

**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 147

Held at :

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

Wednesday, October 10 2007

Tenue à:

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

Mercredi, le 10 octobre 2007

Appearances/Comparutions

Ms. Julie Gauthier	Registrar
Ms. Deidre Harrington	Commission Counsel
Mr. Ian Stauffer	
Mr. Peter Manderville	
Mr. John E. Callaghan	Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Ms. Suzanne Costom	
M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Leslie McIntosh	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Mr. Carson Chisholm

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1 --- Upon commencing at 2:01 p.m./

2 L'audience débute à 14h01

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

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Thank you.

10 Good afternoon, all. All right.

11 **MR. STAUFFER:** Yes. Good afternoon, Mr.
12 Commissioner.

13 Mr. Frank Horn as I believe you know is
14 bringing an application with respect to supplemental
15 funding with respect to Mr. Horn and his -- sorry, Mr.
16 Chisholm and his group.

17 So Mr. Horn would like to say something. I
18 should say for the record, the paperwork which Mr. Horn has
19 filed the application will be Exhibit 631E and the
20 affidavit 631F.

21 --- **EXHIBIT NO./PIÈCE No. P-631E:**

22 Notice of Application for Supplementary
23 Funding, October 10, 2007

24 --- **EXHIBIT NO./PIÈCE No. P-631F:**

25 Affidavit of Ray Fenton, October 10, 2007

1 **THE COMMISSIONER:** Okay. Thank you. Good
2 afternoon, Mr. Horn.

3 **--- APPLICATION FOR SUPPLEMENTARY FUNDING BY/APPLICATION**
4 **POUR FINANCEMENT SUPPLÉMENTAIRE PAR MR. FRANK HORN:**

5 **MR. HORN:** Good afternoon, Your Honour.

6 The position of the Coalition has always
7 been that as a group that spearheaded the -- getting the
8 public in Cornwall and the surrounding area to -- well,
9 they agitated for this Public Inquiry and as a result, they
10 are really the group that feels that they should be in an
11 equal position with the people who have been involved for
12 the last two years with counsel and been involved with a
13 lot of preparation that has gone over that period of time.

14 What they are asking for is the ability to
15 hire a researcher, someone that would be able to go over
16 the material that came in the form of transcript of the
17 hearings up until now so that we can go back to what has
18 happened over the last couple of years, and because there
19 is going to be continuing things happening from now on. So
20 we want somebody to go over the material from the past and
21 to summarize it and prepare us for the eventual submissions
22 to the Commission and maybe prepare us also for cross-
23 examination.

24 So we are asking for -- to be able to hire
25 somebody to work alongside myself and Ian Paul in order to

1 be able to do that. The initial request is for
2 approximately 400 hours and we would be asking for the
3 person to be paid at the rate of, let's say, a paralegal
4 which would be in the range of, let's say, \$50 to \$60,
5 maybe \$65 an hour, so that they would be able to do some of
6 the work that will be necessary in order to get us to be
7 able to be on an equal footing with the people who have
8 been here for the last two years. And I think that this is
9 a reasonable request.

10 There has already been two other
11 applications from what I understand. The Catholic Church,
12 they get funding for a paralegal and ---

13 **THE COMMISSIONER:** No, no, not the Catholic
14 Church.

15 **MR. HORN:** I am sorry, the diocese.

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

17 **MR. HORN:** Sorry. The diocese got funding
18 for a paralegal and the CR also got funding in order to pay
19 for a police officer to do some research for them.

20 So I understand that this has already been
21 done in other cases and as the people who feel that they
22 are the voice of the people in Cornwall, they feel that
23 they need to be represented equally because the
24 institutions who are defending themselves against the
25 allegations are very well funded and they are very well

1 prepared up until now.

2 **THE COMMISSIONER:** Well, I don't know if you
3 want to -- somebody is going to object to you claiming to
4 be "the voice" of the people of Cornwall, maybe a voice, an
5 important voice of the people of Cornwall, but not the only
6 one. And so is this going to be a qualified paralegal
7 person?

8 **MR. HORN:** It will be someone that we feel
9 is -- we haven't found a person as yet. We just want to
10 know if there is a possibility to being able to hire
11 somebody to do that job. And they would be basically going
12 into the transcripts of the hearings that have taken place
13 over the last couple of years ---

14 **THE COMMISSIONER:** No, I understand that.
15 It's just that ---

16 **MR. HORN:** --- they wouldn't be going into
17 the confidential material so much. Myself and Mr. Paul
18 would be doing that.

19 **THE COMMISSIONER:** Right. Well, that's up
20 to you but normally you tell me I'm going to get a
21 paralegal, I'm going to get a police officer, you know, so
22 we know what kind of rate ---

23 **MR. HORN:** Oh, sorry.

24 **THE COMMISSIONER:** --- you have to speak --
25 just bring the mike over a bit, please.

1 **MR. HORN:** Sorry.

2 **THE COMMISSIONER:** So I just want to make
3 sure it's not, you know, Grade 10 high school student who
4 is going to be paid \$50-\$60 an hour to ---

5 **MR. HORN:** Oh no, it would be somebody that
6 would be qualified to be able to do the work and to be able
7 to get us up to speed on the ---

8 **THE COMMISSIONER:** So a qualified paralegal
9 is what ---

10 **MR. HORN:** Yes.

11 **THE COMMISSIONER:** --- you're looking for?

12 **MR. HORN:** Yes.

13 **THE COMMISSIONER:** Okay. Thank you. I'll
14 give you my decision tomorrow.

15 All right. Anyone wanting to comment on
16 that application? I don't think so. Great. Thank you.

17 Mr. Stauffer?

18 **MR. STAUFFER:** Yes. Thank you Mr.
19 Commissioner.

20 I would ask counsel in an informal fashion
21 if anyone wanted to say anything. I don't think anyone
22 does at this point. I don't think there is any strenuous
23 objection to this. I have to say two things quickly. And
24 that is for sure whoever gets involved has to be someone
25 qualified, it can't be just a lay person or whatever.

1 **THE COMMISSIONER:** No, it's qualified ---

2 **MR. STAUFFER:** I know there are definitions
3 now for paralegal, I guess, from the Law Society.

4 The other point, 400 hours to me seems to be
5 certainly on the high side because we've identified to Mr.
6 Chisholm through his counsel the three binders of documents
7 for his review and he's had them for quite a period of
8 time. Now, they may be other things for him or his counsel
9 to look at ---

10 **THE COMMISSIONER:** For what now?

11 **MR. STAUFFER:** There have been three binders
12 of material that we segregated ---

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

14 **MR. STAUFFER:** --- long ago, a month or so
15 ago, for Mr. Chisholm to look at. So I'm ---

16 **THE COMMISSIONER:** Transcripts?

17 **MR. STAUFFER:** No.

18 **THE COMMISSIONER:** But what he is asking for
19 ---

20 **MR. STAUFFER:** Documents. This is for
21 review but ---

22 **THE COMMISSIONER:** He's got full standing --
23 -

24 **MR. STAUFFER:** Yes.

25 **THE COMMISSIONER:** So he has the right

1 obviously to review and be briefed on all of the
2 transcripts at least ---

3 **MR. STAUFFER:** Yes.

4 **THE COMMISSIONER:** --- and we haven't even
5 talked about disclosures.

6 **MR. STAUFFER:** Yes, I appreciate that.

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

8 **MR. STAUFFER:** Those are all my comments.

9 Thank you, Mr. Commissioner.

10 **THE COMMISSIONER:** Thank you. Ready to go?

11 **MR. STAUFFER:** Yes. Now, Mr. Commissioner,
12 that ends the matter with respect to the application. If
13 we could call Carson Chisholm then to the stand?

14 **THE COMMISSIONER:** Thank you. Mr. Chisholm,
15 please?

16 **CARSON CHISHOLM, Affirmed/Sous affirmation solennelle:**

17 **THE COMMISSIONER:** Mr. Chisholm, there are
18 going to be a bunch of questions asked of you today.

19 **MR. CHISHOLM:** Yes.

20 **THE COMMISSIONER:** So, first of all, there
21 is a microphone -- there is a speaker right here.

22 **MR. CHISHOLM:** M'hm.

23 **THE COMMISSIONER:** So there is a volume
24 button so if you have trouble hearing ---

25 **MR. CHISHOLM:** M'hm.

1 **THE COMMISSIONER:** --- the one on the right-
2 hand side will turn up the volume or bring it down if you
3 don't ---

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

5 **THE COMMISSIONER:** --- anyways, so if there
6 is any -- if at any time you need a break, let me know. If
7 there is something you don't understand about what's going
8 on, let me know. It's okay to say that you don't
9 understand or that you don't remember an answer; it's been
10 a long time. There is water there and some glasses I see
11 today so we are all set.

12 So do you have any questions at this time?

13 **MR. CHISHOLM:** Not really, no.

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

15 **MR. CHISHOLM:** You're welcome.

16 ---**EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
17 **IAN STAUFFER :**

18 **MR. STAUFFER:** Thank you, Mr. Commissioner.
19 Mr. Chisholm, thank you for coming today. Could I have
20 your age, please?

21 **MR. CHISHOLM:** Fifty-nine (59).

22 **MR. STAUFFER:** Where do you presently live?

23 **MR. CHISHOLM:** St. Andrews.

24 **MR. STAUFFER:** And how long have you lived
25 there?

1 **MR. CHISHOLM:** Well, I was basically born
2 there but I've lived there probably for 40 years; something
3 like that.

4 **MR. STAUFFER:** Okay. You've been in and out
5 of the province from time-to-time working at other jobs but
6 St. Andrews is your home.

7 **MR. CHISHOLM:** That's right. Yes.

8 **MR. STAUFFER:** Okay. You're married?

9 **MR. CHISHOLM:** Yes.

10 **MR. STAUFFER:** Your wife is Julie?

11 **MR. CHISHOLM:** Julie.

12 **MR. STAUFFER:** When were you married?

13 **MR. CHISHOLM:** Eighty-one ('81), December
14 19.

15 **MR. STAUFFER:** All right. And you have six
16 children I understand?

17 **MR. CHISHOLM:** Yes.

18 **MR. STAUFFER:** Are any of them at home still
19 or are they all grown up?

20 **MR. CHISHOLM:** There is two still at home,
21 in school.

22 **MR. STAUFFER:** All right. Now, you are the
23 brother-in-law of Perry Dunlop. Is that right?

24 **MR. CHISHOLM:** That's right, yes.

25 **MR. STAUFFER:** Now, it's my information Mr.

1 Dunlop was and is married to your sister, Helen ---

2 MR. CHISHOLM: That's right.

3 MR. STAUFFER: --- and they were married
4 back in 1989. Is that to your recollection?

5 MR. CHISHOLM: Probably, yes.

6 MR. STAUFFER: Okay. Did you know Mr.
7 Dunlop much before ---

8 MR. CHISHOLM: No.

9 MR. STAUFFER: --- he married? So you've
10 known him now I guess close to 20 years but ---

11 MR. CHISHOLM: That's right.

12 MR. STAUFFER: --- we'll see what else you
13 can tell us as we go through this.

14 In terms of other relatives, there is a
15 brother-in-law whose name will come up if it hasn't come up
16 already, a retired officer of the Cornwall Police Service,
17 Stuart McDonald. Is he one of your brothers-in-law as
18 well?

19 MR. CHISHOLM: That's right.

20 MR. STAUFFER: And who is he married to?

21 MR. CHISHOLM: My sister, Gladys.

22 MR. STAUFFER: All right. And she is your
23 older sister, is she?

24 MR. CHISHOLM: She's older, yes.

25 MR. STAUFFER: Yes. And how long then have

1 you known Mr. McDonald do you think?

2 **MR. CHISHOLM:** How long have I known him?

3 **MR. STAUFFER:** Yes.

4 **MR. CHISHOLM:** Probably 30, 35 years,
5 somewhere in there.

6 **MR. STAUFFER:** Okay. And you also have a
7 brother I understand in the Royal Canadian Mounted Police.
8 Is that right?

9 **MR. CHISHOLM:** That's right.

10 **MR. STAUFFER:** Okay. Does he serve in a
11 local detachment or is he -- has he served in a local
12 detachment?

13 **MR. CHISHOLM:** Saskatchewan. No.

14 **MR. STAUFFER:** He's out west?

15 **MR. CHISHOLM:** Yes.

16 **MR. STAUFFER:** All right. Now, briefly in
17 terms of your education, I understand you went through high
18 school but you didn't quite get the diploma.

19 **MR. CHISHOLM:** That's right.

20 **MR. STAUFFER:** Is that right? You were a
21 credit or two short. Did you do any post-secondary
22 education? That is after high school, did you go ---

23 **MR. CHISHOLM:** Yes.

24 **MR. STAUFFER:** What did you do?

25 **MR. CHISHOLM:** Well, I went to Algonquin

1 College, enrolled in British Columbia Institute of
2 Technology, Queen's, school ---

3 MR. STAUFFER: It's Queen's University?

4 MR. CHISHOLM: Yes, a school in the States
5 for a little while, auctioneer school.

6 MR. STAUFFER: Okay.

7 MR. CHISHOLM: And real estate broker
8 licence, you know.

9 MR. STAUFFER: You got your licence to sell
10 real estate?

11 MR. CHISHOLM: Yes. Yes.

12 MR. STAUFFER: All right. And I understand
13 you've also acted as an auctioneer?

14 MR. CHISHOLM: That's right.

15 MR. STAUFFER: Does that require some
16 special training in terms of going to school?

17 MR. CHISHOLM: You don't have to. I did but
18 ---

19 MR. STAUFFER: Okay. Now, in terms of your
20 work history, I understand you worked out of the province
21 for a while out west?

22 MR. CHISHOLM: Yes.

23 MR. STAUFFER: And you've worked down in the
24 Caribbean, is that ---

25 MR. CHISHOLM: No.

1 MR. STAUFFER: No?

2 MR. CHISHOLM: Not aware of that.

3 MR. STAUFFER: Where is it ---

4 MR. CHISHOLM: You mean the Canary Islands.
5 That's near Africa.

6 MR. STAUFFER: That's further away.

7 MR. CHISHOLM: Yes.

8 MR. STAUFFER: All right. That's further
9 away. All right. But you spent most of your adult life
10 working in this area in the ---

11 MR. CHISHOLM: Canada, yes.

12 MR. STAUFFER: Yes, okay. In terms of your
13 current occupation, what would you say you do for a living?

14 MR. CHISHOLM: I'm a real estate broker.

15 MR. STAUFFER: Okay.

16 MR. CHISHOLM: I sell real estate.

17 MR. STAUFFER: Do you still act as an
18 auctioneer?

19 MR. CHISHOLM: Yes.

20 MR. STAUFFER: All right. Now, I understand
21 you are a Roman Catholic?

22 MR. CHISHOLM: Yes.

23 MR. STAUFFER: And you do belong to a
24 certain parish?

25 MR. CHISHOLM: Yes.

1 MR. STAUFFER: Which one is that?

2 MR. CHISHOLM: St. Andrews.

3 MR. STAUFFER: You are a regular churchgoer

4 I understand?

5 MR. CHISHOLM: Yes, went this morning.

6 THE COMMISSIONER: I'm sorry?

7 MR. CHISHOLM: I went this morning.

8 THE COMMISSIONER: Okay.

9 MR. CHISHOLM: I generally go, yes, daily.

10 MR. STAUFFER: You try to go daily?

11 MR. CHISHOLM: Yes.

12 MR. STAUFFER: Okay. Did you know Father

13 Charles MacDonald ---

14 MR. CHISHOLM: Yes.

15 MR. STAUFFER: --- at some point? When

16 would you say you had first become aware of him?

17 MR. CHISHOLM: I don't recall exactly.

18 MR. STAUFFER: No, but he was ---

19 MR. CHISHOLM: Probably back in the

20 eighties, somewhere in there.

21 MR. STAUFFER: Okay. Did you attend

22 services over which he presided?

23 MR. CHISHOLM: Yes.

24 MR. STAUFFER: All right. And did you know

25 a fellow called Ken Seguin?

1 **MR. CHISHOLM:** Yes.

2 **MR. STAUFFER:** And how would you have known
3 him?

4 **MR. CHISHOLM:** Local lad, St. Andrews. I
5 think I'm named after his uncle, Carson Seguin.

6 **MR. STAUFFER:** All right. Before September
7 of 1993, okay, I'm taking you back a few years now, but I'm
8 using September 1993 as a cut-off date right now. Before
9 then, what was your view as to whether there were any
10 allegations of child sexual abuse in this area? Were you
11 aware of such allegations?

12 **MR. CHISHOLM:** I don't recall any.

13 **MR. STAUFFER:** Okay.

14 **MR. CHISHOLM:** Might have been aware of it.

15 **MR. STAUFFER:** All right. Let me take you
16 to September 1993 and I'm going to be talking about David
17 Silmser and I'm going to be talking a statement that he
18 gave, among other things.

19 Please tell us -- tell the Commissioner as
20 to what you recollect as to how Mr. Silmser's name first
21 came up.

22 **MR. CHISHOLM:** The first indication I have
23 of his name -- well, actually it was his initials, if I
24 recall, when Perry Dunlop came to my house and said that he
25 had this information from a victim and it had been

1 basically buried and there had been a payoff and yada-
2 yada. He was trying to get it dealt with through proper
3 channels and he was being cut off, et cetera, and he wanted
4 to go to the Children's Aid Society and he asked me what I
5 thought. I said I thought it was a good idea.

6 MR. STAUFFER: Was it just the two of you
7 who were having this discussion?

8 MR. CHISHOLM: Yes.

9 MR. STAUFFER: Was it in a car?

10 MR. CHISHOLM: Yes.

11 MR. STAUFFER: And whose car was it?

12 MR. CHISHOLM: His.

13 MR. STAUFFER: Okay. And did you -- what
14 was your comment to him then as to whether he should or
15 shouldn't go to the CAS?

16 MR. CHISHOLM: That he should.

17 MR. STAUFFER: Okay. Why did you say -- why
18 did you think that?

19 MR. CHISHOLM: Well, I thought that's kind
20 of a no-brainer. A priest abusing a child, there's been a
21 payoff by the church and the police to subvert justice. I
22 thought it was just wrong. That's all.

23 THE COMMISSIONER: Sorry. You said a payoff
24 to the church and to the police?

25 MR. CHISHOLM: Did I say "to"; "by", sorry.

1 By.

2 THE COMMISSIONER: By?

3 MR. CHISHOLM: In collaboration with one --
4 one with the other there had been a deal made. There was
5 32,000 apparently paid off.

6 THE COMMISSIONER: No, I understand ---

7 MR. CHISHOLM: To the victim.

8 THE COMMISSIONER: Yes, but you ---

9 MR. CHISHOLM: I thought that's not right.

10 THE COMMISSIONER: Right. No, and that I
11 understand. What you did say, if I heard correctly, with
12 the police. There's a payoff ---

13 MR. CHISHOLM: Well, in conjunction with the
14 police. The police being the recipient of the complaint --
15 -

16 THE COMMISSIONER: Right.

17 MR. CHISHOLM: --- together with the church
18 authorizing a payoff to the victim ---

19 THE COMMISSIONER: Right.

20 MR. CHISHOLM: --- to dummy up and withdraw
21 any charges.

22 THE COMMISSIONER: Okay. So ---

23 MR. CHISHOLM: That was my understanding.

24 THE COMMISSIONER: Right. So let me get
25 what you understood. You understood that the police knew

1 about this?

2 MR. CHISHOLM: Yes.

3 THE COMMISSIONER: But there's no -- you're
4 not saying that the police were paid -- somebody from the
5 police were paid to do that?

6 MR. CHISHOLM: No, just ---

7 THE COMMISSIONER: Okay. That's all.

8 MR. CHISHOLM: I don't think they did the
9 paying.

10 THE COMMISSIONER: No, no, but -- no, and I
11 may be splitting hairs but you did say -- and maybe it's
12 just a slip -- that the church had paid off the police.

13 MR. CHISHOLM: Excuse me. I didn't mean to
14 say the church had paid off the police, although they may
15 have. I don't know that for a fact.

16 THE COMMISSIONER: No, all right. That's
17 fair. That's fair.

18 MR. CHISHOLM: I'm not intimating that
19 that's what happened, only that there was a deal made
20 between the church and the police to subvert justice. I
21 just thought it was wrong. I still do.

22 MR. STAUFFER: Okay. Well, I'm sure this
23 will be explored more by my friends, but Mr. Chisholm, just
24 so we're clear, we've got you in the car with ---

25 MR. CHISHOLM: Yes.

1 **MR. STAUFFER:** --- your brother-in-law
2 talking about this.

3 **MR. CHISHOLM:** M'hm.

4 **MR. STAUFFER:** At that time, if you can
5 think all the way back then and forget about everything
6 that's happened since ---

7 **MR. CHISHOLM:** Yes.

8 **MR. STAUFFER:** --- did you have any
9 impression that the police had done something wrong?

10 **MR. CHISHOLM:** Yes.

11 **MR. STAUFFER:** What did you think they had
12 done wrong?

13 **MR. CHISHOLM:** Well, being party to this
14 deal to silence a victim.

15 **MR. STAUFFER:** Okay. Again, what do you
16 mean by party to the deal?

17 **MR. CHISHOLM:** Well, he made the complaint
18 to the police ---

19 **THE COMMISSIONER:** Silmsen?

20 **MR. CHISHOLM:** David Silmsen, yeS.

21 **MR. STAUFFER:** Right. Okay.

22 **MR. CHISHOLM:** He was paid subsequently to
23 withdraw that complaint and not to go any further with it,
24 legally not to pursue it.

25 **MR. STAUFFER:** Right.

1 **MR. CHISHOLM:** I thought that was wrong.

2 Don't you?

3 **MR. STAUFFER:** Okay. But ---

4 **MR. CHISHOLM:** I don't understand what ---

5 **MR. STAUFFER:** Where do the police come into
6 the picture?

7 **MR. CHISHOLM:** He went to the police to lay
8 the complaint.

9 **MR. STAUFFER:** Right, I understand that, but
10 maybe I should say not come into the picture, but what is
11 it at the end of the picture that you think is wrong?

12 **MR. CHISHOLM:** The end of the picture is
13 there was a deal made with the police and the church and
14 the victim and his legal representation to drop this
15 matter. Apparently it had happened approximately 11 months
16 prior. It had been buried for a while. It was over.

17 What I understand is that Mr. Dunlop heard
18 two other police officers talking about the deal and he
19 asked to see the victim impact statement. They showed it
20 to him and he said this is -- this isn't right. This isn't
21 proper. He went to his superiors. I believe Brunet was
22 the immediate superior and he was told, "Let it be. You've
23 got a job. You've got a family, yada- yada. It's been
24 dealt with. Leave it alone."

25 He suggested Children's Aid Society should

1 be involved. The police was still in operation. Kids were
2 still at risk, et cetera, et cetera. And he was being
3 thwarted. So he came and asked me what I thought and I
4 said, "For sure, go to the Children's Aid Society".

5 **MR. STAUFFER:** Okay.

6 **MR. CHISHOLM:** So when he did, it couldn't
7 be basically kept under wraps any longer.

8 **MR. STAUFFER:** Again, trying to think back
9 to that conversation in the car.

10 **MR. CHISHOLM:** Yes.

11 **MR. STAUFFER:** Did Ken Seguin's name come up
12 during the conversation?

13 **MR. CHISHOLM:** It might have, I don't recall
14 but ---

15 **MR. STAUFFER:** All right.

16 **MR. CHISHOLM:** -- I can't really ---

17 **MR. STAUFFER:** With respect to what happened
18 after that, we're going to get into steps that you took and
19 others took, which I'm going to call investigations for
20 lack of a better term. How was it decided that you and
21 others would investigate allegations of child sexual abuse?

22 **MR. CHISHOLM:** Well, it was apparent that
23 the police weren't. And if they were, they were burying
24 it, type of thing, so who else? Like, what could we do?

25 **MR. STAUFFER:** Okay. Just to identify the

1 people involved, yourself and Helen, your sister, Perry's
2 wife, Perry himself, and I gather a fellow by the name of
3 Charles Bourgeois came into the picture at some point as
4 well, a lawyer from Newmarket. I don't know if we could
5 call him an investigator but those are the people who were
6 tied up in the investigations. Is that correct?

7 **MR. CHISHOLM:** I forget when he entered the
8 picture. It seemed to be quite a bit down the road.

9 **MR. STAUFFER:** So we're talking about Ron
10 Leroux as well?

11 **MR. CHISHOLM:** What's that?

12 **MR. STAUFFER:** Sorry.

13 **MR. CHISHOLM:** You're talking about Ron
14 Leroux?

15 **MR. STAUFFER:** No, sorry. You said a name
16 there.

17 **MR. CHISHOLM:** Bourgeois.

18 **THE COMMISSIONER:** Bourgeois.

19 **MR. STAUFFER:** Oh, Bourgeois, sorry.

20 **THE COMMISSIONER:** Bourgeois came on ---

21 **MR. STAUFFER:** Yes, later.

22 **MR. CHISHOLM:** I'm not sure exactly when.
23 He was a lawyer from Newmarket, I guess.

24 **MR. STAUFFER:** Right. But Ron Leroux came
25 into the picture at some point as well, as what I would

1 call investigator?

2 MR. CHISHOLM: Well, he did come into the --
3 he was -- yes ---

4 MR. STAUFFER: Okay.

5 MR. CHISHOLM: I don't know what exactly he
6 did but ---

7 MR. STAUFFER: Were there any others that
8 you would say did investigations at the request of Mr.
9 Dunlop?

10 MR. CHISHOLM: Not that I recall.

11 MR. STAUFFER: Okay. I'm just trying to get
12 the people here.

13 MR. CHISHOLM: Yes.

14 MR. STAUFFER: So I'm still not quite clear
15 on this, so maybe you could help us out some more.

16 Was it Mr. Dunlop's decision to start up
17 investigations or was it your decision or was it your
18 sister's? I'm trying to get some idea of who came up with
19 it.

20 MR. CHISHOLM: I don't recall who was the
21 instigator, no.

22 MR. STAUFFER: All right. Did you think it
23 would be an idea to involve another police force beside the
24 Cornwall Police Service in these investigations?

25 MR. CHISHOLM: Did I think it would be a

1 good idea?

2 MR. STAUFFER: Back then, did you -- had you
3 folks talked about that?

4 MR. CHISHOLM: I don't remember a lot of
5 these time sequences and frames but as I recall there was
6 three investigations; Cornwall police, Ottawa police, and
7 the OPP. And according to the OPP, one statement they made
8 was they left no stone unturned and couldn't find any --
9 anything really of any consequence.

10 MR. STAUFFER: Was ---

11 MR. CHISHOLM: And after we started digging
12 into it and delivered boxes of affidavits to them, there
13 was 115 charges, I believe. Only one conviction. Now,
14 that was the guy that pleaded guilty.

15 MR. STAUFFER: Okay. Just -- we're not
16 going to rush ahead too much here. Am I right -- tell me
17 if I'm wrong here, Mr. Chisholm -- you're saying you were
18 aware of three police investigations?

19 MR. CHISHOLM: Yes.

20 MR. STAUFFER: Is it after the third that
21 your group decided it should do its own investigations?

22 MR. CHISHOLM: I don't recall the sequence.
23 Probably. I don't recall the timelines, et cetera, et
24 cetera.

25 MR. STAUFFER: Because the earliest

1 statement that I'm aware of, but you can correct me here,
2 is from quite some time down the road. The first statement
3 that I have in time is September 2nd, 1995, so roughly two
4 years after Perry Dunlop first talked to you in the car?

5 **MR. CHISHOLM:** M'hm.

6 **MR. STAUFFER:** Were there any statements
7 taken before that date?

8 **MR. CHISHOLM:** I don't remember. Could have
9 been. It means nothing to me that date.

10 **MR. STAUFFER:** To help you out, the John
11 MacDonald statement is the one that I have for that date.

12 **MR. CHISHOLM:** Yes.

13 **MR. STAUFFER:** But is there any other
14 statement before that that you're aware of that your group
15 took?

16 **MR. CHISHOLM:** Not that I'm aware of. I
17 believe that's the first one that came to me, he called me.
18 I didn't know him but I was writing letters to the editor,
19 type of thing, in support of Dunlop. And apparently he
20 could see which side of the issue I was on and that's, I
21 presume, why he called.

22 **MR. STAUFFER:** Okay. Now, again we'll get
23 to your letters to the editor later on.

24 **MR. CHISHOLM:** But I don't know what the
25 timeframe was.

1 **MR. STAUFFER:** Okay. I'm just trying to get
2 some idea of why this would be done. To me as an outsider,
3 it seems unusual that people would do this.

4 **MR. CHISHOLM:** Well, we thought it was
5 unusual, too, that they would bury something like this and
6 pay these -- pay a victim off to keep it ---

7 **MR. STAUFFER:** No.

8 **MR. CHISHOLM:** I thought that was kind of
9 unusual, so ---

10 **MR. STAUFFER:** No, I appreciate that.

11 **MR. CHISHOLM:** --- where do you go, you
12 know?

13 **MR. STAUFFER:** I'm just trying to get some
14 sense of why this is done. What would you say, what was
15 the purpose of the investigations then?

16 **MR. CHISHOLM:** To uncover this business.

17 **MR. STAUFFER:** What business?

18 **MR. CHISHOLM:** The business of pedophiles
19 abusing children.

20 **MR. STAUFFER:** All right. Back then, back
21 in September of 1993 and in the weeks following your
22 meeting with Perry, did you think there was some kind of a
23 cover-up?

24 **MR. CHISHOLM:** Yes.

25 **MR. STAUFFER:** What did you think was the

1 nature of the cover-up? Just take your time because I
2 think this is important for all of us to understand because
3 the expression's been used many, many times. I'd like to
4 know what you mean by that.

5 **MR. CHISHOLM:** Well, cover-up. I thought it
6 was fairly self-explanatory. I mean, they're covering up
7 evidence of criminal activity and paying, in this case at
8 one instance, a victim to be quiet, go away, withdraw
9 charges. That's what I call a cover-up.

10 **MR. STAUFFER:** Okay. And we've heard the
11 expression or the word "conspiracy" many times. Did you
12 see some kind of a conspiracy back then in 1993?

13 **MR. CHISHOLM:** Yes.

14 **MR. STAUFFER:** Who was conspiring?

15 **MR. CHISHOLM:** Well, in this case it was the
16 Cornwall City Police and the Diocese of Alexandria-
17 Cornwall, the Catholic Church, basically. Those were the
18 two main players. Of course, their lawyers were
19 implicated, too. And I believe Jacques Leduc was the
20 lawyer for the diocese who was subsequently charged with
21 abusing children.

22 **MR. STAUFFER:** Okay.

23 **MR. CHISHOLM:** Now, that never went
24 anywhere. I mean, that was stayed as we all note, although
25 it said in the paper he was acquitted but I don't recall

1 him ever being acquitted.

2 MR. STAUFFER: I understand. We'll get to -
3 --

4 THE COMMISSIONER: You've got to watch what
5 you read in the newspaper.

6 MR. CHISHOLM: Oh, for sure. Was he
7 acquitted, incidentally? You don't know.

8 THE COMMISSIONER: Well, I -- no, he was --
9 the charges were stayed.

10 MR. CHISHOLM: Yes. It's not the same as an
11 acquittal, is it?

12 THE COMMISSIONER: Some may argue it's the
13 same as an acquittal.

14 MR. CHISHOLM: No doubt.

15 MR. STAUFFER: Does conspiracy have a
16 different meaning to you than an agreement?

17 MR. CHISHOLM: Yes.

18 MR. STAUFFER: What's the difference?

19 MR. CHISHOLM: Well, you make an agreement -
20 - for instance, when you get married you make an agreement
21 to be faithful. A conspiracy in this case would indicate
22 more than one group or party getting together to hide
23 something, conspire, you know.

24 MR. STAUFFER: Okay.

25 MR. CHISHOLM: It sounds like a conspiracy

1 to me when, you know, there's a bunch of people involved
2 and -- including lawyers, to subvert justice. It sounds
3 like a conspiracy.

4 **MR. STAUFFER:** Right. Just dealing with the
5 investigations themselves, did you have any training as an
6 investigator before these investigations were carried out?

7 **MR. CHISHOLM:** I don't know exactly what you
8 mean by training as an investigator. If you're an
9 investigator and you're looking to get at the truth, I
10 guess I had some training in that respect.

11 **MR. STAUFFER:** What would that have been?

12 **MR. CHISHOLM:** Well, that was just my
13 general upbringing by my parents where the main thing was
14 to tell the truth. As I recall, my dad made quite an issue
15 of that.

16 **MR. STAUFFER:** Okay.

17 **MR. CHISHOLM:** Just the basic knowledge of
18 right and wrong, that would be I think basic training.

19 **MR. STAUFFER:** Besides that, did you have
20 any kind of schooling in ---

21 **MR. CHISHOLM:** Formal training, like police
22 college? No, for sure.

23 **MR. STAUFFER:** Oh. In terms of what you
24 called yourself when you were going around to do the
25 investigations, we have different comments from people.

1 One of the people, a fellow called Alwin, or Al Laplante,
2 has suggested that you styled yourself as a court-appointed
3 investigator. Do you remember saying that to him?

4 **MR. CHISHOLM:** I would never say that, ever.
5 I don't have to think about it; it never happened. I would
6 never, ever -- what would be the point? I would have to be
7 brain-dead to pass -- try to pass myself off as a court-
8 appointed investigator or a police officer. I know I've
9 heard it from a couple of sources now.

10 **MR. STAUFFER:** All right. You know that in
11 the paperwork we've given you to look at ---

12 **MR. CHISHOLM:** I just read it, yes.

13 **MR. STAUFFER:** --- that Mr. Laplante has
14 said that to the police?

15 **MR. CHISHOLM:** Yes.

16 **MR. STAUFFER:** And, Mr. Commissioner, I
17 think in fairness we should probably enter a document as an
18 exhibit and the first document today would be 116182 which
19 is a document first starting with witness synopsis of Alwin
20 Laplante and then following along calling it Interview
21 Report which -- the date of the interview is September 17th,
22 1997.

23 **THE COMMISSIONER:** Yes, thank you, Exhibit
24 693.

25 ---EXHIBIT NO./PIÈCE No. P-693:

1 (116182) (1081034-36) Witness Synopsis and
2 Interview Report - Alwin Laplante w/ OPP
3 D.C. Genier dated September 17, 1997

4 **MR. STAUFFER:** I'm sorry, the exhibit
5 number?

6 **THE COMMISSIONER:** Six-nine-three (693).

7 **MR. STAUFFER:** Thank you. Now, Mr.
8 Chisholm, you see the synopsis where it says:

9 "Chisholm..."

10 I gather that's yourself"

11 "...identified himself as 'Court
12 Appointed Investigator'".

13 And then it says later:

14 "Chisholm said he was a Private
15 Investigator."

16 You've already told us about not saying
17 "Court Appointed Investigator". What is your comment with
18 regard to calling yourself a private investigator?

19 **MR. CHISHOLM:** I don't recall that.

20 **MR. STAUFFER:** All right. Are you aware,
21 sir -- I don't know if you were present when Ron Leroux was
22 testifying in June, but Mr. Leroux -

23 **MR. CHISHOLM:** I wasn't, no.

24 **MR. STAUFFER:** --- Mr. Leroux indicated that
25 to this Inquiry June 28th of 2007 that you'd also styled

1 yourself as an investigator when you fellows went down to
2 Florida. And, again, I'll get more to that in a minute,
3 but you remember when you went down to Florida calling
4 yourself an investigator when you met with anybody?

5 **MR. CHISHOLM:** I don't remember calling
6 myself an investigator, but I in fact was an investigator
7 but I don't remember actually saying it, but going back to
8 that last incident, Al Laplante, he was a friend of Kenny
9 Sequin's I recall. I think he was a little perturbed that
10 I was coming to ask him questions about any involvement
11 because he's apparently been named as being down there and
12 a friend. Obviously nothing wrong with being a friend of
13 somebody, but ---

14 **MR. STAUFFER:** Okay.

15 **MR. CHISHOLM:** He just I think had a bit of
16 a knot in his face about me asking, and so that might lend
17 him to make a statement like that. I don't know. But no
18 problem with Al Laplante or anybody else, that I'm just
19 shedding a little light on that.

20 **MR. STAUFFER:** Okay. No, I appreciate that.

21 **MR. CHISHOLM:** He might have called me a
22 chief of police, I don't know.

23 **MR. STAUFFER:** A knot in his face.

24 **MR. CHISHOLM:** Well ---

25 **MR. STAUFFER:** I'm going to remember that

1 one.

2 Again, in fairness to you, the comment of
3 Mr. Leroux appears at page 35 of his transcript, and I'll
4 simply read it out to you. Mr. Engelmann was asking the
5 question:

6 "And to your knowledge did he speak
7 to that person?"

8 And that was the owner of this motel down in Florida.

9 And the answer that Mr. Leroux gave to Mr.
10 Engelmann was:

11 "He asked me who he was. I said, 'he's
12 an investigator'".

13 So again in fairness to you, that's what Mr. Leroux is
14 saying to someone else, in identifying ---

15 **MR. CHISHOLM:** About me or about himself?

16 **MR. STAUFFER:** About you.

17 **MR. CHISHOLM:** Yes, okay, that's possible,
18 yes.

19 **MR. STAUFFER:** With respect to the number of
20 people -- now this is a hard one, so take your time. Over
21 the course of these investigations, how many people would
22 you have spoken to try to find out from them if they had
23 something to say about child sexual abuse? Now, I'm not
24 talking so much about people in authority, you know, police
25 officers or whatever, I'm just talking about alleged

1 victims or those that say they knew victims?

2 MR. CHISHOLM: How many?

3 MR. STAUFFER: Yes.

4 MR. CHISHOLM: I don't know.

5 THE COMMISSIONER: Five, ten, a hundred, two
6 hundred?

7 MR. CHISHOLM: Yes, probably.

8 THE COMMISSIONER: Well, from five, ten, a
9 hundred, two hundred?

10 MR. CHISHOLM: I don't know. One of those
11 probably. Somewhere in there.

12 THE COMMISSIONER: More than five?

13 MR. CHISHOLM: Probably.

14 THE COMMISSIONER: More than ten?

15 MR. CHISHOLM: Maybe.

16 THE COMMISSIONER: Twenty-five?

17 MR. CHISHOLM: Maybe.

18 THE COMMISSIONER: Fifty?

19 MR. CHISHOLM: Maybe.

20 THE COMMISSIONER: A hundred?

21 MR. CHISHOLM: Maybe.

22 THE COMMISSIONER: A thousand?

23 MR. CHISHOLM: I doubt it.

24 THE COMMISSIONER: Okay, so give me your
25 best ball park figure?

1 **MR. CHISHOLM:** I don't know. I really
2 don't.

3 **MR. STAUFFER:** You have not kept any notes
4 per se, Mr. Chisholm ---

5 **MR. STAUFFER:** No.

6 **MR. STAUFFER:** -- in a note book or in a
7 scrap book or something that I visited someone on this
8 date? You have no diary or any kind of recording ---

9 **MR. CHISHOLM:** No, no.

10 **MR. STAUFFER:** --- other than some of the
11 statements we'll get to in a few minutes here, but there's
12 no -- you haven't kept a list?

13 **MR. CHISHOLM:** No.

14 **MR. STAUFFER:** All Right.

15 **MR. CHISHOLM:** I made a list half-an-hour
16 ago. I was going through those three books. I just got
17 through them maybe five minutes before coming in here. But
18 that's all the preparation, but anyway. I did make some
19 notes.

20 **MR. STAUFFER:** Well, does that help the
21 Commissioner any further as to how many people you spoke
22 to? Because I've identified ---

23 **MR. CHISHOLM:** I don't really know how many
24 I spoke to.

25 **MR. STAUFFER:** Okay, I've identified some

1 people from whom we have a written statement of some kind -
2 --

3 MR. CHISHOLM: Oh, yes.

4 MR. STAUFFER: --- and we'll get to those in
5 a minute. But I'm just talking about people you spoke too
6 during the course of your investigations. Is two hundred a
7 reasonable number? Is it too high? Is it too low?

8 MR. CHISHOLM: I would think it's probably
9 too high of any in-depth talking to anybody about --
10 investigation, you mean? I don't know, really.

11 MR. STAUFFER: Okay.

12 MR. CHISHOLM: Seems like a lot but it's
13 been fourteen years roughly, so.

14 MR. STAUFFER: Yes. When would you say it
15 started, and when would you say it stopped in terms of your
16 time?

17 MR. CHISHOLM: (Ninety-three) '93 and then
18 Friday I talked to somebody. Well, I'll just tell you what
19 happened on Friday.

20 I went to see a guy at his place of work. I
21 was told that he got a statement from a police officer, not
22 sure when this guy committed suicide, but it was one of the
23 guys that is involved in this debacle here. The police
24 went to his residence, there was yellow tape. He went over
25 to see what was going on and one of the officers guarding

1 the scene said, "You wouldn't believe what's happening,
2 it's all true. This is all going to blow it out of the
3 water what they're saying about abusing the kids and the
4 house is littered with tapes, mostly in the basement, one
5 still in the machine, still running with kids". I said,
6 "Commercial?" "Home-made, home-made."

7 Now the fellow that told me, this was maybe
8 two weeks ago, but I went to see the fellow he told me
9 about on Friday, "Anybody we know?" "Well, some of them
10 are local kids." "Any perpetrators?" He named one, very
11 well known, part of this. A lot of it in Florida on boats;
12 neighbours complained in Florida about it to the local
13 police. The local police called it, city police. Where
14 are all these tapes? This went on for three or four days,
15 the Coroner was at the scene.

16 **THE COMMISSIONER:** Wait a minute. This is
17 in Cornwall?

18 **MR. CHISHOLM:** In Cornwall. Beach Avenue I
19 believe.

20 **MR. STAUFFER:** This is last week?

21 **MR. CHISHOLM:** Last week. Friday just past.

22 **MR. STAUFFER:** Okay. Let me ask you this
23 Mr. Chisholm? Would you go to any police department with
24 that information?

25 **MR. CHISHOLM:** Having ---

1 **MR. STAUFFER:** What you just told us?

2 **MR. CHISHOLM:** Well, what I just told you?
3 Which one? Where would I go? Which police department?
4 Name one. Cornwall? They were there; the investigators.
5 Two of the cops -- two of the names that I heard are still
6 with the force.

7 **MR. STAUFFER:** Okay.

8 **MR. CHISHOLM:** I think the Coroner's dead,
9 but anyway.

10 **MR. STAUFFER:** If you don't -- and maybe I'm
11 stating -- overstating this, if you don't trust the
12 Cornwall Police, why wouldn't you go somewhere else then?

13 **MR. CHISHOLM:** Where? Where?

14 **MR. STAUFFER:** If you think something's
15 going on?

16 **MR. CHISHOLM:** Where? Interpol? OPP?
17 Mounties?

18 **MR. STAUFFER:** Have you tried the Mounties?

19 **MR. CHISHOLM:** Well, I spoke to a past
20 Assistant Commissioner of the RCMP, lead investigator in
21 this case actually, about another incident that happened
22 around Easter past.

23 It was a neighbour I had. I ran into him at
24 Cashway. He's asking me how's it going. Nice fellow, salt
25 of the earth type of guy, a hard worker, yada-yada. He

1 tells me his wife witnessed -- now this is his words -- his
2 wife witnessed the bishop abusing a boy. I said, "Really?
3 How did that happen?" Well, it was grade 7 confirmation.
4 It was a practice, like a rehearsal, she was late, the
5 other girls had all left Sacré-Coeur in Alexandria. The
6 other girls had all left, so she went in to get dressed.
7 As she was leaving she heard a kid crying. She went back
8 and went through some door and that's what she witnessed.

9 It freaked her out. She couldn't talk about
10 it for a long time and then subsequent to that, I don't
11 know how many years went by, and her daughter is now of
12 age. Neighbours are ogling her getting off the bus et
13 cetera and all of this comes back.

14 She takes the shotgun out. They have an
15 argument anyway with the neighbour and the police were
16 called. They told her to build a fence. They left there
17 because of this incident. So anyway, she went to a
18 psychiatrist ---

19 **THE COMMISSIONER:** Can we ---

20 **MR. CHISHOLM:** --- so this is all a record.
21 This isn't something she made up or I made up. There is a
22 record of this.

23 **THE COMMISSIONER:** So, bottom line is you're
24 continuing your investigations when and where you feel it's
25 warranted?

1 **MR. CHISHOLM:** Well, somebody just tells me
2 this stuff, I can't just ignore it.

3 **THE COMMISSIONER:** No, no, no, no. I'm not
4 accusing you of anything. I'm just saying, the question
5 originally was, "During what period of time have you
6 investigated sexual abuse?"

7 **MR. CHISHOLM:** Okay. I think it was, yes,
8 starting in the fall of '93 until Friday.

9 **THE COMMISSIONER:** Right. That's all.
10 Thank you.

11 **MR. STAUFFER:** But without confusing
12 matters, Mr. Chisholm, do you draw a line in your own mind
13 as to when investigations in a formal sense stopped or do
14 you still consider yourself to be an investigator up to
15 today?

16 **MR. CHISHOLM:** Well, yes, I guess in that
17 case I couldn't -- now the lad told me about it maybe about
18 two weeks ago, but, well, a little while, just -- oh, I did
19 mention that, I did mention it to the lead investigator in
20 this incident and his helper, with a couple of lawyers as
21 witnesses. And the one said, "It is irrelevant. It's not
22 in our mandate".

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

24 **MR. CHISHOLM:** Period. Full stop. So,
25 what do you do? Start your own police force?

1 **THE COMMISSIONER:** Okay. Could we get back
2 on track, please?

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

4 **THE COMMISSIONER:** Post-mandate. This
5 Inquiry was started in 2005?

6 **MR. CHISHOLM:** U'hm.

7 **THE COMMISSIONER:** And so anything past
8 that, after that date, I can't really touch.

9 **MR. CHISHOLM:** Even if the incident had
10 happened, like in these cases, before '05? Like all these
11 incidents are historical. Are they not? I mean the two I
12 just mentioned are.

13 **THE COMMISSIONER:** Oh, I didn't see -- I'm
14 still thinking back at the one of a week ago. Like those
15 things cannot be part of my mandate.

16 **MR. CHISHOLM:** No, but, I just heard about
17 it a week ago. I mean, it happened obviously a long time
18 ago.

19 **THE COMMISSIONER:** Oh, I see.

20 **MR. CHISHOLM:** I mean, well Hickerson is the
21 guy in question. I think he's a police from Saskatchewan
22 and moved here, I wonder why, but he was at Manpower and
23 obviously part of this investigation and committed suicide
24 under -- I think he shot himself in the head, but anyway
25 and then the police investigate all these tapes are there,

1 pornographic tapes, involving kids and some local people
2 and local kids, and that's not relevant?

3 **THE COMMISSIONER:** Oh no, no, no. Put that
4 ---

5 **MR. CHISHOLM:** It's not in your mandate?
6 Because it happened before -- that happened before '05. I
7 didn't hear about it.

8 **THE COMMISSIONER:** What videotapes are you
9 talking about?

10 **MR. CHISHOLM:** The ones that were littered
11 through the house, mostly in the basement. There was a --
12 the way he described it, many, many.

13 **THE COMMISSIONER:** Of Mr. Hickerson's?

14 **MR. CHISHOLM:** In his -- yes, in his
15 possession.

16 **THE COMMISSIONER:** Okay. Okay. Well, we'll
17 get to that later on in the institutional response.

18 **MR. STAUFFER:** But it's on the record.

19 All right. Thank you Mr. Chisholm.

20 **MR. CHISHOLM:** Was it ever on the record
21 before today?

22 **THE COMMISSIONER:** I can't answer that.

23 **MR. CHISHOLM:** I doubt it.

24 **THE COMMISSIONER:** Well, Mr. -- no, no, no.

25 **MR. STAUFFER:** We're just gotta get into ---

1 **MR. CHISHOLM:** I just -- a legitimate
2 question?

3 **THE COMMISSIONER:** No. First of all ---

4 **MR. CHISHOLM:** It's not, okay. Excuse me,
5 sir?

6 **THE COMMISSIONER:** The jury isn't out until
7 all the evidence has been heard. We haven't heard from the
8 institutions yet. I can tell you that Commission counsel
9 have a list of questions to ask of them and you may be
10 surprised, God forbid, that there may be some of the
11 questions you want answered that will be answered. How's
12 that?

13 **MR. CHISHOLM:** I may, definitely, I'll
14 guarantee I'll be surprised.

15 **THE COMMISSIONER:** Ah, there you go. So can
16 we just get on with it?

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

18 Now, Mr. Chisholm, in terms of the
19 investigations ---

20 **MR. CHISHOLM:** Yes.

21 **MR. STAUFFER:** We've heard about photographs
22 being used when the investigations were ongoing. By
23 investigations, again, I'm talking about yourself, Perry
24 and so on; the group we've identified.

25 Can you help us any further as to first of

1 all who decided there should be photographs taken of people
2 or take a photograph from some album or whatever and use
3 it? Who decided that?

4 MR. CHISHOLM: I don't know.

5 MR. STAUFFER: Who compiled them?

6 MR. CHISHOLM: I believe I got those from
7 Perry so I presume he compiled them.

8 MR. STAUFFER: Okay. Because again my
9 information, and correct me if I'm wrong, is that they were
10 in a group, that is they weren't just in a single holder
11 each one of them, they were in a binder. At least they
12 were in Florida?

13 MR. CHISHOLM: I don't follow you. The --
14 in a group, in a binder, wouldn't that be kind of in a
15 group type of thing? What do you mean?

16 MR. STAUFFER: Yes. I'm saying that they
17 are put together into a collection and the collection is in
18 a binder?

19 MR. CHISHOLM: Yes.

20 MR. STAUFFER: Is that your recollection?

21 MR. CHISHOLM: I think so. Yes.

22 MR. STAUFFER: Okay. As compared to single
23 photos that you'd carry around in your pocket?

24 MR. CHISHOLM: That's right. Yes. I
25 believe they were. Yes.

1 **MR. STAUFFER:** All right.

2 **MR. CHISHOLM:** Bunch of -- I think that they
3 were photocopies. I'm not sure if they are photos or
4 photocopies.

5 **MR. STAUFFER:** How was it decided whose
6 photographs would be in the binder?

7 **MR. CHISHOLM:** I don't know. I presume that
8 it would be Perry's.

9 **MR. STAUFFER:** Okay. Do you remember how
10 many photographs there were?

11 **MR. CHISHOLM:** No, I don't.

12 **MR. STAUFFER:** Again, we won't go through
13 this exercise more than we have to, but would there ---

14 **MR. CHISHOLM:** Less than 500, yes.

15 **MR. STAUFFER:** All right.

16 **MR. CHISHOLM:** I don't know. There's
17 probably in the neighborhood of a dozen? I'm not sure.

18 **MR. STAUFFER:** Okay.

19 **MR. CHISHOLM:** Plus or minus.

20 **MR. STAUFFER:** Okay. Were they all men?

21 **MR. CHISHOLM:** Yes.

22 **MR. STAUFFER:** And they were local
23 individuals, I gather? And by local, I mean in the
24 Cornwall area.

25 **MR. CHISHOLM:** I think most of them for

1 sure. Yes.

2 **MR. STAUFFER:** Yes. Okay.

3 **MR. CHISHOLM:** I think there were a few I
4 didn't even recognize, but I don't know, I can't say 100
5 percent.

6 **MR. STAUFFER:** And so these photographs,
7 would you take them to every interview you conducted?
8 Maybe that's too formal ---

9 **MR. CHISHOLM:** No.

10 **MR. STAUFFER:** --- an expression?

11 **MR. CHISHOLM:** No.

12 **MR. STAUFFER:** But when you met somebody did
13 you take the photographs with you?

14 **MR. CHISHOLM:** No. No.

15 **MR. STAUFFER:** How often would you have done
16 that?

17 **MR. CHISHOLM:** I can't be sure of that
18 either but I believe we took them to Florida. That's the
19 only ones. One time that I recall. It was, I'm told,
20 Kenny -- not Kenny but Al Seguin -- Al Laplante, sorry.
21 I'm not sure.

22 **MR. STAUFFER:** You remember taking the
23 binder to Mr. Laplante's house to show him?

24 **MR. CHISHOLM:** I think so. I think so. To
25 ask him if he recognized these people as being I believe at

1 Kenny's or Malcolm's cottage. I just forget what the deal
2 was, but ---

3 **MR. STAUFFER:** What question or questions
4 would you ask when you showed these photographs to
5 somebody?

6 **MR. CHISHOLM:** I don't remember exactly.

7 **MR. STAUFFER:** What was your intention?
8 What were you trying to elicit?

9 **MR. CHISHOLM:** It was probably to put them
10 down at Kenny's or Malcolm's cottage. Were they there as a
11 group et cetera. I think I was the main gist of it.

12 **MR. STAUFFER:** Okay. The first statement as
13 we talked about that I have anyway is September 2nd of 1995.
14 This is Mr. John MacDonald and I'm going to, Mr.
15 Commissioner, ask this be entered as an exhibit so we can
16 refer to this and my friends can refer to this later. But
17 this is a statement of September 12th, 1995 and the Document
18 Number 705831.

19 **THE COMMISSIONER:** Would it not already be
20 an exhibit?

21 **THE REGISTRAR:** Yes.

22 **MR. STAUFFER:** That is -- sorry? My
23 apologies. The rookie, eh? Two-zero-five (205) is the
24 exhibit number.

25 **THE COMMISSIONER:** Give us a second.

1 **MR. STAUFFER:** Exhibit 205.

2 **THE COMMISSIONER:** All right. Go ahead.

3 **MR. STAUFFER:** Yes, thank you, Mr.

4 Commissioner.

5 Mr. Chisholm have you got the statement in
6 front of you?

7 **MR. CHISHOLM:** Yes.

8 **MR. STAUFFER:** It seems to be nine pages
9 long.

10 **MR. CHISHOLM:** M'hm.

11 **MR. STAUFFER:** And it's dated September 12,
12 1995. At the end it seems to be signed by John MacDonald.
13 Now, what involvement, if any, did you have with the
14 creation of this statement?

15 **MR. CHISHOLM:** Well, he -- John MacDonald
16 called me, as I recall, prior to this and told me he was a
17 victim of Charlie MacDonald et cetera, and he never could
18 get anywhere with the church or the police. This was after
19 this David Silmser episode came up.

20 So I said -- and he could see I was on his
21 side of the issue, I said, "Write out your statement. You
22 sign it; I'll witness it. We'll go to the police station
23 and we'll get it dealt with which he agreed on.

24 **MR. STAUFFER:** And so what happened then?

25 **MR. CHISHOLM:** Well, he wrote it out, in

1 fact he was still finishing off writing it when I got to
2 his place. He was living I believe on Frasier Avenue in
3 the east end of Cornwall and we went to the police station.
4 Now, he signed it and I witnessed it but I notice on this,
5 I don't see my signature on it so -- I believe we made a
6 photocopy of it and maybe before I signed it or witnessed
7 it because I don't see it on here. It's obviously not an
8 original, but anyway ---

9 MR. STAUFFER: But you believe -- but Mr.
10 Chisholm, you believe you witnessed Mr. MacDonald's ---

11 MR. CHISHOLM: Yes.

12 MR. STAUFFER: --- signature then.

13 MR. CHISHOLM: Oh, yeah.

14 MR. STAUFFER: Okay.

15 MR. CHISHOLM: Anyway, we went to the police
16 station but they wouldn't have any part of it then. No.

17 MR. STAUFFER: So what was your intention
18 when you and Mr. MacDonald went to the police station
19 again? What did you want to do?

20 MR. CHISHOLM: We wanted them to investigate
21 it and do their job.

22 MR. STAUFFER: Okay.

23 MR. CHISHOLM: As I thought.

24 MR. STAUFFER: Who did you talk to at the
25 station?

1 **MR. CHISHOLM:** I'm not sure who I talked to
2 first. I went to the front and asked for the chief. They
3 said he wasn't in the building. I asked for the deputy; he
4 was busy. I went down the line. I believe it was the
5 acting Sergeant Durocher I believe we spoke to, a big
6 fellow.

7 **MR. STAUFFER:** Okay. You had no luck with
8 either the chief or the deputy chief. Were they out of the
9 building? Is that what you were told?

10 **MR. CHISHOLM:** That's what I was told, yeah.

11 **MR. STAUFFER:** Okay. With respect -- why
12 would you have gone to the chief rather than to ---

13 **MR. CHISHOLM:** Well, ---

14 **MR. STAUFFER:** --- who was at the desk?

15 **MR. CHISHOLM:** Why not? Like I mean why not
16 go the chief? Is he not the one who is supposed to be in
17 charge? It would be -- in the alternative, why not go to
18 the lowest rank, you know? Why is it?

19 **MR. STAUFFER:** Okay.

20 **MR. CHISHOLM:** Obviously why.

21 **MR. STAUFFER:** All right. So did you meet
22 with -- I don't know if it was Staff Sergeant Durocher at
23 that time or Sergeant Durocher, but did you meet with ---

24 **MR. CHISHOLM:** I think they called him
25 acting sergeant or something.

1 MR. STAUFFER: But did you meet with Mr.

2 Durocher ---

3 MR. CHISHOLM: Yes.

4 MR. STAUFFER: --- at that point?

5 MR. CHISHOLM: Yes.

6 MR. STAUFFER: Yeah.

7 MR. CHISHOLM: Like I said, he wouldn't have

8 anything to do with it. He would not take the statement.

9 He wouldn't touch it. We'll get back to you.

10 MR. STAUFFER: Did he -- in your presence,

11 did he try to do anything, that is try to talk to some

12 other officer to take your statement or ---

13 MR. CHISHOLM: No, no, no.

14 MR. STAUFFER: --- arrange for a future

15 visit or anything like that?

16 MR. CHISHOLM: No, no, no.

17 MR. STAUFFER: Did you physically, you or

18 Mr. MacDonald physically show him the pieces of paper that

19 we've got here?

20 MR. CHISHOLM: Yes. I tried to give it to

21 him but he wouldn't take it.

22 MR. STAUFFER: Okay. Did he say why he

23 wouldn't take it?

24 MR. CHISHOLM: I don't recall him saying

25 why.

1 **MR. STAUFFER:** Okay. Think again; Staff
2 Sergeant Durocher, as he now is, will probably say that you
3 and Mr. MacDonald did come to the station, but that you,
4 Mr. Chisholm, were quite loud and abusive to him.

5 **MR. CHISHOLM:** I wasn't when I went in. I
6 was when I went out. I'll admit to that and I apologize to
7 anybody's feelings I hurt along the way, but I thought it
8 was just terrible the way they handled it and had handled
9 it.

10 **MR. STAUFFER:** Did you or Mr. MacDonald go
11 back to the station subsequent to that first visit?

12 **MR. CHISHOLM:** I certainly didn't. What
13 would be the point?

14 **MR. STAUFFER:** I guess if the chief were
15 there at that point.

16 **MR. CHISHOLM:** The chief was there as it
17 turned out. I didn't recognize him, but when we did turn
18 to leave, I turned around. He's about 30 feet, 40 feet
19 behind me with two other lads. I didn't recognize him as
20 the chief. That was Tony Repa I believe, but he had just
21 come on and his picture was in the paper two days later and
22 he was there and he was witnessing it, but my back was to
23 him.

24 When I turned to leave, there was two other
25 lads with him with the gold bars and the white shirts; so

1 they were ranking officers. They witnessed it. So I did
2 give them a little ---

3 **MR. STAUFFER:** Okay. Do you know -- did
4 this ---

5 **MR. CHISHOLM:** --- address on the way out,
6 but that's it.

7 **MR. STAUFFER:** Do you know if Mr. MacDonald
8 ever went back?

9 **MR. CHISHOLM:** I don't know. He may have.

10 **MR. STAUFFER:** All right. So what did
11 happen eventually to Mr. MacDonald's statement?

12 **MR. CHISHOLM:** Good question.

13 **MR. STAUFFER:** Do you any ---

14 **MR. CHISHOLM:** I don't know.

15 **MR. STAUFFER:** Did he ever tell you or show
16 you what ---

17 **MR. CHISHOLM:** Well, I don't recall whatever
18 happened to it.

19 **MR. STAUFFER:** M'hm.

20 **MR. CHISHOLM:** I mean I handed it in.

21 **MR. STAUFFER:** All right.

22 The second statement in time is one given by
23 David Silmser, August 14th, 1996, and I can tell you this is
24 an exhibit, Exhibit 287.

25 Now, what we have and I hope you have, Mr.

1 Chisholm, is both a handwritten copy, which seems to be
2 seven pages long, and a typed version which is much
3 shorter, three pages long.

4 Is that what you've got in front of you
5 there?

6 **MR. CHISHOLM:** Yeah.

7 **MR. STAUFFER:** Now, was it just the
8 handwritten version that you were involved with? Because
9 again, in fairness, I see your name at the end; I'm
10 assuming that's your signature at the end of the
11 handwritten document.

12 **MR. CHISHOLM:** M'hm. Yeah.

13 **MR. STAUFFER:** And David Silmser's
14 signature.

15 **MR. CHISHOLM:** Yeah.

16 **MR. STAUFFER:** Is it only this document that
17 you were involved with or did you have some involvement in
18 the typing of the handwritten copy?

19 **MR. CHISHOLM:** I don't recall the
20 handwritten copy. Now, I just saw this again this
21 afternoon about an hour or two ago ---

22 **MR. STAUFFER:** Okay.

23 **MR. CHISHOLM:** --- for the first time in
24 whatever, 10 years, 11 years, but I did see something on
25 here. When you -- my own handwriting is a little hard to

1 read because it's cut off. The photocopy is cut off from
2 the original.

3 "When you filed your first public
4 complaints, were you complaining about
5 the media leak or the document being
6 given to CAS?"

7 Answer:

8 "Strictly the media leak, the reason
9 being I had no idea it had gone to CAS
10 at that time."

11 And then this is the part I'm wondering
12 about. I first went to CAS to give a statement.

13 **MR. STAUFFER:** If you look at the ---

14 **MR. CHISHOLM:** So my concern is right about
15 CAS, I think. I'll try the typed copy because, like I say,
16 it's cut off.

17 **MR. STAUFFER:** Okay. So Mr. Chisholm, just
18 take this one step at a time.

19 Whose handwriting is this that you've been
20 reading?

21 **MR. CHISHOLM:** Mine.

22 **MR. STAUFFER:** Okay. So it's all your
23 handwriting except for Mr. Silmser's signature again.

24 **MR. CHISHOLM:** That's what the problem is,
25 yeah, but it's cut off you see.

1 **MR. STAUFFER:** No, I appreciate ---

2 **MR. CHISHOLM:** I'll go to the typed just
3 because what still isn't clear in my mind is did he go --
4 and I took the statement that is just -- it's coming out
5 there now. Did he go to the Children's Aid Society six
6 months before Dunlop did?

7 **MR. STAUFFER:** Okay.

8 **MR. CHISHOLM:** You know, they already knew
9 about it. Why didn't they do something?

10 **MR. STAUFFER:** Okay. All I'm trying to get
11 at -- just help me out here.

12 **MR. CHISHOLM:** Okay.

13 **MR. STAUFFER:** This version is your
14 handwriting ---

15 **MR. CHISHOLM:** Yes.

16 **MR. STAUFFER:** --- and I appreciate there
17 may be some words cut off through the photocopying process.
18 I'm not really going to go into the contents of this letter
19 in any detail at all. Okay. I just want to determine ---

20 **MR. CHISHOLM:** That's unfortunate.

21 **MR. STAUFFER:** Well, we'll find out what you
22 want to say here tomorrow, but you took this at Mr.
23 Silmser's house in Spencerville, as I understand it, or
24 somebody's house in Spencerville?

25 **MR. CHISHOLM:** Yes, his house in

1 Spencerville.

2 **MR. STAUFFER:** Okay. And how did this take
3 place? Is it just as it's set out here; you'd ask him a
4 question and he'd give you the answer?

5 **MR. CHISHOLM:** Yeah, and like this, I think,
6 is pertinent. Right at the very first of it, the reason I
7 had -- okay. Here's the question, typed in:

8 "When you filed your first public
9 complaint, were you complaining about
10 the media leak or the document given to
11 the CAS?"

12 Strict answer:

13 "Strictly the media leak, the reason
14 being that I had no idea it had gone to
15 the CAS at that time."

16 Maybe he meant the public -- I mean the
17 paper. You know what I mean?

18 **THE COMMISSIONER:** Yeah, because he
19 continues down and says:

20 "In fact, I went to the CAS to give a
21 statement. So my concerns weren't
22 about the CAS. I think it was about
23 six months prior to the media leak that
24 I went to the CAS and gave a statement
25 to Pina something and Greg Bell."

1 **MR. STAUFFER:** Yeah. So I mean again, we
2 can all read this, Mr. Chisholm. I just wanted to ---

3 **MR. CHISHOLM:** No, that's the only part that
4 I was concerned about. If he's already been to the CAS,
5 why ---

6 **MR. STAUFFER:** Right.

7 **MR. CHISHOLM:** Why was it in limbo?

8 **MR. STAUFFER:** Right, and as the
9 Commissioner said, we'll get into that ---

10 **MR. CHISHOLM:** Okay, good.

11 **MR. STAUFFER:** No, we will.

12 **MR. CHISHOLM:** Okay.

13 **MR. STAUFFER:** We will get into that when we
14 have other parties come forward. Okay?

15 **MR. CHISHOLM:** M'hm.

16 **MR. STAUFFER:** But we note that and we
17 appreciate your statement from Mr. Silmser.

18 Was Mr. Silmser and -- were you and Mr.
19 Silmser alone then, just the two of you?

20 **MR. CHISHOLM:** I think so.

21 **MR. STAUFFER:** So Mr. Dunlop had not
22 accompanied you on this?

23 **MR. CHISHOLM:** I don't believe so.

24 **MR. STAUFFER:** Okay. With respect to this
25 statement then, what happened to it after you'd written it

1 out and he'd signed it and you'd signed it?

2 MR. CHISHOLM: I gave it to Perry Dunlop.

3 MR. STAUFFER: Okay. Do you know what
4 happened to it after you gave it to him?

5 MR. CHISHOLM: Well, exactly, no, but I do
6 believe he gave all this information in two or three
7 packages to -- at least to the Attorney General, the
8 Solicitor General and Julian Fantino.

9 MR. STAUFFER: Okay.

10 MR. CHISHOLM: As far as I -- you know.

11 MR. STAUFFER: How did the typed version
12 come into being?

13 MR. CHISHOLM: Somebody must have typed it
14 but it wasn't me. I don't know.

15 MR. STAUFFER: Okay. So it might have been
16 Mr. Dunlop? It might ---

17 MR. CHISHOLM: Probably Perry, yes. It
18 could very well be.

19 MR. STAUFFER: Okay.

20 MR. CHISHOLM: That's the most logical
21 conclusion I think.

22 MR. STAUFFER: Could I ask you this? When a
23 statement like this was taken, was there some kind of a
24 routine? You'd give it to Perry and then Perry would
25 normally type up the handwritten statement?

1 **MR. CHISHOLM:** I don't know; probably. My
2 writing isn't the best and I suppose it would be prudent to
3 type it up and hand it in with the written one.

4 **MR. STAUFFER:** Where would the typing take
5 place?

6 **MR. CHISHOLM:** I don't know.

7 **MR. STAUFFER:** You never saw him ---

8 **MR. CHISHOLM:** No, I don't recall who did it
9 or where. I just presumed he did it.

10 **MR. STAUFFER:** Okay. I mean I have some
11 information and it's rather vague, that Mr. Dunlop may have
12 done this at a neighbour's house. Did you ever hear about
13 that?

14 **MR. CHISHOLM:** That's possible. That's
15 possible.

16 **MR. STAUFFER:** Okay.

17 **MR. CHISHOLM:** I don't know.

18 **MR. STAUFFER:** Were you ever at his house
19 during all of this time from '93 let's say up until 2000?
20 For that seven-year period roughly, did you ever go over to
21 his house?

22 **MR. CHISHOLM:** For sure.

23 **MR. STAUFFER:** Okay. And did you see the
24 boxes or the papers that ---

25 **MR. CHISHOLM:** Lots of boxes, lots of

1 papers, yes.

2 MR. STAUFFER: Okay. But you didn't see
3 them at any other place like at a neighbour's house or any
4 other persons house?

5 MR. CHISHOLM: No, no, no.

6 MR. STAUFFER: He didn't store them
7 somewhere else?

8 MR. CHISHOLM: No.

9 MR. STAUFFER: Okay.

10 MR. CHISHOLM: What did you say; he didn't
11 store them somewhere else? I don't know that.

12 MR. STAUFFER: No, I'm just asking you if
13 you saw them anywhere ---

14 MR. CHISHOLM: No, no.

15 MR. STAUFFER: Anywhere else? Okay.

16 MR. CHISHOLM: I'm not aware of them being
17 anywhere.

18 MR. STAUFFER: Mr. Commissioner, as a rookie
19 here, let me know when you want to take a break because I
20 have lots more questions, but ---

21 THE COMMISSIONER: M'hm, about 15.

22 MR. STAUFFER: That's fine.

23 Now, Mr. Chisholm, in terms of this
24 statement then that we've been referring to, Exhibit 287,
25 Mr. Silmsen's statement, it found its way onto an internet

1 site called, the short form, "Project Truth 2".

2 Now, in our paperwork, again in fairness to
3 you, I have the document 121084, Bates pages 1132278 though
4 to 79. So it's a two-page document and Mr. Commissioner,
5 I'd like that entered as an exhibit when we have a moment.

6 **THE COMMISSIONER:** Thank you. That will be
7 Exhibit number 694, which is an excerpt, and it's a
8 statement dated December 13th, 1996, of David Silmser.

9 **--- EXHIBIT NO./PIÈCE No. P-694:**

10 (121084) (1132278-79) Copy David Silmser's
11 statement on Mr. Nadeau's website dated
12 December 13, 1996

13 **THE COMMISSIONER:** It looks like a typed
14 replica of what you've just given us, but in any event.

15 **MR. STAUFFER:** Yes. I mean the best
16 information I have is that this comes from this website
17 that I was talking about.

18 **THE COMMISSIONER:** Oh, right, okay, okay. I
19 got it.

20 **MR. STAUFFER:** Mr. Chisholm, do you have any
21 knowledge of how the Silmser statement, if I can call it
22 that, got onto to this site?

23 **MR. CHISHOLM:** No. In fact this one, this
24 isn't the one that I -- this isn't the same one ---

25 **THE COMMISSIONER:** What he's saying is this

1 is what was printed off the webpage ---

2 MR. CHISHOLM: On that Project Truth 2?

3 THE COMMISSIONER: Project Truth 2 files.

4 MR. CHISHOLM: Oh.

5 MR. STAUFFER: Now, again, I haven't taken
6 this word for word to see if it's completely verbatim with
7 the statement that you took from him. All I'm asking you
8 is do you know how this document was created or how it got
9 -- more accurately, how it got onto the website?

10 MR. CHISHOLM: No, I don't know.

11 MR. STAUFFER: So I'll put it to you
12 directly. You did not give this -- the Silmsler statement -
13 --

14 MR. CHISHOLM: I don't recall ---

15 MR. STAUFFER: --- to anybody else but
16 Perry?

17 MR. CHISHOLM: No, I don't recall giving
18 that to anybody, including this Project Truth. That's Dick
19 Nadeau's website?

20 MR. STAUFFER: That's my understanding.

21 MR. CHISHOLM: Yes. No, I don't recall.

22 MR. STAUFFER: All right. You did know Mr.
23 Nadeau I gather?

24 MR. CHISHOLM: Yes.

25 MR. STAUFFER: And you fellows went back

1 sometime into the '80s?

2 **THE COMMISSIONER:** How long did you know Mr.
3 Nadeau?

4 **MR. CHISHOLM:** Nadeau? I had met him prior
5 to this. This started in '93 and I had met him in Cornwall
6 somewhere because I remembered the name maybe vague -- it
7 was very kind of vague. I might have met him once or
8 twice. I don't recall even the circumstances but I kind of
9 knew him a little bit, you know.

10 **MR. STAUFFER:** All right. Did you know at
11 any time -- well, you must have known because you just told
12 us. When did you first find out he had a website?

13 **MR. CHISHOLM:** I don't recall; probably when
14 he put it up, whenever that was.

15 **MR. STAUFFER:** All right. But you're saying
16 that you and no one that you're aware of put this Silmsler
17 statement into his hands to put on his ---

18 **MR. CHISHOLM:** Not that I'm aware of. I
19 don't know where he got it, really.

20 **MR. STAUFFER:** All right. Now, we've talked
21 about a gentleman who goes by a moniker C-8 and again,
22 we're not going to use his name. We're going to use C-8.

23 Between June and December of 1996, it's my
24 information that -- sorry, are you with me, Mr. Chisholm.
25 June to December of '96, is it before you go down to

1 Florida, okay, with Mr. Leroux?

2 MR. CHISHOLM: M'hm. Before we get ahead of
3 ourselves here, I'm just reading this.

4 MR. STAUFFER: Okay.

5 MR. CHISHOLM: It says here he thought it
6 was -- now, this is Silmsen talking apparently, that it was
7 Heidi Sebalj who gave it to the media. We figured my
8 lawyer Bryce Geoffrey and I that it was Heidi Sebalj since
9 she was the investigating officer ---

10 MR. STAUFFER: Yes.

11 MR. CHISHOLM: --- who had given it to the
12 media.

13 MR. STAUFFER: Right. No, I can read that.

14 MR. CHISHOLM: I don't recall that but it's
15 part of the information.

16 MR. STAUFFER: Right.

17 MR. CHISHOLM: Sorry. You were going about
18 Florida.

19 MR. STAUFFER: So now we've gone forward in
20 time from taking Mr. Silmsen's statement. Now, we're in
21 the period June through December of 1996 before you and Mr.
22 Leroux go down to Florida.

23 MR. CHISHOLM: Okay.

24 MR. STAUFFER: Okay. And I was saying to
25 you that C-8 has said to us that you and Mr. ---

1 **THE COMMISSIONER:** How does he know who C-8
2 is?

3 **MR. CHISHOLM:** Oh, I know who C-8 is.

4 **THE COMMISSIONER:** Okay.

5 **MR. STAUFFER:** Yes. Thank you, Mr.
6 Commissioner. You are quite right.

7 So, Mr. Chisholm, during that six-month
8 period roughly, this gentleman has said that you, Perry and
9 Mr. Bourgeois, Charles Bourgeois, visited him on occasion.

10 Do you remember doing that?

11 **MR. CHISHOLM:** Yes, if those were the dates.
12 I remember visiting him, yes, at his house.

13 **MR. STAUFFER:** Okay. At his house, all
14 right.

15 And the thrust -- and I can take you to his
16 precise words, but the thrust of his comments, among many
17 other things, is that you and Perry forced him to say
18 certain things that weren't true, specifically this notion
19 of Marcel Lalonde and the assault on him, on Mr. -- on Mr.
20 C-8, and whether that was true or not and he's saying to
21 use now he -- he's taken back certain comments that he had
22 made earlier about Mr. Lalonde, this bus trip to Toronto,
23 that there was no assault during that time.

24 So are you with me so far as to what I'm
25 talking about?

1 **MR. CHISHOLM:** I know what you're talking
2 about, yes.

3 **MR. STAUFFER:** Okay.

4 **MR. CHISHOLM:** The poor fellow has changed
5 his story a few times, yes.

6 **MR. STAUFFER:** Okay. But what I need to put
7 to you is this. C-8 is saying that essentially you and
8 Perry pressured him into saying certain things. Would you
9 agree or disagree with that?

10 **MR. CHISHOLM:** I would agree with that.

11 **MR. STAUFFER:** You would agree that you
12 pressured him?

13 **MR. CHISHOLM:** No, I would agree that he
14 said it.

15 **MR. STAUFFER:** All right.

16 **MR. CHISHOLM:** I read it in the paper
17 actually, but a year or two ago, whenever it was, a year
18 and-a-half, whatever, referencing the Lalonde trial, the
19 grade 7 teacher that abused him, he mentioned that Dunlop
20 had suggested he change his story to indicate that some of
21 this abuse took place on a trip to Toronto. That's his
22 story.

23 I read it in the paper. I knew it was false
24 obviously, but I went to see him. Now, after that came
25 out, I did see him in the parking lot at Canadian Tire. As

1 soon as he'd see me, tchoo, he'd go the other way and I ran
2 into him in the parking lot at Independent Grocer. As soon
3 as he'd see me, zip, he'd go the other way. I wasn't going
4 to chase him but I figured I'll run into him and I did in
5 the vegetable section at Independent Grocer. He didn't
6 know where to go.

7 I said, "What the hell is going on here?
8 You're saying that Dunlop told you to change your story?"
9 His head went down. He said, "They twisted everything I
10 told them".

11 I knew it was true. That's how they
12 operate. So what can you say? That's a year-and-a-half
13 maybe. Then maybe two months ago, this stuff is coming up
14 again. It's in the paper again. I haven't been following
15 on the website. I don't have time.

16 Then he brings me into it. He said,
17 "Chisholm also said that too". And I've seen him around.
18 I don't even bother. What's the point?

19 The guy is just -- he is a victim. He is
20 just trying to survive. They twisted -- that's how they do
21 it. Have you ever read The Franklin Cover-up, the book,
22 The Franklin Cover-up?

23 **MR. STAUFFER:** No.

24 **MR. CHISHOLM:** You should.

25 **MR. STAUFFER:** Okay.

1 **MR. CHISHOLM:** It's written by Senator John
2 DeCamp.

3 **MR. STAUFFER:** But the -- I guess ---

4 **MR. CHISHOLM:** One story right to the White
5 House.

6 **MR. STAUFFER:** Just so it's crystal clear,
7 Mr. Chisholm, would you agree or disagree that you
8 pressured Mr. C-8 into saying something?

9 **MR. CHISHOLM:** I would never and neither
10 would Dunlop. That is made up.

11 **MR. STAUFFER:** All right. He said to us
12 that you said -- and I'm going back to his transcript of
13 August 22nd of 2007 -- he said essentially, "Mr. Chisholm
14 said we've got to get the sons of bitches". Do you
15 remember using those words in any of your discussions with
16 Mr. C-8 when you were ---

17 **MR. CHISHOLM:** I don't remember saying it
18 specifically but it does sound like something I would say,
19 yes. So I probably did say it.

20 **MR. STAUFFER:** All right. And, finally,
21 with respect to Mr. C-8, he is saying that -- and then you
22 were talking about this earlier ---

23 **MR. CHISHOLM:** Excuse me.

24 **MR. STAUFFER:** Yes?

25 **MR. CHISHOLM:** I apologized for saying that.

1 It's not proper. It's crude and it's calling down shame on
2 their mothers and there is no shame on their mothers. The
3 shame should be on the people that abused.

4 **MR. STAUFFER:** Okay. What do you say to his
5 comment that essentially you or Mr. Dunlop or both of you
6 together, were putting pressure on him to say things so he
7 could get some money through a potential civil suit in this
8 case against ---

9 **MR. CHISHOLM:** Never happened.

10 **MR. STAUFFER:** --- the school board?

11 **MR. CHISHOLM:** Never. Never would happen.
12 Never.

13 **MR. STAUFFER:** All right. In any of your
14 discussions with the people that you've talked to, and I'm
15 talking about the alleged victims or those who say, "We
16 know someone who's been abused", did you ever talk about
17 that notion of saying, "Put this down in writing so you may
18 be able to get some money though a civil law suit".

19 **MR. CHISHOLM:** Never, never, never. It goes
20 completely against the grain and neither would Dunlop.

21 **THE COMMISSIONER:** Well, no. I don't think
22 he was saying that you'd lie. It's write down your story
23 and then maybe you'll be able to sue someone to get some
24 money.

25 **MR. CHISHOLM:** No, no, doesn't make sense at

1 all.

2 **THE COMMISSIONER:** Legally, you know, not --

3 -

4 **MR. CHISHOLM:** It's not about money. It's
5 not about money.

6 Now, Dunlop did instigate a multi-million
7 dollar law suit basically to get their attention; that's
8 about the only way you're going to get their attention.

9 **MR. STAUFFER:** Okay. We'll probably touch
10 on that, Mr. Chisholm. Let's just keep moving along here.

11 **MR. CHISHOLM:** M'hm.

12 **MR. STAUFFER:** I'm taking you now to
13 November of '96, before again you go down to Florida ---

14 **MR. CHISHOLM:** M'hm.

15 **MR. STAUFFER:** --- and it's my understanding
16 you go to Stuart McDonald's house; this is your brother-in-
17 law ---

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

19 **MR. STAUFFER:** --- with Mr. Dunlop and
20 apparently Mrs. Dunlop, Helen. Do you remember that visit?

21 **MR. CHISHOLM:** Yes.

22 **MR. STAUFFER:** Okay. Why did you go to Mr.
23 McDonald's house?

24 **MR. CHISHOLM:** To see if he would shed any
25 light on this.

1 **MR. STAUFFER:** What did he ---

2 **MR. CHISHOLM:** He was, I think, third in
3 command at the police station at the time. I am pretty
4 sure he was an inspector.

5 **MR. STAUFFER:** Okay. Now to put it in time,
6 we are now roughly three years from the time you and Perry
7 were talking in your car. Okay?

8 **MR. CHISHOLM:** Yes, m'hm.

9 **MR. STAUFFER:** So why has it taken you three
10 years to go visit your brother-in-law about this?

11 **MR. CHISHOLM:** I don't know.

12 **MR. STAUFFER:** Okay. But when you say "to
13 shed some light", I just don't understand you. What were
14 you expecting Stuart McDonald to do?

15 **MR. CHISHOLM:** Shed some light.

16 **MR. STAUFFER:** On what though?

17 **MR. CHISHOLM:** On the whole episode, like he
18 is an insider in the police force. The third in command,
19 you'd think he'd know something.

20 **MR. STAUFFER:** Can you be any more specific?
21 I mean was there some specific suggestion you put to him?

22 **MR. CHISHOLM:** I don't recall exactly how --
23 -

24 **THE COMMISSIONER:** Well, what happened? You
25 went over?

1 **MR. CHISHOLM:** We went over, yes. And I
2 believe there was a few people that had placed him,
3 according to their testimony, at Kenny Seguin's and maybe
4 Malcolm MacDonald's, I can't recall exactly but he denied
5 it.

6 **THE COMMISSIONER:** So you go over there and
7 you ---

8 **MR. CHISHOLM:** To see if it was ---

9 **THE COMMISSIONER:** --- you stayed there for
10 a while?

11 **MR. CHISHOLM:** A little while, yes.

12 **THE COMMISSIONER:** Ten minutes, half-an-
13 hour?

14 **MR. CHISHOLM:** I don't recall exactly.

15 **THE COMMISSIONER:** Have tea?

16 **MR. CHISHOLM:** I don't recall; probably.

17 **THE COMMISSIONER:** All right. And then did
18 you just go out and say, "Hey, are you abusing children?"

19 **MR. CHISHOLM:** No, I don't think that was
20 ever in question, at least never in my mind, or I don't
21 think in Perry's either; anybody. I never suspected Stuart
22 MacDonald to be a pedophile.

23 **THE COMMISSIONER:** Okay. But then you asked
24 him a question about ---

25 **MR. CHISHOLM:** About being at that cottage I

1 believe. That was one of the main questions, about being
2 at the cottage down Summerstown.

3 **THE COMMISSIONER:** Yea.

4 **MR. CHISHOLM:** Yes.

5 **THE COMMISSIONER:** That's what you asked
6 him?

7 **MR. CHISHOLM:** Yes.

8 **THE COMMISSIONER:** And he ---

9 **MR. CHISHOLM:** And he denied ever being
10 there or even knowing where it was.

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

12 **MR. CHISHOLM:** So.

13 **MR. STAUFFER:** So, I mean, in fairness Mr.
14 Chisholm, I'm getting two separate impressions here. I'm
15 getting the impression first that you went there to see if
16 he could shed some light on ---

17 **MR. CHISHOLM:** Yes.

18 **MR. STAUFFER:** --- I guess try to do
19 something at the police end. Am I right?

20 **MR. CHISHOLM:** Well, yes. Give us some
21 information. I mean ---

22 **MR. STAUFFER:** But on the other hand, I'm
23 getting the impression you went there to more or less
24 confront him with allegations that he knows some alleged
25 child abusers. Were you ---

1 **MR. CHISHOLM:** He could, he was, like I
2 said, third in command. He should know something about
3 something. Wouldn't you think? I don't know.

4 **MR. STAUFFER:** No, but did you go there to
5 confront him among other things?

6 **MR. CHISHOLM:** How do you mean confront him?

7 **MR. STAUFFER:** Well, to ---

8 **MR. CHISHOLM:** We didn't go, you know, in
9 the back door. We told him we were coming. And we
10 arrived, I mean, he is my brother-in-law.

11 **MR. STAUFFER:** Yes.

12 **MR. CHISHOLM:** Surely to God I can go see
13 him. And we did ask him. But like I said, he denied being
14 there ---

15 **THE COMMISSIONER:** Did you believe ---

16 **MR. CHISHOLM:** --- notwithstanding that
17 other people said he was there. So it's his word against
18 theirs, I guess.

19 **THE COMMISSIONER:** Did you believe him?

20 **MR. CHISHOLM:** No.

21 **THE COMMISSIONER:** Okay.

22 **MR. STAUFFER:** You did not believe Stuart
23 MacDonald? Is that what you say, Mr. Chisholm?

24 **MR. CHISHOLM:** That's right.

25 **MR. STAUFFER:** At the house, it's my

1 information that somebody of your group took his photograph
2 out of the house. Did that happen?

3 MR. CHISHOLM: Probably; I don't know. It
4 could have.

5 MR. STAUFFER: Okay.

6 MR. CHISHOLM: I don't recall.

7 MR. STAUFFER: Do you remember his picture
8 eventually finding its way into the binder we talked about?

9 MR. CHISHOLM: I believe it was, yes.

10 MR. STAUFFER: Okay. Did it find its way
11 from his house into the binder?

12 MR. CHISHOLM: From his house into the
13 binder or was it there when we went there? I don't recall.
14 It could have been there when we went there.

15 MR. STAUFFER: But you don't know the origin
16 of the photo of Mr. McDonald ---

17 MR. CHISHOLM: No.

18 MR. STAUFFER: --- but it was in the binder?

19 MR. CHISHOLM: I think so, yes.

20 MR. STAUFFER: Do you know where the photo
21 came from that eventually found its way into the binder?

22 MR. CHISHOLM: No, I don't know where it
23 came from.

24 MR. STAUFFER: Was Mr. ---

25 MR. CHISHOLM: As I recall, I don't think we

1 went like in and pulled one off the wall and slipped it
2 into the binder. That wouldn't make sense if that's what
3 you're intimating. I don't know.

4 **MR. STAUFFER:** Well, if I have it right, I
5 think you may hear some day that Mr. McDonald believes that
6 someone of your group cut the photo out of another album or
7 took a photo of him and other people and sliced him out of
8 the picture, and it was removed from the house that way?

9 **MR. CHISHOLM:** From the house? His house
10 you say?

11 **MR. STAUFFER:** Yes.

12 **MR. CHISHOLM:** Oh, really. We went there
13 and took it; a photograph from his house that night? Is
14 that what you're intimating?

15 **MR. STAUFFER:** That's what we may hear some
16 day.

17 **MR. CHISHOLM:** We may hear that -- we may.
18 Did you hear the plot to poison the bishop?

19 **MR. STAUFFER:** Now, let's just stick to the
20 photograph right now. We might get to that one later.

21 But anyway, what you're saying to me then
22 is, and to the Commissioner, you don't have any knowledge
23 of how Mr. McDonald's photograph found its way into the
24 binder of the other ---

25 **MR. CHISHOLM:** No, I don't.

1 MR. STAUFFER: --- of the other males that
2 we talked about?

3 MR. CHISHOLM: Of what?

4 MR. STAUFFER: Of the other males, the men
5 that we've talked about; the photograph album?

6 MR. CHISHOLM: Yes.

7 MR. STAUFFER: You don't know how his
8 picture got there?

9 MR. CHISHOLM: No, I don't.

10 MR. STAUFFER: Okay. Did you ever speak to
11 Mr. McDonald after this? Did he ever ---

12 MR. CHISHOLM: Oh yes.

13 MR. STAUFFER: --- accuse you of doing this,
14 of taking the photo from him?

15 MR. CHISHOLM: No.

16 MR. STAUFFER: Or from his house, more
17 accurately.

18 MR. CHISHOLM: No. I think he'd know better
19 than that.

20 MR. STAUFFER: Okay. The third statement
21 I'm going to go to, Mr. Commissioner, is one that was taken
22 in Fort Lauderdale.

23 THE COMMISSIONER: Oh, after the break
24 though.

25 MR. STAUFFER: Yes, sir.

1 **THE COMMISSIONER:** We're due for a break.
2 We'll take a short break, Mr. Chisholm.

3 **MR. CHISHOLM:** Sure.

4 **THE REGISTRAR:** Order. All rise. A
5 L'ordre. Veuillez vous lever.

6 The hearing will resume at 3:40.

7 --- Upon recessing at 3:22 p.m./

8 L'audience est suspendue à 15h22

9 --- Upon resuming at 3:43 p.m./

10 L'audience est reprise à 15h43

11 **THE REGISTRAR:** This hearing is now resumed.
12 Please be seated. Veuillez vous asseoir.

13 **IAN STAUFFER, Resumed:**

14 ---**EXAMINATION IN CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
15 **IAN STAUFFER (Cont'd/Suite):**

16 **MR. STAUFFER:** Mr. Commissioner, just before
17 I resume my questioning of Mr. Chisholm, I've been asked by
18 the Registrar to read in the Bates number with respect to
19 the first exhibit that was entered today. So the Bates
20 number is 1081034.

21 And I believe the other housekeeping matters
22 -- because I know my friends have had very short notice of
23 many of these documents and so on many of which of course
24 are already exhibits. But just to make cross reference,
25 the Exhibit 287 is document number 120991; Exhibit 205 is

1 document number 705831 and Exhibit 289 is 719193.

2 All right. I'm again being corrected. The
3 Bates page number for the first exhibit, 1081034 through
4 36.

5 I hope I have not created total confusion at
6 this point but those are the references I have.

7 Now, Mr. Chisholm, Mr. Commissioner, back to
8 the third statement in time, that I've been able to locate
9 at least, this is now taken in Fort Lauderdale, Florida,
10 and I have December of 1996 as a trip that you and Mr. Ron
11 Leroux took.

12 So, again, just tell us who decided to go to
13 Florida to start with? Who made that decision?

14 **MR. CHISHOLM:** I did.

15 **MR. STAUFFER:** Okay, and why did you decide
16 to go down there?

17 **MR. CHISHOLM:** Well, it's warmer there in
18 December.

19 **MR. STAUFFER:** Yes, many of us have made
20 that decision I think. But in all seriousness, what's ---

21 **MR. CHISHOLM:** Yeah.

22 **MR. STAUFFER:** What was the purpose of ---

23 **MR. CHISHOLM:** Well, because Mr. Leroux had
24 been there and apparently other people from Cornwall and he
25 indicated that we could get information down there that

1 would be relevant to this investigation.

2 **MR. STAUFFER:** All right.

3 So as I gather, you drove your car down; he
4 was a passenger; and the two of you fellows spent some time
5 down in Fort Lauderdale; is that right?

6 **MR. CHISHOLM:** Yeah, that's right, yeah.

7 **MR. STAUFFER:** And you talked to a number of
8 people, as I understand it.

9 **MR. CHISHOLM:** Yes.

10 **MR. STAUFFER:** The only statement, if I can
11 put it that way, that I have, is one provided by the hotel
12 or motel manager, Bill, we'll call him. I believe his
13 name's been refereed to before. But Bill, the hotel
14 manager, essentially provided the statement to you. But
15 other than that -- and we'll get to it in a minute -- other
16 than statement, was there any other written statement that
17 you either wrote out yourself ---

18 **MR. CHISHOLM:** No, no. I think he was the
19 owner.

20 **MR. STAUFFER:** --- or somebody else ---

21 **MR. CHISHOLM:** I guess manager too, but he
22 was the owner I believe.

23 **MR. STAUFFER:** Okay. But other than that
24 statement, did you write up any other statement?

25 **MR. CHISHOLM:** No.

1 **MR. STAUFFER:** Or did you receive a document
2 that someone else had written up?

3 **MR. CHISHOLM:** Not that I recall, no.

4 **MR. STAUFFER:** Okay. So that's the sum
5 total of the ---

6 **MR. CHISHOLM:** Yeah.

7 **MR. STAUFFER:** --- paperwork that came out
8 of the trip.

9 Before we get, again, to that I just want to
10 understand, when you met him -- that is the hotel manager,
11 Bill, or the owner -- had you ever come across him before
12 or ---

13 **MR. CHISHOLM:** No.

14 **MR. STAUFFER:** --- had you spoken to him on
15 the phone or ---

16 **MR. CHISHOLM:** No.

17 **MR. STAUFFER:** You never met him before.
18 And how was the statement physically taken?

19 **MR. CHISHOLM:** I just wrote it out.

20 **MR. STAUFFER:** So you wrote out the
21 statement yourself, and I gather, asked Bill to sign it.

22 **MR. CHISHOLM:** Yes.

23 **MR. STAUFFER:** Okay. So, Mr. Commissioner,
24 I'm referring to document 719690, Bates page 7071835. It's
25 a single page document dated December 6, 1996.

1 Mr. Chisholm will look at that in a moment.

2 **THE COMMISSIONER:** Exhibit 695.

3 **---EXHIBIT NO./ PIÈCE NO P-695:**

4 (719690) Statement signed by

5 Bill Cvetkovski dated 06 Dec 96

6 **MR. STAUFFER:** So, Mr. Chisholm, this is all
7 of your handwriting, is it, save for the signatures at the
8 bottom?

9 **MR. CHISHOLM:** I believe so, yeah.

10 **MR. STAUFFER:** All right.

11 And I will just read this into the record
12 because some other comments are going to come out of this
13 in a few minutes. If I read it correctly it says:

14 "Malcolm MacDonald (lawyer from
15 Ontario) over a period of approximately
16 eight years has stayed here at the
17 motel and often brought young men with
18 him to his room. Some of them may have
19 been under the legal age of consent."

20 And so it's signed, apparently, by Bill, and
21 I can't do justice to pronouncing his last name but it's C-
22 V-E-T-K-O-V-S-K-I.

23 **MR. CHISHOLM:** Cvetakovski, yeah.

24 **MR. STAUFFER:** Okay. You have signed your
25 name and Mr. Leroux signed his name.

1 MR. CHISHOLM: Yeah.

2 MR. STAUFFER: Did all three of you fellows
3 sign this at the same time; were you together when you
4 signed it?

5 MR. CHISHOLM: Yeah, one right after the
6 other.

7 MR. STAUFFER: All right.

8 And this came out of then a conversation you
9 had with Bill?

10 MR. CHISHOLM: Yes.

11 MR. STAUFFER: Yeah. You were aware that
12 Bill was later asked questions in writing, as I understand
13 it, by the police.

14 MR. CHISHOLM: I just read that today, yes.

15 MR. STAUFFER: And he replied to the written
16 questions with certain answers.

17 And, Mr. Commissioner, I'm going to ask that
18 the next document be 117626; Bates number 1111956 and
19 through to 958. So this is a three page ---

20 THE COMMISSIONER: Questions and answers
21 letter received July 16th, 1999 ---

22 MR. STAUFFER: Yes, sir.

23 THE COMMISSIONER: --- from Bill C-V-E-T-K-
24 O-V-S-K-Y (sic).

25 MR. STAUFFER: Yes, sir.

1 **THE COMMISSIONER:** And that's how we are
2 going to identify it. Okay.

3 **MR. STAUFFER:** Right.

4 The first thing I'm going to refer you to,
5 Mr. Chisholm, is Mr. Cvetkovski's comment at paragraph 5
6 where the question is:

7 "The two people listed as witnesses,
8 Carson Chisholm and Ron Leroux, how did
9 they identify themselves and what
10 reasons did they give for requesting
11 this statement?"

12 And the answer appears to be:

13 "I knew Ron Leroux but Carson Chisholm
14 identify himself as a detective and the
15 reason was investigation..."

16 **MR. KOZLOFF:** On the ---

17 **MR. STAUFFER:** I'm sorry.

18 **THE COMMISSIONER:** Madam Clerk, could you --
19 it's a public document?

20 **MR. KOZLOFF:** It is, but it's got names
21 which are confidential.

22 **THE COMMISSIONER:** Oh, all right. Thank
23 you.

24 **MR. STAUFFER:** Well, thank you very much for
25 that advice.

1 **THE COMMISSIONER:** Yes, thank you, sir.

2 **MR. STAUFFER:** Right. I was only going to
3 refer, Mr. Commissioner, and my friends, so they
4 understand, I was only going to refer to the ---

5 **THE COMMISSIONER:** Number five.

6 **MR. STAUFFER:** To number five. And I was
7 also going to refer to paragraph 4.

8 But if I may proceed, Mr. Chisholm, again
9 I'll just read it very quickly here. The answer by Mr.
10 Cvetakovski is:

11 "I knew Ron Leroux but Carson Chisholm
12 identify himself as a detective and the
13 reason was investigation on a young
14 male abuse."

15 I'm just going to ask you again, did you
16 identify yourself as a detective?

17 **MR. CHISHOLM:** No.

18 **MR. STAUFFER:** With respect to paragraph 4 -

19 --

20 **THE COMMISSIONER:** Did you identify yourself
21 as an investigator?

22 **MR. CHISHOLM:** I may have. I don't recall.

23 **MR. STAUFFER:** Okay. And paragraph 4, the -

24 --

25 **MR. CHISHOLM:** But just to clarify that, I

1 would never identify myself as a police investigator or
2 anything along those lines. I was doing an investigation
3 on my own. I mean, that's the way it was.

4 **MR. STAUFFER:** Okay.

5 **MR. CHISHOLM:** And I never identified myself
6 as anything other than that.

7 **MR. STAUFFER:** Okay. Mr. Chisholm, in
8 paragraph 4 of this document, the motel manager-owner is
9 referring to the statement you apparently took from him
10 dated December 6th, 1996.

11 So the question is:

12 "Is the one-page statement signed by
13 you on December 6th, 1996 an accurate
14 statement about Malcolm MacDonald?"

15 Answer:

16 "No, it was readed [sic] to me before
17 signing diferently (with one f) and the
18 true [sic] is we saw [those two words
19 underlined] MacDonald a few times in a
20 short period with a young man around
21 the pool which apeared (with one p)
22 like a short visit to us."

23 I don't know if you can comment any further,
24 but do you have any comments as to what the hotel manager
25 is now saying about the statement you took from him?

1 **MR. CHISHOLM:** This is I see is July 19th --
2 July 16th, '99 ---

3 **MR. STAUFFER:** Yes.

4 **MR. CHISHOLM:** --- and we were there in
5 December of '96, three or four years before.

6 **MR. STAUFFER:** Yes.

7 **MR. CHISHOLM:** And I can understand why he
8 might have a little trouble remembering. But at the end of
9 this, I just noticed something there. I read this, like I
10 say, this afternoon. The last statement he makes:

11 "I hope my information is useful to you
12 and have great hope of clearing my
13 name."

14 **MR. STAUFFER:** Yes.

15 **MR. CHISHOLM:** Does that indicate to you
16 something?

17 **MR. STAUFFER:** Oh, I see what you refer to.

18 **MR. CHISHOLM:** Yes. It looks like maybe
19 there was a little pressure being put on him? Did he have
20 a little sleazy motel here? He didn't. It was, from what
21 I recall, a very nice set-up, family oriented, not a sleaze
22 bag hang out for queers type of thing. And he ran a tight
23 ship.

24 **THE COMMISSIONER:** Just a minute. Just a
25 minute. If you read paragraph 13, he says:

1 "Have you ever witnessed any sexual
2 misconduct with minors involving the
3 previously mentioned people? If so,
4 can you identify these victims?"

5 He said:

6 "I have never ever witnessed any sexual
7 misconduct with anybody staying at the
8 Salt Air Motel."

9 So was the question asked and then he goes
10 on:

11 "If I have ever, being a good citizen,
12 would take action and report to first
13 protect my family and own two sons."

14 **MR. CHISHOLM:** Yes.

15 **THE COMMISSIONER:** "It is sad to read
16 people write about me not even knowing
17 the person (me) who tried so hard over
18 the years to make a great clientele
19 ..." et cetera.

20 So it's about the people who write about him.

21 **MR. CHISHOLM:** Yes. Who would that be I
22 wonder?

23 **THE COMMISSIONER:** Maybe some website, I
24 don't know.

25 **MR. CHISHOLM:** Who knows?

1 **THE COMMISSIONER:** Who knows?

2 **MR. CHISHOLM:** But, like I say:

3 "I hope my information is useful to you
4 and have great hope of clearing my
5 name."

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

7 **MR. CHISHOLM:** What's that got to do with
8 this statement? We're not down there to badger anybody or
9 we have no problem with him. As I recall, he was a
10 straight up-front guy running a tight ship.

11 **MR. STAUFFER:** Okay.

12 **MR. CHISHOLM:** Now, he did mention about
13 some priest in the pool sucking face with some other lad
14 and he put the run on them. But it kind of looks like he's
15 defending himself and his establishment.

16 **MR. STAUFFER:** All right.

17 **MR. CHISHOLM:** And that would kind of
18 indicate to me maybe he was getting a little pressure, you
19 know what I mean?

20 **MR. STAUFFER:** Okay.

21 **MR. CHISHOLM:** So maybe that would be part
22 of the reason that his statement would say what it did.

23 **MR. STAUFFER:** Mr. Commissioner and Madam
24 Clerk, have we identified the exhibit numbers then for
25 these last two ---

1 **THE COMMISSIONER:** Yes, sir, 695 and 696.

2 **--- EXHIBIT NO./PIÈCE No. P-696:**

3 (117626) Questions and Answers Letter
4 received July 16, 1999 from Bill Cvetkovski

5 **MR. STAUFFER:** Thank you.

6 Now, Mr. Chisholm, we've determined there
7 were no other witness statements then coming out of your
8 Florida trip. Did you take any oral statements, if I can
9 put it that way, did you come away with information that
10 assisted you in your investigation beyond this statement
11 from the hotel manager?

12 **MR. CHISHOLM:** I don't think so; none of
13 them of any consequence. I can see it was a kind of haven
14 for those types, I mean the kids did seem to gravitate
15 there from different parts of the States or Canada or
16 wherever because it's warm. You can kind of live outside I
17 suppose, on the streets type of thing. We did go to a
18 couple of bars there. Mr. Leroux took me, his old haunts
19 but ---

20 **MR. STAUFFER:** Did you go inside the bars?

21 **MR. CHISHOLM:** Yes. Creepy would be the
22 best word. A bunch of old chicken hawks hanging around
23 just waiting for something to happen, I guess. It just
24 kind of turned me off and I think a couple of them were
25 enough and I never went back. He would go out on his own.

1 I don't know what happened.

2 MR. STAUFFER: Did you ever pay anyone any
3 money for information?

4 MR. CHISHOLM: No.

5 MR. STAUFFER: Because again, in fairness to
6 you, Mr. Leroux, when he testified, gave the impression at
7 least that you were going to offer money to people if
8 they'd give information?

9 MR. CHISHOLM: Leroux said that?

10 MR. STAUFFER: Yes. But you're saying you
11 did not ---

12 MR. CHISHOLM: No, for sure.

13 MR. STAUFFER: --- you did not pay anyone --

14 -

15 MR. CHISHOLM: No.

16 MR. STAUFFER: --- and you never offered any
17 money?

18 MR. CHISHOLM: No, never.

19 MR. STAUFFER: All right.

20 THE COMMISSIONER: Did you ever buy anybody
21 any drinks down there?

22 MR. CHISHOLM: Drinks? No, not that I
23 recall. Why would I buy anybody drinks?

24 THE COMMISSIONER: To talk to them.

25 MR. CHISHOLM: No, never.

1 **MR. STAUFFER:** Mr. Commissioner, I'm moving
2 to the fourth statement which is in time of February 2nd,
3 1997. The statement may be a bit of an exaggeration but
4 it's what I would call permission or release, I guess, from
5 Mr. Silmsler to release certain information. So this is
6 Exhibit -- 289 already been entered as Exhibit 289.

7 **THE COMMISSIONER:** Thank you.

8 **MR. STAUFFER:** February 2nd, 1997; a one-page
9 note. So, Mr. Chisholm, is that your signature at the
10 bottom?

11 **MR. CHISHOLM:** It looks like it, yes.

12 **MR. STAUFFER:** And is that Mr. Dunlop's
13 above you or is ---

14 **MR. CHISHOLM:** Probably, I don't know.

15 **MR. STAUFFER:** And Mr. Silmsler's to the left
16 at the bottom?

17 **MR. CHISHOLM:** Probably, yes.

18 **MR. STAUFFER:** Okay. Again, do you have a
19 specific recollection of this statement being written up?

20 **MR. CHISHOLM:** No.

21 **MR. STAUFFER:** Do you have any recollection
22 as to where it was taken?

23 **MR. CHISHOLM:** Can I read it?

24 **MR. STAUFFER:** Yes, of course. Take your
25 time.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. CHISHOLM: It was probably up at his
3 house. I believe we went out to Spencerville. It doesn't
4 say where it was but that's probably where it was.

5 MR. STAUFFER: Could it have been Bourgette?
6 I don't know if it was or not.

7 MR. CHISHOLM: Bourgette? I don't think so.

8 MR. STAUFFER: Okay. Whose handwriting
9 appears on this exhibit?

10 MR. CHISHOLM: I don't know. Well, mine
11 does apparently. That's my signature, Perry Dunlop's and
12 David Silmser's.

13 MR. STAUFFER: No, but the body ---

14 MR. CHISHOLM: You mean the printing?

15 MR. STAUFFER: The body, yes, the body of --

16 -

17 MR. CHISHOLM: I don't know who wrote that.
18 Looks like David Silmser because it says, "I, David
19 Silmser, give permission" and then he printed under a ---

20 MR. STAUFFER: Okay.

21 MR. CHISHOLM: That isn't my print.

22 THE COMMISSIONER: So we don't know?

23 MR. CHISHOLM: I don't know who printed it?
24 He's sent it in to everybody -- I don't know who wrote it.

25 MR. STAUFFER: How did this come to be --

1 how did this meeting take place and this statement come out
2 of it?

3 **MR. CHISHOLM:** Second of February '97;
4 that's about 10 years ago.

5 **MR. STAUFFER:** I know but now we're ---

6 **MR. CHISHOLM:** I don't remember, really ---

7 **MR. STAUFFER:** -- we've come back from ---

8 **MR. CHISHOLM:** --- I don't.

9 **MR. STAUFFER:** Okay. You come back from
10 Florida, I don't know if that helps you or not? Okay?

11 **MR. CHISHOLM:** Okay.

12 **MR. STAUFFER:** So you've been back from
13 Florida for a couple of months. Is there anything at all
14 that jogs your memory as to why this statement was taken?

15 **MR. CHISHOLM:** No, sorry.

16 **MR. STAUFFER:** Okay. Do you know where this
17 went after it was signed?

18 **MR. CHISHOLM:** No. Probably to Perry.

19 **MR. STAUFFER:** Do you know what he did with
20 it because it's essentially a permission to divulge certain
21 information? So do you know if he did anything with this
22 slip?

23 **MR. CHISHOLM:** I don't know. It's got OPP
24 written at the bottom of it; I don't know what that's all
25 about. I presume he gave it to the -- with his package of

1 everything else that he gave. I mean, there was a whack of
2 stuff there to the Attorney General, Solicitor General and,
3 you know, I guess those were the three he was trying to get
4 this all out there.

5 **MR. STAUFFER:** Okay.

6 **MR. CHISHOLM:** Couldn't very well give it to
7 the City police.

8 **MR. STAUFFER:** Okay. But again -- perhaps I
9 should have said this at the outset, although much of what
10 we hear at the Inquiry is what others have said to them and
11 so on, hearsay evidence, and that's permissible. It would
12 be much appreciated if we could just find out from you if,
13 in this case, if you know what happened? I gather you
14 don't know what happened with this statement, like where it
15 went ---

16 **MR. CHISHOLM:** No, oh no.

17 **MR. STAUFFER:** --- and whether Mr. Dunlop
18 used it to release other information to third parties?

19 **MR. CHISHOLM:** No, I don't. I can't shed
20 any light on it other than what it says right there.

21 **MR. STAUFFER:** Okay.

22 **MR. CHISHOLM:** It looks like he's giving
23 permission.

24 **MR. STAUFFER:** And again, I can't assist
25 right now as to the OPP designation at the bottom of that.

1 This ---

2 **MR. CHISHOLM:** I don't know. It ---

3 **MR. STAUFFER:** This comes from apparently
4 some notebook of Mr. Dunlop's, but that's the best
5 information I have and the OPP numbers and so on at the
6 bottom, I'm assuming, come later after he's written that.

7 **MR. CHISHOLM:** Yeah, probably -- it's
8 probably Perry. He very well could have printed it. I
9 mean that would make sense. It would be logical because I
10 believe Mr. Silmsler did have a problem when his statement
11 was first aired on the news. I don't know who gave them
12 that statement; it wasn't Mr. Dunlop.

13 **THE COMMISSIONER:** Well, how do you know
14 that?

15 **MR. CHISHOLM:** He told me it wasn't.

16 **THE COMMISSIONER:** Ah, okay.

17 **MR. STAUFFER:** Mr. Chisholm, I'm moving on
18 to the fifth and final statement, at least the ones I have,
19 and this is Albert Lalonde's statement which he seems to
20 have written up or someone has written up April 9th of 2002.
21 So this -- and I turn to my friend for a moment.

22 As far as we know, this has not been entered
23 as an exhibit. So this is document number 705830. It is a
24 seven-page statement in handwriting.

25 **THE COMMISSIONER:** Thank you. Exhibit 697.

1 --- EXHIBIT NO./PIÈCE No. P-697:

2 (705830) Statement by Albert Lalonde
3 dated 09 Apr 02 and 26 Apr 02

4 **MR. STAUFFER:** Yes, thank you.

5 Mr. Commissioner and Mr. Chisholm, I'm
6 looking at this document. Can you tell me whose
7 handwriting or printing appears on this?

8 **MR. CHISHOLM:** I believe that is Albert
9 Lalonde's. It is Albert Lalonde's.

10 **MR. STAUFFER:** Can you tell us at the end of
11 the statement there is your name; is that right? You've
12 signed it as a witness?

13 **MR. CHISHOLM:** Yes.

14 **MR. STAUFFER:** Okay. So tell us the
15 circumstances of how this statement came to be created
16 because now we're quite a bit down the road? We're nine
17 years after your meeting with Perry in the car. So ---

18 **MR. CHISHOLM:** Yeah. The first time I met
19 Albert, although he only lived within a couple of miles
20 from me, I was driving down the road and my daughter was
21 with me, Jessie, and there was a bike at the end of his
22 road. He buys and sells stuff. There was a bike. Ah, I
23 want a bike. So I wheeled in and we bought the bike. And
24 he's talking and I don't know; it just come out about this
25 whole thing was going on and that's the first I knew

1 anything about Albert and he told me he was a victim too,
2 of Charlie.

3 **MR. STAUFFER:** And how did he come to
4 divulge such personal information?

5 **MR. CHISHOLM:** Well, he probably knew who I
6 was. I told him my name and I don't know exactly how the
7 conversation started like that but he probably asked me
8 about it. I don't recall. I wouldn't ask him because I
9 didn't know who he was.

10 **MR. STAUFFER:** Okay. Were you present when
11 he wrote this statement?

12 **MR. CHISHOLM:** No.

13 **MR. STAUFFER:** Because the date at the top
14 of it is April 9 and the date at the end of it when you
15 witnessed it is April 26th.

16 **MR. CHISHOLM:** Yeah, I think it took him a
17 little while to write it.

18 **THE COMMISSIONER:** Okay. Well, help me out
19 here. You're buying a bike.

20 **MR. CHISHOLM:** Yeah.

21 **THE COMMISSIONER:** And he -- is it at that
22 time he says, "Hey, ---

23 **MR. CHISHOLM:** No, I'm not sure how long
24 after that ---

25 **THE COMMISSIONER:** Okay.

1 **MR. CHISHOLM:** --- that he wrote this
2 statement, but like ---

3 **THE COMMISSIONER:** No, no, but how did you
4 become aware that he was going to write this statement?

5 **MR. CHISHOLM:** Well, I'm sure he told me.

6 **THE COMMISSIONER:** Okay.

7 **MR. CHISHOLM:** And I told him probably it
8 would be a good idea to write it out.

9 **THE COMMISSIONER:** Okay.

10 **MR. CHISHOLM:** Because it wasn't known
11 anywhere. It was a -- I haven't read it for years but he
12 was abused by Charlie and by another lad. The other lad, I
13 believe, did get a year but I remember him telling me what
14 the other lad did to him was like a cut on the finger.
15 What Charlie did to him was like cutting his throat.

16 **MR. STAUFFER:** But ---

17 **MR. CHISHOLM:** I don't know if that's in the
18 statement but ---

19 **MR. STAUFFER:** What I'm having difficulty
20 understanding and perhaps the Commissioner is as well, is
21 just at this point in time, 2002, from my understanding,
22 Project Truth has essentially drawn to an end and so on.

23 Why is it -- why are you telling -- if you
24 did, why are you telling Mr. Lalonde to write up this
25 statement?

1 **MR. CHISHOLM:** Because his charge never went
2 anywhere.

3 **MR. STAUFFER:** Okay.

4 **MR. CHISHOLM:** He said he talked -- in fact,
5 I asked the police who came to the house on different
6 occasions, Genier, Dupuis, Hall -- I forget who all -- how
7 come his statement was never taken seriously and the
8 charges result and they said, "He couldn't positively
9 identify Charlie".

10 I asked Albert about that and he said, "I
11 could pick him out of a million people". He still got
12 anxiety attacks when he went by the church or by the park
13 where he did him. Like it's just ---

14 **THE COMMISSIONER:** So you're saying the
15 police officers would -- after all this, you were talking
16 to these guys, to the police officers?

17 **MR. CHISHOLM:** Yeah, I talked to them over
18 the years. I forget when, the dates, et cetera, but yeah,
19 we referenced Albert, oh, yeah. Yeah, they investigated
20 that but it never went anywhere and ---

21 **THE COMMISSIONER:** Well, it never went
22 anywhere with respect to Father MacDonald.

23 **MR. CHISHOLM:** Yes, the charges, et cetera.

24 **THE COMMISSIONER:** But the other fellow was
25 charged?

1 **MR. CHISHOLM:** Yes, he was charged. He
2 denied it of course for a year or so and then finally he
3 gave in. I don't know if he pleaded guilty. He must have,
4 but he got, I believe, about a year.

5 **THE COMMISSIONER:** Okay.

6 **MR. CHISHOLM:** But with reference to that
7 victim, Albert, he was in pretty bad shape. He wasn't
8 being believed. He was a mess. He went to see a
9 psychiatrist and they said they went to interview the
10 psychiatrist, the police, and the psychiatrist did not back
11 up his story. They said basically that he was lying. So
12 he was -- he was almost suicidal then when he realized --
13 when they told him that the -- that the psychiatrist didn't
14 back up his story.

15 So I said, "Well, they must be lying to you.
16 You've got to go back and confront the psychiatrist." He
17 wouldn't go for months because he was too afraid of what he
18 would hear, but finally he went and when he went, the
19 psychiatrist says, "No, I told them everything". So then
20 he knew. He knew then that they were jerking him around.

21 I think he really came ahead from that point
22 on. He was just holding out hope but if the psychiatrist
23 had of said what they said he had said, he'd a had a
24 meltdown and he'd a been -- the end of poor old Albert, the
25 way I saw it.

1 **MR. STAUFFER:** Okay. So Mr. Chisholm, did
2 you take statements from any other individuals than the
3 ones we've already referred to?

4 **MR. CHISHOLM:** Lots of people gave me
5 statements, but you mean written?

6 **MR. STAUFFER:** Yeah.

7 **MR. CHISHOLM:** I can't think of any offhand.

8 **MR. STAUFFER:** Okay. Because you did speak
9 -- as you've told us already, you spoke to a lot of people.

10 **MR. CHISHOLM:** Yeah.

11 **MR. STAUFFER:** And I'm just going to give
12 you some names here for a moment.

13 **MR. CHISHOLM:** Okay.

14 **MR. STAUFFER:** And if you can remember, tell
15 us if you did ---

16 **MR. CHISHOLM:** For sure.

17 **MR. STAUFFER:** --- if you took a statement,
18 and when I say took ---

19 **MR. CHISHOLM:** In written.

20 **MR. STAUFFER:** --- I mean either they wrote
21 it.

22 **MR. CHISHOLM:** Yeah.

23 **MR. STAUFFER:** You wrote it.

24 **MR. CHISHOLM:** I understand.

25 **MR. STAUFFER:** Somebody wrote it but there's

1 an actual piece of written communication; anyway.

2 So there's a fellow Albert Roy, Al Roy. Did
3 you take a statement from him?

4 **MR. CHISHOLM:** I can't remember ever writing
5 one down like that. You know, he told me but ---

6 **MR. STAUFFER:** Okay. Bob Renshaw.

7 **MR. CHISHOLM:** I don't believe so, no.

8 **MR. STAUFFER:** Okay. A fellow called Stuart
9 MacPherson.

10 **MR. CHISHOLM:** Like these guys I heard their
11 stories, yeah, but I didn't take any written statements as
12 I recall.

13 **MR. STAUFFER:** Okay. And Barb McCrimmon,
14 did she give you a statement?

15 **MR. CHISHOLM:** The same. You know, lots of
16 statements but no, I never wrote down these statements.

17 **MR. STAUFFER:** Now, in terms of why you
18 wouldn't do that, like why ---

19 **MR. CHISHOLM:** That I wouldn't?

20 **MR. STAUFFER:** Yeah, why didn't you take
21 down the stories that people would tell you? When I say
22 stories, I'm not demeaning them; I'm just saying what they
23 believed happened.

24 **MR. CHISHOLM:** M'hm.

25 **MR. STAUFFER:** Why didn't you take down the

1 stories and give them on to Mr. Dunlop?

2 **MR. CHISHOLM:** I don't know; too many I
3 guess. Well, you're talking about abuse and the reference
4 and historical this morning. Now, I was -- well, I had
5 breakfast with my sister and a friend and two ladies come
6 up to her at the -- it was at the Fifth Wheel, and embraced
7 her and so happy to see her. She didn't know them but they
8 knew her, and were happy to see this coming out the way it
9 is to a certain degree, but they said -- and they had an
10 envelope in their hand, Cornwall Police Service.

11 Both of them had complaints about being
12 sexually abused, one by a priest, but they couldn't get
13 anywhere with the Cornwall Police. Now, I don't how
14 historically you want it but that was this morning. And
15 they were -- there's nowhere to go. Where the hell would
16 they go? So maybe that's not relevant but it happened this
17 morning.

18 **MR. STAUFFER:** Yeah.

19 **MR. CHISHOLM:** And with witnesses.

20 **MR. STAUFFER:** Just a few more names.

21 You've met with a Mrs. Paré but no statement from her.

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

23 **MR. STAUFFER:** Daniel Flipsen?

24 **MR. CHISHOLM:** The name rings a bell but I
25 don't recall him.

1 **MR. STAUFFER:** Okay. I'm going to put it to
2 you one more time in a different way now because, again, we
3 have not heard from Charles Bourgeois but we're hoping
4 he'll come.

5 **THE COMMISSIONER:** We're not hoping. We're
6 expecting him to come.

7 **MR. STAUFFER:** We're expecting him to come.
8 That's correct.

9 So Mr. Chisholm, this is what we expect he
10 will say with regard to a certain form, and that is the
11 reason for taking the statements, okay, the ones -- I
12 assume the ones we've talked about now and others, were to
13 bolster a civil suit which he was prosecuting on behalf of
14 Mr. Dunlop.

15 So what do you have to say about that?

16 **MR. CHISHOLM:** What he will say about that?

17 **MR. STAUFFER:** That's what ---

18 **MR. CHISHOLM:** Well, I don't know what he'll
19 say.

20 **MR. STAUFFER:** That's what our understanding
21 is, is that that's why ---

22 **MR. CHISHOLM:** Are you ---

23 **MR. STAUFFER:** --- he was having his client
24 and others collect statements, was to bolster, to support,
25 a civil lawsuit.

1 **MR. CHISHOLM:** I don't know; maybe he was.
2 Are you saying that that's why I was collecting statements
3 or ---

4 **MR. STAUFFER:** I'm saying ---

5 **MR. CHISHOLM:** --- or intimating that that
6 was?

7 **MR. STAUFFER:** If you have any comments --
8 if you have any comments about that?

9 **MR. CHISHOLM:** Well, no. No, it wasn't
10 about civil statements -- or civil lawsuits or anything at
11 all. That doesn't -- that didn't enter the picture for me
12 for sure.

13 **MR. STAUFFER:** So ---

14 **MR. CHISHOLM:** It wasn't about a civil
15 lawsuit. Pardon?

16 **THE COMMISSIONER:** Was it for criminal --
17 for criminal prosecutions?

18 **MR. CHISHOLM:** Well, yeah, for the -- I
19 thought it was criminal. The allegations these kids were
20 making, while they weren't kids anymore, but I mean in some
21 cases they were kids in their mind, I suppose. The rest is
22 developed but they're still -- they're 12 years old in a
23 lot of ways.

24 **MR. STAUFFER:** Okay.

25 **MR. CHISHOLM:** I think that's criminal. I

1 don't think it's very civil.

2 **MR. STAUFFER:** So I mean in a nutshell, if
3 there is such a thing, the reason behind collecting these
4 statements was for a criminal prosecution.

5 **MR. CHISHOLM:** Yes.

6 **MR. STAUFFER:** As compared to a civil
7 lawsuit.

8 **MR. CHISHOLM:** Yes.

9 **MR. STAUFFER:** Okay. The videotapes at Mr.
10 Leroux's house is the next area I'm going to move to.

11 **MR. CHISHOLM:** M'hm.

12 **MR. STAUFFER:** Can you tell us what you know
13 about these videotapes? And I'm talking about the ones
14 that were apparently destroyed at some point. What do you
15 know?

16 **MR. CHISHOLM:** Not very much. I never saw
17 them.

18 **MR. STAUFFER:** Okay.

19 **MR. CHISHOLM:** Apparently, they were there
20 and, of course, this is by the neighbour; Leroux, I believe
21 they were found in his house. Now, he said they were only
22 with Kenny's writing on them, Kenny Seguin. Apparently
23 they were his, but he put them there because the heat was
24 coming onto him and he didn't want them in the house in
25 case they searched the house, apparently. So he put them

1 next door at his friend's place. And they -- what I recall
2 of that incident was they searched at his house, Leroux's
3 house, and found them.

4 I think they came with a search warrant for
5 guns, but that's what they found, and one old gun, as I
6 recall, but an old .22 or something. And the satchel or
7 whatever, a briefcase or whatever it was, leather, behind a
8 bathtub and took it to the OPP in Lancaster, I believe.

9 But I don't know what was on them, how many
10 there were.

11 **MR. STAUFFER:** Is it fair to say all of your
12 information that you've been telling us is coming from Mr.
13 Leroux?

14 **MR. CHISHOLM:** Pretty well, I believe, with
15 regards to that, yeah. Yeah.

16 **MR. STAUFFER:** Okay.

17 **MR. CHISHOLM:** Although ---

18 **MR. STAUFFER:** Yes?

19 **MR. CHISHOLM:** I think it was Helen who told
20 me that the OPP told her that they destroyed those tapes.

21 **MR. STAUFFER:** All right. There was a
22 statement that you apparently gave, or a comment may be
23 more accurately, to the -- a reporter of the Ottawa
24 Citizen.

25 So, Mr. Commissioner, I'm looking at a

1 document, 116226, and the Bates pages are 1090105 through
2 1090107. So it's apparently a three-page article dated
3 August 28th, 2001.

4 **THE COMMISSIONER:** Thank you. Exhibit 698.

5 **--- EXHIBIT NO./PIÈCE No. P-698:**

6 (116226) (1090105-07) Ottawa Citizen's
7 article "Pedophile ring porn videos
8 destroyed"

9 **MR. STAUFFER:** Thank you, sir.

10 Now, Mr. Chisholm, take a moment, please.

11 The part I really want to refer to is right at the end of
12 the article. Of course, you're free to read the whole
13 article again if you want, but we're talking about these
14 tapes. And in the last paragraph, it says -- and this is
15 you, apparently, saying this:

16 "They were asking me if I had any
17 copies of these videotapes that had
18 been destroyed years ago."

19 This is in reference to the OPP
20 investigators, and you have allegedly said:

21 "I told them if I did it would be on
22 CNN by now. They asked me if I knew
23 anyone who might have a copy. I said,
24 'Why would I give them to you anyway;
25 you'd destroy them.' All the evidence

1 anyone needed was on those tapes."

2 Is it -- I'm just trying to get some sense,
3 first of all, did you say this to the reporter, as far as
4 you can remember?

5 **MR. CHISHOLM:** As far as I can remember,
6 part of it anyway. They were asking me if I had copies of
7 these videos. They had been destroyed and I told them if I
8 did, it would be on CNN by now.

9 I believe I said that, yes. They asked me
10 if I knew anyone who might have a copy and I could have
11 said that, "Why would I give them to you; anyway, you'd
12 destroy them". But I also answered no, but all the
13 evidence anyone needed was on those tapes. I don't think I
14 ever said that because I didn't know that. So I wouldn't
15 say it. So I can categorically ---

16 **MR. STAUFFER:** So you disagree ---

17 **MR. CHISHOLM:** I wouldn't say that. All the
18 evidence anybody needed was on those tapes? I don't know
19 that at all. But I might have said, why would I give them
20 to you; you'd destroy them. Just -- that was maybe a
21 little ignorant but, hey, c'est la vie.

22 **THE COMMISSIONER:** Well, wait a minute. If
23 you look at the beginning of this article, ---

24 **MR. CHISHOLM:** Yes.

25 **THE COMMISSIONER:** --- it says -- second

1 paragraph, it says:

2 "Mr. Guzzo said the kingpins of the
3 alleged pedophile clan, several
4 prominent members of the Cornwall
5 community, appeared on the videotapes
6 with young boys. If the tape still
7 existed, Mr. Guzzo said, there would be
8 enough evidence to convict all those
9 who were not charged in Project Truth."

10 Then it goes on that way.

11 So did you ever have -- hold an opinion? I
12 know you haven't looked at them, but did you ever hold an
13 opinion that they were homemade tapes and that you would
14 see prominent people of the Cornwall community sexually
15 abusing little boys?

16 **MR. CHISHOLM:** Well, I don't know about
17 that. The only, like we just mentioned, information I had
18 with those tapes was what Leroux told me.

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

20 **MR. CHISHOLM:** So I don't know what was on
21 them. And what he says here -- where was it now -- oh,
22 yeah:

23 "Mr. Guzzo said the kingpins of the
24 alleged pedophile clan, several
25 prominent members of the Cornwall

1 community, appeared on the videotapes
2 with young boys."

3 How does he know that? Did he see them?

4 **THE COMMISSIONER:** I don't know.

5 **MR. CHISHOLM:** I don't know either.

6 **THE COMMISSIONER:** Well, we'll find out when
7 he comes.

8 **MR. CHISHOLM:** Good.

9 **THE COMMISSIONER:** But as far as you're
10 concerned, you don't know what was on those tapes?

11 **MR. CHISHOLM:** No. I don't know how he
12 would know that.

13 **THE COMMISSIONER:** All right.

14 **MR. CHISHOLM:** That would be interesting to
15 find out, for sure.

16 **MR. STAUFFER:** All right.

17 So essentially, Mr. Chisholm, you're
18 agreeing with the words in the last paragraph of this
19 article, except for the last sentence you disagree with?

20 **MR. CHISHOLM:** Yeah, it doesn't sound like
21 something I would say. All the evidence anyone needed was
22 on those tapes. That's -- that's supposing something. It
23 doesn't like -- it doesn't follow for me.

24 **MR. STAUFFER:** Did you -- just out of
25 curiosity, did you follow-up with anyone at the Citizen?

1 You know, did you write a letter to the editor?

2 MR. CHISHOLM: I don't even remember seeing
3 this, but I might have seen it but I don't recall seeing
4 it.

5 MR. STAUFFER: Okay. Because -- I mean you
6 can appreciate how that kind of comment could have quite an
7 impact on the readers.

8 MR. CHISHOLM: Yeah, I don't know where the
9 hell that comes from; that he can say, unequivocally, that
10 the kingpins were on those tapes, without having seen them,
11 or having some knowledge of that. That's quite a statement
12 to make.

13 MR. STAUFFER: Okay. A few last areas here;
14 you have testified in court before, in at least one
15 criminal proceeding; is that right? To my understanding --
16 -

17 MR. CHISHOLM: Leduc thing there, yeah, I
18 reckon.

19 MR. STAUFFER: You were -- you were
20 summonsed to appear there?

21 MR. CHISHOLM: Yes.

22 MR. STAUFFER: That would have been back in
23 August of 2004, as I understand it; does that sound right?

24 MR. CHISHOLM: Probably, yeah.

25 MR. STAUFFER: Okay. At that time you were

1 required to go home and search again through your files to
2 see if you had any more documents and you brought those to
3 the court.

4 **MR. CHISHOLM:** Yeah, that was a bit of a
5 fishing expedition, just to muddy the water. Really,
6 that's what that was all about, we had nothing with --
7 basically to do with Leduc. That was just to muddy the
8 water.

9 **MR. STAUFFER:** Okay. Could I ask you,
10 before you went into the courtroom to testify, were you
11 counseled at all by the Crown Attorney at that time?

12 **MR. CHISHOLM:** No.

13 **MR. STAUFFER:** And by counsel, I mean did
14 you have a discussion as to what you might expect in terms
15 of questions and that kind of thing?

16 **MR. CHISHOLM:** Not likely.

17 **MR. STAUFFER:** Was that the only time you've
18 actually testified in a criminal proceeding?

19 **MR. CHISHOLM:** I believe so. I believe so,
20 yeah.

21 **MR. STAUFFER:** Okay. In terms of any other
22 Crowns, did you talk to anybody else during your
23 investigations?

24 **MR. CHISHOLM:** Well, there was a Crown, yes.
25 I did have a very short conversation with; I think he's a

1 Superior Court judge now. It was during the Charlie
2 MacDonald trial. I don't know how many times -- we must
3 have went to Ottawa 20 times, thinking that thing was going
4 to go ahead, and it would always be remanded one way or
5 another.

6 And I did speak to the Crown, his name was
7 Pelletier, Robert Pelletier -- during the break, I said
8 "Charlie is going to walk under Askov" and he just sneered
9 at me, "You're delusional". That's about the extent of the
10 conversation. It was obvious that it was just being
11 delayed, delayed, delayed. The last delay that I recall,
12 before it was thrown out, because it took too long, was for
13 a year.

14 **MR. FOORD:** Hold up.

15 **THE COMMISSIONER:** Excuse me.

16 **MR. FOORD:** Hold on.

17 **THE COMMISSIONER:** Just -- well first of
18 all, if you want to object, you come to the microphone.

19 **MR. FOORD:** Thank you.

20 Sorry, Mr. Commissioner, I'm objecting to
21 the line of answers from the witness. They're completely
22 irrelevant and totally unhealthy. And he's commenting on
23 other judicial proceedings and there are records of those
24 proceedings; totally unnecessary.

25 **MR. STAUFFER:** Thank you. We'll get to ---

1 **MS. McINTOSH:** I just wanted to add, Mr.
2 Commissioner, that none of this is in the willsay statement
3 that the -- was provided to counsel, so it's a little bit
4 difficult to pursue a cross-examination when we haven't had
5 a chance to canvass the Crown about this, the former Crown.

6 **THE COMMISSIONER:** What can I say? There
7 are things that come out in the examination that none of us
8 had any anticipation of.

9 Mr. Chisholm, could you just keep it on the
10 straight and narrow?

11 **MR. CHISHOLM:** I'll try, sir, but he did ask
12 me, did I have any conversation with any Crown.

13 **THE COMMISSIONER:** No ---

14 **MR. CHISHOLM:** I did. That was it. I said
15 that he's going to walk under Askov because of the Charter;
16 I believe about 50,000 people walked under that.

17 **THE COMMISSIONER:** Absolutely.

18 **MR. CHISHOLM:** You know, it's a tragedy.

19 Now, the Charter might have some good points
20 to it but it's got some serious wrongs. I mean, now it's
21 all about rights not wrongs. I mean ---

22 **THE COMMISSIONER:** Okay ---

23 **MR. CHISHOLM:** You know what I mean?

24 **THE COMMISSIONER:** I'm well aware of the
25 charge.

1 **MR. STAUFFER:** All right, Mr. Chisholm, I'm
2 moving into the area of your efforts, in terms of what I
3 describe as lobbying and community activism.

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

5 **MR. STAUFFER:** Okay? And I'm going to talk
6 briefly and ask you some questions, more accurately about
7 your involvement in certain activities. First of all, did
8 you ever set up your own website, or have any contact with
9 anyone ---

10 **MR. CHISHOLM:** No

11 **MR. STAUFFER:** --- were you provided any
12 information for a website?

13 **MR. CHISHOLM:** No

14 **MR. STAUFFER:** None?

15 **MR. CHISHOLM:** No.

16 **MR. STAUFFER:** Okay. You've written many
17 letters to the Editor, some of which you brought into us
18 the other day. I think, quite frankly, most have appeared
19 in printed form in the document base we already have but
20 what I would like to do -- not to make this too laborious -
21 - is to go through a few of your letters and the first one,
22 Mr. Commissioner, I'd like to refer to is document number
23 124234.

24 This is a March 8th, 1998 letter and we'll
25 find out from Mr. Chisholm if this is indeed a letter to

1 the Editor or not because it is called an open letter to
2 the public, but if we could just locate that. It's a one-
3 page document.

4 **THE COMMISSIONER:** Thank you.

5 Exhibit No. 699, open letter to the public
6 dated March 8th, 1998.

7 --- **EXHIBIT NO./PIÈCE No. P-699:**

8 (124243) An open letter to
9 the public by Carson Chisholm
10 dated 08 Mar 98

11 **MR. STAUFFER:** Thank you.

12 Mr. Chisholm, is this something that went to
13 a newspaper?

14 **MR. CHISHOLM:** Just a sec. Yeah, I think it
15 was printed in the Seaway News.

16 **MR. STAUFFER:** In the Seaway News?

17 **MR. CHISHOLM:** I believe so.

18 **MR. STAUFFER:** Okay. And essentially again
19 it speaks for itself, but you're, at that point, trying to
20 raise funds, I gather, for Mr. Dunlop's legal bills.

21 **MR. CHISHOLM:** Yes.

22 **MR. STAUFFER:** Okay. I gather around this
23 time, you had prior to this -- I should say prior to 1998
24 you had tried to circulate a petition in the community as
25 well?

1 MR. CHISHOLM: Yeah, '94 I think we got ---

2 MR. STAUFFER: Right.

3 MR. CHISHOLM: I think it basically says,
4 "Did Dunlop do the right thing in going to the Children's
5 Aid Society with suspicions of abuse". I think we got in
6 the neighbourhood of 10,000 signatures who agreed with
7 that.

8 MR. STAUFFER: So you created that question
9 for the public ---

10 MR. CHISHOLM: Yes.

11 MR. STAUFFER: --- and people had ---

12 MR. CHISHOLM: Yes.

13 MR. STAUFFER: --- essentially said he
14 should have gone to the CAS?

15 MR. CHISHOLM: Yeah.

16 MR. STAUFFER: Okay.

17 MR. CHISHOLM: They were basically -- well,
18 the force, the Cornwall City Police Force was trying to
19 fire him for going to the Children's Aid Society.

20 THE COMMISSIONER: How do you know that;
21 that they were trying to fire him?

22 MR. CHISHOLM: Well, how do I know that?

23 THE COMMISSIONER: What makes you say that,
24 yeah? They charged him under the *Police Act*.

25 MR. CHISHOLM: Yes.

1 THE COMMISSIONER: --- and he was acquitted.

2 MR. CHISHOLM: Yeah, but they appealed it.

3 THE COMMISSIONER: And he was acquitted.

4 MR. CHISHOLM: Yeah, so that's how they were
5 trying to get rid of him. By pressuring him, he eventually
6 did quit, because of the pressure, so they were successful
7 in that respect. They just made it so miserable, you know,
8 they didn't have to fire him; they just made it too
9 miserable.

10 THE COMMISSIONER: Well, they charged him?

11 MR. CHISHOLM: Yes.

12 THE COMMISSIONER: He was found not guilty?

13 MR. CHISHOLM: Yes.

14 THE COMMISSIONER: Okay, so what else did
15 they do that you ---

16 MR. CHISHOLM: Well that wasn't good enough,
17 the not guilty; they appealed it.

18 THE COMMISSIONER: No I understand that but
19 once the appeal is done, the appeal is done.

20 MR. CHISHOLM: Well, it looks like they're
21 trying pretty hard when they appeal it, and then even that
22 was -- doesn't the -- my understanding is that the *Child*
23 *Welfare Act* or whatever they called it, supercedes the
24 *Police Act* ---

25 THE COMMISSIONER: No, no that's not ---

1 MR. CHISHOLM: --- he had a duty to report
2 it.

3 THE COMMISSIONER: There's -- nobody says
4 otherwise.

5 MR. CHISHOLM: Well they all did, basically,
6 you know.

7 THE COMMISSIONER: But -- no, no sir, just a
8 second; let's be fair.

9 MR. CHISHOLM: Okay.

10 THE COMMISSIONER: In the end the court ---

11 MR. CHISHOLM: Yes.

12 THE COMMISSIONER: --- told him, "You did
13 good"; right? They did say that, didn't they?

14 MR. CHISHOLM: I don't know, I don't recall
15 them saying "he did good".

16 THE COMMISSIONER: Well ---

17 MR. CHISHOLM: --- but they did dismiss --
18 yeah, yeah.

19 THE COMMISSIONER: Okay.

20 MR. CHISHOLM: Okay.

21 THE COMMISSIONER: Right?

22 MR. CHISHOLM: Yeah, yeah.

23 THE COMMISSIONER: Then he was right to have
24 done that.

25 MR. CHISHOLM: Yeah.

1 **THE COMMISSIONER:** Isn't that basically what
2 the court -- by giving them the decision that you were not
3 guilty of those charges, I would think that the court said
4 ---

5 **MR. CHISHOLM:** Yes, but why would -- why
6 would he have to go through all that and to prove the
7 point? But why would an officer of the law have to go
8 through all that when he reports sex abuse suspicions to
9 the Children's Aid Society? I mean that's his job. I mean
10 not just as an officer or just as a citizen, as a
11 Christian. I mean I thought it was ---

12 **THE COMMISSIONER:** I guess ---

13 **MR. CHISHOLM:** --- a no-brainer.

14 **THE COMMISSIONER:** I guess he was wrongly
15 charged.

16 **MR. CHISHOLM:** I would think so.

17 **THE COMMISSIONER:** And he was found not
18 guilty and justice prevailed.

19 **MR. CHISHOLM:** Yes.

20 **THE COMMISSIONER:** Okay. So now we've got
21 that; right?

22 **MR. CHISHOLM:** Well, justice prevailed but
23 that's a bit of a stretch. In the final analysis, I don't
24 think it prevailed or it hasn't yet. Hopefully it will.

25 **THE COMMISSIONER:** No, just a second.

1 MR. CHISHOLM: In that little one instance,
2 yes.

3 THE COMMISSIONER: Right.

4 MR. CHISHOLM: Okay. I will concede that.

5 THE COMMISSIONER: Okay.

6 MR. CHISHOLM: Finally.

7 THE COMMISSIONER: Now, can we go back to
8 where I was going to?

9 MR. CHISHOLM: Where is that?

10 THE COMMISSIONER: Well, let me get there.
11 He was found not guilty -- you told me ---

12 MR. CHISHOLM: Yes.

13 THE COMMISSIONER: --- that the police force
14 was trying to fire him?

15 MR. CHISHOLM: Yes.

16 THE COMMISSIONER: All right. And I want to
17 look into that, but unfortunately Mr. Dunlop isn't going to
18 be here to tell me how he feels they tried to fire him.

19 MR. CHISHOLM: Oh, I think he gave that
20 evidence, 110 pages or something to that effect.

21 THE COMMISSIONER: I wanted to hear it from
22 him, but anyways.

23 MR. CHISHOLM: Well ---

24 THE COMMISSIONER: So you are telling me --
25 do you have any information on how the police tried to fire

1 Perry? So we've got him -- they charged him and Perry was
2 acquitted. Okay. And then he stayed on the force on sick
3 leave for a while?

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

5 **THE COMMISSIONER:** And then he worked for a
6 while, and then he finally decided to pack it in?

7 **MR. CHISHOLM:** M'hm.

8 **THE COMMISSIONER:** Okay. So do you have any
9 other evidence you can help me along that way to show me
10 that the police force wanted Perry fired, any real
11 evidence?

12 **MR. CHISHOLM:** Well, maybe fired isn't the
13 word.

14 **THE COMMISSIONER:** Okay. That they wanted -
15 --

16 **MR. CHISHOLM:** Pressured.

17 **THE COMMISSIONER:** Pressured, okay.

18 **MR. CHISHOLM:** Pressured, yes, because if
19 they wanted to fire him, they'd fire him, but of course
20 then ---

21 **THE COMMISSIONER:** Well, indicating that you
22 would use the gun?

23 **MR. CHISHOLM:** Well, fired, you're done.

24 **THE COMMISSIONER:** No, fired does not mean
25 the use of a gun.

1 **MR. CHISHOLM:** Well, fired, you fire a gun,
2 yes, fired. I mean fired, you're out of work. The job is
3 over, but then there's the problem with wrongful dismissal.
4 So they're not -- the simpler way would be to pressure him.

5 **THE COMMISSIONER:** All right. Do you ---

6 **MR. CHISHOLM:** That's what I ---

7 **THE COMMISSIONER:** All right.

8 **MR. CHISHOLM:** That's what I mean, pressured
9 into quitting.

10 **THE COMMISSIONER:** So what evidence do you
11 have to tell me now, if you have any, that -- and I'm not
12 saying what -- I'm just saying you told me they wanted to
13 get rid of him.

14 **MR. CHISHOLM:** Yes.

15 **THE COMMISSIONER:** Do you have any evidence
16 to help me decide whether or not that's true?

17 **MR. CHISHOLM:** Well, yes, I believe he was -
18 - he was kind of ostracised by -- of course, I wasn't in
19 the police station, only what he tells me and my sister
20 tells me -- by the members. I think basically the members
21 why they didn't get behind him as a force is they're
22 basically afraid of their jobs. I mean there's a power
23 structure there and it's pretty heavy handed.

24 And you either tow the line or they can pull
25 the rug out from under you. It's a kind of a paramilitary

1 situation. You know, you do it my way or the highway
2 basically.

3 **THE COMMISSIONER:** Anything else? He was
4 ostracised.

5 **MR. CHISHOLM:** Well, I think he was put
6 basically in a room. I don't know if it even had any
7 windows and given menial desk-type work, you know, that
8 kind of thing.

9 **THE COMMISSIONER:** Office duties when he was
10 coming off sick leave?

11 **MR. CHISHOLM:** Something to that effect,
12 yes.

13 **THE COMMISSIONER:** When he was coming off
14 sick leave?

15 **MR. CHISHOLM:** It could be. Could be, yes.

16 **THE COMMISSIONER:** All right. Okay.
17 Anything else?

18 **MR. CHISHOLM:** Well, it just jumps to mind.
19 No, it's just the general way they handled it I guess.

20 **THE COMMISSIONER:** M'hm. Okay.
21 Go ahead.

22 **MR. STAUFFER:** All right. Thank you, Mr.
23 Commissioner.

24 Mr. Chisholm, just so I got it clear in my
25 mind, there was a petition circulated with that question on

1 it. A number of people signed it. Where did those signed
2 petitions go, just out of curiosity?

3 **MR. CHISHOLM:** I believe to the Ontario
4 Legislature.

5 **MR. STAUFFER:** Okay. Did you file them
6 through your local MPP or ---

7 **MR. CHISHOLM:** Yes, John Cleary.

8 **MR. STAUFFER:** Okay. So you took that step
9 and then we've seen this letter where you're asking people
10 to donate some money ---

11 **MR. CHISHOLM:** Yes.

12 **MR. STAUFFER:** --- to help Mr. Dunlop out
13 with his legal bills. There is a document in ---

14 **THE COMMISSIONER:** How much money was
15 raised?

16 **MR. CHISHOLM:** I'm not exactly sure but I
17 think it was right around 15,000.

18 **THE COMMISSIONER:** Okay.

19 **MR. CHISHOLM:** The Toronto Dominion I'm sure
20 would have it right to the nickel.

21 **THE COMMISSIONER:** No, no, no, I'm just
22 asking you ballpark.

23 **MR. CHISHOLM:** Yes. Well, that's my guess
24 but I never actually got the exact figure I don't think,
25 but I think it was pretty close to that, give or take a

1 little bit.

2 **THE COMMISSIONER:** Okay.

3 **MR. STAUFFER:** Again, I don't know if this
4 will help the Commissioner out or not but document 124242
5 is a list of people's names and their addresses and it
6 seems the amounts they donated.

7 **THE COMMISSIONER:** Oh, okay.

8 **MR. STAUFFER:** And I don't know if this is
9 of any assistance or not, but just having received these
10 the other day, I'm assuming, not having had a chance to ask
11 Mr. Chisholm this, I'm assuming that these are donors to
12 the fund.

13 **THE COMMISSIONER:** Exhibit 700.

14 --- **EXHIBIT NO./PIÈCE No. P-700:**

15 (124242) List of names for donations to
16 Perry Dunlop

17 **THE COMMISSIONER:** Okay, good. I don't
18 think we'll have any questions on that, Mr. ---

19 **MR. STAUFFER:** But I just want to be -- am I
20 right? Is this a list of donors?

21 **MR. CHISHOLM:** Yes, that's some of them
22 anyway, yes.

23 **MR. STAUFFER:** Yes. All right.

24 Mr. Chisholm, there are a couple of other
25 letters that I'd just like to refer to quickly here. We've

1 got one -- well, quite frankly, I don't think Mr.
2 Commissioner I'll go into anymore of the letters. My
3 friends may have them but for the most part, let's just sum
4 up this way.

5 Mr. Chisholm, I gather you've been a fairly
6 dedicated letter writer to the local ---

7 **MR. CHISHOLM:** I haven't written any lately.

8 **MR. STAUFFER:** Okay. But to the ---

9 **MR. CHISHOLM:** No time to do that.

10 **MR. STAUFFER:** But to the local paper, to
11 the Standard Freeholder and to the Seaway News ---

12 **MR. CHISHOLM:** A few, yes.

13 **MR. STAUFFER:** --- because some of the
14 papers that you've brought in to us certainly are letters
15 to the editor in printed form and I've got the handwritten
16 versions as well.

17 One thing I suppose would be of some
18 assistance here segueing into my last area about the
19 coalition and so on, I got a letter to the editor dated --
20 it looks like August 10th of 2000, which is document number
21 124244. This is a letter to the editor signed apparently
22 by yourself. So if we can just have that out, Madam Clerk,
23 when you're ready and I'm just going to talk to Mr.
24 Chisholm about this for a minute.

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

1 number 701.

2 --- EXHIBIT NO./PIÈCE No. P-701:

3 (124244) Letter to Editor from Carson
4 Chisholm dated August 10, 2000

5 MR. STAUFFER: Near the bottom, it talks
6 about Mr. Guzzo and Bill 103. So am I right in thinking
7 that this is around the time that you and other citizens
8 tried to form a coalition ---

9 MR. CHISHOLM: That's right.

10 MR. STAUFFER: --- to support Bill 103?

11 MR. CHISHOLM: Yes.

12 MR. STAUFFER: Okay. If that possibly could
13 be the next exhibit, Mr. Commissioner.

14 THE COMMISSIONER: Which one now? The
15 letter to the editor? Exhibit 701.

16 MR. STAUFFER: The August 10th, 2000 letter,
17 yes.

18 THE COMMISSIONER: Yes. It's Exhibit 701
19 and on the backside is I guess the other business of the
20 day.

21 MR. STAUFFER: Yes, something else.

22 MR. CHISHOLM: It was the night I faxed and
23 I just used the other side of the paper to fax it into the
24 paper but it's irrelevant.

25 MR. STAUFFER: So tell us, Mr. Chisholm, in

1 terms of your coalition, there's different names I have
2 seen in the paperwork. One of them is Concerned Citizens
3 for Children. I don't know if that one even rings a bell
4 now because I guess you had different names for the ---

5 **MR. CHISHOLM:** Well, yes, I guess. We would
6 just choose the name or something.

7 **MR. STAUFFER:** But in the paperwork that you
8 kindly brought over to us the other day, we've got minutes
9 of your meetings or some of the minutes of the meetings.

10 So, Mr. Commissioner, again I appreciate
11 this is awfully laborious as these are separate documents,
12 but anyway, we have document 124249 as the first document
13 relating to Concerned Citizens for Children.

14 **THE COMMISSIONER:** Thank you. That will be
15 Exhibit Number 702.

16 **---EXHIBIT NO./PIÈCE No. P-702:**

17 (124249) Seaway News "Justice Derailed"
18 dated May 31, 2002 and handwritten note by
19 Carson Chisholm.

20 **MR. STAUFFER:** Thank you, Mr. Commissioner.
21 So essentially, Mr. Chisholm, it looks like
22 July 17th of 2000 you had the first meeting of the group as
23 shown there at the bottom in the handwriting under the word
24 "Greetings"?

25 **MR. CHISHOLM:** Yes.

1 **MR. STAUFFER:** Is that right?

2 **MR. CHISHOLM:** Yes.

3 **MR. STAUFFER:** And then you brought in some
4 typed minutes of meetings which is Document 124246, 124246,
5 which are minutes, or partial minutes, of meetings of
6 August 2nd and August 9th of 2000. And as well as part of
7 that document, there seems to be a draft petition.

8 Do you recognize those -- do you recognize
9 these minutes, Mr. Chisholm?

10 **MR. CHISHOLM:** I would if I had them maybe
11 but I don't have a copy.

12 **MR. STAUFFER:** Okay, they haven't got up to
13 you yet. There, you can have these. Mr. Commissioner, you
14 don't have them either? The 124646 ---

15 **MR. CHISHOLM:** There is something on the
16 screen there.

17 **MR. STAUFFER:** Yes.

18 **THE COMMISSIONER:** No, I don't have it but
19 it's up on the screen.

20 **MR. STAUFFER:** I apologize, in any event Mr.
21 Chisholm if you look at the screen, do you recognize those?
22 We can just scroll down.

23 **MR. CHISHOLM:** How do you scroll, there is
24 no mouse here?

25 **THE COMMISSIONER:** Just a second.

1 **MR. CHISHOLM:** Oh, sorry.

2 **MR. STAUFFER:** Oh, we have the technology
3 here.

4 **MR. CHISHOLM:** Oh, you do the scrolling,
5 okay.

6 **MR. STAUFFER:** Yes.

7 **THE COMMISSIONER:** No, the Clerk will
8 scroll.

9 **MR. STAUFFER:** Yes. But essentially, it
10 starts off for some reason with August the 9th, but on the
11 back of my page at least is August the 2nd, the earlier
12 meeting.

13 So, Mr. Chisholm, do you recollect a few
14 years ago, I guess seven years ago now, these meetings
15 taking place?

16 **MR. CHISHOLM:** Yes.

17 **MR. STAUFFER:** Okay. And the member is as
18 outlined on one of these pages here. They seem to be
19 accurate with times. It starts with a fellow David Amell
20 and goes down to Barb Thompson. See that one? This is at
21 Bates page 1151812.

22 **THE COMMISSIONER:** So what are we doing now?
23 Madam Clerk?

24 **MR. STAUFFER:** Sorry, I ---

25 **THE COMMISSIONER:** What are we looking for?

1 **MR. STAUFFER:** Well, we are looking for a
2 particular page. I was just going to ask Mr. Chisholm if
3 those were the members. I am assuming that they are as set
4 out at that page, Bates page 1151812. There we are. Mr.
5 Lee. All right. Good.

6 So, Mr. Chisholm, do those seem to reflect
7 the people who were in the organization back then?

8 **MR. CHISHOLM:** It must be, yes.

9 **MR. STAUFFER:** Okay. Finally, as part of
10 the paperwork, I wanted to enter two last items. You
11 brought in Document 124251 -- 124251, which is a one-page
12 document entitled "What are our Concerns?"

13 **THE COMMISSIONER:** Thank you. That's
14 Exhibit 704.

15 ---EXHIBIT NO./PIÈCE No. P-704:

16 (124251) Statement from Carson Chisholm
17 "What are our Concerns?"

18 **MR. STAUFFER:** Thank you.

19 Again, Mr. Chisholm, without reading through
20 all of this, am I right in thinking that if we look at
21 essentially the top three or four paragraphs, these are the
22 issues that your group was concerned with?

23 I suppose, in fairness, your concerns seem
24 to stretch all the way down until the second and last
25 paragraphs.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. STAUFFER: Mr. Chisholm?

3 MR. CHISHOLM: M'hm.

4 MR. STAUFFER: Sorry, are you waiting for me
5 or are you still reading?

6 MR. CHISHOLM: Well, you want me to read it?

7 MR. STAUFFER: Have you -- it's this one-
8 page ---

9 MR. CHISHOLM: I'm just about done, but
10 what?

11 MR. STAUFFER: No, I just wanted to know ---

12 MR. CHISHOLM: Generally speaking, yes,
13 that's -- were our concerns.

14 THE COMMISSIONER: Okay, but I've got --
15 like here you say ---

16 MR. CHISHOLM: That suspended thing? I
17 don't know if he was suspended; that's not the proper word
18 I don't think. One, two, three -- third paragraph, third
19 line down ---

20 THE COMMISSIONER: M'hm.

21 MR. CHISHOLM: --- " ...was not only
22 suspended but was allegedly harassed and threatened."

23 Well, that part is stupid. Suspended, I
24 don't think they actually suspended him. You know what I
25 mean.

1 **THE COMMISSIONER:** Well, "... even their
2 wife Helen and their children received threats". Children
3 -- I thought the only thing I heard really was about the
4 child that was threatened by this lady who was mentally
5 ill?

6 **MR. CHISHOLM:** Yes. I forget. I don't
7 think that was ever pursued. I think they determined, the
8 Crown attorney, that it wasn't in the public interest to --
9 -

10 **THE COMMISSIONER:** No, I think she was found
11 guilty and had probation. But there are other things here
12 like -- did you write this?

13 **MR. CHISHOLM:** No.

14 **THE COMMISSIONER:** Okay. Because it says
15 here:

16 "We are concerned that although an
17 alleged victim pointed to a least 80
18 other victims ..."

19 Were you aware of that?

20 **MR. CHISHOLM:** I don't recall this, no.

21 **THE COMMISSIONER:** Hang on. Five -- fifth
22 paragraph, it says that:

23 "A victim pointed to at least 80 other
24 victims of what he called a pedophile
25 ring and led investigators to an area

1 in Fort Lauderdale which I would ..."

2 Is that you? You're the investigator in
3 Fort Lauderdale?

4 **MR. CHISHOLM:** I presume they're talking
5 here about Ron Leroux and ---

6 **THE COMMISSIONER:** And you?

7 **MR. CHISHOLM:** Probably.

8 **THE COMMISSIONER:** And that ---

9 **MR. CHISHOLM:** I don't know about the 80
10 victims.

11 **THE COMMISSIONER:** Well. Okay. I know, but
12 you're the guys who are throwing this out here. So then it
13 says:

14 "Florida that is a notorious for gay
15 prostitution and sleazy rent-by-the-
16 hour motels."

17 You're not talking about the Salt Air there?

18 **MR. CHISHOLM:** No, I am not. I didn't write
19 it.

20 **THE COMMISSIONER:** Oh, okay.

21 **MR. CHISHOLM:** My name is on it though.

22 **THE COMMISSIONER:** "Several prominent
23 Cornwall lights are alleged to have
24 spent many vacations there where they
25 could pick up young boys and bring them

1 to the motel."

2 But your evidence, if I am correct, is that
3 there was only Malcolm MacDonald that you were able to
4 identify as using that hotel?

5 **MR. CHISHOLM:** I'm not making this
6 statement. I don't know. It sounds like Ron Leroux, to
7 me, just from reading it in there now; I haven't gone
8 through it ---

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

10 **MR. CHISHOLM:** --- but it sounds like his
11 information ---

12 **THE COMMISSIONER:** But it's not your
13 information. You don't believe that now; do you?

14 **MR. CHISHOLM:** I don't know how many victims
15 there were. I'm sure there were more than 80 but ---

16 **THE COMMISSIONER:** No, no, no, no ---

17 **MR. CHISHOLM:** --- but whether he can
18 identify them or not, I don't know.

19 **THE COMMISSIONER:** Okay. This isn't -- so
20 you're not -- you don't know for -- I just can't understand
21 this. There is an alleged victim whose pointing to at
22 least 80 other victims and this is from your group.

23 So do you know who that alleged victim was
24 and would you have known of the 80 other victims that he
25 pointed to?

1 **MR. CHISHOLM:** I don't know of 80 my own
2 self and I don't know who the alleged victim was and I
3 don't know where he sent it. It says sent by Bill LaSalle.
4 I don't know where to but ---

5 **THE COMMISSIONER:** But you're the contact
6 person as chairman.

7 **MR. CHISHOLM:** Yeah, if this actually went
8 out to the -- who did it? I don't know. I mean, maybe it
9 was just a draft or something; I don't recall but I think
10 it's a little strong.

11 **THE COMMISSIONER:** Okay. It's a little
12 strong. Okay.

13 **MR. CHISHOLM:** Well.

14 **THE COMMISSIONER:** All right.

15 **MR. STAUFFER:** Yes. I appreciate all the
16 concern here. You see, Mr. Chisholm, at the bottom of this
17 page, it says page 3 of 3, but I don't know where the other
18 two pages are. So it's ---

19 **MR. CHISHOLM:** Neither do I. It's the first
20 I see it that I recall. I haven't finished reading it. So
21 ---

22 **MR. STAUFFER:** Okay. But just so it's
23 crystal clear for the record, I mean, this is a document
24 that you brought in. Okay. This isn't something I brought
25 in.

1 **MR. CHISHOLM:** Well, maybe they faxed it to
2 me; I don't know.

3 **MR. STAUFFER:** Okay.

4 **MR. CHISHOLM:** It was sent by Bill LaSalle
5 but ---

6 **THE COMMISSIONER:** Yeah, but it says page 3
7 of 3 which means you would have received two other pages.

8 **MR. CHISHOLM:** I don't know where they are.
9 I don't even remember this one. There was a beer box full
10 of stuff. I just brought it all in to go through it.

11 **THE COMMISSIONER:** So you don't have any
12 more material to provide us? Does Bill LaSalle have any
13 more documents because ---

14 **MR. CHISHOLM:** No.

15 **THE COMMISSIONER:** No?

16 **MR. CHISHOLM:** He would -- he hasn't been
17 around for a long time.

18 **THE COMMISSIONER:** Okay.

19 **MR. STAUFFER:** Without confusing the record
20 any more, even though they may already be confused, I've
21 got through the aid of one of my friends here one of the
22 other documents that was brought in. This is 124254, the
23 same number as the last document but this is Bates page
24 1151825.

25 **MR. CHISHOLM:** Excuse me; I'm just getting

1 through this now. But with respect to this, it was
2 probably faxed to me and we may have just scratched it. I
3 don't recall it ever going out to anybody else. Maybe
4 that's why the other two were just destroyed and this one
5 surfaced.

6 **THE COMMISSIONER:** That's what we're trying
7 to get to the bottom of.

8 **MR. CHISHOLM:** Yeah, but ---

9 **THE COMMISSIONER:** One of three.

10 **MR. STAUFFER:** No, this is a different
11 document number than the last one.

12 **THE COMMISSIONER:** Yes. Exhibit 705.

13 ---EXHIBIT NO./PIÈCE No. P-705:

14 (124254) Media Release Bill 103/2000

15 **MR. STAUFFER:** 124254; whether this is
16 connected to 124251 but there seems to be page 1 of 3 as
17 compared to page 3 of 3.

18 **THE COMMISSIONER:** Well, it seems to ---

19 **MR. CHISHOLM:** Well, this is one of the same
20 then, with the same date and everything.

21 **THE COMMISSIONER:** Same date, same time,
22 yes.

23 **MR. CHISHOLM:** This is another page.

24 **THE COMMISSIONER:** So it's for immediate
25 release.

1 **MR. STAUFFER:** But the latter document, as
2 you can see, Mr. Chisholm, is entitled "Immediate release".

3 **MR. CHISHOLM:** Yeah.

4 **MR. STAUFFER:** Again, in fairness, there
5 seems to be some corrections on this document under
6 "Rationale to support the enactment of Bill 103".

7 **MR. CHISHOLM:** M'hm.

8 **MR. STAUFFER:** So can you help us at all?
9 First of all, did you make these corrections?

10 **MR. CHISHOLM:** Let me read it fast.

11 It looks like they are my corrections.

12 "As a result, allegations of child
13 abuse will lead to speculations that
14 will damage or destroy the reputations
15 of many innocent people."

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **MR. STAUFFER:** I might suggest, Mr.
18 Commissioner, we'll undertake obviously to review these
19 documents overnight to see if we can find page 2 of the
20 three pages. They may very well be in all the documents we
21 have received. So I can return to that perhaps tomorrow
22 with Mr. Chisholm ---

23 **THE COMMISSIONER:** Certainly.

24 **MR. STAUFFER:** --- on this particular
25 document without taking more time.

1 But I think I can, if I can use just a few
2 more minutes, deal with a few more matters with respect to
3 your group, Mr. Chisholm. There was eventually a petition
4 that was circulated, and I'm going to look at Document
5 124252, which is a one-page piece of paper with "Petition"
6 on the top.

7 **THE COMMISSIONER:** Thank you. Exhibit 706.

8 **--- EXHIBIT NO./PIÈCE No. P-706:**

9 (124252) Petition Form

10 **MR. STAUFFER:** Thank you.

11 Is this the final version of the petition
12 that your coalition circulated?

13 **MR. CHISHOLM:** Looks like it, yeah.

14 **MR. STAUFFER:** Yes?

15 **MR. CHISHOLM:** Yeah.

16 **MR. STAUFFER:** Okay. I understand a number
17 of people signed this. How many who eventually signed?

18 **MR. CHISHOLM:** That's the one in 2000 --
19 12,000 and change.

20 **MR. STAUFFER:** Okay. So these would be
21 residents of the City of Cornwall and ---

22 **MR. CHISHOLM:** Surrounding area, yeah.

23 **MR. STAUFFER:** --- surrounding areas. And
24 where did the petition -- the signed petitions eventually
25 go?

1 MR. CHISHOLM: Ontario Legislature.

2 MR. STAUFFER: Through John Cleary?

3 MR. CHISHOLM: John Cleary.

4 MR. STAUFFER: Okay. The -- I gather Mr.
5 Cleary then became a supporter, you felt anyway, of Bill
6 103?

7 MR. CHISHOLM: Yes.

8 MR. STAUFFER: And you were in contact with
9 him and you were in contact, I gather, with Premier Eves at
10 some point?

11 MR. CHISHOLM: Well, it is ---

12 MR. STAUFFER: You wrote to him?

13 MR. CHISHOLM: Yeah, looking for support but
14 I think we just got a form letter back but most of them
15 were just, you know, sorry.

16 MR. STAUFFER: Again, I don't intend to
17 enter these. We're going to, I hope, agree that you wrote
18 to a number of politicians, unless at some point my friends
19 want to enter them, but you wrote to, I gather, the Premier
20 of the day, whoever it might have been; is that correct?

21 MR. CHISHOLM: Yes.

22 MR. STAUFFER: You wrote to Mr. Guzzo, I
23 guess, at some point.

24 MR. CHISHOLM: M'hm.

25 MR. STAUFFER: Although he's not your MPP,

1 he is the fellow ---

2 MR. CHISHOLM: M'hm.

3 MR. STAUFFER: --- championing the Bill.

4 You wrote to Elizabeth Witmer, W-I-T-M-E-R, who at that
5 time was the Ontario Minister of Health. do you remember
6 that?

7 MR. CHISHOLM: Well, I kind of think we sent
8 it out ---

9 MR. STAUFFER: I mean I've got her under ---

10 MR. CHISHOLM: --- to 103 of them maybe. I
11 don't know.

12 MR. STAUFFER: Okay.

13 MR. CHISHOLM: That's Bill 103, but I think
14 all of them, every MP, I believe.

15 MR. STAUFFER: You eventually copied every
16 MPP?

17 MR. CHISHOLM: Yeah.

18 MR. STAUFFER: Okay.

19 MR. CHISHOLM: Of those, just maybe a few
20 that wrote back.

21 MR. STAUFFER: Yeah. Did you ever meet with
22 Mr. Guzzo?

23 MR. CHISHOLM: Oh, yeah.

24 MR. STAUFFER: Okay. Did he come down here
25 and ---

1 MR. CHISHOLM: Yeah, he was down.

2 MR. STAUFFER: --- come to some of your
3 gatherings?

4 MR. CHISHOLM: Yeah.

5 MR. STAUFFER: Okay. Were there any other
6 MPPs besides Mr. Guzzo and Mr. Cleary who were strongly
7 involved in this movement?

8 MR. CHISHOLM: Not that I recall, no.

9 MR. STAUFFER: Okay. What about the
10 question of -- and I have to go back in time here. I had
11 missed this one. The question of the petition supporting
12 Mr. Dunlop, if I can put it that way or maybe that's
13 unfair, it's this question of whether he should have gone
14 to the CAS or not.

15 MR. CHISHOLM: Yeah.

16 MR. STAUFFER: That earlier 1994 petition,
17 did you take that to Bishop LaRocque's residence at some
18 point?

19 MR. CHISHOLM: Yes.

20 MR. STAUFFER: Okay. Can you tell us what
21 happened there?

22 MR. CHISHOLM: Well, he wasn't -- certainly
23 he wasn't interested in signing it. In fact, he told me
24 that Mr. Dunlop should be punished for what he did, for
25 going against orders.

1 **MR. STAUFFER:** All right. Now, again, I
2 believe there are statements or a statement from him to the
3 effect that he didn't say that.

4 **MR. CHISHOLM:** Well, yes, I just read it the
5 other day. It's true that he said that, apparently,
6 according to that statement.

7 **MR. STAUFFER:** So ---

8 **MR. CHISHOLM:** But if he did say it, what I
9 just told you. So that's one victory; right?

10 **THE COMMISSIONER:** Where were you when this
11 conversation took place?

12 **MR. CHISHOLM:** In his house.

13 **THE COMMISSIONER:** In his house ---

14 **MR. CHISHOLM:** Montreal Road I think, 1800
15 Montreal Road.

16 **THE COMMISSIONER:** Okay. And you were there
17 with who else?

18 **MR. CHISHOLM:** Just myself.

19 **THE COMMISSIONER:** Just yourself, all right.
20 And your purpose in going there?

21 **MR. CHISHOLM:** Was to see if he would sign
22 the statement.

23 **THE COMMISSIONER:** All right. And so you
24 got in. Bishop LaRocque, would you sign this petition and
25 he says?

1 **MR. CHISHOLM:** And to find out like just
2 where his head was at with regards to this.

3 **THE COMMISSIONER:** Okay, good. So tell me
4 about the conversation?

5 **MR. CHISHOLM:** Well, he said no, he
6 definitely wouldn't sign it. He should be following
7 orders.

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

9 **MR. CHISHOLM:** He should be following
10 orders. I said, "Didn't we hear that at the Nuremberg
11 trials? Everybody was following orders". And he said,
12 "Well, that presupposes informed consent".

13 **THE COMMISSIONER:** What do you mean --
14 that's what he told you?

15 **MR. CHISHOLM:** Yes, that was his answer. I
16 said, "Didn't we hear that..." -- like he said that Dunlop
17 should be following orders.

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

19 **MR. CHISHOLM:** I said, "Didn't we hear that
20 at the Nuremberg trials? Everybody was following orders".

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

22 **MR. CHISHOLM:** And he said, "Well, that
23 presupposes informed consent". Now, Dunlop when he married
24 my sister converted from Protestant to Catholic. So he had
25 to take courses. So I think he was informed. In fact, he

1 was teaching the RCIA course for new Catholics. So he was
2 kind of informed I think.

3 Anyway, I asked him. Well, he's indicating
4 that he isn't informed.

5 **THE COMMISSIONER:** No, no, just a minute.
6 Just a minute.

7 **MR. CHISHOLM:** You're shaking your head.

8 **THE COMMISSIONER:** Just a minute. No, no,
9 it's just you segue into other things and you lose me over
10 there when we're going back in.

11 **MR. CHISHOLM:** Okay. Okay. I'll go back.

12 **THE COMMISSIONER:** You're at the
13 conversation with him?

14 **MR. CHISHOLM:** Yes.

15 **THE COMMISSIONER:** You say, "Will you sign
16 the petition?" He says, "No". He says, "Dunlop should
17 follow orders". You say, "What about the Nuremberg
18 trials?" He says, "Well, it's about informed consent".

19 Okay. What happened after that?

20 **MR. CHISHOLM:** Okay. So I said, "What if
21 Dunlop came into the police station and caught the chief
22 abusing some young fellow? Could he report that?"

23 "Oh, that's different. He's an eye
24 witness."

25 I said, "Okay. We'll step back one step.

1 Dunlop doesn't see the chief abusing a young fellow, but
2 another cop does and tells Dunlop. Can Dunlop then go to
3 CAS?"

4 "No. That's hearsay."

5 **THE COMMISSIONER:** And that's what you told.
6 That's the conversation you had with him?

7 **MR. CHISHOLM:** That's the conversation we
8 had.

9 **THE COMMISSIONER:** And what did he respond
10 to that?

11 **MR. CHISHOLM:** That's how he responded.

12 **THE COMMISSIONER:** He responded?

13 **MR. CHISHOLM:** That's what I'm telling you.
14 That's how he responded.

15 **THE COMMISSIONER:** He talked to you about
16 the police chief. You see, who said who to what?

17 **MR. CHISHOLM:** I was giving him a
18 hypothetical ---

19 **THE COMMISSIONER:** About the police chief?

20 **MR. CHISHOLM:** Yes.

21 **THE COMMISSIONER:** Okay.

22 **MR. CHISHOLM:** And he said, "No. He
23 couldn't report it getting it from the other cop because it
24 was hearsay."

25 **THE COMMISSIONER:** Right. Okay. And so how

1 did it end?

2 **MR. CHISHOLM:** Well, it kind of went
3 downhill pretty quick. I thought that was ridiculous. I
4 just kind of chuckled about it and he took offence to that,
5 that I would be so silly to think with such a thing I
6 guess. Like, I mean ---

7 **THE COMMISSIONER:** Okay. No, but you're
8 jumping to -- you're giving me conclusions. I want to know
9 -- like if we were going to film all of this, you're
10 sitting there.

11 **MR. CHISHOLM:** Yes.

12 **THE COMMISSIONER:** You had this conver --
13 did he kick you out?

14 **MR. CHISHOLM:** Not likely.

15 **THE COMMISSIONER:** Did you leave on bad
16 terms?

17 **MR. CHISHOLM:** Well, I think he was pretty
18 glad to see me go, yes.

19 **THE COMMISSIONER:** Okay. Well, how did it
20 end?

21 **MR. CHISHOLM:** That's how it ended,
22 basically.

23 **THE COMMISSIONER:** Then you got up?

24 **MR. CHISHOLM:** He was busy and I didn't have
25 an appointment.

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

2 Mr. Stauffer?

3 **MR. STAUFFER:** Thank you, Mr. Commissioner.

4 Mr. Chisholm, one last matter before I ask
5 permission to adjourn to tomorrow. Sylvia MacEachern, have
6 you had contact with her up until now in terms of these
7 proceedings and prior to the Inquiry being formed?

8 **MR. CHISHOLM:** Yes.

9 **MR. STAUFFER:** Okay. What, if any,
10 information have you provided to her?

11 **MR. CHISHOLM:** When? Any time?

12 **MR. STAUFFER:** Yes.

13 **MR. CHISHOLM:** We talk on the phone. I just
14 tell her my opinions I suppose.

15 **MR. STAUFFER:** Okay. Have you seen any of
16 your opinions find their way onto her website or your name
17 appear in the website?

18 **MR. CHISHOLM:** Probably. I think I did
19 write her a letter when she had The Orator. I forget what
20 it was about. It would be about this business but I don't
21 remember exactly.

22 **MR. STAUFFER:** Okay. Are there any -- I
23 think I asked you this before and you had said no, but I
24 want to understand. Did you supply information to anybody
25 else who runs a website?

1 **MR. CHISHOLM:** No.

2 **MR. STAUFFER:** Okay. So Sylvia MacEachern -

3 --

4 **MR. CHISHOLM:** That I recall.

5 **MR. STAUFFER:** Sylvia MacEachern is the only
6 one?

7 **MR. CHISHOLM:** Sylvia MacEachern, yes, she
8 is the one, theinquiry.ca.

9 **MR. STAUFFER:** Okay. Mr. Commissioner, the
10 area that I'd like to go back to and hopefully it won't be
11 very long, is just clearing up this missing page if we can
12 find it with regard to those coalition documents.

13 And then I'd like to ask Mr. Chisholm
14 tomorrow morning -- he's going to think about this tonight
15 as to what recommendations he would have for the Inquiry.

16 I believe, subject to going through my
17 notes, those are the questions that I'm going to be
18 pursuing.

19 **THE COMMISSIONER:** Thank you, and it is
20 election day. We have to make sure everyone goes and gets
21 out to vote.

22 So we'll adjourn for today, sir, and we'll
23 see you tomorrow morning at 9:30.

24 **MR. CHISHOLM:** Nine thirty.

25 **THE REGISTRAR:** Order; all rise.

1 THE COMMISSIONER: Oh, sorry, sorry.

2 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. JAMES FOORD:

3 MR. FOORD: Sorry to keep you two more
4 minutes longer, Mr. Commissioner.

5 As you may or may not know, we, as counsel
6 for the interested parties, received a disk today which I'm
7 told -- I haven't received my copy yet but I guess I will -
8 - which includes some 280-plus documents. And I believe
9 I'm speaking certainly for myself and perhaps for others
10 who will come forward on their own behalves, that we do not
11 feel in a position to cross-examine Mr. Chisholm tomorrow
12 and would need some time.

13 THE COMMISSIONER: Well, we'll stand down
14 and I'll see what it's all about and I'll let you know.

15 MR. FOORD: Thank you.

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

18 This hearing is adjourned until tomorrow
19 morning at 9:30 a.m.

20 --- Upon recessing at 5:10 p.m. /

21 L'audience est suspendue à 17h10

22 --- Upon resuming at 5:15 p.m. /

23 L'audience est reprise à 17h15

24 ---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. IAN STAUFFER :

25 MR. STAUFFER: I would like to speak to the

1 issue raised by my friend, Mr. Neville, concerning the
2 adjournment.

3 The documents that we received last week,
4 Wednesday I believe, from Mr. Chisholm have been processed
5 as quickly as we could and they've been sent out to the
6 parties.

7 The documents which we, as Commission
8 counsel, feel are the most relevant and important are the
9 ones I have referred to today. There are no other
10 documents which I intend to refer to or other Commission
11 counsel intends to refer to right now. These are the ones.

12 Now, my understanding in speaking with other
13 Commission counsel staff is that on Friday, the parties
14 were advised of the documents. Now, I appreciate ---

15 **THE COMMISSIONER:** They emailed the
16 documents.

17 **MR. STAUFFER:** They were emailed. And so
18 again, I appreciate it was the beginning of the long
19 weekend but some of us worked on the weekend and the
20 reality is that's just the way it transpired. You know, we
21 did not get the documents any sooner from Mr. Chisholm and
22 we cannot move things any faster.

23 I appreciate my friend's concern about
24 cross-examination, but the reality is what they have seen
25 today and what they have had for a few days and what

1 they've heard from Mr. Chisholm, that's essentially what
2 we're going to be dealing with from our end of the
3 evidence.

4 Now, I appreciate there are many other
5 documents but most of them, as I understand them having
6 looked at them, are news clippings and unrelated documents
7 that Mr. Chisholm felt it was necessary to bring in. So
8 there are certain church pamphlets and so on which we are
9 not going to be referring to.

10 Those are my comments, Mr. ---

11 **THE COMMISSIONER:** So the bottom line is 280
12 documents.

13 Mr. Lee, you want to get up and say
14 something?

15 ---**SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DALLAS LEE:**

16 **MR. LEE:** Mr. Stauffer is mistaken, sir. We
17 received an email on Friday with approximately 20
18 documents.

19 **THE COMMISSIONER:** That's right.

20 **MR. LEE:** That Commission counsel thought
21 were the most relevant.

22 **THE COMMISSIONER:** Yes.

23 **MR. LEE:** This afternoon when we walked into
24 the hearings room, shortly before we began at 2:00 p.m., we
25 received a CD with 288 documents.

1 **THE COMMISSIONER:** Yes.

2 **MR. LEE:** The vast majority of which I
3 understand we've never seen before.

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

5 **MR. LEE:** None of the parties.

6 **THE COMMISSIONER:** Right.

7 **MR. LEE:** My understanding is that some
8 percentage of those contain media files.

9 **THE COMMISSIONER:** Yes.

10 **MR. LEE:** Some percentage, perhaps five
11 percent, are files that we were emailed on Friday. They're
12 included on the CD as well and let's say 70 to 75 percent
13 are files none of us have ever seen. So there are hundreds
14 of files here that we haven't seen at all, not that were
15 emailed on Friday, to make that clear.

16 **THE COMMISSIONER:** No, no, you're absolutely
17 right. What I understood was that 20 or so were emailed on
18 Friday, which were the ones that were deemed to be relevant
19 and helpful.

20 **MR. LEE:** Right.

21 **THE COMMISSIONER:** My understanding is that
22 a lot of it is post-mandate news clippings. So rather than
23 jump the gun on this, I'll tell you what. You guys come
24 back here at 9:30 tomorrow morning ready to cross-examine,
25 or then you can give me the lament that there were more

1 than 50 or 60 documents of great length that you couldn't
2 read overnight. Okay?

3 And if you can do that for me, that's fine.
4 I'll give you the adjournment tomorrow. Otherwise, I don't
5 want to waste any time when it all comes up and you folks
6 come back and say, "Yeah, you're right. They were all
7 newspaper clippings."

8 You're going to be watching the election
9 results anyways, aren't you?

10 (LAUGHTER/RIRES)

11 MR. LEE: I think I may be tied up in
12 documents this evening, sir.

13 THE COMMISSIONER: There you go. Well,
14 we'll see all in the fullest of time. We're starting
15 tomorrow morning at 9:30, unless I get a very good
16 compelling reason.

17 Thank you.

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

20 This hearing is adjourned until tomorrow
21 morning at 9:30 a.m.

22 --- Upon adjourning at 5:19 p.m. /

23 L'audience est ajournée à 17h19

24

25

C E R T I F I C A T I O N

I, Marc Demers a certified court reporter inthe Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Marc Demers, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Marc Demers, CVR-CM