

**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 156**

**Held at :**

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

Wednesday, October 31 2007

**Tenue à:**

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

Mercredi, le 31 octobre 2007

**Appearances/Comparutions**

Ms. Julie Gauthier	Registrar
Ms. Mary Simms	Commission Counsel
Mr. Pierre R. Dumais	
Mr. Peter Manderville	Cornwall Police Service Board
Ms. Diane Lahaie	Ontario Provincial Police
Mr. David Rose	Ontario Ministry of Community
M <sup>e</sup> Claude Rouleau	and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
M <sup>e</sup> Danielle Robitaille	Mr. Jacques Leduc
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Mr. Carson Chisholm

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1 --- Upon commencing at 9:36 p.m./

2 L'audience débute à 9h36

3 **THE REGISTRAR:** This hearing of the Cornwall  
4 Public Inquiry is now in session. The Honourable Mr.  
5 Justice Normand Glaude, Commissioner, presiding.

6 Please be seated. Veuillez vous asseoir.

7 **THE COMMISSIONER:** Thank you. Good morning  
8 all.

9 **MS. SIMMS:** Good morning. It's good to see  
10 you from this vantage point, Mr. Commissioner.

11 **THE COMMISSIONER:** Well, I hope it is one of  
12 my better sides.

13 (LAUGHTER/RIRES)

14 **MS. SIMMS:** Today, Commission counsel is  
15 seeking to introduce an overview of the documentary  
16 evidence -- we've been calling it informally an ODE -- and  
17 as well, the accompanying documents with respect to Richard  
18 Nadeau.

19 **THE COMMISSIONER:** Yes.

20 **MS. SIMMS:** And, as you will recall, we have  
21 used an overview of documentary evidence before. It is  
22 basically a framework or a sketch of a series of events  
23 that relate to a particular individual, and we have used it  
24 where the individual is not able to give viva voce evidence  
25 at the Inquiry.

1                   The use of the ODE previously was in April  
2                   of this past year, and was with respect to an individual  
3                   who has the moniker C-3.

4                   And at that time there were submissions from  
5                   counsel on the use of the ODE, and you made a ruling with  
6                   respect to the matter, where you agreed that the overview  
7                   would be entered as an exhibit, and the accompanying  
8                   documents were also entered as an exhibit, and you also  
9                   stated that you'd consider the use of these overviews on a  
10                  case-by-case basis.

11                  So we are proposing that the case of Mr.  
12                  Nadeau is an appropriate case where we use an ODE. Mr.  
13                  Nadeau passed away on April 19th, 2006. Obviously, the  
14                  possibility of viva voce evidence is not available to us.

15                  So what we have done is drafted an overview  
16                  of documentary evidence, and we are seeking to admit that  
17                  as well as the accompanying documents today.

18                  So what we'll be seeking to do is admit the  
19                  ODE, the accompanying documents and then read the ODE into  
20                  the record.

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

22                  **MS. SIMMS:** There are a number of  
23                  confidentiality issues, which we will get to as well.

24                  Just briefly, so you understand the  
25                  importance of an ODE in this case, Mr. Nadeau, in our view,

1 is an important aspect of the matters under your  
2 consideration.

3 He had interactions with numerous victims or  
4 alleged victims. He had numerous interactions with  
5 institutions, including the Cornwall Police Service, the  
6 Ontario Provincial Police and the CAS, the Children's Aid  
7 Society, but mainly with the police forces.

8 He also had interactions with a number of  
9 community members, including Perry Dunlop and Carson  
10 Chisholm, as we've heard, and he also had interactions with  
11 the media.

12 He was involved in civil proceedings as a  
13 plaintiff in a civil sexual assault case and as a defendant  
14 in a defamation action. He was involved in criminal  
15 proceedings as a witness and as the accused in a contempt  
16 of court case. And all of these matters are under the  
17 ambit of the matters we're examining at this Inquiry.

18 And finally and significantly, he was the  
19 administrator of a website which posted information in  
20 relation to allegations of historical sexual assaults in  
21 this community, and that website itself was -- formed the  
22 basis of some of these proceedings that I just mentioned.

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

24 **MS. SIMMS:** So it's our view that  
25 considering the many levels of involvement that Mr. Nadeau

1 had in relation to the issues before you, that an ODE would  
2 be a helpful device and, basically, that would be the  
3 findings you made respect to C-3.

4 And the ODE, I think, applies clearly in  
5 this case; that the ODE would be helpful in providing you,  
6 yourself, with a starting point to review the evidence;  
7 that it would help the parties in identifying relevant  
8 things to be examined and thereby help them in their  
9 response at the institutional response stage; and, finally,  
10 that it would allow the public to be better able to follow  
11 the information that's coming before the Inquiry.

12 Similar to the case of C-3, we have  
13 consulted with the parties on this matter. A first draft  
14 of the ODE was circulated to the parties on October 9th,  
15 2007.

16 Since then, we've had communications from  
17 and consultations with the parties. We've received a  
18 number of suggestions, and the counsel suggestions have in  
19 many respects been included in the final ODE, and that's  
20 the document we intend to file today.

21 Just to be clear, as this issue was raised  
22 before, the overview is not intended to be a substitute for  
23 Mr. Nadeau's testimony. This Inquiry, unfortunately, will  
24 not be able to hear directly from Mr. Nadeau, and we  
25 acknowledge that. The evidentiary value of the ODE is

1 clearly less than the documents that are referenced in it  
2 and used in its preparation.

3 And, as before, we expect that you will find  
4 that, where there's any case of conflict between the ODE  
5 and the supporting documents, that the contents of the  
6 documents will prevail.

7 And we'd also point out that all the parties  
8 will have an opportunity to address this evidence during  
9 the institutional response phase of the Inquiry; that we  
10 expect there will be additional documents and viva voce  
11 evidence that'll touch on the matters in this document;  
12 and, of course, that will all affect the weight you give  
13 the respective evidence when you're dealing with these  
14 matters before you.

15 So I hope that those two points are clear  
16 with respect to our intentions and our approach in filing  
17 this ODE.

18 And I'm not sure if counsel have any  
19 submissions they would like to make ---

20 **THE COMMISSIONER:** Thank you.

21 **MS. SIMMS:** --- on the point.

22 **THE COMMISSIONER:** All right. Let's find  
23 out.

24 Thank you.

25 Do you wish to comment one way or the other,



1 Ms. Daley?

2 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. DALEY:

3 MS. DALEY: Only to say that I certainly  
4 agree with my friend's submissions to you as to the need  
5 for the ODE, and I have had input that satisfies me that  
6 the ODE is as adequate as it exists now.

7 THE COMMISSIONER: Thank you.

8 Mr. Lee, do you have any comments.

9 MR. LEE: Nothing.

10 THE COMMISSIONER: Thank you.

11 I'm sorry. Mr. Horn?

12 MR. HORN: Yes.

13 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. HORN:

14 MR. HORN: On behalf of the Coalition, the  
15 only thing that we would be saying is that we were -- we're  
16 very thankful for the work that Mr. Richard Nadeau did  
17 while he was here, and that he ---

18 THE COMMISSIONER: No, no, we don't need  
19 that.

20 MR. HORN: That's all I would be saying.

21 THE COMMISSIONER: Thank you.

22 Mr. Chisholm?

23 MR. CHISHOLM: No submissions. Thank you,  
24 sir.

25 THE COMMISSIONER: Mr. Rose?

1                   MR. ROSE: None, sir.

2                   THE COMMISSIONER: Thank you.

3                   Mr. Kloeze?

4                   MR. KLOEZE: No submissions. Thank you.

5                   THE COMMISSIONER: Thank you.

6                   Ms. Robitaille?

7                   MS. ROBITAILLE: Nothing to add.

8                   THE COMMISSIONER: Thank you.

9                   Mr. Manderville?

10                  --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. MANDERVILLE:

11                  MR. MADERVILLE: Mr. Sherriff-Scott has not  
12 graced us with his presence today, Mr. Commissioner.

13                                Very briefly, can we take it, sir, that your  
14 ruling in respect of the C-3 ODE would apply equally here  
15 in that it's something you would consider on a case-by-case  
16 basis ---

17                   THE COMMISSIONER: Absolutely.

18                   MR. MADERVILLE: --- that it is a  
19 substitute, perhaps a poor substitute, but certainly a  
20 substitute, for viva voce testimony.

21                                And I would note that this ODE in particular  
22 is, to a great extent, based on the notes of officers you  
23 will hear from live. And I take it where there's a  
24 discrepancy between their viva voce testimony and this ODE,  
25 the testimony would prevail.

1                   **THE COMMISSIONER:** Of the police officers'  
2 notes, if there is a discrepancy -- well, that will be up  
3 to me to decide which I prefer; correct?

4                   **MR. MANDERVILLE:** Live testimony versus what  
5 is unavoidably Commission counsel's interpretation of  
6 something?

7                   **THE COMMISSIONER:** Well, I don't know that  
8 it's Commission counsel's interpretation of something. I  
9 think -- isn't an ODE just saying, "Look, we're going to do  
10 a roadmap of what Mr. Nadeau was all about" for example;  
11 right?

12                   And so it goes to a document. Let's assume  
13 for a minute that a police officer puts in his notes  
14 October 25<sup>th</sup>. We've seen that, where it was three months  
15 off. Right? Or what happens if a police officer is  
16 testifying and he says, "No, no, I put October 25<sup>th</sup> but I  
17 really meant December 25<sup>th</sup> but for some reason there's other  
18 evidence and I say I find that, as a fact, it was October  
19 25<sup>th</sup>. What was in the notes is correct."

20                   See what I mean? I don't -- we're splitting  
21 hairs.

22                   **MR. MANDERVILLE:** I do see what you mean,  
23 Mr. Commissioner. The example I had in mind is if the  
24 officer is in the box and he testifies, you know, "My note  
25 at line 15 says 'X'" ---

1                   **THE COMMISSIONER:** Right.

2                   **MR. MANDERVILLE:** --- and it's -- the  
3 officer's writing is not particularly legible and the ODE  
4 has gone in suggesting something else.

5                   **THE COMMISSIONER:** Right.

6                   **MR. MANDERVILLE:** In those sorts of  
7 instances, I take it the officer's testimony would prevail.

8                   **THE COMMISSIONER:** Absolutely.

9                   And also, as we know, notes are not the full  
10 thought process of a person and so if, in the ODE, it says  
11 I phoned such and such a person and we had this discussion,  
12 if he has an independent recollection, that's certainly  
13 something I will consider as colouring different shades of  
14 what occurred.

15                   So I think we're on the same wavelength.

16                   **MR. MANDERVILLE:** I think we are, sir.

17 Thank you.

18                   **THE COMMISSIONER:** Thank you.

19 Miss Lahaie?

20                   **MS. LAHAIE:** No comments. Thank you.

21                   **THE COMMISSIONER:** Thank you.

22 Mr. Carroll?

23                   **MR. CARROLL:** Nothing, thank you.

24                   **THE COMMISSIONER:** Thank you.

25 All right.

1 So I guess we can proceed.

2 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. SIMMS:

3 MS. SIMMS: Okay. Well, now we come to the  
4 issues of confidentiality.

5 THE COMMISSIONER: All right.

6 MS. SIMMS: And so there are three main  
7 issues. First of all, as with many things, there are  
8 references in the ODE and the supporting documentation that  
9 referenced names of individuals. They are subject to  
10 confidentiality measures, whether through this process or  
11 another process.

12 THE COMMISSIONER: M'hm.

13 MS. SIMMS: So I will be pointing those out  
14 where we've identified documents that contain those names -  
15 --

16 THE COMMISSIONER: Yes.

17 MS. SIMMS: --- as we enter the exhibits.

18 THE COMMISSIONER: All right.

19 MS. SIMMS: In addition, there are some  
20 other names in the ODE; so as I read out the ODE in the  
21 record, I'll be replacing the names ---

22 THE COMMISSIONER: All right.

23 MS. SIMMS: --- so that they're not read  
24 into the record.

25 Secondly, at the ODE and some of the

1 accompanying documents contain names of four individuals  
2 and they're contained in the context of them having  
3 allegations of abuse.

4 **THE COMMISSIONER:** Of being victims, you  
5 mean?

6 **MS. SIMMS:** Four alleged victims.

7 **THE COMMISSIONER:** Alleged victims, yes.

8 **MS. SIMMS:** And there's allegation of abuse  
9 in there.

10 These four individuals, as I understand it,  
11 have not come forward publicly; they've not come forward in  
12 this process. And I am not aware of any publication bans  
13 on their identity otherwise.

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

15 **MS. SIMMS:** We are asking that there be a  
16 publication ban on those individuals' names.

17 We expect that they will -- may come up  
18 again in the Inquiry through other evidence in an  
19 institutional response.

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

21 **MS. SIMMS:** And I think it would be helpful  
22 to the parties if they were assigned monikers.

23 I know this process obviously will be have  
24 to be dealt with in camera at some point, but if there's no  
25 objection from the parties -- which we will come to ---

1                   **THE COMMISSIONER:** But that's not really the  
2 test, whether it's on consent or not.

3                   **MS. SIMMS:** No, absolutely.

4                   I apologize, Mr. Commissioner.

5                   The concern we have is that part of the  
6 context of what happened with Dick Nadeau is there were  
7 allegations that he made people's stories public ---

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

9                   **MS. SIMMS:** --- when they didn't want to be  
10 public.

11                   We are concerned that the documents  
12 reference individuals who, as far as we know, are not  
13 public at this point. And we don't want to be in a  
14 position where we are making their names public because we  
15 are presenting Dick Nadeau's ODE.

16                   **THE COMMISSIONER:** Have we attempted to  
17 contact them?

18                   **MS. SIMMS:** Just a sec.

19                   Okay. Sorry, Mr. Commissioner.

20                   I was advised that we've been -- made  
21 attempts to contact some, but whoever has been contacted  
22 did not want to participate or we were unable to find them.

23                   **THE COMMISSIONER:** Well, didn't want to  
24 participate. Did they echo the fact that they wanted their  
25 names to be withheld?

1                   **MS. SIMMS:** Mr. Commissioner, I can't really  
2 speak to that because I wasn't party ---

3                   **THE COMMISSIONER:** Yes.

4                   **MS. SIMMS:** --- to those conversations. But  
5 it's my understanding that that is commonly what happens.

6                   **THE COMMISSIONER:** Okay. Anything else on  
7 monikers -- on the confidentiality?

8                   **MS. SIMMS:** Nothing else on monikers. Yeah,  
9 there is with respect to confidentiality of a particular  
10 document.

11                   One of the -- a couple of the documents that  
12 we reference are printouts of Dick Nadeau's website.

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

14                   **MS. SIMMS:** The website is Project  
15 Truth2.com. It's no longer -- obviously, he's no longer  
16 operating that website, but this site had been a subject of  
17 significant controversy with respect to the postings in the  
18 website.

19                   One concern was that there was information  
20 about alleged victims and alleged perpetrators that were  
21 posted without the consent of those individuals.

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

23                   **MS. SIMMS:** And so the print-outs obviously  
24 contain that information. Once again it's a case of trying  
25 to present the evidence as publicly as we can without



1 perpetuating a problem that existed in the past.

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

3 **MS. SIMMS:** So what we are suggesting is  
4 that those printouts be marked as confidential documents.  
5 There's some excerpts from those printouts that were  
6 entered into the public record in another proceeding, and  
7 are void of any specific allegations that we would be  
8 entering separately as excerpts, as public documents.

9 **THE COMMISSIONER:** Okay. Let's hear from  
10 the others, then.

11 Does any -- Ms. Daley?

12 Were you made aware of the monikers -- the  
13 issue of the four persons that the Commission counsel are  
14 seeking to have described as monikers?

15 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. DALEY:**

16 **MS. DALEY:** I wasn't, sir.

17 But hearing my friend's submissions, I  
18 suppose that you're not in a position of having the best  
19 evidence possible as to the need. But it would certainly  
20 be our client's view that if there's any risk of publishing  
21 names of people who do not want their names published as a  
22 result of occurrences in their lives, we would not object  
23 to the use of monikers.

24 I certainly also agree with my friend's  
25 submission that the web site itself ---

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

2                   **MS. DALEY:** --- should be a confidential  
3 document in this proceeding for the same reason.

4                   **THE COMMISSIONER:** All right. Thank you.  
5 Mr. Horn, do you wish to comment?

6                   **MR. HORN:** No.

7                   **THE COMMISSIONER:** Thank you.  
8 Mr. Lee?

9                   **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. LEE:**

10                   **MR. LEE:** Ms. Daley's comments are  
11 essentially what I would have said as well. We have no  
12 issue obviously of victims of abuse having their identity  
13 protected here and support that. And the website itself, I  
14 agree, should be confidential.

15                   **THE COMMISSIONER:** Okay. Thank you.

16                   Mr. Chisholm, any position?

17                   **MR. CHISHOLM:** No submissions, thank you.

18                   **LE COMMISSAIRE:** Me Rose?

19                   **MR. ROSE:** None, sir.

20                   **THE COMMISSIONER:** Mr. Kloeze?

21                   **MR. KLOEZE:** Nothing, sir.

22                   **THE COMMISSIONER:** Ms. Robitaille?

23                   **MS. ROBITAILLE:** Nothing, sir.

24                   **THE COMMISSIONER:** Mr. Manderville?

25                   **MR. MANDERVILLE:** I have nothing to add, Mr.

1 Commissioner.

2 **THE COMMISSIONER:** All right.

3 Miss Lahaie?

4 **MS. LAHAIE:** Nothing to add. Thank you.

5 **THE COMMISSIONER:** Mr. Carroll?

6 **MR. CARROLL:** Nothing. Thank you.

7 **THE COMMISSIONER:** Yes. Has the CBC and the  
8 other media outlets been advised of our request?

9 **MS. SIMMS:** No, Mr. Commissioner.

10 **THE COMMISSIONER:** M'hm. Okay.

11 What I'm going to do is -- because I don't  
12 know exactly, I am going to give an interim order that the  
13 monikers be used. I'll look at the evidence, and see  
14 exactly in what context these names are used, and then I'll  
15 make a further decision.

16 I am concerned that the media wasn't advised  
17 and in order to satisfy the test in the famous Nantucket  
18 case, I want to hear what we're going to do, then we'll  
19 see.

20 With respect to printouts, I think there's  
21 no problem there that they should be marked as  
22 confidential, seeing that there's an agreement with the  
23 parties, because I haven't seen obviously these documents,  
24 that they should be 'C' exhibits. As well, your undertaking  
25 that what you've tried to do is limit the sections that

1           ought to be 'C' exhibits, and making as much of the other  
2           material public as possible.

3                   **MS. SIMMS:** Thank you, Mr. Commissioner.

4                   **THE COMMISSIONER:** So now do we have to go  
5           into -- when do we have to go in camera? Can we do that  
6           later or should we do that now?

7                   **MS. SIMMS:** Well, Mr. Commissioner, we could  
8           do it now or we could continue with this marking the  
9           documents on an interim basis, as having a publication ban.

10                   **THE COMMISSIONER:** Yes.

11                   **MS. SIMMS:** So we could go through and enter  
12           the documents.

13                   **THE COMMISSIONER:** What about the monikers?  
14           How are we going to know who's who?

15                   **MS. SIMMS:** Well, we'll certainly have to  
16           deal with that in camera. I can tell you that when I --  
17           the ODE itself has names written in them, and what I was  
18           proposing was to -- when I read it, I would replace those  
19           names with the proposed monikers.

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

21                   **MS. SIMMS:** And then we could deal with the  
22           issue later in camera.

23                   **THE COMMISSIONER:** That's fine.

24                   **MS. SIMMS:** Okay.

25                   **THE COMMISSIONER:** I think if we get mixed

1 up, we'll stop and we'll go in camera, but in order to save  
2 time, let's deal with it this way.

3 **MS. SIMMS:** Okay. So we have quite a list  
4 of documents, Mr. Commissioner. What I propose we do is go  
5 through the documents.

6 **MR. LEE:** Sorry. I'm just a little bit  
7 confused on how this is going to work. I don't know who  
8 these four monikers are. My concern is the ODE itself, as  
9 my friend has said, includes the names.

10 **THE COMMISSIONER:** Right.

11 **MR. LEE:** There's no monikers in here.  
12 If the ODE itself is being marked as an  
13 exhibit ---

14 **THE COMMISSIONER:** Yes.

15 **MR. LEE:** --- with the names -- I mean, are  
16 we going to redraft the ODE at some point to include  
17 monikers? If it's going to -- I mean, it can't be a "C"  
18 exhibit.

19 **THE COMMISSIONER:** No, it's a publication  
20 ban.

21 **MR. LEE:** But it's a moniker. It's not a  
22 publication ban. The point of the moniker is so the public  
23 can't see the name. The public isn't entitled to that  
24 information. Somebody who is coming to the desk can't ask  
25 for a copy of the ODE and see it. So do we -- I don't know

1 the practical application and how it works. Do we black  
2 out the name and replace it with the moniker? Do we  
3 redraft the document?

4 **THE COMMISSIONER:** No, that's a good point.

5 **MR. LEE:** The point is I want the public to  
6 have access to this document, the ODE itself.

7 **THE COMMISSIONER:** Yes.

8 **MR. LEE:** With simply having the names of  
9 the four monikers removed. It seems to me the easiest  
10 thing to do would be to have a fresh document that simply  
11 removes the name John Doe and puts in C-18 or whatever it  
12 is.

13 **THE COMMISSIONER:** Yes.

14 **MR. LEE:** I'm just not sure if there's been  
15 a document that ---

16 **THE COMMISSIONER:** Thank you for bringing  
17 that up.

18 **MS. SIMMS:** Mr. Commissioner, as I  
19 understand it, when this process was undertaken in the  
20 spring with C-3, he is provided a moniker that is a  
21 publication ban on it -- or had a publication ban on his  
22 name, but the document itself referenced names, just that  
23 there was a publication ban on it.

24 **THE COMMISSIONER:** All right. So what you  
25 are saying is the reason why we are using monikers is

1 because we have a website. Otherwise, if we were in a  
2 courtroom and there was a publication ban, we would go  
3 along our merry way using the name knowing that the matter  
4 would not be published.

5 **MS. SIMMS:** That's right.

6 **THE COMMISSIONER:** Is that -- Mr. Lee, so  
7 really we are not going to change the document. We are  
8 saying that in the spirit of the *Dagenais Mentuck Test*, all  
9 that we are asking for is a publication ban, which means  
10 that but for the website, we would be using the person's  
11 name. It's not a secret to somebody who wants to come to  
12 the office and look at it. So on that philosophy, it would  
13 not be blacked out. The only reason why we are using a  
14 moniker now is because of the webcast.

15 **MR. LEE:** I suppose it depends on the nature  
16 of the protection that was afforded at the time. My  
17 recollection is there are certain witnesses, for example, a  
18 witness who testified in camera ---

19 **THE COMMISSIONER:** Right.

20 **MR. LEE:** --- who would have a moniker,  
21 would be a "C" something or other.

22 **THE COMMISSIONER:** Yes.

23 **MR. LEE:** Would be in camera and the public  
24 would not be entitled to go to the front desk and learn  
25 that person's identity.

1                   **THE COMMISSIONER:** That's right, but that's  
2 because it was in camera.

3                   **MR. LEE:** But that's the higher level.

4                   **THE COMMISSIONER:** Right.

5                   **MR. LEE:** I guess the question is whether  
6 Commission counsel -- again, I don't know who these people  
7 are. Are these people -- is the relief being sought here  
8 simply to protect their identity from publication? Or is  
9 the relief sought to protect their identities period?

10                   **THE COMMISSIONER:** Well, I would say that it  
11 sounds like only a publication ban. I can tell you that  
12 from what I've heard so far, that's about all that they  
13 would get, based on the evidence that I have now.

14                   **MR. LEE:** I would like to have those names,  
15 sir, before we go any further with this.

16                   **THE COMMISSIONER:** Okay. Fair enough. Fair  
17 enough.

18                   So let's take a short break. Maybe what we  
19 -- so let's go in camera. Let's get it done right off the  
20 bat so you'll know the names during the break and then  
21 we'll see how we can assess this.

22                   All right. Thank you.

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

25                   This hearing will resume at 10:15 in camera.



1 --- Upon recessing at 10:01 a.m. to resume in  
2 camera/L'audience est suspendue à 10h01 pour reprendre à  
3 huis clos

4 --- Upon resuming in public at 10:50 a.m./

5 L'audience est reprise en public à 10h50

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

8 This hearing is now resumed. Please be  
9 seated. Veuillez vous asseoir.

10 **THE COMMISSIONER:** Thank you.

11 So we're back on.

12 **MS. SIMMS:** We're back on. We are out of  
13 camera.

14 **THE COMMISSIONER:** We are out of -- we're  
15 out of camera. Oh.

16 (LAUGHTER/RIRES)

17 **MS. SIMMS:** Out of in camera.

18 **THE COMMISSIONER:** All right.

19 **MS. SIMMS:** No longer in camera.

20 **THE COMMISSIONER:** I am wondering if the  
21 person that was sitting there, does she know she can come  
22 back? All right. Good.

23 **MS. SIMMS:** Okay.

24 **THE COMMISSIONER:** Thank you.

25 Okay. Off we go.

1                   **MS. SIMMS:** So we took the opportunity of  
2 the break to remove the change to the ODE. So what we'd  
3 like to do is to enter the ODE as the next exhibit ---

4                   **THE COMMISSIONER:** Thank you.

5                   **MS. SIMMS:** --- with that change.

6                   **THE COMMISSIONER:** All right. So Exhibit  
7 Number 769 is the Overview of Documentary evidence of  
8 Richard (Dick) Nadeau.

9                   **---EXHIBIT NO./PIÈCE NO P-769:**

10                                   Overview documentary evidence of  
11                                   Richard (Dick) Nadeau

12                   **MS. SIMMS:** And that will be marked for  
13 publication ban.

14                   **THE COMMISSIONER:** Yes.

15                   **MS. SIMMS:** And then what I was going to do  
16 is just go through the remaining document numbers by  
17 document number and assign them -- enter them as exhibits.

18                   **THE COMMISSIONER:** So we're going to do them  
19 all as we go -- I mean all at once?

20                   **MS. SIMMS:** That, yes.

21                   **THE COMMISSIONER:** Okay.

22                   **MS. SIMMS:** So the next exhibit is Doc.  
23 Number 100519. It's an MCS email dated August 25<sup>th</sup>, 2000.

24                   **THE COMMISSIONER:** All right. So that will  
25 be Exhibit 770.



1 carefully review them and ensure there were no allegations  
2 that would cause concern.

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

4 All right. So we've done C-771. How many  
5 exhibits were you ---

6 **MS. SIMMS:** And I think -- excuse me, Mr.  
7 Commissioner. I think we agreed that the -- it will be  
8 interim confidentiality on the printouts.

9 **THE COMMISSIONER:** Yes. Okay. Interim,  
10 yes, so I'll put an "I" -- "IC".

11 So and how many -- just to give me an idea,  
12 how many exhibits are we going to be going through right  
13 now?

14 **MS. SIMMS:** We are going through ---

15 **THE COMMISSIONER:** Ballpark, 20, 30, 40?

16 **MS. SIMMS:** Eighty (80).

17 **THE COMMISSIONER:** Eighty (80)? Okay. So  
18 let's go slowly and make sure that the Clerk keeps up with  
19 you.

20 **MS. SIMMS:** And so the next is Doc. Number  
21 100537.

22 **THE COMMISSIONER:** Yes. Right. And that is  
23 an employee information report.

24 **MS. SIMMS:** Yes.

25 **THE COMMISSIONER:** And that's dated the 24<sup>th</sup>

1 of August 2000 and it's Exhibit 772.

2 ---EXHIBIT NO./PIÈCE NO P-772:

3 (100537) Employee information report dated  
4 Aug. 24, 2000

5 **MS. SIMMS:** The next is Doc. Number 100546.

6 **THE COMMISSIONER:** Yes, and that's a  
7 memorandum to Deborah Newman, Regional Director, East  
8 Region, and to Lori Potter, Deputy Regional Director from  
9 Claude N. Legault, Acting Area Manager, August 28<sup>th</sup>, 2000.  
10 So that's Exhibit 773.

11 --- EXHIBIT NO./PIÈCE NO. P-773:

12 Memorandum to Deborah Newman, Regional  
13 Director, East Region, and to Lori  
14 Potter, Deputy Regional Director from  
15 Claude Legault, Acting Area Manager,  
16 August 28<sup>th</sup>, 2000

17 **MS. SIMMS:** Next is Document No. 101708.

18 **THE COMMISSIONER:** That's a Court of Appeal  
19 decision of Mr. Justices Laskin, Feldman and Gillese, I  
20 think, and that's *Her Majesty The Queen v. Leduc*, Exhibit  
21 774.

22 --- EXHIBIT NO./PIÈCE NO. P-774:

23 (101708) Court of Appeal decision of  
24 Mr. Justices Laskin, Feldman and  
25 Gillese, *Her Majesty The Queen v. Leduc*

1                   **MS. SIMMS:** Next is Document No. 101815.

2                   **THE COMMISSIONER:** That will be Exhibit 775.

3                   It's a letter to Seaway News dated October 14<sup>th</sup>, 1994. And  
4                   there's a couple of them, I guess, from Colin McKinnon, as  
5                   he then was QC. And then there's another letter in  
6                   there, October 18<sup>th</sup>, addressed to Carson Chisholm from Colin  
7                   McKinnon, QC.

8                   **--- EXHIBIT NO./PIÈCE NO. P-775:**

9                                   (101815) Letter to Seaway News dated  
10                                   October 14<sup>th</sup>, 1994 from Colin McKinnon,  
11                                   QC  
12                                   Letter addressed to Carson Chisholm  
13                                   from Colin McKinnon, QC dated October  
14                                   18<sup>th</sup>, 1994

15                   **MS. SIMMS:** The next Doc No. is 103025.

16                   **THE COMMISSIONER:** All right, you'll have to  
17                   help me ---

18                   **MS. SIMMS:** This is -- I will help you with  
19                   this. This is an extract from the Project Truth website.  
20                   It was the attachment to the previous exhibit.

21                   **THE COMMISSIONER:** All right, C-776. IC,  
22                   Madam Clerk. It should be IC, as in Interim Confidential.

23                   **--- EXHIBIT NO./PIÈCE NO. IC-776:**

24                                   (103025) Extract from the Project Truth  
25                                   website

1                   **MS. SIMMS:** Next document is 103112.

2                   **THE COMMISSIONER:** All right, and that's a  
3 transcript of the Contempt of Court charged before the  
4 Honourable Mr. Justice C. McKinnon. And the accused is --  
5 it's *Her Majesty The Queen v. Nadeau*. It looks like a  
6 transcript. It's 777 will be the exhibit number.

7                   **--- EXHIBIT NO./PIÈCE NO. P-777:**

8                                   (103112) Transcript of the Contempt of  
9 Court charged before the Honourable Mr.  
10 Justice C. McKinnon in *Her Majesty the*  
11 *Queen v. Nadeau*.

12                   **MS. SIMMS:** The next is 109004.

13                   **THE COMMISSIONER:** It's a publication ban  
14 document 778; it's a letter -- or memorandum, sorry -- from  
15 Brian Saunderson to the file. The subject matter is Father  
16 Kevin Maloney, and it's dated October 26<sup>th</sup>, 2000.

17                   **--- EXHIBIT NO./PIÈCE NO. P-778:**

18                                   (109004) Memorandum from Brian  
19 Saunderson to the file re Father Kevin  
20 Maloney dated October 26<sup>th</sup>, 2000.

21                   **MS. SIMMS:** The next Document number is  
22 109979. Oh, I apologize. Disregard that, it's already  
23 entered as an exhibit. So the next would be 111185.

24                   **THE COMMISSIONER:** All right, so this is a  
25 letter to Detective Inspector Pat Hall dated October 25<sup>th</sup>,

1 2000 from Claudette Wilhelm, Assistant Crown Attorney.  
2 That'll be Exhibit 779.

3 --- EXHIBIT NO./PIÈCE NO. P-779:

4 (111185) Letter to Detective Inspector  
5 Pat Hall dated October 25<sup>th</sup>, 2000 from  
6 Claudette Wilhelm, Assistant Crown  
7 Attorney

8 MS. SIMMS: Next is 112975.

9 THE COMMISSIONER: Okay. So this is what  
10 now? An article that appeared in the Toronto Star, January  
11 19<sup>th</sup>, 2001. And that'll be Exhibit 780.

12 --- EXHIBIT NO./PIÈCE NO. P-780:

13 (112975) Article in the Toronto Star,  
14 January 19<sup>th</sup>, 2001

15 MS. SIMMS: The next is 112988. This is a  
16 transcript from proceedings that were subject to a  
17 publication ban.

18 THE COMMISSIONER: Yes, it's *Her Majesty The*  
19 *Queen v. Jacques Leduc*. This looks like a judgment. It's  
20 dated October 4<sup>th</sup> and 5<sup>th</sup>, 2004; Exhibit 781.

21 --- EXHIBIT NO./PIÈCE NO. P-781:

22 (112988) Judgment re *Her Majesty the*  
23 *Queen v. Jacques Leduc* dated October 4<sup>th</sup>  
24 and 5<sup>th</sup>, 2004

25 MS. SIMMS: The next is 116131.



1                   **THE COMMISSIONER:** All right, and these are  
2 proceedings for a motion for re-election before the  
3 Honourable Mr. Justice McKinnon and it's dated January 16<sup>th</sup>,  
4 2001 dealing with *Her Majesty the Queen v. Jacques Leduc*;  
5 Exhibit 782.

6                   **--- EXHIBIT NO./PIÈCE NO. P-782:**

7                                   (116131) Proceedings for motion for re-  
8 election before the Honourable Mr.  
9 Justice McKinnon dated January 16<sup>th</sup>,  
10 2001 dealing with *Her Majesty The Queen*  
11 *v. Jacques Leduc*

12                   **MS. SIMMS:** And there's a publication ban on  
13 that as well.

14                                   The next is 116932. Another transcript.

15                   **THE COMMISSIONER:** All right. And there's  
16 another publication ban on that. Again, this is *Her Majesty*  
17 *The Queen v. Leduc*. Transcript dated January 16<sup>th</sup>, 2001;  
18 Exhibit 783.

19                   **--- EXHIBIT NO./PIÈCE NO. P-783:**

20                                   (116932) Transcript dated January 16<sup>th</sup>,  
21 2001 re *Her Majesty the Queen v. Leduc*

22                   **MS. SIMMS:** The next is 116133. Again,  
23 there's a publication ban.

24                   **THE COMMISSIONER:** Yes, there is. And it  
25 again is proceedings at trial in the Leduc matter, Exhibit

1 784. And that's January 16<sup>th</sup>, 2001.

2 --- EXHIBIT NO./PIÈCE NO. P-784:

3 (116133) Proceedings at trial in the  
4 Leduc matter dated January 16<sup>th</sup>, 2001

5 MS. SIMMS: The next is 116137. And another  
6 publication ban with respect to that.

7 THE COMMISSIONER: Yes. This is again a  
8 transcript of proceedings at trial in the Leduc matter  
9 before Mr. Justice McKinnon, January 16<sup>th</sup>, 2001, Exhibit  
10 785.

11 --- EXHIBIT NO./PIÈCE NO. P-785:

12 (116137) Transcript of proceedings at  
13 trial in the Leduc matter before Mr.  
14 Justice McKinnon dated January 16<sup>th</sup>,  
15 2001

16 MS. SIMMS: Next is 116148.

17 THE COMMISSIONER: Thank you. And this  
18 would be again a publication ban, a transcript of  
19 proceedings on application for stay of proceedings, Exhibit  
20 786. And this document again is dated January 16<sup>th</sup>, 2001.

21 --- EXHIBIT NO./PIÈCE NO. P-786:

22 (116148) Transcript of proceedings on  
23 application for a stay of proceedings  
24 dated February 19<sup>th</sup>, 2001.

25 MS. SIMMS: Next is 116149.

1                   **THE COMMISSIONER:** Actually -- sorry -- I am  
2 making a mistake here. The order of -- the date I had  
3 given is the date of the Order -- 46(3) Order. The  
4 transcript release date is February 19<sup>th</sup>, 2001.

5                   **MS. SIMMS:** So the next is 116149.

6                   **THE COMMISSIONER:** All right. This is a  
7 transcript in the Leduc matter dated February 20<sup>th</sup>, 2001,  
8 and it will be Exhibit 787.

9                   **--- EXHIBIT NO./PIÈCE NO. P-787:**

10                                   (116149) Transcript in the Leduc matter  
11                                   dated February 20<sup>th</sup>, 2001

12                   **MS. SIMMS:** And it's subject to an existing  
13 publication ban. The next is 116150.

14                   **THE COMMISSIONER:** Again these are  
15 proceedings in the Leduc matter before the Honourable Mr.  
16 Justice J. Chadwick on February 21<sup>st</sup>, 2001, Exhibit 788.

17                   **--- EXHIBIT NO./PIÈCE NO. P-788:**

18                                   (116150) Proceedings in the Leduc  
19                                   matter before the Honourable Mr.  
20                                   Justice J. Chadwick on February 21<sup>st</sup>,  
21                                   2001

22                   **MS. SIMMS:** The next is 116191. Now this is  
23 a Crown brief that includes printouts of Mr. Nadeau's  
24 website. So we'd ask that this be marked Interim  
25 Confidential.

1                   **THE COMMISSIONER:** It's IC-789. And it's  
2 the Crown brief prepared by the OPP.

3                   **MS. SIMMS:** It's Volume 1 of the Crown  
4 brief.

5                   **THE COMMISSIONER:** Volume 1 is right.

6                   **--- EXHIBIT NO./PIÈCE NO. IC-789:**

7                                   (116191) Volume 1 of Crown brief  
8                                   including printouts of Mr. Nadeau's  
9                                   website

10                   **MS. SIMMS:** And next is 116192. Again it's  
11 dealing with the website, and so we'd ask that it be  
12 Interim Confidential.

13                   **THE COMMISSIONER:** It's 790. This is Volume  
14 2 of the Crown brief, IC-790.

15                   **--- EXHIBIT NO./PIÈCE NO. IC-790:**

16                                   (116192) Volume 2 of Crown brief

17                   **MS. SIMMS:** And the next document that we're  
18 going to exhibit or enter is the Volume 3 of the Crown  
19 brief. We've excerpted a portion of that as being  
20 confidential and the remainder will be public but subject  
21 to publication bans.

22                                   So the first portion is 116193, Bates page  
23 number 1085749 to 1085781. And we would ask that this be  
24 marked as Exhibit 791-A with a flagging that there's a  
25 publication ban.

1                   **THE COMMISSIONER:** This is Volume 3 of --  
2 part of Volume 3 of the Crown brief on the Nadeau matter  
3 and it will be 791-A.

4                   **--- EXHIBIT NO./PIÈCE NO. P-791A:**

5                                   (116193) Part of Volume 3 of Crown  
6                                   brief on the Nadeau matter (Bates page  
7                                   number 1085749 to 1085781)

8                   **MS. SIMMS:** And the next is the same  
9 document, Bates pages 1085782 to 1085789. And this portion  
10 is an excerpt from the website, so we'd ask that it be  
11 marked Interim C-791B.

12                   **THE COMMISSIONER:** Exhibit -- now what's  
13 this about? These are excerpts of the Dick Nadeau website,  
14 can we call it that?

15                   **MS. SIMMS:** Yes.

16                   **THE COMMISSIONER:** And it will be IC-791B.

17                   **--- EXHIBIT NO./PIÈCE NO. IC-791-B:**

18                                   (116193) Excerpts of the Dick Nadeau  
19                                   website (Bates pages 1085782 to  
20                                   1085789)

21                   **MS. SIMMS:** Okay. The next is 122921.

22                   **THE COMMISSIONER:** Exhibit 792. Now what is  
23 this?

24                   **MS. SIMMS:** I believe it's titled as a  
25 Letter to the Editor from Dick Nadeau.

1                   **THE COMMISSIONER:** Yes. Okay. Is that --  
2                   yes. All right, so Exhibit 792 is a Letter to the Standard  
3                   Freeholder Editor, and it's from Dick Nadeau, March 15<sup>th</sup>,  
4                   2000.

5                   **--- EXHIBIT NO./PIÈCE NO. P-792:**

6                                   (122921) Letter to the Standard  
7                                   Freeholder Editor from Dick Nadeau  
8                                   dated March 15<sup>th</sup>, 2000

9                   **MS. SIMMS:** The next document is 122929. It  
10                   is a printout from Dick Nadeau's website, so we are asking  
11                   it be Interim Confidential.

12                   **THE COMMISSIONER:** Yes, so Project Truth  
13                   July 2000, portions of the Dick Nadeau website, IC-793.

14                   **--- EXHIBIT NO./PIÈCE NO. IC-793:**

15                                   (122929) Project Truth July 2000,  
16                                   portions of the Dick Nadeau website

17                   **MS. SIMMS:** The next is 123277, and that's a  
18                   Standard Freeholder article.

19                   **THE COMMISSIONER:** Yes, dated Tuesday,  
20                   January 23<sup>rd</sup>, 2001, Exhibit 794.

21                   **--- EXHIBIT NO./PIÈCE NO. P-794:**

22                                   (123277) Standard Freeholder article  
23                                   dated January 23, 2001

24                   **MS. SIMMS:** The next is 123278.

25                   **THE COMMISSIONER:** This is an article dated

1 April 12<sup>th</sup>, 2001 in the Standard Freeholder, Exhibit 795.

2 --- EXHIBIT NO./PIÈCE NO. P-795:

3 (123278) Standard Freeholder article

4 dated April 12, 2001

5 MS. SIMMS: The next is 123282.

6 THE COMMISSIONER: So help me out here -- or  
7 this is -- right, I'm sorry -- an article from the Standard  
8 Freeholder, Tuesday August 28<sup>th</sup>, I think, 2001 by Frank  
9 MacEachern, and it will be Exhibit 796.

10 --- EXHIBIT NO./PIÈCE NO. P-796:

11 (123282) Standard Freeholder article by

12 Frank MacEachern, dated August 28, 2001

13 MS. SIMMS: The next is 123283.

14 THE COMMISSIONER: This is an article dated  
15 September 22<sup>nd</sup>, I believe, 2000 and it's an article in the  
16 Standard Freeholder by Brian Parker, Exhibit 797.

17 --- EXHIBIT NO./PIÈCE NO. P-797:

18 (123283) Standard Freeholder article by

19 Brian Parker, dated September 22, 2000

20 MS. SIMMS: The next is 123284.

21 THE COMMISSIONER: This is a Standard  
22 Freeholder article dated July 5<sup>th</sup>, 2000, Exhibit 798.

23 --- EXHIBIT NO./PIÈCE NO. P-798:

24 (123284) Standard Freeholder article

25 dated July 5, 2000

1                   **MS. SIMMS:** The next is 124063.

2                   **THE COMMISSIONER:** This is a Statement of  
3 Claim, Exhibit 799, with Bernard Cameron et al as  
4 Plaintiffs and James Bateman et al as Defendants.

5                   **--- EXHIBIT NO./PIÈCE NO. P-799:**

6                                   (124063) Statement of Claim - Bernard  
7 Cameron et al v. James Bateman et al

8                   **MS. SIMMS:** The next is 200087.

9                   **THE COMMISSIONER:** Thank you. And that is  
10 Cornwall Police Service interview, July 5, 2000 with Dick  
11 Nadeau. And that will be Exhibit 800.

12                   **--- EXHIBIT NO./PIÈCE NO. P-800:**

13                                   (200087) Cornwall Police Service -  
14 Interview of Richard Nadeau - July 5,  
15 2000

16                   **MS. SIMMS:** The next is 200154.

17                   **THE COMMISSIONER:** This is a letter to  
18 Richard Nadeau from David Sherriff-Scott dated August 23<sup>rd</sup>,  
19 2001.

20                   **--- EXHIBIT NO./PIÈCE NO. P-801:**

21                                   (200154) Letter to Richard Nadeau from  
22 David Sherriff-Scott dated August 23,  
23 2001

24                   **MS. SIMMS:** The next is 200156.

25                   **THE COMMISSIONER:** Okay. Exhibit 802 is a



1 consent to dismissal of an action against Dick Nadeau  
2 without costs. Exhibit 802.

3 --- EXHIBIT NO./PIÈCE NO. P-802:

4 (200156) Consent to dismissal of action  
5 against Richard Nadeau without costs.

6 MS. SIMMS: The next is 705911, and there  
7 are individuals with publication bans in this document.

8 THE COMMISSIONER: All right. This is --  
9 what are we going to call this? An occurrence report of  
10 the OPP dated the 15<sup>th</sup> of March 2001. So Exhibit 803.

11 --- EXHIBIT NO./PIÈCE NO. P-803:

12 (705911) OPP Occurrence Report - March  
13 15, 2001

14 MS. SIMMS: The next is 705953.

15 THE COMMISSIONER: Reasons for Judgment in  
16 the matter of Her Majesty the Queen and Richard Nadeau  
17 dated August 7<sup>th</sup>, 2001, Exhibit 804.

18 --- EXHIBIT NO./PIÈCE NO. P-804:

19 (705953) Reasons for Judgment - Her  
20 Majesty the Queen v. Richard Nadeau,  
21 dated August 7, 2001

22 MS. SIMMS: The next is 708700.

23 If you could just give me a moment, Mr.  
24 Commissioner?

25 THE COMMISSIONER: Sure.

1                   **MS. SIMMS:** Mr. Commissioner, this document  
2 refers to C-8, so I would suggest we enter this as a  
3 confidential document.

4                   **THE COMMISSIONER:** Okay. We'll put it in as  
5 an IC. So it's an interim. I'll deal with these matters  
6 after I've read them. IC-805.

7                   **--- EXHIBIT NO./PIÈCE NO. IC-805:**

8                                   (708700) Document pertaining to C-8

9                   **MS. SIMMS:** The next is an excerpt. It's  
10 Doc. number 711642. The Bates page number is 704415526.

11                   **THE COMMISSIONER:** Okay. So what is this  
12 now? These are notes?

13                   **MS. SIMMS:** These are handwritten notes of  
14 Detective Constable Genier of the OPP.

15                   **THE COMMISSIONER:** Fine. Then it's an  
16 excerpt of his notes. Eight-zero-six (806) will be the  
17 exhibit number.

18                   **--- EXHIBIT NO./PIÈCE NO. P-806:**

19                                   (711642 - 704415526) Excerpt of  
20                                   handwritten notes of Detective  
21                                   Constable Genier of the OPP

22                   **MS. SIMMS:** The next is 713080.

23                   **THE COMMISSIONER:** Videotaped interview  
24 report of Richard Nadeau. The date of the interview is the  
25 14<sup>th</sup> of November 1997, and this is with Detective Constable

1 Genier, Exhibit 807.

2 --- EXHIBIT NO./PIÈCE NO. P-807:

3 (713080) Videotaped Interview Report  
4 between Richard Nadeau and Detective  
5 Constable Genier - November 14, 1997

6 MS. SIMMS: The next is 714622. This is an  
7 extract from the Project -- from Dick Nadeau's website, but  
8 it can be entered as a public exhibit.

9 THE COMMISSIONER: Yes. So Exhibit 808 will  
10 be a public exhibit. It's a one-page document entitled  
11 Project Truth II. Is there a date? April -- well, it says  
12 "Website has been closed as of Friday, April 13<sup>th</sup>, 2001."

13 --- EXHIBIT NO./PIÈCE NO. P-808:

14 (714622) Extract from Project Truth II  
15 website

16 MS. SIMMS: The next is an extract. It's  
17 Document number 721620, Bates page 7080496.

18 THE COMMISSIONER: It is a CAS Note to File  
19 by Mr. Abell describing the Project Blue Project and it's  
20 Exhibit 809.

21 --- EXHIBIT NO./PIÈCE NO. P-809:

22 (721620 - 7080496) CAS Note to File by  
23 Mr. Abell

24 MS. SIMMS: The next is 725113.

25 THE COMMISSIONER: This is a letter dated

1 April 5<sup>th</sup>, 2001 to Terry Cooper from Justice Colin McKinnon.  
2 I'm sorry ---

3 **MS. SIMMS:** Sorry.

4 **THE COMMISSIONER:** If I said -- this is a  
5 letter that Mr. Justice Colin McKinnon is sending to the  
6 Assistant Crown Attorney. Okay.

7 **MS. SIMMS:** Okay? And that was 810?

8 **THE COMMISSIONER:** Eight-ten (810), sorry.

9 --- **EXHIBIT NO./PIÈCE NO. P-810**

10 (725113) Letter from Justice Colin  
11 McKinnon to Mr. Terry Cooper - April 5,  
12 2001

13 **MS. SIMMS:** Okay. The next document, we'd  
14 ask that there be confidentiality measures on a portion of  
15 it. So the first portion is -- it's Doc number 725114,  
16 Bates page 7098204, and this is a letter to Mr. Yegendorf  
17 from the Honourable Justice Colin McKinnon. And that can  
18 be public.

19 **THE COMMISSIONER:** All right. Exhibit  
20 811(A) is a letter again from Mr. Justice Colin McKinnon to  
21 Mr. Yegendorf and copied to the Assistant Crown Attorney,  
22 dated April 5<sup>th</sup>, 2001.

23 --- **EXHIBIT NO./PIÈCE NO. P-811(A):**

24 (725114 - 7098204) Letter from Justice  
25 Colin McKinnon to Mr. Yegendorf, copied

1 to Assistant Crown Attorney - April 5,  
2 2001

3 **MS. SIMMS:** Mr. Commissioner, I would like -  
4 - the next excerpt is 709820508. I have it marked as  
5 confidential because it's an excerpt from a website. So if  
6 we could mark it interim confidential and I'll review that  
7 document?

8 **THE COMMISSIONER:** Thank you. Again, IC-  
9 811(B).

10 --- **EXHIBIT NO./PIÈCE NO. IC-811(B):**

11 (709820508) Excerpt from website

12 **MS. SIMMS:** The next is Document number  
13 726315.

14 **THE COMMISSIONER:** This is a newspaper  
15 article, Saturday, September 8<sup>th</sup>, 2001. I don't know what  
16 newspaper it is.

17 **MS. SIMMS:** I don't know either, Mr.  
18 Commissioner.

19 **THE COMMISSIONER:** By Jake Rupert. In any  
20 event, Exhibit 812.

21 --- **EXHIBIT NO./PIÈCE NO. P-812:**

22 (726315) Newspaper article by Jake  
23 Rupert - September 8, 2001

24 **MS. SIMMS:** The next is 726492.

25 **THE COMMISSIONER:** A letter dated the 12<sup>th</sup> of

1 June 2000 and addressed to the Regional Director of Crown  
2 Attorneys, Mr. James Stewart and from Detective Inspector  
3 Pat Hall.

4 --- EXHIBIT NO./PIÈCE NO. P-813:

5 (726492) Letter to Regional Director of  
6 Crown Attorneys, Mr. James Stewart from  
7 Detective Inspector Pat Hall - June 12,  
8 2000

9 MS. SIMMS: The next is 726797 and there are  
10 names that are subject to a publication ban.

11 THE COMMISSIONER: Very well. These are  
12 notes -- no, this is the Will Say of Patrick R. Hall,  
13 Detective Inspector. I don't see a date here. In any  
14 event, Exhibit 814.

15 --- EXHIBIT NO./PIÈCE NO. P-814:

16 (726797) Will Say of Detective  
17 Inspector Patrick R. Hall

18 MS. SIMMS: The next is 726824. I have it  
19 described as a WHOIS search results.

20 THE COMMISSIONER: Really? That's helpful.  
21 What's a WHOIS?

22 MS. SIMMS: M'hm.

23 THE COMMISSIONER: M'hm. Let's say that  
24 this is a -- let's see. Oh, I get it. I think it's a  
25 search to see if somebody has got a domain name.

1                   **MS. SIMMS:** Right. It was run on Mr.  
2 Nadeau's website.

3                   **THE COMMISSIONER:** Right. Okay. Exhibit  
4 815.

5                   **--- EXHIBIT NO./PIÈCE NO. P-815:**

6                                   (726824) WHOIS Search Results run on  
7 Richard Nadeau's website

8                   **MS. SIMMS:** The next is 726833.

9                   **THE COMMISSIONER:** This is an audio taped  
10 interview report of Richard Nadeau dated August 8<sup>th</sup>, 2000 by  
11 Detective Constable Dupuis of the OPP. Exhibit 816.

12                   **--- EXHIBIT NO./PIÈCE No P-816:**

13                                   (726833) Audio taped interview report  
14 of Richard Nadeau by OPP Detective  
15 Constable Dupuis, dated August 8, 2000.

16                   **MS. SIMMS:** The next is 727598.

17                   **THE COMMISSIONER:** Exhibit 817 is an audio  
18 taped interview report of Richard Nadeau on the 20<sup>th</sup> of  
19 September 2000 by Detective Constable Genier and Detective  
20 Constable MacLeod -- did I say the date? Yes, September  
21 20<sup>th</sup>, 2000; Exhibit 817.

22                   **--- EXHIBIT NO./PIÈCE No P-817:**

23                                   (727598) Audio taped interview report  
24 of Richard Nadeau by Detective  
25 Constable Genier and Detective

1 Constable MacLeod, dated September 20,  
2 2000

3 **MS. SIMMS:** The next is 727641.

4 **THE COMMISSIONER:** General Occurrence Report  
5 dated August 30<sup>th</sup>, 2000 I believe.

6 **MS. SIMMS:** Yes.

7 **THE COMMISSIONER:** And that's Exhibit 818.

8 **--- EXHIBIT NO./PIÈCE No P-818:**

9 (727641) General Occurrence Report  
10 dated August 30, 2000.

11 **MS. SIMMS:** The next is 727730. It's an  
12 excerpt, Bates pages 7107151, 7107179 to 7107182. And this  
13 is an excerpt from OPP Detective Constable Don Genier's  
14 handwritten notes, and it should be subject to a  
15 publication ban.

16 **THE COMMISSIONER:** All right. It's Exhibit  
17 819.

18 **--- EXHIBIT NO./PIÈCE No P-819:**

19 (727730 - 7107151, 7107179-82) Excerpt  
20 from OPP Detective Constable Don  
21 Genier's handwritten notes

22 **MS. SIMMS:** The next is 727731. It's an  
23 excerpt, Bates pages 7107305 to 7107309. It is an excerpt  
24 from OPP Detective Constable Genier's handwritten notes and  
25 it is subject to publication ban.



1                   **THE COMMISSIONER:** Exhibit 820.

2           **--- EXHIBIT NO./PIÈCE No P-820:**

3                                   (727731 - 7107305-09) Excerpt from OPP  
4                                   Detective Constable Genier's  
5                                   handwritten notes

6                   **MS. SIMMS:** The next is extracts; it's  
7 Document number 727733, Bates pages 7107672, 7107749,  
8 7107757 to 7107758, and it is handwritten notes of  
9 Detective Constable Don Genier of the OPP.

10                   **THE COMMISSIONER:** Hold on. We have hit a  
11 glitch.

12                                   All right. So that will be Exhibit 821.

13           **--- EXHIBIT NO./PIÈCE No P-821:**

14                                   (727733 - 7107672, 7107749, 7107757-58)  
15                                   Handwritten notes of OPP Detective  
16                                   Constable Don Genier

17                   **MS. SIMMS:** The next 727734. And it's an  
18 extract; Bates pages are 7108005, 7108012 to 7108013;  
19 710883 to 5. It is also an extract from OPP Detective  
20 Constable Don Genier's notes.

21                   **THE COMMISSIONER:** Okay. Do you have a  
22 paper clip, Madam Clerk, just so we can -- this is all one  
23 exhibit?

24                   **MS. SIMMS:** One exhibit.

25                   **THE COMMISSIONER:** Eight twenty two (822).



1                   **MS. SIMMS:** The next is 727758. There is a  
2 number of Bates pages: 7110591 to 7110592; 7110594 to  
3 7110595; 7110596; 7110600; 7110603 to 7110604; 7110607;  
4 7110608; 7110611; 7110620 to 7110622; 7110631 to 7110632;  
5 7110636; 7110638 to 7110642; 7110645 to 7110649; 7110650;  
6 7110654 to 7110655; 7110659; 7110681; 7110684. These are  
7 extracts from Detective Inspector Pat Hall's handwritten  
8 notes and they are subject to publication ban.

9                   **THE COMMISSIONER:** Exhibit number -- oops,  
10 we don't have an exhibit number, Madam Clerk? Eight  
11 hundred and twenty-five (825).

12                   **--- EXHIBIT NO./PIÈCE No P-825:**

13   (727758 - 7110591-92; 7110594-95;  
14   7110596; 7110600; 7110603-04; 7110607;  
15   7110608; 7110611; 7110620-22; 7110631-  
16   32; 7110636; 7110638-42; 7110645-49;  
17   7110650; 7110654-55; 711659; 711681;  
18   7110684) Extracts from Detective  
19   Inspector Pat Hall's handwritten notes

20                   **MS. SIMMS:** The next is an extract 727759,  
21 Bates page numbers 7110502; 7110780 to 7110785; and  
22 7110786. These are extracts from Detective Inspector Pat  
23 Hall's handwritten notes and they are subject to  
24 publication ban.

25                   **THE COMMISSIONER:** Eight hundred and twenty

1 six (826) is the exhibit number.

2 --- EXHIBIT NO./PIÈCE No P-826:

3 (727759 - 7110502; 7110780- 85;  
4 7110786) Extracts from Detective  
5 Inspector Pat Hall's handwritten notes

6 MS. SIMMS: The next is Doc. number 727760.  
7 It's an extract with Bates pages 7110860 to 7110861;  
8 Extract from Detective Inspector Pat Hall's handwritten  
9 notes.

10 THE COMMISSIONER: Exhibit number 827.

11 --- EXHIBIT NO./PIÈCE No P-827:

12 (727760 - 7110860-61) Extract from  
13 Detective Inspector Pat Hall's  
14 handwritten notes

15 MS. SIMMS: The next is Doc. number 730144.  
16 It's a Seaway News article.

17 THE COMMISSIONER: Exhibit No. 828.

18 --- EXHIBIT NO./PIÈCE No P-828:

19 (730144) Seaway News article.

20 MS. SIMMS: The next is Doc. number 730269.  
21 It's a Standard Freeholder article; I don't have the date.

22 THE COMMISSIONER: February 16<sup>th</sup>, 2001;  
23 Standard Freeholder; 829.

24 --- EXHIBIT NO./PIÈCE No P-829:

25 (730269) Standard Freeholder article

1 dated February 16, 2001

2 **MS. SIMMS:** The next is 730280. I  
3 apologize, Mr. Commissioner. Can you tell me what the last  
4 document number was?

5 **THE COMMISSIONER:** Which one?

6 **MS. SIMMS:** Your last exhibit number.

7 **THE COMMISSIONER:** Eight twenty-nine (829)  
8 is the Standard Freeholder one.

9 **MS. SIMMS:** Okay, sorry. Yes, the next  
10 document number is 730280.

11 **THE COMMISSIONER:** It's the General  
12 Occurrence Report, 24<sup>th</sup> of May 2000. Exhibit 830.

13 --- EXHIBIT NO./PIÈCE No P-830:

14 (730280) General Occurrence Report, May  
15 24, 2000.

16 **MS. SIMMS:** The next is 730288. A Standard  
17 Freeholder article dated August 26<sup>th</sup>, 2000.

18 **THE COMMISSIONER:** Yes, 831.

19 --- EXHIBIT NO./PIÈCE No P-831:

20 (730288) Standard Freeholder article  
21 dated August 26, 2000

22 **MS. SIMMS:** The next is document number  
23 730347. It is a Standard Freeholder article, dated August  
24 9<sup>th</sup>, 2001.

25 **THE COMMISSIONER:** Yes. From Terri

1           Saunders, 832.

2           **--- EXHIBIT NO./PIÈCE NO. P-832:**

3                           (730347) Standard Freeholder Article - Dated  
4                           August 9, 2001 - Terri Saunders

5           **MS. SIMMS:** And the next is document number  
6           730690.

7           **THE COMMISSIONER:** It's an IC number, 833?

8           **MS. SIMMS:** That's right. Interim 'C'.

9           **THE COMMISSIONER:** Okay.

10          **--- EXHIBIT NO./PIÈCE NO. IC-833:**

11                           (730690)

12          **MS. SIMMS:** And the next is 731851.

13          **THE COMMISSIONER:** And this is a letter to  
14          Chief Anthony Repa from Dick Nadeau, dated September 7<sup>th</sup>,  
15          2000. That's 834.

16          **--- EXHIBIT NO./PIÈCE NO. P-834:**

17                           (731851) Letter to Chief Anthony Repa from  
18                           Richard Nadeau - Dated September 7, 2000

19          **MS. SIMMS:** The next is an extract. It's  
20          document number 733263, Bates pages 7129269 to 71.

21          **THE COMMISSIONER:** Subject matter of a  
22          publication ban?

23          **MS. SIMMS:** It is subject to a publication  
24          ban, and it is an extract from the handwritten notes of  
25          Detective Constable Steve Seguin.

1                   **THE COMMISSIONER:** Exhibit 835.

2           **--- EXHIBIT NO./PIÈCE NO. P-835:**

3                   (733263) Extract from Handwritten Notes of  
4                   Detective Constable Steve Seguin - Bates  
5                   Pages 7129269 to 7129271

6                   **MS. SIMMS:** The next is document number  
7                   733264. It's an extract, Bates pages 7129525 to 6. It's  
8                   subject to publication ban.

9                   **THE COMMISSIONER:** I'm sorry. Extracts of  
10                  whose notes though?

11                  **MS. SIMMS:** Detective Constable Steve  
12                  Seguin.

13                  **THE COMMISSIONER:** Eight hundred and thirty-  
14                  six (836).

15           **--- EXHIBIT NO./PIÈCE NO. P-836:**

16                  (733264) Extract from Notes of Detective  
17                  Constable Steve Seguin - Bates Pages 7129525  
18                  to 7129526

19                  **MS. SIMMS:** The next is document number  
20                  733265.

21                  **THE COMMISSIONER:** Thank you. Exhibit 837.  
22                  These are excerpts again of some police officer's notes?

23                  **MS. SIMMS:** Yeah. I'm just checking and I -  
24                  - they are extracts from Detective Constable Steve Seguin's  
25                  notes.

1                   **THE COMMISSIONER:** Okay, 837.

2           **--- EXHIBIT NO./PIÈCE NO. P-837:**

3                   (733265) Extracts from Handwritten Notes of  
4                   Detective Constable Steve Seguin

5                   **MS. SIMMS:** The next is 733626. It's an  
6                   extract, Bates page 7131918.

7                   **THE COMMISSIONER:** Exhibit ---

8                   **MS. SIMMS:** And it ---

9                   **THE COMMISSIONER:** I'm sorry.

10                   **MS. SIMMS:** It's an extract from Detective  
11                   Constable Dupuis handwritten notes.

12                   **THE COMMISSIONER:** Eight hundred and thirty-  
13                   eight (838).

14           **--- EXHIBIT NO./PIÈCE NO. P-838:**

15                   (733265) Extract from Handwritten Notes of  
16                   Detective Constable Dupuis - Bates Page  
17                   7131918

18                   **MS. SIMMS:** The next is 734372. It's notes  
19                   of Sergeant Rick Carter and it's subject to a publication  
20                   ban.

21                   **MS. SIMMS:** Eight hundred and thirty-nine  
22                   (839).

23           **--- EXHIBIT NO./PIÈCE NO. P-839:**

24                   (734372) Extract from Notes of Sergeant Rick  
25                   Carter



1                   **MS. SIMMS:** The next is 735048. It's an  
2 extract Bates page 7137269 to 70. And it's an extract from  
3 the notes of Sergeant Carter.

4                   **THE COMMISSIONER:** Exhibit 840.

5                   **--- EXHIBIT NO./PIÈCE NO. P-840:**

6                   (735048) Extract from Notes of Sergeant Rick  
7 Carter - Bates Pages 7137269 to 7136270

8                   **MS. SIMMS:** The next is document number  
9 735644. It's subject to a publication ban.

10                   **THE COMMISSIONER:** It's a witness statement;  
11 witness is Dick Nadeau. The 2002, the 6<sup>th</sup> of -- no, 20<sup>th</sup> day  
12 of the 6<sup>th</sup> month, 2002. Exhibit 841.

13                   **--- EXHIBIT NO./PIÈCE NO. P-841:**

14                   (735644) Witness Statement of Richard Nadeau  
15 - Dated June 20, 2002

16                   **MS. SIMMS:** The next is 735654, extract,  
17 Bates page 7138804 to 8; 7138818, 7138820. These are  
18 extracts from Detective Sergeant Carroll's handwritten  
19 notes and there's ---

20                   **THE COMMISSIONER:** I'm sorry. Detective  
21 who?

22                   **MS. SIMMS:** Carroll, C-A-R-R-O-L-L.

23                   **THE COMMISSIONER:** Exhibit 842.

24                   **--- EXHIBIT NO./PIÈCE NO. P-842:**

25                   (735654) Extract from Handwritten Notes of

1                   Detective Sergeant Carroll - Bates Pages  
2                   7138804 to 7138808, 7138818, 7138820

3                   **MS. SIMMS:** They're subject to a publication  
4                   ban.

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

6                   **MS. SIMMS:** And the next is 735661. An  
7                   interview report.

8                   **THE COMMISSIONER:** Dated -- I don't know.  
9                   Today is the 21<sup>st</sup> day of May, 2002. It says so. It's  
10                  Exhibit 843.

11                  --- **EXHIBIT NO./PIÈCE NO. P-843:**

12                                 (735661) Interview Report - Dated May 21,  
13                                 2002

14                   **MS. SIMMS:** And it's subject to publication  
15                   ban.

16                                 The next is 737715.

17                   **THE COMMISSIONER:** Just a minute. It is  
18                   subject matter to a -- 843?

19                   **MS. SIMMS:** M'hm. Oh. I apologize. Did I  
20                   misdescribe that?

21                   **THE COMMISSIONER:** Well, it's just -- it's  
22                   like a KGB note showing that as at the date of the  
23                   interview, the witness knows that this is under oath, and  
24                   that anything that would be said would be -- could be used  
25                   against him for purposes of laying a charge. I can't see

1           how that would be subject matter to a publication ban, but  
2           ---

3                   **MS. SIMMS:** No. I apologize, Mr.  
4           Commissioner. You're correct. Perhaps I was referencing  
5           the interview that this is related to, but there's nothing  
6           on this document that would subject it to a ban. So ---

7                   **THE COMMISSIONER:** All right.

8                   **MS. SIMMS:** The next is 737715. A  
9           supplementary occurrence report, dated July 26, 2000.

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

11                  **MS. SIMMS:** And last but not least ---

12                  **THE COMMISSIONER:** Okay. This is Exhibit  
13           number 844.

14           **--- EXHIBIT NO./PIÈCE NO. P-844:**

15                           (737715) Supplementary Occurrence Report -  
16                           Dated July 26, 2000

17                  **MS. SIMMS:** The next is 738402.

18                  **THE COMMISSIONER:** Okay. This is a  
19           transcript of reasons for judgment on an application for  
20           stay of proceedings before the Honourable Mr. Justice J.  
21           Chadwick, March 1<sup>st</sup>, 2001. That will be Exhibit 845. It  
22           is, of course, subject to a publication ban.

23           **--- EXHIBIT NO./PIÈCE NO. P-845:**

24                           (738402) Transcript of Reasons for Judgment  
25                           on an Application for Stay of Proceedings

1 before the Honourable Mr. Justice J.

2 Chadwick on March 1, 2001

3 **MS. SIMMS:** Thank you for your patience, Mr.  
4 Commissioner.

5 **THE COMMISSIONER:** M'hm. All right. So  
6 just -- so that's it now?

7 **MS. SIMMS:** That's it.

8 **THE COMMISSIONER:** All right. So just a  
9 reminder to myself and to all that -- when we speak of a  
10 publication ban, what we're simply trying to do is identify  
11 to members of the public who may come to the office to look  
12 at documents, that they must be careful not to publish or  
13 broadcast in any way some of the names that are included in  
14 those documents.

15 That is simply to assist people and, of  
16 course, folks who are intending on publishing or  
17 broadcasting have the ultimate onus to ensure that the  
18 bans, whether they're from this Inquiry or existing bans  
19 from criminal proceedings, are honoured.

20 As well, with respect to the interim bans  
21 that I've put on certain documents here today, that's  
22 simply out of an abundance of caution at this point, until  
23 such time as I've had a chance to review them, and then we  
24 will revisit the issue to determine whether or not some or  
25 all of them can be provided to the public for their

1 perusal.

2 Okay? Thank You.

3 So now what do we do?

4 **MS. SIMMS:** Well, I would suggest we proceed  
5 to the overview of documentary evidence.

6 **THE COMMISSIONER:** All right.

7 Exhibit 769.

8 **MS. SIMMS:** And what I was proposing to do  
9 is read the paragraphs into the record and just reference  
10 the exhibits ---

11 **THE COMMISSIONER:** Okay.

12 **MS. SIMMS:** --- that were relied upon in  
13 preparing the document.

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

15 **MS. SIMMS:** So ---

16 **THE COMMISSIONER:** That is a lot of talking  
17 for you. So if at any time you wish to take a break, let  
18 me know.

19 **MS. SIMMS:** I just had a big glass of water.  
20 So ---

21 **THE COMMISSIONER:** All right.

22 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MS. MARY SIMMS :**

23 **MS. SIMMS:** --- I think I'll be able to push  
24 through.

25 Richard Nadeau was born on January 26, 1940;

1 that's referenced in Exhibits 800 and 807. Nadeau grew up  
2 in, quotes:

3 "...Cornwall's east end, as a French  
4 Canadian boy attending Catholic  
5 schools."

6 He alleged that he was first sexually abused  
7 when he was six years old by an employee of the Cornwall  
8 General Hospital; the reference is Exhibit 792.

9 Nadeau also alleged that he was sexually  
10 abused at the age of eight by a male teacher known as  
11 Brother Nicholas, while in grade 5 at Nativity boys'  
12 school.

13 He further alleged that Brother Nicholas did  
14 this, quote:

15 "...to just about everyone in class that  
16 wore short pants and it happened  
17 everyday."

18 Exhibit 792.

19 At the age of nine he became an altar boy.  
20 He later wrote that, quote:

21 "There was nothing I could imagine at  
22 the time that was more important than  
23 serving God and his priests."

24 At the age of 11 he stopped being an altar  
25 boy due to the harassment he alleged he received from two

1 priests, whose names he could not recall.

2 He recounted an incident where one of the  
3 two priests attempted to kiss him while he was getting  
4 ready for mass in the church basement. He stated that he  
5 rejected the attempt and that this was the last mass in  
6 which served as an altar boy; reference Exhibit 792.

7 Nadeau alleged by that by the age of 10 he  
8 was sexually abused by an acquaintance of his family who  
9 had been invited for dinner when his mother was working  
10 late. Nadeau stated that as a result of these alleged  
11 sexual abuses he was distrustful of men, brothers and  
12 priests.

13 **MS. SIMMS:** Brothers as in a member of the  
14 religious order as opposed to his siblings?

15 **MS. SIMMS:** That's what I would interpret it  
16 as.

17 **THE COMMISSIONER:** Thank you.

18 **MS. SIMMS:** Those were his words; it's in  
19 Exhibit 792.

20 **THE COMMISSIONER:** Okay. I'll look at it,  
21 792? Okay.

22 **MS. SIMMS:** On January 18<sup>th</sup>, 2000, Nadeau  
23 reported to Detective Constable Don Genier that in  
24 approximately 1950 he was allegedly abused by a co-worker  
25 of his mother. That's Exhibit 821.

1                   Nadeau stated at the age of 12 he was  
2 recruited by the Clercs St-Viateur to attend the Cornwall  
3 Classic -- Classical College. Having skipped a grade, he  
4 was 12 years old when he entered Grade 9 at the Cornwall  
5 Classical College, Exhibit 792.

6                   According to Nadeau, one of the school's  
7 directives was that each student have a spiritual advisor,  
8 and he chose Father Côté, his English professor. Nadeau  
9 recounted that he became quite close to Father Côté and  
10 viewed him as a role model and confidante. He disclosed  
11 the history of his alleged sexual abuse to Father Côté.

12                   Nadeau further alleged that in the summer  
13 months between Grades 10 and 11, Father Côté sexually  
14 abused him when he slept overnight at the presbytery of St.  
15 Francis de Salles Church in Cornwall. These are reference  
16 to 792, Exhibit 807 and Exhibit 806.

17                   Nadeau stated that as a result of the  
18 alleged sexual abuse by Father Côté, he left the college,  
19 enrolled in Cornwall St. Lawrence High School, beginning in  
20 Grade 11. However, he missed his friends and was  
21 uncomfortable in a co-ed school, so after one month he re-  
22 enrolled in the Cornwall Classical College. He avoided  
23 Father Côté the remainder of that year and chose not to  
24 have a spiritual advisor. Exhibit 792.

25                   Nadeau stated that while in Grade 12 at the



1 Cornwall Classical College, his relationships with his  
2 teachers had changed and that his marks had dropped and he  
3 was no longer first in his class. He alleges that he was  
4 told not to return the following year for his first year of  
5 university. He did not return the following year but did  
6 return the year after. Having returned, he was expelled in  
7 the first month of the school year. Exhibits 792 and 807.

8 Following the completion of his schooling,  
9 Nadeau worked for the Bank of Montreal. Exhibit 807.

10 As of November 13<sup>th</sup>, 1997, Nadeau was on sick  
11 leave from his employment at Heritage Canada and the YMCA  
12 of Ottawa-Carleton, where he worked with Somalian  
13 immigrants and refugees. Exhibit 807 and 819.

14 Richard Nadeau died on April 19<sup>th</sup>, 2006.

15 In his testimony in a Section 11(b) motion  
16 in *R. v. MacDonald*, given on May 2<sup>nd</sup>, 2002, Perry Dunlop  
17 stated that he had met Nadeau shortly before he left  
18 Cornwall, Summer of 2000. He further testified that he did  
19 not make material available to Nadeau to publish on his  
20 website and that although there was material on the website  
21 that came through Dunlop's investigation, Dunlop did not  
22 know how it got there. The reference is Exhibit 721.

23 **THE COMMISSIONER:** Seven-two-one (721)?

24 Yes. Okay.

25 **MS. SIMMS:** It's the transcript of *R. v.*

1           *Charles MacDonald.*

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

3                           **MS. SIMMS:**   According to the testimony given  
4           by Dunlop on August 17<sup>th</sup>, 2004 at *Her Majesty the Queen v.*  
5           *Jacques Leduc*, Nadeau first came into contact with Dunlop  
6           in 1996.  The two discussed lawyers and a possible class  
7           action lawsuit.

8                           According to Dunlop's testimony at the  
9           subsequent proceeding, he and Nadeau met approximately  
10          twice a year and spoke more often on the telephone,  
11          commencing in 1996 and continuing until Dunlop left  
12          Cornwall in 2000.  Dunlop testified that he provided Nadeau  
13          with witness statements, binders, materials, and just prior  
14          to leaving Cornwall, between 1 and 10 boxes of materials.

15                          Dunlop further testified that either himself  
16          or his wife Helen provided Nadeau with photographs.  This  
17          is from Exhibit 723, which is the transcript of the  
18          proceedings.

19                          **THE COMMISSIONER:**   I'm sorry, what exhibit?

20                          **MS. SIMMS:**   Exhibit 723.

21                          **THE COMMISSIONER:**   Right.  Okay.

22                          **MS. SIMMS:**   In *Her Majesty the Queen v.*  
23          *Jacques Leduc*, concerning his relationship with Dunlop,  
24          Nadeau, in his testimony, stated:

25    "I knew Perry for about six months."

1       Sorry, that's a quote. He later clarified that the six-  
2       month period was six months prior to Dunlop's leaving  
3       Cornwall in the summer of 2000. That's reference to  
4       Exhibit 788.

5                   In Nadeau's testimony in *Her Majesty the*  
6       *Queen v. Jacques Leduc* he acknowledged that he received  
7       witness statements from Ron Leroux ---

8                   **THE COMMISSIONER:** Not from ---

9                   **MS. SIMMS:** Oh, sorry, that he received  
10       witness statements of Ron Leroux, C-8, Gerald Renshaw, C-  
11       15, C-18 and C-19 from Dunlop, some of which he published  
12       on his website. That's Exhibit 788.

13                   On September 26, 1997, Nadeau contacted the  
14       Lancaster Detachment of the Ontario Provincial Police and  
15       reported to Detective Constable Genier that he had been a  
16       victim of historical sexual assault by Father Côté at  
17       Cornwall Classical College in the '50s. This is Exhibit  
18       819.

19                   On November 14<sup>th</sup>, 1997, Detective Constable  
20       Genier interviewed Nadeau. In the interview, Nadeau  
21       described the alleged abuse by Father Côté and his alleged  
22       abuse by an employee of Cornwall General Hospital. This is  
23       reference to Exhibits 819 and 807.

24                   On April 14<sup>th</sup>, 1998, Detective Constable  
25       Genier spoke to Nadeau on the phone. According to

1 Detective Constable Genier's notes, Nadeau advised that he  
2 had spoken to someone at the Clercs de St-Viateur in  
3 Montreal the previous fall, and they advised that Father  
4 Côté may be deceased. This is from Exhibit 820.

5 On April 15<sup>th</sup>, 1998, Detective Constable  
6 Genier attended Nadeau's residence to review photographs of  
7 the staff and students at the Classical College.

8 Nadeau contacted a fellow student at the  
9 college who stated he was also abused by Father Côté while  
10 in the Boy Scouts. The fellow student believed that Father  
11 Côté was deceased and provided the name of a priest, Father  
12 Hamel, to whom he had spoken of the abuse at a class  
13 reunion.

14 On the same day, Detective Constable Genier  
15 traveled to Joliette, Quebec, to speak with Father Hamel,  
16 who was able to confirm that Father Côté had passed away in  
17 1981. This is information taken from Exhibit 820.

18 I haven't been going through the headings,  
19 but the next heading is "Organizing Victims for Class  
20 Action".

21 On October 27<sup>th</sup>, 1999, Nadeau contacted  
22 Detective Constable Genier to advise he was "putting out a  
23 class action suit" against the Classical College. Nadeau  
24 stated that he would place an ad in the Standard Freeholder  
25 for further victims. That's Exhibit 821.

1                   On January 7<sup>th</sup>, 2000, Nadeau called Detective  
2                   Constable Genier. According to Detective Constable  
3                   Genier's notes, Nadeau had just received a call from the  
4                   Standard Freeholder's lawyer who had advised Nadeau that  
5                   the paper was being sued by the Clercs de St-Viateur for  
6                   "the ad that Nadeau put in" -- that's in quotes, "the ad  
7                   that Nadeau put in" -- and had asked Nadeau to go public  
8                   with his story. That's Exhibit 821.

9                   During that same conversation, Detective  
10                  Constable Genier advised Nadeau that the OPP's  
11                  investigation into his allegations of abuse was over  
12                  because the alleged perpetrator was deceased. Nadeau asked  
13                  Detective Constable Genier if Detective Constable Genier  
14                  would ask other victims from the Classical College to  
15                  contact Nadeau, and Detective Constable Genier agreed to do  
16                  so. That's Exhibit 821.

17                  On May 11<sup>th</sup>, 2000, Nadeau telephoned  
18                  Detective Constable Genier. According to Detective  
19                  Constable Genier's notes, Nadeau stated that he had  
20                  obtained a copy of Ron Leroux's affidavit through --  
21                  through a Freedom of Information Request and that he was  
22                  meeting with C-8.

23                  Can we just confirm that that copy here  
24                  reflects the name C-8?

25                  **THE COMMISSIONER:** Yes, it does.

1                   **MS. SIMMS:** It does? Okay.

2                   Nadeau requested information on victims who  
3                   had been abused by Ken Seguin and Nelson Barque. He also  
4                   asked Detective Constable Genier to contact C-5 and anyone  
5                   else that Detective Constable Genier could think of and  
6                   have them telephone Nadeau. That's reference to Exhibit  
7                   822.

8                   Later that same day, Nadeau again telephoned  
9                   Detective Constable Genier and advised him that he was  
10                  filing a class action lawsuit through his lawyer Howard  
11                  Yegendorf against the following: Probation and Parole re:  
12                  Ken Seguin and Nelson Barque; Attorney General re: M.  
13                  MacDonald; Ottawa District Hockey Association, re: Gagnon;  
14                  Clercs de St-Viateur, re: Cornwall Classical College.  
15                  That's Exhibit 822.

16                  On May 15<sup>th</sup>, 2000, OPP Detective Inspector  
17                  Pat Hall spoke to Yegendorf. Detective Inspector Hall  
18                  recounted the conversation in a letter dated June 12<sup>th</sup>,  
19                  2000, to James Stewart, the Regional Director of Crown  
20                  Attorneys.

21                  In the letter Detective Inspector Hall  
22                  advised Crown Attorney Stewart that Yegendorf requested a  
23                  list of victims who had been interviewed by Project Truth  
24                  Investigators.

25                  Detective Inspector Hall wrote that Nadeau

1 was organizing all the victims he could locate for the  
2 purpose of a class action. Detective Inspector Hall  
3 recounted that he told Yegendorf that they could not  
4 release any information to him and directed him to the  
5 Freedom of Information Office.

6 Detective Inspector Hall wrote that  
7 Yegendorf asked if victims could obtain copies of their own  
8 statements to the OPP and that he had replied that they  
9 could upon written request.

10 In a letter, Detective Inspector Hall wrote  
11 that OPP had thus far provided 11 victims with copies of  
12 their own statements. This is reference to Exhibits 824  
13 and 813.

14 On May 24<sup>th</sup>, 2000, Constable Spowart of the  
15 Cornwall Community Police Service received a complaint from  
16 Eleanor Brazeau. Brazeau reported that she had been  
17 approached by Nadeau outside of her apartment. He asked to  
18 come into her apartment and speak with her and she refused.  
19 He asked if she was familiar with Project Truth and stated  
20 that he wanted to speak to her about a Dr. Piche. We noted  
21 possibly Dr. Piché and Malcolm MacDonald. He stated:

22 "I have someone who could put you at a  
23 party with Dr. Piche and Malcolm  
24 MacDonald."

25 Brazeau was unnerved by Nadeau's questions

1 and stated she was going to call the police. According to  
2 Brazeau, Nadeau replied:

3 "Well, you better talk to me or you're  
4 going to spend the rest of your life in  
5 jail."

6 Brazeau continued to her apartment where  
7 there was a voicemail message from Nadeau leaving his  
8 telephone number. Reference to 830.

9 **THE COMMISSIONER:** Eight-three-zero (830)?

10 **MS. SIMMS:** Eight-three-zero (830).

11 **THE COMMISSIONER:** Thank you.

12 **MS. SIMMS:** Constable Spowart returned to  
13 CPS Headquarters and called Nadeau. She recorded in the  
14 occurrence report that Nadeau was "extremely belligerent".  
15 She advised me they were not to contact Brazeau any further  
16 and he agreed to comply. It's reference to Exhibit 830.

17 Nadeau subsequently contacted Constable  
18 Spowart and advised her that he was investigating  
19 complaints dating back to 1960, in which Brazeau was  
20 involved. Nadeau further stated that that matter, which  
21 would be made public, involved many agencies, including the  
22 CPS and the Cornwall Fire Department.

23 Constable Spowart wrote in the occurrence  
24 report that Nadeau was "quite degrading in his comments  
25 toward the Cornwall Police Service and its members". It's



1 reference to Exhibit 830.

2 On June 19, 2000, Richard Abel, the Director  
3 of the Children's Aid Society, received an office visit  
4 from Nadeau. According to Abel's case note, Nadeau advised  
5 that he was an advocate and was there to give a valid  
6 advance notice that the matter was going to break wide open  
7 due to the filing of civil suits and that they were "about  
8 50" men who allegedly had been sexually abused as boys.

9 Nadeau also showed Abel a list of names of  
10 alleged perpetrators. Nadeau also spoke of Keith Ouellette  
11 and asked Abel to "cut him some slack". Exhibit 809.

12 On June 20, 2000, Nadeau contacted the CPS  
13 by telephone and spoke to Constable G. Lefebvre. Nadeau  
14 stated that he was inquiring on behalf of Shelley Price  
15 into the status of the CPS investigation of her  
16 allegations. Constable G. Lefebvre did not disclose any  
17 information to Nadeau, rather he asked him to ask Shelley  
18 Price to contact the CPS herself.

19 On June 21<sup>st</sup>, 2000, Nadeau ---

20 **THE COMMISSIONER:** Where is that in the  
21 exhibits?

22 **MS. SIMMS:** Sorry, that's Exhibit 844.

23 **THE COMMISSIONER:** Eight-four-four (844).

24 Thank you.

25 **MS. SIMMS:** On June 21<sup>st</sup>, 2000, Nadeau

1 telephoned Detective Inspector Hall and advised him that he  
2 had been to see MPP John Cleary regarding victims on  
3 September 25<sup>th</sup>, 1998. Nadeau also advised Detective  
4 Inspector Hall that an alleged victim named Shelley Price  
5 who Nadeau advised -- of an alleged victim named Shelley  
6 Price who Nadeau advised had been abused in Cornwall.  
7 Exhibit 824 and Exhibit 800.

8 On June 23<sup>rd</sup>, 2000, CPS Constable Jeff  
9 Carroll interviewed Marc Latour as a result of information  
10 that CPS had received from Detective Inspector Hall.  
11 According to Latour, he came forward with his complaint as  
12 a result of a conversation that he had with Nadeau.

13 On July 5<sup>th</sup>, 2000, Nadeau was interviewed by  
14 a member of the CPS regarding the allegations of Latour and  
15 other allegations of historical sexual assault in Cornwall.  
16 That's reference to Exhibits 358(B) and 800.

17 On July 4<sup>th</sup>, 2000, Nadeau attended at the CPS  
18 station with another male complainant, C-20. While at the  
19 police station, Nadeau disclosed to Sergeant Rick Carter  
20 that C-20 had allegedly been a victim of sexual assault by  
21 Marcel Lalonde. Exhibit 839.

22 **THE COMMISSIONER:** Eight-three-nine (839)?

23 **MS. SIMMS:** Yes.

24 **THE COMMISSIONER:** Thank you.

25 **MS. SIMMS:** On July 5<sup>th</sup>, 2000, a Standard

1        Freeholder article reported that the Ministry of  
2        Corrections and the Clercs de St-Viateur had received  
3        notice of a civil action. According to the article, Nadeau  
4        was one of the five proposed plaintiffs suing the Clercs de  
5        St-Viateur for alleged abuses at Cornwall Classical  
6        College. Sixteen (16) others were reportedly suing the  
7        Ministry in a separate civil suit.

8                        Nadeau was quoted as having said:

9                                "What I want to do, it's not about the  
10                                        money; it's that there is no other  
11                                        place to go".

12        That's Exhibit 798.

13                        Next heading is the projecttruth.com  
14        website. On July 26<sup>th</sup>, 2000, Crown Attorney Murray  
15        MacDonald spoke to Detective Inspector Hall. According to  
16        the Will-Say report of Detective Inspector Hall, Crown  
17        Attorney MacDonald expressed concerns regarding a website  
18        entitled projecttruth.com. Crown MacDonald also stated  
19        that he felt there may have been a violation of a non-  
20        disclosure order. That's reference to Exhibits 814 and  
21        824.

22                        On July 31<sup>st</sup>, 2000, Nadeau telephoned the  
23        Project Truth Office and spoke to Detective Inspector Hall.  
24        They discussed the information that had been put on the  
25        projecttruth.com website; for example, an alleged seizure

1 of videotapes by the OPP. Detective Inspector Hall said he  
2 had no problem with his civil matters, but that Nadeau was  
3 putting evidence from matters before the court and names of  
4 people, such as Crown Attorney MacDonald's name into the  
5 public domain. Nadeau agreed to remove the allegations  
6 about the OPP's seizure of videotapes.

7 According to Detective Inspector Hall's  
8 notes, Nadeau was very understanding of the OPP's position.  
9 That is at Exhibit 824.

10 According to the Will Say of Detective  
11 Inspector Hall, in this conversation he spoke to Nadeau in  
12 detail about the statements of alleged victims that were  
13 posted on "Nadeau's website". These included statements by  
14 Ron Leroux, C-8, Gerald Renshaw, C-15, C-18 and C-19.

15 The Will Say reports that Nadeau admitted  
16 that he received information for the website from Dunlop.  
17 Detective Inspector Hall told Nadeau that although the  
18 names of alleged victims had been removed from the  
19 statements, the alleged victims were still identifiable by  
20 the content.

21 According to Detective Inspector Hall's Will  
22 Say, he "strongly told" Nadeau that in his opinion Nadeau  
23 should not be putting those statements on his website and  
24 reporting information about alleged victims that he  
25 received from someone else.

1 Further, according to Detective Inspector  
2 Hall's Will Say, Nadeau seemed to believe that the  
3 responsibility lay with the person who provided him with  
4 the information. That is Exhibit 814.

5 On August 1<sup>st</sup>, 2000, the OPP printed a total  
6 of 86 pages from the projecttruth.com website. That's  
7 Exhibit C-793.

8 A page from the projecttruth.com website  
9 printed on August 2<sup>nd</sup>, 2000, states:

10 "projecttruth.com is closed."

11 That's the same Exhibit, C-793.

12 On August 3<sup>rd</sup>, 2000, Detective Inspector Hall  
13 spoke to Nadeau again about the website.

14 It's the same exhibit C-793.

15 On August 3<sup>rd</sup>, 2000, Detective Inspector Hall  
16 spoke to Nadeau again about the website. According to  
17 Detective Inspector Hall's notes, Nadeau advised that he  
18 did not know to whom the website was registered. He stated  
19 that he supplied the information to someone and the  
20 information was put on the site. Detective Inspector  
21 Hall's notes record that:

22 "Nadeau has relayed my concerns about  
23 the info to the person who put stuff on  
24 the site - surprised it was down."

25 That is reference to Exhibit 825.

1                   According to Detective Inspector Hall's Will  
2                   Say, on August 3<sup>rd</sup>, 2000, he spoke to counsel for a number  
3                   of Catholic priests who were concerned about the website.

4                   According to the Will Say, counsel advised  
5                   Detective Inspector Hall that the website was initiated by  
6                   a person named James Bateman.

7                   Detective Inspector Hall advised counsel  
8                   that the website was now shutdown and that he had spoken to  
9                   Nadeau about the website. The Will Say further notes that  
10                  Detective Inspector Hall advised counsel that Nadeau's  
11                  lawyer, Yegendorf, was working on civil actions. That's  
12                  from Exhibit 814.

13                  Later that day, Nadeau again spoke to  
14                  Detective Inspector Hall this time regarding an alleged  
15                  victim, Marc Carrière, who had made a complaint of sexual  
16                  assault against Keith Jodoin. He advised Detective  
17                  Inspector Hall that he obtained further information from  
18                  the alleged victim and had called the Assistant Crown  
19                  Attorney, Claudette Wilhelm, about the matter. Nadeau  
20                  requested that Detective Inspector Hall have an officer re-  
21                  interview the victim. That's exhibit 825.

22                  On August 4<sup>th</sup>, 2000, Detective Inspector Hall  
23                  spoke to Robert Robineau, the officer in charge of the  
24                  Cornwall Jail, on the telephone.

25                  According to the Will Say of Detective

1 Inspector Hall, Robineau was concerned about the validity  
2 of the information on the projecttruth.com website, which  
3 alleged that Father Kevin Maloney was a pedophile. Robert  
4 Robineau stated that Father Maloney was the Chaplain at the  
5 jail. This is reference to Exhibit 814, 825 and 803.

6 On August 8<sup>th</sup>, 2000, Nadeau was interviewed  
7 by Detective Constable Joe Dupuis regarding his involvement  
8 with Marc Carrière. That's Exhibit 816.

9 As of August 8<sup>th</sup>, 2000, an author's notation  
10 had been added to the projecttruth.com website explaining  
11 that the site had been designed:

12 "As a means to collect information  
13 surrounding allegations of sexual abuse  
14 against young boys committed by  
15 prominent citizens in and around  
16 Cornwall, Ontario."

17 The notation went on to state that "The  
18 powers..." have initiated attempts to manipulate "The  
19 disclosures, the individuals who had submitted them and  
20 this website."

21 And the website was being withdrawn:

22 "In the better interests of the past  
23 contributors."

24 That's Exhibit C-793.

25 On August 8<sup>th</sup>, 2000, Detective Inspector Hall

1 spoke on the telephone with Danielle Bélanger, the common-  
2 law partner of Harvey Berry Jr., a witness in the case  
3 against Father Charles MacDonald.

4 According to Detective Inspector Hall's Will  
5 Say, Bélanger was extremely upset about the website  
6 information, in particular, the Victim's statements. Even  
7 though the names were deleted, she said most people would  
8 know who the victim was.

9 "Belanger..."

10 This is quote from his Will Say:

11 "Bélanger knows who all the victims are  
12 just by reading the statements. She  
13 was very upset with Nadeau and wanted  
14 to know what she could do."

15 The report further states that Detective  
16 Inspector Hall advised the Assistant Crown Attorney,  
17 Shelley Hallett, of Danielle Bélanger's concerns.

18 **THE COMMISSIONER:** Hold on a second.

19 **MS. SIMMS:** Detective Inspector Hall also  
20 contacted computer expert, OPP Sergeant Bob Pilon, of the  
21 OPP Headquarters in Orillia, Ontario, in an attempt to  
22 ascertain who was:

23 "Behind the website."

24 I think I'm speeding up.

25 That's Exhibits 814, 803 and 825.



1                   On August 9<sup>th</sup>, 2000, Detective Inspector Hall  
2 spoke on the telephone to Claire Chouinard, who was the  
3 common-law partner of Robert Renshaw. Claire Chouinard was  
4 upset about the information that was on the  
5 projecttruth.com website.

6                   According to the Will Say of Detective  
7 Inspector Hall, Claire Chouinard stated that she could  
8 identify all of the victims on the website from reading the  
9 information.

10                  Claire Chouinard further advised Detective  
11 Inspector Hall that she had received information that  
12 copies of the victim statements were being distributed at  
13 the Domtar plant in Cornwall.

14                  According to Chouinard, she had spoken to  
15 Nadeau several times, including a telephone call that day,  
16 when Nadeau had cursed at her and hung up.

17                  Claire Chouinard indicated that she had also  
18 spoken to Richard Nadeau's lawyer, Mr. Howard Yegendorf.

19                  Detective Inspector Hall advised Claire  
20 Chouinard that he had spoken to Richard Nadeau about the  
21 website and that the website was now down. That's Exhibits  
22 814, 803 and 825.

23                  On August 11<sup>th</sup>, 2000, Nadeau contacted  
24 Detective Inspector Hall to enquire as to when charges  
25 would be laid against Keith Jodoin. Nadeau was advised

1           that the matter was still under investigation. That's  
2           Exhibit 825.

3                       On August 14<sup>th</sup>, 2000, Nadeau again spoke with  
4           Detective Inspector Hall. Nadeau provided information  
5           about an individual named C-21. Nadeau spoke about C-21's  
6           allegations of abuse at a cottage in Quebec and of Malcolm  
7           MacDonald's involvement. Exhibit 825.

8                       On August 21<sup>st</sup>, 2000, Detective Inspector  
9           Hall spoke to Detective Sergeant Bob Gagnon of the OPP  
10          Telecommunications Branch.

11                      Detective Sergeant Gagnon advised Detective  
12          Inspector Hall that the projecttruth.com website was  
13          created on April 24<sup>th</sup>, 2000 and was registered to James  
14          Bateman, 530-D, Sunnydale Place, Waterloo, Ontario, M2L  
15          4T1.

16                      The administrator contact was listed as  
17          James Bateman; phone number (519) 883-7583.

18                      According to Detective Sergeant Gagnon, the  
19          website expiration date was listed as April 24<sup>th</sup>, 2002.  
20          However, it had been closed as of August 2<sup>nd</sup>, 2000. These  
21          are Exhibits 825 and 815.

22                      On August 24<sup>th</sup>, 2000, Probation and Parole  
23          Officer, Jos Van Diepen, received a telephone call from a  
24          person identifying himself as Dick Nadeau and claiming to  
25          be a private investigator working for a lawyer.

1                   According to the report filed by PPO Van  
2                   Diepen about the telephone call, Nadeau was asking him  
3                   questions pertaining to Ken Seguin and a memo, which the  
4                   caller alleged was given to Ken Seguin directing that he  
5                   conduct all of his interviews of the ministry's clients  
6                   with his office door left open and that he no longer permit  
7                   clients to attend his residence. PPO Van Diepen wrote in  
8                   the report that he did not disclose any information to the  
9                   caller. The caller indicated PPO Van Diepen that he might  
10                  be subpoenaed at which time he would be compelled to answer  
11                  the questions.

12                  This is reference to Exhibits 772 and 770.

13                  And I am going to pour myself some water.

14                  **THE COMMISSIONER:** Would you like a break?

15                  **MS. SIMMS:** Seven, seven, two (772) and 770.

16                  **THE COMMISSIONER:** I said would you like a  
17                  short break?

18                  **MS. SIMMS:** Well, we are about halfway.  
19                  Maybe it's a good time.

20                  **THE COMMISSIONER:** Let's take a short break.

21                  **MS. SIMMS:** Thank you.

22                  **THE REGISTRAR:** Order. All rise. À  
23                  l'ordre. Veuillez vous lever.

24                  This hearing will resume at ten after  
25                  twelve.

1 --- Upon recessing at 12:02 p.m./

2 L'audience est suspendue à 12h02

3 --- Upon resuming at 12:14 p.m./

4 --- L'audience est reprise à 12h14

5 **THE REGISTRAR:** This hearing is now resumed.

6 Please be seated. Veuillez vous asseoir.

7 **THE COMMISSIONER:** Okay.

8 **MS. SIMMS:** I will just resume where we  
9 were.

10 On August 25<sup>th</sup>, 2000, PPO Van Diepen arrived  
11 at his residence and was informed by his daughter that  
12 Nadeau had attended his residence wishing to speak to him.  
13 Nadeau had left the residence a few minutes prior to PPO  
14 Van Diepen's arrival. Nadeau told Van Diepen's daughter  
15 that he would telephone PPO Van Diepen.

16 According to the report filed by PPO Van  
17 Diepen, on August 28<sup>th</sup>, 2000, he had not yet heard back from  
18 Nadeau. The report also describes a newspaper article and  
19 a website called "projecttruth2.com". PPO Van Diepen wrote  
20 in the report that the website seemed to contain  
21 accusations that he knew what was going on with Ken Seguin  
22 and did nothing to stop it. Exhibit 773.

23 Heading "The projecttruth2.com Website". On  
24 August 26, 2000, the Standard Freeholder published an  
25 article about the creation of a new website by Nadeau

1 entitled "projecttruth2.com". Reference to Exhibit 831.

2 On August -- the next heading is "Nadeau's  
3 Involvement in a Sexual Assault Complaint". On August 30<sup>th</sup>,  
4 2000, a complainant contacted the CPS and alleged that she  
5 had been sexually assaulted in 1983. Reference to Exhibit  
6 818.

7 Nadeau published details of the complaint on  
8 the projecttruth2.com website, identifying both the  
9 complainant and the suspect. Exhibit C-771.

10 On September 6, 2000, Nadeau spoke to  
11 Detective Inspector Hall about the concerns he had with  
12 respect to the CPS investigation of this particular  
13 complaint. Exhibit 825.

14 On September 7, 2000, Nadeau sent a letter  
15 to the Chief of the CPS, Anthony Repa, raising concerns  
16 about the CPS investigation. He stated, quote:

17 "The complainant will not cooperate  
18 with your officers and she has been  
19 advised as such."

20 The reference is to Exhibit 834.

21 According to Sergeant Carter's handwritten  
22 notes, he spoke to the complainant on September 8, 2000,  
23 and she advised that she was not happy with Nadeau since he  
24 had put everything on the internet. Exhibit 840.

25 On September 20<sup>th</sup>, 2000, Nadeau was

1 interviewed by Detective Constable Genier and Detective  
2 Constable Macleod regarding his lodge of the complaint.  
3 Among other things, Nadeau reported that he'd put the  
4 information on the website immediately after learning of  
5 the complaint, that he attended the CPS station with the  
6 complaint -- and perhaps that should be 'complainant' -- it  
7 reads:

8 "...with the complaint and a member of  
9 the media, when the complainant gave  
10 her first statement and that he later  
11 told the complainant not to cooperate  
12 with the CPS."

13 Those are reference to Exhibit 822 and 817.  
14 There's no indication that any charges resulted from the  
15 investigation of this complaint.

16 The next heading is "The Concerns About the  
17 projecttruth2.com Website". On August 26, 2000, the  
18 Standard Freeholder published an article about the creation  
19 of a new website by Nadeau entitled "projecttruth2.com".  
20 Exhibit 831.

21 On August 28, 2000, PPO Van Diepen spoke to  
22 Detective Constable Dupuis on the phone. According to  
23 Detective Constable Dupuis' notes, PPO Van Diepen was  
24 complaining about information that was on Nadeau's website.  
25 The notes further indicate that PPO Van Diepen felt that

1 some of the material on the site was "a criminal matter"  
2 and should be looked into. That's reference to Exhibit  
3 838.

4 According to his memorandum, Detective  
5 Inspective Hall became aware of the new website  
6 projecttruth2.com on August 28, 2000. That's reference to  
7 Exhibit 803.

8 On August 29, 2000, Detective Inspector Hall  
9 spoke to Nadeau on the telephone. Nadeau passed on  
10 information about a new victim who wished to report abuse.  
11 That is Exhibit 825.

12 On September 2<sup>nd</sup>, 2000, Nadeau again visited  
13 the residence of PPO Van Diepen. PPO Van Diepen's report  
14 about the occurrence states that Nadeau identified himself  
15 to PPO Van Diepen and attempted to enter into conversation  
16 with him. The report indicates that Nadeau left  
17 immediately after identifying himself with "all haste" at  
18 PPO Van Diepen's "strongest encouragement". That is  
19 reference to Exhibit 772.

20 On September 5<sup>th</sup>, 2000, Detective Inspector  
21 Hall was advised by OPP Detective Staff Sergeant Rick  
22 Burgess of the OPP Anti-Rackets Branch, that the  
23 projecttruth2.com website was registered to n/a Box 277,  
24 Casselman, Ontario, K0A 1M0. Staff Sergeant Burgess  
25 further advised that the site was created on August 14,

1 2000, and was said to expire on August 14, 2001, and that  
2 the administrative contact was listed as Nadeau, Dick;  
3 dicknadeau@sympatico.ca, (613) 764-2104. It's Exhibits 814  
4 and 803.

5 On September 13, 2002, Detective Inspector  
6 Hall spoke to Constable René Desrosiers of the CPS.  
7 Constable Desrosiers advised Detective Inspector Hall that  
8 a victim of a sexual assault named C-8 wanted to lay a  
9 complaint against Nadeau for leaving an allegedly  
10 threatening message on his telephone answering machine.  
11 According to the Will Say of Detective Inspector Hall,  
12 Nadeau wanted C-8 to get involved in a class action lawsuit  
13 and wanted permission to place C-8's victim statement on  
14 his website.

15 According to the OPP synopsis of *Her Majesty*  
16 *v. Richard Nadeau*, the message left on C-8's answering  
17 machine was as follows:

18 "It's Dick Nadeau. You've got to get  
19 in touch with me because..."

20 Sorry.

21 "You've got to get in touch with me  
22 because if I don't hear from you within  
23 the next hour, I'm going to start  
24 writing, okay, about your relationship  
25 with Ron, me snuggling. You call it.



1                                   Okay. So call me back."

2                                   That's reference to Exhibit 814.

3                                   On September 14<sup>th</sup> -- oh, sorry. There's  
4 other references: 814, 803, 825, and 822.

5                                   On September 14<sup>th</sup>, 2000, C-8 was interviewed  
6 by Detective Constable Dupuis regarding his complaint. And  
7 the following day Nadeau was interviewed regarding C-8's  
8 allegations.

9                                   On October 19<sup>th</sup>, 2000, a Crown brief was  
10 submitted to Assistant Crown Attorney Claudette Wilhelm,  
11 who subsequently advised Detective Inspector Hall that the  
12 calls do not fall under criminal harassment and there are  
13 no charges to be laid. That's reference to Exhibit C-620,  
14 805 and 779.

15                                  On September 19<sup>th</sup>, 2000, Bishop LaRoque and  
16 six priests who were currently and/or formerly of the  
17 Diocese of Alexandria-Cornwall commenced a defamation  
18 action against Nadeau and others, seeking monetary damages  
19 and an injunction, the Nadeau defamation action.

20                                  According to a Standard Freeholder article  
21 about the action, Nadeau stated that he was unphased by the  
22 news of the lawsuit and more concerned that a court  
23 injunction could "shut down the site". That is Exhibit 799  
24 and 797.

25                                  On October 23<sup>rd</sup>, 2000, Detective Inspector

1 Hall spoke to Crown Attorney MacDonald about information  
2 that was on the projecttruth2.com website about Crown  
3 Attorney MacDonald's father, Milton MacDonald.

4 According to Detective Inspector Hall's  
5 notes, Crown Attorney MacDonald advised that:

6 "His father is out and has been on  
7 probation for three years."

8 On the same day, Detective Inspector Hall  
9 spoke to Nadeau about the information on Milton MacDonald  
10 on the website, and Nadeau stated that he would correct it.  
11 That is Exhibit 825.

12 On October 25<sup>th</sup>, 2000, counsel for the seven  
13 plaintiffs in the Nadeau defamation action spoke to a guard  
14 at the Cornwall Jail. Mike Oliver informed counsel that he  
15 had overheard a conversation between C-15 and a group of  
16 inmates regarding allegations on Nadeau's website.

17 One of the inmates stated that Father  
18 Maloney's name was involved and C-15 confirmed to the group  
19 that it was the same Father Maloney that was working at the  
20 jail who had been implicated.

21 Oliver further advised that Nadeau had been  
22 making numerous visits to the jail. Initially, Nadeau was  
23 visiting C-15 but he was now also visiting one of C-15's  
24 cellmate, Parent-Quinn, and that recently Parent-Quinn  
25 handed Nadeau a number of handwritten pages. That's

1 reference to Exhibit 778.

2 On November 15<sup>th</sup>, 2000, Detective Inspector  
3 Hall spoke to Assistant Crown Attorney Wilhelm regarding  
4 the charges against Keith Jodoin. According to Detective  
5 Inspector Hall's notes, Assistant Crown Attorney Wilhelm  
6 advised that she felt the charges against Keith Jodoin had  
7 to be withdrawn in part due to Nadeau's involvement.

8 She further advised that she had consulted  
9 with two other Crown Attorneys, Curt Flanagan and Allen  
10 Findlay. These are Exhibits 825 and Exhibit C-16.

11 **THE COMMISSIONER:** I'm sorry, 825 ---

12 **MS. SIMMS:** That can't be right, 825 was the  
13 first. Let me just check the reference in the second one.  
14 Sorry.

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

16 **MS. SIMMS:** The next is 826.

17 **THE COMMISSIONER:** Right.

18 **MS. SIMMS:** On December 20<sup>th</sup>, 2000, Nadeau  
19 posted an email exchange between himself and Steve Keiser  
20 of Terabyte on the projecttruth2.com website. Terabyte had  
21 been named as one of the defendants in the Nadeau  
22 defamation action.

23 Keiser advised Nadeau that either Nadeau had  
24 to cover Terabyte's legal fees or his redirection service  
25 would be cancelled.

1                   According to Nadeau, Keiser advised that  
2                   counsel for the Plaintiff in the Nadeau defamation action  
3                   had offered to pay his legal fees to date and drop him from  
4                   the lawsuit if he shut down Nadeau's site -- shut Nadeau's  
5                   site down.

6                   That's a reference to Exhibit C-833.

7                   *Her Majesty the Queen and Leduc* in the  
8                   contempt proceedings against Nadeau.

9                   On January 15<sup>th</sup>, 2001, the trial of *Her*  
10                  *Majesty the Queen and Jacques Leduc* began in Cornwall with  
11                  the Honourable Justice C. McKinnon presiding.

12                  The following day, on January 16<sup>th</sup>, 2000  
13                  (sic), Assistant Crown Attorney Shelley Hallett requested a  
14                  publication ban with respect to the identity of the alleged  
15                  victims. On consent of defence counsel, S. Skurka, the  
16                  Court ordered:

17                               "...that the identity of the complainants  
18                               and any information that could disclose  
19                               the identity of those complainants not  
20                               be published in any document or  
21                               broadcast in any way, including  
22                               broadcast to the worldwide web."

23                  That's a reference to Exhibit 782.

24                  Following the request by Skurka, the Court  
25                  further ordered that:

1 "Any motion, any evidence called on any  
2 motion in the absence of the jury shall  
3 not be published in any newspaper or  
4 broadcast in any way, including  
5 dissemination of information through  
6 the worldwide web until the jury has  
7 returned its verdict."

8 Following the granting of the orders, the  
9 Defence brought a motion requesting a re-election for a  
10 judge-alone trial. That's a reference to Exhibit 782.

11 Nadeau was present in the courtroom when the  
12 above orders were made. The reference is 783.

13 On January 17<sup>th</sup>, 2001, Skurka brought to the  
14 Court's attention that there had been information posted on  
15 Nadeau's website overnight. In his submissions, Skurka  
16 quoted some of what had been posted on the website,  
17 including the following comments by Nadeau with regard to  
18 the previous day's proceedings:

19 "The Defence wants a trial by judge-  
20 alone and the Crown wants a jury trial.  
21 The judge feels that it will be  
22 difficult to find a fair and impartial  
23 jury to hear this case."

24 The reference is 783.

25 Mr. Justice McKinnon requested that Nadeau

1 be contacted and asked to attend the court that afternoon.  
2 As a result of the request, OPP Detective Constable Steve  
3 Seguin attended Nadeau's residence and asked him to attend  
4 court regarding the information posted on his website  
5 overnight. Nadeau complied. The references are Exhibit  
6 835 and Exhibit 783.

7 When Nadeau appeared before the Court, he  
8 apologized and stated that although he had been in court,  
9 there was a lot going on that he didn't understand,  
10 including the content of the justice's order. Mr. Justice  
11 McKinnon advised Nadeau that he had the power to hold him  
12 in contempt but that he was not going to do so. Rather, he  
13 was drawing Nadeau's attention to the seriousness of his  
14 actions and the damages that could result.

15 Mr. Justice McKinnon went on to tell Nadeau  
16 that he had completely compromised the Crown's ability to  
17 have a jury trial. This is reference to Exhibit 783.

18 In a Toronto Star article recounting the  
19 events of January 17<sup>th</sup>, 2001, Nadeau was quoted as saying  
20 that he did not know he had done anything wrong until the  
21 officers came to his door and said that the judge wanted to  
22 see him. He was further quoted as having said:

23 "I have no qualms about being unfair to  
24 a pedophile."

25 The reference is 780.

1                   On January 22<sup>nd</sup>, 2001, the latest postings on  
2                   Nadeau's website were discussed during the trial  
3                   proceedings of the *Queen and Jacques Leduc*. Both counsel  
4                   and the Court indicated that the postings on the website  
5                   were a distraction from the proceedings and were  
6                   interfering with the trial.

7                   Assistant Crown Attorney Hallett submitted  
8                   that the Court could make a direct order to Nadeau  
9                   regarding his publication materials. The references are  
10                  Exhibit 784 and Exhibit C-776.

11                  Mr. Justice McKinnon indicated that he  
12                  wanted to see the web server in order to have the website  
13                  shut down and that he intended to cite Nadeau in contempt  
14                  of court. Nadeau was present in the courtroom. He was  
15                  cited in contempt as his website and the article attributed  
16                  to him were damaging to the due administration of justice.  
17                  He was ordered by Mr. Justice McKinnon to return to court  
18                  on January 29<sup>th</sup>, 2001, with his counsel to deal with the  
19                  contempt of court matter.

20                  Mr. Justice McKinnon further ordered that  
21                  Nadeau was not to "publish anything with respect to any of  
22                  these trials" on his website until he returned to court  
23                  with his counsel on January 29<sup>th</sup>, 2001. This is reference  
24                  to Exhibit 784.

25                  Nadeau advised the court that there was

1 already an application for an injunction before the courts  
2 with respect to "shutting down" his website. That's again  
3 Exhibit 784.

4 In a Standard Freeholder article dated  
5 January 23<sup>rd</sup>, 2001, Nadeau was quoted as stating:

6 "I want to seek an injunction against  
7 the judge's order for me not to publish  
8 any information about this trial on the  
9 website. It is a freedom of speech  
10 issue."

11 This is Exhibit 794.

12 On January 29<sup>th</sup>, 2001, Nadeau appeared in  
13 court before Mr. Justice McKinnon, represented by  
14 Yegendorf. Assistant Crown Attorney Terrence Cooper  
15 appeared on behalf of the Crown. A hearing date was set  
16 for February 15<sup>th</sup>, 2001. Nadeau was ordered to remove any  
17 inappropriate information from his website and refrain from  
18 publishing any information related to matters where  
19 criminal charges were awaiting disposition. That is  
20 Exhibit 785.

21 On January 31<sup>st</sup>, 2001, Detective Inspector  
22 Hall reviewed the projecttruth2.com website to ascertain  
23 whether Nadeau had removed the inappropriate material as  
24 ordered by Mr. Justice McKinnon.

25 According to the Will Say of Detective



1 Inspector Hall, the material had not been removed, so  
2 Detective Inspector Hall telephoned Nadeau. The Will Say  
3 further indicates that Nadeau stated he did not know what  
4 information he was supposed to remove. Detective Inspector  
5 Hall advised Nadeau that he would contact the Crown  
6 Attorney and that a list would be provided to him. This is  
7 referenced in Exhibit 814 and 826.

8 On February 1<sup>st</sup>, 2001, Detective Inspector  
9 Hall received a telephone call from Yegendorf. The call  
10 was in relation to Detective Inspector Hall's request from  
11 the previous day, dealing with the removal of 50 items from  
12 the projecttruth2.com website. A list of the 50 items to  
13 be removed was faxed to Yegendorf on instruction from  
14 Assistant Crown Attorney Cooper. This is Exhibit 826.

15 I apologize -- it's Exhibit 826 and --  
16 sorry, there's a reference in the document itself to Doc  
17 Number 123004.

18 **THE COMMISSIONER:** Madam Clerk, could you go  
19 and ask them just to keep -- I know it's lunchtime -- why  
20 don't we break for lunch? They have the right to their --  
21 why don't we break, come back at 2:00 and we can finish  
22 off?

23 **MS. SIMMS:** Certainly.

24 **THE COMMISSIONER:** Thank you.

25 **THE REGISTRAR:** Order; all rise. À l'ordre;

1           veuillez vous lever.

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

3           --- Upon recessing at 12:34 p.m./

4                           L'audience est suspendue à 12h34

5           --- Upon resuming at 2:04 p.m./

6                           L'audience est reprise à 14h04

7                           **THE REGISTRAR:** This hearing is now resumed.

8           Please be seated. Veuillez vous asseoir.

9                           **THE COMMISSIONER:** Good afternoon.

10                          **MS. SIMMS:** Good afternoon.

11                          I will just carry on.

12                          **THE COMMISSIONER:** We were at ---

13                          **MS. SIMMS:** We were at paragraph 89.

14                          **THE COMMISSIONER:** Okay.

15                          **MS. SIMMS:** I had read the paragraph into  
16           the record and the Exhibits were 791(A) and 826.

17                          On February 2<sup>nd</sup>, 2001, Detective Inspector  
18           Hall reviewed the projecttruth2.com website and observed  
19           that the 50 items in question had been removed. The  
20           reference is Exhibit 826.

21                          On February 13<sup>th</sup>, 2001, Detective Constable  
22           Seguin and Assistant Crown Attorney Hallett met with  
23           Nadeau.

24                          According to Detective Constable Seguin's  
25           notes, Hallett expressed her concerns to Nadeau about the

1 impact his website was having on the Crown's ability to  
2 prosecute cases and on new victims coming forward. In  
3 particular, she was concerned about statements of alleged  
4 victims being posted on the website. Detective Constable  
5 Seguin added that victims had indicated that they did not  
6 want their names out there.

7 According to Detective Constable Seguin's  
8 notes, Nadeau said "Okay". According to Detective  
9 Constable Seguin's notes, Nadeau also stated "Yeah, I'll  
10 admit it, Perry gave me the boxes". That's Exhibit 836.

11 A Crown Brief dealing with the contempt  
12 matter against Nadeau dated February 15<sup>th</sup>, 2001, was  
13 prepared by the OPP and submitted to the Crown Attorneys  
14 Office, forming part of the Crown Brief was a synopsis of  
15 examples of incorrect information contained on the website.  
16 The Crown Brief also contained the printout of Nadeau's  
17 website as it was on January 31<sup>st</sup>, 2001. The exhibits there  
18 are C-789, C-790 and 791(A) -- I think it's "A" and "B".

19 On February 15<sup>th</sup>, 2001, Nadeau again appeared  
20 before Mr. Justice McKinnon. The hearing of contempt  
21 matter was set for September 20 and 21<sup>st</sup>, 2001. The court  
22 continued the interim order prohibiting Nadeau from  
23 publishing on his website.

24 Upon the request of Yegendorf, the Court  
25 agreed that Nadeau could post articles from other media

1 sources, such as the Standard Freeholder, but that all  
2 articles should be posted. This is reference to Exhibit  
3 777.

4 On February 16<sup>th</sup>, 2001, the Standard  
5 Freeholder published an article that stated that Nadeau  
6 would be barred from the courtroom the following week as  
7 the lawyers argued about the future of the case. The  
8 article reported that Nadeau believed the exclusion order  
9 was nothing more than an attempt to get rid of him and he  
10 was quoted as stating "I have nothing to offer this trial".  
11 The reference is Exhibit 829.

12 On February 19<sup>th</sup>, 2001, Nadeau was scheduled  
13 as a witness in an application for a stay of proceedings in  
14 the *Queen and Jacques Leduc*. Prior to beginning his  
15 testimony, Nadeau requested permission to make a statement  
16 to the Court. Mr. Nadeau went on to state:

17 "Several weeks ago you cited me for  
18 contempt because I questioned your bias  
19 and also I questioned the conflict of  
20 interest. You might have through  
21 representation of Chief Claude Shaver  
22 and the connection made to Mr. Leduc  
23 and then to the bishop. I now have  
24 letters that you wrote in 1994  
25 threatening to sue Carson Chisholm,

1 Perry Dunlop's brother-in-law, which  
2 brings me to more conflict of interest.  
3 I feel a judge should not have any  
4 appearance of conflict of interest, and  
5 here, we certainly have an appearance  
6 of conflict of interest and I would ask  
7 that you recuse yourself in this  
8 trial".

9 The references are Exhibit 786 and 775.

10 Following Nadeau's statement, Mr. Justice  
11 McKinnon replied -- but there is a typographical error in  
12 this sentence -- Mr. Justice McKinnon replied that he did  
13 not previously act for -- it should be Claude Shaver.

14 **THE COMMISSIONER:** That he did or did not?

15 **MS. SIMMS:** That he -- sorry, he did  
16 previously act -- I apologize -- that he did previously act  
17 for -- it should be Claude Shaver, the CPS and the CPS  
18 Board but that he did not feel any conflict of interest,  
19 and that was his position that he was not subject to  
20 recusal based on his previous involvement. He then invited  
21 submissions from counsel. That's Exhibit 786.

22 Assistant Crown Attorney Hallett requested  
23 some time to review the letters produced by Nadeau. After  
24 reading the document she stated that the Crown was not  
25 requesting that Mr. Justice McKinnon recuse himself. That

1 is Exhibit 786.

2 Mr. Justice McKinnon concluded by stating  
3 the community has to have assurance that this case is being  
4 presided over by an impartial judge, and in fairness to the  
5 process he would like to visit the police station and  
6 review the files of which he was apart.

7 Mr. Justice McKinnon stated:

8 "It has to ultimately be my decision,  
9 notwithstanding submissions that may be  
10 made, and I have to satisfy myself, and  
11 it would be very unfortunate if just  
12 simply saying, yes, I'm satisfied, but  
13 then something else were to come out  
14 and that would not all go well for the  
15 administration of justice or the  
16 continued evolution of this case."

17 That's Exhibit 786.

18 On February 20<sup>th</sup>, 2001, Mr. Justice McKinnon  
19 indicated that he had read the files relating to his  
20 previous work with the CPS. Due to the fact that Dunlop  
21 came up in this trial, that the Leduc trial had riveted the  
22 community and required that justice be seen to be done, and  
23 that both Nadeau and Dunlop were witnesses in the  
24 application for the stay, he would not be hearing the  
25 application for the stay and had made arrangements to have

1 the Honourable Justice James Chadwick hear the application  
2 staring the following day.

3 Mr. Justice McKinnon also added that he will  
4 continue to preside over the trial if the application for  
5 the stay was unsuccessful.

6 Skurka was in full agreement with Justice  
7 McKinnon's position. Assistant Crown Attorney Hallett  
8 advised the Court that it was the Crown's position that  
9 there would be a perceived conflict -- it should be  
10 "conflict of interest" -- if Mr. Justice McKinnon continued  
11 to preside over the trial. That's Exhibit 787.

12 On February 21<sup>st</sup>, 2001, during the  
13 proceedings on the Application for the Stay of Proceedings,  
14 Nadeau was called by the defence as a witness. During his  
15 testimony, Nadeau gave the following evidence. He began  
16 organizing victims for a class action civil suit in the  
17 spring of 2000. He was the owner and operator of the  
18 projecttruth2.com website. He provided any information  
19 that he received through the website that spoke to sexual  
20 abuse to Project Truth. Dunlop did not have any connection  
21 to his website. He viewed the website as a continuation of  
22 Dunlop's work in Cornwall.

23 Dunlop provided him with three binders of  
24 information, including the witness statement from Ronald  
25 Leroux, C-8, Gerald Renshaw, C-15, C-18 and C-19, and with

1 Dunlop's police service at trial and appeal information.

2 He received permission from the alleged  
3 victims prior to posting their statements on the website.  
4 He denied receiving boxes of Dunlop's files. He denied  
5 stating "Yeah, I'll admit it, Perry gave me the boxes". He  
6 denied threatening anyone and he admitted to leaving a  
7 message on C-8's telephone answering machine that was the  
8 subject of C-8's complaint in September of 2000. The  
9 reference is to Exhibit 788.

10 On March 1<sup>st</sup>, 2001, Mr. Justice Chadwick  
11 found that the Crown had wilfully failed to disclose  
12 relevant information, which breached Jacques Leduc's right  
13 to full answer and defence pursuant to section 7 of the  
14 Charter. Justice Chadwick found that Jacques Leduc's  
15 rights to a fair trial within a reasonable period of time  
16 had been irreparably prejudiced and ordered a stay of  
17 proceeding.

18 On July 24<sup>th</sup>, 2003, the finding of wilful  
19 disclosure by the Crown and the stay of proceedings where  
20 both set aside by the Court of Appeal and a new trial  
21 ordered.

22 The new proceedings were stayed by order of  
23 Justice Patana on October 18<sup>th</sup>, 2004. The reference are  
24 Exhibit 845, Exhibit 774 and Exhibit 781.

25 Detective Constable Genier was present



1 during the proceedings of March 1<sup>st</sup>, 2001. According to  
2 Detective Constable Genier's notes, he overheard Nadeau  
3 state "He would spark up his website because he was very  
4 displeased". The reference is to Exhibit 823.

5 On March 29<sup>th</sup>, 2001, Detective Inspector Hall  
6 spoke with Nadeau and his counsel, Yegendorf, at the  
7 Cornwall Courthouse. Detective Inspector Hall made the  
8 following notes about this discussion. And this is a  
9 quotation:

10 "Discussed with Richard Nadeau recent  
11 article he had put on his website  
12 entitled "The Wanderer Article".  
13 Contained numerous references to Father  
14 Charles MacDonald. Much of the  
15 information came from the statement of  
16 Ron Leroux. I advised Nadeau this was  
17 in violation of Judge's order on  
18 MacDonald matter, waiting for trial.  
19 Copy of the article was given to Mr.  
20 Yegendorf by Assistant Crown Terry  
21 Cooper in my presence at court. Nadeau  
22 indicated he would remove the offending  
23 material relating to Father Charles  
24 MacDonald."

25 That's Exhibit 827.

1                   On April 5<sup>th</sup>, 2001, Mr. Justice McKinnon  
2                   wrote letters to Assistant Crown Attorney Cooper and to  
3                   Yegendorf advising that another posting downloaded from  
4                   Nadeau's website constituted contempt to the administration  
5                   of justice by Nadeau as it contained malicious and false  
6                   information and was in direct breach of his order made on  
7                   January 22<sup>nd</sup>, 2001.

8                   Mr. Justice McKinnon requested that  
9                   Assistant Crown Attorney Cooper include this story as part  
10                  of the record in a contempt proceeding scheduled -- should  
11                  read, scheduled to be heard before Mr. Justice Cunningham.  
12                  The references are Exhibit 811(A) and Exhibit 810.

13                  On April 12<sup>th</sup>, 2001 the Standard Freeholder  
14                  published an article which stated that Nadeau would be:

15                                 "shutting down"  
16                  the projecttruth2.com website. Nadeau was quoted as  
17                  saying:

18                                 "I don't want it up and running when  
19                                 the appeal starts."

20                  and

21                                 "I don't want it to be an excuse for  
22                                 anyone."

23                  The article stated that Nadeau gave no  
24                  indication of whether he'd put up the site again in the  
25                  future saying only that the time had come to shut

1 "shut it down."

2 Nadeau was further quoted as stating:

3 "The whole thing's gotten to be a bit  
4 much."

5 This is reference to Exhibit 795.

6 A page was printed from the  
7 projecttruth2.com website on April 18<sup>th</sup>, 2001, states that  
8 the website was closed as of April 13<sup>th</sup>, 2001. It's  
9 referenced to Exhibit C-808.

10 Sorry, this might not be a confidential  
11 document.

12 **THE COMMISSIONER:** No, it 808.

13 **MS. SIMMS:** On August 7<sup>th</sup>, 2001 Nadeau  
14 appeared before Mr. Justice Cunningham in the matter of the  
15 contempt hearing arising out of the website postings. His  
16 decision was released on September 7<sup>th</sup>, 2001.

17 Among other things, Mr. Justice Cunningham,  
18 in his decision, found that Nadeau was present in the  
19 courtroom when Mr. Justice McKinnon precisely described the  
20 nature and purpose of the non-publication order and  
21 specified that the order include the worldwide web;  
22 rejected Nadeau's evidence that he did not hear or did not  
23 understand the order and found that Nadeau knew exactly  
24 what the order meant and what he was prohibited from doing;  
25 found that the article published by Nadeau was clearly

1 contentions and published in the face of an order  
2 prohibiting its publication; found that after being given a  
3 stern warning by Justice McKinnon, Nadeau continued to  
4 publish --

5 "reckless factual misstatements which  
6 he himself described as being over-the-  
7 top."

8 in flagrant disregard of the Court's order. The reference  
9 is Exhibit 804.

10 Mr. Justice Cunningham found Nadeau guilty  
11 of two counts of contempt for both the January 20<sup>th</sup>, 2001  
12 and the April 3<sup>rd</sup>, 2001 postings on his website. Nadeau was  
13 fined \$1,000. The reference is Exhibit 804.

14 On August 9<sup>th</sup>, 2001 the Standard Freeholder  
15 published an article about the contempt hearing. Nadeau  
16 was quoted as telling the newspaper:

17 "Basically it was a hearing to purge.  
18 It was a chance for me to make my own  
19 apologies."

20 Nadeau further stated

21 "It was about one piece I wrote where I  
22 said some things I didn't have any  
23 proof for."

24 According to the article, Nadeau was  
25 adamant, that had he known then what he knows now, he would

1 not have changed a thing. He was quoted as saying:

2 "I would still have done it."

3 The reference is Exhibit 832.

4 In an article purportedly published by an  
5 unknown media outlet on September 8<sup>th</sup>, 2001 about the  
6 contempt finding against Nadeau, Nadeau was quoted as  
7 stating:

8 "I think it's fair. I got my wax in  
9 and it cost me \$1,000 bucks."

10 The Exhibit is 812.

11 On August 23<sup>rd</sup>, 2001 the Nadeau defamation  
12 action was settled on the basis of a dismissal without  
13 cause upon agreement of Nadeau not to post the allegations  
14 that he had previously made on his website. The reference  
15 is Exhibit 801 and 802.

16 On August 28<sup>th</sup>, 2001 the Standard Freeholder  
17 published an article about the settlement of the Nadeau  
18 defamation action. The article stated that Nadeau agreed  
19 to deal with the Church, because he had already shut down  
20 the website and the police did not accept the allegations  
21 on it. Nadeau was quoted as stating:

22 "That's a dead horse now. We have to  
23 find new information because the  
24 evidence we have is not good enough."

25 The reference is Exhibit 796.

1                   On September 6<sup>th</sup>, 2001 Nadeau was in  
2                   attendance at the trial for the Queen and Lapierre.  
3                   Defence counsel Don Johnson advised Assistant Crown  
4                   Attorney Alain Godin that the accused had been harassed by  
5                   Nadeau and John MacDonald as he was leaving the courtroom  
6                   during a break. Detective Constable Seguin spoke to both  
7                   Nadeau and MacDonald and wanted them to leave Lapierre  
8                   alone. The Justice also issued a warning from the bench  
9                   when he was advised of the alleged harassment. The  
10                  references are Exhibit 162 and 837.

11                  On February 15<sup>th</sup>, 2002 the Seaway News made  
12                  reference, in an article, to Nadeau's

13                               "resurrected website."

14                               The reference is Exhibit 828.

15                  On May 16<sup>th</sup>, 2002 Nadeau contacted Detective-  
16                  Sergeant Carroll by telephone and advised him that he had  
17                  received a new complaint against Father Charles MacDonald.  
18                  Detective-Sergeant Carroll advised Nadeau to have the  
19                  complainant telephone him. That same day, the complainant  
20                  contacted Detective-Sergeant Carroll.

21                  On May 21<sup>st</sup>, 2002 Nadeau was interviewed by  
22                  Detective-Sergeant Carroll regarding the complainant's  
23                  complaint. The reference is Exhibit 841. Oh sorry, and  
24                  843 and 842.

25                  On February 24th, 2004 Francis Lecomte of

1 the law firm Ogilvy-Renaud sent a letter to Nadeau's  
2 counsel Harry Yegendorf, requesting that Nadeau comply with  
3 the undertakings in the full and final release in the  
4 Nadeau v. Les Clercs de St-Viateur matter. That reference  
5 is Exhibit 802.

6 And that concludes the ODE.

7 **THE COMMISSIONER:** Thank you.

8 All right, so does anyone wish to comment at  
9 this point or shall we wait for the response, the  
10 institutional response?

11 Ms. Daley, do you have any comments at this  
12 time?

13 **MS. DALEY:** I have no comments, sir.

14 **THE COMMISSIONER:** Mr. Horn?

15 **MR. HORN:** No comment.

16 **THE COMMISSIONER:** Thank you. Mr. Lee?

17 **MR. LEE:** No comment.

18 **THE COMMISSIONER:** Mr. Neville is not here.

19 Mr. Chisholm?

20 **MR. CHISHOLM:** No comments at this time,  
21 thank you.

22 **THE COMMISSIONER:** Maître Rose?

23 **MR. ROSE:** No comment, sir.

24 **THE COMMISSIONER:** Thank you. Mr. Kloeze?

25 **MR. KLOEZE:** No comments at this time, sir.

1                   **THE COMMISSIONER:** Thank you. Ms.

2                   Robitaille?

3                   **MS. ROBITAILLE:** No comments at this time.

4                   **THE COMMISSIONER:** Mr. Manderville?

5                   **MR. MANDERVILLE:** No comments, Mr.

6                   Commissioner.

7                   **THE COMMISSIONER:** Thank you. Ms. Lahaie?

8                   **MS. LAHAIE:** No comments, sir.

9                   **THE COMMISSIONER:** Mr. Carroll?

10                  **MR. CARROLL:** In his absence.

11                  All right, thank you very much.

12                  **MS. SIMMS:** Thank you, Mr. Commissioner.

13                  **MR. DUMAIS:** And without missing a beat,

14                  Commissioner, I would like to call the next witness.

15                  Le prochain témoin appelé à la barre aux

16                  témoins, Madame Carmen Prigent, s'il vous plaît.

17                  **LE COMMISSAIRE:** Parfait, merci.

18                  **Me DUMAIS:** Et évidemment pour mes

19                  confrères, c'est la preuve qui va être entendue en français

20                  cet après-midi.

21                  **LE COMMISSAIRE:** Bonjour, Madame Prigent.

22                  Il faut qu'elle soit affirmée. Un instant.

23                  Madame la greffière, elle doit être affirmée?

24                  **CARMEN PRÉGENT:** Affirmed/Sous affirmation solennelle

25                  **LE COMMISSAIRE:** Madame Prigent, bonjour, ça



1 va bien aujourd'hui?

2 **Mme PRÉGENT:** Oui, ça va. Merci.

3 **LE COMMISSAIRE:** On aura des questions à  
4 vous poser. Maître Dumais va vous poser des questions et  
5 ensuite les autres avocats feront de même.

6 Si à aucun moment vous avez de la difficulté  
7 à comprendre une question, vous pouvez tout simplement  
8 arrêter pour leur demander de reprendre la question. Puis  
9 si, à un moment donné, il vous faut une pause, faites tout  
10 simplement me le demander et on s'organisera. Ensuite,  
11 vous avez de l'eau, un verre. Il y a un écouteur ici qui a  
12 un volume si vous avez de la difficulté à entendre du  
13 monde. Et puis, si jamais il y a quelque chose qui vous  
14 tracasse, simplement m'adresser et puis on s'organisera.

15 **Mme PRÉGENT:** D'accord. Merci.

16 **LE COMMISSAIRE:** D'accord. Merci. Ah, oui,  
17 il faut aussi répondre à haute voix dans le microphone.  
18 Merci beaucoup.

19 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF BY Me  
20 DUMAIS:

21 **Me DUMAIS:** Bonjour Carmen.

22 **Mme PRÉGENT:** Bonjour Pierre.

23 **Me DUMAIS:** Désolé pour le délai. J'ai mal  
24 évalué le temps que ça prendrait pour présenter la preuve  
25 ce matin. C'est de ma faute.

1                   On va te poser certaines questions, Carmen,  
2 évidemment au sujet de ta relation avec Dick Nadeau et puis  
3 son implication avec son site web.

4                   Juste avant qu'on commence, juste un petit  
5 rappel, on va parler du nom de plusieurs victimes, certains  
6 qu'on va identifier par des lettres et puis il y a  
7 certainement des questions qui vont être posées, qui vont  
8 relater spécifiquement à une personne ou à une victime qui  
9 est protégée par une ordonnance du Commissaire. Donc, on  
10 va t'identifier ces personnes-là à mesure que les questions  
11 seront posées.

12                   **Mme PRÉGENT:** D'accord.

13                   **Me DUMAIS:** D'accord. Donc, si on peut  
14 commencer, Carmen, tu es née à Whitney en Ontario, c'est  
15 cela?

16                   **Mme PRÉGENT:** Exact.

17                   **MR. DUMAIS:** Le 7 décembre 1950.

18                   **Mme PRÉGENT:** Oui.

19                   **MR. DUMAIS:** Et puis tu as demeuré à  
20 Cornwall durant les années '64 à '80?

21                   **Mme PRÉGENT:** Oui.

22                   **Me DUMAIS:** Donc, tu as fais ton école ici?

23                   **Mme PRÉGENT:** Oui.

24                   **Me DUMAIS:** Une partie de ton école?

25                   **Mme PRÉGENT:** Une partie oui. À partir de

1 l'âge de 14 ans.

2 Me DUMAIS: Et puis lorsque tu étais à  
3 Cornwall, tu étais à quelle école?

4 Mme PRÉGENT: Nativité.

5 Me DUMAIS: D'accord. Donc, à un certain  
6 moment donné, tu as quitté Cornwall. Tu as déménagé à  
7 Casselman?

8 Mme PRÉGENT: Non, à Hawkesbury.

9 Me DUMAIS: À Hawkesbury et puis tu es ---

10 Mme PRÉGENT: Bien, plus précisément à  
11 Greece's Point sur le côté du Québec.

12 Me DUMAIS: Et tu es restée là pour un  
13 certain nombre d'années?

14 Mme PRÉGENT: Cinq ans.

15 Me DUMAIS: Et puis ---

16 Mme PRÉGENT: J'ai déménagé à Hawkesbury  
17 pour un an puis en '86, j'ai déménagé à Casselman.

18 Me DUMAIS: Et tu habites à Casselman depuis  
19 1986?

20 Mme PRÉGENT: Exact.

21 Me DUMAIS: Et puis l'année 1986 coïncide  
22 avec l'année lorsque tu aurais débuté ta cohabitation avec  
23 Dick Nadeau. C'est ça?

24 Mme PRÉGENT: En '93.

25 Me DUMAIS: O.k. Est-ce que tu l'as connu

1           avant 1993?

2                           **Mme PRÉGENT:** Oui, j'ai connu Dick en '72.

3                           **Me DUMAIS:** Donc, vous étiez amis en 1972.

4           Vous avez -- en 1986, vous étiez toujours amis?

5                           **Mme PRÉGENT:** Ah, oui.

6                           **Me DUMAIS:** Et puis, disons, c'est à partir  
7           de 1993, que vous avez débuté votre période de  
8           cohabitation; c'est ça?

9                           **Mme PRÉGENT:** Exact.

10                          **Me DUMAIS:** À ce que je comprenne et puis tu  
11           as été le conjoint de fait de Dick jusqu'à son décès il y a  
12           un peu plus d'un an passé, en 2006; c'est bien cela?

13                          **Mme PRÉGENT:** Oui.

14                          **Me DUMAIS:** Donc je comprends que peu  
15           longtemps après que vous avez débuté votre période de  
16           cohabitation, Dick a eu certains problèmes médicaux.

17                          **Mme PRÉGENT:** Oui.

18                          **Me DUMAIS:** Est-ce que tu peux juste  
19           brièvement nous parler un peu de ça?

20                          **Mme PRÉGENT:** En '94, il a eu des problèmes  
21           de prostate. Alors, il a dû avoir une chirurgie. En '95,  
22           le premier juin '95, il a eu un "triple bypass".

23                          **Me DUMAIS:** Donc, il avait un problème  
24           congénital avec son cœur?

25                          **Mme PRÉGENT:** Oui, puis il avait de la

1 diabète.

2 **Me DUMAIS:** O.k. Et puis à ce que je  
3 comprenne, suite à cette intervention médicale-là ou cette  
4 intervention chirurgicale, il a commencé à voir un  
5 psychologue ou un thérapeute. C'est bien ça?

6 **Mme PRÉGENT:** Exact. Oui.

7 **MS. COSTOM:** Et puis cette thérapie-là  
8 aurait débutée pas longtemps après l'intervention?

9 **Mme PRÉGENT:** Ça avait été, je dirais peut-  
10 être un an après. Oui, habituellement, selon moi, après un  
11 "triple bypass", il faut qu'il suive avec un psychologue,  
12 mais étant donné qu'on était à Casselman, il ne voyait pas  
13 la nécessité de le faire. Mais après ça, il a commencé à  
14 avoir des problèmes psychologiques et c'est là que ça l'a  
15 amené à vouloir consulter avec un psychologue.

16 **Me DUMAIS:** O.k. Puis à ce que je  
17 comprenne, durant ces sessions-là, le psychologue lui  
18 aurait demandé certaines questions, entre autres, à savoir  
19 s'il aurait été un victime d'abus sexuel dans sa jeunesse.

20 **Mme PRÉGENT:** Exact, oui.

21 **Me DUMAIS:** Et puis, à un certain moment  
22 donné, il t'en a parlé.

23 **Mme PRÉGENT:** Oui.

24 **Me DUMAIS:** Est-ce que tu peux juste nous  
25 conter ce qu'il t'a dit et puis de quelle façon ça c'est

1 déroulé.

2 **Mme PRÉGENT:** Bien, il est arrivé à la  
3 maison et il a dit, "Bien, une des premières questions que  
4 le psychologue m'a demandée c'était à savoir si j'avais été  
5 abusé sexuellement". Puis il dit, "Je ne comprends pas ce  
6 que ça affaire avec ça."

7 Et puis il a commencé à lire des livres,  
8 entre autres, Victims No Longer et c'est quand il a  
9 constaté le dommage que ça a fait, c'est là qu'il a  
10 vraiment -- il a vraiment pris cela comme -- bien, je te  
11 laisse poursuivre avec l'annonce là.

12 **Me DUMAIS:** O.k. Donc, Carmen, puis toi,  
13 c'était la première fois qu'il te parlait de ça?

14 **Mme PRÉGENT:** Oui.

15 **Me DUMAIS:** Et puis ce n'est pas une  
16 situation où est-ce qu'il avait refoulé ces souvenirs-là.  
17 Est-ce que c'est plutôt une situation où est-ce qu'il  
18 refusait d'admettre?

19 **Mme PRÉGENT:** Non, je pense que c'était  
20 refoulé parce que ça n'avait jamais été discuté puis il  
21 était tellement surpris de voir -- après avoir lu le livre  
22 là et puis de réaliser le dommage que l'abus sexuel  
23 causait, c'est vraiment là qu'il est venu -- parce que Dick  
24 c'est une personne qui a toujours pensé aux autres. Il a  
25 toujours été activiste pour les différentes causes. Puis

1 il n'a jamais pris soin de lui-même. Alors, non, je ne  
2 pense pas que -- comme je te dis, quand il est arrivé du  
3 psychologue, il ne comprenait pas pourquoi elle lui avait  
4 posé cette question-là et pourquoi -- qu'est que ça avait  
5 affaire avec l'abus sexuel.

6 **Me DUMAIS:** Et puis l'incident spécifique  
7 d'abus qu'il t'a parlé à ce moment-là, qu'est-ce que  
8 c'était?

9 **Mme PRÉGENT:** Il m'a parlé -- bien du Père  
10 Côté et il m'a conté ce qui était arrivé. Il avait demandé  
11 la permission à sa mère de coucher chez le prêtre parce que  
12 le prêtre était supposé de lui aider avec quelque chose  
13 puis qu'il avait eu un abus sexuel avec le Père Côté.

14 **Me DUMAIS:** À ce moment-là, il avait été  
15 abusé?

16 **Mme PRÉGENT:** Oui.

17 **Me DUMAIS:** Puis à ce moment-là qu'elle  
18 était la discussion entre vous deux à savoir ce qui était  
19 pour se passer, s'il y aurait des accusations criminelles,  
20 une poursuite civile?

21 Est-ce que vous parliez de cela à ce moment-  
22 là?

23 **Mme PRÉGENT:** Non, ça n'a pas commencé cela  
24 avant plus tard.

25 **Me DUMAIS:** Donc, à un certain moment donné,

1 il y a eu une décision qui a été prise de communiquer avec  
2 la PPO. C'est bien ça?

3 **Mme PRÉGENT:** Avec qui?

4 **Me DUMAIS:** La Police provinciale de  
5 l'Ontario.

6 **Mme PRÉGENT:** Oui.

7 **Me DUMAIS:** Est-ce que tu te souviens ce qui  
8 a mené à ça, à cette divulgation-là ou comment cette  
9 décision-là a été prise?

10 **Mme PRÉGENT:** Je pense que c'est suite --  
11 après qu'il ait mis l'annonce dans le Standard Freeholder.  
12 Et puis là il a commencé à avoir des contacts avec des  
13 victimes. Et puis il avait vu une annonce -- je me  
14 souviens, il avait vu une annonce dans le Standard  
15 Freeholder à propos du Project Truth. C'est ça qui l'avait  
16 amené à contacter les OPP.

17 **Me DUMAIS:** Donc, durant cette période de  
18 temps-là, vous habitiez Casselman?

19 **Mme PRÉGENT:** M'hm.

20 **Me DUMAIS:** Et puis est-ce que vous aviez  
21 affaire à Cornwall de temps à autre? Est-ce que vous aviez  
22 toujours de la famille ici ou des amis?

23 **Mme PRÉGENT:** Oui. Dick visitait sa mère de  
24 temps à autre, mais il était tellement malade, c'était rare  
25 qu'on venait à Cornwall.



1                   **Me DUMAIS:** O.k. Donc, il y a certaines  
2 choses qui se brassaient, disons, entre les années '93 et  
3 '96 ou '97. Est-ce que c'est des choses que vous suiviez?  
4 Est-ce que vous suiviez les nouvelles?

5                   **Mme PRÉGENT:** Non. Non, pas de Cornwall.  
6 Puis on n'a pas accès au Standard Freeholder. Alors, c'est  
7 pas quelque chose qu'on savait, qu'il y avait tellement  
8 d'abus qui se passait ici à Cornwall. Pas au début du  
9 moins.

10                   **Me DUMAIS:** Donc, tu indiquais à un moment  
11 donné que vous auriez vu ou Dick aurait vu une annonce  
12 publicitaire, essentiellement une annonce qui demandait aux  
13 victimes de communiquer avec les policiers. C'est bien ça?

14                   **Mme PRÉGENT:** Oui.

15                   **Me DUMAIS:** Et puis une décision qui a été  
16 prise qu'il allait poursuivre l'affaire. C'est ça?

17                   **Mme PRÉGENT:** Oui.

18                   **Me DUMAIS:** Donc, il a communiqué avec les  
19 policiers et puis est-ce que tu te souviens de cette  
20 journée-là?

21                   **Mme PRÉGENT:** Oui, je l'ai accompagné.

22                   **Me DUMAIS:** Donc, vous vous êtes rendus où  
23 et qu'est-ce qui s'est passé?

24                   **Mme PRÉGENT:** On s'est rendu à Lancaster je  
25 crois, oui.

1                   **Me DUMAIS:** Et est-ce que vous vous souvenez  
2 qui vous avez rencontré?

3                   **Mme PRÉGENT:** Je sais que Genier était  
4 impliqué. Bien, je me souviens de Genier, Pat Hall puis  
5 Dupuis, mais là la personne -- moi, je n'étais pas  
6 'allouée' à être à l'intérieur de la pièce. Alors, je ne  
7 sais pas qui a passé l'entrevue avec lui.

8                   **Me DUMAIS:** Donc, il a donné une déclaration  
9 en autant que tu saches. Tu n'étais pas là. Après qu'il  
10 est sorti de l'entrevue, qu'est qu'il t'a dit? Est-ce que  
11 vous avez eu une communication? Qu'est-ce qui était pour  
12 se passer?

13                   **Mme PRÉGENT:** Je ne me souviens pas.

14                   **Me DUMAIS:** Est-ce que tu te souviens de la  
15 prochaine étape, disons, dans cette investigation-là?  
16 Qu'est-ce qui est la prochaine chose qui s'est passée?

17                   **Mme PRÉGENT:** En quelle année qu'il a  
18 rencontré la OPP?

19                   **Me DUMAIS:** Disons, que ça aurait été -- les  
20 documents semblent indiquer que ça aurait été en septembre  
21 '97.

22                   **Mme PRÉGENT:** En '97. Est-ce que ça c'est  
23 après l'annonce qu'il a mise dans le Standard Freeholder?

24                   **Me DUMAIS:** Non. Ça aurait précédé ça. J'y  
25 arrive dans pas longtemps.

1                   **Mme PRÉGENT:** Ah, o.k.

2                   **Me DUMAIS:** Ce que je veux savoir c'est il  
3 fait une déclaration en septembre '97, si tu le sais. Et  
4 puis il se peut que tu l'sais pas.

5                   Qu'est-ce qui a été le prochain contact  
6 spécifique à cette investigation criminelle?

7                   **Mme PRÉGENT:** Ah, je pense que je sais  
8 qu'est-ce que tu veux dire. Avec Perry? Parce que moi,  
9 selon moi, le contact -- il y a des endroits qui disent  
10 '96; d'autres qui disent '99. Selon moi, c'est en '99; '96  
11 c'est trop -- c'est trop tôt.

12                   **Me DUMAIS:** Peut-être que je vais laisser --  
13 je vais laisser cette question-là de côté, Carmen, puis je  
14 vais y revenir un peu plus tard, simplement t'indiquant  
15 qu'est-ce que les documents semblent indiquer.

16                   À un certain moment donné, Richard a pris --  
17 ou Dick a pris la décision lui-même de placer sa propre  
18 annonce dans le -- dans un journal ici à Cornwall?

19                   **Mme PRÉGENT:** Oui.

20                   **Me DUMAIS:** Est-ce que tu te souviens  
21 qu'est-ce qui a mené à cette décision-là?

22                   **Mme PRÉGENT:** Je crois que voyant comme quoi  
23 les autres victimes amenaient -- allaient nulle part avec  
24 le système juridique comme tel, il voulait pas approcher --  
25 il voulait pas passer en cour et puis tout ça. Alors, pour

1 lui, sa meilleure chance c'était avec une "class action".

2 **Me DUMAIS:** Est-ce que ça serait juste de  
3 dire, Carmen, qu'entre '97 -- disons en septembre '97 quand  
4 il a fait sa déclaration et '99, l'année qu'il aurait placé  
5 l'annonce dans le Standard Freeholder qu'il commençait à  
6 s'intéresser à ce qui se passait à Cornwall?

7 **Mme PRÉGENT:** Oui.

8 **Me DUMAIS:** Et puis ---

9 **Mme PRÉGENT:** Je m'excuse. Je sais pas s'il  
10 a commencé à s'intéresser à Cornwall après qu'il a mis  
11 l'annonce ou avant.

12 **Me DUMAIS:** O.k.

13 **Mme PRÉGENT:** Mais c'est -- une fois que  
14 l'annonce était placée, définitivement, mais je me souviens  
15 pas.

16 **Me DUMAIS:** O.k. Donc, il place une annonce  
17 dans le Standard Freeholder. Est-ce que tu te souviens  
18 qu'est-ce que l'annonce disait?

19 **Mme PRÉGENT:** Ceux qui avaient été abusés  
20 par les Clercs de St-Viateur de le contacter et puis il  
21 avait laissé une boîte postale avec le Standard Freeholder.

22 **Me DUMAIS:** O.k. Donc, c'était très  
23 spécifique à ce sens-là. C'était -- il cherchait des  
24 victimes qui avaient -- qui ont été abusées par quelqu'un  
25 dans le même organisme; c'est bien ça?

1                   **Mme PRÉGENT:** Exactement. Oui.

2                   **Me DUMAIS:** Et puis son intention à ce  
3 moment-là était d'intenter des poursuites civiles?

4                   **Mme PRÉGENT:** Oui, parce que selon Howard ça  
5 prenait plus -- plus qu'une personne pour intenter une  
6 action civile.

7                   **Me DUMAIS:** O.k. Donc, vous avez mentionné  
8 le nom de Howard. Par ça, je crois que vous faites  
9 référence à Howard Yegendorf; c'est bien ça?

10                   **Mme PRÉGENT:** Oui.

11                   **Me DUMAIS:** Et puis lui se trouve à être  
12 qui?

13                   **Mme PRÉGENT:** L'avocat qui représentait --  
14 supposément représentait Dick.

15                   **Me DUMAIS:** O.k. Ça, on va arriver à ça  
16 aussi. Donc, il avait retenu les services d'un avocat?

17                   **Mme PRÉGENT:** Oui.

18                   **Me DUMAIS:** Et puis les instructions à cet  
19 avocat-là étaient essentiellement d'entamer des poursuites  
20 judiciaires?

21                   **Mme PRÉGENT:** Oui.

22                   **Me DUMAIS:** Et puis si je comprends bien ce  
23 que vous venez de me dire, l'intention de Dick était  
24 d'intenter un recours collectif, ce qu'on appelle  
25 communément en anglais "a class action suit"?

1                   **Mme PRÉGENT:** Oui.

2                   **Me DUMAIS:** Et puis est-ce que tu sais si  
3 cette proposition-là, cette idée-là ça venait de Monsieur  
4 Yegendorf ou est-ce que ça venait de Dick?

5                   **Mme PRÉGENT:** De Dick.

6                   **Me DUMAIS:** O.k. Et puis est-ce qu'il avait  
7 cette intention-là avant de commencer à recevoir des  
8 communications de d'autres victimes?

9                   **Mme PRÉGENT:** Je le sais pas.

10                  **Me DUMAIS:** O.k. Donc, il avait resté une  
11 boîte postale comme adresse de référence aux différentes  
12 victimes. Donc, les communications par d'autres victimes,  
13 ça se faisait de quelle façon? Est-ce que c'était  
14 uniquement par courrier?

15                  **Mme PRÉGENT:** Par courriel ou courrier?

16                  **Me DUMAIS:** Par courrier, pardon.

17                  **Mme PRÉGENT:** Par courrier, non. Il y en a  
18 quelques-uns, oui, mais pas tous.

19                  **Me DUMAIS:** O.k. Est-ce qu'il y avait  
20 également un numéro de téléphone dans l'annonce  
21 publicitaire? Est-ce que tu te souviens?

22                  **Mme PRÉGENT:** Est-ce que toi tu parles pour  
23 le class action suit, les gens qui l'ont contacté? Parce  
24 qu'il y a des victimes qui l'ont contacté par après.

25                  **Me DUMAIS:** Oui, absolument.

1                   Le point de départ se trouve à être  
2 l'annonce publicitaire qu'il aurait placée dans le Standard  
3 Freeholder. Si j'ai bien compris ce que tu nous as dit, il  
4 avait placé une annonce demandant s'il y avait d'autres  
5 victimes d'abus sexuel et puis qu'il avait donné une boîte  
6 postale comme adresse pour répondre.

7                   **Mme PRÉGENT:** Oui.

8                   **Me DUMAIS:** C'est bien ça?

9                   **Mme PRÉGENT:** Oui.

10                  **Me DUMAIS:** Donc, certaines personnes ont  
11 commencé à communiquer avec Dick à la maison?

12                  **Mme PRÉGENT:** Au travers de la poste, parce  
13 que là c'était une boîte postale. Il n'avait pas mis son  
14 numéro de téléphone, je crois pas.

15                  **Me DUMAIS:** O.k. Mais, donc, il a commencé  
16 à recevoir certaines réponses de certaines victimes?

17                  **Mme PRÉGENT:** Oui.

18                  **Me DUMAIS:** Et puis est-ce que tu es dans  
19 une position de nous dire combien de victimes qui ont  
20 communiqué avec lui? Est-ce que tu as une idée?

21                  **Mme PRÉGENT:** Au début il y en avait à peu  
22 près cinq ou six, puis il y en a qui se sont retirées par  
23 après.

24                  **Me DUMAIS:** O.k. Et puis quand tu nous dis  
25 cinq à six victimes, est-ce que tu fais référence

1 spécifiquement aux victimes d'abus sexuel de quelqu'un des  
2 Clercs de St-Viateur?

3 **Mme PRÉGENT:** Oui.

4 **Me DUMAIS:** O.k. Donc, à ce que je  
5 comprenne et puis simplement pour t'avertir, Carmen, je  
6 suis pas certain de quelle façon que le dossier de litige  
7 civil a été réglé spécifiquement. Je sais pas s'il y a une  
8 ordonnance de non publication ou de non communication  
9 d'information. Donc, simplement pour l'instant, on ne va  
10 pas mentionner le nom des autres parties dans la poursuite.

11 Donc, à ce que je comprenne ---

12 **LE COMMISSAIRE:** Est-ce qu'elle était partie  
13 de l'entente?

14 **Me DUMAIS:** Je peux lui demander.

15 Est-ce que tu faisais partie de la poursuite  
16 des Clercs de St-Viateur?

17 **Mme PRÉGENT:** Non.

18 **Me DUMAIS:** Non. Donc, c'était simplement  
19 Dick qui faisait partie de ça et puis il y avait également  
20 trois autres victimes; c'est bien ça?

21 **Mme PRÉGENT:** Oui.

22 **Me DUMAIS:** O.k. Et puis ils ont intenté  
23 une poursuite et à ce que je comprenne, ils étaient tous  
24 représentés par Howard Yegendorf?

25 **Mme PRÉGENT:** Oui.



1                   **Me DUMAIS:** Donc, autre que ces victimes qui  
2                   ont fait partie de la poursuite civile, est-ce qu'il y  
3                   avait d'autres victimes qui communiquaient avec Dick qui  
4                   avaient rien à faire avec les Clercs de St-Viateur?

5                   **Mme PRÉGENT:** Oui.

6                   **Me DUMAIS:** Et puis qu'est-ce qui était --  
7                   qu'est-ce que Dick faisait avec ces gens-là ou avec ces  
8                   victimes-là qui communiquaient avec lui?

9                   **Mme PRÉGENT:** Il appelait Pat Hall. Ben,  
10                  parfois ils venaient à la maison, puis là ils discutaient  
11                  et puis après ça il référerait soit à Pat Hall ou à Don  
12                  Genier.

13                  **Me DUMAIS:** O.k. Donc, durant cette période  
14                  de temps-là, Dick avait une relation et il était en  
15                  communication avec Pat Hall et puis ---

16                  **Mme PRÉGENT:** Don Genier.

17                  **Me DUMAIS:** --- Don Genier, le détective --  
18                  qui est détective?

19                  **Mme PRÉGENT:** Oui.

20                  **Me DUMAIS:** Et puis -- donc, il venait chez  
21                  vous à votre maison?

22                  **Mme PRÉGENT:** Qui, les détectives -- ben, je  
23                  me souviens les victimes, oui, mais je me souviens d'avoir  
24                  Pat Hall puis Don Genier chez nous, oui.

25                  **Me DUMAIS:** O.k. Et puis, donc, il --

1           disons si on parle de l'année 1999, à ce moment-là, à ce  
2           que je comprenne, Dick n'opérait pas de site web; c'est  
3           bien ça?

4                       **Mme PRÉGENT:** Non.

5                       **Me DUMAIS:** Et puis quand les victimes  
6           passaient à la maison, venaient le voir, est-ce qu'il  
7           prenait leurs déclarations ou est-ce qu'ils étaient  
8           simplement référés ---

9                       **Mme PRÉGENT:** Il les référerait. Je me  
10          souviens pas de l'avoir vu écrire aucun "statement". Il  
11          encourageait les victimes d'écrire un "statement", si  
12          c'était pas déjà fait par l'entremise du OPP.

13                      **Me DUMAIS:** Et puis est-ce que certaines de  
14          ces victimes-là étaient également référées à Monsieur  
15          Yegendorf?

16                      **Mme PRÉGENT:** Oui.

17                      **Me DUMAIS:** O.k. Certaines des victimes ou  
18          ---

19                      **Mme PRÉGENT:** Certaines.

20                      **Me DUMAIS:** O.k. À un certain moment donné,  
21          quelqu'un du Standard Freeholder aurait communiqué avec  
22          Dick pour l'aviser qu'il faisait face à une poursuite pour  
23          avoir publié son annonce publicitaire.

24                      **Mme PRÉGENT:** Oui.

25                      **Me DUMAIS:** Est-ce que tu es au courant de

1           ça?

2                           **Mme PRÉGENT:** Oui.

3                           **Me DUMAIS:** Et puis Dick t'en a parlé de ça?

4                           **Mme PRÉGENT:** Je me souviens. Je dirais pas  
5 qu'on a eu une discussion là-dessus, mais je me souviens  
6 que ça avait été mentionné.

7                           **Me DUMAIS:** O.k. Est-ce que tu peux --  
8 qu'est-ce que tu peux nous dire à ce niveau-là, à ce sujet-  
9 là?

10                          **Mme PRÉGENT:** Je crois que c'est les Clercs  
11 St-Viateur qui avaient contacté le Standard Freeholder puis  
12 qui était pour les poursuivre.

13                          **Me DUMAIS:** Et puis est-ce que tu te  
14 souviens qu'est-ce qui aurait été le conseil du Standard  
15 Freeholder?

16                           Est-ce qu'il avait recommandé quelque chose  
17 à Dick?

18                          **Mme PRÉGENT:** Pas que je sache, je ne me  
19 souviens pas.

20                          **Me DUMAIS:** Et puis, durant cette période de  
21 temps, disons entre '97 et '99, quand les victimes  
22 communiquaient avec Dick ou arrivaient à la maison ou  
23 appelaient à la maison, qu'est-ce qui était ton rôle dans  
24 tout cela?

25                          **Mme PRÉGENT:** Je peux-tu juste préciser

1           quelque chose?

2                       **Me DUMAIS:**   Oui.

3                       **Mme PRÉGENT:**  Je sais pas les dates que les  
4           victimes venaient.  Je ne sais pas s'ils sont venus en '97,  
5           '98, '99.

6                       **LE COMMISSAIRE:**  M'hm.

7                       **Mme PRÉGENT:**  Je me souviens plutôt moi  
8           après l'an 2000.  L'an 2000, c'est là vraiment que ça a  
9           commencé à bouger là.

10                      **Me DUMAIS:**  C'est une bonne précision.  
11           Peut-être que ma question était pas juste.  Est-ce que ce  
12           serait plus juste à dire que les victimes ont commencé à  
13           communiquer avec lui après qu'il a placé l'annonce  
14           publicitaire en autant qu'on sait que ça aurait été durant  
15           l'année '99?

16                      **Mme PRÉGENT:**  Comme je l'ai dit, je sais pas  
17           si c'est '99.

18                      **Me DUMAIS:**  Est-ce que ce serait juste à  
19           dire qu'ils ont commencé à communiquer avec lui après que  
20           l'annonce publicitaire ---

21                      **Mme PRÉGENT:**  Oui, cela a été après.

22                      **Me DUMAIS:**  --- a passé?

23                      **Mme PRÉGENT:**  Oui.

24                      **Me DUMAIS:**  J'ai oublié ma question.  Ma  
25           question -- donc, à partir de ce moment-là -- je me

1 souviens maintenant -- Ce que je t'avais demandé c'est à  
2 partir du moment que ces victimes-là communiquaient avec  
3 Dick à la maison, qu'est-ce qui a été ton implication ---

4 **Mme PRÉGENT:** Ah oui.

5 **Me DUMAIS:** --- ou ton rôle? Est-ce que tu  
6 leur parlais? Est-ce que tu ---

7 **Mme PRÉGENT:** Non, je servais le café puis  
8 je m'assurais qu'ils étaient confortables puis -- je  
9 faisais pas partie des discussions.

10 **Me DUMAIS:** O.k.

11 **LE COMMISSAIRE:** Est-ce que vous écoutiez?

12 **Mme PRÉGENT:** Je pouvais entendre, oui.

13 **LE COMMISSAIRE:** O.k.

14 **Mme PRÉGENT:** J'étais dans la cuisine, les  
15 autres gars dans le salon; puis c'est ouvert, alors ---

16 **LE COMMISSAIRE:** O.k.

17 **Me DUMAIS:** Alors t'étais pas nécessairement  
18 exclue comme tel, donc, ils n'étaient pas dans un pièce  
19 fermée; mais tu ne participais pas activement à la  
20 discussion?

21 **Mme PRÉGENT:** Non, exact, oui, je  
22 participais pas activement.

23 **Me DUMAIS:** Puis juste pour revenir à un des  
24 premiers points qu'on a discutés à savoir qu'est-ce qui  
25 s'est passé avec l'investigation criminelle? Nos documents

1           semblent indiquer que le 7 janvier 2000, la Police  
2           provinciale de l'Ontario aurait mis fin à leur enquête  
3           criminelle parce qu'ils avaient déterminé à ce moment-là ou  
4           à un certain moment donné, ça avait été déterminé que le  
5           Père Côté était décédé.

6                           **Mme PRÉGENT:** Oui.

7                           **Me DUMAIS:** Donc, est-ce que tu te souviens  
8           d'avoir pris connaissance de ce fait-là?

9                           **Mme PRÉGENT:** Oui.

10                          **Me DUMAIS:** O.k. Donc, puis cette  
11           information-là serait venue de Dick ou ---

12                          **Mme PRÉGENT:** Je sais pas exactement. Je  
13           sais pas si c'est Pat Hall qui avait venu à la maison ou  
14           c'est une discussion que j'ai entendue sur le téléphone  
15           mais j'étais au courant que c'était quelque chose qui avait  
16           été décidé.

17                          **Me DUMAIS:** D'accord. Donc tu nous a parlé  
18           tantôt un petit peu de Perry Dunlop et puis à travers  
19           différentes procédures judiciaires, il a été question à  
20           savoir quand est-ce Dick aurait rencontré Perry? Quand il  
21           aurait commencé à communiquer avec Perry? Et puis, quel  
22           échange de documents qu'il y aurait eu entre les deux?

23                          Puis peut-être pour te faciliter la tâche,  
24           et puis avant de te demander de répondre à cette question-  
25           là, je vais t'amener à certaines pièces justificatives sur

1 certaines pièces de preuve qui ont déjà été déposées plus  
2 tôt ce matin.

3 La première, ça se trouve être la Pièce 721  
4 donc document 120899.

5 Un deux zéro huit neuf neuf (120899), la  
6 Pièce 721.

7 **LE COMMISSAIRE:** La pièce 721. Pardon?

8 **Me DUMAIS:** Sept cent vingt-et-un (721).

9 **LE COMMISSAIRE:** C'est ça. J'ai besoin de  
10 mon cartable.

11 **Me DUMAIS:** Pardon, ce n'est pas une pièce  
12 qui a été déposée ce matin, ça c'est ---

13 **LE COMMISSAIRE:** Non, non, non. O.k.

14 **Me DUMAIS:** Donc, je vais te référer,  
15 Carmen, à la page 1130092.

16 **LE COMMISSAIRE:** Mais pourquoi pas juste la  
17 page -- ah tu sais pas.

18 **Me DUMAIS:** Page 562, Monsieur le  
19 Commissaire.

20 **LE COMMISSAIRE:** Vous pouvez regarder dans  
21 le milieu, au haut de la ---

22 **Mme PRÉGENT:** Oui.

23 **LE COMMISSAIRE:** Page 562, c'est ça.

24 **Me DUMAIS:** Donc avant que tu passes à  
25 travers, Carmen, je vais simplement essayer de te mettre --

1 je vais essayer de situer la transcription.

2 Donc ce que tu as devant toi, ça se trouve  
3 être une transcription dans la cause de *La Reine c. Charlie*  
4 *MacDonald* et puis c'est une requête selon l'article 11(b)  
5 de la Charte qui a été entendue par le juge Chilcott le 2  
6 mai, 2002 à Cornwall.

7 Donc ça ici, c'est la transcription et puis  
8 c'est la transcription de Perry Dunlop qui se fait contre-  
9 interroger par l'avocat de la défense.

10 **Mme PRÉGENT:** Quel juge? Chilcott? C'est  
11 ça que tu m'as dit.

12 **Me DUMAIS:** Oui, c'est bien ça.

13 **Mme PRÉGENT:** O.k.

14 **Me DUMAIS:** Donc, est-ce que tu es bien à la  
15 page 562 de la transcription?

16 **Mme PRÉGENT:** Oui.

17 **Me DUMAIS:** O.k. Puis je vais -- il y a  
18 certains -- tous ces passages-là sont évidemment en  
19 anglais. Tu comprends suffisamment l'anglais, Carmen ---

20 **Mme PRÉGENT:** Oui.

21 **Me DUMAIS:** --- pour -- s'il y a quelque  
22 chose qui va pas, tu m'arrêtes et puis j'essayerai de te  
23 faire un peu de traduction simultanée.

24 **Mme PRÉGENT:** C'est bien.

25 **Me DUMAIS:** Je regarde à peu près à mi-page.



1           Donc je vais commencer avec -- à la ligne 15, tu vois les  
2           chiffres sur le côté, à la gauche?

3                       **Mme PRÉGENT:** Oui.

4                       **MR. DUMAIS:** We can't?

5                       **THE COMMISSIONER:** Madam Clerk, is it on the  
6           screen? Mr. Lee, I think we will have to put you on  
7           retainer just to keep us on the short and narrow here.

8                       **MR. LEE:** I absolute agree with that. I'll  
9           bill you.

10                      **THE COMMISSIONER:** Yeah.

11                      **Me DUMAIS:** Donc Carmen, je vais simplement  
12           te lire le passage pour commencer.

13                      Donc on va regarder trois transcriptions; il  
14           y a trois différents passages; deux des passages sont  
15           monsieur Dunlop et puis un des passages, c'est Dick. Donc,  
16           ça c'est le premier:

17                      **Q:** "Now just speaking about the internet,  
18                      you know a person named Richard  
19                      Nadeau?"

20                      "Yes, I do."

21                      "And how do you know him?"

22                      "I met him shortly before I left  
23                      Cornwall."

24                      "And who is Mr. Nadeau?"

25                      "He lives in Casselman."

1 "Does Mr. Nadeau have something to do  
2 with the internet?"

3 "Yes, he does."

4 Donc, si on regarde la page 563, donc  
5 l'autre page à côté, un petit peu plus bas que mi-page,  
6 donc:

7 Q: "And was some of the material on there,  
8 material that came through your  
9 personal investigation?"

10 A: "Yes."

11 "How did it get there then?"

12 A: "I do not know."

13 Q: "But it got there?"

14 "Yes."

15 Et puis, juste un petit peu plus haut --  
16 pardon Carmen, la dernière ligne de la page 562 et puis le  
17 haut de la page 563. La question:

18 "Did you make materials available to  
19 him to put on his website?"

20 A: "Did I make material? No, I did not.

21 "For example your Statement of Claim?"

22 "He could get that from other places.

23 I didn't directly give it to him."

24 "Did you tell him where to get it?"

25 "I don't recall that."

1 "Did your Statement of Claim appear on  
2 the website?"

3 "I don't recall that either."

4 Évidemment la discussion à ce niveau-ci est  
5 à savoir quand il aurait rencontré Dick pour la première  
6 fois et puis quel genre -- c'est une discussion à savoir  
7 quel genre de matériel qui lui aurait été remis.

8 Donc le deuxième passage, ça se trouve à  
9 être la pièce 723, document 109979.

10 **LE COMMISSAIRE:** Quelle page Maître Dumais?

11 **Me DUMAIS:** Ça va être la page 27 de la  
12 transcription ou Bates page 1046736.

13 **LE COMMISSAIRE:** O.k. Page 27.

14 **Mme PRÉGENT:** Oui.

15 **Me DUMAIS:** Donc simplement avant de  
16 regarder le passage, Carmen, je vais tout simplement te  
17 remettre en contexte. Donc ça se trouve à être dans la  
18 matière de *La Reine c. Jacques Leduc*. C'est une  
19 transcription d'une procédure devant le juge Platana datée  
20 du 17 août 2004.

21 Puis encore ça se trouve à être Monsieur  
22 Perry Dunlop qui donne de la preuve et puis les questions  
23 portent à savoir quand il aurait premièrement rencontré  
24 Dick et puis quel genre d'information qui aurait été  
25 échangée entre eux.

1                   Donc il y a certains passages -- il y a  
2 plusieurs passages à regarder. Je vais juste passer à  
3 travers. Donc à la page 27, vers la fin de la page, le  
4 passage ou la question qui commence avec « All right ».

5                   "All right, now you had a long-standing  
6 relationship with Mr. Nadeau, didn't  
7 you? You knew him as far back as  
8 1996."

9                   La réponse:

10                   "Probably, 1996 sounds right, yeah."

11                   Q: "All right. In 1996, in fact the two  
12 of you had talked about lawyers, right?  
13 Did you use the same lawyer on one  
14 occasion -- on occasion. This  
15 gentleman by the name of Yegendorf.  
16 Does that ring a bell for you?"

17                   "Yes."

18                   Ensuite, le prochain passage se trouve à  
19 être à la page 28, donc la prochaine page, un petit peu  
20 plus haut que la mi-page.

21                   Q: "All right, and so since 1996 you've  
22 met him on quite a few occasions; isn't  
23 that right?"

24                   La réponse:

25                   "Quite a few occasions, probably

1 ten maybe, I guess."

2 Ensuite, la prochaine page qui se trouve à  
3 être la page 30 de cette transcription. Donc c'est vers la  
4 fin de la page, la question, le passage commence avec « And  
5 you're telling us ».

6 **LE COMMISSAIRE:** Où ça encore?

7 **Me DUMAIS:** À la page 30.

8 **LE COMMISSAIRE:** M'hm.

9 **Me DUMAIS:** La deuxième question de la fin.

10 "And you're telling us the truth about  
11 the fact that you admit you did give  
12 him statements that you had collected  
13 that he posted on his website."

14 "Yes."

15 "All right and you also admit that you  
16 gave him photographs or your wife gave  
17 him photographs of you to post on his  
18 website?"

19 "Right."

20 **Me DUMAIS:** Je suis maintenant rendu à la  
21 page 31.

22 "All right. And you also gave him some  
23 binders of materials?"

24 "Right."

25 "Yes, all right. And those binders

1 included what? Some statements?"  
2 "Right."  
3 "And you also gave him some boxes of  
4 materials, right?"  
5 "Yes."  
6 "How many boxes did you give him?"  
7 "I can't recall."  
8 **Me DUMAIS:** La question:  
9 "One, two, ten, twenty, roughly?"  
10 "Can't recall."  
11 "Less than ten? More than ten?"  
12 La réponse:  
13 "Less than ten."  
14 "Less than ten, more than one? Can we  
15 say that?"  
16 "Anywhere between one and ten.  
17 Somewhere around there, somewhere  
18 around there."  
19 "When did you give him those boxes?"  
20 "I believe I gave him those boxes when  
21 I was getting to go or leave or in  
22 2000. Somewhere right around there."  
23 "And what about the binders? Had that  
24 been earlier, one of those earlier ten  
25 meetings?"

1 "I can't recall that."

2 "You don't know when you gave him the  
3 binders "

4 "No."

5 **Me DUMAIS:** Donc -- et puis le dernier  
6 passage -- la dernière transcription -- auquel je veux  
7 faire référence, Carmen, se trouve à être -- je crois que  
8 c'est la Pièce 788. Je crois que j'ai la bonne pièce,  
9 monsieur le commissaire, c'est des pièces qui ont été  
10 rentrées ce matin.

11 **LE COMMISSAIRE:** La transcription La Reine  
12 et Leduc?

13 **Me DUMAIS:** C'est bien ça; du 21 février  
14 2001.

15 **LE COMMISSAIRE:** C'est ça. Quelle page?

16 **Me DUMAIS:** Ça se trouverait -- je n'ai pas  
17 noté ma page, monsieur le juge. Ça ne sera pas long.

18 **LE COMMISSAIRE:** O.k. Mais c'est quoi le  
19 Bates page?

20 **Me DUMAIS:** Ça pourrait être la page 36 ou  
21 Bates page 1076909.

22 **LE COMMISSAIRE:** O.k. Page 36.

23 **Me DUMAIS:** Donc à peu près --

24 Je vais commencer à la page 35, à peu près à  
25 la mi-page, ça pourrait être à peu près la ligne 12 ou 13.

1           Donc la question:

2                                    "It's not something that the two of you  
3                                    had cooked up together, was it, Mr.  
4                                    Nadeau?"

5                                    "You had to understand our relationship  
6                                    with Perry Dunlop, okay?"

7                                    Peut-être avant de citer le passage, je vais  
8                                    tout simplement te remettre en contexte, Carmen. Ça se  
9                                    trouve à être dans la procédure de *La Reine c. Jacques*  
10                                   *Leduc*. L'application pour un arrêt des procédures devant  
11                                   le juge Chadwick, du 21 février 2001, c'est quand Dick a  
12                                   été appelé à témoigner durant cette requête-là. Et puis il  
13                                   a été appelé par l'avocat de la défense donc c'est les  
14                                   questions qui lui sont posées.

15                                   Donc la première question se trouve à être:

16                                    "It's not something that the two of you  
17                                    had cooked up together, was it, Mr.  
18                                    Nadeau?"

19                                    "You have to understand our  
20                                    relationship with Perry Dunlop."

21                                    "Okay."

22                                    "I came into this quite late, I only  
23                                    knew Perry for about six months and  
24                                    knowing where Perry was so involved, I  
25                                    made it a point to keep our



1 relationship at a distance."  
2 "At a distance? Why would you do that,  
3 Mr. Nadeau?"  
4 "Because Perry was, you know, having a  
5 lot of difficulties and I didn't want  
6 the website, okay, to be part of that  
7 difficulty so consequently keeping him  
8 at arm's length."  
9 "Well, when did you start the website?"  
10 "I thought it was in August of 2000."  
11 "That's right, in August of 2000. So  
12 what about the spring of 2000? You  
13 didn't have the website then?"

14 "So what about the spring of 2000?"

15 "Well, February, March, April ---"

16 "Yeah, yeah, right."

17 La prochaine page, question:

18 "May before you started the website?"

19 "Yeah."

20 "You didn't have the website?"

21 "I didn't have the website, no."

22 Q: "Right, so you didn't have the problems  
23 so you'd be free as a bird to speak to  
24 Mr. Dunlop at that time."

25 "I didn't know Mr. Dunlop."

1 "You didn't know him?"

2 "I had, you know, Mr. Dunlop and I had  
3 ---"

4 "You just met him when he left, came to  
5 this late about six months prior to his  
6 leaving."

7 "Right."

8 "So six months prior would take you  
9 into the winter of 2000; right, Mr.  
10 Nadeau? "

11 "Yes."

12 C'est à trois différents passages au travers  
13 de 3 ou 4 années de transcription et puis évidemment, il y  
14 a des imprécisions à savoir quand Dick aurait rencontré  
15 Perry et puis exactement qu'est-ce qui est le matériel qui  
16 lui aurait été fourni?

17 Donc si tu peux, Carmen, juste nous dire  
18 selon toi, tes observations et puis tes souvenirs, ce que  
19 toi tu te souviens là. Qu'est-ce qui a été le premier  
20 contact avec Perry Dunlop, puis à quel moment donné?

21 **Mme PRÉGENT:** Selon moi c'est plutôt vers  
22 les années '99, parce que je me souviens pas beaucoup de  
23 Perry. Quand j'ai rencontré Perry il se préparait à  
24 déménager. Il y avait beaucoup de choses qui se passaient,  
25 puis tout ça.

1 Je me souviens qu'on avait eu des paperclips  
2 des journaux.

3 **Me DUMAIS:** Des coupures de ---

4 **Mme PRÉGENT:** De journaux.

5 **Me DUMAIS:** --- journaux.

6 **Mme PRÉGENT:** Oui. Et puis j'avais demandé  
7 à quelqu'un de les scanner pour moi pour qu'on puisse les  
8 mettre sur l'internet.

9 Je me souviens des coupures de journaux, des  
10 documents que Perry avait, avec les problèmes qu'il avait  
11 rencontré avec le département de police.

12 **Me DUMAIS:** Donc, lorsque des accusations  
13 avaient été déposées contre lui, il vous avait fourni une  
14 copie de ces documents-là?

15 **Mme PRÉGENT:** C'était dans son binder.

16 **Me DUMAIS:** O.k.

17 **Mme PRÉGENT:** Alors, c'est de l'information  
18 qu'on avait regardée, toutes les difficultés que Perry  
19 avait rencontrées. Je pense c'était plutôt pour avoir un  
20 overview de qu'est-ce qui s'avait passé avant que Perry --  
21 avec Perry pour que Dick ait une meilleure idée de qu'est-  
22 ce qui s'avait passé durant ces années-là.

23 **Me DUMAIS:** O.k. Et puis -- donc, quel  
24 genre de relation est-ce que c'était? Est-ce que c'était --  
25 - est-ce qu'il était -- il venait chez vous à certains

1 moments donnés ou il appelait ou ---

2 **Mme PRÉGENT:** J'ai jamais vu Perry chez  
3 nous. Les contacts se faisaient plutôt par -- c'est Dick  
4 qui contactait plutôt Perry pour avoir de l'information.

5 **Me DUMAIS:** Donc, c'est -- puis toi,  
6 personnellement, est-ce que tu as eu des contacts  
7 personnels avec Perry Dunlop?

8 **Mme PRÉGENT:** Non.

9 **Me DUMAIS:** O.k.

10 **Mme PRÉGENT:** J'en ai eus dernièrement, là,  
11 ou que c'était plutôt pour l'encourager puis tout ça, mais  
12 pas pour discuter du Project Truth ou quoi que ce soit.

13 **Me DUMAIS:** O.k. Et puis, est-ce que c'est  
14 la même chose avec son épouse? Je parle, évidemment,  
15 durant les années '99 ou 2000 ou avant qu'il parte. Est-ce  
16 que tu as eu des contacts avec elle? Est-ce qu'il y avait  
17 des communications à ce moment-là?

18 **Mme PRÉGENT:** Non, j'avais jamais rencontré  
19 Helen. C'est seulement par après quand qu'elle était à  
20 Vancouver, puis qu'elle avait descendu, je pense, pour  
21 Jacques Leduc.

22 **Me DUMAIS:** O.k. Donc -- et puis l'échange  
23 d'information et les documents que Perry aurait fournis à  
24 Dick à ce moment-là, je crois que c'était sous la forme de  
25 cartable, puis tu as fait référence au mot 'binder' ---

1                   **Mme PRÉGENT:** Oui. Moi, je me souviens des  
2                   cartables.

3                   **Me DUMAIS:** Et puis dans différents  
4                   passages, dans différentes transcriptions on faisait  
5                   référence à des boîtes de matériel. Est-ce que tu te  
6                   souviens de ça?

7                   **Mme PRÉGENT:** Moi, je me souviens pas des  
8                   boîtes.

9                   **Me DUMAIS:** Donc, tu te souviens pas que  
10                  quelqu'un serait venu à la maison laisser une boîte de  
11                  matériel ou que Dick aurait été le ramasser à quelque part?

12                  **Mme PRÉGENT:** Je me -- moi, la seule boîte  
13                  que je vois c'est la boîte que Dick utilisait pour mettre  
14                  tout son matériel dedans. Cette boîte-là, je m'en  
15                  souviens. Je me souviens pas d'autres boîtes.

16                  **Me DUMAIS:** O.k. Donc, toute l'information  
17                  qu'il recueillait de différentes victimes, il prenait tout  
18                  ça, puis il gardait ça dans une certaine boîte de carton?

19                  **Mme PRÉGENT:** Oui.

20                  **Me DUMAIS:** O.k. Et puis en termes de  
21                  communication à ce moment-là, autour des année '99, est-ce  
22                  que les communications se faisaient par téléphone s'il ne  
23                  passait pas par chez vous?

24                  **Mme PRÉGENT:** Oui.

25                  **Me DUMAIS:** Et puis durant cette période de

1            temps-là, Carmen, est-ce que tu étais au travail toi? Est-  
2            ce que tu étais à l'école durant cette période-là?

3                    **Mme PRÉGENT:** Probablement les deux.

4                    **Me DUMAIS:** O.k.

5                    **Mme PRÉGENT:** Mais je travaillais à temps  
6            plein. En l'an 2000, non, j'ai pris une année sabbatique  
7            en l'an 2000.

8                    **Me DUMAIS:** Durant l'année 2000. Donc --

9                    **Mme PRÉGENT:** Oui.

10                   **Me DUMAIS:** --- '99, tu aurais été au  
11            travail, mais durant les années 2000, tu étais  
12            essentiellement à la maison?

13                   **Mme PRÉGENT:** Oui.

14                   **Me DUMAIS:** Et puis à partir de ce moment-  
15            là, est-ce que Dick consacrait beaucoup de son temps, là, à  
16            ces victimes-là ou à ce qui se passait?

17                   **Mme PRÉGENT:** Oui.

18                   **Me DUMAIS:** Donc, on a parlé un peu plus tôt  
19            d'une poursuite que Dick aurait entamée avec trois autres  
20            victimes contre les Clercs de St-Viateur. Est-ce que tu te  
21            souviens de cette poursuite-là?

22                   **Mme PRÉGENT:** Oui.

23                   **Me DUMAIS:** Et puis, à un certain moment  
24            donné le dossier a été réglé; c'est bien ça?

25                   **Mme PRÉGENT:** Oui.

1                   **Me DUMAIS:** Donc, on va pas parler  
2 spécifiquement des termes de règlement, Carmen, mais je  
3 veux dire si je peux simplement, là, puis c'est quelque  
4 chose qui a été soulevé ce matin -- je vais te demander de  
5 regarder la pièce justificative 847.

6                   **LE COMMISSAIRE:** Huit cent quarante-sept  
7 (847)?

8                   **Mme PRÉGENT:** Est-ce que je peux fermer tous  
9 ces dossiers-là?

10                   **Me DUMAIS:** Oui.

11                   **Mme PRÉGENT:** Est-ce qu'on a fini avec ça?

12                   **LE COMMISSAIRE:** Je pense que oui. Puis,  
13 847, Madame la greffière.

14                   **Me DUMAIS:** C'est le document 200155.

15                   **LE COMMISSAIRE:** Non, 845. On n'a pas 847?

16                   **Me DUMAIS:** Pardon, Monsieur le Commissaire,  
17 je suis avisé que 847 c'est probablement notre prochaine  
18 pièce justificative; c'est une pièce que je dois déposer.  
19 Pardon.

20                   **LA GREFFIÈRE:** Quel numéro?

21                   **Me DUMAIS:** Document 200155. À ce que je  
22 comprenne, il devait être déposé ce matin, mais il ne l'a  
23 pas été.

24                   **LE COMMISSAIRE:** Puis, quelle sorte de  
25 travail faisiez-vous dans ce temps-là, en l'an 2000?

1                   **Mme PRÉGENT:** À l'an 2000, je travaillais  
2                   pour un programme -- j'avis mis sur place un programme  
3                   francophone pour un service de soutien pour les personnes  
4                   avec -- handicapées.

5                   **LE COMMISSAIRE:** Bravo.

6                   Donc, Pièce 846 c'est une lettre adressée à  
7                   Me Howard Yegendorf de monsieur Francis Lecomte.

8                   **--- EXHIBIT NO./PIÈCE NO. P-846:**

9                                   Lettre à Me Howard Yegendorf de  
10                                   monsieur Francis Lecomte - Datée du 24  
11                                   février 2004

12                   **Me DUMAIS:** Je vais sauter un petit peu en  
13                   avant, Carmen, juste pour mettre une fin à cette poursuite-  
14                   là, puis je vais revenir ensuite aux années 2000.

15                                   Donc -- est-ce que tu as le document devant  
16                   toi?

17                   **Mme PRÉGENT:** Non.

18                   **LE COMMISSAIRE:** La lettre, Madame la  
19                   Greffière, l'avez-vous donnée au témoin?

20                   **LA GREFFIÈRE:** Ah, je m'excuse.

21                   **LE COMMISSAIRE:** La greffière est très  
22                   efficace.

23                   **Mme PRÉGENT:** Oui. Je l'ai même pas vue.  
24                   D'accord.

25                   **Me DUMAIS:** Donc, je vais simplement faire



1 référence aux stations. Donc, c'est évidemment une  
2 correspondance qui a été envoyée par Francis Lecomte, datée  
3 du 24 février 2004, à Monsieur Yegendorf. Je vais  
4 simplement -- je vais vous poser la question après.

5 Donc, la citation se trouve:

6 "Richard Nadeau undertakes to request  
7 in writing that any materials or  
8 documents from projecttruth or  
9 projecttruth2 websites be withdrawn  
10 from any other internet websites on  
11 which, to his knowledge, they are  
12 posted, including, without limitation,  
13 any website operated by David Ike.  
14 Richard Nadeau shall provide copy of  
15 such written request to the solicitors  
16 for the Clercs de St-Viateur de  
17 Montréal, Ogilvy Renault, within 30  
18 days of this settlement."

19 Donc, est-ce que -- à ce que je comprenne,  
20 la matière a été réglée, Carmen, et puis, c'était un des  
21 engagements spécifiquement ici que Dick avaient pris.

22 Est-ce que tu sais si ça a été fait? Est-ce  
23 qu'il y a des demandes qui ont été faites à d'autres sites  
24 web?

25 **Mme PRÉGENT:** Oui. Dick avait envoyé une

1 lettre -- bien, un courriel demandant à ce que  
2 l'information soit enlevée sur David Ike's website, sur son  
3 site web.

4 **Me DUMAIS:** Donc, c'est quelque chose qui a  
5 été fait?

6 **Mme PRÉGENT:** Oui.

7 **Me DUMAIS:** O.k. Et puis, est-ce que ça  
8 serait juste de dire que ça a été la fin du règlement de ce  
9 dossier-là?

10 **Mme PRÉGENT:** Oui.

11 **LE COMMISSAIRE:** Est-ce qu'on pourrait  
12 prendre la pause de l'après-midi actuellement?

13 **Me DUMAIS:** Oui, absolument, monsieur le  
14 Commissaire.

15 **LE COMMISSAIRE:** On reviendra dans 15  
16 minutes. Merci.

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

19 This hearing will resume at 3:30 p.m.

20 --- Upon recessing at 3:15 p.m. /

21 L'audience est suspendue à 15h15

22 --- Upon resuming at 3:34 p.m. /

23 L'audience est reprise à 15h34

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

1                   This hearing is now resumed. Please be  
2                   seated. Veuillez vous asseoir.

3                   **CARMEN PRÉGENT:** Resumed/Sous le même serment

4                   **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR Me**  
5                   **DUMAIS (Cont'd/suite):**

6                   **LE COMMISSAIRE:** Maître Dumais.

7                   **Me DUMAIS:** Alors Carmen, on va commencer à  
8                   parler maintenant un peu des sites Web puis qu'est-ce qui a  
9                   été l'implication de Dick dans différents sites et qu'est-  
10                  ce qui a été ton implication également.

11                  Si on peut commencer avec, si je peux te  
12                  demander, qui est un monsieur nommé James Bateman?

13                  **Mme PRÉGENT:** James Bateman appartenait le  
14                  site Project Truth.

15                  **Me DUMAIS:** Et puis selon certains des  
16                  documents ou certaines investigations qui ont été  
17                  complétées par certains membres de Project Truth, ils ont  
18                  déterminé que le site aurait été créé le 24 avril 2000 et  
19                  puis aurait fermé le 2 août 2000. Donc, est-ce que ces  
20                  dates-là coïncide à peu près avec ce que tu te souviens de  
21                  l'opération de ce site-là?

22                  **Mme PRÉGENT:** Oui, je me souviens de -- je  
23                  n'sais pas quand il a débuté mais je sais que -- la date  
24                  qu'il a terminé.

25                  **Me DUMAIS:** O.k. Puis est-ce que tu te

1 souviens qu'est-ce qui aurait été l'implication de Dick  
2 avec James Bateman ou avec ce site-là?

3 **Mme PRÉGENT:** Je n'sais pas comment le  
4 contact a été fait originalement, mais je sais qu'il y a eu  
5 de l'information échangée comme quoi que Dick était pour  
6 prendre la relève du site Web.

7 **Me DUMAIS:** O.k. Donc, si on peut juste  
8 reculer juste un petit peu, avant que Dick décide de  
9 prendre la relève et tout cela; juste la période de temps  
10 où est-ce que M. Bateman opérait son site. Est-ce que Dick  
11 aurait eu une implication avec James? Est-ce qu'il  
12 participait au site? Est-ce qu'il lui donnait de  
13 l'information? Est-ce qu'il lui donnait des documents?

14 **Mme PRÉGENT:** Je ne peux pas te dire s'il  
15 donnait des documents. Je sais qu'il avait des contacts.  
16 Ils se parlaient par téléphone ou par courriel.

17 **Me DUMAIS:** O.k. Et puis, toi, est-ce que  
18 tu as jamais eu des contacts avec M. Bateman?

19 **Mme PRÉGENT:** Non.

20 **Me DUMAIS:** Et puis si je te posais la  
21 question à savoir si l'introduction aurait été faite par  
22 Perry Dunlop; est-ce que c'est une possibilité?

23 **Mme PRÉGENT:** Il y aurait possibilité, mais  
24 je le sais pas.

25 **Me DUMAIS:** Mais tu ne peux pas répondre ça

1 avec exactitude?

2 **Mme PRÉGENT:** Non.

3 **Me DUMAIS:** Tu ne peux pas répondre ça avec  
4 précision?

5 **Mme PRÉGENT:** Non.

6 **Me DUMAIS:** Est-ce que tu te souviens durant  
7 cette période de temps-là -- et puis évidemment je parle de  
8 l'existence de Projectturth.com -- est-ce que tu aurais  
9 visité ce site-là? Est-ce que tu savais ce qui était posté  
10 sur ce site-là?

11 **Mme PRÉGENT:** Le site à James?

12 **Me DUMAIS:** Oui.

13 **Mme PRÉGENT:** Non.

14 **Me DUMAIS:** O.k. Donc, tu avais très peu  
15 d'implication à ce niveau-là?

16 **Mme PRÉGENT:** J'avais aucune implication à  
17 ce niveau-là.

18 **Me DUMAIS:** À un certain moment donné, le  
19 site aurait fermé et, d'après ce que la PPO a déterminé ou  
20 les officiers de Project Truth on déterminé, cela a été  
21 fermé le 2 août 2000. Est-ce que tu sais ce qui a mené à  
22 cette fermeture-là?

23 **Mme PRÉGENT:** Non.

24 **Me DUMAIS:** Donc, tu n'es pas au courant  
25 d'aucune poursuite ou d'injonction ou de pression de fermer

1 le site?

2 **Mme PRÉGENT:** Non.

3 **Me DUMAIS:** Et puis tu nous as---

4 **LE COMMISSAIRE:** Non, un instant.

5 **Mme PRÉGENT:** Malgré que je sais qu'il y  
6 avait eu des actions portées contre James et puis Dick,  
7 mais je n'sais pas à quel temps que ça rentre. Je sais pas  
8 pourquoi que James figure là-dedans.

9 **Me DUMAIS:** O.k. Et puis à un certain  
10 moment donné, Dick a décidé de partir son propre site Web.  
11 Est-ce que tu sais s'il a été poussé à le faire par le fait  
12 que James fermait le-sien?

13 **Mme PRÉGENT:** Non. C'est quelque chose que  
14 Dick -- il n'y a pas personne qui pouvait pousser Dick à  
15 quoi que ce soit.

16 **Me DUMAIS:** Non. Est-ce qu'il a été motivé  
17 par le fait que James fermait son site?

18 **Mme PRÉGENT:** Pardon?

19 **Me DUMAIS:** Est-ce qu'il a été motivé  
20 d'ouvrir un site Web par le fait que James fermait le-sien?

21 **Mme PRÉGENT:** Probablement. Étant donné que  
22 c'était là, que le site était déjà existant, probablement  
23 ça a encouragé Dick de prendre la relève. Mais ça donnait  
24 -- je pense que cela a été -- il était plus surpris que  
25 n'importe qui d'autre. C'est un peu comme Perry. On

1           dirait que ces gens-là ont été mis là comme mission et  
2           puis, selon moi, c'est cela qui est arrivé.

3                       Ça s'est adonné qu'il y avait un site Web  
4           qui était pour fermer et qui était en relation avec l'abus  
5           sexuel. Alors, c'était naturel, je pense, pour lui de  
6           poursuivre.

7                       **Me DUMAIS:** O.k. Si -- je vais garder cette  
8           phrase pour moi.

9                       Donc, la mise en place de ce site Web, ça  
10          été fait par qui, Carmen?

11                      **Mme PRÉGENT:** Je sais qu'il y avait Alta  
12          Vista qui était le « server ». C'était pour le monter,  
13          parce qu'on connaissait absolument rien comment monter un  
14          site Web ou même mettre l'information sur le site Web.  
15          C'est un collègue de travail qui m'avait -- que j'avais  
16          approché. Je lui avais demandé de me montrer comment  
17          procéder pour mettre l'information. Alors, on a pas mal  
18          gardé le même contexte que ce qui était là.

19                      **Me DUMAIS:** Est-ce que tu sais s'il y a eu  
20          une importation de l'information qui était sur l'autre site  
21          Web?

22                      **Mme PRÉGENT:** Je n'sais pas qu'est-ce qui  
23          avait sur l'autre site Web; alors, je peux pas dire.

24                      **Me DUMAIS:** Est-ce que ce serait juste de  
25          dire que Dick n'avait aucune formation dans le domaine et

1 c'était pas le gars qui était le plus confortable avec la  
2 technologie?

3 **Mme PRÉGENT:** Absolument pas.

4 **Me DUMAIS:** Donc, tout ce qui était posté  
5 sur le site comme tel n'était pas fait par lui  
6 spécifiquement?

7 **Mme PRÉGENT:** Non.

8 **Me DUMAIS:** Et puis ça c'est à ce niveau-là  
9 que tu étais impliquée; c'est bien cela?

10 **Mme PRÉGENT:** Exact, oui.

11 **Me DUMAIS:** Donc, la rédaction, disons,  
12 d'articles, la rédaction, les commentaires, ça venait d'où  
13 ça?

14 **Mme PRÉGENT:** De Dick.

15 **Me DUMAIS:** Donc, lui faisait la composition  
16 de cela et puis il te remettait cela. Comment est-ce que  
17 ça fonctionnait?

18 **Mme PRÉGENT:** C'est cela. Il préparait  
19 qu'est-ce qu'il voulait mettre sur le site. Puis moi, je  
20 faisais -- je le rentrais. Je procédais pour le rentrer  
21 sur le site Web.

22 **Me DUMAIS:** O.k. Puis toi, est-ce que ---

23 **Mme PRÉGENT:** Puis il me disait où il  
24 voulait l'avoir puis il me disait qu'est-ce -- c'est quoi  
25 qui était pour être le titre. Puis il me disait -- alors



1 c'était ---

2 Me DUMAIS: Il te donnait des instructions  
3 spécifiques.

4 Mme PRÉGENT: Oui.

5 Me DUMAIS: Et puis s'il y avait de  
6 l'information qui devait être retirée, c'est toi qui  
7 faisais cela également?

8 Mme PRÉGENT: Oui.

9 Me DUMAIS: Mais la décision, les  
10 instructions de retirer les documents ça venait de lui  
11 également?

12 Mme PRÉGENT: Oui.

13 Me DUMAIS: La décision de retirer des noms  
14 ou d'éditer des noms, c'est quelque chose que lui -- c'est  
15 une décision que lui prenait?

16 Mme PRÉGENT: Oui.

17 Me DUMAIS: O.k.

18 Mme PRÉGENT: Bien, c'est lui qui prenait --  
19 des fois, il avait été forcé par -- alors, c'est pas  
20 exactement lui qui prenait la décision de le faire là.

21 Me DUMAIS: O.k. Donc, des fois ça ne  
22 venait pas de lui de façon volontaire ---

23 Mme PRÉGENT: volontaire, exact.

24 Me DUMAIS: --- mais évidemment la décision  
25 venait de lui. Ensuite, il te donnait des instructions

1           puis toi, tu t'assurais que c'était fait.

2                       **Mme PRÉGENT:** Oui.

3                       **Me DUMAIS:** D'accord. Puis évidemment ce  
4 deuxième site-là ou ce nouveau site-là, disons un premier  
5 site pour Dick, s'appelait Projecttruth2.com?

6                       **Mme PRÉGENT:** Oui.

7                       **Me DUMAIS:** Et puis le choix dans le nom du  
8 site Web, Carmen, ça venait d'où cela?

9                       **Mme PRÉGENT:** Il a gardé le même que James.

10                      **Me DUMAIS:** M'hm.

11                      **Mme PRÉGENT:** Mail il a rajouté le "2" pour  
12 différencier entre les deux.

13                      **Me DUMAIS:** O.k. Et puis -- je ne sais pas  
14 si tu sais la réponse à cela, mais la décision de James de  
15 nommer son site "Project Truth" ---

16                      **Mme PRÉGENT:** Je le sais vraiment pas.

17                      **Me DUMAIS:** O.k. Donc, à partir du moment  
18 où est-ce que Dick a commencé à opérer le site, une des  
19 choses qu'il faisait c'est qu'il plaçait certaines des  
20 déclarations des victimes sur le site comme tel?

21                      **Mme PRÉGENT:** Oui.

22                      **Me DUMAIS:** Et puis, comment est-ce que  
23 cette décision-là était prise, à savoir, s'il plaçait une  
24 déclaration ou non ou est-ce qu'il les plaçait toutes?

25                      **Mme PRÉGENT:** J'ai pas compris la dernière

1           partie.

2                       **Me DUMAIS:** Donc, Dick recevait -- peut-être  
3           que je vais reformuler la question. Ça va être plus  
4           facile. Dick recevait certaines déclarations de victimes.  
5           Il en avait reçues à partir du moment où est-ce qu'il avait  
6           placé son annonce publicitaire. Il en a reçu, d'ailleurs,  
7           je prends pour acquis. Est-ce qu'il les plaçait toutes sur  
8           le site web?

9                       **Mme PRÉGENT:** Non.

10                      **Me DUMAIS:** Comment est-ce que la décision  
11           était prise à savoir si la déclaration se retrouverait sur  
12           le site web ou non?

13                      **Mme PRÉGENT:** Il rencontrait la victime. Il  
14           en discutait. Il demandait la permission de le mettre sur  
15           le site web.

16                      **Me DUMAIS:** Parce qu'évidemment il a eu  
17           certaines difficultés ou certains gens se sont opposés au  
18           fait que certaines des déclarations avaient été postées;  
19           c'est bien -- c'est exact?

20                      **Mme PRÉGENT:** Oui, puis c'est probablement  
21           suite à l'impact qu'ils ont reçu. Ils étaient d'accord  
22           pour mettre l'information sur le site web, mais quand ils  
23           ont vu que -- surtout les femmes des victimes, quand elles  
24           voyaient qu'elles pouvaient reconnaître que c'était leur  
25           mari ou quoi que ce soit, c'est là qu'il y avait des --

1           qu'il y avait eu de la confusion, qui demandaient de  
2           retirer le ---

3                   **Me DUMAIS:** D'après toi, Carmen, est-ce que  
4           ça serait juste à dire qu'avant qu'il poste les  
5           déclarations sur le site web, qu'il obtenait le  
6           consentement de la victime en question?

7                   **Mme PRÉGENT:** Oui, puis selon les courriels,  
8           il y a des courriels qui indiquent que oui, que  
9           l'information -- qui donnaient la permission, puis même qui  
10          encourageaient de le mettre.

11                   **Me DUMAIS:** O.k. Peut-être qu'on peut juste  
12          regarder un incident spécifique, et puis, c'est quelqu'un  
13          qui a donné de la preuve ici le 27 février de cette année.

14                   Je fais référence, Monsieur le juge, au  
15          Volume 96 des transcriptions.

16                   **LE COMMISSAIRE:** M'hm. On les a pas.

17                   **Me DUMAIS:** Pardon? Les volumes à nous? On  
18          peut juste simplement -- c'est un court extrait. On peut  
19          simplement le ---

20                   **LE COMMISSAIRE:** D'accord, le mettre sur --

21          -

22                   **Me DUMAIS:** --- poster sur l'écran.

23                   **LE COMMISSAIRE:** M'hm. C'est la preuve de  
24          qui ça?

25                   **Me DUMAIS:** C'est la preuve de madame Claire

1 Chouinard, à la page 64, à la fin de la page. Donc, c'est  
2 madame Claire Chouinard qui a témoigné ici au mois de  
3 février, Carmen, et puis, elle parlait de ça, du fait  
4 qu'elle a passé à travers le site web. C'est un peu le  
5 contexte de l'affaire.

6 **Mme PRÉGENT:** O.k.

7 **Me DUMAIS:** Je vais simplement te lire ce  
8 qu'elle nous a dit, et puis, je commence à la dernière  
9 ligne de la page 64 avec elle:

10 "When the website went up, I recognized  
11 one of the statements on the website.  
12 I phoned Dick Nadeau and said, "You  
13 know, you can't do this. You don't  
14 have the permission of the individual.  
15 You need to take that down. To be very  
16 polite, he was non compliant. I  
17 insisted that he was not. He used  
18 profanity towards me and hung up. I  
19 phoned back and gave him to the end of  
20 the day or that I would take..."

21 Évidemment, j'ai coupé Madame Chouinard. Si ensuite on  
22 peut aller à la page 86 ensuite, où est-ce que je reprends  
23 ce thème-là dans l'interrogatoire.

24 **LE COMMISSAIRE:** O.k. Quelle ligne?

25 **Me DUMAIS:** C'est la ligne 21. C'est vers

1           la fin quand même. Je vais simplement lire:  
2                            "After that, I had several  
3                            conversations with Dick Nadeau telling  
4                            me about the website and he gave me the  
5                            address. Well, he asked me if I was  
6                            familiar with the internet and I said  
7                            "Briefly". I knew how to access my  
8                            email, but much more than that, I  
9                            didn't. So he walked me through,  
10                           verbally walked me through how to get  
11                           access of this www website, and so I  
12                           did. I got on there and I read the  
13                           statements, and I was appalled that  
14                           they were on there because I knew  
15                           personally one person's statement that  
16                           was up there and I knew -- I was  
17                           positive in my heart that he would  
18                           never, ever have gave permission for  
19                           this statement to go up on the web. So  
20                           after many conversations with Mr.  
21                           Nadeau, I demanded that that be taken  
22                           down, that he take that off the  
23                           internet until he obtains permission by  
24                           this one person. He began using  
25                           profanity with me and hung up several

1 times. And then there was a call back  
2 and forth and back and forth, and he  
3 called me some not-so-nice name."

4 Donc, est-ce que tu -- ma première question,  
5 Carmen, est-ce que tu te souviens que Madame Chouinard a  
6 communiqué avec vous, et puis, aurait eu cette  
7 conversation-là avec Dick du fait qu'elle était offusquée  
8 que certaines déclarations étaient sur le site web?

9 **Mme PRÉGENT:** Oui.

10 **Me DUMAIS:** Et puis, est-ce que tu te  
11 souviens -- est-ce que c'est de cette façon-là que Dick te  
12 l'aurait racontée? Qu'est-ce que tu te souviens de cette  
13 conversation?

14 **Mme PRÉGENT:** Bien, je me souviens qu'il me  
15 disait qu'est-ce qui c'était passé, qu'elle était vraiment  
16 fâchée, et puis, il me dit que c'était même pas de ses  
17 affaires, puis comment qu'elle peut se mettre le nez dans  
18 les affaires des victimes. Tant qu'à lui, elle n'avait pas  
19 d'affaire à dicter quoi que ce soit. Alors, s'ils auraient  
20 eu quelque chose à dire, ça aurait été au travers des  
21 victimes.

22 **Me DUMAIS:** O.k. Son inquiétude -- ça  
23 serait juste de dire que son inquiétude à ce moment-là  
24 c'est qu'elle se mêlait pas de ses affaires?

25 **Mme PRÉGENT:** Bien, il faut dire qu'elle

1 n'était pas -- probablement les deux étaient arrogants  
2 parce que Dick c'est pas une personne pour se faire -- que  
3 ce soit une femme ou pas, il se fait pas intimider  
4 facilement.

5 **Me DUMAIS:** Non. Et puis, si Madame  
6 Chouinard aurait utilisé -- aurait été insistante, il se  
7 serait défendu? Ça aurait été -- est-ce que tu es surprise  
8 de voir qu'il aurait utilisé des mots profanes pour lui  
9 répondre?

10 **Mme PRÉGENT:** Elle aurait été surprise?

11 **Me DUMAIS:** Si toi tu serais surprise --  
12 est-ce que tu es surprise de voir ça?

13 **Mme PRÉGENT:** Non.

14 **Me DUMAIS:** Elle semble indiquer que Dick  
15 l'aurait envoyée se promener, essentiellement.

16 **Mme PRÉGENT:** Non, parce que Dick était  
17 vraiment sous le stress aussi. Son état de santé, ça  
18 allait pas du tout. Il avait de la pression de tous les  
19 côtés. Alors, je suis certaine que si ça aurait été les  
20 victimes, ça ne s'aurait pas passé comme ça. Si les  
21 victimes demandaient d'enlever l'information, il n'y aurait  
22 aucun problème, mais pour que elle, elle appelle, puis  
23 c'est même pas -- elle n'est même pas impliquée dans quoi  
24 que ce soit, puis qu'elle commence à dire d'enlever des  
25 "statements" de d'autres personnes parce qu'elle, elle



1           reconnaisait d'autres victimes, puis qu'elle était  
2           certaine que la victime aurait jamais donné la permission.  
3           Comment qu'elle sait? Peut-être qu'elle savait même pas  
4           que son mari était abusé. Je le sais même pas.

5                   **Me DUMAIS:** Est-ce que ça serait juste de  
6           dire, Carmen, que Dick trouvait ça très important que  
7           l'information soit rendue publique?

8                   **Mme PRÉGENT:** Très, parce que c'était la  
9           seule voix pour les victimes. C'était rendue la seule voix  
10          pour les victimes. Surtout que là Perry était parti, les  
11          victimes n'avaient plus personne à avoir recours.

12                   **Me DUMAIS:** Puis, il y croyait beaucoup dans  
13          ce principe-là de diffuser l'information, de rendre  
14          l'information publique?

15                   **Mme PRÉGENT:** S'il n'aurait pas cru dedans,  
16          il ne l'aurait pas fait.

17                   **Me DUMAIS:** O.k.

18                   **Mme PRÉGENT:** Il n'a jamais eu aucun malice  
19          quoi que ce soit. Il n'avait pas de méchanceté de faire  
20          tout ça.

21                   **MR. DUMAIS :** Donc il y a un autre incident  
22          que je voudrais te parler, Carmen, et puis, évidemment  
23          c'est une personne qui a un -- dont le nom est protégé,  
24          puis on le connaît ici à la Commission sous le nom de C-8.

25                   Madame la Greffière, simplement indiquer

1 c'est qui, c'est qui cette personne-là.

2 Non, simplement, si tu veux nous raconter  
3 l'incident, fait simplement utiliser C-8.

4 Donc, à un certain moment donné, à ce que je  
5 comprenne, une des victimes avait fait une déclaration, et  
6 puis, il y avait eu certaines communications entre Dick et  
7 C-8, à savoir s'il pouvait poster sa déclaration ou son  
8 information sur le site web. Et puis, est-ce que tu --  
9 est-ce que tu es au courant de cette situation-là ou de  
10 cette victime-là, est-ce que ---

11 **Mme PRÉGENT:** Je l'ai jamais rencontrée. La  
12 seule chose que j'ai sue au travers de tout ça là c'est  
13 qu'il ne voulait pas participer. Mais je sais qu'il avait  
14 eu de la difficulté avec Dick ou ben les deux, vice versa.  
15 Je peux assumer la raison pourquoi qu'il ne voulait pas  
16 participer, mais ---

17 **Me DUMAIS:** Ok. Donc, t'as pas  
18 d'information personnelle quand même. Je veux dire, tu  
19 n'étais pas là quand que la diction --

20 **Mme PRÉGENT:** Non.

21 **Me DUMAIS:** -- a eu lieu ou -- est-ce que tu  
22 es au courant à savoir si C-8 aurait fait une déclaration  
23 aux policiers ou se serait plaint du comportement de Dick,  
24 et puis, eux par après auraient communiqué avec lui?

25 **Mme PRÉGENT:** J'ai entendu parler, mais il y

1 a rien de -- moi, personnellement je n'étais pas au courant  
2 comme tel là.

3 **Me DUMAIS:** Ok. Donc, on a également  
4 entendu ce matin qu'il y a certaines autres personnes qui  
5 avaient exprimé certain -- qui étaient inquiètes du  
6 comportement de Dick. Une de ces personnes-là se trouvait  
7 être Eleanor Brazeau. Est-ce que ça te dis quelque chose  
8 ça; est-ce que tu te souviens de cette personne-là?

9 **Mme PRÉGENT:** Je me souviens juste que Dick  
10 l'avait rencontrée, qu'il avait eu une rencontre puis ça  
11 avait pas fonctionné. Ça m'aurait rappelé -- ça m'a  
12 rafraîchi la mémoire là quand que je l'ai entendu ce matin,  
13 mais c'est quelque chose que j'avais complètement oublié.

14 **Me DUMAIS:** Ok. Puis, je veux -- est-ce que  
15 tu te souviens que Dick t'en aurait parlé par après, après  
16 la rencontre, ou est-ce que tu étais là?

17 **Mme PRÉGENT:** Non, je n'étais pas là.

18 **Me DUMAIS:** Ok. C'est quelque chose qu'il  
19 t'aurait parlé après la rencontre?

20 **Mme PRÉGENT:** Oui, brièvement, là.

21 **Me DUMAIS:** Il y aurait également, Carmen,  
22 une personne du nom du Daniel Bélanger qui aurait également  
23 communiqué avec les autorités, à savoir qui était inquiet  
24 de l'information qui se trouvait sur le site. Est-ce que  
25 ça te dit quelque chose?

1                   **Mme PRÉGENT:** Ce nom-là, non. C'est la  
2 première fois que j'en entends parler.

3                   **Me DUMAIS:** D'accord.

4                   Est-ce qu'il y également à certains moments  
5 donnés où est-ce que les forces policières donc -- par  
6 exemple, quelqu'un comme Pat Hall, est-ce que de temps à  
7 autre, est-ce qu'il communiquait avec Dick, faisait part de  
8 ses inquiétudes et demandait que certaines informations  
9 soient retirées du site?

10                  **Mme PRÉGENT:** Oui.

11                  **Me DUMAIS:** Ça, ça se faisait de temps à  
12 autre?

13                  **Mme PRÉGENT:** Oui. Je sais qu'il avait  
14 beaucoup de contacts. Dick, la minute qu'il y avait une  
15 victime ou qu'il y avait quelque chose qui le tracassait il  
16 appelait Pat Hall. Je sais qu'il y avait une bonne  
17 relation entre les deux. Bien, Dick le respectait  
18 beaucoup, là.

19                  **Me DUMAIS:** Ok. Et puis, est-ce que tu es  
20 au courant qu'il aurait spécifiquement demandé que  
21 certaines informations soient retirées du site Web?

22                  **Mme PRÉGENT:** Je pourrais pas dire  
23 exactement l'information, mais je me souviens qu'il avait  
24 demandé de, soit d'enlever l'information ou d'être prudent  
25 ou --

1                   **Me DUMAIS:** Ok.

2                   **Mme PRÉGENT:** -- comme quoi que ça  
3 l'affectait les procédures de la cour.

4                   **Me DUMAIS:** Ok. Puis, ça serait -- est-ce  
5 que ça serait juste de dire quand Pat Hall appelait à la  
6 maison, faisait part de ses inquiétudes, que dans la  
7 plupart des cas -- peut-être que c'est la première  
8 question, que Dick retirerait l'information de site Web?

9                   **Mme PRÉGENT:** Je dirais pas  
10 qu'automatiquement il l'enlevait. Je pense qu'il analysait  
11 la situation, puis --

12                   **Me DUMAIS:** À l'occasion, si il était  
13 d'accord avec lui, il aurait retirer -- il aurait retiré  
14 l'information, modifié l'information ---

15                   **Mme PRÉGENT:** Je crois que oui. Oui.

16                   **Me DUMAIS:** D'accord.

17                   **Mme PRÉGENT:** Je ne me souviens pas d'un  
18 dossier en particulier qu'il a dû enlever -- qu'il aurait  
19 enlevé suite à ça, mais --

20                   **Me DUMAIS:** Puis, évidemment si c'est une  
21 requête ou une demande qu'il n'était pas d'accord avec, il  
22 aurait gardé l'information sur le site?

23                   **Mme PRÉGENT:** Oui.

24                   **Me DUMAIS:** Donc, si on peut regarder --  
25 maintenant, Carmen, je veux juste regarder, à certain

1 moment donné il y a une poursuite qui est intentée par  
2 certains membres du Clergé, en autant que je sache c'est en  
3 septembre 2000. Est-ce que tu te souviens de ça?

4 **Mme PRÉGENT:** Absolument, oui.

5 **Me DUMAIS:** Et puis, c'est une déclaration  
6 qui avait été mise par des membres du Clergé de ce diocèse-  
7 ci, qui incluait également l'évêque, l'Évêque LaRocque.  
8 Qu'est-ce qui était la position de Dick quand qu'il a reçu  
9 -- quand il a été signifié par ce document-là?

10 **Mme PRÉGENT:** Il était vraiment content.

11 Parce que, il dit 'Finalement on va passer en cour.  
12 Finalement l'information va sortir." Oui. Alors, je me  
13 souviens qu'il était vraiment content.

14 **Me DUMAIS:** Donc ---

15 **Mme PRÉGENT:** Je ne comprenais pas pourquoi,  
16 mais il était content.

17 **(LAUGHTER/RIRES)**

18 **Me DUMAIS:** Et puis, une des choses que les  
19 demandeurs recherchaient dans cette poursuite-là, c'était  
20 la fermeture du site ou le retrait de certaine information.  
21 Est-ce que ça serait juste?

22 **Mme PRÉGENT:** Oui. N'importe quoi qui était  
23 relié aux prêtres.

24 **Me DUMAIS:** Et puis, je crois que la  
25 déclaration a été déposée ce matin comme Pièce de preuve

1 799.

2 **Mme PRÉGENT:** Je dois dire que j'ai compris  
3 après pourquoi qu'il était content.

4 **Me DUMAIS:** Ok. On va en venir à ça.  
5 La première page.

6 Donc ce qu'on voit ici, Carmen, ça se trouve  
7 être une réclamation, une demande qui a été déposée devant  
8 la Cour supérieur de justice. Est-ce que tu reconnais ce  
9 document ici?

10 **Mme PRÉGENT:** Oui.

11 **Me DUMAIS:** Et puis, de fait, c'est un des  
12 documents que tu m'as remis là, que tu avais toujours en ta  
13 possession; c'est bien ça?

14 **Mme PRÉGENT:** Oui.

15 **Me DUMAIS:** Et puis, ça se trouve être une  
16 demande, et puis, bon nombre de personnes et de  
17 corporations sont identifiées comme étant des défendeurs.  
18 Je veux juste simplement passer à travers. Donc, le  
19 premier se trouve à être James Bateman, puis tu as fait  
20 référence tantôt là, tu pensais qu'il y avait une poursuite  
21 quelconque qui impliquait M. Bateman. Est-ce que c'est la  
22 poursuite à laquelle tu faisais référence?

23 **Mme PRÉGENT:** Oui.

24 **Me DUMAIS:** Ok. Mais -- et puis, si on  
25 regarde à l'envers de la première page, Carmen, la date

1 d'émission, date of issue, ça se trouve être le 19  
2 septembre 2000.

3 **Mme PRÉGENT:** Ok.

4 **Me DUMAIS:** Puis, évidemment à ce moment-là,  
5 Dick opérait son site web?

6 **Mme PRÉGENT:** Oui.

7 **Me DUMAIS:** Et puis, est-ce que M. Bateman  
8 était impliqué à ce moment-là avec votre site Web?

9 **Mme PRÉGENT:** Non.

10 **Me DUMAIS:** Ok. Il y a également d'autres  
11 personnes qui sont identifiées. Est-ce que c'est des  
12 personnes que tu connais ou est-ce que tu reconnais les  
13 noms ou les compagnies?

14 **Mme PRÉGENT:** Je reconnais pas NBC, Alphonse  
15 Matte, le Wanderer, je me souviens d'avoir vu l'article,  
16 puis, Paul Likoudis, je connais le Wanderer.

17 **Me DUMAIS:** Puis, Alta Vista Company, ça se  
18 trouvais-tu être votre fournisseur de ---

19 **Mme PRÉGENT:** Oui.

20 **Me DUMAIS:** --- d'internet; c'est ça?

21 **Mme PRÉGENT:** Oui.

22 **Me DUMAIS:** O.k. Et ---

23 **Mme PRÉGENT:** Bien, pas le fournisseur  
24 d'internet, parce que c'était Sympatico, mais c'est du site  
25 web.



1                   **Me DUMAIS:** Ok. Je ne sui pas sûr que je  
2 reconnais la distinction entre les deux, mais je vais  
3 accepter.

4                   **Mme PRÉGENT:** O,k.

5                   **LE COMMISSAIRE:** Tu demanderas à tes enfants  
6 ce soir.

7                                   **(LAUGHTER/RIRES)**

8                   **Mme PRÉGENT:** Oui.

9                   **Me DUMAIS:** Donc, j'aimerais porter ton  
10 attention à un autre document qui est relié à cette  
11 poursuite-ci, puis ça se trouve -- je crois que ça a été  
12 déposé ce matin comme Pièce de preuve 801.

13                   Carmen, je vais revenir au site, là. Je  
14 veux juste fermer la porte, là, sur le terme de cette  
15 poursuite-ci. Donc, le Pièce de preuve 801 ---

16                   **Mme PRÉGENT:** M'hm. Je le cherche encore.  
17 Juste une seconde, s'il te plaît.

18                   **Me DUMAIS:** Pardon.

19                   **Mme PRÉGENT:** Ok. Je l'ai. Merci.

20                   **Me DUMAIS:** Donc, ça se trouve être une  
21 lettre datée du 23 août, 2001 adressée à Monsieur Nadeau,  
22 et puis, je vais simplement faire référence au -- je vais  
23 lire pour les fins du dossier le dernier -- les deux  
24 derniers paragraphes:

25                                   "I confirm your agreement and

1 acceptance of those terms today and,  
2 therefore, that we have reached a  
3 settlement on that basis. I  
4 accordingly enclose a notice of  
5 discontinuance of the action without  
6 cost basis. Pursuant to our  
7 discussions and your agreement, I have  
8 executed the consent to the  
9 discontinuance without costs on your  
10 behalf. The consent, including the  
11 notice of discontinuance are enclosed  
12 for you file and record."

13 Donc, tout porte à croire que le dossier a  
14 été réglé sur cette base-là, Carmen. Est-ce que tu savais  
15 que la poursuite avait été réglée?

16 **Mme PRÉGENT:** Absolument pas. J'étais  
17 vraiment surprise de voir ça.

18 **Me DUMAIS:** Donc -- et puis ça, ça se trouve  
19 à être en 2001, qui semblerait que la poursuite a été  
20 réglée. Donc, c'est pas -- tu n'as pas eu cette  
21 discussion-là avec Dick?

22 **Mme PRÉGENT:** Non, pas à ma recollection.

23 **Me DUMAIS:** Et puis, de fait, est-ce que tu  
24 croyais que la poursuite était toujours ---

25 **Mme PRÉGENT:** Oui.

1 Me DUMAIS: --- en vigueur ou en marche ---

2 Mme PRÉGENT: Oui.

3 Me DUMAIS: --- en existence?

4 Mme PRÉGENT: Oui.

5 Me DUMAIS: O.k.

6 Mme PRÉGENT: Est-ce que tu vas m'amener à  
7 la page 802? Parce que j'aimerais discuter de  
8 l'observation que j'ai faite quand je cherchais pour le  
9 document à propos de la signature?

10 Me DUMAIS: Pardon?

11 LE COMMISSAIRE: Ah, oui. Vous dites c'est  
12 pas la signature de Dick?

13 Mme PRÉGENT: Non.

14 LE COMMISSAIRE: Non, mais si je ne m'abuse,  
15 si vous regardez à la page 801, Monsieur Sherriff-Scott dit  
16 que "I have..." -- le dernier paragraphe:

17 "I have executed the consent to the  
18 discontinuance without costs on your  
19 behalf."

20 C'est que ça indique que c'est monsieur  
21 Sherriff-Scott qui aurait signé pour lui.

22 Mme PRÉGENT: O.k.

23 Me DUMAIS: Puis, ici avant -- et puis, tu  
24 faisais référence à la -- juste m'assurer qu'on a la bonne  
25 pièce de preuve; ça se trouve être la Pièce 803.

1                   **LE COMMISSAIRE:** Non, 802, *the notice --*  
2                   *the consent;* 802 is the consent.

3                   **Me DUMAIS:** O.k. Merci.  
4                   C'est à ça que tu faisais référence aux  
5                   termes ---

6                   **Mme PRÉGENT:** Oui.

7                   **LE COMMISSAIRE:** Puis, aussi *the notice of*  
8                   *discontinuance*, si tu le regardes. Il semblerait que c'est  
9                   encore David Sherriff-Scott.

10                  **Me DUMAIS:** Et puis, est-ce que *the notice of*  
11                  *discontinuance* se trouve être la Pièce 803?

12                  **LE COMMISSAIRE:** C'est ça.

13                  **Me DUMAIS:** C'est ça. Ok. Merci.

14                  Donc, essentiellement, le commentaire que tu  
15                  faisais c'était que ça se trouvait pas être la signature de  
16                  Dick sur le consentement.

17                  **Mme PRÉGENT:** Exact, oui.

18                  **Me DUMAIS:** Et puis, *the notice of*  
19                  *discontinuance*.

20                  Je pense, comme l'a fait remarquer monsieur  
21                  le Commissaire, puis, comme ça semble être expliqué dans la  
22                  correspondance, ça semble être l'avocat qui a signé pour  
23                  les deux parties.

24                  Durant -- tu as fait référence tantôt,  
25                  Carmen, qu'il y avait certains des moments qui étaient

1           difficiles à cause de l'état de santé de Dick durant cette  
2           période-là. Est-ce que tu peux nous dire, là, nous donner  
3           un aperçu un petit peu -- on regarde à peu près durant  
4           l'année 2001, comment est-ce que ça allait au point de vue  
5           santé?

6                       **Mme PRÉGENT:** Je sais qu'il était vraiment  
7           préoccupé avec l'abus sexuel des victimes. Je pense pas  
8           qu'il reconnaissait l'ampleur vraiment de qu'est-ce qui en  
9           était, et puis, surtout après Jacques Leduc; ça, ça l'a  
10          vraiment, vraiment affecté.

11                       Et puis, son cœur fonctionnait quasiment pu,  
12          là; il fonctionnait seulement à du 24 pour cent. Alors,  
13          oui, il a eu beaucoup de difficulté ---

14                       **Me DUMAIS:** Ok.

15                       **Mme PRÉGENT:** --- au point de vue santé.

16                       **Me DUMAIS:** Disons, se serait juste à dire,  
17          là, durant toute cette période de temps-là, il n'avait pas  
18          la meilleure santé?

19                       **Mme PRÉGENT:** Non.

20                       **Me DUMAIS:** Est-ce qu'il y a eu des hauts,  
21          des bas, ou est-ce que c'était pas mal toujours -- ça  
22          allait en descendant?

23                       **Mme PRÉGENT:** Ça allait en descendant.

24                       **Me DUMAIS:** O.k. Quand il avait ses hauts,  
25          c'était jamais le même haut qu'il avait eu avant. C'était

1 toujours une coche plus bas.

2 **Me DUMAIS:** O.k. Donc, tu as fait référence  
3 dans ton dernier commentaire au procès de Jacques Leduc, et  
4 puis, c'est le prochain sujet que je vais aborder avec toi.

5 Le procès aurait commencé le 15 janvier,  
6 2001 à Cornwall, devant le juge McKinnon. Est-ce que tu te  
7 souviens de ça?

8 **Mme PRÉGENT:** Oui.

9 **Me DUMAIS:** Et puis, est-ce que tu étais  
10 présente au début du procès?

11 **Mme PRÉGENT:** Je ne sais pas si ce serait au  
12 début, mais ces dates-là j'étais présente, oui.

13 **Me DUMAIS:** O.k. Puis peut-être je peux  
14 juste te poser cette question-là avant d'aborder les  
15 procédures comme telles. Qu'est-ce qui était votre intérêt  
16 à être présent durant ce procès-là?

17 **Mme PRÉGENT:** Soutenir les victimes, puis  
18 les familles.

19 **Me DUMAIS:** O.k. Puis, est-ce que c'est  
20 quelque chose que toi et puis Dick vous faisiez? Est-ce  
21 que vous étiez à certains de ces procès-là ou à certaines  
22 de ces comparutions-là?

23 **Mme PRÉGENT:** Tu veux dire des autres  
24 accusés? Oui.

25 **Me DUMAIS:** Oui. Certaines des autres

1           poursuites?

2                   **Mme PRÉGENT:**  Moi, non.  Non.  C'était --  
3           bien, je peux pas dire non; j'ai été à celle de Lapierre.  
4           Mais je sais que j'étais là pour Lapierre, puis Jacques  
5           Leduc.

6                   **Me DUMAIS:**  O.k.  Donc, tu étais -- puis,  
7           est-ce qu'il y avait une raison particulière pourquoi que  
8           tu voulais être là durant -- pour ce procès-là?  Est-ce  
9           qu'il y avait quelque chose de spécifique?

10                   **Mme PRÉGENT:**  Bien, Jacques Leduc, ça fait  
11           longtemps qu'on attendait pour lui, là.

12                   **Me DUMAIS:**  O.k.

13                   **Mme PRÉGENT:**  Alors, c'était un des présumés  
14           prédateurs.

15                   **Me DUMAIS:**  C'est un procès qui avait  
16           atteint un certain niveau de notoriété ici à Cornwall ---

17                   **Mme PRÉGENT:**  Oui.

18                   **Me DUMAIS:**  --- pour plusieurs raisons.

19                   Et puis, ce serait juste de dire que ces  
20           raisons-là étaient suffisamment importantes pour toi, au  
21           moins, que tu voulais être présent au procès?

22                   **Mme PRÉGENT:**  Oui.

23                   **Me DUMAIS:**  C'est juste?

24                   **Mme PRÉGENT:**  Oui.  J'étais intéressée de  
25           voir vraiment comment c'était pour se dérouler cette fois-

1           ci, étant donné que toutes les autres avaient été -- soit  
2           que c'était *not guilty enough* ou soit que -- alors, oui, je  
3           voulais vraiment voir pour moi-même comment que ---

4                   **Me DUMAIS:** Et puis, quand que tu t'es  
5           présentée, comme est-ce que ton intention c'était d'essayer  
6           de rester pour la plupart des procédures ou aussi longtemps  
7           que --- non parce que là j'étais retournée au travail dans  
8           ces années-là. J'ai été juste à quelques unes mais c'était  
9           pas mon idée d'être là à chaque séance.

10                   **Me DUMAIS:** O.k. Et puis, est-ce qu'à ce  
11           moment-là, Carmen, comme la décision de se présenter ou  
12           non; c'est une discussion qui avait lieu entre toi et puis  
13           Dick, ou est-ce que c'était fait en concert avec d'autres  
14           personnes?

15                   **Mme PRÉGENT:** M'hm, Dick aurait été même si  
16           ça avait pas été de concert avec qui que ce soit. Mais  
17           oui, il y a un groupe qui se tenait ensemble et puis qui  
18           suivait -- c'est pas parce que Dick était là ou que l'autre  
19           était là -- c'est que ces gens avaient vraiment un intérêt  
20           à ce que la vérité sorte puis voir la justice. Alors c'est  
21           certain qu'ils se rencontraient là.

22                   **Me DUMAIS:** O.k. Et puis évidemment,  
23           finalement, Dick a joué un certain rôle dans ce procès-là  
24           et puis je veux dire, c'est une des choses que je veux  
25           regarder avec toi.



1                   Donc si on -- premièrement, commencer avec  
2                   la deuxième journée des comparutions, le 16 janvier 2001.  
3                   Ça se trouve à être la Pièce 782 je crois; 116131.

4                   **LE COMMISSAIRE:** Maître Dumais, j'aurai à  
5                   quitter à 4h30 aujourd'hui, donc ---

6                   **Me DUMAIS:** C'est bien. Je vais prendre ça  
7                   en note.

8                   **LE COMMISSAIRE:** Sept cent quatre-vingt deux  
9                   (782), vous dites?

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

11                   **Me DUMAIS:** Donc juste pour te situer ou te  
12                   donner un peu de contexte, ça se trouve à être le 16  
13                   janvier 2001 dans la procédure de *La Reine c. Jacques Leduc*  
14                   et puis évidemment il y a une ordonnance de non publication  
15                   de noms et puis j'y arrive dans pas longtemps. Et puis la  
16                   matière semble avoir débuté le 15 janvier 2001. Ça, ça se  
17                   trouve à être la deuxième journée des procédures donc le  
18                   mardi, le 16 janvier 2001.

19                   Et puis j'aimerais ça que tu regardes -- et  
20                   puis je veux te parler spécifiquement des ordonnances de  
21                   non publication. Donc c'est la première chose que le  
22                   procureur de la Couronne, madame Hallett, indique cette  
23                   journée-là, donc à la page 1. Puis c'est en anglais,  
24                   Carmen, donc je vais le lire en anglais.

25                   "Yes Your Honour, we're here on the

1 matter of Jacques Leduc to continue  
2 this matter. Your Honour, yesterday,  
3 we did not seek an order banning  
4 publication of the identities of the  
5 complainants or witnesses in this case.  
6 And I'm seeking such an order at this  
7 time."

8 Donc simplement pour indiquer dans ce  
9 paragraphe-là que ça semble être la deuxième journée des  
10 procédures. Et puis qu'elle demande à ce moment-ci un  
11 ordonnance de non publication des noms des victimes.

12 Et puis ça se poursuit, on voit la décision  
13 du juge McKinnon, ça trouve à être à la page 3 de la  
14 transcription. Donc au haut de la page et puis je vais  
15 simplement lire l'ordonnance du juge.

16 "Pursuant to Section 486(3) of the  
17 Criminal Code of Canada, I order that  
18 the identity of the complainants in  
19 this case, mainly . . ."

20 Évidemment on protège les noms de chacune de  
21 ces victimes-là.

22 ". . . C-16, C-17 and C-22 and any  
23 information that could disclose the  
24 identity of those complainants not be  
25 published in any documents or broadcast

1 in any way including broadcast to the  
2 worldwide web. Mr. Skurka with your  
3 position with respect to the witness C-  
4 23, I certainly agree with the motion  
5 as my friend has presented to you  
6 okaying, in addition to, an order will  
7 go directing that the identity of C-23  
8 or any information that could disclose  
9 his identity, not be published in any  
10 document or broadcast in any way  
11 including broadcast through the  
12 worldwide web. Mr. Skurka, you had a  
13 further . . ."

14 Et puis ensuite ça se poursuit. Tu étais  
15 présente, Carmen, lorsque le juge a ordonné cette  
16 ordonnance de non publication-là?

17 **Mme PRÉGENT:** Oui.

18 **Me DUMAIS:** Et puis est-ce que tu te  
19 souviens d'avoir entendu ça? Est-ce que tu te souviens de  
20 ces mots-là ou des mots à cet effet-là?

21 **Mme PRÉGENT:** Non, j'avais pas porté  
22 attention, non. Pour moi, j'avais pas compris qu'il y  
23 avait un « ban of publication ».

24 **Me DUMAIS:** Donc après cette journée de  
25 comparution-là, Carmen, à ce que je comprenne, Dick serait

1           retourné à la maison et puis aurait fait un genre de résumé  
2           de la journée ou de ce qui c'était passé; avait indiqué  
3           certaines choses à l'égard des victimes, certaines choses à  
4           l'égard du choix de procédé par juge et jury et puis avait  
5           posté également certains commentaires à l'effet de monsieur  
6           Leduc.

7                       **Mme PRÉGENT:** Oui, mais ici d'après ce que  
8           je peux lire, c'est qu'il disait de ne pas mentionner le  
9           nom des victimes? Que Dick avait pas fait. Il avait juste  
10          fait un sommaire de sa journée. Alors je sais pas -- je  
11          vois pas c'est quoi le problème, le fait qu'il a écrit sur  
12          le site Web.

13                      **Me DUMAIS:** M'hm.

14                      **Mme PRÉGENT:** Je sais que le juge avait pas  
15          aimé ce qu'il avait écrit.

16                      **Me DUMAIS:** Ensuite, mais peut-être j'ai  
17          arrêté trop court, Carmen. Je vais te ramener à la page 3.  
18          Donc je poursuis vers la fin de la page, Mr. Skurka répond:

19                                "Yes, I am sorry, Your Honour, that  
20                                would be pursuant to Section 648 of the  
21                                Criminal Code, 648(1) and that would be  
22                                a ban on the publication of the motion  
23                                that will take place before any pre-  
24                                trial motion that will take place  
25                                before your Honour. Now I will note

1 that it appears to be more restrictive  
2 than the section previously referred  
3 to, Section 486 or it just indicates  
4 our broadcast as opposed to oral  
5 broadcast in any way. And that's why  
6 I'm specifically asking Your Honour to  
7 note that that would indicate newspaper  
8 broadcasts, yes, which would include  
9 broadcasts over the worldwide web."

10 Ensuite, la réponse du juge:

11 "The intention of the section is clear  
12 so that people not be informed in any  
13 way prior to a jury coming to a verdict  
14 of any of the proceedings which takes  
15 place in their absence. I don't even  
16 know what motion we're going to be  
17 dealing with this afternoon, but  
18 clearly any motion; any evidence called  
19 on any motion in the absence of a jury  
20 shall not be published in any newspaper  
21 nor broadcast in any way including  
22 dissemination of the information  
23 through the worldwide web until the  
24 jury has returned its verdict."

25 **Mme PRÉGENT:** Bien tu peux comprendre

1 pourquoi qu'on n'a rien compris. Pour moi c'est un  
2 langage; ils se parlaient entre eux autres. Alors c'est  
3 facile « to tune out », puis là je peux voir pourquoi que  
4 vraiment on n'a rien compris de l'affaire. Ça ne me  
5 surprend pas.

6 **Me DUMAIS:** O.k. Juste de dire que je te  
7 lis ça puis encore là ---

8 **Mme PRÉGENT:** Non, je veux dire quand tu es  
9 tellement -- pour commencer ça se parlait entre avocats  
10 puis entre « Honour » et puis c'est facile quand tu es  
11 fatiguée puis préoccupée avec tout ce qui se passe de ne  
12 pas porter -- de pas embarquer dans ce genre de langage-là.  
13 Ils se parlent entre eux autres. C'est évident.

14 **MS. DALEY:** Mister Commissioner, I think  
15 that the witness can only speak to her own frame of mind at  
16 the time and not Mr. Nadeau's.

17 I believe there was a judicial finding as to  
18 what he understood in that proceeding.

19 **THE COMMISSIONER:** Well, there may have been  
20 -- okay. Well, she was using the word "knew"; right?

21 **MS. DALEY:** Us.

22 **THE COMMISSIONER:** Uh?

23 **Mme DALEY:** Oui.

24 **LE COMMISSAIRE:** Pardon?

25 **Mme DALEY:** Elle a dit, "On."

1 MS. PRÉGENT: I was talking in general.

2 LE COMMISSAIRE: Mais 'on' est ---

3 MS. DALEY: That's a universal use.

4 LE COMMISSAIRE: 'On' pour commencer exclue  
5 la personne qui parle.

6 Mme DALEY: Oui.

7 THE COMMISSIONER: So that's -- C'est un  
8 nonsense.

9 Bien, disons que Madame, vous devriez peut-  
10 être limiter vos commentaires à ce que tu ressentais. O.k.  
11 Pas nécessairement -- à moins que M. Nadeau vous aurait  
12 exprimé une autre explication.

13 Et puis, pour moi, -- en dépit du fait qu'un  
14 juge aurait déclaré une personne coupable, la personne a  
15 toujours le droit de dire que, "Je ne suis pas d'accord  
16 avec le Juge."

17 MS. DALEY: I understand that Mr.  
18 Commissioner. My only point is that person isn't here  
19 today. And so this witness can only give evidence as to  
20 her state of mind.

21 And I may have misunderstood. You know my  
22 French isn't as good as it used to be. And she may have  
23 been referring to, you know, "we" in the universal sense;  
24 everyone in the court that day et cetera.

25 THE COMMISSIONER: Right.

1 **MS. DALEY:** But you know ---

2 **THE COMMISSIONER:** Okay. Your point.

3 **MS. DALEY:** That's my only point.

4 **THE COMMISSIONER:** Thank you.

5 **MS. DALEY:** Thank you Mr. Commissioner.

6 **THE COMMISSIONER:** Okay. Oh, hang on, hang  
7 on. Mr. Manderville is going to join the crowd.

8 **MR. MANDERVILLE:** For the assistance of the  
9 Commission, and I don't believe it's an exhibit yet,  
10 Justice Cunningham did decision concerning this whole piece  
11 ---

12 **THE COMMISSIONER:** Yes.

13 **MR. MANDERVILLE:** --- on an agreed statement  
14 of facts where the late Mr. Nadeau had counsel, no appeal  
15 was taken. I think this could be cut to the chase very  
16 quickly.

17 **THE COMMISSIONER:** Okay. I don't know where  
18 we're going with it. So -- Maître Dumais, est-ce que vous  
19 pourriez m'expliquer un peu?

20 **Me DUMAIS:** Je veux dire peut-être que je  
21 peux être plus spécifique dans mes questions Monsieur le  
22 Commissaire. Ça va peut-être régler la question.

23 Donc, Carmen, je veux dire spécifiquement à  
24 cette question-ci, je veux dire quand tu nous parlais, tu  
25 nous donnais ton point de vue à savoir ce que tu as répond.



1 Est-ce que c'est juste?

2 **Mme PRÉGENT:** Bien, suite à lire ça, je  
3 comprends pourquoi que j'ai pas compris. Puis, je peux  
4 comprendre pourquoi que Dick avait dit qu'il avait pas rien  
5 compris.

6 **Me DUMAIS:** M'hm.

7 **Mme PRÉGENT:** Parce qu'il était surpris lui  
8 aussi quand on a été à la cour de l'armée disant comme quoi  
9 qu'il y avait un publication ban.

10 **Me DUMAIS:** O.k. Donc si on peut retourner,  
11 Carmen, au soir. Donc, vous avez resté pour la comparution  
12 de la journée; c'est bien ça? Le 16 janvier, vous avez été  
13 là toute la journée?

14 **Mme PRÉGENT:** Oui. Je pense que oui, ça se  
15 peut que Dick se soit senti trop fatigué pour continuer.  
16 Parce que souvent il ne pouvait pas passer toute la journée  
17 là.

18 **Me DUMAIS:** O.k. Il aurait été présent pour  
19 une portion de la journée?

20 **Mme PRÉGENT:** Oui.

21 **Me DUMAIS:** Et puis, à un certain moment  
22 donné, vous êtes retournés à la maison et il aurait posté  
23 des choses sur le site ce soir-là ou tu aurais posté. Est-  
24 ce que tu te souviens de ça? Est-ce que tu as une mémoire  
25 de ça?

1                   **Mme PRÉGENT:** Pour dire que c'est le même  
2                   soir, non, mais je sais qu'il avait préparé de  
3                   l'information que j'avais postée. Je me souviens étant  
4                   donné d'avoir retourné en cour puis je juge était vraiment  
5                   fâché.

6                   **Me DUMAIS:** O.k. Ça leur arrive des fois.

7                   **LE COMMISSAIRE:** Comme tout le monde.

8                   **Me DUMAIS:** J'ai -- j'essaie de trouver un  
9                   bon point pour terminer la journée, Monsieur le Juge.

10                   Puis, avant de retourner devant le tribunal,  
11                   Carmen, vous avez su que vous deviez retourner parce qu'un  
12                   policier s'est présenté à votre porte; c'est bien ça?

13                   **Mme PRÉGENT:** Je me souviens d'un policier,  
14                   mais quand que t'as mentionné ça, c'était vague, mais il y  
15                   a possibilité que c'est la raison pourquoi qu'il avait  
16                   venu, oui.

17                   **Me DUMAIS:** O.k. Et puis, est-ce que tu te  
18                   souviens si tu étais présente à la maison quand le policier  
19                   s'est présenté?

20                   **Mme PRÉGENT:** Oui.

21                   **Me DUMAIS:** Est-ce que tu te souviens de ce  
22                   qu'il vous aurait dit ou de ce qu'il aurait dit à Dick?

23                   **Mme PRÉGENT:** Qu'il fallait qu'il se rendre  
24                   en cour.

25                   **Me DUMAIS:** O.k. Et puis, de fait, il est

1           retourné à la cour?

2                       **Mme PRÉGENT:** Oui.

3                       **Me DUMAIS:** Et puis -- avec le policier ou  
4 dans sa voiture; est-ce que tu te souviens?

5                       **Mme PRÉGENT:** Ça se peut que je -- non, je  
6 ne me souviens pas.

7                       **Me DUMAIS:** Ce n'est pas si important que  
8 ça. Et puis, est-ce que tu t'es rendue à la cour avec lui?

9                       **Mme PRÉGENT:** Je me souviens pas de ça non  
10 plus.

11                      **Me DUMAIS:** O.k. Donc, si on peut quitter  
12 sur ce point-ci, puis on va reprendre avec la comparution  
13 après.

14                      **LE COMMISSAIRE:** Demain matin 9h30, s'il  
15 vous plaît.

16                      **Mme PRÉGENT:** O.k. d'accord.

17                      **LE COMMISSAIRE:** Merci.

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 4:29 p.m./

23                      --- L'audience est ajournée à 16h29

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C E R T I F I C A T I O N

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hauts sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



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Sean Prouse, CVR-CM