.

7 MR. ENGELMANN: All right.

8 And did you notice the licence plate this  
9 time?

10 MR. L. SEGUIN: Yes, I did.

11 MR. ENGELMANN: And did you write it down or  
12 remember it?

13 MR. L. SEGUIN: I remembered it.

14 MR. ENGELMANN: Okay. And what did you do  
15 after you saw the man and you saw the car and you  
16 remembered the licence plate?

17 MR. L. SEGUIN: I went into my house and I  
18 told my mother, at which point she had phoned the police.

19 MR. ENGELMANN: And do you know again, sir,  
20 about how long it might have taken the police to arrive?

21 MR. L. SEGUIN: They responded fairly  
22 quickly. I don't remember waiting on them. I can't say  
23 exactly how many minutes, but I know it was a fairly quick  
24 response.

25 MR. ENGELMANN: And, sir, do you remember --

1 did one officer show up or two officers?

2 MR. L. SEGUIN: I believe it was one  
3 officer.

4 MR. ENGELMANN: Okay. Do you remember the  
5 person's name?

6 MR. L. SEGUIN: No, I don't.

7 MR. ENGELMANN: Do you remember the person's  
8 gender, whether it was a man or a woman?

9 MR. L. SEGUIN: It was a man.

10 MR. ENGELMANN: And do you remember if it  
11 was your mother or you who contacted the police?

12 MR. L. SEGUIN: My mother would have made  
13 the call.

14 MR. ENGELMANN: And do you remember having a  
15 discussion with the police officer when he showed up?

16 MR. L. SEGUIN: Yes.

17 MR. ENGELMANN: And you've described that in  
18 summary form at least in Exhibit 62. Do you know if that's  
19 all you said to the police officer that day or all that he  
20 said to you?

21 MR. L. SEGUIN: What I wrote here in the  
22 statement was basically a little bit simplified. What he  
23 had said was -- he didn't say that the judge wouldn't  
24 believe me. He said something to do with how the judge  
25 would take the response of a seven-year old for a crime

1           that happened a year ago, so that they would not be laying  
2           any charges, but if the person bothered me again, to give  
3           them a call.

4                       **MR. ENGELMANN:** Okay. Well, let's just take  
5           a look at the summary that you've given. You say the  
6           officer then said it was too late to lay charges.

7                       **MR. L. SEGUIN:** Yes.

8                       **MR. ENGELMANN:** That too long a period had  
9           passed or has passed.

10                               "The officer told me to stay away from  
11                               him and if he bothered me, to phone  
12                               police. The car he was driving was  
13                               green or blue in colour and the plate  
14                               number was NER 660 Ontario."

15                               Do you remember -- does that accurately  
16           describe ---

17                       **MR. L. SEGUIN:** Yes.

18                       **MR. ENGELMANN:** --- at least part of what  
19           you told the police officer?

20                       **MR. L. SEGUIN:** That's correct, yes.

21                       **MR. ENGELMANN:** And you say that there was  
22           some further discussion, sir, on top of that?

23                       **MR. L. SEGUIN:** Just basically what I just  
24           stated about how the judge would take the testimony of a  
25           seven-year old for a crime that happened a year ago.



1                   **MR. ENGELMANN:** Okay. And that's something  
2 that the police officer said to you?

3                   **MR. L. SEGUIN:** Yes. I don't know if it's  
4 the exact wording, but it was -- that was basically the  
5 statement given.

6                   **MR. ENGELMANN:** Okay. And did you give the  
7 police officer the licence number at that time?

8                   **MR. L. SEGUIN:** Yes.

9                   **MR. ENGELMANN:** Now, to your knowledge, how  
10 long was this interaction with the police in 1979?

11                   **MR. L. SEGUIN:** Maybe 20 minutes.

12                   **MR. ENGELMANN:** So did the police officer do  
13 anything after you spoke to him? Did he go looking for  
14 this man?

15                   **MR. L. SEGUIN:** No, he basically left right  
16 away.

17                   **MR. ENGELMANN:** Is there anything else you  
18 can recall from the encounter with him?

19                   **MR. L. SEGUIN:** With the officer? No.

20                   **MR. ENGELMANN:** Do you remember how either  
21 you or your mother felt after that incident?

22                   **MR. L. SEGUIN:** I know I felt basically let  
23 down and I was very upset, basically developed some dislike  
24 for the police because of it.

25                   **MR. ENGELMANN:** Mr. Seguin, do you know if

1           either of these officers, either the one from 1978 or the  
2           one from 1979 did any follow-up with you about the incident  
3           from 1978?

4                   **MR. L. SEGUIN:** No, there was no follow-up.

5                   **MR. ENGELMANN:** And did you ever see that  
6           man again, the man that you reported as abducting and  
7           abusing you?

8                   **MR. L. SEGUIN:** After the report in '79?

9                   **MR. ENGELMANN:** Yes.

10                  **MR. L. SEGUIN:** Yeah.

11                  **MR. ENGELMANN:** Can you tell us  
12           approximately when and in what circumstance?

13                  **MR. L. SEGUIN:** It would have been maybe a  
14           couple of weeks after. My friend and I were basically in a  
15           fight, and him being a little bit bigger than I was, I kind  
16           of got the worst end of the stick, but I remember this man  
17           going up to my friend, Claude, and telling him to leave me  
18           alone. It was a very awkward situation. I basically --  
19           what I interpreted from that was that he was trying to make  
20           some kind of amends for what he did by, you know, by  
21           protecting me from this guy kind of thing. So it was very  
22           awkward.

23                  **MR. ENGELMANN:** Did he do anything to you at  
24           that time?

25                  **MR. L. SEGUIN:** No.

1                   **MR. ENGELMANN:** Did you tell the police that  
2 you had seen him again?

3                   **MR. L. SEGUIN:** No.

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

5                   **MR. L. SEGUIN:** Well, because I didn't think  
6 they would do anything and also I didn't believe that there  
7 was anything -- a crime that occurred at that time.

8                   **MR. ENGELMANN:** Do you know if you told your  
9 mother about seeing him again?

10                  **MR. L. SEGUIN:** I don't remember. I don't  
11 believe I did.

12                  **MR. ENGELMANN:** Mr. Seguin, we've looked at  
13 Exhibit 62, and it's a document that has you giving a  
14 written account of what happened in 1978 and 1979 to the  
15 Cornwall Police Service in 2001.

16                  **MR. L. SEGUIN:** Yes.

17                  **MR. ENGELMANN:** February. Can you tell us  
18 what happens at some point between 1979 and 2001 that leads  
19 to that statement?

20                  **MR. L. SEGUIN:** Well, I had started using  
21 drugs at a very young age, 10 years old. Because of the  
22 assault that had happened to me, I kind of felt different  
23 from other children, so I hung out with older people and  
24 got involved with drugs, which became a real problem for  
25 me, and I went into a treatment program. And it was

1 suggested by the counsellors that in order to maintain  
2 sobriety, it would be a good idea for me to deal with my  
3 childhood issues, which led me to meeting with the Cornwall  
4 Police to look into this.

5 MR. ENGELMANN: So a counsellor suggested  
6 this to you?

7 MR. L. SEGUIN: Yes.

8 MR. ENGELMANN: And that counsellor was with  
9 what outfit or what agency?

10 MR. L. SEGUIN: It would have been the  
11 Anchorage Program out of Ottawa. It is run ---

12 MR. ENGELMANN: Okay. Is that a program for  
13 people with drug or alcohol problems?

14 MR. L. SEGUIN: Yes.

15 MR. ENGELMANN: Because of that, you  
16 contacted the Cornwall Police Service?

17 MR. L. SEGUIN: That's correct.

18 MR. ENGELMANN: Do you remember, was that  
19 sometime before February of 2001?

20 MR. L. SEGUIN: Yes.

21 MR. ENGELMANN: Do you remember  
22 approximately when?

23 MR. L. SEGUIN: Approximately a year and a  
24 half.

25 MR. ENGELMANN: Okay; so sometime in the

1           latter part of 1999?

2                           **MR. L. SEGUIN:** Yes.

3                           **MR. ENGELMANN:** Do you remember to whom you  
4 reported at the Cornwall Police?

5                           **MR. L. SEGUIN:** Sergeant Rick Carter.

6                           **MR. ENGELMANN:** So you reported to Sergeant  
7 Carter or Staff Sergeant Carter in late '99?

8                           **MR. L. SEGUIN:** Yes.

9                           **MR. ENGELMANN:** And you gave a statement to  
10 him in 2001?

11                           **MR. L. SEGUIN:** Yes.

12                           **THE COMMISSIONER:** To your knowledge, Mr.  
13 Seguin, the written statement you gave that is Exhibit 62,  
14 was that the first time you were asked to write a  
15 statement?

16                           **MR. L. SEGUIN:** Yes.

17                           **MR. ENGELMANN:** When you first met with  
18 Sergeant or Staff Sergeant Carter in late 1999, can you  
19 tell us what happened?

20                           **MR. L. SEGUIN:** Well, I met with Rick  
21 Carter, basically told him what had happened and he told me  
22 he was going to look into it.

23                           **MR. ENGELMANN:** Did you tell him about the  
24 incident in 1978?

25                           **MR. L. SEGUIN:** Yes.

1                   MR. ENGELMANN: Did you tell him about the  
2 follow-up in 1979?

3                   MR. L. SEGUIN: Yes.

4                   MR. ENGELMANN: Did you describe the vehicle  
5 or the dog or other issues?

6                   MR. L. SEGUIN: Yes.

7                   MR. ENGELMANN: What about the licence plate  
8 number?

9                   MR. L. SEGUIN: I believe I would have given  
10 him that as well.

11                  MR. ENGELMANN: So you remembered the  
12 licence plate number ---

13                  MR. L. SEGUIN: Yes.

14                  MR. ENGELMANN: --- 20 years later?

15                  MR. L. SEGUIN: That's correct. I still  
16 remember it.

17                  MR. ENGELMANN: You still remember it today?

18                  MR. L. SEGUIN: Yes.

19                  MR. ENGELMANN: Why is that?

20                  MR. L. SEGUIN: Just it's the first plate  
21 number I ever remembered, and it just stayed in my head my  
22 whole lifetime and I don't believe I'll ever forget it.

23                  MR. ENGELMANN: Did you tell that to  
24 Sergeant or Staff Sergeant Carter the first time you met  
25 him in 1999?

1                   **MR. L. SEGUIN:** I'm sure I did.

2                   **MR. ENGELMANN:** Now, between sometime in  
3 late '99 and the statement in February of 2001, do you know  
4 if you had any other meetings with Staff Sergeant Carter or  
5 anybody from the Cornwall Police?

6                   **MR. L. SEGUIN:** There might have been a few  
7 phone calls; called to check with him to see if there was  
8 anything happening with the case. I remember at one point  
9 I was told he was having a hard time getting the medical  
10 records.

11                  **MR. ENGELMANN:** Okay. And do you remember  
12 if that was -- in relation to when you first saw him in '99  
13 and when you gave the statement in 2001, do you remember if  
14 it was closer to one end or the other with the medical  
15 record?

16                  **MR. L. SEGUIN:** I really couldn't say for  
17 sure. I just know at one point, I was kind of frustrated  
18 with what was happening and once he told me that -- once he  
19 told me he was having a hard time getting the medical  
20 records, I went down to the Hotel Dieu Hospital and  
21 retrieved the records for him.

22                  **MR. ENGELMANN:** Okay. Let me just stop you  
23 there for a minute.

24                  **MR. L. SEGUIN:** Okay.

25                                   **(SHORT PAUSE/COURTE PAUSE)**

1                   **MR. ENGELMANN:** Mr. Seguin, I am just going  
2 to show you a document, counsel document number 736052,  
3 Bates page number 7139977 and 9978. Mr. Seguin, do you  
4 have the two-page document in front of you?

5                   **MR. L. SEGUIN:** Yes, I do.

6                   **MR. ENGELMANN:** And do you recall if this is  
7 the document that you would have obtained from the Cornwall  
8 Hotel Dieu Hospital?

9                   **MR. L. SEGUIN:** That's correct. It is.

10                  **MR. ENGELMANN:** I note it has on the front  
11 page a reference to your name?

12                  **MR. L. SEGUIN:** Yes.

13                  **MR. ENGELMANN:** The date, February 17<sup>th</sup>, '78.  
14 Your age is six. And it says something about an assault.  
15 I am looking at the top right corner.

16                  **MR. L. SEGUIN:** Okay.

17                  **MR. ENGELMANN:** The name of the doctor,  
18 patient's doctor attending, Dr. Legault?

19                  **MR. L. SEGUIN:** Yes.

20                  **MR. ENGELMANN:** You were brought in by your  
21 mother and there's a reference to a police constable.

22                  **MR. L. SEGUIN:** Yes.

23                  **MR. ENGELMANN:** And it says "Sergeant"  
24 someone.

25                  **MR. L. SEGUIN:** Yes.



1                   MR. ENGELMANN: And that doesn't help you  
2 with the person's name?

3                   MR. L. SEGUIN: No.

4                   MR. ENGELMANN: All right. And there's a  
5 brief handwritten description of an incident?

6                   MR. L. SEGUIN: Yes.

7                   MR. ENGELMANN: And that's not your  
8 handwriting?

9                   MR. L. SEGUIN: No.

10                  MR. ENGELMANN: If that could be Exhibit 63,  
11 Mr. Commissioner?

12                  THE COMMISSIONER: Thank you. Exhibit  
13 number 63.

14                  --- EXHIBIT NO./PIÈCE NO P-63:

15                               Two-page document from the Cornwall Hotel  
16                               Dieu Hospital, dated February 17, 1978

17                  MR. ENGELMANN: So Staff Sergeant Carter  
18 indicated to you he was having trouble getting a medical  
19 record?

20                  MR. L. SEGUIN: That's correct.

21                  MR. ENGELMANN: You went to the Hotel Dieu  
22 Hospital?

23                  MR. L. SEGUIN: That's correct.

24                  MR. ENGELMANN: You obtained Exhibit 63?

25                  MR. L. SEGUIN: Yes.

1                   **MR. ENGELMANN:** What did you do with it?

2                   **MR. L. SEGUIN:** I brought it down to  
3 Sergeant Carter.

4                   **MR. ENGELMANN:** Okay.

5                   And you are not sure right now whether that  
6 was shortly after you first met with Staff Sergeant Carter,  
7 sometime in '99, sometime in 2000?

8                   **MR. L. SEGUIN:** I believe it would have been  
9 sometime close to the initial contact with Sergeant Carter  
10 because of the fact that I was kind of -- at that point,  
11 kind of anxious to get things going with this so I can put  
12 it behind me, and once there was -- once he had told me  
13 that he could not find the document, I basically took it  
14 upon myself to go down and get it.

15                   **MR. ENGELMANN:** Okay. Now, I understand  
16 that after that you didn't have a lot of contact with Staff  
17 Sergeant Carter until you gave the statement?

18                   **MR. L. SEGUIN:** That's correct.

19                   **MR. ENGELMANN:** And do you know if you had  
20 one, two, three contacts, are you able to tell us, over the  
21 next year or so?

22                   **MR. L. SEGUIN:** Well, basically, the contact  
23 number he was given is my mother. He had her phone number.  
24 Her address has been the same for the past 15 years. She's  
25 still at that address now.

1                   **MR. ENGELMANN:** So you gave them that  
2                   contact information?

3                   **MR. L. SEGUIN:** Yes.

4                   **MR. ENGELMANN:** And do you know on  
5                   approximately how many occasions you would have seen Staff  
6                   Sergeant Carter during that period of time? I'm thinking  
7                   the year 2000 up until 2001.

8                   **MR. L. SEGUIN:** Possibly three different  
9                   occasions.

10                  **MR. ENGELMANN:** Mr. Seguin did you at some  
11                  time see someone or talk to someone about the delay in your  
12                  investigation?

13                  **MR. L. SEGUIN:** Yes.

14                  **MR. ENGELMANN:** And who did you see or talk  
15                  to?

16                  **MR. L. SEGUIN:** I went down to the MPP's  
17                  office. I had spoken with somebody there about it. They  
18                  had suggested to me that I put it in writing to them.

19                  **MR. ENGELMANN:** Okay. Is the MPP a fellow  
20                  by the name or was then a fellow by the name of John  
21                  Cleary?

22                  **MR. L. SEGUIN:** Yes.

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

24                  I am just going to show you a document,  
25                  counsel document number 737804, Bates page 7158932.

1                   Mr. Seguin, I would like you to look at the  
2                   second page of the document. Can you tell us whose  
3                   signature appears?

4                   **MR. L. SEGUIN:** Mine.

5                   **MR. ENGELMANN:** Can you tell us what this  
6                   document is?

7                   **MR. L. SEGUIN:** It is a letter to the  
8                   Legislative Assembly, John Cleary.

9                   **MR. ENGELMANN:** He had an office here in  
10                  Cornwall?

11                  **MR. L. SEGUIN:** That's correct, on Montreal  
12                  Road.

13                  **MR. ENGELMANN:** And you had gone to that  
14                  office beforehand and were asked to put something in  
15                  writing?

16                  **MR. L. SEGUIN:** That's correct.

17                  **MR. ENGELMANN:** Mr. Commissioner, if this  
18                  could be Exhibit 64?

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

20                  **--- EXHIBIT NO./PIÈCE NO P-64:**

21                               Two-page letter written by Mr. L.  
22                               Seguin to Mr. John Cleary of the  
23                               Legislative Assembly, dated January 14,  
24                               2001

25                  **MR. ENGELMANN:** Mr. Seguin, if you could

1 have a brief look at that letter. It appears to have been  
2 received -- it's dated January 14, 2001, received by Mr.  
3 Cleary's office January 17<sup>th</sup> and then by the Cornwall Police  
4 Service on February 7<sup>th</sup>, 2001?

5 **MR. L. SEGUIN:** That's correct.

6 **MR. ENGELMANN:** Can you tell us why you  
7 wrote that letter, sir?

8 **MR. L. SEGUIN:** I wanted this to be looked  
9 into and put behind me. There was never any  
10 acknowledgement by the public that this had ever even  
11 happened. Also, I was very dissatisfied with the response  
12 of the Cornwall Police in handling this matter.

13 **MR. ENGELMANN:** Are you talking about the  
14 response in 2000 or the response earlier or both?

15 **MR. L. SEGUIN:** I'm talking about the  
16 response in 1978; also in 1999, when I had contacted Rick  
17 Carter originally.

18 **MR. ENGELMANN:** So in this letter, you  
19 describe a little bit about what happened in '78 and '79?

20 **MR. L. SEGUIN:** Yes.

21 **MR. ENGELMANN:** What else are you describing  
22 for Mr. Cleary?

23 **MR. L. SEGUIN:** Well, I mean, do you want me  
24 to read the letter?

25 **MR. ENGELMANN:** Or just summarize it, if you

1 could.

2 **MR. L. SEGUIN:** Basically, I told him I  
3 found the person a year later and I was told by the police  
4 to stay away from him, that it was too late to lay charges.  
5 This was very devastating to me as a child and was very  
6 detrimental to my upbringing. Basically, I told him that I  
7 couldn't understand why the officer had said that to me,  
8 that it was too late to lay a charge.

9 **MR. ENGELMANN:** In 1979?

10 **MR. L. SEGUIN:** That's correct.

11 I expressed that, when I look back now, it  
12 seems that the police were going out of their way to keep  
13 this quiet. I talked about how devastating this could be  
14 for a child and also without having nobody acknowledging  
15 it.

16 **MR. ENGELMANN:** So you were -- this is now  
17 January 14, 2001?

18 **MR. L. SEGUIN:** Yes.

19 **MR. ENGELMANN:** You're still getting some  
20 treatment at this time?

21 **MR. L. SEGUIN:** Yes, I am.

22 **MR. ENGELMANN:** Are you still on some drug  
23 or substance abuse program?

24 **MR. L. SEGUIN:** I am not in a drug or  
25 substance abuse program right now. I am currently seeing

1 Dr. Caley, dealing with counselling and also some family  
2 counselling as well.

3 **MR. ENGELMANN:** Okay. I'm sorry, I meant in  
4 2001, sir. Sorry, my question wasn't clear.

5 In 2001, when you wrote this, were you  
6 getting some counselling for either drug or alcohol abuse  
7 or for the child sexual abuse that you reported?

8 **MR. L. SEGUIN:** I believe that I was  
9 involved at some point with the Men's Project, but as far  
10 as the actual date that was, I can't remember when.

11 **MR. ENGELMANN:** Okay.

12 **MR. L. SEGUIN:** If it was before I wrote  
13 this letter or after.

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

15 I'm looking at the bottom of the first page  
16 and you say:

17 "I went to the Hotel Dieu Hospital,  
18 retrieved the records, delivered them  
19 to him in person."

20 You're referring to Staff Sergeant Carter?

21 **MR. L. SEGUIN:** Yes.

22 **MR. ENGELMANN:** "I was told by Carter that  
23 he would look into it and contact the  
24 investigating officer of Project  
25 Truth."

1 MR. L. SEGUIN: M'hm.

2 MR. ENGELMANN: Did you ever, to your  
3 knowledge, deal with Project Truth? Do you remember?

4 MR. L. SEGUIN: I don't believe I did, but I  
5 don't remember.

6 MR. ENGELMANN: Okay.

7 MR. L. SEGUIN: I don't think I called -- I  
8 talked to anybody from Project Truth. I believe that's the  
9 OPP that was handling that?

10 MR. ENGELMANN: Yes.

11 MR. L. SEGUIN: Yes. I don't remember if I  
12 spoke with anybody. Or I may have briefly on the phone,  
13 may have talked to somebody on the phone. He may have  
14 referred me to somebody else, but I don't recall.

15 MR. ENGELMANN: Okay.

16 MR. L. SEGUIN: I don't believe I did.

17 MR. ENGELMANN: Then you say:

18 "After more time, like 20 years was not  
19 enough, I was instructed to see Tom  
20 Racine from the Cornwall Police. I did  
21 so and I was told that this case was  
22 all he was working on all week."

23 So you met with someone by the name of Tom  
24 Racine from the Cornwall Police?

25 MR. L. SEGUIN: Yes.



1                   MR. ENGELMANN: And that was before January  
2                   14<sup>th</sup>, 2001?

3                   MR. L. SEGUIN: Yes.

4                   MR. ENGELMANN: "Carter and Racine were to  
5                   set up some sort of photo line up.  
6                   Carter and Racine both had my mother's  
7                   phone number and address and they have  
8                   failed to contact us. I will now ask  
9                   the questions I desperately need  
10                  answers to so I can start the healing  
11                  process."

12                  MR. L. SEGUIN: That's correct.

13                  MR. ENGELMANN: So you asked a number of  
14                  questions.

15                  MR. L. SEGUIN: Yes.

16                  MR. ENGELMANN: And that's what we see on  
17                  the next page?

18                  MR. L. SEGUIN: Yes.

19                  MR. ENGELMANN: What do you mean in question  
20                  5 when you say:

21                                 "Why was this crime not acknowledged by  
22                                 anyone, including the public?"

23                                 What did you mean by that?

24                  MR. L. SEGUIN: Well, whenever you have  
25                  somebody who abducts a child and sexually assaults him, the

1 crime is reported to the Cornwall Police. You would think  
2 that the police would issue some kind of alert for the  
3 public to be on the lookout for a predator abducting  
4 children or that they were even investigating a sexual  
5 assault on a child and a kidnapping. The media wasn't told  
6 about this.

7 And also in 2001 or even in 1999 when Rick  
8 Carter started -- allegedly started investigating this,  
9 there wasn't anything printed that they were, you know,  
10 they were investigating a crime that had happened, you  
11 know, a historical crime. Like, there was no  
12 acknowledgement ever by the public that this crime had even  
13 happened and that was kind of upsetting because you see  
14 people who get charged for speeding, I seen in the paper,  
15 doing 134 kilometres on the 401, you know, and they print  
16 that in the paper. Why wasn't this in the paper at all?  
17 Why wasn't the public notified?

18 **MR. ENGELMANN:** So that's what you're  
19 talking about in that large paragraph underneath the  
20 questions?

21 **MR. L. SEGUIN:** Yes.

22 **MR. ENGELMANN:** Then you had that sixth  
23 question:

24 "Why would police release news about a  
25 speeder and not disclose to the public

1                   that they were investigating a sexual  
2                   assault crime?"

3                   **MR. L. SEGUIN:** Yes, that's correct.

4                   **MR. ENGELMANN:** Mr. Seguin, one of your  
5                   questions talks about Project Truth.

6                   **MR. L. SEGUIN:** M'hm.

7                   **MR. ENGELMANN:** To your knowledge, was it  
8                   going on either in 1999, 2000, 2001 when you were dealing  
9                   with the Cornwall Police?

10                  **MR. L. SEGUIN:** I believe it must have  
11                  because I didn't put it in here, in the letter, so I think  
12                  it might have been actually started.

13                  **MR. ENGELMANN:** You also say in your letter:  
14                  "I cannot remember my eleventh  
15                  birthday, which is normal for a man my  
16                  age, but I can remember when I'm six  
17                  like it was yesterday, including the  
18                  suspect's licence plate number."

19                  **MR. L. SEGUIN:** Yes.

20                  **MR. ENGELMANN:** So Mr. Seguin, do you recall  
21                  -- this is now mid-February, 2001 -- do you hear from Staff  
22                  Sergeant Carter at some point after this letter?

23                  **MR. L. SEGUIN:** Yes.

24                  **MR. ENGELMANN:** Do you remember when that  
25                  would have been, approximately?

1                   **MR. L. SEGUIN:** A couple -- well, I'm not  
2                   sure when the initial contact with him was. I believe it  
3                   would've been basically the date of the statement.

4                   **MR. ENGELMANN:** Okay. So February 15<sup>th</sup>?

5                   **MR. L. SEGUIN:** Yes.

6                   **MR. ENGELMANN:** So he had you come in and  
7                   give a written statement about what happened in 1978 and  
8                   '79 on February 15<sup>th</sup>, 2001?

9                   **MR. L. SEGUIN:** Yes.

10                  **MR. ENGELMANN:** So about a month after you  
11                  write this letter?

12                  **MR. L. SEGUIN:** That's correct.

13                  **MR. ENGELMANN:** And after you write the  
14                  statement, do you recall what happens after that?

15                  **MR. L. SEGUIN:** I was called a short time  
16                  afterwards within a week or two weeks, maybe a little bit  
17                  longer, maybe two and a half weeks, with results.

18                  **MR. ENGELMANN:** Okay. What do you mean by  
19                  results? What did they do?

20                  **MR. L. SEGUIN:** Well, he was able to find  
21                  the lady that this person was living with in Westgate, who  
22                  was Mrs. White. She was up in Ottawa and he had retrieved  
23                  some photos from her. He showed me a picture of the  
24                  person.

25                  **MR. ENGELMANN:** Were you able to identify

1 the man?

2 MR. L. SEGUIN: Yes.

3 MR. ENGELMANN: All right.

4 Do you know how they were able to get that  
5 information? Did they tell you?

6 MR. L. SEGUIN: I think Sergeant Carter had  
7 told me that he had located Mrs. White's son who was in the  
8 federal institution.

9 MR. ENGELMANN: Okay.

10 MR. L. SEGUIN: And that was how he was able  
11 to find his mother.

12 MR. ENGELMANN: Do you know what, if any,  
13 help the licence plate number was to them?

14 MR. L. SEGUIN: Well, he was able to  
15 retrieve the man's name from the licence plate number and I  
16 believe there would've been a photo with that.

17 MR. ENGELMANN: Okay. Do you know ---

18 MR. L. SEGUIN: As far as helping to find  
19 that person, the licence plate, I'm not too sure, but I  
20 know that he at least got the person's name out of it.

21 MR. ENGELMANN: All right.

22 Were you told then who the person was?

23 MR. L. SEGUIN: Yes.

24 MR. ENGELMANN: And were you told if that  
25 person was dead or alive?

1 MR. L. SEGUIN: I was told he was deceased.

2 MR. ENGELMANN: And that was sometime  
3 shortly after mid-February of 2001?

4 MR. L. SEGUIN: Yes.

5 MR. ENGELMANN: Did they tell you when this  
6 man died?

7 MR. L. SEGUIN: I don't recall.

8 MR. ENGELMANN: And was there anything else  
9 done after that?

10 MR. L. SEGUIN: No, although Sergeant Carter  
11 assisted me in the claim to the Criminal Injuries Board.

12 MR. ENGELMANN: Okay. The Criminal Injuries  
13 Compensation Board?

14 MR. L. SEGUIN: That's correct.

15 MR. ENGELMANN: Do you remember when that  
16 was, Mr. Seguin?

17 MR. L. SEGUIN: Offhand, I don't.

18 MR. ENGELMANN: Do you remember if the claim  
19 was successful or not?

20 MR. L. SEGUIN: Yes, it was.

21 MR. ENGELMANN: So you got some compensation  
22 for the sexual abuse you reported as a six-year-old child?

23 MR. L. SEGUIN: Yes.

24 MR. ENGELMANN: My understanding is that  
25 this decision awarding you some compensation was in 2005?

1 MR. L. SEGUIN: Yes.

2 MR. ENGELMANN: Is that right?

3 MR. L. SEGUIN: Yes.

4 MR. ENGELMANN: So that would be 27 years  
5 after the fact?

6 MR. L. SEGUIN: Yes.

7 MR. ENGELMANN: Mr. Seguin, I want to ask  
8 you a few questions now about a second incident when you  
9 reported other child sexual abuse. At this point you had  
10 just turned 16.

11 MR. L. SEGUIN: Yes.

12 MR. ENGELMANN: As I understand it, this is  
13 something that occurred on October 30<sup>th</sup>, 1987.

14 MR. L. SEGUIN: That's correct.

15 MR. ENGELMANN: And you reported this to the  
16 Cornwall Police Service?

17 MR. L. SEGUIN: Yes.

18 MR. ENGELMANN: Did you know the person who  
19 sexually and physically abused you at that time?

20 MR. L. SEGUIN: I had just basically met him  
21 that night. He was a friend of my mother's. Rather, it  
22 was my mother's friend's friend.

23 MR. ENGELMANN: And I understand, sir, that  
24 as a result of both physical and sexual abuse, you went to  
25 the Cornwall General Hospital?

1 MR. L. SEGUIN: Yes.

2 MR. ENGELMANN: And it was there that the  
3 Cornwall Police came to interview you?

4 MR. L. SEGUIN: That's correct.

5 MR. ENGELMANN: Do you know, sir, if anyone,  
6 either the police or the hospital, would've called your  
7 mother that evening to tell her you were at the hospital?

8 MR. L. SEGUIN: I know the police were  
9 phoned by the nurses basically immediately after I got  
10 there. I'm not too sure how -- who phoned my mom. I  
11 believe they would've phoned my mother.

12 MR. ENGELMANN: Do you know if it was that  
13 day or the next day?

14 MR. L. SEGUIN: I don't remember.

15 MR. ENGELMANN: Okay. Did you have to stay  
16 in the hospital?

17 MR. L. SEGUIN: Yes.

18 MR. ENGELMANN: And you had injuries, as I  
19 understand it?

20 MR. L. SEGUIN: That's correct.

21 MR. ENGELMANN: To your face?

22 MR. L. SEGUIN: Yes, the face and eyes.

23 MR. ENGELMANN: I'd like to show you a  
24 document, sir, and I'll just be a moment.

25 (SHORT PAUSE/COURTE PAUSE)



1                   **MR. ENGELMANN:** Mr. Seguin, do you have --  
2                   and there should be a document number on the upper right-  
3                   hand column, 734010?

4                   **MR. L. SEGUIN:** Yes.

5                   **MR. ENGELMANN:** Counsel, that's Bates page  
6                   7134086. That appears to be another form from the Cornwall  
7                   Police Force Statement of Witness?

8                   Mr. Seguin, is there a signature at the  
9                   bottom of the first page that you can identify?

10                  **MR. L. SEGUIN:** That's my signature.

11                  **MR. ENGELMANN:** And we also have a signature  
12                  on the second page?

13                  **MR. L. SEGUIN:** Yes, my signature as well.

14                  **MR. ENGELMANN:** And is that your handwriting  
15                  or someone else's handwriting?

16                  **MR. L. SEGUIN:** Somebody else's.

17                  **MR. ENGELMANN:** So you were in the hospital  
18                  on October 30<sup>th</sup>?

19                  **MR. L. SEGUIN:** Yes.

20                  **MR. ENGELMANN:** And it appears to be a  
21                  legible signature for the police officer, Gary Leger?

22                  **MR. L. SEGUIN:** Yes.

23                  **MR. ENGELMANN:** Do you remember Constable or  
24                  Sergeant Leger?

25                  **MR. L. SEGUIN:** Not particularly. I

1 remember Constable Racine was there.

2 MR. ENGELMANN: Do you remember when you  
3 would've met with Constable Racine, whether it was that  
4 night or the next day or shortly thereafter?

5 MR. L. SEGUIN: I can't recall. I just  
6 remember -- I remember that the officer who showed up was  
7 somebody familiar to me.

8 MR. ENGELMANN: Okay. And that's Constable  
9 Racine?

10 MR. L. SEGUIN: Yes.

11 MR. ENGELMANN: All right.

12 So if you could just take a look at this  
13 statement; are you able to read it, sir?

14 (SHORT PAUSE/COURTE PAUSE)

15 MR. ENGELMANN: This is apparently an oral  
16 statement you gave to a police officer on October 30<sup>th</sup>,  
17 1987?

18 MR. L. SEGUIN: Yes.

19 MR. ENGELMANN: And he recorded it?

20 MR. L. SEGUIN: Yes, he had written it down.

21 MR. ENGELMANN: Okay. And I don't know if  
22 you're able to tell us this. I know it's a long time ago,  
23 19 years. Does it, to the best of your knowledge, describe  
24 what you would've told the police officer about what  
25 happened that day?

1 MR. L. SEGUIN: Yes, that's correct.

2 MR. ENGELMANN: I'm wondering if that could  
3 be the next exhibit?

4 THE COMMISSIONER: Exhibit 65?

5 --- EXHIBIT NO./PIÈCE NO P-65:

6 Larry Seguin - Statement of Witness -  
7 October 30<sup>th</sup>, 1987

8 MR. ENGELMANN: Mr. Seguin, I'd like to show  
9 you another document. It's document number 734009, Bates  
10 page 7134083.

11 Sir, is that your signature at the bottom of  
12 the first page?

13 MR. L. SEGUIN: Yes.

14 MR. ENGELMANN: Likewise on the bottom of  
15 the second and third pages?

16 MR. L. SEGUIN: Yes.

17 MR. ENGELMANN: This appears to be a  
18 statement that you gave to Constable Racine?

19 MR. L. SEGUIN: Yes.

20 MR. ENGELMANN: Is this is your handwriting  
21 or in his?

22 MR. L. SEGUIN: His.

23 MR. ENGELMANN: Okay. And is it again  
24 describing physical and sexual abuse to you on October 30<sup>th</sup>,  
25 1987?

1 MR. L. SEGUIN: Yes.

2 MR. ENGELMANN: If that could be the next  
3 exhibit?

4 THE COMMISSIONER: Yes, number 66.

5 --- EXHIBIT NO./PIÈCE No. P-66:

6 Larry Seguin - Statement of Witness -  
7 October 31, 1987

8 MR. ENGELMANN: Were you still in the  
9 hospital on October 31<sup>st</sup>?

10 MR. L. SEGUIN: Yes.

11 MR. ENGELMANN: Mr. Seguin, the address  
12 that's given there, is that your own address at that time  
13 or were you living with your mother?

14 MR. L. SEGUIN: Yes.

15 MR. ENGELMANN: It indicates, I believe,  
16 that there was no telephone at that time?

17 MR. L. SEGUIN: That's correct.

18 MR. ENGELMANN: Do you know if you continued  
19 to live in that home for some time after October 1987?

20 MR. L. SEGUIN: I know we weren't living  
21 there too long. That building actually eventually burned  
22 down. We weren't living there at the time though.

23 MR. ENGELMANN: Do you recall if you  
24 continued to live there for the remainder of 1987?

25 MR. L. SEGUIN: I don't remember moving in

1 the winter, so I'm sure I did.

2 MR. ENGELMANN: Okay. Were you a resident  
3 of the City of Cornwall in 1988, to your knowledge?

4 MR. L. SEGUIN: Yes.

5 MR. ENGELMANN: Mr. Seguin, I want to ask  
6 you, after being hospitalized and complaining about  
7 physical and sexual assault to two officers of the Cornwall  
8 Police Service on October 30<sup>th</sup> and October 31<sup>st</sup>, 1987, can  
9 you tell us when either of these officers would have  
10 followed up with you next about this incident?

11 MR. L. SEGUIN: There was no follow-up.  
12 I've never seen them in relation to this after seeing them  
13 at the hospital.

14 MR. ENGELMANN: What about another officer  
15 from the Cornwall Police Service?

16 MR. L. SEGUIN: No.

17 MR. ENGELMANN: No one?

18 MR. L. SEGUIN: No.

19 MR. ENGELMANN: These were both male  
20 officers?

21 MR. L. SEGUIN: Yes.

22 MR. ENGELMANN: Do you know, Mr. Seguin,  
23 after this -- you gave these two statements, you knew this  
24 man? You had met this man who did this to you ---

25 MR. L. SEGUIN: Yes.

1 MR. ENGELMANN: --- that day?

2 MR. L. SEGUIN: That's correct.

3 MR. ENGELMANN: And you knew his name?

4 MR. L. SEGUIN: Yes.

5 MR. ENGELMANN: And did you find out what  
6 happened to these -- did you find out if there were charges  
7 laid and what happened to them?

8 MR. L. SEGUIN: I knew he was arrested, but  
9 I only heard through word on the street. I don't know  
10 exactly the sentence he got out of it and I heard he got  
11 three months, but I don't know exactly what he got for  
12 that. I would like to say for sure other than a rumour I  
13 heard.

14 MR. ENGELMANN: Were you ever called by  
15 anybody from the Crown Prosecutor's Office?

16 MR. L. SEGUIN: No.

17 MR. ENGELMANN: Were you ever called by  
18 anybody about this incident, to the best of your knowledge?

19 MR. L. SEGUIN: No.

20 MR. ENGELMANN: Were you ever asked to fill  
21 out a Victim Impact Statement or anything of that nature?

22 MR. L. SEGUIN: No.

23 MR. ENGELMANN: Were you ever offered any  
24 victim's assistance or support?

25 MR. L. SEGUIN: No.

1                   **MR. ENGELMANN:** Did you ever have any say in  
2 what this individual got by way of a sentence?

3                   **MR. L. SEGUIN:** No.

4                   **MR. ENGELMANN:** Did you ever attend court to  
5 testify in his case?

6                   **MR. L. SEGUIN:** No.

7                   **MR. ENGELMANN:** Mr. Seguin, you've described  
8 for us two incidents of abuse, the first one being child  
9 sexual abuse and the second one, looking at your statement,  
10 indicates a physical abuse, abuse with a weapon -- an  
11 assault with a weapon and a sexual act.

12                   Can you tell us when, if ever, you received  
13 any form of victim's assistance from a police force or some  
14 other institution in our criminal justice system?

15                   **MR. L. SEGUIN:** I was offered assistance by  
16 Sergeant Carter in regards to help with the Criminal  
17 Injuries Compensation Board, as well as I believe he had  
18 mentioned something about the Men's Project, at which point  
19 I had told him that I was already involved with the Men's  
20 Project.

21                   **MR. ENGELMANN:** Okay. And that assistance  
22 you received from Staff Sergeant Carter was after 2001 or  
23 later in 2001?

24                   **MR. L. SEGUIN:** Yes, that was basically upon  
25 the completion of his investigation.

1                   **MR. ENGELMANN:** And you said you had had  
2 some help from the Men's Project before then.

3                   **MR. L. SEGUIN:** M'hm.

4                   **MR. ENGELMANN:** Do you remember how you got  
5 in touch with them or who might have told you about them?

6                   **MR. L. SEGUIN:** I remember initially I was -  
7 - again through the Anchorage Program I had -- no, that's  
8 not correct. It would have been here in Cornwall when I  
9 first -- I really can't say for sure who referred me to the  
10 Men's Project. I just don't remember at this point.

11                   **MR. ENGELMANN:** Mr. Seguin, can you describe  
12 for us the impact these incidents had on you and, if you  
13 are able to, the impact, if any, the follow-up or lack of  
14 follow-up by authorities with respect to them had on you?

15                   **MR. L. SEGUIN:** Well, the crime itself had  
16 basically -- because that's what we're talking about, the  
17 crime and the response?

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

19                   **MR. L. SEGUIN:** The crime itself basically  
20 led me into -- like I had mentioned earlier, I kind of felt  
21 different than the other kids and hung out with older  
22 people, got myself into using drugs basically to erase --  
23 to get rid of the pain I was feeling emotionally, which  
24 kind of led me into the wrong path of life.

25                   The response of the police was basically a



1 shock to myself. I was -- I felt betrayed and hurt. The  
2 show that I was on my way home to was basically about  
3 firemen and police helping people out and stuff like that  
4 and that's the way I seen them at that age, and after the  
5 second -- in 1979, when I basically found the person and  
6 the police failed to lay a charge, it kind of left me with  
7 -- I guess you can say with some hate towards them because  
8 they didn't help me. They didn't do anything to help me  
9 out, to find this person, to get him, to arrest him.

10 Also, just basically different aspects of my  
11 life was involved. Communication, I had a problem with  
12 that even with my family. Changing my own child's diapers  
13 kind of felt awkward because of what had happened to me. I  
14 don't know what else to say. Basically, my life could have  
15 been a lot different than what it is today.

16 **MR. ENGELMANN:** Are you still getting -- are  
17 you still going for counseling as a result of either the  
18 child sexual abuse or some of the impact in ---

19 **MR. L. SEGUIN:** Yes, I am.

20 **MR. ENGELMANN:** You mentioned you're seeing  
21 Dr. Caley?

22 **MR. L. SEGUIN:** That's correct.

23 **MR. ENGELMANN:** He's a psychologist here in  
24 Cornwall?

25 **MR. L. SEGUIN:** Yes.

1                   **MR. ENGELMANN:** Mr. Seguin, have you, before  
2 today, ever spoken about being a victim of child sexual  
3 abuse?

4                   **MR. L. SEGUIN:** No.

5                   **MR. ENGELMANN:** Publicly?

6                   **MR. L. SEGUIN:** Publicly, no.

7                   **MR. ENGELMANN:** I understand, sir, that  
8 sometime in the last few years you have spoken though about  
9 substance abuse or drug abuse?

10                  **MR. L. SEGUIN:** That's correct.

11                  **MR. ENGELMANN:** Can you tell us how that  
12 came about?

13                  **MR. L. SEGUIN:** I had -- upon completing  
14 treatment for substance abuse, I kind of wanted to -- I  
15 didn't want to have that hate I had anymore for police and  
16 also I felt bad for some things that I had done myself to  
17 the community because of my drug use that took me into  
18 crimes, shoplifting and property crimes. I worked with the  
19 Cornwall Police just doing speeches at high schools here in  
20 Cornwall about the effects of drug use. I worked with the  
21 RCMP in Ottawa, doing speeches at children centres and also  
22 done a conference with the Party Smart Program in Ottawa.  
23 The reason being was for myself it was to help me heal and  
24 also to give back to the community and to try and get rid  
25 of the hatred I had towards the police. I kind of wanted

1 to see if -- try working with them to help children out.

2 MR. ENGELMANN: Has that helped to some  
3 extent?

4 MR. L. SEGUIN: Yes, it has.

5 MR. ENGELMANN: Did Staff Sergeant Carter's  
6 help more recently with the Criminal Injuries Compensation  
7 Board help as well?

8 MR. L. SEGUIN: Yes.

9 MR. ENGELMANN: Mr. Seguin, you know why  
10 we're here?

11 MR. L. SEGUIN: Yes.

12 MR. ENGELMANN: We're here to look into how  
13 public institutions have responded to allegations of child  
14 sexual abuse, how they should respond to this type of  
15 abuse. I'm just wondering, as a witness here and as  
16 someone who has reported two incidents, child sexual abuse  
17 and one of physical assault, if you have any  
18 recommendations for us about how public institutions should  
19 deal with victims and alleged victims of child sexual  
20 abuse? Do you have any thoughts on that, sir, any thoughts  
21 you want to leave with us?

22 MR. L. SEGUIN: Sure. Being a victim of  
23 sexual assault, I had the opportunity to speak with other  
24 victims and I know from experience sometimes children may  
25 feel uncomfortable speaking with a certain gender. I think

1 whenever police respond, they should have a woman and a man  
2 present so that the witness can determine who he would feel  
3 more comfortable speaking with about what had happened.

4 Also, I think that the victim should always  
5 be involved in the sentencing phase or at least the court  
6 procedures.

7 There's something else I wrote down for you  
8 too. And involving the sexual assault -- I believe if any  
9 crime is going to be reported in the newspaper, I think  
10 that definitely a sexual assault crime should be reported  
11 to the news -- to the public. That's another thing I  
12 thought could also help to catch the perpetrator as well,  
13 if the public are aware that somebody is out there doing  
14 this to somebody.

15 In my own case back in 1978, I think for  
16 sure that there should have been a warning to the public  
17 that there's a man abducting children and sexually  
18 assaulting them, you know, be on the lookout, that kind of  
19 thing. That would be helpful for the community as well.

20 **MR. ENGELMANN:** You've talked about involved  
21 in the court process or in sentencing. How important is  
22 follow-up to you, some kind of contact?

23 **MR. L. SEGUIN:** Well, I know that when I found out second-  
24 handedly from word on the street that this person received a  
25 three-month sentence I was very devastated and hurt by that. I

1 think the victim should be at least aware of what's happening  
2 with the court. I mean, if they want to make a deal, a plea  
3 bargain so that the witness basically isn't needed in court to  
4 testify, they should at least notify the person the day of  
5 sentencing, so that they can be there and put in their own  
6 they can add something to, you know, to ensure they get a proper  
7 sentence.

8                   **MR. ENGELMANN:** Mr. Seguin, is there  
9 anything else you wish to add before answering questions of  
10 others?

11                   **MR. L. SEGUIN:** No.

12                   **MR. ENGELMANN:** I want to thank you very  
13 much for coming.

14                   **MR. L. SEGUIN:** Thank you.

15                   **MR. ENGELMANN:** I think we might take a  
16 break and then we're just going to figure out -- those  
17 lawyers who wish to ask you questions will identify  
18 themselves. They'll tell you who they represent, and then  
19 they may have some questions for you and there may be a few  
20 documents for you to look at.

21                   **MR. L. SEGUIN:** Okay.

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

23                   **THE COMMISSIONER:** Let's take the afternoon  
24 break. We will be back in 15 minutes.

25                   **THE REGISTRAR:** Order; all rise. À l'ordre;

1           veuillez vous lever.

2                           The hearing will reconvene at 3:05 p.m.

3           --- Upon recessing at 2:48 p.m./

4                           L'audience est suspendue à 14h48

5           --- Upon resuming at 3:12 p.m./

6                           L'audience est reprise à 15h12

7                           **THE REGISTRAR:** This session of the Cornwall  
8 Public Inquiry is now in session. Please be seated.

9           **LARRY SEGUIN, Resumed/Sous le même serment:**

10                           **MR. ENGELMANN:** Mr. Commissioner, just  
11 before parties start their cross-examination, there was a  
12 question that I wanted to ask Mr. Seguin, and I didn't have  
13 an opportunity to or I simply forgot. I wanted to do that.

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

16                           **MR. ENGELMANN:** Mr. Seguin, I just wanted to  
17 ask you, you've indicated reporting allegations of child  
18 sexual abuse on two occasions ---

19                           **MR. L. SEGUIN:** Yes.

20                           **MR. ENGELMANN:** --- when you were 6 and when  
21 you were 16, and I'm wondering if you ever spoke with Perry  
22 Dunlop or anyone associated with him, his wife or any of  
23 his friends with respect to these allegations of child  
24 sexual abuse?

25                           **MR. L. SEGUIN:** No, I did not.

1                   **MR. ENGELMANN:** Okay.

2                   Mr. Commissioner, the order for cross-  
3 examination will be similar to the order we've had before.  
4 I understand it, Ms. McIntosh will go second last and Mr.  
5 Manderville will go last.

6                   **THE COMMISSIONER:** All right.

7                   **MR. ENGELMANN:** So if you could just keep  
8 that in mind for your sheet.

9                   **THE COMMISSIONER:** I'll try.

10                  **MR. ENGELMANN:** Thank you.

11                  **THE COMMISSIONER:** Thank you.

12                  So Mr. Wardle.

13                  **MR. WARDLE:** Thank you, Mr. Commissioner.

14                  --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.  
15 **WARDLE:**

16                  **MR. WARDLE:** Mr. Seguin, my name is Peter  
17 Wardle and I am counsel for the community group Citizens  
18 for Community Renewal.

19                  **MR. L. SEGUIN:** Hi.

20                  **MR. WARDLE:** I would like to start, if I  
21 might, by just taking you back to Exhibit 62. That's the  
22 statement you gave in February 2001, Mr. Seguin?

23                  **MR. L. SEGUIN:** Yes.

24                  **MR. WARDLE:** And I want to just take you, if  
25 I can, to the second page of the statement. You told us

1 before the break about the incidents of abuse which took  
2 place in 1978 and then you told us about seeing the man  
3 again and seeing the car the following year in 1979, as I  
4 understand it.

5 MR. L. SEGUIN: Yes.

6 MR. WARDLE: And now this, of course, is the  
7 statement that you gave the Cornwall Police many years  
8 later, but on the second page of the statement, you  
9 describe in the last paragraph seeing the man again in  
10 1979. Do you see that? This is the part that starts  
11 "Approximately a year later"?

12 MR. L. SEGUIN: Yes.

13 MR. WARDLE: And so I take it from what is  
14 in your statement that -- and I'm just going to quote, it  
15 says:

16 "Approximately a year later, this  
17 person had started staying in Westgate  
18 where I was living."

19 And I just want to pause there. You and  
20 your mother, as I understand it, were on Westgate in 1978  
21 and 1979, correct?

22 MR. L. SEGUIN: That's right.

23 MR. WARDLE: So now, a year after the  
24 initial events, you are seeing the man and the car in the  
25 same area where you are living.



1 MR. L. SEGUIN: That's correct.

2 MR. WARDLE: Is that correct?

3 MR. L. SEGUIN: Yes.

4 MR. WARDLE: And would it be fair to say  
5 that that was of great concern to you?

6 MR. L. SEGUIN: Yes.

7 MR. WARDLE: In fact, would it be fair to  
8 say that you were afraid?

9 MR. L. SEGUIN: Yes.

10 MR. WARDLE: And now, as I understand it,  
11 the police were called on this occasion, and this is when  
12 you reported that the man was in the neighbourhood and you  
13 reported the car, correct?

14 MR. L. SEGUIN: Yes, that's correct.

15 MR. WARDLE: Okay. And as I understood your  
16 evidence before the break, the police officer said to you -  
17 - and I'm just going to quote what I think you said prior  
18 to the break, and just tell me if I've got this correctly -  
19 - "How would the judge take the word of a seven year old  
20 for something that happened a year ago, but if he bothers  
21 you again, please call us." Something like that?

22 MR. L. SEGUIN: That's correct.

23 MR. WARDLE: Is that right?

24 MR. L. SEGUIN: Yes.

25 MR. WARDLE: And is that how you remember

1 it?

2 MR. L. SEGUIN: Yes.

3 MR. WARDLE: Okay. And I just want to pause  
4 for a minute and just go back to the first part of this.  
5 "How would the judge take the word of a seven year old for  
6 something that happened a year ago".

7 And can I just ask you, Mr. Seguin, thinking  
8 back, how did that make you feel at the time?

9 MR. L. SEGUIN: Well, I felt betrayed. I  
10 felt like I wasn't worth their time basically.

11 MR. WARDLE: And would it also be correct  
12 that you felt that you weren't being believed?

13 MR. L. SEGUIN: That's a hard question. I  
14 really don't remember. I really can't honestly answer  
15 that.

16 MR. WARDLE: That's fine.

17 Can we now go forward to 2001, to the time  
18 you gave your statement. And first of all, as I understand  
19 it, and I'm just going to follow the sequence of events  
20 here, you come forward in late 1999 and you give some  
21 information to Sergeant Carter, correct?

22 MR. L. SEGUIN: Yes, that's correct.

23 MR. WARDLE: And you have some interaction  
24 with Sergeant Carter over the next period of a little over  
25 a year, correct?

1                   MR. L. SEGUIN: That's correct.

2                   MR. WARDLE: And then you become  
3                   dissatisfied with what's taking place and you write the  
4                   letter to the MPP, and that's in early 2001.

5                   MR. L. SEGUIN: That's correct.

6                   MR. WARDLE: And then things start to move  
7                   and you come in and give the formal statement that we're  
8                   looking at, correct?

9                   MR. L. SEGUIN: Yes.

10                  MR. WARDLE: And within a short period after  
11                  that time, Sergeant Carter is able to show you a photograph  
12                  and you made an identification from the photograph?

13                  MR. L. SEGUIN: That's correct.

14                  MR. WARDLE: And do I understand, sir, from  
15                  the documents I've read that that was a very emotional  
16                  occasion for you?

17                  MR. L. SEGUIN: Yes.

18                  MR. WARDLE: And is it also fair to say that  
19                  that was, looking back, an important event that you were  
20                  able to do that? That you were able to finally identify a  
21                  photograph of this individual?

22                  MR. L. SEGUIN: Yes.

23                  MR. WARDLE: All right.

24                  Now, I want to just take you then, if I can,  
25                  to the letter you wrote to Mr. Cleary, and that was made an

1 exhibit. Sorry, I don't have the exhibit number, but it's

2 -

3 **THE REGISTRAR:** Exhibit 64.

4 **MR. WARDLE:** It's Exhibit 64.

5 If we could just turn that up for a moment?

6 You wrote that letter in mid-January 2001 really out of

7 frustration, sir?

8 **MR. L. SEGUIN:** Yes.

9 **MR. WARDLE:** Okay. Now, I want to show you

10 a document that I don't think you have seen, and that is

11 document 737803. If we can turn that up on the screen?

12 **THE COMMISSIONER:** Because we are using the

13 real thing, there's some slowdowns, I think. The real

14 data.

15 **MR. WARDLE:** I in fact have hard copies, but

16 I hate to even suggest that we use them, but if that would

17 help speed it up ---

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **MR. WARDLE:** I believe the easiest route,

20 Mr. Commissioner, may be for me to hand out my hard copies.

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

22 **MR. ENGELMANN:** That's fine.

23 **THE COMMISSIONER:** Just out of concern, is

24 there anything in those documents that when you were

25 talking about redactions and that kind of thing ---

1                   **MR. ENGELMANN:** No, I had communication with  
2 Mr. Wardle earlier and there's no problem.

3                   **THE COMMISSIONER:** All right.  
4                   So this would be Exhibit Number -- I'm  
5 sorry?

6                   **THE REGISTRAR:** Exhibit 67.

7                   **THE COMMISSIONER:** Sixty seven (67). Thank  
8 you.

9                   **--- EXHIBIT NO./Pièce No 67:**

10                   Document number 737803; Letter from Mr.  
11 Cleary to the Chief of Police of the  
12 Cornwall Police Services forwarding Mr.  
13 Seguin's letter.

14                   **MR. WARDLE:** Now, Mr. Seguin, have you ever  
15 seen this letter before?

16                   **MR. L. SEGUIN:** No.

17                   **MR. WARDLE:** I would like you just to read  
18 it for a minute.

19                   **MR. L. SEGUIN:** Okay.

20                   **MR. WARDLE:** And you will see in the letter  
21 that Mr. Cleary is forwarding to the Chief of Police of the  
22 Cornwall Police Services your letter.

23                   **MR. L. SEGUIN:** Yes.

24                   **MR. WARDLE:** And the letter starts by  
25 saying:

1 "Just recently, I had the opportunity  
2 to meet with a constituent of mine, Mr.  
3 Larry Seguin, of Cornwall over a matter  
4 of great concern."

5 Do you recall meeting with Mr. Cleary?

6 **MR. L. SEGUIN:** Yes, I do.

7 **MR. WARDLE:** And then you will see in the  
8 second paragraph, Mr. Cleary says:

9 "Mr. Repa, I would appreciate your  
10 taking the time to review the issues  
11 that Mr. Seguin has raised in his  
12 letter and offering any assistance or  
13 clarification deemed appropriate at  
14 this time."

15 Do you see that?

16 **MR. L. SEGUIN:** Yes.

17 **MR. WARDLE:** Now, I am now going to show you  
18 another document, and this is 737801. Again, I think it is  
19 going to be easier for me to simply hand up -- we've got  
20 hard copies.

21 **THE COMMISSIONER:** So that's Exhibit No. 68.

22 **MR. WARDLE:** Thank you.

23 --- **EXHIBIT NO./PIÈCE No 68:**

24 Document number 737801; internal Cornwall  
25 Police Service Memo from the Chief to the

1 Deputy Chief dated February 7, 2001

2 **MR. WARDLE:** So we are just following what  
3 is a little trail here, Mr. Seguin.

4 Now, this document we are looking at is an  
5 internal Cornwall Police Service Memo from the Chief to the  
6 Deputy Chief. Do you see that?

7 **MR. L. SEGUIN:** Yes.

8 **MR. WARDLE:** And it has "Subject: Mr. Larry  
9 Seguin; Date: February 7, 2001."

10 "Would you please ensure that  
11 allegations as stated in the letter by  
12 Mr. Seguin are investigated."

13 And then in handwriting, it has below  
14 "Assigned by D/C to Staff Sergeant Carter".

15 Do you see that?

16 **MR. L. SEGUIN:** Yes.

17 **MR. WARDLE:** And then finally, the last  
18 letter I want to refer to, or the last document I want to  
19 refer to is 737806.

20 **THE COMMISSIONER:** Okay. That will be  
21 Exhibit No. 69.

22 --- **EXHIBIT NO./PIÈCE No 69:**

23 Document number 737806; internal Cornwall  
24 Police Service correspondence from the  
25 Deputy Chief to S/Sgt. Carter dated February

1 8, 2001

2 **MR. WARDLE:** And now, Mr. Seguin, the  
3 document we have in front of us is a memo dated February  
4 8th. This is also internal Cornwall Police Service  
5 correspondence

6 It's from the Deputy Chief to Staff  
7 Sergeant. It says "Cater" but I believe it's "Carter" if  
8 you look at the first paragraph.

9 **MR. L. SEGUIN:** Yes.

10 **MR. WARDLE:** And you'll see the contents, it  
11 says:

12 "Staff Sergeant Carter, please refer to  
13 the attached letter which was submitted  
14 to the Cornwall Community Police  
15 Services Board. From various comments  
16 it appears that there has been work  
17 done on this case."

18 And then below it says:

19 "Please ensure that all of the  
20 questions brought our..."

21 I think it's intended to be "out".

22 "...by Mr. Seguin are addressed.  
23 Please forward me a response with a  
24 synopsis of what has been done by  
25 February 15 in the morning. We will



1                   need to ensure that a copy of the  
2                   report and investigations are all in  
3                   order."

4                   Do you see that?

5                   **MR. L. SEGUIN:** Yes.

6                   **MR. WARDLE:** Now again, these are documents  
7                   you have never seen before, I take it?

8                   **MR. L. SEGUIN:** That's correct.

9                   **MR. WARDLE:** But just picking up the date on  
10                  this document, February 15<sup>th</sup>, of course we know that  
11                  February 15<sup>th</sup> is the date that you came in and gave your  
12                  formal statement.

13                  **MR. L. SEGUIN:** Yes.

14                  **MR. WARDLE:** So just looking at those  
15                  documents, going back to your meeting with Mr. Cleary, your  
16                  letter to Mr. Cleary and then the correspondence that seems  
17                  to follow, it seems pretty clear to me that it was your  
18                  letter that instigated, shall we say, a heightened level of  
19                  investigation in February 2001.

20                  **MR. L. SEGUIN:** That's correct.

21                  **MR. WARDLE:** And it was as a result of that  
22                  heightened investigation that the photograph was obtained  
23                  and you were able to make the identification?

24                  **MR. L. SEGUIN:** That's right.

25                  **MR. WARDLE:** Okay. Those are all my

1 questions for you.

2 Thank you very much.

3 **THE COMMISSIONER:** Thank you.

4 Mr. Lee? How did you figure in all of this?  
5 Usually he goes last? Or have you discussed this matter?

6 **MR. LEE:** My understanding is that everybody  
7 gets to cross-examine, and I get to re-examine prior to Mr.  
8 Engelmann re-examining.

9 **THE COMMISSIONER:** Yes.

10 **MR. LEE:** If that makes sense. Is that  
11 right?

12 **THE COMMISSIONER:** Yes. Well, that would  
13 follow the procedure we have been following, but unless  
14 some -- and I'm prepared to adopt that so long as no one  
15 has any grave objections.

16 All right. So you can have ---

17 **MR. LEE:** We may have an objection.

18 **THE COMMISSIONER:** We may have objections.

19 **MS. McINTOSH:** I don't have an objection per  
20 se, Mr. Commissioner, but what I would say is if it's to be  
21 what I would call a sweetheart cross-examination, without  
22 meaning to disparage it, it should probably look more like  
23 a real re-direct rather than a cross-examination.

24 **THE COMMISSIONER:** Yes.

25 **MS. McINTOSH:** That's all I would say.

1                   **THE COMMISSIONER:** No, that's fair. That's  
2 a fair comment.

3                   **MR. ENGELMANN:** I just want to echo Ms.  
4 McIntosh's comments. We had some issues about this earlier  
5 ---

6                   **THE COMMISSIONER:** Yes.

7                   **MR. ENGELMANN:** --- in this proceeding. Now  
8 that we're in the substantive hearing I think it's that  
9 much more important.

10                  **THE COMMISSIONER:** Do you understand that,  
11 Mr. Lee?

12                  **MR. LEE:** I do. That's been my  
13 understanding all along.

14                  **THE COMMISSIONER:** Terrific. Thank you.

15                                 All right. So we go to Mr. Bennett. You  
16 have no questions? No.

17                                 Mr. Cipriano is not available.

18                                 Mr. Chisholm.

19                  **MR. CHISHOLM:** I didn't speak to the matter,  
20 Mr. Commissioner.

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

22                  **MS. MacLENNAN:** Mr. Commissioner, the  
23 Society has no questions of Mr. Seguin.

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

25                                 Who is here today, is it Rose? Mr. Rose,

1 are you the one who is ---

2 MR. ROSE: Yes.

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

4 ROSE:

5 MR. ROSE: Good afternoon, Mr. Seguin. My  
6 name is David Rose. I act for the Ministry of Community  
7 Safety, specifically the Probation and Parole Office and  
8 people there. I just have a few questions for you.

9 Mr. Seguin, you talked about being on the  
10 wrong path in life ---

11 MR. L. SEGUIN: Yes.

12 MR. ROSE: --- as a result of the various  
13 things that have happened to you over the years. Remember  
14 that?

15 MR. L. SEGUIN: Yes.

16 MR. ROSE: Without getting into the specific  
17 incidents, you found yourself in legal troubles over the  
18 years?

19 MR. L. SEGUIN: Yes.

20 MR. ROSE: Contact with the police over the  
21 years?

22 MR. L. SEGUIN: Yes.

23 MR. ROSE: And in fact that resulted in a  
24 number of probation orders, hasn't it?

25 MR. L. SEGUIN: That's correct.

1                   MR. ROSE: And you found yourself meeting  
2 with a number of probation officers over the years?

3                   MR. L. SEGUIN: Yes.

4                   MR. ROSE: Earlier today, sir, you recalled  
5 giving some evidence about the Men's Project?

6                   MR. L. SEGUIN: That's correct.

7                   MR. ROSE: The Men's Project is a specific  
8 group that deals with survivors of abuse such as yourself.

9                   MR. L. SEGUIN: Yes.

10                  MR. ROSE: They have various forms of  
11 counselling. Is that right?

12                  MR. L. SEGUIN: Yes.

13                  MR. ROSE: One-on-one counselling?

14                  MR. L. SEGUIN: Yes, they have one-on-one,  
15 group counselling, group sessions.

16                  MR. ROSE: In other words, they do both one-  
17 on-one counselling and also group counselling?

18                  MR. L. SEGUIN: That's correct.

19                  MR. ROSE: And obviously, it's specifically  
20 focused to people like yourself?

21                  MR. L. SEGUIN: Yes.

22                  MR. ROSE: Earlier today when you were asked  
23 how you came to be referred to the Men's Project, I recall  
24 your evidence was that you couldn't remember.

25                  MR. L. SEGUIN: I couldn't remember the

1 initial -- my initial referral. To give you an example, I  
2 was referred by the Anchorage Program in Ottawa, which I  
3 had attended the Men's Project in Ottawa, but I had contact  
4 with the Men's Project previous here in Cornwall.

5 MR. ROSE: Right, which is to say that -- if  
6 I understood your evidence correctly, it was not the  
7 Anchorage Program that referred you to the Men's Project.

8 MR. L. SEGUIN: Initially, no.

9 MR. ROSE: Right.

10 Is it possible, sir, that it was the  
11 probation people who referred you to the Men's Project?

12 MR. L. SEGUIN: It could be.

13 MR. ROSE: Okay.

14 And I take it that, in terms of your  
15 attendance at the Men's Project, it's gone in phases,  
16 hasn't it?

17 MR. L. SEGUIN: Yes.

18 MR. ROSE: In other words, initially, going  
19 back to 2002, you attended several meetings at the Men's  
20 Project.

21 MR. L. SEGUIN: Yes.

22 MR. ROSE: Do you recall that?

23 MR. L. SEGUIN: Yes.

24 MR. ROSE: That ended.

25 MR. L. SEGUIN: Yes.

1                   **MR. ROSE:** There was a period where you  
2 didn't go to the Men's Project.

3                   **MR. L. SEGUIN:** Yes.

4                   **MR. ROSE:** Later on, you did go back to the  
5 Men's Project.

6                   **MR. L. SEGUIN:** That's correct.

7                   **MR. ROSE:** And I take it, Mr. Seguin, that  
8 if you were going back to the Men's Project you must have  
9 found it to be helpful to you?

10                  **MR. L. SEGUIN:** Yes.

11                  **MR. ROSE:** As a survivor of this type of  
12 physical abuse?

13                  **MR. L. SEGUIN:** Yes.

14                  **MR. ROSE:** That's why you went back?

15                  **MR. L. SEGUIN:** Correct.

16                  **MR. ROSE:** Thank you, Mr. Commissioner.  
17 Those are my questions.

18                  **THE COMMISSIONER:** Thank you.

19                  Ms. Makepeace.

20                  **MS. MAKEPEACE:** No, thank you.

21                  **THE COMMISSIONER:** No questions? Thank you.

22                  No one here for the Diocese.

23                  Where do we go? We go to the OPP?

24                  **MS. LAHAIE:** No questions.

25                  **THE COMMISSIONER:** Thank you.

1 OPPA?

2 **MR. WALLACE:** No questions, Mr.  
3 Commissioner.

4 **THE COMMISSIONER:** Thank you.  
5 Upper Canada School Board?

6 **MS. TYMOCHENKO:** No questions.

7 **THE COMMISSIONER:** Catholic School Board?

8 **MS. BIRRELL:** No questions.

9 **THE COMMISSIONER:** Thank you.

10 Then we go back to Ms. McIntosh.

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

12 **McINTOSH:**

13 **MS. McINTOSH:** Mr. Seguin, my name is Leslie  
14 McIntosh and I'm here for the Ministry of the Attorney  
15 General.

16 In your testimony today, you told us that  
17 you heard on the street that Mr. Desjardins had been  
18 convicted of an offence. Is that correct?

19 **MR. L. SEGUIN:** Yes.

20 **MS. McINTOSH:** And I take it you understood  
21 then that he must have pleaded guilty to some offence. Is  
22 that correct?

23 **MR. L. SEGUIN:** Yes.

24 **MS. McINTOSH:** Did you know what offence he  
25 pleaded guilty to?



1                   **MR. L. SEGUIN:** No, I don't.

2                   **MS. McINTOSH:** No one else was there, I take  
3 it, during the events you described with Mr. Desjardins,  
4 the assault?

5                   **MR. L. SEGUIN:** No.

6                   **MS. McINTOSH:** Did you have any physical  
7 injuries that would demonstrate that you were the victim of  
8 a sexual assault as well as the beating to your face?

9                   **MR. L. SEGUIN:** You mean as in physical?

10                  **MS. McINTOSH:** Yes.

11                  **MR. L. SEGUIN:** No, I don't believe so.

12                  **MS. McINTOSH:** And you understood then that  
13 as a result of Mr. Desjardins pleading guilty to an  
14 offence, you would not be required to testify with respect  
15 to the events. Is that correct?

16                  **MR. L. SEGUIN:** Yes, I understand that.

17                  **MS. McINTOSH:** I take it that you have no  
18 problem with the fact that you would not be required to  
19 testify as to these events at the time. I take it your  
20 complaint is that you wanted input into the sentence. Is  
21 that correct?

22                  **MR. L. SEGUIN:** That -- possibly a victim  
23 impact statement.

24                  **MS. McINTOSH:** Do you know whether the law  
25 permitted a Crown attorney to introduce evidence with

1 respect to victim impact at that time?

2 MR. L. SEGUIN: I would not have any idea of  
3 that.

4 MS. McINTOSH: Let me ask you to think back  
5 to that time shortly after this assault took place and you  
6 were 16 years old and so on. At that time, did you want to  
7 go to court and testify either about the events or about  
8 the impact on you, do you think?

9 MR. L. SEGUIN: Yes. Yes, it was the most  
10 brutal thing that had ever happened to me in my life, and I  
11 definitely would've liked to have been more involved in the  
12 case and how it was basically handled.

13 MS. McINTOSH: So it's not just now looking  
14 back on it, it's you think that when you were 16 you also  
15 wanted to be involved?

16 MR. L. SEGUIN: Yes.

17 MS. McINTOSH: Now, you say that no one in  
18 the justice system -- or I took it from your evidence that  
19 no one in the justice system told you that Mr. Desjardins  
20 had pleaded guilty. Correct? You heard it on the street.

21 MR. L. SEGUIN: Yes. Yes, that's correct.

22 MS. McINTOSH: Do you know whether at that  
23 time there was any law or policy that would have required  
24 someone in the justice system to notify victims of guilty  
25 pleas?

1                   **MR. L. SEGUIN:** I don't believe -- I don't  
2 believe that there was a law requiring that to happen, but  
3 I really wouldn't know one way or the other.

4                   **MS. McINTOSH:** All right.

5                   Now, you also heard on the street that Mr.  
6 Desjardins went to jail for three months. Did I understand  
7 you correctly?

8                   **MR. L. SEGUIN:** That's what I heard.  
9 Whether that is true or not, I'm not sure.

10                  **MS. McINTOSH:** All right. So you don't know  
11 ---

12                  **MR. L. SEGUIN:** I was told here today it was  
13 closer to a year, but that's not confirmed as of yet.

14                  **MS. McINTOSH:** So you don't know whether the  
15 three months was correct or incorrect?

16                  **MR. L. SEGUIN:** I have a feeling it was  
17 incorrect judging by what I heard here today.

18                  **MS. McINTOSH:** So was it the three months --  
19 when you were under the impression that it was three  
20 months, was it that that you felt hurt by, that you felt  
21 that was inadequate? Is that what you meant?

22                  **MR. L. SEGUIN:** I think the whole sentence,  
23 whether it was three months or whether it was a year, I  
24 believe it was inadequate, and I feel that I should have  
25 been involved, I mean, to give a victim impact statement or

1 something, anything, or at least to let me know what  
2 happened with this person that did this to me.

3 **MS. McINTOSH:** All right.

4 Well, if the three months was not correct  
5 and he got a 12 months jail sentence and three years  
6 probation, you still feel that that was an inadequate  
7 sentence?

8 **MR. L. SEGUIN:** Of course.

9 **MS. McINTOSH:** I take it that you don't have  
10 any legal training, Mr. Seguin?

11 **MR. L. SEGUIN:** No. I know that when I was  
12 12 years old, I was hit with a 12-month sentence for  
13 stealing a \$16 speedometer, so I know that. What this  
14 person did to me, he should have at least been in -- put in  
15 a federal penitentiary.

16 **MS. McINTOSH:** My only point is that you  
17 wouldn't know what the law is with respect to the range of  
18 reasonable sentences for this offence.

19 **MR. L. SEGUIN:** No, I don't.

20 **MS. McINTOSH:** Do you think it's appropriate  
21 to take into account the fact that someone pleads guilty to  
22 an offence in determining what their sentence is?

23 **MR. L. SEGUIN:** Depending on whether or not  
24 there's evidence, sure. I mean if there's not enough  
25 evidence to convict in a trial, then obviously you got to

1 take what you can get, but I believe that there was enough  
2 evidence for there to be a trial in this.

3 **MS. McINTOSH:** Okay. But would you agree  
4 with me that it might have been difficult to get a  
5 conviction for a sexual assault in this case as opposed to  
6 an assault?

7 **MR. L. SEGUIN:** I don't think so. The  
8 person had some priors as well.

9 **MS. McINTOSH:** All right.

10 **MR. L. SEGUIN:** It was a common thing for  
11 this person to victimize people.

12 **MS. McINTOSH:** And did you know that at the  
13 time when you went over there?

14 **MR. L. SEGUIN:** Yes. Actually, not when I  
15 went there but just a few minutes before the attack, he was  
16 showing me his federal penitentiary cards that he had.

17 **MS. McINTOSH:** All right. And do you think  
18 it's appropriate to take into account that a person acts by  
19 reason of substance abuse when they commit an offence -- in  
20 determining the sentence for that offence?

21 **MR. L. SEGUIN:** I don't believe that would  
22 be appropriate.

23 **MS. McINTOSH:** Is that something -- are  
24 those factors, a guilty plea or acting by reason of  
25 substance abuse, are those things that you asked for

1 consideration with respect to when you've been an accused  
2 before the court?

3 MR. L. SEGUIN: Yes, I believe so.

4 MS. McINTOSH: So it may be appropriate to  
5 take those things into account in determining sentence  
6 then?

7 MR. L. SEGUIN: If the person has done  
8 something to better himself to deal with his substance  
9 abuse problem, I guess maybe it could be appropriate.

10 MS. McINTOSH: Those are my questions.

11 Thank you.

12 THE COMMISSIONER: Thank you.

13 Mr. Manderville?

14 MR. MANDERVILLE: Thank you, Mr.

15 Commissioner.

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

17 MANDERVILLE:

18 MR. MANDERVILLE: Good afternoon Mr. Seguin.

19 My name is Peter Manderville. I'm counsel for the Cornwall  
20 Police.

21 I want to take you back to the February 1978  
22 incident, the assault. You were 6 years old at the time  
23 this happened, were you?

24 MR. L. SEGUIN: Yes.

25 MR. MANDERVILLE: And the officer, who is

1 now deceased, by the way, came to your home in response to  
2 a call from your mother?

3 MR. L. SEGUIN: Yes.

4 MR. MANDERVILLE: And you told him what had  
5 happened?

6 MR. L. SEGUIN: Yes.

7 MR. MANDERVILLE: And there were no  
8 witnesses to what had happened, were there?

9 MR. L. SEGUIN: No.

10 MR. MANDERVILLE: And he took you to the  
11 scene of the incident or what you thought was the scene of  
12 the incident?

13 MR. L. SEGUIN: Yes.

14 MR. MANDERVILLE: And you could not find the  
15 cloth or glove that you had told him your assailant had  
16 used and thrown outside the car, correct?

17 MR. L. SEGUIN: That's correct.

18 MR. MANDERVILLE: He looked and you looked  
19 and you couldn't find it?

20 MR. L. SEGUIN: That's right.

21 MR. MANDERVILLE: And you did not know the  
22 name of your abuser at the time, did you?

23 MR. L. SEGUIN: No.

24 MR. MANDERVILLE: And at the time, you did  
25 not have the licence plate number that you subsequently

1 learned about?

2 MR. L. SEGUIN: No.

3 MR. MANDERVILLE: That same officer took you  
4 to the hospital?

5 MR. L. SEGUIN: Yes.

6 MR. MANDERVILLE: As we heard, you were  
7 examined there?

8 MR. L. SEGUIN: Yes.

9 MR. MANDERVILLE: And there was no evidence  
10 of an assault, physical evidence of an assault, was there?

11 MR. L. SEGUIN: No.

12 MR. MANDERVILLE: Lots of psychological  
13 impacts to the assault but no physical evidence, was there?

14 MR. L. SEGUIN: No.

15 MR. MANDERVILLE: And no evidence of semen  
16 or ejaculate?

17 MR. L. SEGUIN: No.

18 MR. MANDERVILLE: Now, Mr. Seguin, I don't  
19 expect you to know this, but we've heard expert evidence to  
20 the effect that the law in Canada in 1978 and indeed before  
21 1988 required that the evidence of young children had to be  
22 supported or corroborated by other evidence, a witness,  
23 some form of physical evidence or forensic evidence that  
24 assisted in showing that the child was telling the truth.  
25 Are you aware of that?



1 MR. L. SEGUIN: No.

2 MR. MANDERVILLE: You are not aware of that  
3 today?

4 MR. L. SEGUIN: I am now.

5 MR. MANDERVILLE: Moments ago?

6 MR. L. SEGUIN: Yes.

7 MR. MANDERVILLE: And you certainly weren't  
8 aware of it back in 1978?

9 MR. L. SEGUIN: No.

10 MR. MANDERVILLE: And through no fault of  
11 your own, there was no witness to your abduction and your  
12 assault, was there?

13 MR. L. SEGUIN: No.

14 MR. MANDERVILLE: You did not, through no  
15 fault of your own, know who your assailant was, you  
16 couldn't identify him?

17 MR. L. SEGUIN: If I had seen him, I'd be  
18 able to identify him but other than that, no.

19 MR. MANDERVILLE: But you couldn't tell your  
20 mother or the officer ---

21 MR. L. SEGUIN: That it was some ---

22 MR. MANDERVILLE: --- it was this person ---

23 MR. L. SEGUIN: I couldn't point the finger  
24 at anybody, no.

25 MR. MANDERVILLE: And again, despite your

1 search and that of the officer, you couldn't find the cloth  
2 or the glove that might have given some additional evidence  
3 of what had happened, could you?

4 MR. L. SEGUIN: No.

5 MR. MANDERVILLE: And at the hospital, there  
6 was no additional evidence to assist you and to assist the  
7 law in showing that what you were saying was true, was  
8 there?

9 MR. L. SEGUIN: No.

10 MR. MANDERVILLE: And again, none of this is  
11 your fault. So unfortunately, there was no evidence at all  
12 to support your information about what had happened to you,  
13 other than just your story?

14 MR. L. SEGUIN: That's correct.

15 MR. MANDERVILLE: I'm going to suggest to  
16 you that it's quite likely that the investigating officer  
17 told your mother that.

18 MR. L. SEGUIN: I don't know. She never  
19 mentioned it to me if he did.

20 MR. MANDERVILLE: You would agree with me  
21 that, rightly or wrongly, if the law at that time required  
22 some sort of supporting evidence for the story of a young  
23 child, there was none on this occasion, was there?

24 MR. L. SEGUIN: I guess not.

25 MR. MANDERVILLE: So I want to take you

1 forward to a year later, 1979, and you're 7 years old by  
2 this time, right?

3 MR. L. SEGUIN: Yes.

4 MR. MANDERVILLE: Your birthday is in  
5 October. You hadn't quite turned 8 if it was in the  
6 summertime?

7 MR. L. SEGUIN: Yes.

8 MR. MANDERVILLE: You see the man and you  
9 see the car, and this time you get the licence plate  
10 number, right?

11 MR. L. SEGUIN: Yes.

12 MR. MANDERVILLE: And you tell your mother  
13 and she calls an officer and he comes to your home.

14 MR. L. SEGUIN: Yes.

15 MR. MANDERVILLE: And again, through no  
16 fault of your own, there is no evidence other than your  
17 story to link this man to what had happened to you one year  
18 before, is there?

19 MR. L. SEGUIN: No.

20 MR. MANDERVILLE: And again, I'm going to  
21 suggest to you that given what you and I have talked about  
22 being the law at that time, it's likely that the officer  
23 told your mother that there was no possibility of a  
24 successful prosecution.

25 MR. L. SEGUIN: It's basically what he said,

1 how the judge would take the testimony.

2 **MR. MANDERVILLE:** And you recall more or  
3 less that he suggested to your mom that the judge wouldn't  
4 believe your version of events just on its own.

5 **MR. L. SEGUIN:** I don't think that he put it  
6 that way. It was how the judge would take the testimony of  
7 a 7-year-old for a crime that happened a year ago. So I'm  
8 thinking that maybe some memory thing went in that he may  
9 have thought about -- I don't think that he was suggesting  
10 that I would not be believed.

11 **MR. MANDERVILLE:** Okay. Now, I want to  
12 fast-forward a little bit to October 30, 1987 and the  
13 assault you sustained on that occasion. You had just  
14 turned 16, right?

15 **MR. L. SEGUIN:** Yes.

16 **MR. MANDERVILLE:** And you're physically and  
17 sexually assaulted by a man at his home?

18 **MR. L. SEGUIN:** Yes.

19 **MR. MANDERVILLE:** You went to the hospital  
20 for your injuries?

21 **MR. L. SEGUIN:** Yes.

22 **MR. MANDERVILLE:** The police meet you at the  
23 hospital?

24 **MR. L. SEGUIN:** Yes.

25 **MR. MANDERVILLE:** You told them what had

1 happened.

2 MR. L. SEGUIN: Yes.

3 MR. MANDERVILLE: And this time you're able  
4 to identify the man and tell the police what his name was  
5 and where he lived, correct?

6 MR. L. SEGUIN: That's right.

7 MR. MANDERVILLE: And the police arrested  
8 that man the very same day, didn't they?

9 MR. L. SEGUIN: I believe so.

10 MR. MANDERVILLE: He was charged that very  
11 same day, wasn't he?

12 MR. L. SEGUIN: I would assume he was. I  
13 know he was arrested. I don't know exactly what the charge  
14 was.

15 MR. MANDERVILLE: And you do know that he  
16 was subsequently successfully convicted?

17 MR. L. SEGUIN: Yes.

18 MR. MANDERVILLE: Now, if I understand your  
19 evidence with Mr. Engelmann correctly, you expressed a  
20 concern that you weren't contacted about the progress of  
21 the prosecution, right?

22 MR. L. SEGUIN: That's correct.

23 MR. MANDERVILLE: And if there was no policy  
24 or protocol in place to notify victims about the progress  
25 of the prosecution at that time, you would say that was not

1 a good thing?

2 MR. L. SEGUIN: Sure.

3 MR. MANDERVILLE: And that's a practice that  
4 should be changed?

5 MR. L. SEGUIN: That's correct.

6 MR. MANDERVILLE: And if I were to tell you  
7 it has changed and there are protocols in place for such  
8 advice, you'd say that's a good thing?

9 MR. L. SEGUIN: Yes.

10 MR. MANDERVILLE: I take it also, Mr.  
11 Seguin, that you're not aware that the various victims'  
12 assistance programs now offered by the province did not  
13 exist in the City of Cornwall until the late 1990s.

14 MR. L. SEGUIN: Yes, that sounds about  
15 right.

16 MR. MANDERVILLE: So you would agree with me  
17 that the police in Cornwall, back in 1987, would not be  
18 able to refer you to a victims' assistance program if it  
19 didn't exist, of course?

20 MR. L. SEGUIN: I suppose.

21 MR. MANDERVILLE: Now, Mr. Seguin, you have  
22 freely acknowledged here that you have a -- somewhat of a  
23 history of drug abuse.

24 MR. L. SEGUIN: Sure.

25 MR. MANDERVILLE: Which you have, to a

1 greater or a lesser extent, difficulty overcoming from time  
2 to time?

3 MR. L. SEGUIN: That's correct.

4 MR. MANDERVILLE: And you have also been  
5 charged and convicted of a number of criminal offences  
6 since 1990?

7 MR. L. SEGUIN: That's correct.

8 MR. MANDERVILLE: From the late 1990s to the  
9 present, you have lived in a number of different places?

10 MR. L. SEGUIN: Yes.

11 MR. MANDERVILLE: Sometimes with your mom,  
12 sometimes with a girlfriend?

13 MR. L. SEGUIN: Yes.

14 MR. MANDERVILLE: Sometimes elsewhere in  
15 Ottawa?

16 MR. L. SEGUIN: Yes.

17 MR. MANDERVILLE: Sometimes in a  
18 correctional facility?

19 MR. L. SEGUIN: That's correct.

20 MR. MANDERVILLE: I understand that about a  
21 year ago, around August 2005, you received compensation  
22 from the Criminal Injuries Compensation Board?

23 MR. L. SEGUIN: Yes.

24 MR. MANDERVILLE: And that was in respect of  
25 both the 1978 assault and the 1987 assault?

1                   **MR. L. SEGUIN:** That's correct.

2                   **MR. MANDERVILLE:** Now, the process of  
3 applying for and obtaining that compensation took more than  
4 four years, didn't it?

5                   **MR. L. SEGUIN:** That's correct.

6                   **MR. MANDERVILLE:** And I suggest to you that  
7 one reason for that is that your lawyer at the legal aid  
8 clinic had considerable difficulty getting a hold of you on  
9 a number of occasions.

10                  **MR. L. SEGUIN:** I don't believe that's why  
11 the delay was. To be honest, I can't really tell you  
12 exactly what the delay -- I don't believe that that was the  
13 reason. I remember there was something that happened with  
14 Mr. Etienne Saint-Aubin, he had not -- didn't file some  
15 paper or something. The Criminal Injuries Board was  
16 waiting for a paper that Etienne did not send. And it took  
17 me to get a hold of Etienne to find out what was going on  
18 and then, he had sent the paperwork. But there was a  
19 couple of times where Mr. Aubin was sending letters to my  
20 mother's house which I may have been incarcerated at that  
21 time. So I was unable to have contact with him.

22                  **MR. MANDERVILLE:** Were you able ---

23                  **MR. L. SEGUIN:** I didn't receive my letters  
24 basically that he was sending.

25                  **MR. MANDERVILLE:** I would ask that the



1 witness be shown document 116707?

2 **MR. ENGELMANN:** Just be a minute.

3 **(SHORT PAUSE/COURTE PAUSE)**

4 **MR. MANDERVILLE:** What you should have in  
5 front of you, Mr. Seguin -- Mr. Commissioner, do you have  
6 that?

7 **THE COMMISSIONER:** Yes, which will be  
8 exhibit no. 70, the letter dated May 24<sup>th</sup>, 2002.

9 **MR. ENGELMANN:** Yes, thank you.

10 **--- EXHIBIT NO./PIÈCE NO P-70:**

11 Letter from the legal aid lawyer to Mr.  
12 Larry Seguin, dated May 24<sup>th</sup>, 2002

13 **MR. MANDERVILLE:** That's a letter to you  
14 addressed to 635 Sydney Street from the legal aid lawyer,  
15 isn't it?

16 **MR. L. SEGUIN:** Yes.

17 **MR. MANDERVILLE:** At the time, he is  
18 commenting that you have missed another appointment without  
19 calling to say why. He notes that he can no longer spend  
20 time running after you as they are too busy.

21 **MR. L. SEGUIN:** M'hm.

22 **MR. MANDERVILLE:** And he threatens to close  
23 your file and have you pursue the matter on your own,  
24 doesn't he?

25 **MR. L. SEGUIN:** Yes.

1                   **MR. MANDERVILLE:** And again I suggested to  
2 you a moment ago that one reason why your Criminal Injuries  
3 Compensation application took a while to process was that  
4 you were difficult to get a hold of.

5                   **MR. L. SEGUIN:** And I would say that I don't  
6 believe that was the reason it took so long. This letter  
7 suggests that I had missed my two appointments in a row  
8 basically. So we're talking within a two-week period.

9                   **MR. MANDERVILLE:** So you would say that  
10 other than this two-week period, the Legal Aid Clinic did  
11 not have difficulty getting a hold of you despite your  
12 various addresses and phone numbers?

13                   **MR. L. SEGUIN:** I remember changing my  
14 address frequently with Mr. Saint-Aubin. I was also  
15 incarcerated on a couple of occasions, at which point I had  
16 done an address change. The address on this letter, 635  
17 Sydney Street, that was my wife's mother's house. We had  
18 to stay there in between moves because we had difficulties  
19 finding an appropriate house. So we had stayed there for a  
20 month, I believe it was.

21                   **MR. MANDERVILLE:** And that was an address  
22 you told Mr. Saint-Aubin, "You can reach me at this  
23 address"?

24                   **MR. L. SEGUIN:** Yes.

25                   **MR. MANDERVILLE:** And subsequently you

1 moved?

2 MR. L. SEGUIN: Yes.

3 MR. MANDERVILLE: And I take it, and this is  
4 not a criticism, you forgot to tell Mr. Aubin about your  
5 new address?

6 MR. L. SEGUIN: It's possible I didn't  
7 notify him right away. I might have thought of it a week  
8 later or something and, "Oh yeah, I better call and let him  
9 know where I'm at" kind of thing.

10 MR. MANDERVILLE: Now, in 1999 you go to  
11 Sergeant Carter, in the latter part of 1999?

12 MR. L. SEGUIN: Yes.

13 MR. MANDERVILLE: And you tell him about the  
14 1978 assault and then give him the licence plate number?

15 MR. L. SEGUIN: M'hm.

16 MR. MANDERVILLE: That's a yes?

17 MR. L. SEGUIN: Yes. Sorry.

18 MR. MANDERVILLE: And Officer Carter  
19 confirmed that the owner of the vehicle was dead and had  
20 died in 1985, didn't he?

21 MR. L. SEGUIN: That's correct.

22 MR. MANDERVILLE: And later Officer Carter  
23 obtained a photo of the vehicle owner, who is now dead, and  
24 you identified the person in the photo as the man who had  
25 assaulted you back in 1978?

1                   **MR. L. SEGUIN:** Yes.

2                   **MR. MANDERVILLE:** And somewhat like your  
3 experience with the Legal Aid lawyer in the Criminal  
4 Injuries Compensation Board, I suggest to you that Officer  
5 Carter called you at your mother's house and your  
6 girlfriend's house on numerous occasions concerning this  
7 matter and his calls were not returned, and on several  
8 occasions when you arranged to meet with him, you did not  
9 keep the appointments. That's correct; isn't it?

10                  **MR. L. SEGUIN:** I don't believe so.

11                  **MR. MANDERVILLE:** So if Officer Carter were  
12 to say he arranged several meetings with you in ---

13                  **MR. L. SEGUIN:** Mr. Carter may have called  
14 my mother's house and left a message for me, but I possibly  
15 was not residing with my mother, but my mother would give  
16 me the message at some point. There may have also been an  
17 occasion where I may have been incarcerated, at which point  
18 he would -- basically, in order to speak with me, he would  
19 have had to went down to jail to do so.

20                  **MR. MANDERVILLE:** And he wouldn't  
21 necessarily know exactly where you were on a given day,  
22 correct?

23                  **MR. L. SEGUIN:** Well, he would basically  
24 just have to phone my mother and my mother would know where  
25 I'm at.

1                   **MR. MANDERVILLE:** Would she tell Officer  
2           Carter?

3                   **MR. L. SEGUIN:** Sure, yes.

4                   **MR. MANDERVILLE:** "Mr. Seguin is in jail.  
5           Go see him there."

6                   **MR. L. SEGUIN:** Yes.

7                   **MR. MANDERVILLE:** And had you given Officer  
8           Carter permission to tell your mother or, if he were to  
9           call your girlfriend, your girlfriend about the details of  
10          why he wanted to speak to you?

11                  **MR. L. SEGUIN:** Yes, I believe Sergeant  
12          Carter had spoke with my mother on a couple of occasions in  
13          regards to the case.

14                  **MR. MANDERVILLE:** And what about your  
15          girlfriend?

16                  **MR. L. SEGUIN:** I don't -- I'm not too sure.

17                  **MR. MANDERVILLE:** Do you recall giving  
18          Officer Carter permission to speak with your girlfriend  
19          about the details to explain why he wanted to speak with  
20          you?

21                  **MR. L. SEGUIN:** I don't believe so. I don't  
22          remember though. I'm not too sure if Sergeant Carter has  
23          ever spoke with my wife in regards to this. It might be a  
24          question for her.

25                  **MR. MANDERVILLE:** Now, we know you saw

1 Officer Carter in the latter part of 1999 for the first  
2 time.

3 MR. L. SEGUIN: Yes.

4 MR. MANDERVILLE: And I suggest to you that  
5 Officer Carter got your hospital records within five days  
6 of your initial visit with him?

7 MR. L. SEGUIN: I don't think so.

8 MR. MANDERVILLE: You believe it was a  
9 longer period of time?

10 MR. L. SEGUIN: Yes, much longer. I don't  
11 know exactly what date that I had provided him with. You  
12 may have that there. I don't know. I'm not sure exactly  
13 what date.

14 MR. MANDERVILLE: If Officer Carter were to  
15 suggest he got them within five days of first seeing you,  
16 you would dispute that or would you accept that?

17 MR. L. SEGUIN: I know in one of the papers  
18 here it said that Mr. Carter was having problems getting  
19 the -- was having problems locating the hospital records.  
20 I don't know which paper that was. I have seen it today, I  
21 believe, with Mr. Engelmann.

22 MR. MANDERVILLE: And I would also suggest  
23 to you that at the time you had that letter written to Mr.  
24 Cleary in January 2001, you already knew that the owner of  
25 the vehicle with the licence plate you had identified was

1 dead and that you had been so informed in September 2000.

2 Do you recall that?

3 MR. L. SEGUIN: No.

4 THE COMMISSIONER: Sorry, informed by whom?

5 MR. MANDERVILLE: Officer Carter.

6 At the time you wrote to your Member of  
7 Provincial Parliament, Mr. Cleary, you also knew that  
8 Officer Carter was attempting to track down a photo of the  
9 vehicle owner?

10 MR. L. SEGUIN: In 2001?

11 MR. MANDERVILLE: Before you wrote to Mr.  
12 Cleary, you had also been told that in addition to the fact  
13 that the owner of the vehicle was dead, that Officer Carter  
14 was also attempting to track down a photograph of the  
15 vehicle owner?

16 MR. L. SEGUIN: No, that's incorrect.

17 MR. MANDERVILLE: And if Officer Carter were  
18 to say that, you would dispute that, would you?

19 MR. L. SEGUIN: Yes, I would.

20 MR. MANDERVILLE: And you did know that  
21 Officer Carter had attempted to contact you through your  
22 mother on several occasions and may not have been  
23 successful in getting you to contact him back?

24 MR. L. SEGUIN: I know that Officer Carter  
25 contacted my mother. It would have been in February 2001,

1 asking me to come down to fill out a statement.

2 **MR. MANDERVILLE:** And is it your view that  
3 he never contacted your mother at any time before that?

4 **MR. L. SEGUIN:** No, he probably has  
5 contacted my mother before that at some point.

6 **MR. MANDERVILLE:** Similarly, he would have  
7 contacted your girlfriend before that time in an attempt to  
8 reach you?

9 **MR. L. SEGUIN:** Again, I can't answer that  
10 question. I'm not too sure if he had spoke with my wife or  
11 not.

12 **MR. MANDERVILLE:** I'm sorry, I said  
13 girlfriend.

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

15 **MR. MANDERVILLE:** And I take it, Mr. Seguin,  
16 by January 2001, you were simply getting a little bit  
17 frustrated with not seeing the photo of perhaps your  
18 assailant?

19 **MR. L. SEGUIN:** I wasn't aware of any photo  
20 until the investigation was basically closed. It would  
21 have been approximately two and a half weeks after the  
22 statement was written on February the 15<sup>th</sup>, 2001.

23 **MR. MANDERVILLE:** So is it your evidence  
24 here today, Mr. Seguin, that at the time you wrote to Mr.  
25 Cleary, you had not been told that the owner of the vehicle



1 had passed away, and you had not been told that Officer  
2 Carter was trying to track down a photo of the owner of the  
3 vehicle?

4 **MR. L. SEGUIN:** Basically, they were telling  
5 me they were trying to do all kinds of things, right up  
6 from 1999 until the actual investigation was closed in  
7 2001. It was not until I had wrote to the MP on -- let's  
8 just see here; where is it? Too many papers. January 14,  
9 2001 I wrote the letter to the MP. It was received by the  
10 Cornwall Police on February the 7<sup>th</sup> and on February the 7<sup>th</sup>,  
11 I got an internal correspondence to Deputy Chief Laferty  
12 from Chief Repa, asking to "Ensure that the allegations as  
13 stated in the letter by Mr. Seguin are investigated".

14 Also, the next correspondence was to Staff  
15 Sergeant Carter, basically attaching the letter that was  
16 submitted to the Cornwall Police Services Board, and then  
17 after this, it would have been another week or two, and he  
18 had everything wrapped up.

19 **MR. MANDERVILLE:** And in late February or  
20 early March 2001, you identified your assailant from the  
21 photo you saw?

22 **MR. L. SEGUIN:** Pardon me?

23 **MR. MANDERVILLE:** In late February or early  
24 March 2001, you attended the police station and identified  
25 the photo as being a picture of the person who assaulted

1           you in 1978?

2                       **MR. L. SEGUIN:** That's correct.

3                       **MR. MANDERVILLE:** And at that time Officer  
4 Carter suggested that you seek out Criminal Injuries  
5 Compensation?

6                       **MR. L. SEGUIN:** Yes.

7                       **MR. MANDERVILLE:** And then you have gone on  
8 to have a more positive relationship with the police ---

9                       **MR. L. SEGUIN:** I have ---

10                      **MR. MANDERVILLE:** Sorry, go ahead.

11                      **MR. L. SEGUIN:** I have a feeling that it's  
12 possible that the Criminal Injuries Board, it may have been  
13 already in process, but Sergeant Carter had offered  
14 assistance in any way he could. He said, "If you need any  
15 assistance in that," that he would be willing to help.

16                      **MR. MANDERVILLE:** And you were pleased with  
17 that?

18                      **MR. L. SEGUIN:** Yes.

19                      **MR. MANDERVILLE:** And you've gone on to  
20 participate with the police in presentations?

21                      **MR. L. SEGUIN:** Yes.

22                      **MR. MANDERVILLE:** And have a more positive  
23 relationship with the police?

24                      **MR. L. SEGUIN:** Well, that was my hope, yes.

25                      **MR. MANDERVILLE:** Thank you very much, Mr.

1 Seguin.

2 MR. L. SEGUIN: Thank you.

3 THE COMMISSIONER: Thank you.

4 Mr. Lee?

5 MR. LEE: Can I just have one moment, Mr.  
6 Commissioner?

7 (SHORT PAUSE/COURTE PAUSE)

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

9 MR. LEE: I only have one brief area.

10 You've told us today, Mr. Seguin, that your  
11 involvement with the Cornwall Police in terms of the 1978  
12 and '79 incidents and in 2001, when you identified the  
13 perpetrator and were advised that he was deceased; is that  
14 correct?

15 MR. L. SEGUIN: Yes.

16 MR. LEE: When would you have begun your  
17 Criminal Injuries Compensation claim? Do you know if it  
18 was before or after that time?

19 MR. L. SEGUIN: I'm not too sure. It would  
20 have been around the year 2000. It could have been in  
21 2001. It could have been, as this gentleman suggested,  
22 after my interview with Sergeant Carter.

23 MR. LEE: And as Mr. Manderville suggested,  
24 that process took a number of years?

25 MR. L. SEGUIN: That's correct.

1                   **MR. LEE:** How important was the criminal  
2 investigation being conducted by the Cornwall Police into  
3 the incidents in 1978 and 1979 to you in the late '90s and  
4 early 2000?

5                   **MR. L. SEGUIN:** Well, it was important to me  
6 because basically there was no acknowledgement that this  
7 had happened, and I was trying to get it behind me, so I  
8 can move ahead in my life.

9                   **MR. LEE:** And this is around the period that  
10 you wrote to your MPP, Mr. Cleary; is that correct?

11                   **MR. L. SEGUIN:** Yes.

12                   **MR. LEE:** Mr. Manderville suggested today  
13 that you were a difficult man to get a hold of for some of  
14 these periods and that on occasion you were in prison. Is  
15 that correct?

16                   **MR. L. SEGUIN:** Yes.

17                   **MR. LEE:** Would the Cornwall Police have  
18 known how to contact you when you were in prison?

19                   **MR. L. SEGUIN:** Yes. The Cornwall Police,  
20 basically as we know, I've had many dealings with them over  
21 the years. My mother has had the same address and phone  
22 number for the past 15-20 years and basically they know how  
23 to get a hold of me through my mother. They had no  
24 problems showing up at my job site to arrest me for a  
25 breach. So, I mean, they know how to get a hold of me.

1                   **MR. LEE:** So you've had dealings with them  
2 both as a victim of crime and as a suspect or a person of  
3 interest?

4                   **MR. L. SEGUIN:** That's correct.

5                   **MR. LEE:** Have they ever had any trouble  
6 getting a hold of you or finding you when you were a  
7 suspect or a person of interest?

8                   **MR. L. SEGUIN:** Never.

9                   **MR. LEE:** Those are my questions.

10                   I just want to take a brief moment -- I know  
11 that it's been difficult for Mr. Seguin being the first  
12 witness at these hearings, and I just wanted to thank him  
13 and let him know that he's done a good job today.

14                   **THE COMMISSIONER:** Okay.

15                   Mr. Engelmann.

16 --- RE-EXAMINATION BY/RÉ-INTERROGATOIRE PAR **MR. ENGELMANN:**

17                   **MR. ENGELMANN:** Mr. Seguin, do you have  
18 Exhibit 64? It's your letter to Mr. Cleary.

19                   **MR. L. SEGUIN:** Yes.

20                   **MR. ENGELMANN:** I just want to ask you a  
21 question to clarify something.

22                   Could you look at the bottom of the page?  
23 This is a letter you're writing January 14, 2001.

24                   **MR. L. SEGUIN:** Yes.

25                   **MR. ENGELMANN:** In particular, you say:

1 "After more time, like 20 years was not  
2 enough, I was instructed to see Tom  
3 Racine from Cornwall Police. I did so  
4 and I was told that this case was all  
5 he was working on all week. Carter and  
6 Racine were to set up some sort of  
7 photo line-up."

8 **MR. L. SEGUIN:** M'hm.

9 **MR. ENGELMANN:** You were just asked a few  
10 questions about a photo line-up. It would appear that  
11 sometime before January 14<sup>th</sup> at least of 2001, there was to  
12 be some form of photo line-up.

13 **MR. L. SEGUIN:** Yes.

14 From that, I believe it would have been made  
15 possibly from the licence plate number I provided. They  
16 were talking about setting up some kind of photo line-up.

17 **MR. ENGELMANN:** Do you know when?

18 **MR. L. SEGUIN:** That never happened though  
19 until after I wrote this letter.

20 **MR. ENGELMANN:** Okay. Do you know when that  
21 was supposed to be done? Do you remember?

22 **MR. L. SEGUIN:** I couldn't say for sure.

23 **MR. ENGELMANN:** Okay. That's my only  
24 question.

25 Thank you.

1                   **MR. L. SEGUIN:** Thanks.

2                   **THE COMMISSIONER:** Thank you.

3                   Mr. Seguin, I would like to thank you for  
4 coming here today. I think it took a lot of courage, and I  
5 hope that you can build on this, this being your birthday  
6 and all. I wish you well.

7                   **MR. L. SEGUIN:** Thank you.

8                   **THE COMMISSIONER:** You may step down. Thank  
9 you.

10                  **MR. L. SEGUIN:** Thank you.

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

12                  **MR. ENGELMANN:** Mr. Commissioner, the next  
13 witness is Mr. Seguin's mother, who will be with us first  
14 thing in the morning. I apologize for not having her  
15 available right now.

16                  **THE COMMISSIONER:** All right.

17                  **MR. ENGELMANN:** I am at your pleasure with  
18 when you would like us to start.

19                  **THE COMMISSIONER:** Oh.

20                  **MR. ENGELMANN:** At 9:30?

21                  **THE COMMISSIONER:** Sure, yes, 9:30 would be  
22 fine. Any idea how the day will go tomorrow?

23                  **MR. ENGELMANN:** Yes, I anticipate Mrs.  
24 Seguin will be quite brief.

25                  **THE COMMISSIONER:** Right.

1                   **MR. ENGELMANN:** So I anticipate we will be  
2 into the evidence of Lise Brisson, the third witness,  
3 sometime after the morning break.

4                   **THE COMMISSIONER:** All right.

5                   **MR. ENGELMANN:** In any event, before the  
6 lunch hour.

7                   **THE COMMISSIONER:** All right. Thank you.  
8 We will break and resume at 9:30 then.  
9 Thank you.

10                   **MR. ENGELMANN:** Thank you.

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

13                   This hearing is now adjourned. L'audience  
14 est ajournée.

15 --- Upon adjourning at 4:14 p.m./

16 L'audience est ajournée à 16h14

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C E R T I F I C A T I O N

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



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Sean Prouse, CVR-CM