

**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 240

Held at :

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

Monday, June 9 2008

Tenue à:

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

Lundi, le 9 juin 2008

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Ms. Mary Simms	Commission Counsel
Ms. Janie Larocque	
Mr. Mark Crane	Cornwall Community Police
Mr. Peter Manderville	Service and Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Nadia Laeeque	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Allan Manson	Citizens for Community Renewal
Ms. Allison Thiele-Callan	Victims' Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Ian Paul	Coalition for Action
Mr. John Olver	Mr. Claude Shaver
Mr. Claude Shaver	Mr. Claude Shaver

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1 --- Upon commencing at 9:37 a.m./

2 L'audience débute à 09h37

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 **MR. ENGELMANN:** Good morning, Mr.
10 Commissioner. Just before we get started I wanted to
11 introduce some new faces or relatively new faces.

12 First of all, to my immediate right is John
13 Olver.

14 **MR. OLVER:** Good morning, Mr. Commissioner.

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

16 **MR. ENGELMANN:** Who is counsel for Claude
17 Shaver, the next witness for the Commission.

18 As well, Allison Thiele-Callan. I think you
19 might have met her before, working at Ledroit Beckett,
20 working with Dallas Lee or the Victims Group who is again
21 to my right.

22 **THE COMMISSIONER:** Good morning.

23 **MR. ENGELMANN:** And, Nadia Laeque, who is
24 here from the Ministry of the Attorney General.

25 **THE COMMISSIONER:** Good morning. Welcome

1 aboard.

2 **MR. ENGELMANN:** Those are, I think, all the
3 new faces.

4 And the next witness for the Commission,
5 sir, is Mr. Claude Shaver, who is present. Can you come
6 forward?

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

8 **MR. SHAVER:** Good morning, sir.

9 **THE COMMISSIONER:** Madam Clerk?

10 **MR. ENGELMANN:** If the witness could be
11 sworn.

12 **THE COMMISSIONER:** Thank you.

13 **CLAUDE SHAVER:** Sworn/Assermenté

14 **THE COMMISSIONER:** Thank you.

15 Good morning, again, sir.

16 **MR. SHAVER:** Thanks, sir.

17 **THE COMMISSIONER:** So a few preliminaries;
18 water -- fresh water with fresh glasses. Please speak into
19 the microphone.

20 **MR. SHAVER:** Sir.

21 **THE COMMISSIONER:** The speaker here is in
22 case you wish to either dullen the questions or make sure
23 that you can hear him properly in any event.

24 You'll be seeing a bunch of documents either
25 on the screen or in the three-ring binders.

1 More importantly, I want you to listen very
2 carefully to the questions, give me the best answer you
3 can. If you don't recall you don't recall. If you don't
4 understand the question, please make sure that you have him
5 ask it again so that we can get the best answer possible.

6 If at any time there's some question about
7 whether questions are admissible or not, I'm sure your
8 lawyer and other counsel will be addressing me on those
9 matters.

10 So if you need a break at any time, just let
11 me know.

12 **MR. SHAVER:** Thank you, sir.

13 **THE COMMISSIONER:** All right.

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

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

16 Mr. Engelmann?

17 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
18 **ENGELMANN:**

19 **MR. ENGELMANN:** Thank you. Good morning,
20 Mr. Shaver.

21 **MR. SHAVER:** Good morning.

22 **MR. ENGELMANN:** I'm going to start, sir, by
23 asking you some personal and sort of background questions,
24 if I may. And I'm going to lead you through this to a
25 certain extent.

1 I understand you were born in Montreal?

2 MR. SHAVER: I was.

3 MR. ENGELMANN: And that your family moved
4 to the Cornwall area or to the City of Cornwall when you
5 were approximately five years old?

6 MR. SHAVER: Yes, they moved back here, they
7 were from here.

8 MR. ENGELMANN: All right. And you were
9 raised here, sir?

10 MR. SHAVER: I was.

11 MR. ENGELMANN: And lived here from the age
12 of 5 until approximately the age of 20?

13 MR. SHAVER: Yes.

14 MR. ENGELMANN: And I understand you went to
15 school here in Cornwall?

16 MR. SHAVER: I did.

17 MR. ENGELMANN: Grade 1 at St. Columban's
18 East?

19 MR. SHAVER: Actually, grade 1 I was at
20 Central Public.

21 MR. ENGELMANN: Central Public, I'm sorry.

22 MR. SHAVER: Yes.

23 MR. ENGELMANN: And after that were you at
24 St. Columban's?

25 MR. SHAVER: Yes. St. Columban's -- it was

1 called St. Columban's Boys School at the time.

2 MR. ENGELMANN: All right.

3 MR. SHAVER: M'hm.

4 MR. ENGELMANN: And you did grades 2 to 8
5 there?

6 MR. SHAVER: Yes, I did.

7 MR. ENGELMANN: And that was approximately -
8 - I'm going to just estimate the year as 1949 to '56?

9 MR. SHAVER: If you say so, sir.

10 MR. ENGELMANN: Yes, you were born in 1942?

11 MR. SHAVER: Forty-two (42) yes, so then six
12 through -- yes, that would be about right.

13 MR. ENGELMANN: All right. And that was a
14 Catholic school here in Cornwall?

15 MR. SHAVER: It was.

16 MR. ENGELMANN: In addition to going to the
17 school, your family attended St. Columban's Church?

18 MR. SHAVER: We did.

19 MR. ENGELMANN: And in fact you were an
20 altar boy there for a number of years?

21 MR. SHAVER: I was.

22 MR. ENGELMANN: Not only an altar boy but a
23 head altar boy?

24 MR. SHAVER: Yes, I was. Yes.

25 MR. ENGELMANN: And approximately how old

1 would you have been when you had that service?

2 MR. SHAVER: It would have been through
3 grade 8.

4 MR. ENGELMANN: All right.

5 MR. SHAVER: After grade 8, I -- went I went
6 to high school that stopped.

7 MR. ENGELMANN: All right. And it would
8 have started in about grade 3 or 4?

9 MR. SHAVER: It would have started in grade
10 -- probably, two or three, yes.

11 MR. ENGELMANN: All right. So you were an
12 altar boy for five or six years?

13 MR. SHAVER: Yes, I was.

14 MR. ENGELMANN: All right. And, sir, I
15 understand that you attended high school here in Cornwall?

16 MR. SHAVER: I did.

17 MR. ENGELMANN: And that was CCBS?

18 MR. SHAVER: Yes, it was.

19 MR. ENGELMANN: And I understand while at
20 school you were involved -- in high school you were
21 involved in a number of community activities?

22 MR. SHAVER: A great many.

23 MR. ENGELMANN: Including president of your
24 student's council?

25 MR. SHAVER: Yes, I was.

1 **MR. ENGELMANN:** You were a Lieutenant-
2 Colonel in the school Cadet Corps?

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** And you also had a position
5 with the Air Cadet Squadron?

6 **MR. SHAVER:** Yes. Yes.

7 **MR. ENGELMANN:** Were there other community
8 activities at that time as well, sir?

9 **MR. SHAVER:** Well, my father was involved
10 with a great many of them so I -- a lot of times he took me
11 along.

12 **MR. ENGELMANN:** All right. He was a
13 founding member or founder of the Optimist Club?

14 **MR. SHAVER:** Of the Optimist Club, yes. One
15 of the founding members.

16 **MR. ENGELMANN:** And what is the Optimist
17 Club, sir?

18 **MR. SHAVER:** The Optimist Club, I think
19 their designation is everything is for youth. I'm not sure
20 exactly if I said that correctly, but everything deals
21 around children; them helping children.

22 **MR. ENGELMANN:** And would he take you along
23 now and then to some of those meetings?

24 **MR. SHAVER:** Oh, yes.

25 **MR. ENGELMANN:** And was he active here in

1 the community, sir?

2 MR. SHAVER: Very active.

3 MR. ENGELMANN: And what did he do for a
4 living?

5 MR. SHAVER: He owned a store. Actually a
6 couple of stores, actually, at points.

7 MR. ENGELMANN: Okay. And, sir, I
8 understand that you had a long-standing interest in
9 becoming a police officer, as a child?

10 MR. SHAVER: Since I was four years old,
11 yes.

12 MR. ENGELMANN: And that that desire was not
13 just to be a police officer but to be an officer with the
14 RCMP?

15 MR. SHAVER: Yes, absolutely.

16 MR. ENGELMANN: All right. And that you
17 left the Cornwall area in 1962 to go out to Regina to join
18 the RCMP?

19 MR. SHAVER: Ottawa. Ottawa was the
20 training centre -- well we had the two training centres and
21 I was fortunate enough to go where they did the officers
22 and a gentlemen in Ottawa.

23 MR. ENGELMANN: All right, so you went to
24 Ottawa, not to Regina? I'm sorry.

25 MR. SHAVER: Yes, the grunts were in Regina

1 by the way.

2 MR. ENGELMANN: Okay. And after doing your
3 training in Ottawa with the RCMP you did go to
4 Saskatchewan; right?

5 MR. SHAVER: I did, yes.

6 MR. ENGELMANN: All right.

7 MR. SHAVER: They got me right off the bat,
8 send me right back there, yes.

9 MR. ENGELMANN: I knew there was a
10 Saskatchewan portion in your career. And, in fact, sir,
11 after graduating from your training were you assigned to a
12 detachment somewhere in the Province of Saskatchewan?

13 MR. SHAVER: Yes, I -- many detachments
14 during the five years that I was there, yes.

15 MR. ENGELMANN: All right. And you were
16 there from sometime in late '62 or early '63?

17 MR. SHAVER: Early '63 through April of
18 1967.

19 MR. ENGELMANN: Okay. So approximately four
20 years and a bit?

21 MR. SHAVER: Four-and-a-half years, yes,
22 m'hm.

23
24 MR. ENGELMANN: And you were -- you were
25 stationed at several spots in the Province of Ontario?

1 **MR. SHAVER:** Yes. I was -- I started in ---

2 **MR. ENGELMANN:** Sorry, Saskatchewan.

3 **MR. SHAVER:** I started in Regina Town
4 Station doing as a general constable, then went to an
5 Avonlea detachment which is a two-man detachment, then to
6 Bengough detachment then back into Regina in the Highway
7 Patrol Unit, then transferred to Lumsden. I was selected
8 to start Highway Patrol Units around -- around the district
9 that we were in, so I went to Lumsden and then I was
10 transferred to Fort Qu'Appelle, then back to Regina and
11 then fortunately to Montreal.

12 **MR. ENGELMANN:** All right. So when you were
13 transferred from place-to-place in Saskatchewan, what was
14 your rank with the force at the time?

15 **MR. SHAVER:** I was a fourth class constable
16 when I started. Obviously, in the RCMP it goes, fourth,
17 third, second, first; and when I left I was a first-class
18 constable.

19 **MR. ENGELMANN:** All right. And you had
20 highway patrol duties?

21 **MR. SHAVER:** Yes.

22 **MR. ENGELMANN:** Did you have some general
23 detachment duties as well?

24 **MR. SHAVER:** Yes, I did. Yes.

25 **MR. ENGELMANN:** All right. You were not in

1 a supervisory position were you?

2 MR. SHAVER: Yes, actually I was. When I
3 started the Highway Patrol Units I was -- there were two of
4 us that went and I was the person responsible.

5 MR. ENGELMANN: All right.

6 MR. SHAVER: So, I mean, I didn't have a
7 rank but I was responsible for starting the detachment. I
8 was responsible for, you know, making the policies and
9 doing that sort of thing.

10 MR. ENGELMANN: All right. And you were
11 working with one other officer at the time?

12 MR. SHAVER: Yes.

13 MR. ENGELMANN: But you were the -- the one
14 who was in charge?

15 MR. SHAVER: Yes.

16 MR. ENGELMANN: All right.

17 And, sir, as I understand it, in April of
18 1967 you left Saskatchewan, you moved to Montreal?

19 MR. SHAVER: I did.

20 MR. ENGELMANN: That was with the RCMP?

21 MR. SHAVER: Yes.

22 MR. ENGELMANN: And I understand you went
23 from general detachment duties to security type duties?

24 MR. SHAVER: Yeah. I was transferred to
25 Montreal for Expo 67. They chose people from across the

1 country to do that. I was a bodyguard for all the visiting
2 heads of state that came in to town during that period of
3 time.

4 **MR. ENGELMANN:** All right. And there were a
5 number of RCMP officers selected to do that, sir?

6 **MR. SHAVER:** Oh yes. Yes.

7 **MR. ENGELMANN:** And, sir, I understand that
8 after that, for a number of years, you remained in the
9 Security Unit for the RCMP?

10 **MR. SHAVER:** Yes, the security service was a
11 part of the RCMP at that time but it was considered to be a
12 separate branch of the Mounted Police, even though we were
13 still Mounted Police officers, but it was also the unit --
14 and I worked in the domestic and international terrorism
15 section.

16 **MR. ENGELMANN:** And can you give us a sense,
17 sir, as to what your duties were over those seven or eight
18 years that you were in that position?

19 **MR. SHAVER:** Well, one of the things that
20 happened over that period of time is that we worked
21 domestic terrorism. It was my unit -- the unit that I was
22 in, not my unit but the unit that I was in, that actually
23 found James Cross, if you remember the crisis in Quebec,
24 and that was our unit.

25 We were a very small unit, a very small

1 branch. It was a D section of the Security Service. So we
2 were highly involved with the Montreal City Police, the
3 QPF, the Quebec Provincial Police, and us.

4 **MR. ENGELMANN:** During the FLQ crisis?

5 **MR. SHAVER:** And during the FLQ crisis for
6 sure because the -- of course there would be no warrant
7 that was legal without another police officer being
8 present. So if the Montreal City Police were going to go
9 to a place to do a raid, we had to be with them or one of
10 us had to be with them.

11 **MR. ENGELMANN:** Sir, I understand that you
12 worked in the security service, if I can use that term, for
13 approximately seven or eight years?

14 **MR. SHAVER:** Until 1976 because I have been
15 employed for the -- in '76 then I was selected to be with
16 the Olympic Committee with the Israeli Olympic Team.

17 **MR. ENGELMANN:** And that was for the
18 Montreal Olympics in 1976?

19 **MR. SHAVER:** Yeah, Montreal Olympics in '76,
20 yes.

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

22 And I understand, sir, that while you were
23 with the security service that you started to teach part
24 time.

25 **MR. SHAVER:** Not teaching part-time, sir. I

1 may have done some inservice training in Montreal.

2 MR. ENGELMANN: Did you do any teaching with
3 the Canadian Police College?

4 MR. SHAVER: No, not at that time.

5 MR. ENGELMANN: All right.

6 So after the Olympics in 1976, did your role
7 with the RCMP change?

8 MR. SHAVER: Yes, I actually transferred
9 back into the Mounted Police itself. I was transferred to
10 the Canadian Police College in Ottawa, into the
11 Communications Skills unit.

12 MR. ENGELMANN: All right.

13 So you were still a member of the RCMP but
14 you were working at the Canadian Police College?

15 MR. SHAVER: Yes, yes.

16 MR. ENGELMANN: And my understanding, sir,
17 is that you worked there from approximately 1976 until
18 1983?

19 MR. SHAVER: Yes.

20 MR. ENGELMANN: All right. And while you
21 were there, sir, you would have taught a number of courses?

22 MR. SHAVER: Many courses.

23 MR. ENGELMANN: Okay. And perhaps, sir, we
24 could just take a look at a document then.

25 Madam Clerk, it's Document Number 200204.

1 Sir, it's entitled "Chief Claude Shaver
2 (Retired) - Number 01" and it's one of these career
3 profile-type documents.

4 MR. SHAVER: I see, m'hm.

5 THE COMMISSIONER: Exhibit 1772.

6 MR. ENGELMANN: I'm sorry, 1772?

7 THE COMMISSIONER: Yes.

8 --- EXHIBIT NO./PIÈCE NO. P-1772:

9 (200204) Claude Shaver - Career Profile

10 MR. ENGELMANN: Mr. Shaver, you've reviewed
11 this document before?

12 MR. SHAVER: Yes, I have.

13 MR. ENGELMANN: And the description of the
14 training courses that you have received and taught, is it
15 accurate, sir?

16 MR. SHAVER: Yes, to the best of my
17 knowledge and there were a lot more but I couldn't remember
18 them.

19 MR. ENGELMANN: All right. Well, let's ---

20 MR. SHAVER: I have listed a lot there.

21 MR. ENGELMANN: All right. Well, the ones
22 that are listed are accurate. Is that fair?

23 MR. SHAVER: Yes, I believe so. Yes.

24 MR. ENGELMANN: Yes. So just so that we
25 understand correctly, the courses taught, are they the

1 courses that are set out on the last page of the document,
2 and it ends with Bates page 706?

3 (SHORT PAUSE/COURTE PAUSE)

4 MR. SHAVER: Yes, yes, there was a lot of
5 those, yes.

6 MR. ENGELMANN: All right. So the last
7 page, those would be courses taught?

8 MR. SHAVER: The last page was courses
9 taught, yes.

10 MR. ENGELMANN: And then if we look at the
11 two pages that precede it, those are training courses you
12 would have taken?

13 MR. SHAVER: Yes.

14 MR. ENGELMANN: That's how I understand this
15 document?

16 MR. SHAVER: I would have taken -- and some
17 of these I would have taught on also.

18 There were courses -- in the course of my
19 stay at the college, I had this sort of incessant need to
20 want to always go and learn something new. So I would sit
21 on so many other courses with their instructor's
22 permission. So a lot of these were -- these are courses
23 that I actually took but these are -- and then some I'd
24 look at, for example the police educators course, I took it
25 but I also taught it.

1 **MR. ENGELMANN:** All right. So there would
2 be occasions where you would be assigned to take a
3 particular course and then you would end up teaching ---

4 **MR. SHAVER:** End up teaching it, yes.

5 **MR. ENGELMANN:** Okay.

6 **MR. SHAVER:** But, for example, in
7 communication skills, I took the communications skills
8 course, the training course to be an instructor, and then
9 the day after I finished it I was teaching it. So the next
10 -- you know, I finished on a Friday and on Monday I was
11 actually teaching the same course I had just taken.

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

13 So I'm just looking at the last page and
14 it's 706. A number of these course deal with management
15 and management of units or forces?

16 **MR. SHAVER:** Yes, a great many of them, yes.

17 **MR. ENGELMANN:** Right.

18 And there are no dates. These courses would
19 have been taught presumably between those years, 1976 and
20 1983?

21 **MR. SHAVER:** And later because as the Chief
22 of Police in Cornwall I also went back and taught a lot of
23 these courses.

24 **MR. ENGELMANN:** So you continued ---

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** You continued to teach on a
2 part-time basis at the Canadian Police College when you
3 were the Chief here in Cornwall?

4 **MR. SHAVER:** My board -- my initial board
5 that hired me ---

6 **MR. ENGELMANN:** Yes.

7 **MR. SHAVER:** --- wanted me to continue on
8 doing these things because I was in some sort of demand, I
9 guess, for these courses. And they highly encouraged me,
10 told me to take the time to do it.

11 Now, I had to start saying "no" because once
12 you start saying "yes" you say yes forever.

13 **MR. ENGELMANN:** Yes. So the courses we're
14 looking at on the last page, as you said many of them deal
15 with management issues?

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** There are a couple that deal
18 with drugs?

19 **MR. SHAVER:** Yes, the undercover drug course
20 and the drug course and drug investigators course, yes.

21 **MR. ENGELMANN:** Now, that isn't an
22 experience you would have had. That would have been -- you
23 would've taken some training through courses and then
24 taught?

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** Is that fair?

2 **MR. SHAVER:** Yes.

3 **MR. ENGELMANN:** You were never in a drug
4 unit?

5 **MR. SHAVER:** Never in a drug unit, no.

6 **MR. ENGELMANN:** Yeah. And so these are
7 courses you would've taken and then courses you would've
8 taught dealing with drugs?

9 **MR. SHAVER:** On the undercover drug course,
10 I taught the non-verbal communications portion of the drug
11 course; the neuro-linguistic programming portion of that.
12 I talked a lot about the stress portion of it too.

13 **MR. ENGELMANN:** Right.

14 **MR. SHAVER:** Because undercover courses are
15 -- the officers are under a tremendous amount of stress so
16 it's how they handle that stress.

17 **MR. ENGELMANN:** All right. So you and other
18 instructors would have been teaching that course?

19 **MR. SHAVER:** Yes.

20 **MR. ENGELMANN:** Okay. So you would have had
21 a part of that?

22 **MR. SHAVER:** Part of it, not all of it.
23 Just a part of it, yes.

24 **MR. ENGELMANN:** Okay, fair enough.

25 And you would have taught a course in

1 counselling and interviewing, sir?

2 MR. SHAVER: Yes.

3 MR. ENGELMANN: And, again, would you have
4 taken some courses in that respect?

5 MR. SHAVER: I did. I did. I took courses
6 and then trained on it.

7 MR. ENGELMANN: And do you know when you
8 would have done that, approximately, or what was involved?

9 MR. SHAVER: It would have been during my
10 tenure at the Police College.

11 MR. ENGELMANN: Okay. Do you know if any of
12 that dealt with interviewing children?

13 MR. SHAVER: No, it was -- this was
14 counselling and interviewing from a managerial perspective.

15 MR. ENGELMANN: Oh, okay, of police
16 officers.

17 MR. SHAVER: Of police officers, yes.

18 MR. ENGELMANN: I understand. And that
19 could be whether that's dealing with issues of stress,
20 perhaps?

21 MR. SHAVER: It was. A lot of it would be
22 very similar to what you would do with a person in a sexual
23 abuse case because the counselling techniques are the
24 techniques. They are the same techniques.

25 MR. ENGELMANN: Okay. So dealing with some

1 trauma issues?

2 MR. SHAVER: Dealing trauma, empathy, you
3 know that type of thing.

4 MR. ENGELMANN: Would some of it also have
5 been -- and excuse my ignorance, but would some of it have
6 been an discipline, that type of counselling?

7 MR. SHAVER: Yes, yes.

8 MR. ENGELMANN: All right.

9 Now, under the courses taken on the two
10 preceding pages, 704 and 705, again, there were a number of
11 them in sort of management issues, management studies?

12 MR. SHAVER: A great many of them, yes.

13 MR. ENGELMANN: Right. And when I say
14 management, management of police officers typically?

15 MR. SHAVER: No, just management. It wasn't
16 management of police officers. It could be management of
17 police officers or civilians. These are just managerial
18 courses.

19 MR. ENGELMANN: All right.

20 MR. SHAVER: And we adapt them, of course,
21 as a police officer to the policing situation.

22 MR. ENGELMANN: Okay.

23 MR. SHAVER: And I would have done that. I
24 taught the communications skills course first. Then I
25 transferred to the management training unit.

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

2 **MR. SHAVER:** When I went to the management
3 training unit then I taught these managerial courses.

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

5 Now, sir, are any of these courses of an
6 investigative nature, sir? I didn't see that here.

7 **MR. SHAVER:** Investigative, no.

8 **MR. ENGELMANN:** Okay. And at that point-in-
9 time, by the time you would have started with the Cornwall
10 Police Service in '83, would you have had much firsthand
11 experience in investigations or would it have been more
12 teaching and security service-type work?

13 **MR. SHAVER:** Well, the security service was
14 all investigations. It's because we had to investigate.
15 We were investigating terrorism. So it's the same -- it's
16 the same technique. You're working every day
17 investigating. You're doing -- you're doing interviews;
18 you're setting up looking for people that will help you.
19 So it is all -- it's all investigation. That whole time in
20 security service was investigation.

21 **MR. ENGELMANN:** Okay. Maybe I
22 misunderstood. I thought some of it was the protection of
23 individuals?

24 **MR. SHAVER:** No, not in the security
25 service.

1 **MR. ENGELMANN:** So what were you doing then
2 with respect to Expo '67 and the Montreal Olympics?

3 **MR. SHAVER:** Expo '67 was solely to protect
4 VIPs. That's what we did. And then when Expo '67 was over
5 I transferred into the security service and that was --
6 into domestic terrorism section and that's all
7 investigations.

8 **MR. ENGELMANN:** All right.
9 And for Montreal for the Summer Olympics?

10 **MR. SHAVER:** In Montreal then we portioned
11 ourselves out, basically, and each one of us, I think, got
12 a different sort of look. Some of us -- some of the
13 officers that I worked with were -- would have been sort of
14 roving through the grounds. It was all plainclothes, no
15 uniform. Obviously, we didn't have any uniforms. We
16 didn't look -- we looked like the persons of the day. We
17 needed long hair and a moustache or a goatee to hide our
18 appearance. We did that sort of thing, you know, that we
19 looked like the ---

20 **MR. ENGELMANN:** So it's similar ---

21 **MR. SHAVER:** --- the people ---

22 **MR. ENGELMANN:** --- to undercover work?

23 **MR. SHAVER:** Well, it is that. It's
24 basically -- it's just like a street operational thing.
25 It's not really undercover itself, but it's very similar.

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

2 And in Saskatchewan, you were, if I can call
3 it uniform patrol? Is that fair?

4 **MR. SHAVER:** Yes, the whole time.

5 **MR. ENGELMANN:** Yes, okay.

6 So did you actually ever work in a CIB-type
7 unit?

8 **MR. SHAVER:** No.

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

10 **MR. SHAVER:** Well, no. The security service
11 -- the security service was exactly like a CIB unit. I
12 mean that's what they did. They did investigations. What
13 we just didn't -- what we didn't have is we don't have a
14 complainant coming in to give us a -- to give us the
15 information to work on. We had to go out and basically
16 find our own information.

17 **MR. ENGELMANN:** But the working with other
18 officers, working with Crown prosecutors like you do in
19 municipal policing, in a CIB unit, you're doing that type
20 of work?

21 **MR. SHAVER:** Seldomly (sic) with Crown
22 prosecutors because the security service was -- if we got
23 to prosecution it was after a great, long list of
24 investigations. You know, we -- they -- we were more
25 interested in knowing who they were, where they were going,

1 what they were doing, who they were doing it with and
2 keeping tabs on that and keeping -- trying to keep, of
3 course, other agitators from other countries from coming
4 into the country.

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

6 So in 1983 -- I'm just looking at your list
7 on Bates page 704 -- you continued to take some courses
8 even after you left the Canadian Police College while you
9 would have been with the Cornwall Police Service/

10 **MR. SHAVER:** Yes, yes. In fact, I was
11 looking at one that I -- it was on the last page; "The Role
12 of Police Chief in Modern Society".

13 The college wanted to find a chief of police
14 that could come into the college for executive development
15 courses and perform two roles; one is I had to perform the
16 role of a police chief dealing with the board of
17 commissioners of police so -- and it was -- a lot of that
18 was about -- it was all about Ontario, of course.

19 **MR. ENGELMANN:** Okay, sir, just so I can
20 follow you. You're now on the last page?

21 **MR. SHAVER:** Last page, last one, yes.

22 **MR. ENGELMANN:** Okay, so this was a course
23 that you would have instructed?

24 **MR. SHAVER:** This was a part of a course
25 that I -- I did the role of of a police chief ---

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

2 **MR. SHAVER:** --- and then I was evaluating
3 people that were on courses. These were people that were
4 going to leave the Canadian Police College and go back to
5 be police chiefs or deputy chiefs of police across the
6 country or senior officers in the Mounted Police or the
7 OPP.

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

9 So let's just go back to my questions, I
10 may not have been clear.

11 **MR. SHAVER:** Okay.

12 **MR. ENGELMANN:** On Bates page 704 which is
13 page 2 ---

14 **MR. SHAVER:** Okay.

15 **MR. ENGELMANN:** --- even after leaving the
16 Canadian Police College when you joined the CPS, it appears
17 that you took several courses. If we look at the document,
18 you have courses from April of 1983 right up until 1990, so
19 those would have been courses you would have taken while
20 you were with ---

21 **MR. SHAVER:** Yes.

22 **MR. ENGELMANN:** --- the Cornwall Police
23 Service?

24 **MR. SHAVER:** The last one being the
25 executive development course, yes.

1 **MR. ENGELMANN:** Right.

2 **MR. SHAVER:** In 1990.

3 **MR. ENGELMANN:** Is that fair?

4 **MR. SHAVER:** Yes, it is.

5 **MR. ENGELMANN:** You must have taken those
6 last six or seven courses while with the Cornwall Police
7 Service?

8 **MR. SHAVER:** Yes, took them and taught them
9 actually and took them and taught those -- police educators
10 course, took it and taught it. Victim's services program,
11 I took the course.

12 **MR. ENGELMANN:** And when you say taught, who
13 would you have taught to?

14 **MR. SHAVER:** When I went to Newfoundland, I
15 taught the Royal Newfoundland Constabulary as well as the
16 Mounted Police were the two -- the two forces that are in
17 Newfoundland.

18 In Vancouver, it would have been the Mounted
19 Police. I think the Mounted Police solely in Vancouver,
20 but it may have been -- there may have been some Vancouver
21 City Police officers there.

22 **MR. ENGELMANN:** Okay, so were these -- was
23 this a situation where you took the course and then
24 immediately taught it?

25 **MR. SHAVER:** No, I took -- I can't remember

1 when I took it. I took portions of it and I taught
2 portions of it. I took the entire course, but I taught it
3 after so -- or portions.

4 **MR. ENGELMANN:** Okay. The reason I'm asking
5 is we have these under courses, I think, that you've taken?

6 **MR. SHAVER:** Yes, yeah.

7 **MR. ENGELMANN:** But you're saying some of
8 them you would have taught as well?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** Okay.

11 **MR. SHAVER:** Yeah, the one in -- I'm sure,
12 yes, in '85, the Newfoundland course was definitely one I
13 taught.

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

15 So in 1983, you've been working at the
16 Canadian Police College for about six or seven years
17 perhaps?

18 **MR. SHAVER:** Yes.

19 **MR. ENGELMANN:** And how is it, sir, that you
20 come to know of an opening at the Cornwall Police Service?

21 **MR. SHAVER:** There was a major stress
22 conference. They brought in stress experts from all over
23 North America on stress in policing into Aylmer, the
24 Ontario Police College. The Mounted Police chose me to be
25 a keynote speaker for that particular assembly. It was a

1 three or four-day conference and while I was there, after I
2 finished my -- after I finished my talk or my speech, I met
3 Chief Landry and Bryson Comrie who was the Chairman of the
4 Cornwall Police Commission.

5 MR. ENGELMANN: Now, did they seek you out,
6 sir or ---

7 MR. SHAVER: Yes, they did. I mean, I'd
8 known Chief Landry all of my life.

9 MR. ENGELMANN: Okay and he, as I understand
10 it, was in the Optimist's Club with your father?

11 MR. SHAVER: He was in the Optimist's Club
12 with my dad, yes.

13 MR. ENGELMANN: And lived in the
14 neighbourhood?

15 MR. SHAVER: And lived very close, yes.

16 MR. ENGELMANN: Yes, okay. So you knew
17 Chief Landry and his family?

18 MR. SHAVER: I knew Chief Landry. I was
19 older than -- I'm older than all of his children so ---

20 MR. ENGELMANN: Okay.

21 MR. SHAVER: --- I knew the Chief as the
22 Chief. His children I have met ---

23 MR. ENGELMANN: So you would be between his
24 age and the age of his children?

25 MR. SHAVER: Yes.

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

2 **MR. SHAVER:** Yes. Brian, I think, is the
3 oldest; if I remember, he's the oldest boy.

4 **MR. ENGELMANN:** All right. And so you meet
5 -- and who was the other fellow, I'm sorry?

6 **MR. SHAVER:** Bryson Comrie, who was the
7 Chairman of the Cornwall Police Commission.

8 **MR. ENGELMANN:** All right. And just a
9 casual meeting or where did it go?

10 **MR. SHAVER:** It started as a casual meeting.
11 They were basically -- they -- when I saw the Chief, he
12 came up to say hello and I was really, you know, I was
13 really happy to see him. I hadn't seen him in years and
14 years. And that's when it started. It basically started
15 with that and, you know, would you like to have dinner with
16 us and I said, sure, absolutely.

17 **MR. ENGELMANN:** And where did it go from
18 there?

19 **MR. SHAVER:** Over dinner -- in fact, Mr.
20 Comrie asked me more questions than I could ever remember.
21 You know, he was asking me questions about what would you
22 do in this situation or that situation and finally, I
23 turned to him and asked him, I said, are you a police
24 officer and he said, no, I'm the Chairman of the Police
25 Commission and I, at that time, had no concept what the

1 Police Commission was so I asked him about that and that's
2 how that started and ---

3 **MR. ENGELMANN:** Did he give you a sense as
4 to why he was asking you all these questions?

5 **MR. SHAVER:** At the end of dinner, he did.
6 He came back and said, you're -- he said, you're exactly
7 the type of person that we would like to have to come down
8 and be our Deputy Chief to take over from Chief Landry and
9 my first reaction was, absolutely no chance of that.

10 **MR. ENGELMANN:** All right. And why was that
11 your first reaction?

12 **MR. SHAVER:** Well, I've never thought of
13 leaving the Mounted Police. I was very, very happy with
14 where I was at the college. I was -- I got to teach all
15 the courses that I liked. The Mounted Police sent me,
16 literally, you know, they sent me to England to teach; they
17 sent me to -- I taught at the FBI Academy. I was their
18 little person that they sent out to teach. They, you know,
19 dressed me up and gave me my little red uniform and away I
20 went and I loved it. I mean, I loved it. I loved every
21 minute of that. I loved the teaching; I loved being around
22 police officers, you know, because I was teaching municipal
23 officers and learning -- learning a great deal about what,
24 you know, what they do, how they do it.

25 **MR. ENGELMANN:** You would have been teaching

1 officers from all sorts of different backgrounds?

2 MR. SHAVER: Absolutely, this wasn't just
3 teaching Mounted Police officers.

4 MR. ENGELMANN: No.

5 MR. SHAVER: In fact, the bulk of the people
6 that I taught would have been municipal police officers.

7 MR. ENGELMANN: Would there have also been
8 provincial police officers?

9 MR. SHAVER: Absolutely, yes.

10 MR. ENGELMANN: Yes, so every background ---

11 MR. SHAVER: Every background, yes. If you
12 were a police officer in this country or -- and we also
13 taught the -- I don't know if you remember back when Mr.
14 Trudeau and President Reagan and -- and let's see, it would
15 have been Prime Minister -- the female Prime Minister ---

16 THE COMMISSIONER: Thatcher.

17 MR. SHAVER: --- Thatcher, thank you, sir.

18 They divided up the world literally and the
19 Americans said they wanted a bunch of people -- all of the
20 American police officers to come to the FBI Academy. The
21 British said, well, we want anybody who has -- in our
22 sphere of influence to come to the College of Bramshill and
23 the Mounted Police College or there was a Canadian Police
24 College but run by the Mounted Police.

25 We did all of the other countries so we had

1 people from, you know, from Australia, from New Zealand, a
2 lot of African countries, a lot of Caribbean countries;
3 every police department in the country in Canada.

4 MR. ENGELMANN: So you would have met
5 interesting police officers from all over the world?

6 MR. SHAVER: Oh, yeah, amazingly. Yes,
7 amazing.

8 MR. ENGELMANN: All right.
9 So you've got this good job ---

10 MR. SHAVER: Great job.

11 MR. ENGELMANN: --- that you meet people
12 from your hometown ---

13 MR. SHAVER: M'hm.

14 MR. ENGELMANN: --- and they want you to
15 come and be their Deputy Chief?

16 MR. SHAVER: Yes.

17 MR. ENGELMANN: Some trepidation ---

18 MR. SHAVER: Well, it wasn't -- it wasn't an
19 invitation to by the Deputy, it was an invitation to
20 compete to be the Deputy.

21 MR. ENGELMANN: Fair enough.

22 MR. SHAVER: Okay.

23 MR. ENGELMANN: Compete to be the Deputy to
24 be groomed to be the Chief?

25 MR. SHAVER: Yes.

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

2 And you were happy in your job. Had you
3 heard anything about what was going on at the Cornwall
4 Police either ---

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

6 **MR. ENGELMANN:** --- from friends or family
7 in the community or from Cornwall Police Service officers
8 you might be teaching at the college ---

9 **MR. SHAVER:** From both.

10 **MR. ENGELMANN:** --- about how things were?

11 **MR. SHAVER:** From both.

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

13 And what was your sense as to the state of
14 the Cornwall Police Service in or around 1983 when this
15 offer to compete is being made to you?

16 **MR. SHAVER:** It was not well received.

17 **MR. ENGELMANN:** What was not well received,
18 sir?

19 **MR. SHAVER:** From the police officers that I
20 talked to, there were some problems going on.

21 **MR. ENGELMANN:** All right. Can you give us
22 a sense as the type of problems that you were aware of and,
23 this is before you come?

24 **MR. SHAVER:** Well, I think some of them were
25 managerial, sir, because the people that I taught that came

1 from Cornwall, I talked to them, obviously, they're from my
2 hometown.

3 MR. ENGELMANN: Yes.

4 MR. SHAVER: I kind of seeked them out or
5 they sought me out so I talked to them and they mentioned,
6 you know, that it was managerial; it was operational. It
7 was -- Cornwall was, I think, evolving from the -- they
8 were evolving from being a very small police department and
9 they were moving up. They'd gotten -- they were getting
10 away from that mentality of being a small police
11 department.

12 MR. ENGELMANN: Were there issues about
13 trust from the community, that you were aware of, sir?

14 MR. SHAVER: From the community?

15 MR. ENGELMANN: Yes.

16 MR. SHAVER: The only issue of trust from
17 the community that I would have known of was later on when
18 there was a shooting here in Cornwall where a police
19 officer killed a man named Caron. There was a major
20 investigation about that. I think there was a lot of
21 suspicion in the community at that time.

22 MR. ENGELMANN: Was that just before you
23 were asked to ---

24 MR. SHAVER: Yes.

25 MR. ENGELMANN: --- to apply?

1 **MR. SHAVER:** Yes.

2 The OPP investigated that, they came in and
3 investigated it and charged three of the Cornwall police
4 officers. They were all convicted. In fact, one of the
5 first duties I had when I came here was to -- the Chief --
6 in fact the first duty I -- the first official duty I had
7 was to attend the court and have these officers removed
8 from the Cornwall Police Department.

9 **MR. ENGELMANN:** This was after ---

10 **MR. SHAVER:** After they'd served their
11 sentences and so on, yes.

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

13 So they had been disciplined and fired,
14 essentially?

15 **MR. SHAVER:** Well, yes. They'd already been
16 fired when I was -- it became my sort of official duty to
17 tell them that which was pretty, pretty ugly duty to be
18 doing when you're first -- when you first arrive.

19 **MR. ENGELMANN:** So given some of these
20 concerns, did you take them up on their offer immediately,
21 or what did you do?

22 **MR. SHAVER:** Well I thought about it
23 overnight. I talked to -- to several people that I was
24 very close to at the college, people whose opinion I
25 respected, and you know, I talked to -- I tried to call my

1 father and mother and talk to them and they weren't living
2 in Cornwall at the time and -- talked to my best friend
3 who's still here, still lives here.

4 And, after all of that I just, you know, I
5 said well, it was a real challenge. I talked to my
6 commanding officer and I told him everything about the --
7 about the situation. And even though he was a terrific
8 man, he was easy to talk to and he said, "Hey, you know,
9 like, you're 39 years old, you're going to be the youngest
10 Deputy Chief of any major department in the country, go for
11 it," you know? So, and he said, "You know you have the
12 skills." And then he -- so I decided that I thought I did
13 and I thought I could help.

14 **MR. ENGELMANN:** And when did you actually
15 then compete for that position of Deputy Chief?

16 **MR. SHAVER:** It was -- it was very, very
17 close after. Soon as I said yes, basically, it was -- I
18 think I was in the competition and probably three weeks
19 later, I -- not very much longer than three weeks later.

20 **MR. ENGELMANN:** You were confirmed in the
21 position?

22 **MR. SHAVER:** No, I went through the process

23 ---

24 **MR. ENGELMANN:** Yes?

25 **MR. SHAVER:** The interview process. They

1 had, I think, 15 candidates or something and my name just
2 got put in with the 15. I'm not sure if it was 15 but it
3 was somewhere in that area.

4 MR. ENGELMANN: All right.

5 And you were successful, obviously, in that
6 competition?

7 MR. SHAVER: Yes.

8 MR. ENGELMANN: And ---

9 MR. SHAVER: Well it depends on what you
10 mean by successful. I got the job.

11 MR. ENGELMANN: Well, you got the job?

12 MR. SHAVER: That's right, yeah.

13 MR. ENGELMANN: And sir, you would have
14 started in or around April of 1983?

15 MR. ENGELMANN: April of '83. Yes.

16 MR. SHAVER: All right. And had there been
17 a Deputy Chief before you?

18 MR. SHAVER: No, there was a superintendent
19 -- there was a Chief, a Superintendent and they wanted --
20 in fact, part of the -- part of the reasoning was from the
21 -- the '82 inspection and -- the '78 and '82 inspection
22 reports. And then there was another taskforce in the
23 middle of those two groups -- issues.

24 MR. ENGELMANN: All right.

25 So there was a suggestion -- we'll come to

1 that '82 report in a minute ---

2 MR. SHAVER: Okay.

3 MR. ENGELMANN: --- but a suggestion that
4 there should be a Deputy Chief position?

5 MR. SHAVER: Yes.

6 MR. ENGELMANN: And ---

7 MR. SHAVER: And that he should come from
8 outside.

9 MR. ENGELMANN: All right.

10 And there was an opinion as well that that
11 should be a successor type, or stepping stone position to
12 the Chief position?

13 MR. SHAVER: Yes. And of course, you know,
14 subject to performance, obviously.

15 MR. ENGELMANN: Right. Right.

16 And was there a job description in place
17 when you started, sir.

18 MR. SHAVER: No.

19 MR. ENGELMANN: Or was that something you
20 were asked to do?

21 MR. SHAVER: No, I wrote a job description.

22 MR. ENGELMANN: All right.

23 And as the Deputy Chief then, were you
24 tasked with specific issues to resolve?

25 MR. SHAVER: Yes. The Chief basically gave

1 me -- gave me complete rein to do what I wanted to do,
2 along with, obviously I had to go back and run everything
3 by him -- but if I wanted to change something I would come
4 in, I would talk to him, say, "This is what I would like to
5 do."

6 For example, I wanted to transfer young
7 people into CIB, our CIB unit at the time, I think the
8 average age of the persons in there was like 45 or 46 years
9 of age.

10 **MR. ENGELMANN:** Okay.

11 **MR. SHAVER:** So I wanted to do those kinds
12 of things.

13 **MR. ENGELMANN:** So did the Chief ask you in
14 your role to address specific issues that were raised in an
15 audit or inspection report that had been performed in 1982?

16 **MR. SHAVER:** Yes. I -- I completed all of
17 the recommendations by the Police Commission.

18 **MR. ENGELMANN:** All right.

19 And, Madam Clerk, if the witness could be
20 shown Document 729846?

21 Mr. Commissioner, this is an Ontario Police
22 Commission Inspection Report of the Cornwall Police Force
23 that was conducted during the months of January through
24 April of 1982, final copy signed off in July of 1982.

25 **THE COMMISSIONER:** Thank you. Exhibit

1 Number 1773 then is a Ontario Police Commission Inspection
2 Report, January 7th to April 29th, 1982.

3 ---EXHIBIT NO./PIÈCE NO. P-1773:

4 (729846) Ontario Police Commission
5 Inspection Report - 07 Jan 82 to 29 Apr
6 82

7 MR. SHAVER: But Mr. Engelmann, there was
8 also one from 1978 ---

9 MR. ENGELMANN: Yes?

10 MR. SHAVER: --- where there were a bunch of
11 recommendations and as well as a taskforce list of
12 recommendations the -- that -- that preceded this
13 inspection.

14 MR. ENGELMANN: Were you asked to ---

15 MR. SHAVER: Yes.

16 MR. ENGELMANN: --- sir, implement those as
17 well?

18 MR. SHAVER: Yes, to look at all -- I was
19 asked to look at everything from '78, the '78 inspection,
20 the taskforce which is, basically, a group of officers that
21 were put together to sit in a room and come back up with
22 what are the best suggestions. It was very similar to the
23 morale report that I know you're all familiar with that
24 came out later on, except they didn't call it a morale
25 report, they just called it a taskforce.

1 **MR. ENGELMANN:** What was familiar to the
2 morale report, sir?

3 **MR. SHAVER:** It was exactly the same thing,
4 a bunch of officers sitting in a room talking about what
5 they thought should be best for the police department.

6 **MR. ENGELMANN:** Okay, sorry, but which of
7 these audits did you say was familiar with?

8 **MR. SHAVER:** Seventy eight ('78).

9 **MR. ENGELMANN:** Okay.

10 **MR. SHAVER:** The taskforce was between '78
11 and this inspection report, and then this inspection
12 report. So I had the three documents that I was working
13 from.

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

15 Well, I can bring up that other document if
16 you'd like?

17 **MR. SHAVER:** Sure.

18 **MR. ENGELMANN:** Madam Clerk, Document Number
19 729844?

20 Mr. Commissioner, this is a report of the
21 Ontario Police Commission of the Cornwall Police Force,
22 dated April 5th, 1978, referring to an inspection conducted
23 between February -- dates in February and March of 1978.

24 **THE COMMISSIONER:** Good. Exhibit 1774.

25 --- **EXHIBIT NO. P-1774/PIÈCE NO. P-1774:**

1 (729844) Memorandum from W.F. Johnston
2 and W.S. Shimmin to Judge T.J. Graham
3 re Ontario Police Commission Report -
4 05 Apr 78

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

6 Well, Mr. Shaver, I was really going to just
7 ask about the '82 but I can ask you a couple of questions -
8 --

9 **MR. SHAVER:** Sure.

10 **MR. ENGELMANN:** About the '78 for starters,
11 that's Exhibit 1774?

12 I note on the first page in, which is Bates
13 page 916, right in the introduction, second paragraph, the
14 investigators, auditors, are saying:

15 "The investigations have revealed
16 a number of weaknesses in the
17 operation and administration of
18 the Force."

19 **MR. SHAVER:** Right.

20 **MR. ENGELMANN:** Okay?

21 **MR. SHAVER:** On the next line is:

22 "There was indications of morale
23 problems."

24 **MR. ENGELMANN:** Fair enough:

25 "Younger members of the Force,

1 these reports and work -- working with the Chief -- and it
2 would have been difficult for Chief Landry because in some
3 situations, they speak about the Chief. Chief Landry was
4 an excellent person, an excellent man, and I would come in
5 to him and say, "Listen, I'd like to take a look at this."
6 And then he would say, "Okay," and give me the authority to
7 go and do it and I would go and do it. Because at the time
8 I was -- I was the operational Deputy Chief of Police, but
9 I was also doing the administration part, doing the
10 administrative part because I was trying -- actually trying
11 to learn both jobs at the same time and it was -- it was
12 interesting from an operational perspective but from a
13 managerial perspective, it was simple but operationally, it
14 was a little more -- a little more complicated.

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

16 And I, just very briefly on the first
17 document then, 1774, the '78 report, there were some issues
18 set out with respect to the Criminal Investigation Branch,
19 were there not? And I'm thinking, sir, if you could look,
20 sir, at Bates page 923.

21 **MR. SHAVER:** Oh, the first document?

22 **MR. ENGELMANN:** When I'm referring to the
23 Bates page, sir, that's the page on the left ---

24 **MR. SHAVER:** On the left? Okay.

25 **MR. ENGELMANN:** I'm giving you the last

1 three numbers.

2 MR. SHAVER: Yes, 923. Yes.

3 MR. ENGELMANN: It would be page eight of
4 the document.

5 MR. SHAVER: Yes, got it. Thank you.

6 MR. ENGELMANN: And there's a reference to,
7 among other things, under the CIB, a low clearance rate for
8 criminal offences?

9 MR. SHAVER: Yes.

10 MR. ENGELMANN: Okay, so that would have
11 been something -- was that something that was still
12 lingering when you joined in 1983?

13 MR. SHAVER: Absolutely, yes.

14 MR. ENGELMANN: All right.

15 So that would have been something to
16 resolve?

17 MR. SHAVER: Yes.

18 MR. ENGELMANN: Yeah.

19 And there are a number of other issues set
20 out, and including a number of specific incidents that
21 obviously caused these auditors or inspection some concern.

22 MR. SHAVER: This -- this was a rather
23 insidious report, as far as I was concerned, when I read it
24 because I think this report started with a bunch of
25 anonymous letters being sent to the Police Commission

1 accusing various people in the Department of a -- of a
2 whole flock of different things and -- and -- but the
3 police -- the Police Authority, at the time, came down and
4 said they would investigate them.

5 Now I have a lot of difficulty ---

6 **MR. ENGELMANN:** Is that what happens? Is
7 that what then sparks one of these investigations, if there
8 are letters written either from the Board of a Police
9 Service or from a number of individuals asking for
10 something like this?

11 **MR. SHAVER:** I'd never heard of that, sir.

12 As a Chief of Police, I would have treated
13 anonymous letters as just that; you know, if you're not --
14 if you're not prepared to sign them and stand up, then
15 don't send them.

16 **MR. ENGELMANN:** What I'm saying, sir, is
17 there something that needs to kick-start the process to
18 bring in an inspection of this type?

19 **MR. SHAVER:** That -- that may have done it.
20 They may have received enough letters; I think that that's
21 what happened.

22 I think they -- it seems from reading this
23 report, because I never had a chance to talk any of the
24 inspectors, but it seems that reading this report is that
25 -- is that they -- they seem to have gotten way more than

1 one. They got one about somebody, one about somebody else
2 and so on and so forth.

3 MR. ENGELMANN: All right. But
4 irrespective, what happened when you started in '83 is
5 there had also been another report?

6 MR. SHAVER: Yes, in '82. The '82 report.

7 MR. ENGELMANN: And some of these same
8 issues were still around in 1983, when you started?

9 MR. SHAVER: Right.

10 MR. ENGELMANN: Fair enough?

11 MR. SHAVER: Yes, that -- that's true.

12 MR. ENGELMANN: All right. So let's look at
13 Exhibit 1773, then ---

14 MR. SHAVER: Okay.

15 MR. ENGELMANN: --- which is the 1982
16 report.

17 And, sir, would it be fair to say this would
18 have been something you were tasked to review early on in
19 your tenure as Deputy Chief?

20 MR. SHAVER: The '82 report?

21 MR. ENGELMANN: Yes.

22 MR. SHAVER: Yes, absolutely.

23 MR. ENGELMANN: You would have looked at
24 this, you would have looked at the '78 and -- and other
25 things?

1 **MR. SHAVER:** And the other document that --
2 that the officers -- that the one that they called the
3 "Task Force," yes.

4 **MR. ENGELMANN:** So these -- these are the
5 two I have and I just, with respect to the 1982 audit
6 report, 1773, would you agree that it's a fairly
7 comprehensive report, sir?

8 **MR. SHAVER:** Yes, I think I would.

9 **MR. ENGELMANN:** And there are a great number
10 of recommendations that are set out, are there not, sir ---

11 **MR. SHAVER:** Yes.

12 **MR. ENGELMANN:** --- on -- it's Bates
13 page 937?

14 **THE COMMISSIONER:** That's a second page in
15 the report.

16 **MR. SHAVER:** I don't know what I'm looking
17 at here.

18 **THE COMMISSIONER:** So when he tells ---

19 **MR. SHAVER:** Oh, yes, sir.

20 **THE COMMISSIONER:** --- you "937," it's the
21 top left-hand corner.

22 **MR. SHAVER:** I'm sorry ---

23 **MR. ENGELMANN:** It's a ---

24 **MR. SHAVER:** I'll get used to this, you tell
25 me?

1 **MR. ENGELMANN:** "Summary of
2 Recommendations."

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** Do you have that?

5 **MR. SHAVER:** I do.

6 **MR. ENGELMANN:** All right. Now, you were
7 fairly new to municipal policing, at this stage, but would
8 you have had some knowledge of the frequency of inspections
9 of this type, sir?

10 **MR. SHAVER:** No. I -- I learned that from
11 the Chief.

12 **MR. ENGELMANN:** All right. And would you
13 have some knowledge as to whether or not a summary -- a
14 list of recommendations of this nature was normal or
15 whether that was unusual?

16 **MR. SHAVER:** Basing it on the '78 and this
17 one though, I thought this was a normal procedure.

18 **MR. ENGELMANN:** All right. Or perhaps
19 normal, at least, for Cornwall?

20 **MR. SHAVER:** No, I think normal in Ontario.

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

22 **MR. SHAVER:** I mean I since found that out,
23 obviously.

24 **MR. ENGELMANN:** You found out?

25 **MR. SHAVER:** I found out this is a normal

1 process, yes.

2 MR. ENGELMANN: Okay, that -- what, having
3 inspection reports of this nature?

4 MR. SHAVER: Oh yes, m'hm.

5 MR. ENGELMANN: Every couple of years?

6 MR. SHAVER: Every couple of years, yes.

7 MR. ENGELMANN: Okay. So it became your
8 view that -- that these were regularly scheduled reviews?

9 MR. SHAVER: I don't know if they would be
10 regularly scheduled. Some of them would be as the -- if
11 there was as situation that came up, they would come back
12 and review, if it was asked for by the -- by the Commission
13 it would be -- by the police -- local Police Commission --

14 MR. ENGELMANN: Yes.

15 MR. SHAVER: --- it would be -- it would be
16 done.

17 And some of them would be -- after they did
18 the recommendations would come to follow up and see if they
19 -- if you -- if you implemented the recommendations.

20 MR. ENGELMANN: Right. But it was my
21 understanding, and perhaps mistaken, that I thought when
22 you did a comprehensive inspection report, that would have
23 been -- there would have had to have been a request either
24 from a Police Service Board or ---

25 MR. SHAVER: Not necessarily, no.

1 **MR. ENGELMANN:** All right. Now, do you know
2 what gave rise to this particular review, though, sir, this
3 Inspection Report, 1773, the '82 ---

4 **MR. SHAVER:** I -- I believe it was the Caron
5 shooting that may have done this, what had happened in the
6 community, but there was also -- I mean, the '78 report,
7 again, and that taskforce report was in the middle of this,
8 so I think that with both of these and I'm not sure -- I
9 don't remember the Commission ever told me that they had
10 requested it.

11 **MR. ENGELMANN:** All right. So just looking
12 at the Summary of Recommendations, then, sir, and there are
13 a number that are set out at ---

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

15 **MR. ENGELMANN:** --- Bates page 937, we see
16 this issue about Career Development, again.

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** And that -- that had been an
19 issue back in 1978?

20 **MR. SHAVER:** M'hm.

21 **MR. ENGELMANN:** The whole sort of
22 promotional system?

23 **MR. SHAVER:** Well -- and -- and even more
24 than that, that's rotational policy that -- Career
25 Development is not just promotions; it's -- it's rotational

1 policy, it's training -- when do officers go to training,
2 that type of thing so there was a lot of that in that ---

3 MR. ENGELMANN: Yes.

4 MR. SHAVER: --- particular -- there's more
5 than just what that says there.

6 MR. ENGELMANN: Right. Well, Career
7 Development ---

8 MR. SHAVER: Yes.

9 MR. ENGELMANN: --- would encompass those
10 issues; ---

11 MR. SHAVER: M'hm.

12 MR. ENGELMANN: --- fair enough?

13 Another issue that arose and I'm just going
14 to pick a couple of them if I may, there were concerns from
15 the Crown Attorney's Office?

16 MR. SHAVER: Yes, there were.

17 MR. ENGELMANN: And those concerns were with
18 respect to case preparation and testimony of officers?

19 MR. SHAVER: Yes.

20 MR. ENGELMANN: And, sir, would that -- that
21 would have been included -- case preparation would have
22 been preparation of Crown Briefs, documents of that nature?

23 MR. SHAVER: Yes.

24 MR. ENGELMANN: And -- and how the officers
25 were doing when they testified in court?

1 MR. SHAVER: Their notes.

2 MR. ENGELMANN: Okay.

3 MR. SHAVER: Yes.

4 MR. ENGELMANN: And there were issues about
5 note-keeping?

6 MR. SHAVER: M'hm.

7 MR. ENGELMANN: Note-taking, things of that
8 nature?

9 MR. SHAVER: M'hm.

10 MR. ENGELMANN: All right.

11 MR. SHAVER: Yes.

12 MR. ENGELMANN: And, sir, as well, there
13 were issues about training and having sufficient formal
14 training; is that fair?

15 MR. SHAVER: Yes. Yes, there was.

16 MR. ENGELMANN: And, in addition, there were
17 issues about -- and I'm looking at Number 11, establishing
18 which occurrences that were assigned for follow-up ---

19 MR. SHAVER: Yes.

20 MR. ENGELMANN: --- investigations?

21 MR. SHAVER: M'hm.

22 MR. ENGELMANN: So those are -- those are
23 just some examples of the Summary of Recommendations and if
24 we go through the report, those are all elaborated upon in
25 the report, are they not?

1 **MR. SHAVER:** They are, yes.

2 **MR. ENGELMANN:** Okay. So, for example, on
3 the first one, Career Development, there's a discussion of
4 this, sir, at Bates page 942, which is page 5 of the
5 report, for ease of reference.

6 **MR. SHAVER:** M'hm.

7 **MR. ENGELMANN:** And, sir, is it true that
8 one of the big issues was that there were going to be a
9 number of officers who were going to be retiring?

10 **MR. SHAVER:** Yes, that's true.

11 **MR. ENGELMANN:** And the question was who was
12 going to be stepping up into those positions?

13 **MR. SHAVER:** M'hm, yes.

14 **MR. ENGELMANN:** Okay?

15 Sir, on the case preparation issue, if you
16 look at Bates page 947, which is page 10, I believe that
17 discussion starts at the bottom of that page and then onto
18 the next page?

19 **MR. SHAVER:** Yes.

20 **MR. ENGELMANN:** The Force addressed itself
21 to the concerns of the Crown attorney and institute
22 procedures and inservice training?

23 **MR. SHAVER:** Yes.

24 **MR. ENGELMANN:** And, for example, on -- on
25 the next page, 948, they're talking about retraining and

1 the use of memo books and can you tell us what a memo book
2 is, sir? I haven't heard that term before; is that a
3 notebook ---

4 **MR. SHAVER:** Officer notebook, yes.

5 **MR. ENGELMANN:** All right. And a procedure
6 requiring regular examination of the officer's notebook by
7 his supervisor should be instituted. Now, just so we're
8 clear, is that dealing with CIB only or is that CIB and
9 uniform?

10 **MR. SHAVER:** It's everybody.

11 **MR. ENGELMANN:** Okay. So that seemed to be
12 of importance, that there be some supervisory check on
13 officers' notebooks and how they're doing with those
14 notebooks?

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** Okay. And then, in
17 particular, they wanted a -- I think this is a single
18 officer of supervisory rank, delegated to monitor testimony
19 and case preparation?

20 **MR. SHAVER:** Yes, a court officer is
21 basically what they're asking for.

22 **MR. ENGELMANN:** Okay. And that's -- that's
23 what you would call a "Court Officer," sir, someone who
24 would check Crown Briefs?

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** Someone who would monitor
2 how officers do when they testify, et cetera?

3 **MR. SHAVER:** Exactly, report back.

4 **MR. ENGELMANN:** All right. So you saw those
5 two comments. Did you -- did you agree, at that time, that
6 those were things that you thought should be addressed?

7 **MR. SHAVER:** Oh, absolutely, yes.

8 **MR. ENGELMANN:** All right. And sir, when
9 Crown has a concern like that for a local Force, that's
10 something that should be addressed, I presume, immediately
11 and in a thorough fashion?

12 **MR. SHAVER:** Absolutely immediately, yes.

13 **MR. ENGELMANN:** Because then the -- all of
14 the work one does in the investigation stage may be -- may
15 be for naught ---

16 **MR. SHAVER:** Exactly.

17 **MR. ENGELMANN:** --- if you have problems
18 there? All right.

19 And, sir, would you agree that -- that even
20 though this was primarily for court purposes, because
21 that's how the Crown is involved, Court Brief, et cetera,
22 that it would also be useful in the investigation stage, to
23 have supervisors review notebooks from time to time, just
24 to ensure that officers are following through on their
25 investigations?

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** And again, that would be
3 true whether they were in uniform or in your Criminal
4 Investigations Bureau?

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** Sir, then on the issue of
7 formal training, and I believe that starts on Bates page 9-
8 -- and I'll just be a second -- 968 and 969, it would be
9 pages 31 and 32 of your report.

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** And the recommendation there
12 is that a training policy should be established for the
13 Force which would incorporate the following points. And
14 they set out the fact that they want the training goals
15 established for the Force itself at number one?

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** They've got a schedule that
18 would ensure these goals are met. So they want you to do
19 something that is reasonable. And there are a number of
20 other points there including a training record for each
21 individual.

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** And how would that normally
24 be done or how was that implemented, sir? Is it something
25 that would be on each officer's personnel file?

1 **MR. SHAVER:** Yes, it's in your personnel
2 file.

3 **MR. ENGELMANN:** All right.

4 **MR. SHAVER:** The personnel files -- we took
5 a very close look at the personnel files also to see what
6 was in there because a lot of times there was -- you know,
7 there's a lot of steps that should've been in there wasn't
8 in there. And training to me is a very important issue so
9 I wanted to make -- they wanted to make sure and I
10 certainly did at the same time totally agree with this
11 recommendation.

12 **MR. ENGELMANN:** And in fact they called for
13 a training coordinator ---

14 **MR. SHAVER:** Yes, they did.

15 **MR. ENGELMANN:** --- to be established, to be
16 set up?

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** All right.

19 Is that something you ended up undertaking,
20 sir, or is that something that ---

21 **MR. SHAVER:** Yes. Actually, we went out and
22 hired, well, probably the very best OPP person that they
23 had. He wanted to come and work with us and he was there.
24 He was considered to be one of their very best trainers and
25 we hired him.

1 **MR. ENGELMANN:** All right. And who was
2 that, sir?

3 **MR. SHAVER:** Tim Lynch.

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

5 And sir, the issue on the follow ups from
6 occurrences there's some discussion about that on page 981,
7 I believe. And that really is under the caption
8 "assignment to call backs," is that fair, on the issue of
9 follow ups on occurrences?

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** And again, there are some --
12 there's a suggestion for a policy dealing with this and
13 some of the items that should be included are set out on
14 Bates page 982 or page 45 of this report?

15 **MR. SHAVER:** Yes.

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

17 Now, sir, in addition there were still
18 issues surrounding morale at the time of this report, were
19 there not?

20 **MR. SHAVER:** Yes, there were.

21 **MR. ENGELMANN:** And just to refresh your
22 memory, if I may, if you want to look at Bates pages 957
23 and 958.

24 And sir, if I may, I'm going to suggest to
25 you that one of the reasons for the morale problems was the

1 shooting that you had referred to which had had an effect
2 on the Force.

3 MR. SHAVER: Yeah. Yes, that would
4 definitely be ---

5 MR. ENGELMANN: All right.

6 MR. SHAVER: --- be one of them.

7 MR. ENGELMANN: I think you told us three
8 officers were charged and convicted, as I understand?

9 MR. SHAVER: Yes.

10 MR. ENGELMANN: Of criminal wrongdoing?

11 MR. SHAVER: M'hm.

12 MR. ENGELMANN: But in addition, the
13 document suggests that there were junior officers who had
14 other issues and those issues are set out starting at the
15 top of page 958 which is page 21 of your report. And it
16 seems -- and I don't want to downplay this but it seems the
17 issues were primarily with one of the supervisors. This is
18 the inspector in charge of field operations. At least,
19 that's how the document reads. Is that fair?

20 MR. SHAVER: That is how the document reads,
21 yes.

22 MR. ENGELMANN: Yeah. And who was that at
23 the time, sir?

24 MR. SHAVER: Inspector Jim Burke.

25 MR. ENGELMANN: Right. So when you read

1 this report it seems there were a number of junior officers
2 who were upset with his management and/or supervisory style
3 and how he dealt with it?

4 **MR. SHAVER:** M'hm, yes.

5 **MR. ENGELMANN:** And that was a major concern
6 you had to address, sir?

7 **MR. SHAVER:** I did.

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

9 And what we see set out, as I said, on Bates
10 page 958 right up through 961, are concerns that some of
11 these officers have with their involvement with Inspector
12 Burke.

13 Were there other issues over and above those
14 that are set out herein, because when I read these four or
15 five pages they all seem to be dealing with his management
16 style? It's referred to as tyrannical, almost like
17 harassment, the dressing down publicly, what we would call
18 perhaps in the public service "abuse of authority," issues
19 of that. That's what you really see here.

20 Were those the principal concerns of morale
21 at the time?

22 **MR. SHAVER:** I think there were other things
23 as I spoke to the Chief. A lot of times, you know, when
24 the inspectors come in and get this they will get
25 information from a very limited source of people and it

1 generally happens that most of the people that would want
2 to stand up and complain about Inspector Burke would show
3 up to be interviewed.

4 **MR. ENGELMANN:** Yeah.

5 **MR. SHAVER:** Where all the others would be
6 over here. So I'm not sure they did a -- I know the
7 inspectors don't get a balanced view because ---

8 **MR. ENGELMANN:** Right.

9 **MR. SHAVER:** --- if you have a -- if you
10 have as we used to refer to the policing as stitching and
11 bitching, if you wanted to do that then you would go back
12 and you would stitch and bitch to the inspector when they
13 came because it was always -- their names are always
14 protected.

15 **MR. ENGELMANN:** Well, that seems to have
16 been the conclusion here as well. Where they say -- and
17 I'm looking at page -- Bates page 962.

18 **MR. SHAVER:** Okay.

19 **MR. ENGELMANN:** They say -- it's the second-
20 last paragraph:

21 "In final assessment it can be seen
22 that individually the complaints lacked
23 substance and most appear to be rather
24 petty. In total, however, they
25 represent an apparent conflict that has

1 grown up between many officers and the
2 inspector, the dynamics of which seem
3 to be very negatively affecting the
4 working environment within the Force."

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

6 **MR. ENGELMANN:** All right?

7 Does that sum it up, sir, fairly in your
8 opinion?

9 **MR. SHAVER:** Reasonably. I think there are
10 other factors in there also.

11 **MR. ENGELMANN:** Well, if you look at the
12 next paragraph, in fact, they said they were:

13 "...sensitive to the fact that many
14 personal and possibly hidden motives
15 were prompting these complaints."

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** So there may be other
18 reasons?

19 **MR. SHAVER:** I would certainly agree with
20 that.

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

22 But they do say, and you'll see this at the
23 top of the next page given the spread of personnel
24 interviewed, however, they do not believe a conspiracy
25 existed. They acknowledge that there was a wide number of

1 individuals who had the same types of concerns?

2 MR. SHAVER: Yeah. Yes, that's what the
3 report says there.

4 MR. ENGELMANN: Right. And did you agree
5 with that at the time, sir?

6 MR. SHAVER: Well, I didn't -- I wasn't
7 there when this report was written. I came later, if you
8 remember.

9 MR. ENGELMANN: Yeah, you were there the
10 following year.

11 MR. SHAVER: I'm just reading it and then
12 talking with the people in the Service, you know, and there
13 may have been some difficulties and some problems there but
14 I think they tended to focus very, very much on one thing.

15 MR. ENGELMANN: Yes.

16 MR. SHAVER: And if they focused on the
17 inspector it relates directly back to the Chief because the
18 Chief is supposed to be controlling the inspector.

19 MR. ENGELMANN: Right.

20 MR. SHAVER: And that was the -- that was
21 kind of the underlining motive of all of this whole
22 process, you know.

23 MR. ENGELMANN: The audit in '82, my
24 understanding is it wasn't all of the officers who
25 participated in that process.

1 **MR. SHAVER:** It's never all of the officers.

2 **MR. ENGELMANN:** Okay. Well, in '78 was it
3 not all of them or just about all of them that
4 participated?

5 **MR. SHAVER:** I don't think so, sir. I don't
6 think so.

7 **MR. ENGELMANN:** Okay.

8 **MR. SHAVER:** I don't think that ---

9 **MR. ENGELMANN:** Well, if you look at the
10 first page, sir.

11 **MR. SHAVER:** Seventy-eight ('78)?

12 **MR. ENGELMANN:** Yeah, and that's Exhibit
13 1774.

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

15 **MR. ENGELMANN:** The first paragraph:

16 "All members of the Force..."

17 Just the end of the first paragraph, and
18 this is why. It seems to be more comprehensive than most:

19 "All members of the Force with the
20 exception of those police officers
21 absent due to illness or vacation were
22 interviewed as were a number of local
23 citizens."

24 **MR. SHAVER:** Okay.

25 **MR. ENGELMANN:** All right.

1 So that might be the exception to that rule?

2 **MR. SHAVER:** That would be my -- my
3 suggestion, yeah, that would be the exception.

4 **MR. ENGELMANN:** Whereas the '82 report might
5 be the norm, which would be that there may be a good
6 representation but certainly not everybody who would have
7 spoken to the auditors?

8 **MR. SHAVER:** Normally, before an inspection
9 report comes out they post on daily orders that there will
10 -- the inspectors will be here and anyone who would like to
11 speak to the inspectors can get on the list. That's how
12 that normally works.

13 **MR. ENGELMANN:** Yes. And I think Staff
14 Sergeant Derochie testified about the fact that some people
15 might participate more than others.

16 **MR. SHAVER:** Absolutely.

17 **MR. ENGELMANN:** And that not everyone does
18 participate.

19 **MR. SHAVER:** Exactly.

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

21 Now, one of the things that the inspectors
22 suggested as a result of these negative comments vis-à-vis
23 supervision -- in particular supervision from the one
24 inspector -- was a rotational system.

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** And you see that at Bates
2 page 963. It's page 26 of your report, sir.

3 Is that something that you would have then
4 tried to implement?

5 **MR. SHAVER:** It's something I did implement,
6 yes.

7 **MR. ENGELMANN:** Fair enough.

8 And sir, there is a reference in the report,
9 pages 979 and 980, again in your document that's page 42 of
10 the report.

11 There appears to be a -- well, it's an
12 observation at least by these inspectors that the Force is
13 split into two distinct groups, the uniform patrol and
14 criminal investigation.

15 **MR. SHAVER:** Absolutely, that was ---

16 **MR. ENGELMANN:** And that's something that
17 you observed immediately upon your starting there as well?

18 **MR. SHAVER:** Immediately.

19 **MR. ENGELMANN:** Right. And they see that as
20 a concern, and you did as well?

21 **MR. SHAVER:** M'hm.

22 **MR. ENGELMANN:** And they talk about some of
23 the common practice. For example, they talk about some of
24 the issues that resolve -- at the bottom of that page:

25 "It's also a common practice..." --

1 Sorry:

2 "It's alleged that on some occasions
3 non-commissioned officers would..."

4 I'm not sure if that should say "defer"

5 "...or at least failed to encourage..."

6 No --

7 "...deter or failed to encourage their
8 constables from seeking the assistance
9 of the investigators. Also common
10 practice, due in part to this
11 reluctance to work closely with
12 investigators but mostly because
13 investigators only worked days to delay
14 follow-up inquiries to criminal
15 investigations."

16 **MR. SHAVER:** M'hm.

17 **MR. ENGELMANN:** Was that in fact the case,
18 sir?

19 **MR. SHAVER:** That was the case.

20 **MR. ENGELMANN:** That's your CIB were only
21 working a day shift?

22 **MR. SHAVER:** It was.

23 **MR. ENGELMANN:** All right. And it's not
24 hard to imagine, they say, that the seemingly unnecessary
25 delays had hindered critical investigations in the past?

1 **MR. SHAVER:** I would suggest that that would
2 be true, yes.

3 **MR. ENGELMANN:** Okay, so you saw that as an
4 issue that needed to be resolved as well?

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** You agreed with ---

7 **MR. SHAVER:** Totally.

8 **MR. ENGELMANN:** Yeah.

9 Now, in addition to implementing a number of
10 recommendations, either from the '78 report or the '82
11 report, creating a job description, grooming yourself in
12 the role as designated to become the Chief, were you also
13 designated with increasing the profile of the Cornwall
14 Police Service in the community?

15 **MR. SHAVER:** Yes. This was a direct order
16 from the Board. My original Board, which consisted of
17 Bryson Comrie as the Chairman, Judge Jean Forget as the --
18 sat on the Board, and Mayor of the City of Cornwall, Mayor
19 Parisien, and what they felt was that they wanted to -- and
20 they instructed me, it wasn't a matter of asking, they were
21 demanding that I maintain an extremely high profile in the
22 community and outside the community because they believed
23 that the reputation of the Service was very bad; they
24 wanted that to change. They thought that if by bringing in
25 someone, that the community may have already known my name

1 because I, you know, obviously lived here a long time and
2 knew a lot of people, that that that might happen.

3 The fact that I was -- that I was a trainer
4 and I didn't mind speaking in public that they would -- and
5 they wanted me to use that, so I did a lot -- I did a lot
6 of that.

7 **MR. ENGELMANN:** All right. So they wanted
8 you to assume a public role in the community?

9 **MR. SHAVER:** Very much.

10 **MR. ENGELMANN:** And by doing so get yourself
11 out there and get the profile of the police out there in
12 the public?

13 **MR. SHAVER:** Absolutely.

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

15 And so that would have meant dealing with a
16 number of community leaders?

17 **MR. SHAVER:** Very much so.

18 **MR. ENGELMANN:** All right. It would have
19 meant, for example, dealing with officials in the courts?

20 **MR. SHAVER:** Yes.

21 **MR. ENGELMANN:** Dealing with both provincial
22 and federal Crowns?

23 **MR. SHAVER:** Yes, both of them. Yes.

24 **MR. ENGELMANN:** It would have been dealing
25 with officials at the CAS?

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** With the school boards?

3 **MR. SHAVER:** Very much, again.

4 **MR. ENGELMANN:** Would there be organizations
5 and agencies in the community?

6 **MR. SHAVER:** All of the -- all of the
7 service clubs, a lot of the individual companies in
8 Cornwall.

9 **MR. ENGELMANN:** Yes.

10 **MR. SHAVER:** Levis -- I think one that comes
11 to mind is Levis, when Levis was here. They were an
12 extremely good corporate sponsor for the Police Department.

13 The service clubs were absolutely excellent
14 in helping us, giving us money, they bought -- they bought
15 us a \$50,000 van at one point. It was great. The
16 community was phenomenal.

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

18 Would you have also had dealings with the
19 sheriff's office?

20 **MR. SHAVER:** Yes.

21 **MR. ENGELMANN:** Coroner's office?

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** The faith community here in
24 Cornwall?

25 **MR. SHAVER:** Not as much with the faith

1 community. Like I used too many bad words for them to ask
2 me to come and do any talks for them, so ---

3 **MR. ENGELMANN:** Would you have, in that
4 first year or so, introduced yourself to the Bishop, for
5 example?

6 **MR. SHAVER:** No.

7 **MR. ENGELMANN:** Other community leaders?

8 **MR. SHAVER:** No. I had -- I had never met
9 the Bishop formally until 1980 -- well, even then I didn't
10 meet him formally, in 1985.

11 I had to attend a lot of social functions
12 where the Bishop would be there.

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

14 **MR. SHAVER:** So those -- that was, again,
15 part of the process for the Chief of Police. You know, if
16 you were having an opening of a store, they wanted -- that
17 wanted that there to head ---

18 **MR. ENGELMANN:** And would you be doing this
19 typically for Chief Landry in that first year or would you
20 both be going?

21 **MR. SHAVER:** No, I was never -- and the
22 Chief never went, I was -- it was me.

23 **MR. ENGELMANN:** Yes, all right.

24 And, sir, did part of this also mean getting
25 to know people in the press?

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** Whether that's local radio -

3 --

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

5 **MR. ENGELMANN:** --- newspaper, and other
6 forms of media?

7 **MR. SHAVER:** Yes.

8 **MR. ENGELMANN:** And that you were tasked to
9 do and you did so willingly and became well-known in the
10 community?

11 **MR. SHAVER:** I would think that would be the
12 case, yes.

13 **MR. ENGELMANN:** Yeah, you were already known
14 because of your background here ---

15 **MR. SHAVER:** Right.

16 **MR. ENGELMANN:** --- but you became well
17 known and affiliated with Chief Shaver, Cornwall Police --
18 or Deputy Chief Shaver, Cornwall Police?

19 **MR. SHAVER:** It was almost -- it was almost
20 50 percent of my duty at the time.

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

22 **MR. SHAVER:** That's what they asked and
23 wanted me to do.

24 **MR. ENGELMANN:** All right, and so you did
25 your best to build that profile for -- by going out there

1 and getting out into the community?

2 MR. SHAVER: Yes.

3 MR. ENGELMANN: And that would have also
4 involved getting involved in some extra-curricular
5 community activities, I'm sure.

6 MR. SHAVER: Many, many.

7 MR. ENGELMANN: Not just for yourself but
8 also you would have encouraged members of your Force to do
9 so?

10 MR. SHAVER: Oh, absolutely, yes. And in
11 fairness to the members of the Force that were there, there
12 were a lot of these young people in my Force at the time.
13 I say young people, they were probably ---

14 MR. ENGELMANN: You were fairly ---

15 MR. SHAVER: I was probably the same age as
16 some of them.

17 MR. ENGELMANN: All right.

18 MR. SHAVER: But they were -- they were out
19 in the community already. It was before community-based
20 policing ever came up with that word. Community-based
21 policing basically is just small town policing or small
22 city policing. You know, Metro Toronto can't figure out
23 how to do that and they bring these things up, but these
24 officers were in the community. They were running baseball
25 teams and coaching hockey teams and were sitting on service

1 clubs, sitting on all sorts of committees around the -- I
2 was very proud of them.

3 MR. ENGELMANN: All right. So in any event,
4 in that first year you would have been out there in the
5 community trying to increase the profile of the Cornwall
6 Police Service. And, sir, you believe you were successful
7 in doing so?

8 MR. SHAVER: Not just the first year, I did
9 that throughout ---

10 MR. ENGELMANN: Throughout your tenure.

11 MR. SHAVER: --- my whole career.

12 MR. ENGELMANN: All right, fair enough.

13 And I'll get into some of the specific
14 people that you knew or didn't know ---

15 MR. SHAVER: Sure.

16 MR. ENGELMANN: --- a bit later, but it's
17 clear that that was one of the things you were tasked to
18 do?

19 MR. SHAVER: Absolutely.

20 MR. ENGELMANN: Did you, sir, also start to,
21 not just talk to the media but also, if I'm not mistaken,
22 write a column now and then for one or more of the local
23 newspapers?

24 MR. SHAVER: I don't know about writing a
25 column, I can't remember actually writing a specific column

1 but we used to have a thing, "Know your Police Officers".
2 It was a picture of a police officer, his career, da da da,
3 what he had done. That was there.

4 MR. ENGELMANN: Would that have been in the
5 daily paper, The Freeholder?

6 MR. SHAVER: Daily paper, yeah, The
7 Freeholder, yes.

8 MR. ENGELMANN: Would you have done anything
9 with the weekly paper, The Seaway News?

10 MR. SHAVER: Only if they -- if they asked.
11 Sometimes they would come in and they'd want to do
12 interviews and that type of thing, nothing more overtly
13 than that that I can remember.

14 MR. ENGELMANN: Okay.

15 MR. SHAVER: Although we did task our -- I
16 did task my people in community relations that that's --
17 that was part of their responsibility. They were to
18 maintain as high a profile in its community as they could
19 possibly get.

20 MR. ENGELMANN: And we'll come to it, I
21 think, sir, a bit later, but did you develop some kind of a
22 protocol or policy for your Force in dealing with the
23 media?

24 MR. SHAVER: Yes.

25 MR. ENGELMANN: And does this occur when

1 you're Chief or is that already something you're working on
2 as Deputy Chief?

3 **MR. SHAVER:** I think -- no, I think it was
4 definitely when I was the Chief.

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

6 **MR. SHAVER:** And it may have been later on
7 when we started to -- the policy, the basic policy as I
8 remember at the time, was that if you were the staff
9 sergeant in charge of the station, because I don't know if
10 that was explained to anyone, that really the Chief of
11 Police for the station during the daytime, even though the
12 chief is there, is the staff sergeant.

13 **MR. ENGELMANN:** Right.

14 **MR. SHAVER:** He runs the station or he runs
15 that part of the station and at night of course he's there.
16 So if there was anything that had to be released to the
17 media, we -- that's why all these staff sergeants were all
18 sent on these courses where they were taught media
19 relations and how to do it, so that when they came back
20 from their management courses they were able to -- to
21 understand what the media wants; prepare in advance, try to
22 ask -- answer their questions in advance.

23 **MR. ENGELMANN:** All right. So senior
24 officers would have received some media training?

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** And ---

2 **MR. SHAVER:** Anyone who attended the SPAC
3 course at the Canadian Police College received it. I know
4 because I'm the one that initiated that course at the
5 Canadian Police College and at the Ontario Police College.

6 **MR. ENGELMANN:** All right.

7 And, sir, there were directives that were
8 then promulgated dealing with relations with the media?

9 **MR. SHAVER:** Yeah. We had to make it more -
10 - we had to make it more formalized as it -- as it got down
11 the road it got too disjointed because, you know, each
12 staff sergeant is an individual, they all manage
13 differently, they all act differently, they all think
14 differently and sometimes things were said.

15 And I think there was one incident where
16 someone was insensitive about something. I can't remember
17 what the thing was but I think a person died and the staff
18 sergeant, whoever, said something that was not -- that was
19 not very good.

20 **MR. ENGELMANN:** But there can also be
21 concern, sir, about possibly doing damage to either an
22 existing investigation and/or court case ---

23 **MR. SHAVER:** Oh, of course.

24 **MR. ENGELMANN:** --- if people aren't getting
25 things checked through ---

1 **MR. SHAVER:** Right.

2 **MR. ENGELMANN:** --- a particular person or
3 persons?

4 **MR. SHAVER:** They were told not -- they knew
5 the instructions about court cases.

6 **MR. ENGELMANN:** All right.

7 **MR. SHAVER:** You know, what they could
8 release.

9 **MR. ENGELMANN:** Okay.

10 And, sir, let's then just talk about Chief
11 Landry's retirement.

12 **MR. SHAVER:** Okay.

13 **MR. ENGELMANN:** The then Chief Landry. It
14 was scheduled to be some time in 1985 originally> Is that
15 correct?

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** So you were to have at least
18 18 months, if not almost 2 years ---

19 **MR. SHAVER:** Almost two years, yes.

20 **MR. ENGELMANN:** And what happened, sir?

21 **MR. SHAVER:** To be honest with you, I don't
22 know. Chief Landry just finally just said, you know,
23 "Claude, you're ready?" And I asked him -- in fact, I
24 literally almost begged him. I said, "Chief, stay, stay
25 until '85," and he said, "No, I'm ready to retire." And

1 he told me, he said, "Go take a nice little vacation
2 somewhere." So I did that and when I came back he had
3 piles on his desk and he said -- I had been trying to teach
4 the Chief about paperwork, about A piles and B piles and C
5 piles and D piles and when I got back he knew it very well
6 because he said, "There's your A pile, there's your B pile,
7 there's your C, there's your D," shook my hand, kissed his
8 secretary and left.

9 MR. ENGELMANN: All right.

10 And that would have been in our about
11 January of 1984?

12 MR. SHAVER: Yes, in or about January of
13 1984, I believe, yes.

14 MR. ENGELMANN: Told to take a vacation.

15 MR. SHAVER: I took a vacation. It was all
16 in January, I think, yes.

17 MR. ENGELMANN: Or January?

18 MR. SHAVER: Yes.

19 MR. ENGELMANN: And you were then the Acting
20 Chief from approximately sometime in January until about
21 April of 1984?

22 MR. SHAVER: Yes.

23 MR. ENGELMANN: And you were then confirmed
24 in the position ---

25 MR. SHAVER: I was, yes.

1 **MR. ENGELMANN:** --- in April of '84. So
2 your first Chief -- your first year as Chief would have
3 been the 1984-1985?

4 **MR. SHAVER:** Yes.

5 **MR. ENGELMANN:** Can you give us a sense, sir,
6 as to your working relationship with the Board in that
7 first year or so as Chief?

8 **MR. SHAVER:** Excellent. My Board -- that
9 Board was -- they were absolutely excellent, supported
10 everything financially and otherwise, you know, which is
11 difficult for a Board to do sometimes because I came in and
12 increased our budget by a great deal of money and had
13 increased -- that had to be supported by the Mayor because
14 if it got back to Council ---

15 **MR. ENGELMANN:** And were there clear roles
16 for, as you saw it, between your role as the Chief and the
17 role of the Board?

18 **MR. SHAVER:** Oh, absolutely.

19 **MR. ENGELMANN:** Can you give us just a
20 general sense what those were at the time?

21 **MR. SHAVER:** Well, I reported to the Board.
22 They of course can give me -- under the *Police Act* the
23 Board can give you an instruction if they put it in writing
24 and it's passed by the majority of the Board. No single
25 Board member can direct the Chief and they cannot direct me

1 on operational issues, basically. That's a synopsis of
2 what they can do.

3 **MR. ENGELMANN:** All right.

4 And sir, in your first year as Chief there
5 was another inspection report by the Ontario Police
6 Commission, is that correct?

7 **MR. SHAVER:** I think the next one was '86.
8 No, the next one -- was it '86?

9 **MR. ENGELMANN:** Well, I'm going to show you
10 a document.

11 **MR. SHAVER:** Okay.

12 **MR. ENGELMANN:** It might refresh your
13 memory.

14 **MR. SHAVER:** Okay.

15 **MR. ENGELMANN:** And Madam Clerk, 729848.

16 And Mr. Shaver, it's Ontario Police
17 Commission Inspection report Cornwall Police Force
18 conducted by J.D. Oliver.

19 **MR. SHAVER:** Okay, yes.

20 **MR. ENGELMANN:** October 1st to 4th, '84.

21 **MR. SHAVER:** Eighty-four ('84), okay.

22 **MR. ENGELMANN:** Dated November 15th, '84.

23 And I believe, sir, this is a follow up to the 1982 report.

24 If that could be the next exhibit, Mr.
25 Commissioner?

1 THE COMMISSIONER: Exhibit 1775.

2 --- EXHIBIT NO./PIÈCE NO. P-1775:

3 (729848) Ontario Police Commission

4 Inspection Report - 01 Oct 84 to 04 Oct

5 84

6 MR. SHAVER: Yes.

7 MR. ENGELMANN: So sir, just having looked
8 at this now does that refresh your memory? In fact, it may
9 have been December that it comes out. I'm looking at the
10 initials on it. But this is a further inspection report
11 and this is one that would have been issued during your
12 first year as Chief.

13 MR. SHAVER: Right, it was conducted -- it
14 was conducted in October of '84, yes.

15 MR. ENGELMANN: And sir, it sets out, does
16 it not, throughout its text several of the recommendations
17 that had been made in the 1982 inspection report, correct?

18 MR. SHAVER: It does.

19 MR. ENGELMANN: And for example, on Bates
20 page 990, which is page 6 at the bottom, they talk about
21 what was done to address the concerns of the Crown
22 attorneys. Do you see that at the top of the page?

23 MR. SHAVER: Yes, I -- just reading it, sir.

24 MR. ENGELMANN: Yes.

25 (SHORT PAUSE/COURTE PAUSE)

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** All right. So it appears
3 that the notebooks have been given a fair bit of attention.

4 **MR. SHAVER:** There is a significant event
5 before this, by the way, that you haven't dealt with, is
6 that we hired Deputy Chief Denis O'Neill. I went out and
7 advertised for a Deputy Chief of Police.

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

9 **MR. SHAVER:** All right, and that's --
10 because I see his name mentioned here. That was a very
11 important issue because I needed and wanted someone who had
12 extreme operational experience because they were going to
13 run the operational part of the Force.

14 **MR. ENGELMANN:** Right.

15 **MR. SHAVER:** Deputy Chief O'Neill was in
16 charge of the CIB unit in Peel Regional at the time, a
17 rather large police department, and brought a wealth of
18 experience. He was just what the doctor ordered for me --
19 the Force.

20 **MR. ENGELMANN:** So you wanted someone who
21 had a great degree of operational experience?

22 **MR. SHAVER:** Absolutely, yes.

23 **MR. ENGELMANN:** To complement your
24 management skills?

25 **MR. SHAVER:** Absolutely, yes.

1 **MR. ENGELMANN:** And in fact, if we look
2 further down that page, I was just going to come there ---

3 **MR. SHAVER:** Oh, sorry.

4 **MR. ENGELMANN:** --- at number five the
5 recommendation was to advertise for and hire a new Chief,
6 and in fact it says that was done and it says he was hired
7 in June of '84.

8 **MR. SHAVER:** No, advertised and hired a new
9 Chief was me.

10 **MR. ENGELMANN:** Oh, sorry.

11 **MR. SHAVER:** Then --- you see, he's got this
12 -- it's not correct what he wrote here.

13 **MR. ENGELMANN:** Yeah, it should say
14 advertise and hire a Deputy Chief.

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** Because that was the
17 recommendation from 1982.

18 **MR. SHAVER:** Yes, I was the Deputy Chief and
19 I became the Chief and ---

20 **MR. ENGELMANN:** Right.

21 **MR. SHAVER:** --- he came in as the new
22 Deputy.

23 **MR. ENGELMANN:** Fair enough, fair enough.

24 Okay. So to just turn back then to the top,
25 this concerted effort with the notebooks this is being

1 orchestrated or instructed by your Deputy Chief?

2 **MR. SHAVER:** Absolutely, yes.

3 **MR. ENGELMANN:** And he is saying that there
4 is more descriptive detail -- or they are saying there is
5 more descriptive detail contained therein. So do they
6 actually look at some of the notebooks when they do their
7 inspection?

8 **MR. SHAVER:** Yes, that's my understanding.
9 I'm not with them but that's my understanding that they do.

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

11 **MR. SHAVER:** They look at the notebooks and
12 as well as they look at all our policies and all of our
13 procedures, you know, to make sure that we are doing it to
14 make sure that we're doing it within the guidelines.

15 **MR. ENGELMANN:** Because they also say
16 supervision too in relation to the notebooks or memo books
17 is being carried out.

18 **MR. SHAVER:** Yes.

19 **MR. ENGELMANN:** Okay.

20 And they interviewed the Crown Attorney who
21 -- at the time the head Crown Attorney was Donald Johnson.

22 **MR. SHAVER:** Don Johnson, yes.

23 **MR. ENGELMANN:** And he was pleased with the
24 change in direction if I can call it that?

25 **MR. SHAVER:** Yes, Deputy Chief O'Neill and

1 he had a terrific relationship and whatever the Crown
2 wanted us to do we -- Denis implemented. Denis is my
3 Deputy Chief by the way, Deputy Chief O'Neill, sorry.

4 **MR. ENGELMANN:** And sir, just so I'm clear,
5 would it be fair to say that at the time you had management
6 training, management skills, you would have viewed yourself
7 perhaps in sort of a like position to that of a CEO?

8 **MR. SHAVER:** Absolutely. That is the
9 Chief's position.

10 **MR. ENGELMANN:** You make sure you get money
11 and resources for your men and women; you get enough
12 officers; you deal with the community leaders, high
13 profile, et cetera; and you get someone who is an
14 operational expert like Mr. O'Neill as your Deputy Chief to
15 help with that?

16 **MR. SHAVER:** Exactly.

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

18 And sir, just by way of other examples,
19 recommendations that were implemented from the '82 audit
20 would include a policy on career development?

21 **MR. SHAVER:** Yes.

22 **MR. ENGELMANN:** And that's set out, some of
23 the work that was done there, on Bates pages 988 and 989,
24 pages 4 and 5 of the document, "number of people who have
25 been on training" and some of those other issues. Is that

1 fair?

2 MR. SHAVER: Yeah. Oh, absolutely because
3 training was a paramount issue.

4 MR. ENGELMANN: All right.

5 The case preparation we have looked at, and
6 that, of course -- just on that note, did you feel it was
7 important for you and your officers to have a good working
8 relationship with the local Crown attorneys?

9 MR. SHAVER: Oh, yes, definitely.

10 And as well as with the courts -- as well as
11 with the judges because the judges would call me up if they
12 were -- if they had problems they would call me or if they
13 wanted a compliment they would call me up also.

14 MR. ENGELMANN: In your first few years that
15 would have been Donald Johnson who was the head Crown?

16 MR. SHAVER: Yeah, Don Johnson was the head
17 crown.

18 MR. ENGELMANN: He had an assistant by the
19 name of Allan Ain.

20 MR. SHAVER: Allan Ain, yes.

21 MR. ENGELMANN: And then after approximately
22 three years or so the local Crown became Murray MacDonald?

23 MR. SHAVER: Murray MacDonald, yes.

24 MR. ENGELMANN: And you would have had a
25 good working relationship with him as well?

1 **MR. SHAVER:** I think I had good working
2 relationships with both those Crowns, yes.

3 **MR. ENGELMANN:** All right.

4 And he had assistants such as Guy Simard and
5 ---

6 **MR. SHAVER:** Guy Simard, yes.

7 **MR. ENGELMANN:** Those are all people you
8 would have developed close working relationships with?

9 **MR. SHAVER:** Yes, yeah.

10 **MR. ENGELMANN:** Would it mainly be with the
11 head Crown, being Johnson and MacDonald or ---

12 **MR. SHAVER:** No, in fact the relationship
13 with our head Crown was more -- with Don Johnson was with
14 Denis O'Neill and my relationship was with Allan Ain it
15 seemed. I don't know how that happened, it just happened
16 because I used to have to attend, you know, the rubber
17 chicken circuit that we had to be on a lot and Don Johnson
18 used to send Allan all the time, and Allan was an extremely
19 funny guy and I loved to be around him because he was just
20 fun to be around.

21 **MR. ENGELMANN:** Okay, but that's sort of
22 social stuff.

23 **MR. SHAVER:** Absolutely.

24 **MR. ENGELMANN:** So what about the working
25 relationship? Are you saying that that was primarily done

1 through your Deputy Chief?

2 MR. SHAVER: The working relationship would
3 be through the Deputy, yes.

4 MR. ENGELMANN: Now, would you have
5 occasionally had dealings with the Federal Crown or Federal
6 Crown agent, more correctly?

7 MR. SHAVER: With Walter -- yes, it would be
8 -- I would have to -- to know Walter, but obviously that
9 these are all operational, so it would be the deputy -- the
10 operational deputy has -- had much more contact with him
11 than I would.

12 MR. ENGELMANN: Okay. And that would have
13 been respect to drug matters, smuggling matters?

14 MR. SHAVER: Drug matters, smuggling
15 matters, yes.

16 MR. ENGELMANN: Yeah. And for a time, there
17 was a fellow by the name of Walter MacLean?

18 MR. SHAVER: Walter MacLean, yes.

19 MR. ENGELMANN: There was also for a time
20 fellow by the name of Malcolm MacDonald. Did you ave a
21 working relationship with him when he was the Federal Crown
22 agent?

23 MR. SHAVER: No. I don't think Malcolm was
24 -- I -- I don't know, I can't remember if Malcolm was the
25 Crown then. The one I always remember was always Walter.

1 I knew Malcolm MacDonald, obviously. I mean, I knew him
2 when I was growing up, I knew who he was.

3 MR. ENGELMANN: But not a working
4 relationship as the Federal Crown agent?

5 MR. SHAVER: Not at all a working
6 relationship.

7 MR. ENGELMANN: And you were aware that he
8 formerly had been a Provincial Crown?

9 MR. SHAVER: Yes, yes.

10 MR. ENGELMANN: All right.

11 On the restructuring of the CIB -- there's
12 some reference to that at Bates page 998 under
13 "Organizational Structure" -- and you talk a little bit
14 about what you'd done -- what you have done there. Well,
15 it's a very brief summary. It's page 14, at the bottom,
16 sir.

17 MR. SHAVER: Yes, 998, under "Organizational
18 Structure"?

19 MR. ENGELMANN: Yes.

20 MR. SHAVER: Yes. Yeah, there was ---

21 MR. ENGELMANN: Sir, some of the changes
22 that you made included the changing of work hours?

23 MR. SHAVER: Yeah, yes, I did.

24 MR. ENGELMANN: And so there was no longer
25 just a day shift? You would have had people working in CIB

1 throughout the clock or at least throughout the evenings?

2 MR. SHAVER: Work at weekends, evenings,
3 yes.

4 MR. ENGELMANN: All right.

5 MR. SHAVER: Two shifts.

6 MR. ENGELMANN: All right. And did you
7 change, to some extent, how people came into the CIB Unit?

8 MR. SHAVER: Absolutely did that.

9 MR. ENGELMANN: All right. And how did you
10 do that, sir? What was the practice and what was the
11 practice that you ---

12 MR. SHAVER: The practice started actually
13 when I was the Deputy Chief of Police and I looked at our
14 CIB Unit and the -- and I think the average age was like
15 around 45 and I know nothing about criminal statistics,
16 that's not my -- that wasn't my -- my bailiwick. All I
17 knew was that we were dead last in the -- of the 32 major
18 police departments in the country and that was not
19 something that sat very well with me.

20 I went in and I -- when I used to sit -- go
21 in and have coffee with them in the morning and just to see
22 what was going on and I basically did that -- I never saw
23 one uniform personnel in there, at all, ever.

24 So I started wearing my uniform and then
25 eventually I asked them for -- in fact, I went to the Chief

1 and said I'm going to make some transfers in CIB and he
2 said, "Well, they vote on who goes in". And I said,
3 "Really? That's" ---

4 **MR. ENGELMANN:** So the officers would vote
5 amongst themselves?

6 **MR. SHAVER:** Yeah, they voted -- they
7 decided who was going to come in. And that changed as of
8 that moment. And ---

9 **MR. ENGELMANN:** Sir, you just said a minute
10 ago, you were dead last and what was that in?

11 **MR. SHAVER:** All of criminal statistics.

12 There were 32 -- I get -- I got one set of
13 statistics and, again, I'm not a statistical person, but
14 one set of stats from the -- wherever it came from, I think
15 it's Stats Canada, and we -- of the 32 police departments,
16 that we were the thirty-second largest police department in
17 the country and we were dead last in everything.

18 We were -- I think the stats that I always
19 think are -- I remember completely is the 6.7 percent for
20 break and enters, we were solving 6.7 percent of all our
21 B&Es, which is just -- which I found pretty incredible.

22 So I wanted to make changes in CIB and I
23 started it. I've asked for people to be moved out. Not
24 that they weren't good people, it's just that they became
25 very comfortable back there and we had all these young

1 people that were out working every day, that were real go-
2 getters and I moved them in and immediately after that,
3 then when Deputy Chief O'Neill came, we just continued that
4 process and eventually we rotated literally everybody in
5 and out of CIB and our criminal stats rose.

6 MR. ENGELMANN: Well, I'm going to ask you a
7 few questions about statistics later ---

8 MR. SHAVER: Yes.

9 MR. ENGELMANN: --- about -- because I'm a
10 little confused, myself, sir, on some of the issues between
11 solving rates and clearance rates. Maybe we can just come
12 back to that a little bit later.

13 MR. SHAVER: Right.

14 MR. ENGELMANN: Would you say, sir, that
15 relationships -- the relationship with the Board then in
16 those first one-to-three years was a positive relationship?

17 MR. SHAVER: Oh yes, that Board and the next
18 Board under Mayor Lynch, they were excellent also.

19 MR. ENGELMANN: And, sir, was it your view
20 that relationships with the community were improving?

21 MR. SHAVER: The relationship with the
22 community was excellent.

23 MR. ENGELMANN: All right. And it was a
24 higher profile for the Force ---

25 MR. SHAVER: M'hm.

1 **MR. ENGELMANN:** --- at the time?

2 **MR. SHAVER:** I mean, literally, there was --
3 I used to -- I had to attend so many different things and
4 functions and every time I would attend, I would hear about
5 how well my officers were performing their jobs.

6 **MR. ENGELMANN:** All right.

7 And, sir, what about your own relationship
8 with your officers? How did you gauge that in the first
9 year or so of your work as a Chief?

10 **MR. SHAVER:** The first year?

11 I believe we were -- I thought we were all
12 on the same page. We all -- we had a terrific
13 relationship, at least I think I did, because I -- the
14 young ones -- the young officers knew that I -- that --
15 that I was trying to be as progressive as I could; I was
16 bringing in some of the things that they wanted to see.

17 We had an excellent. It was excellent, at
18 least from my opinion it was excellent, from everything
19 they told me it was excellent.

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

21 So let's just take a look at the conclusion
22 then of this report, which is Exhibit 1775, Bates page 001.

23 They comment, first of all, on the very good
24 cooperation that they were extended by you and your
25 Deputies.

1 **MR. SHAVER:** M'hm.

2 **MR. ENGELMANN:** They've talked about the
3 fact that much has been done to accommodate needed change,
4 and they say that those interviewed -- and again this would
5 be only a group of the total number of officers who would
6 participate, right? They say those interviewed felt there
7 were some positive direction given by their senior
8 officers. It says the writer felt, "There could be too
9 much direction given too soon".

10 Is that something that made you pause, sir,
11 at the time?

12 **MR. SHAVER:** Yes, yes. My managerial style,
13 sir, is that if it's -- if needs to be fixed, we fix it as
14 quickly as possible.

15 **MR. ENGELMANN:** All right. And they
16 certainly appear to be commenting at that time that the
17 morale situation was better; they say it's high?

18 **MR. SHAVER:** Yes. And I think the other
19 thing that -- somewhere in this report, they mention about
20 how the community is being well-served by the Police
21 Department.

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

23 **MR. SHAVER:** I think that's the theme
24 throughout all these reports.

25 **MR. ENGELMANN:** Mr. Commissioner, perhaps if

1 it's an appropriate time that we can take the morning
2 break?

3 **THE COMMISSIONER:** The morning break now?
4 Thank you.

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

7 This hearing will resume at 11:20.

8 --- Upon recessing at 11:04 a.m./

9 L'audience est suspendue à 11h04

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

11 L'audience est reprise à 11h24

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

14 This hearing is now resumed. Please be
15 seated. Veuillez vous asseoir.

16 **CLAUDE SHAVER, Resumed/Sous même serment:**

17 ---EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR

18 **MR. ENGELMANN (Cont'd/suite):**

19 **THE COMMISSIONER:** Thank you.

20 **MR. ENGELMANN:** Mr. Shaver, before the
21 break, I had taken you through Exhibit 1775 which is the
22 November of '84 Inspection Report?

23 **MR. SHAVER:** Yes.

24 **MR. ENGELMANN:** And I had asked you about
25 how you felt you were being perceived and there was some

1 indication from those officers who participated in this
2 report that that was positive?

3 **MR. SHAVER:** Yeah, I think it's under
4 "Leadership" ---

5 **MR. ENGELMANN:** Yes.

6 **MR. SHAVER:** --- somewhere in there.

7 **MR. ENGELMANN:** Bates page 997.

8 **MR. SHAVER:** Nine-nine-seven (997)?

9 **MR. ENGELMANN:** Yeah, bottom of the page.
10 This confirms what we had discussed, right -
11 --

12 **MR. SHAVER:** Yes.

13 **MR. ENGELMANN:** --- that those people who
14 participated expressed confidence in this new direction and
15 the leadership.

16 And would you agree with me, sir, that
17 leadership is very important in -- well, not just in any
18 agency, but particularly so in a police force?

19 **MR. SHAVER:** I think in any agency, yes.

20 **MR. ENGELMANN:** And the reason for that,
21 sir, is a strong leader gives direction and can give
22 guidance to any number of people working for him or her?

23 **MR. SHAVER:** That's true.

24 **MR. ENGELMANN:** And often priorities of a
25 leader, if they're expressed as priorities, are things that

1 individuals working for the leader want to make sure are
2 accomplished?

3 MR. SHAVER: Yes.

4 MR. ENGELMANN: All right.

5 MR. SHAVER: I agree.

6 MR. ENGELMANN: And we had, for example, in
7 our context evidence early on, a fellow who, as leader of a
8 Children's Aid Society for some 20 years, talked to us
9 about the importance of leadership and about the role that
10 a strong leader can have on an agency and ensuring that
11 priorities are met and, in fact, sometimes exceeded.

12 And would you agree with me, sir, that it's
13 important as a leader to give clear and thorough direction?

14 MR. SHAVER: Clear and thorough direction,
15 absolutely, yes.

16 MR. ENGELMANN: And if there are particular
17 priorities that a leader wants to see for his or her
18 agency, it would be important to get those out there so
19 that people know about them and can help and assist in
20 implementing them?

21 MR. SHAVER: It's a rather broad question,
22 but ---

23 MR. ENGELMANN: Generally speaking.

24 MR. SHAVER: Generally speaking, yes.

25 MR. ENGELMANN: Yeah. So if you have a

1 focus and if there is a particular interest, a particular
2 issue that is important for you as a chief, you get it out
3 there; you would expect members of your Force to move on it
4 and act on it?

5 MR. SHAVER: Important for me as a chief,
6 you mean from an operational perspective or administrative?

7 MR. ENGELMANN: Well, for example, if there
8 are priorities ---

9 MR. SHAVER: Right.

10 MR. ENGELMANN: --- in a particular
11 community, whether that's smuggling, whether that's drug
12 use, whether that's child sexual abuse, whatever it may be,
13 if you see a particular problem arising in your community
14 that is of concern to you and perhaps of concern to
15 community members, it's important that you reinforce the
16 fact that you're taking steps to deal with that particular
17 problem of concern?

18 MR. SHAVER: Yes, I'll agree with that.

19 MR. ENGELMANN: And if you do that, you
20 would expect your officers to recognize that as a priority?

21 MR. SHAVER: I would hope they would, yes.

22 MR. ENGELMANN: And so leadership, as you've
23 said, whether it's a police force or any agency, it's an
24 important attribute and it certainly can have an impact on
25 how an agency moves; fair enough?

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** All right.

3 So let's then go a little further on to
4 1986, because as I understand it, you have yet another
5 inspection report and they seem to be coming every two
6 years. We've had an '82, an '84 and an '86.

7 **MR. SHAVER:** Eighty-six ('86), right.

8 **MR. ENGELMANN:** The '82, to some extent,
9 followed up on the '78. The '84 clearly followed up on the
10 '82, and in '84 we looked at a number of the
11 recommendations that had been made and had been implemented
12 ---

13 **MR. SHAVER:** Right.

14 **MR. ENGELMANN:** --- in one way or another.

15 So in 1986 Mr. Oliver is back.

16 And Madam Clerk, if you could turn up
17 Document Number 729850? It is another Ontario Police
18 Commission inspection report, Mr. Commissioner, conducted
19 by J.D. Oliver over three days in late January of 1986 and
20 the report is dated March 25th, 1986.

21 **THE COMMISSIONER:** Thank you.

22 **MR. ENGELMANN:** If that could be the next
23 exhibit, sir?

24 **THE COMMISSIONER:** It will. It will be
25 Exhibit 1776.

1 --- EXHIBIT NO./PIÈCE No. P-1776:

2 (729850) Ontario Police Commission
3 Inspection Report - 28 Jan, 86 to 30 Jan, 86

4 **MR. ENGELMANN:** Sir, I just want to point
5 out a couple of things here. I would suggest, first of
6 all, like the '84 report, this is a positive inspection
7 report. Is that a fair comment?

8 **MR. SHAVER:** I would think, yes.

9 **MR. ENGELMANN:** Yes. Well, sir, just to
10 help with that, if you look at Bates page 019, it's page 13
11 of the document, the conclusion. Again, they note
12 cooperation. They say:

13 "Excellent cooperation was extended to
14 the Service's advisor by Chief of
15 Police, Claude Shaver, the Deputy Chief
16 of Police and other staff members."

17 So they were very pleased with the reception
18 they received.

19 "It's worth repeating that since the
20 1982 investigation/inspection of the
21 Force, much needed change has been
22 ongoing."

23 So they recognize that this change is still
24 being implemented?

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** "The impetus for change and
2 improvement has not let up and a great
3 deal has been accomplished to the
4 betterment of the Force."

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** As I said, sir, it would
7 appear again that like the '84 report, this is a very
8 positive report?

9 **MR. SHAVER:** Yes, the conclusion certainly
10 is.

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

12 And again, they don't interview everybody
13 but the subgroup of the Force that they interview is
14 clearly fairly positive and they have some expressions
15 there: "We are on track. This is a Force to be proud of.
16 I now look forward to coming to work," et cetera.

17 And again, they're positive on the morale
18 plane.

19 **MR. SHAVER:** Right.

20 **MR. ENGELMANN:** They say it continues to be
21 on a high plane.

22 And the number of recommendations is
23 shortened from before. There's only three of them.
24 They're listed on the next page, sir, 020, and these aren't
25 as significant as some of the ones we've seen before; is

1 that fair?

2 MR. SHAVER: Yes.

3 MR. ENGELMANN: They seem rather trivial in
4 comparison.

5 MR. SHAVER: They certainly are.

6 MR. ENGELMANN: Yeah. Okay.

7 MR. SHAVER: Well, except for the property
8 procedures there, I would ---

9 MR. ENGELMANN: Fair enough. And what does
10 that mean, sir, just ---

11 MR. SHAVER: Well, it's our methodology of
12 how you handle property.

13 MR. ENGELMANN: Property that you seize or -
14 --

15 MR. SHAVER: Yes, property that we seize,
16 any kind of property that would come into the police
17 department ---

18 MR. ENGELMANN: All right.

19 MR. SHAVER: --- however we got it, if it
20 was seized or it was given to us.

21 MR. ENGELMANN: And, sir, there's something
22 that I thought was new at least in this report and I want
23 to just touch upon it very briefly. It's Bates page 8012,
24 the bottom of the page. It's page 6 on your report, sir,
25 "Cooperation with Neighbouring Forces".

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** There's actually a reference
3 here to that issue. I don't know if it's one we've seen
4 before, but it said:

5 "During interviews members of the Force
6 were prone to comment that during the
7 recent past, relations with other
8 forces had improved considerably."

9 Now, was that -- had that been an issue in
10 the past; do you know, sir?

11 **MR. SHAVER:** It was a minor issue. I -- one
12 of my first duties was to go and speak with the
13 Superintendent of the OPP.

14 **MR. ENGELMANN:** Yes.

15 **MR. SHAVER:** We have excellent cooperation
16 with them. I wanted to make sure that we always did, that,
17 you know, for -- you know, we did joint force operations.

18 The first of the fact -- when I first
19 arrived we had an operation on stolen cars, when I was the
20 operational deputy. There was an international stolen car
21 ring operating out of this city and in cooperation with the
22 OPP they provided a great many of their officers and I
23 provided probably half of my officers at that time, and we
24 did a raid that worked out extremely well and we broke up
25 the car ring.

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

2 So you're starting to work on collaborative
3 efforts or perhaps they've been there for some time but you
4 feel that that's working better?

5 **MR. SHAVER:** It was working -- well, in the
6 whole time that I was with the Cornwall Police Department,
7 we always had excellent cooperation with the OPP. They
8 were an excellent Force to deal with, and with the Mounted
9 Police also.

10 **MR. ENGELMANN:** I was just going to ask you
11 that. There would have been other forces as well, so the
12 other force would have been ---

13 **MR. SHAVER:** And Akwesasne also, the
14 Akwesasne.

15 **MR. ENGELMANN:** The Akwesasne Reserve.

16 **MR. SHAVER:** If they needed help or
17 whatever, we offered them to come over and have training
18 with us and so on and so forth.

19 **MR. ENGELMANN:** So the Akwesasne First
20 Nation had their own police force?

21 **MR. SHAVER:** They had their own police
22 department, yes.

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

24 **MR. SHAVER:** Police force.

25 **MR. ENGELMANN:** Sir, they comment on

1 discipline in this report, and is that something that --
2 and I think we've seen that before in some reports. Is
3 that something you see in these types of reports, that from
4 time to time they talk about the number of officers who may
5 have been disciplined, just in a generic sense?

6 **MR. SHAVER:** Again, I'm looking at these
7 reports for the first time. You know, each one of these is
8 different.

9 I don't have a background on these reports,
10 so I really can't comment about that, but discipline, I
11 found it -- I found it rather strange that they would want
12 to comment on discipline.

13 **MR. ENGELMANN:** Okay. But you recall they
14 did this from time to time?

15 **MR. SHAVER:** They did and they did it in
16 other reports too.

17 **MR. ENGELMANN:** Yes, I know.

18 **MR. SHAVER:** And I just accept it at the
19 fact that if they wanted to comment it on it, I guess that was
20 their prerogative to comment on discipline.

21 **MR. ENGELMANN:** And they talked under
22 supervision at the next page, 8014 or 014, page 8 in the
23 report, at the bottom, about some of the supervision changes,
24 the introduction of a staff inspector to field operations.

25 **MR. SHAVER:** Right.

1 **MR. ENGELMANN:** And field operations would
2 be responsible for what, sir, which units?

3 **MR. SHAVER:** Well, field operations worked
4 directly under the deputy. They would be basically -- I'm not
5 sure how Mr. Oliver wrote this, so I -- we don't use that term.
6 It's not a term that we would have used inside the police
7 department. We would have said either it was Uniform or was
8 CIB, and I'm not sure how he was using that. I assumed he was
9 saying that it was the Uniform Branch because that's where
10 Staff Inspector McDonald was at, at the time.

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

12 So there's other comments on the following
13 page, 015, under "Leadership". We see some positive comments
14 about the present administration. And by administration,
15 that's the Chief, the Deputy Chief and would that include
16 senior officers as well, to your knowledge?

17 **MR. SHAVER:** I would hope it would.
18 Leadership does not always come back to being just the Chief.

19 **MR. ENGELMANN:** No.

20 **MR. SHAVER:** It comes back to being that --
21 what I would call the senior management team which, in our
22 case, was the chief, the deputy, the staff inspector, the two
23 inspectors and the five staff sergeants or maybe there was six
24 staff sergeants at the time.

25 **MR. ENGELMANN:** All right.

1 And again there's some comments later on in
2 that page about some of the changes to the organizational
3 structure and, in particular, the restructuring of the Criminal
4 Investigations Bureau.

5 **MR. SHAVER:** Yes. By that stage of the game
6 it had been totally restructured. We had rotated probably 90
7 percent of the people in and out, I would think, at that time -
8 - by that time.

9 **MR. ENGELMANN:** And do you recall, sir, at
10 or about this time who is running the Criminal Investigations
11 Bureau? This is the fall of 1986?

12 **MR. SHAVER:** No, I do not.

13 **MR. ENGELMANN:** Okay. Well your deputy
14 chief is still Dennis O'Neill?

15 **MR. SHAVER:** Still O'Neill, yes. They're
16 still responsible to him.

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

18 **MR. SHAVER:** We probably had rotated the
19 inspectors in, I think, if I remember correctly, Calvin
20 Scott had 40 years of service and was the Inspector and I
21 think he retired in about 1985, if I'm -- if I'm correct in
22 that area.

23 **THE COMMISSIONER:** All right.

24 **MR. ENGELMANN:** Now, sir, the next
25 inspection report ---

1 MR. SHAVER: Yes.

2 MR. ENGELMANN: --- doesn't occur until
3 1989.

4 MR. SHAVER: Eighty-nine ('89), yeah.

5 MR. ENGELMANN: But before that happens,
6 your Deputy Chief retires; is that correct?

7 MR. SHAVER: No, he took a -- he took a --
8 the Deputy Chief's job in Sudbury.

9 MR. ENGELMANN: Oh, I'm sorry. Well, he--
10 he leaves ---

11 MR. SHAVER: He leaves ---

12 MR. ENGELMANN: --- the Force.

13 MR. SHAVER: --- he leaves the Force, yes.

14 MR. ENGELMANN: All right.

15 And it was just another opportunity for him
16 or was it ---

17 MR. SHAVER: I -- I think he viewed it that
18 -- that way. I think he viewed it that he was there. I
19 mean, he's looking at me; I'm -- I'm the same age as he is
20 so I'm going to be here awhile.

21 MR. ENGELMANN: Right.

22 Sudbury's a bigger force?

23 MR. SHAVER: Sudbury's a bigger force and
24 Rick Zanabi, who was the Chief of Sudbury at that time,
25 probably had 35 years of service or something in that area.

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

2 And, sir, you have some kind of a process,
3 competitive process to engage a new Deputy Chief?

4 **MR. SHAVER:** A new Deputy, yes.

5 **MR. ENGELMANN:** And are you involved at all
6 in that process?

7 **MR. SHAVER:** Yes, I was.

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

9 And as a result of that process, a new
10 Deputy Chief is, in fact, engaged ---

11 **MR. SHAVER:** Recommended and selected, yes.

12 **MR. ENGELMANN:** And that occurs sometime in
13 the spring of 1987?

14 **MR. SHAVER:** I believe so.

15 **MR. ENGELMANN:** Okay.

16 And the Deputy Chief that is engaged is a
17 fellow by the name of Joseph St. Denis?

18 **MR. SHAVER:** Yes, it was.

19 **MR. ENGELMANN:** And my understanding, sir,
20 is that he comes from the RCMP.

21 **MR. SHAVER:** He does.

22 **MR. ENGELMANN:** And were you familiar with
23 him or had you worked with him while you were with the
24 RCMP?

25 **MR. SHAVER:** I had never worked with him,

1 but I -- I knew Joe; I knew him when I was in Montréal. I
2 was -- we were both stationed in Montréal. I think we were
3 probably both corporals at the same time in Montréal.

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

5 Now, your former Deputy Chief, Denis
6 O'Neill, had a lot of operational experience?

7 **MR. SHAVER:** Yes, he did.

8 **MR. ENGELMANN:** And had a long history of
9 municipal policing?

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** Did Joseph St. Denis have
12 either of those?

13 **MR. SHAVER:** No, he did not.

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

15 Was that a concern for you sir?

16 **MR. SHAVER:** Yeah, it was. It was in the --
17 in the selection process, but we -- when we -- when the
18 selection process came down to looking at the candidates
19 that were there, the other candidates just did not meet the
20 same -- the requirements that he did. Joe -- Joe was on
21 top of them in -- in a lot of those areas. There weren't
22 enough -- there weren't enough -- there wasn't enough
23 operational background in any of the -- the candidates that
24 we looked at.

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

1 **MR. SHAVER:** In fact, at one point, they
2 thought of stopping the process and -- and looking at it
3 again; re-advertising.

4 **MR. ENGELMANN:** But that didn't happen?

5 **MR. SHAVER:** That did not happen.

6 **MR. ENGELMANN:** All right.

7 And was this something that you then hoped
8 he could build upon on the job?

9 **MR. SHAVER:** Yes, yes. You know, Joe --
10 Joe's a very bright guy. He -- he could -- he could come
11 in and do it. I mean, I -- I looked at it that I -- I had
12 no operational, municipal background when I came ---

13 **MR. ENGELMANN:** Yes.

14 **MR. SHAVER:** --- and I learned it. It's --
15 it's not -- you know, I keep -- I hear a lot of times that
16 there's a separation between the municipal and the Mounted
17 Police and it -- policing is policing, it's just -- it's
18 just how you do it, you know, it ---

19 **MR. ENGELMANN:** But sir, with Denis O'Neill,
20 you said he had a lot of operational experience ---

21 **MR. SHAVER:** Right.

22 **MR. ENGELMANN:** --- and that was a nice
23 complement for your management ---

24 **MR. SHAVER:** Oh, absolutely. Absolutely, no
25 I ---

1 **MR. ENGELMANN:** --- so I'm assuming that's
2 something you were looking for.

3 **MR. SHAVER:** I -- I -- it would have been
4 nice to have had it again. I would have -- I would have
5 loved it if -- if Joe would have had that operational
6 experience, but -- but then again, Joe had the other
7 experience. He was an operational person when he worked
8 in Drugs ---

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

10 **MR. SHAVER:** --- you know, so ---

11 **MR. ENGELMANN:** --- so he had a Drug
12 background with the RCMP?

13 **MR. DUMAIS:** Drug background, he had a
14 supervisory background in Drugs; he did run -- he had run
15 the units. And then -- and then the last part of his --
16 Joe's career, he was an auditor for the Mounted Police so
17 as an auditor, you would -- you would be digging into the -
18 -- you know, the actual fabric of the -- of the force that
19 you're dealing with, the Mounted Police. So he -- he --
20 possessed a lot of the -- a lot of the skills that I was
21 looking for.

22 **MR. ENGELMANN:** How well did you know him
23 when you first hired him?

24 **MR. SHAVER:** Just -- I knew him; I knew him
25 by first name. The -- that would be it. I did not -- we

1 weren't -- we weren't -- we didn't socialize. We weren't -
2 - we weren't friends. He had friends in the Drug section
3 and I lived in Montréal at one point with a guy who was
4 working in Drugs and they were very close friends; he and
5 Joe were very close friends.

6 **MR. ENGELMANN:** And how would you describe
7 your working relationship with him over the first two,
8 three, four years; like mid- to late '80s?

9 **MR. SHAVER:** Excellent.

10 **MR. ENGELMANN:** And sir, you're familiar
11 with the term, "chain of command"?

12 **MR. SHAVER:** Yes, I am.

13 **MR. ENGELMANN:** And what did that mean with
14 respect to you and the Deputy Chief and your respective
15 roles?

16 **MR. SHAVER:** Well, he reported to me,
17 period.

18 **MR. ENGELMANN:** Fair enough.

19 And what about chain of command when we go
20 below the Deputy Chief position?

21 **MR. SHAVER:** Well, if -- if you're in
22 operations, all the operational people reported in the
23 chain towards the Deputy and then eventually to me and the
24 only exception of that was Claude Lortie who was in -- in
25 the Intelligence Unit and other people that were working

1 directly for me eventually, like the strategic planner --
2 there was an executive committee -- we formed an executive
3 committee under the management training concept or the
4 management concept and those -- several of those people
5 reported directly to me.

6 **MR. ENGELMANN:** All right.

7 So with one exception then, operationally,
8 things went through the Deputy Chief?

9 **MR. SHAVER:** Everything goes through the
10 Deputy's office, yes.

11 **MR. ENGELMANN:** And when did -- do you
12 recall approximately when Staff Sergeant Lortie took on the
13 Intelligence role?

14 **MR. SHAVER:** It was after Sergeant Carter
15 left. Sergeant Carter left probably about '90-'91. I'm
16 not sure, Mr. Engelmann, but it's in that area.

17 **MR. ENGELMANN:** Right and it was definitely
18 several years after -- well, it was few years after Joe St.
19 Denis became your Deputy?

20 **MR. SHAVER:** Oh, yes. Oh, yes; absolutely.

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

22 All right, so let's -- so in 1989, we have
23 another inspection report from the ---

24 **MR. SHAVER:** Yes.

25 **MR. ENGELMANN:** --- Ontario Police

1 Commission.

2 And Madam Clerk, this document's already in
3 evidence; it is Exhibit 1388, Document Number for those
4 interested, 729852.

5 **MR. SHAVER:** Yes, I have it.

6 **MR. ENGELMANN:** All right.

7 Now, this report, there's a couple of visits
8 in April by the inspectors and then the report -- I'm not
9 exactly sure when it was issued. There's a date written on
10 Bates page 023 which says April 28th, '89; are you able to
11 help us on that at all, Mr. Shaver?

12 **MR. SHAVER:** No, I cannot because I -- I was
13 -- I was looking at the same thing. They were back doing
14 the inspection, the 18th, 19th and 20th of April so there's
15 no way this report was finished in three days so that --
16 that's not possible.

17 **MR. ENGELMANN:** Yes, well, if they were
18 there the 18th, 19th and 20th, to turn it around by the 28th
19 would have been very quick.

20 **MR. SHAVER:** It would have been impossible.

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

22 So now this is now three year since or two
23 and a half years since the previous one.

24 **MR. SHAVER:** Right.

25 **MR. ENGELMANN:** Is it your view that this is

1 just a routine inspection or is this an inspection that's
2 been requested either by you or by your Board?

3 MR. SHAVER: It was routine. That wasn't --
4 -

5 MR. ENGELMANN: All right.

6 MR. SHAVER: --- it wasn't requested by us.

7 MR. ENGELMANN: All right.

8 MR. SHAVER: Not that I know of. The Board
9 never did and I never did so ---

10 MR. ENGELMANN: All right.

11 Now, again, at Bates page -- well, just at
12 Bates page 025, the Board is listed at the bottom of that
13 page.

14 MR. SHAVER: Yes.

15 MR. ENGELMANN: Is this the same Board that
16 you've had for some time?

17 MR. SHAVER: No.

18 MR. ENGELMANN: This is a new Board?

19 MR. SHAVER: This is -- this is -- some of
20 the members ---

21 MR. ENGELMANN: Your Chair?

22 MR. SHAVER: The Chair, Mr. Adams, would
23 have been -- I'm trying to think now -- I'm thinking under
24 -- I was trying to think under -- under Mayor Lynch. This
25 was obviously a change of Mayors.

1 **MR. ENGELMANN:** Yes.

2 **MR. SHAVER:** And I'm not sure when that
3 happened, so the Mayor always changes and the -- Guy Leger
4 who was the other member of Council, he was on the previous
5 Board so they kept -- they kept some continuity there with
6 Mr. Leger.

7 **MR. ENGELMANN:** So there were municipal
8 appointments and there were provincial appointments ---

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** --- if I understood this
11 correctly?

12 **MR. SHAVER:** Yes.

13 **MR. ENGELMANN:** And typically, five in
14 total?

15 **MR. SHAVER:** There were three in the
16 beginning and they turned to five in 1980 -- I think '85
17 they -- where they -- they removed the judges from being on
18 ---

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

20 **MR. SHAVER:** --- on -- on the Board, which I
21 thought was a terrible mistake, myself.

22 **MR. ENGELMANN:** Okay.

23 **MR. SHAVER:** Sorry.

24 **(LAUGHTER/RIRES)**

25 **MR. ENGELMANN:** Some history there.

1 MR. SHAVER: Yes.

2 MR. ENGELMANN: But the Chair, the Vice-
3 Chair and three members ---

4 MR. SHAVER: The Chair ---

5 MR. ENGELMANN: --- committees ---

6 MR. SHAVER: --- the Vice-Chair and three
7 members, yes.

8 MR. ENGELMANN: All right.

9 MR. SHAVER: Three provincial appointees,
10 the Mayor is always on the Board and one member appointed
11 by Council, but it doesn't necessarily mean from Council --
12 -

13 MR. ENGELMANN: All right.

14 MR. SHAVER: --- but it always is.

15 MR. ENGELMANN: And then there's typically a
16 Secretary of the Board.

17 MR. SHAVER: Secretary of the Board.

18 MR. ENGELMANN: There's also the Chief and
19 the Deputy Chief.

20 MR. SHAVER: Well, we weren't -- we weren't
21 part of the Board, no.

22 MR. ENGELMANN: No, but you attend the Board
23 meetings?

24 MR. SHAVER: The Chief always attended Board
25 meetings.

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

2 Now, sir, there's a reference to the
3 previous recommendations on Bates page 026 which is the
4 following page ---

5 **MR. SHAVER:** Right.

6 **MR. ENGELMANN:** --- and what was taken to
7 follow -- to implement those three recommendations;
8 Correct?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** And this report itself
11 contains a number of recommendations?

12 **MR. SHAVER:** It does.

13 **MR. ENGELMANN:** All right. So this report,
14 just looking at the number and type of recommendations,
15 appears to be more similar to the report we saw in 1982.

16 And just to confirm that, sir, if you could
17 look at Bates page 034?

18 **MR. SHAVER:** Yes, I'm looking.

19 **MR. ENGELMANN:** And on to the following
20 page, we have a list of about 14 recommendations?

21 **MR. SHAVER:** Yes.

22 **MR. ENGELMANN:** So would it be fair to say
23 that report would appear to be more similar to those
24 reports from just before you start, where we have more
25 recommendations and more substantive recommendations than

1 what we've just seen?

2 **MR. SHAVER:** I don't think it's similar to
3 the '82 report at all, but there are 14 recommendations,
4 yes. There are more than we had in '86.

5 **MR. ENGELMANN:** All right. Well, some of
6 the recommendations we see back again though.

7 For example, we see a recommendation about
8 equitable opportunity and career development. That's
9 number 3; correct?

10 **MR. SHAVER:** I don't think that's similar to
11 the one in '84 or '82.

12 **MR. ENGELMANN:** Okay.

13 Well, the issue of career development was an
14 issue was it not, sir?

15 **MR. SHAVER:** Yes, but here they're talking
16 about -- there they're talking about employment equity.
17 Equitable opportunity was about the women in policing.
18 When I joined the Police Department there was only one.
19 Now, there -- we probably have many at this stage of the
20 game.

21 **MR. ENGELMANN:** Well, I took that as meaning
22 more than simply diversity. It says:

23 "A lateral training procedure
24 should be developed, assuring all
25 qualified members of a fair,

1 equitable opportunity into the
2 area of career development."

3 Did you think this was just about employment
4 equity, sir?

5 **MR. SHAVER:** It was partially about
6 employment equity because that's what we discussed.

7 **MR. ENGELMANN:** Yeah. In part.

8 **MR. SHAVER:** Yes.

9 **MR. ENGELMANN:** Okay.

10 **MR. SHAVER:** M'hm, m'hm.

11 **MR. ENGELMANN:** There's a reference to a
12 workload study being requested?

13 **MR. SHAVER:** Yes. That was -- I'm the one
14 that asked for that.

15 **MR. ENGELMANN:** Did that in fact get done?

16 **MR. SHAVER:** It did. It was completed but I
17 can't remember when.

18 **MR. ENGELMANN:** All right.

19 **MR. SHAVER:** I was trying to think back and
20 my memory, could not remember that.

21 **MR. ENGELMANN:** And there were
22 recommendations dealing with citizens' complaints, to set
23 up some kind of a process?

24 **MR. SHAVER:** Yes, because that was, again, a
25 new -- that was a part of the new policing that was coming

1 out of Ontario at the time. New process for that.

2 **MR. ENGELMANN:** There were issues about
3 communications; number 10.

4 They wanted a procedure to be developed in
5 order to provide better communication between the Chief,
6 senior management and all other members of the force?

7 **MR. SHAVER:** Yes. That subsequently was a
8 recommendation that they made from the Halton Regional
9 Police Department which we implemented.

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

11 And that's something that you follow? This
12 is a management team model?

13 **MR. SHAVER:** Management team -- I think they
14 call it "management team process" or "management team". I
15 can't remember the exact name, but it was "management team"
16 something.

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

18 And, sir, we have issues arising again about
19 morale, and I particularly reference you to Bates 031.

20 And you'll recall back in '82 we had
21 concerns about low morale?

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

23 **MR. ENGELMANN:** And then things got
24 considerably better in '84 and '86, and here we are in '89
25 and the comment is:

1 "After numerous interviews at all
2 levels of the force, morale was
3 found to be low. A major cause of
4 this problem is due to the lack of
5 communication throughout the
6 entire organization. Further
7 comments are noted in this report
8 under "Organizational Structure."

9 So we have a negative comment about morale
10 and that's something we had back in '82?

11 **MR. SHAVER:** Yes.

12 **MR. ENGELMANN:** After, after three
13 consecutive positive comments?

14 **MR. SHAVER:** Right.

15 **MR. ENGELMANN:** Well, two, '84 and '86.

16 Then under "Organizational Structure"
17 there's the comment:

18 "As a result of interviews
19 conducted, it was found that a
20 serious communication problem
21 exists between the Chief, senior
22 command officers and those of
23 lower ranks. In an effort to
24 improve this situation, a
25 suggested procedure for better

1 communication will be addressed
2 under "Additional Comments".

3 **MR. SHAVER:** Right.

4 **MR. ENGELMANN:**

5 "During numerous interviews, there
6 was not one person that could
7 advise us of the goals and
8 objectives of the organization."

9 Okay? So a couple of things are happening
10 there, but the additional comments issue, that's that
11 Halton model that you talked about?

12 **MR. SHAVER:** That was the ---

13 **MR. ENGELMANN:** That was the model?

14 **MR. SHAVER:** That was supposed to ---

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

16 **MR. SHAVER:** Help that, yes.

17 **MR. ENGELMANN:** Yeah. So the inspectors
18 here, at least, are suggesting as a result of their
19 interviews of people from all levels of the Force, that
20 there's morale issues and senior communications problems
21 between the Chief, senior command officers and those of
22 lower ranks.

23 Did you agree with that at that time, sir?

24 **MR. SHAVER:** No, I did not. The -- no, I
25 didn't.

1 **MR. ENGELMANN:** Sorry. So was this report a
2 surprise to you when you received it?

3 **MR. SHAVER:** Well, no. I think they fairly
4 told us in our verbal debriefing. They -- there's a
5 tendency when they come to do these things that they look
6 very narrowly at some things, some issues, and what they
7 forget is there's a lot of other issues that are peripheral
8 to the Force that are also there.

9 The introduction of the OMPPAC system was at
10 that time. It was badly received throughout the entire
11 force and it was badly perceived as a bad decision on my
12 part, and that if they -- if I would have talked to all my
13 senior people, that they wouldn't probably have come in,
14 but I did talk to all my senior people.

15 And one of the things that as a Chief of
16 Police that I got of sort of tired of hearing was, "We've
17 always done it this way before and that doesn't apply to
18 us, that's a big city police department".

19 And I knew that the future of policing is in
20 technology, that's why I tried to introduce this.

21 **MR. ENGELMANN:** Well, you'd implemented a
22 number of changes already?

23 **MR. SHAVER:** Yes, but not technologically.

24 **MR. ENGELMANN:** All right, but that
25 technological change, that didn't start until the summer of

1 '89?

2 **MR. SHAVER:** Yes, but bringing it in, there
3 was a tremendous fear and resistance to change in bringing
4 in the OMPPAC system. All my civilian staff were
5 frightened to death that they would all be released because
6 they didn't possess computer skills. I had officers -- any
7 officer that was probably over the age of 35 was frightened
8 to death because of their lack of computer skills. The
9 young officers were ready to do these things without any
10 problem.

11 **MR. ENGELMANN:** All right. Because the
12 report doesn't mention OMPPAC at all?

13 **MR. SHAVER:** Yes, I know it doesn't.

14 **MR. ENGELMANN:** And it talks about serious
15 communication problems in a couple of places.

16 **MR. SHAVER:** Right.

17 **MR. ENGELMANN:** And that seems to be what
18 they're suggesting is the problem.

19 Do you disagree with that?

20 **MR. SHAVER:** Yes, I do. I disagree with --
21 I disagree that they didn't look at it more globally. You
22 have to look at -- you also have to look at what was
23 happening in this community at that time.

24 You know, Cornwall has -- and I think
25 continues to be the smuggling capital of North America.

1 That's a really, really big thing.

2 Police officers are trained to enforce the
3 laws and one of the things that they could not get across
4 is that I'm saying to them basically, "Listen, these are
5 laws that should be enforced by the Mounted Police or the
6 OPP, these are smuggling laws". The problem is that these
7 smugglers come right to the city, and if you're a good
8 police officer, you want to deal with it.

9 MR. ENGELMANN: Well, certainly.

10 MR. SHAVER: And ---

11 MR. ENGELMANN: But sir, wasn't that a
12 problem for a number of years? This is now '89 ---

13 MR. SHAVER: No, this problem -- at this
14 time, this was a major, major problem. If you lived in
15 this community at one point, I think it was in 19 -- just a
16 little after this, where they had -- we had over 350 police
17 officers living in this community, so every hotel was
18 booked by police officers and that's how serious this thing
19 became.

20 And my officers were involved with this on a
21 day-to-day basis, so there wasn't another police department
22 in the country that had that strain on them.

23 We know that these people carried guns. We
24 know that the bikers were ripping off loads of cigarettes.
25 We know that there were other bandits ripping off the

1 person because they were coming across with a whole bunch
2 of cigarettes or liquor in their vehicles and they were
3 getting ripped off by other criminals. And it's a crime
4 that never gets reported, obviously, but my officers knew
5 that, so every day they went on the road, that was in their
6 thinking.

7 Every night you would hear hundreds of shots
8 being fired in the air and that's just from -- just across
9 the river.

10 And so you have to understand where we were
11 there. My officers were stuck in the middle of this thing.
12 They were in the middle of this whole process. It's not
13 the laws that they were really to enforce but they were
14 police officers 24 hours a day. So that was a very serious
15 concern.

16 **MR. ENGELMANN:** All right. Well, those
17 aren't set out in this report.

18 **MR. SHAVER:** Well, none of that.

19 **MR. ENGELMANN:** Yeah.

20 **MR. SHAVER:** And that's what I'm trying to
21 tell you, Mr. Engelmann, none of that was set out.

22 **MR. ENGELMANN:** Okay.

23 **MR. SHAVER:** It wasn't set out also that
24 this community had probably, I think an advert, a thing in
25 the paper said that --- 40 percent of the community at one

1 time, in that era, '89-'90, 40 percent of this community
2 was on some form of social assistance, factories were
3 leaving here, factories like Levis for example, who were
4 terrific -- a terrific company here; employed a lot of
5 people.

6 So there was a lot of -- there's a lot of
7 external factors, as well as internal factors. So that's -
8 - that's what I think they didn't address and I tried to
9 make that point with them; you have to address those kinds
10 of issues.

11 **MR. ENGELMANN:** Okay.

12 **MR. SHAVER:** It's not just that I get up
13 this morning and I'm not happy because I'm a police
14 officer, I have low morale.

15 **MR. ENGELMANN:** Well some of these issues
16 are issues you address in later ---

17 **MR. SHAVER:** They do.

18 **MR. ENGELMANN:** --- inspections.

19 **MR. SHAVER:** They just keep going.

20 **MR. ENGELMANN:** No, no, you address them in
21 later inspections.

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** So let's just talk about the
24 ones that they actually address here.

25 **MR. SHAVER:** Okay.

1 **MR. ENGELMANN:** Because they talk about
2 communications being an issue.

3 **MR. SHAVER:** Right.

4 **MR. ENGELMANN:** They also talk about -- if
5 you look on Bates page 026 -- a couple of specific comments
6 with respect to you under "Activities Reports."

7 **MR. SHAVER:** Okay.

8 **MR. ENGELMANN:** They say:

9 "The chief is reporting all statistical
10 information to the Board in keeping
11 them reasonably aware of police
12 activities."

13 All right, so it's the positive. Then they
14 say:

15 "However, it has been brought to our
16 attention that Chief..."

17 I think that should say:

18 "...is not notifying the Board of
19 Commissioners of Police of his periods
20 of absence from duty."

21 So they're bringing up a concern about
22 absenteeism or lack of notification.

23 **MR. SHAVER:** Yes, this particular Board
24 asked for that.

25 **MR. ENGELMANN:** All right. Is this a Board

1 that you did not have a good relationship with, sir?

2 MR. SHAVER: Oh no, I thought I had a good
3 relation with these people too.

4 MR. ENGELMANN: Oh okay, all right.

5 MR. SHAVER: More than that.

6 MR. ENGELMANN: Then it says on the next
7 page, Bates 027:

8 "In order to maintain good
9 communication at all levels of the
10 organization, extended periods of time,
11 i.e. vacation, conferences, et cetera,
12 should be posted on daily orders,
13 indicating the length of absence and
14 who is in charge during such time the
15 Chief is absent."

16 MR. SHAVER: M'hm.

17 MR. ENGELMANN: So they -- they suggest a
18 particular ---

19 MR. SHAVER: They just -- they wanted it
20 posted on daily orders, yes.

21 MR. ENGELMANN: Right. But then under
22 "Career Development" and this is another ---

23 MR. SHAVER: Before you go away from there,
24 Mr. Engelmann ---

25 MR. ENGELMANN: Yes.

1 **MR. SHAVER:** Perhaps there needs to be a
2 little more explanation here before you go away from that
3 particular subject.

4 The -- the previous Boards had never
5 requested this. They told me that they wanted me
6 attending. They told me what they wanted me to attend; it
7 was in my Personal Services Contract that I would attend
8 those areas. None of the previous Boards had ever asked me
9 to come back and tell them when I was going away. It was
10 automatically assumed if I was going the Deputy would be in
11 charge and if I was going away with my Deputy and I would
12 bring this up at Board meetings, we're going away, like
13 it's an Ontario Chiefs of Police conference or a zone
14 conference, the Deputy and I are going to be away for the
15 day, that would -- that would be there.

16 So this -- this particular Board wanted that
17 and I think it was mentioned by some member of the Board,
18 obviously.

19 **MR. ENGELMANN:** Well, sir, could it also be
20 that they'd be concerned that officers, whether they're
21 senior officers or lower ranks, it might be important for
22 them to know that you're off on official police business
23 and to have some reference to that and a reference to the
24 fact that -- and Chief Shaver is doing this and in the
25 meantime -- or the Deputy Dhief is also doing it so, so and

1 so is in charge, just the transparency on that issue?

2 MR. SHAVER: Well, sir, for six years it was
3 never an issue, not with the officers, not with the Board.

4 MR. ENGELMANN: All right.

5 MR. SHAVER: You know, or at least five
6 years, five years, '89 -- five years.

7 MR. ENGELMANN: All right.

8 MR. SHAVER: It was -- this was never an
9 issue.

10 MR. ENGELMANN: Okay but at least at this
11 point they're suggesting to you that it is and they're
12 suggesting a way to deal with it?

13 MR. SHAVER: Absolutely.

14 MR. ENGELMANN: All right. So then on
15 "Career Development" and this is what we talked about a
16 little earlier, it's expanded a bit and this is on 027 as
17 well.

18 The concern seems to be more a transparency
19 issue, if I can, sir. It says:

20 "A lateral training program has been
21 initiated within the organization.
22 However, it would appear that there is
23 no criteria in the selection of
24 personnel that are being transferred to
25 various units."

1 So they want -- they want to know that
2 there's a criteria or there's a selection process being
3 used. That seems to be the concern.

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

5 **MR. ENGELMANN:** And it says:

6 "Procedures should be developed which
7 would involve first-line supervisors
8 recommending personnel who they feel
9 are interested and qualified for such
10 career development."

11 Okay? So again, sir, this would appear to
12 be much broader than just employment equity; is that fair?

13 **MR. SHAVER:** Yes. And -- but again, I
14 disagree with the second thing that this -- the first-line
15 supervisors were involved.

16 **MR. ENGELMANN:** Okay.

17 **MR. SHAVER:** They make the recommendation.
18 It's not -- this is not some recommendation that the Chief
19 or the Deputy pulls out; it's made by the first-line
20 supervisor.

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

22 **MR. SHAVER:** So, I mean I agree with the --
23 I agree with career development, I just think that that --
24 they don't have that correct.

25 **MR. ENGELMANN:** All right.

1 I'll just be a moment.

2 Now, sir, when did you start training people
3 on OMPPAC? You talk about OMPPAC here and we've heard that
4 it gets introduced in or around July of 1989.

5 **MR. SHAVER:** It would have been before,
6 obviously before July. I'm trying to remember, I think it
7 was Staff Sergeant Derochie, Doug Shaw and someone else, I
8 can't -- that I can't think -- I can't remember.

9 **MR. ENGELMANN:** Well Staff Sergeant Derochie
10 told us about his -- his role ---

11 **MR. SHAVER:** Okay.

12 **MR. ENGELMANN:** --- in training and sort of
13 -- I don't know whether it was you that assigned him to
14 this task but he ---

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** --- he seemed to really take
17 it on.

18 **MR. SHAVER:** Yes. He ---

19 **MR. ENGELMANN:** And he was involved in the
20 training of officers.

21 **MR. SHAVER:** Yes, and Doug Shaw was civilian
22 personnel.

23 **MR. ENGELMANN:** Okay.

24 **MR. SHAVER:** He was involved because it was
25 going to affect the civilian personnel, first of all.

1 OMPPAC was an evolving -- OMPPAC was not a -- it wasn't a
2 solution you walk in and plug in. I mean that's what I do
3 today for a living. I run a company that that's what we
4 do.

5 MR. ENGELMANN: Yes.

6 MR. SHAVER: So I know -- I know about --
7 about technology from that perspective.

8 MR. ENGELMANN: The technology is ever
9 evolving?

10 MR. SHAVER: It was -- it was a first step
11 and -- because at the time it didn't have, for example, it
12 couldn't produce Crown briefs. There was a lot of things
13 it could not do but it was -- it was where we were going;
14 it was where policing was going.

15 MR. ENGELMANN: All right. And you --
16 again, getting back to the leadership role, you would have
17 indicated this as a priority.

18 MR. SHAVER: Absolutely.

19 MR. ENGELMANN: So that people would know
20 that this was important to you and that they should take it
21 on?

22 MR. SHAVER: Yes, it was.

23 MR. ENGELMANN: Is that fair?

24 MR. SHAVER: That was indicated as a
25 priority and the previous Boards -- because this kind of

1 thing just doesn't happen overnight. Police chiefs have to
2 be like, as CEOs, have to look at how you -- the budgeting
3 process works. It usually takes between 18 to 24 months to
4 establish something.

5 So it's like a farmer tilling the field, one
6 year you till it, the next year you plant the seed and you
7 hope in the third year you have a crop and that's pretty
8 much what we tried to do.

9 **MR. ENGELMANN:** And it's my understanding
10 that the Cornwall Police Service was the second municipal
11 force in the province ---

12 **MR. SHAVER:** Yes, we were.

13 **MR. ENGELMANN:** --- to take this on?

14 **MR. SHAVER:** Barrie was the first, yes.

15 **MR. ENGELMANN:** Right. And there were all
16 sorts of positive reasons for going to OMPPAC ---

17 **MR. SHAVER:** Absolutely.

18 **MR. ENGELMANN:** --- when it comes to solving
19 crime?

20 **MR. SHAVER:** Absolutely.

21 **MR. ENGELMANN:** And -- and one of them, sir,
22 would be the ability to exchange information between police
23 forces and/or police officers in the same force?

24 **MR. SHAVER:** That was -- that was the intent
25 because where you're isolated -- for example, like where we

1 are or there's Sudbury or North Bay or wherever; you're
2 sort of at the end of the -- at the end of the
3 communications lines, so you needed something to do that.

4 Now, it was a cooperative; it was supposed
5 to -- they were hoping that when they -- when they built
6 this -- this OMPPAC system that all the police departments
7 were going to do this but you can see, in Ottawa -- Ottawa
8 had one system, Gloucester had a different system and
9 Nepean had a different system, so none of those systems
10 talked to each other.

11 The OPP were going to go to OMPPAC; that was
12 more important to me.

13 **MR. ENGELMANN:** Well, certainly and
14 therefore if you had a -- a perpetrator of sexual abuse
15 committing crimes on either side of Boundary Road this
16 would allow you to communicate better with the OPP so that
17 you could investigate that kind of crime jointly?

18 **MR. SHAVER:** That was the intent but the OPP
19 at the time did not have OMPPAC.

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

21 **MR. SHAVER:** They were getting OMPPAC.

22 **MR. ENGELMANN:** Yeah.

23 **MR. SHAVER:** And they still hadn't worked
24 out how this was going to happen. Everything at the time,
25 sir, was sent back to Toronto, to a central database.

1 **MR. ENGELMANN:** But it would have been
2 important in your leadership role to explain the virtues of
3 this system to the members of your Force or to at least
4 ensure that a delegate did so?

5 **MR. SHAVER:** I certainly thought we did
6 that, yes.

7 **MR. ENGELMANN:** All right. And your
8 expectations of the officers, in using that system and
9 learning it ---

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** --- and there would be a
12 transitional period so that they would get training?

13 **MR. SHAVER:** Yes.

14 **MR. ENGELMANN:** And you would do all sorts
15 of things in your power to ensure a smooth transition and a
16 proper utilization of this new tool?

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** Is that fair?

19 **MR. SHAVER:** Fair enough.

20 **MR. ENGELMANN:** All right. And part of that
21 would be quelling the fears of some of the officers who may
22 not be as technically advanced as others when it comes to
23 computers?

24 **MR. SHAVER:** That -- that was attempted to
25 be done but there were certain people who would just not --

1 the resistance to change on OMPPAC was incredibly high.

2 MR. ENGELMANN: All right.

3 MR. SHAVER: Of all the things that I tried
4 to implement in the Police Department that was the most
5 difficult.

6 MR. ENGELMANN: All right. But that -- that
7 would be a challenge to any leader, to bring in new
8 technology.

9 MR. SHAVER: As it is today, sir, yes.

10 MR. ENGELMANN: Yes, and it continues to be?

11 MR. SHAVER: Yes, it is, it does.

12 MR. ENGELMANN: All right.

13 And, sir, just by -- the appendix at the end
14 of this report, starting on Bates page 036 ---

15 MR. SHAVER: Yes.

16 MR. ENGELMANN: --- is that what you
17 described as the Halton model?

18 MR. SHAVER: Yes.

19 MR. ENGELMANN: All right.

20 And this was this management team model?

21 MR. SHAVER: M'hm.

22 MR. ENGELMANN: And it was just a new
23 approach to management communication, if I can call it
24 that?

25 MR. SHAVER: It was supposed to -- the model

1 was a positive document to improve communication from the
2 lower ranks right up through to the Chief's office so the
3 Chief would actually get to know what was going on below,
4 because otherwise the Chief only hears what comes up
5 through the chain of command, you know, unless he gets an
6 officer who is willing to sit back and talk to him, as I
7 would be privately walking down the hallway one day and say
8 "Hey, Chief, I think we should do something about this". A
9 lot of my officers weren't shy to do that, by the way.

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

11 If you'd just give me a moment, sir?

12 **MR. SHAVER:** Sure.

13 **(SHORT PAUSE/COURTE PAUSE)**

14 **MR. ENGELMANN:** Sir, I understand in the
15 following year, in -- sorry -- yes, at the end of the
16 following year, in late 1990, there was a further
17 inspection report done of the Cornwall Police Service?

18 **MR. SHAVER:** Yes, I think in '90 or '91.

19 **MR. ENGELMANN:** And you should have an
20 exhibit binder with you there, and if you would look at
21 Exhibit 1391, please?

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** Those who need it, the
24 Document Number is 740506, and as I understand it, Exhibit
25 1391 is an excerpt of that document number.

1 But do you recall, sir, a further inspection
2 report being done by Police Service Advisors ---

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** --- in November of 1990?

5 **MR. SHAVER:** I do.

6 **MR. ENGELMANN:** And, sir, are you able to
7 help us with when that report actually would have been
8 issued?

9 **MR. SHAVER:** It seemed to me it was -- I
10 remember it came out in '91, but in mid -- early spring of
11 '91. I'm not sure.

12 **MR. ENGELMANN:** So it took some time after -
13 - after their visits?

14 **MR. SHAVER:** I think so, sir, as I remember
15 it, yes.

16 **MR. ENGELMANN:** I'm just trying to find the
17 reference. I'll just be a minute.

18 Sir, I understand it was actually sent out
19 in early February of 1991.

20 **MR. SHAVER:** That's ---

21 **MR. ENGELMANN:** There'd be a cover letter.
22 It's not on this particular excerpt that I have.

23 **MR. SHAVER:** That would be about what my
24 understanding would be, yes.

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

1 Now, sir, this inspection at the end of 1990
2 with the report released in February, this was known, as it
3 says on the cover, as a Level 3 Inspection Report?

4 **MR. SHAVER:** Yes.

5 **MR. ENGELMANN:** Did you understand what that
6 meant by way of an inspection report?

7 **MR. SHAVER:** Yes, I did.

8 **MR. ENGELMANN:** There are various levels; is
9 that correct?

10 **MR. SHAVER:** Yeah, there are.

11 **MR. ENGELMANN:** What did the term "Level 3"
12 mean?

13 **MR. SHAVER:** It's a more intensive --
14 intensive look.

15 **MR. ENGELMANN:** Okay. Would that be the
16 most intensive?

17 **MR. SHAVER:** It is the most intensive look,
18 yes.

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

20 And I think there's a description. Yes,
21 there is. If you look at Bates page 0523 or 523 ---

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** --- under "Inspection
24 Program" ---

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

1 **MR. ENGELMANN:** --- they list Level 1, Level
2 2, Level 3; 1 being an orientation for a new chief; 2 being
3 a basic examination and 3 an extensive examination.

4 **MR. SHAVER:** Right.

5 **MR. ENGELMANN:** Okay. And do you know why,
6 at this particular time, a Level 3 inspection report was
7 being done? The reason I ask is I'm assuming that is not
8 routine?

9 **MR. SHAVER:** No, Level 3s are routine.
10 Level 3s happen to all police departments at some point or
11 other.

12 **MR. ENGELMANN:** You mean it's random?

13 **MR. SHAVER:** I don't know if it's random. I
14 think there has to be some mitigating circumstance that
15 would do that. Perhaps the '90 -- the previous audit to
16 that would have been that circumstance, you know, the 14
17 recommendations, the communications, the morale, those kind
18 of issues, yeah.

19 **MR. ENGELMANN:** All right.
20 Because some of those issues were fairly
21 substantive?

22 **MR. SHAVER:** Of course.

23 **MR. ENGELMANN:** Were they not?

24 **MR. SHAVER:** Absolutely.

25 **MR. ENGELMANN:** From the '89 report?

1 **MR. SHAVER:** I agree, yes.

2 **MR. ENGELMANN:** Okay. So in any event, we
3 have an extensive examination. We have auditors and/or
4 inspectors, depending on the term, advisors, in the
5 Cornwall Police Service for the last couple weeks of
6 November of 1990.

7 **MR. SHAVER:** Right.

8 **MR. ENGELMANN:** And at the time, as I
9 understand it, the chair is still Mr. Adams?

10 **MR. SHAVER:** Yes, I believe he was.

11 **MR. ENGELMANN:** Bates 524, sir. It's page
12 2, first paragraph. Mr. Adams, the Mayor is still the
13 Vice-Chair, that's ---

14 **MR. SHAVER:** Right.

15 **MR. ENGELMANN:** It's Phil Poirier.

16 **MR. SHAVER:** Phil Poirier, yes.

17 **MR. ENGELMANN:** And three members are
18 listed.

19 **MR. SHAVER:** Right.

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

21 I don't know if you've -- you've had a look
22 at this document fairly recently, sir?

23 **MR. SHAVER:** I -- well, yes, along with the
24 other ---

25 **MR. ENGELMANN:** Yes.

1 **MR. SHAVER:** --- seven binders that you sent
2 me on Thursday.

3 **MR. ENGELMANN:** I don't think I sent them,
4 but they were sent to you.

5 **MR. SHAVER:** I'm blaming you though, Mr.
6 Engelmann.

7 **MR. ENGELMANN:** Okay. But in fairness, sir,
8 a lot of these documents were sent ---

9 **MR. SHAVER:** I understand.

10 **MR. ENGELMANN:** --- before then; is that
11 fair?

12 **MR. SHAVER:** Yes.

13 **MR. ENGELMANN:** You've had a lot ---

14 **MR. SHAVER:** I've had -- I've had bits and
15 pieces. I mean, I've seen this one before.

16 **MR. ENGELMANN:** Sure. And, sir, would it be
17 fair to say that the report addresses both positive and
18 negative aspects?

19 **MR. SHAVER:** I think it does, yes.

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

21 And so if you'll see, for example, in the
22 third paragraph on that page, it says:

23 "The inspection revealed some very
24 positive aspects of the Cornwall Police
25 Service and, conversely, some

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** And additionally, depending
3 on the report, there will be some other people interviewed.
4 For example, in some of the reports we see Crown
5 prosecutors interviewed and sometimes you'll see a judge
6 interviewed?

7 **MR. SHAVER:** In every inspection report they
8 interview a cross-section of people in the community,
9 business leaders, judges, Crown attorneys. That happens in
10 every single inspection report.

11 **MR. ENGELMANN:** Well, what they've done here
12 is they've listed ---

13 **MR. SHAVER:** They listed who they talked to,
14 yes.

15 **MR. ENGELMANN:** Yeah, the additional people,
16 and that's -- that's in the indented paragraph.

17 **MR. SHAVER:** Right.

18 **MR. ENGELMANN:** Fair enough?

19 **MR. SHAVER:** Yes.

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

21 Then on the next page they start talking
22 about some of the negative aspects.

23 **MR. SHAVER:** Sure.

24 **MR. ENGELMANN:** And one of them is the
25 accommodation being inadequate for your police force, at

1 the top of Bates page 525, first paragraph.

2 MR. SHAVER: Five-two-five (525).

3 MR. ENGELMANN: It's page 3 of your report,
4 sir, if that helps.

5 MR. SHAVER: Yes, I do. Thank you. I have
6 it.

7 MR. ENGELMANN: So there's concern about the
8 accommodation?

9 MR. SHAVER: Yes.

10 MR. ENGELMANN: Given the number of staff
11 you have?

12 MR. SHAVER: Yes.

13 MR. ENGELMANN: All right.

14 The next paragraph, there's a concern about
15 the lack of inservice training programs over the past year
16 or more.

17 And it appeared, sir, when you started there
18 were -- there were a number of positive comments about
19 training and there seemed to be training picking up.

20 MR. SHAVER: Right.

21 MR. ENGELMANN: But what we see in -- sort
22 of at the end of the '80s, in this report now in 1990 is it
23 appears to have dropped off ---

24 MR. SHAVER: Yes.

25 MR. ENGELMANN: --- and people are

1 expressing concerns about the lack of training.

2 MR. SHAVER: In both '89 and '90 our budgets
3 were cut severely and our budgets are probably -- 90 to 92
4 percent are fixed because they're fixed costs with salaries
5 and so on and so forth.

6 I control about 8 percent of the budget; 8
7 or 9 percent of the budget at the most, and training is
8 outside of that. Training is in that 9 percent and when
9 budgets get cut or you can't increase, our officers were, I
10 think at that time, amongst the highest paid police
11 department in the -- in the Province.

12 MR. ENGELMANN: Yes, I read that and they
13 were.

14 MR. SHAVER: And when salaries go up like
15 that, what -- what police chiefs do and what I did, was we
16 try to budget-gap new hirings of officers. So you would
17 hire an officer in July, so you paid for half the year and
18 that was in your budget, but unfortunately in the next
19 year, you had to pay for him for the entire year and then
20 there was a reclassification that would take place then.

21 So you're really, you're -- you're getting
22 -- you're getting a double whammy in the second year of
23 hiring someone; it's not like hiring him from the beginning
24 of the year and there are all the reclassifications that
25 went on.

1 So officers move from -- from fourth to
2 third to second, I believe, and every year that they would
3 be reclassified, they would get increases of sort of five
4 to six or \$7,000. When you start doing that with four or
5 five officers, your budget takes an awful whack and -- and
6 there's only -- there are only certain places that you can
7 go and I would take those back to the -- to the Board.

8 I always insisted that training should never
9 be cut and in the end, we end up having to cut training to
10 get to a number that the Board can accept to bring to City
11 Council.

12 **MR. ENGELMANN:** All right, sir, I'm just
13 going to point out a couple of the others; I'm not going to
14 go through all of these, but there's an issue about the
15 promotional process again.

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** And it's saying that it's
18 one that "does not have the confidence of the rank and
19 file."

20 **MR. SHAVER:** That's ---

21 **MR. ENGELMANN:** So we're seeing this
22 repeating itself here, concerns about -- we've seen that in
23 the last audit and we saw that in the first one back in
24 '82, some concerns about promotion issues.

25 **MR. SHAVER:** Yes. The promotional process,

1 as it -- as it was laid out, they -- was not -- it was not
2 generally accepted unless you were the person that was
3 promoted.

4 MR. ENGELMANN: Okay. There would have been
5 a lot people not promoted, then?

6 MR. SHAVER: There were several and ---

7 MR. ENGELMANN: Okay, because this is ---

8 MR. SHAVER: --- quite bitter at the end of
9 the process.

10 MR. ENGELMANN: Because what we're talking
11 about here is "does not have the confidence of the rank and
12 file" and, I'm -- again, not all of your officers are
13 completing these interviews.

14 There was an issue about an auxiliary police
15 unit that was causing some concern?

16 MR. SHAVER: Caused a great deal of concern.

17 MR. ENGELMANN: Yeah.

18 MR. SHAVER: The Board -- the Board -- it
19 had been recommended in a previous audit and recommended
20 again in this audit. The Board thought it was an excellent
21 idea; the Police Association thought it was a very bad
22 idea.

23 MR. ENGELMANN: Top of Bates -- sorry, 526,
24 page 4, there's issues about workload.

25 MR. SHAVER: Yes.

1 **MR. ENGELMANN:** "The Cornwall Police Service
2 compares most favourably with other
3 police forces of comparative size,
4 relative to police/population ratios.
5 The perception persists, however,
6 within the Service that it is
7 understaffed."

8 Again, they're talking about a workload
9 study would be helpful; obviously that hasn't been done by
10 this point; fair enough?

11 **MR. SHAVER:** The -- the workload story that
12 they're -- they're suggesting in this one is -- is one that
13 was a very formal one. It was supposed to be sent out to
14 the Province and the Province was going to come back,
15 that's -- that's that workload study.

16 The workload study that we talked about in
17 the previous audit was a workload study that we -- that we
18 did internally and that's where this came from; it comes
19 back to say that we don't have enough people.

20 And now they're -- they're asking us -- the
21 inspectors are saying to us, "Well, you don't have enough
22 people, you -- you compare favourably with everybody else."

23 Well, we said, "Well, we may compare
24 favourably in terms of the amount of people that we have,
25 but take a look at our crime rate compared to the other

1 crime rates. Take a look at the amount of break and enters
2 that we have compared to other cities. Take a look at the
3 amount of robberies we have, compared to other cities."

4 And that's where -- where our crime rate was
5 higher than the other cities of -- of comparable size and
6 even some that were bigger than we were.

7 **MR. ENGELMANN:** Now, sir, the last point I
8 wanted to take you to on the negative, was the comment that
9 starts in the second paragraph of Bates page 526.

10 **MR. SHAVER:** Okay.

11 **MR. ENGELMANN:** It says:

12 "The final portion of this report will
13 address the greater problem relative to
14 the Cornwall Police Service, it is a
15 matter of considerable gravity; it
16 involves the dissention that exists at
17 virtually every level of the Cornwall
18 Police Service from the rank of
19 constable to Cornwall Police Service's
20 Board. There is friction between the
21 Police Association, that being the
22 Union, and the Board, some Board
23 members and the Chief, the Association
24 and the Chief, the Association and the
25 senior officers, and senior officers

1 and the Chief."

2 MR. SHAVER: The Chief gets mentioned a lot
3 in here, so that's good.

4 MR. ENGELMANN: I'm sorry?

5 MR. SHAVER: I said the Chief gets mentioned
6 a lot in that portion, yes.

7 MR. ENGELMANN: I don't think that's a
8 positive reference, though, sir.

9 MR. SHAVER: No, but he gets referenced a
10 lot.

11 MR. ENGELMANN: Yes, that's true.

12 It says:

13 "The relationship between Mayor P.
14 Poirier and Chief Shaver is
15 particularly turbulent. Mayor Poirier,
16 when interviewed, expressed a complete
17 lack of confidence in Chief Shaver but,
18 at the same time, he stated he's
19 prepared to work with him subject to
20 'improved performance and assessment of
21 results achieved'."

22 It goes on, sir -- I'm not going to read it
23 all -- but it says in order to grasp the magnitude of this
24 problem and its multitude of dimensions, it suggests
25 looking at three addendum or addendi; (1), being a Morale

1 Report; (2), being a Senior Sergeant's and Senior Officer's
2 Report; and a last one being "A strategic Plan," and we'll
3 take a look at those all, sir ---

4 MR. SHAVER: Sure.

5 MR. ENGELMANN: --- because those are
6 documents that you would have received during that calendar
7 year ---

8 MR. SHAVER: Yes.

9 MR. ENGELMANN: --- as I understand it.

10 MR. SHAVER: Yes.

11 MR. ENGELMANN: And they go on further,
12 though, they say:

13 "To take sides in this issue would
14 serve no useful purpose at this
15 particular time but a brief review of
16 some of the perceptions relating to
17 Chief Shaver is revealing.
18 Interviews conducted during this
19 inspection indicated the following:
20 The majority of the members of the
21 Service who were interviewed feel that
22 Chief Shaver is absent from the job too
23 frequently."

24 MR. SHAVER: M'hm.

25 MR. ENGELMANN: And they go and talk about,

1 I quote -- they then talk about being critical of your
2 management style, calling it "impulsive" and they say that
3 some of the members are not confident in your knowledge of
4 municipal policing, et cetera, et cetera.

5 And they talk about some of the criticisms
6 from the Board about your being impulsive and spontaneous
7 management, reluctance to communicate fully with its
8 members and it says you:

9 "...adamantly refute the allegations
10 that he is an absentee Chief."

11 **MR. SHAVER:** Yes.

12 **MR. ENGELMANN:** So I read that and -- and is
13 it fair to say that -- that that's true, that you refute
14 adamantly the allegations that you are an absentee Chief?

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** All right. Now, there's a
17 number of other criticisms that are listed there.

18 **MR. SHAVER:** There are.

19 **MR. ENGELMANN:** You don't, at least, appear
20 to refute them, in the eyes of these authors, so I just
21 wanted to ask you whether or not you thought they were
22 accurate, at the time; (1), that you had an impulsive
23 management style?

24 **MR. SHAVER:** I think you have to look back
25 to where that -- that comment was first made. It was made

1 in the -- it was made in the previous report and then when
2 we brought in Ms. McGlashan to do the -- the strategic
3 plan, it was made at a Board level meeting where they
4 thought that my hiring of Ms. McGlashan was -- or my
5 recommendation of hiring Ms. McGlashan was impulsive;
6 that's where that first word -- that first time I ever
7 heard that word.

8 MR. ENGELMANN: Well, that was just that
9 year.

10 So are you suggesting, sir, that ---

11 MR. SHAVER: This continues on.

12 MR. ENGELMANN: I'm sorry?

13 MR. SHAVER: I'm suggesting it just
14 continued on.

15 MR. ENGELMANN: No, but -- but that -- that
16 criticism of you as having impulsive or spontaneous
17 management style arose simply in 1990 with your -- with
18 your engaging or attempting to engage Ms. McGlashan without
19 prior approval from the Board?

20 MR. SHAVER: Well, we have to discuss that
21 more, too, because ---

22 MR. ENGELMANN: We will.

23 MR. SHAVER: Okay.

24 MR. ENGELMANN: That's their criticism,
25 though?

1 **MR. SHAVER:** Oh yes, yes.

2 **MR. ENGELMANN:** Okay.

3 **MR. SHAVER:** I mean it's someone -- someone
4 said it.

5 My -- my management style, sir, is -- is
6 very simple; I -- when I perceive -- if I see a problem I
7 try to fix it as quickly as possibly -- as I possibly can.
8 Now, if I'm told of a problem, I try to get it fixed. If
9 that's impulsive, then I definitely am impulsive.

10 If I make impulsive decisions, then, like if
11 you're -- if it's suggesting that I make impulsive
12 decisions, I think that -- I think my -- my thought
13 process, I try to think it out quite logically.

14 **MR. ENGELMANN:** Because the criticism here
15 is not just from the Board but it's also from the rank and
16 file on the impulsive management style.

17 **MR. SHAVER:** Right, right.

18 **MR. ENGELMANN:** So ---

19 **MR. SHAVER:** It's a word that got tossed
20 around, sir. It's like ---

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

22 **MR. SHAVER:** What -- it's like a label, once
23 you -- once the label sits on you, you've got it, you know,
24 so ---

25 **MR. ENGELMANN:** Now, another ---

1 **MR. SHAVER:** I may have made some impulsive
2 decisions.

3 **MR. ENGELMANN:** All right. Another concern
4 that's set out there is a lack of municipal policing
5 knowledge. I mean at that point you've been an Acting
6 Chief and a Deputy Chief -- or sorry, a Chief for a number
7 of years: Did you agree with that criticism?

8 **MR. SHAVER:** No, I did not. I did not.

9 I -- that is one -- that's a -- that's a
10 criticism that -- that I -- I probably knew as much about
11 municipal policing as anybody in my police department did
12 at the time because of the -- my background where I came
13 from.

14 I used to have to -- the courses that I
15 taught at the college and every year at the college when we
16 had an executive development course or senior police
17 administration course, they would provide us with -- we
18 would go to have problem-solving meetings, so we would be
19 talking about municipal problems.

20 They would -- they would -- we asked them to
21 provide two essays that deal with municipal problems and
22 how they would handle them. I read all of the -- I
23 probably had 2,000 students a year and probably read, I
24 don't know, 300 to 400 of these essays as well as sit in
25 through the problem-solving meetings as well as teaching

1 those courses. So officers would come back to me and we
2 would talk about these things.

3 The issues in municipal policing were no
4 different, sir, than the issues in policing in any other
5 police Force. There are subtleties that are different.
6 There are subtleties -- walking the beat, for example, is a
7 different process but investigations, how they're done,
8 through the courts, all of that stuff is very -- is almost
9 identical.

10 So I wouldn't agree with that.

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

12 **MR. SHAVER:** I wouldn't agree with it
13 totally. Now, I can say that do you have any -- if they
14 are saying that you don't have any municipal policing
15 experience, definitely, and then I agree with it, but
16 that's not what I think that said.

17 **MR. ENGELMANN:** It talks about confidence of
18 your knowledge?

19 **MR. SHAVER:** Yes.

20 **MR. ENGELMANN:** Sir, there was also concerns
21 about communications.

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** The ones expressed here are
24 specific. They are reluctant to communicate fully with
25 Board members. There's other comments about communication

1 problems as well.

2 Would you acknowledge that there were
3 communication problems between you and various levels of
4 the Police Force and the Board at that time?

5 **MR. SHAVER:** Yes, there was because
6 obviously my messages were not being relayed downward the
7 way I thought they were being and I wasn't getting the
8 information sent to me upwardly.

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

10 **MR. SHAVER:** So obviously we had a
11 communication issue.

12 **MR. ENGELMANN:** So on page 527 -- it's also
13 page 5 of your report, Bates page 527.

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

15 **MR. ENGELMANN:** There is a brief description
16 of this Morale Report and we will come to it in just a bit,
17 but it talks about a Board meeting that was held on March
18 15th, 1990, so that would be several months before these
19 advisors or auditors came to your Force?

20 **MR. SHAVER:** Right.

21 **MR. ENGELMANN:** And it talks about the fact
22 that this was presented, this Morale Report?

23 **MR. SHAVER:** Right.

24 **MR. ENGELMANN:** And was that presented by
25 Association representatives at that meeting, sir?

1 **MR. SHAVER:** My recollection of that that it
2 was. It was the report -- I don't know if the Association
3 were actually there or the report was just there.

4 **MR. ENGELMANN:** All right. Would they have
5 provided it to the Board?

6 **MR. SHAVER:** They had provided it to the
7 Board.

8 **MR. ENGELMANN:** And asked for the meeting?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** And presumably they provided
11 you a copy as well?

12 **MR. SHAVER:** Probably, yeah, that would have
13 happened through ---

14 **MR. ENGELMANN:** You wouldn't have ---

15 **MR. SHAVER:** It would have come through the
16 chain of command.

17 **MR. ENGELMANN:** Yeah, you would not have
18 seen it for the first time at the Board meeting hopefully?

19 **MR. SHAVER:** No.

20 **MR. ENGELMANN:** And, in fact, after
21 receiving that Morale Report did you make some effort to
22 engage the services of a management consultant?

23 **MR. SHAVER:** I did engage the services of a
24 management consultant but I can't remember was it before I
25 received this report because I look back at the report and

1 the report wasn't dated. So it was very hard for me to
2 picture when that happened.

3 **MR. ENGELMANN:** When did you engage the
4 management consultant? Do you have any recollection, sir?

5 **MR. SHAVER:** There would be Board minutes on
6 that, sir. I think you would have that somewhere in your
7 file.

8 **MR. ENGELMANN:** Okay. Well, what it's
9 suggesting, sir, in this first paragraph on 527 is:

10 "To the surprise of the Board members,
11 Chief Shaver announced at this meeting
12 that he had engaged the services of
13 management consultant, Suzanne
14 McGlashan, to address the internal
15 problems of the Cornwall Police
16 Service."

17 **MR. SHAVER:** Right.

18 **MR. ENGELMANN:** "The Board was in complete
19 agreement that employing a management
20 consultant was a wise approach, but
21 Board members were considerably annoyed
22 that they were not consulted prior to
23 the employment of Ms. McGlashan. Funds
24 were not included in the 1990 police
25 budget for this expenditure."

1 All right?

2 And then the auditors talk about the
3 interesting paradox that is created by this, what they
4 determine as, unauthorized action.

5 So, sir, is that true that you engaged the
6 services of a management consultant without the approval of
7 the Board?

8 **MR. SHAVER:** I engaged the management
9 consultant without the approval of the entire Board. I
10 engaged the management consultant with the approval of the
11 Chairman of the Board.

12 I talked to him about this issue. I told
13 him that this was something I believed we needed and he
14 agreed with me. He said, "Where are you going to get the
15 money?" I said, "This is where I'll find the money in my
16 budget when we present it to the Board".

17 The Chairman of the Board and the police
18 chief deal a lot on a one-on-one basis because I have to
19 provide information to him back-and-forth. That
20 information was provided to the Chair. The Chairman told
21 me, "Go ahead" and then he said, "You're going to get some
22 flack at the Board level" and I said, "Well, I'll take the
23 flack at the Board level provided you get me a strategic
24 plan". And that was the agreement that we made.

25 **MR. ENGELMANN:** But do you know why there is

1 no reference to this agreement?

2 MR. SHAVER: No.

3 MR. ENGELMANN: And to Mr. Adams being
4 supportive of that, because the way this reads ---

5 MR. SHAVER: Because this -- at the end of
6 this process, Mr. Engelmann, I don't think Mr. Adams ever
7 expected to see it in the report. And neither did I, quite
8 frankly. But because it was made an issue and the Board
9 members told that to the inspectors, that's when it came
10 about. But I was willing to take that flack. It didn't
11 bother me in the least to take the flack provided I got a
12 strategic plan and he would support it. He was supporting
13 it and I had already set aside the money in the budget,
14 showed him where I was going to do it.

15 One of the places was we weren't going to
16 paint the range, for example. I thought, well, the range
17 can do without paint if I could get a good strategic plan
18 in here to help me with the process.

19 MR. ENGELMANN: Sir, you would have been
20 aware, would you not, that this is something that would
21 require Board approval?

22 MR. SHAVER: I actually was aware.

23 MR. ENGELMANN: And in the second paragraph
24 of that page, 527, the auditors write:

25 "In a Chief's relationship with his

1 Board, however, there is one certainty,
2 the end does not justify the means. To
3 believe and act otherwise is
4 inadvisable."

5 MR. SHAVER: Yes, sir.

6 MR. ENGELMANN: Would you agree with that
7 statement?

8 MR. SHAVER: Totally.

9 MR. ENGELMANN: All right. So in hindsight
10 would you agree, sir, that it would have been prudent for
11 you to have the support of the full Board before engaging
12 this consultant?

13 MR. SHAVER: In hindsight, yes. Yes, that
14 is very true, sir.

15 MR. ENGELMANN: All right.

16 So let's -- the inspectors do agree that
17 this was a good idea to start a strategic plan approach.

18 MR. SHAVER: M'hm.

19 MR. ENGELMANN: And they recommended that
20 you retain this consultant on an ongoing basis for
21 implementation of a plan?

22 MR. SHAVER: Yes.

23 MR. ENGELMANN: And they describe that over
24 this page and the next page. She was in fact retained?

25 MR. SHAVER: She was.

1 **MR. ENGELMANN:** And do you recall what the
2 scope of her retainer was? Was it just an initial
3 retainer?

4 **MR. SHAVER:** Ten-thousand dollars (\$10,000).
5 No, the total thing was \$10,000.

6 **MR. ENGELMANN:** All right.
7 And she then was involved in a strategic
8 planning meeting. And this is on this page as well, sir,
9 if you want to refresh your memory, but on December 12th of
10 1990?

11 **MR. SHAVER:** Okay.

12 **MR. ENGELMANN:** And there is a reference to
13 meetings on December 3rd, 4th and 5th?

14 **MR. SHAVER:** Right.

15 **MR. ENGELMANN:** I'm looking at the second-
16 last paragraph, the third and second-last paragraphs on the
17 page.

18 Do you know what, if anything, happened with
19 the strategic planning process between that last meeting in
20 December of 1990 and the following summer?

21 **MR. SHAVER:** Yes. It was the Board -- the
22 Board decided not to put her in the budget for the next
23 year, which I totally disagreed with.

24 **MR. ENGELMANN:** Because I think there is
25 another report that happened that summer and there's a

1 reference to the fact that she is not engaged?

2 MR. SHAVER: She is not engaged, exactly.

3 MR. ENGELMANN: Okay. So you made efforts
4 to have them engage her ---

5 MR. SHAVER: Absolutely.

6 MR. ENGELMANN: --- and implement as per
7 this report?

8 MR. SHAVER: Absolutely.

9 MR. ENGELMANN: All right.

10 MR. SHAVER: Not even as for that report,
11 just to keep the process going because we went through the
12 initial process with Ms. McGlashan which was basically the
13 bearing of the souls and we tried to get that part out.

14 Now, we were into the point where we were
15 saying, okay, now here is all the problems we have
16 identified, now, let's fix them. How do we fix them?

17 MR. ENGELMANN: I'm looking at ---

18 MR. SHAVER: --- put this into a five-year
19 strategic plan.

20 MR. ENGELMANN: I'm looking at the bottom of
21 that page, 527. It says:

22 "A strong recommendation was then made
23 to Board Chairman, Ron Adams, and Chief
24 Shaver that Suzanne McGlashan be
25 actively involved in the implementation

1 of the strategic plan."

2 MR. SHAVER: Yes.

3 MR. ENGELMANN: I think they are referring
4 to a police service. This is a meeting with these
5 advisors. It says:

6 "It was gratifying to learn from Mr.
7 Adams on December 14th, 1990 that
8 arrangements have been made for her
9 ongoing involvement."

10 MR. SHAVER: Right.

11 MR. ENGELMANN: So it appears at that time
12 that this was being supported?

13 MR. SHAVER: Right, it was at that time.

14 MR. ENGELMANN: All right.

15 MR. SHAVER: And Mr. Adams obviously lived
16 up to his end of the bargain with me that he would support
17 it and get it going, and he did.

18 MR. ENGELMANN: There is a note of caution
19 right after that -- and I'm on 528:

20 "There's an inherent danger in the
21 early success of the plan and the
22 almost euphoric mood presently
23 prevailing within the Cornwall Police
24 Service. It would be foolhardy to
25 presume that the problems identified in

1 the Morale Report and the strategic
2 plan will be quickly resolved."

3 They then go on saying -- calling for a
4 five-year plan with explicit and detailed requirements, et
5 cetera.

6 **MR. SHAVER:** Right.

7 **MR. ENGELMANN:** So they are saying that
8 there is a lot of work to be done?

9 **MR. SHAVER:** Oh, absolutely.

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

11 Sir, just a couple of other questions before
12 the break, if I may?

13 A strategic plan document was submitted in
14 June of 1990 by this consultant?

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** Is that correct?

17 **MR. SHAVER:** That is correct.

18 **MR. ENGELMANN:** And I just -- if you could
19 have a look, and I think you have it in your binder, it's
20 Exhibit 1390?

21 **MR. SHAVER:** M'hm.

22 **MR. ENGELMANN:** Is that in fact the plan
23 that was submitted in June of 1990 by the consultant?

24 **MR. SHAVER:** It certainly looks like it,
25 yes.

1 **MR. ENGELMANN:** And, sir, the two other
2 reports we're talking about that were referred to as
3 Addenda, the Morale Report, if you could just take a look.
4 Is that what we see at -- in your exhibit binder at 1389?

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** And the other report that's
7 a combination of the Staff Sergeants'/Senior Officers'
8 Report -- I don't know if you have this exhibit in your
9 binder, 1347. Does your binder go back that far?

10 **MR. SHAVER:** No. Oh, maybe, hold on.

11 **THE COMMISSIONER:** No.

12 **MR. SHAVER:** No, it does not.

13 Thank you. Yes.

14 **MR. ENGELMANN:** All right. So those are
15 documents that you would have received at or about the time
16 they were written back in 1990; correct?

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** All right. So perhaps we'll
19 have a brief review of those after lunch and then we'll
20 move on to other things.

21 Would it be an appropriate time for a break,
22 sir?

23 **THE COMMISSIONER:** Thank you.

24 Thank you, have a good lunch, sir.

25 **THE REGISTRAR:** Order. All rise. À

1 l'ordre. Veuillez vous lever.

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

3 --- Upon recessing at 12:38 p.m./

4 L'audience est suspendue à 12h38

5 --- Upon resuming at 2:06 p.m.

6 L'audience est reprise à 14h06

7 **THE REGISTRAR:** Order. All rise. À

8 l'ordre. Veuillez vous lever.

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

11 **THE COMMISSIONER:** Good afternoon, all.

12 Mr. Shaver, Mr. Engelmann.

13 **CLAUDE SHAVER: Resumed/Sous le même serment:**

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

15 **ENGELMANN (Cont'd/suite):**

16 **MR. ENGELMANN:** Good afternoon, Mr.

17 Commissioner. Good afternoon, Mr. Shaver.

18 **MR. SHAVER:** Good afternoon.

19 **MR. ENGELMANN:** I wanted just to go back to
20 a couple of documents that we just ---

21 **MR. SHAVER:** Yeah.

22 **MR. ENGELMANN:** --- touched upon briefly and
23 these, sir, you'll recall are Addenda to the Level 3
24 Inspection Report and they're referred to in the report, so
25 I don't intend to spend a whole lot of time on them.

1 But the first of the Addenda that I wanted
2 to refer to was the -- it's the Morale Report, sir.

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

4 **MR. ENGELMANN:** It is Document -- sorry,
5 Exhibit Number 1389.

6 **MR. SHAVER:** I have that one.

7 **MR. ENGELMANN:** All right. And sir, it's my
8 understanding that you received this some time shortly
9 before the Board meeting on March 15th, 1990?

10 **MR. SHAVER:** I would think -- I would
11 suggest that's correct, yes.

12 **MR. ENGELMANN:** You're not sure when ---

13 **MR. SHAVER:** No.

14 **MR. ENGELMANN:** --- but it would have been
15 before then?

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** And do you recall how you
18 would have received it or from whom?

19 **MR. SHAVER:** No, I do not. I may have
20 received it because I normally would put things on the
21 agenda for the Board, so that's probably how it came up.
22 It probably came through my secretary to put something on
23 the agenda for the Board.

24 **MR. ENGELMANN:** In fact, you had suggested
25 to us that the Association might have -- would have

1 probably sent this up through the chain of command?

2 MR. SHAVER: I would think they would have,
3 yes.

4 MR. ENGELMANN: Yes. All right.

5 MR. SHAVER: It wouldn't have come directly.

6 MR. ENGELMANN: All right. And do you know
7 how this particular report was prepared?

8 MR. SHAVER: I have -- I have absolutely no
9 idea. In fact, I questioned that at the time and people on
10 the Executive Association were saying they don't -- they
11 knew nothing about it, so I have no idea.

12 MR. ENGELMANN: Okay. Well, no one -- no
13 one took ownership of it at the time from the Association?

14 MR. SHAVER: Not that I ever heard.

15 MR. ENGELMANN: It was certainly something
16 that members of the Association did pass up through the
17 chain of command?

18 MR. SHAVER: Did not pass up?

19 MR. ENGELMANN: Did pass up through the
20 chain of command.

21 MR. SHAVER: That would be the normal
22 practice, sir, so I would suggest that's what happened.

23 MR. ENGELMANN: All right. And the report
24 is highly critical of senior management is it not?

25 MR. SHAVER: Management in general, yes,

1 m'hm.

2 **MR. ENGELMANN:** And in fact, sir, it -- if
3 you want to just look at the second page in, Bates page
4 244, the first paragraph.

5 You talk about a tremendous morale problem,
6 situation becomes so critical it's been experienced by all
7 personnel and in all departments, performance of the worker
8 suffered greatly, et cetera, et cetera. Many have become
9 disenchanted with the leaders of the police administration.
10 They feel betrayed and abandoned and it goes on.

11 This -- this document sets out many concerns
12 and cites numerous problems. Just by way of example, if we
13 look just under the Leadership issue at page 253, Bates
14 page 253.

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** There's:

17 "Criminal Investigation Division
18 members feel that almost all sound
19 management theories taught at OPC and
20 CPC are soon forgotten and rarely
21 practiced."

22 Number two:

23 "Little or no decision sharing with
24 grassroots."

25 Three:

1 "Occasionally our leadership does not
2 take ownership or decisions which hurts
3 morale."

4 Four:

5 "Decisions, when taken are so often
6 second-guessed; they are now few and
7 over-thought."

8 And it just goes on. There just is a
9 plethora of concerns and/or problems listed under each
10 caption and this -- I'm just reading to you a few from
11 Leadership.

12 Sir, do you have -- I mean, it goes on to
13 talk about multiple communication problems, too many
14 sergeants and not enough lower ranks and, as I said, a
15 plethora of other problems under various captions,
16 including that Leadership caption we talked about.

17 Do you have any sense, sir, how things could
18 have gotten to this state?

19 **MR. SHAVER:** How they could have gotten to
20 this state?

21 **MR. ENGELMANN:** Yes.

22 **MR. SHAVER:** No, because I don't know what
23 the author -- if you look at these problems, they're
24 generalizing the problem so much it's very difficult to
25 pinpoint -- that is to pinpoint an exact reason, you know.

1 In the Criminal Investigations members feel
2 that almost all sound management theories taught at OPC and
3 CPC are soon forgotten and rarely practiced. Well, where?
4 You know they -- it's very difficult to do with without
5 having an example and I know in my written response to this
6 -- to this, I tried to cover all of those points.

7 **MR. ENGELMANN:** Well, we'll look at that.

8 **MR. SHAVER:** Yes.

9 **MR. ENGELMANN:** But I'm just wondering, I
10 mean, this report is highly critical.

11 **MR. SHAVER:** Yes, it is.

12 **MR. ENGELMANN:** And it has references to
13 various branches ---

14 **MR. SHAVER:** It does.

15 **MR. ENGELMANN:** --- in the Police Service.
16 So, I mean, whether it's everyone involved or part of the
17 people involved, whatever, there are -- there are concerns
18 expressed from Identification Branch, from other branches,
19 and I'm just wondering if you had any sense as to how this
20 could have happened?

21 This is now March of 1990, this is seven
22 years into your tenure ---

23 **MR. SHAVER:** M'hm.

24 **MR. ENGELMANN:** --- with the Cornwall Police
25 Service.

1 **MR. SHAVER:** Right.

2 **MR. ENGELMANN:** And it appears when you
3 start, things seem to be going in the right direction as
4 far as turning things around, and then we look at the 1989
5 report, we look at this and what's happening in 1990 and we
6 seem to be back into one of those valleys, if I can call it
7 that, where serious problems are being expressed.

8 **MR. SHAVER:** I do morale certain -- it's
9 almost like rollercoaster ride. It goes up, it goes down,
10 depending on things that are happening at the moment.

11 When -- when I read through this Morale
12 Report I -- I looked at it and I found it rather disjointed
13 because you might be in Ident saying that the person in
14 Ident, "You shouldn't do this" and then another person
15 would be saying, "I should be transferred to Ident". It
16 was almost like a series of what would you like to see
17 happen without an example and I -- and throughout the
18 entire report I saw that. It was very difficult to
19 pinpoint.

20 When they talk about leadership they're
21 talking -- you know, they're mentioning supervisors. I
22 mean -- I remember the thing in the Uniform Branch when
23 they said that, you know, supervisors are not doing this so
24 therefore it's the Chief and the Deputy's responsibility;
25 absolutely it is. That's where I totally agree with what

1 they say.

2 So it was -- it was difficult to -- it was
3 difficult to read, difficult to pinpoint what they were
4 trying to -- what they were trying to say, other than the
5 fact that they were not happy and that's an area that
6 obviously I wanted to address and address it as quickly as
7 I could.

8 **MR. ENGELMANN:** Okay, so you -- you don't
9 know how it got to this point then, sir?

10 **MR. SHAVER:** No, I do not. I do not. I
11 know that the officers on the road through the whole time
12 that I was here, right through into '94, did an excellent
13 job at what they did. I was very proud of what they did
14 and how they did their jobs and I think every report
15 throughout this whole process said that. They -- even
16 though they might have been unhappy in-house, that did not
17 reflect on the outside. It did not reflect on the level of
18 service that we provided or the quality of the
19 investigations.

20 Now, I know police officers make mistakes.
21 Obviously if they didn't, we wouldn't need so many defence
22 lawyers. So it would be -- that was supposed to be funny,
23 by the way.

24 **(LAUGHTER/RIRES)**

25 **MR. ENGELMANN:** We have a number of defence

1 lawyers in the audience.

2 MR. SHAVER: I realize that. We'd be out of
3 a job if we did our job every day perfectly.

4 MR. ENGELMANN: Okay. Sir, they list a
5 number of issues and concerns.

6 MR. SHAVER: Yes.

7 MR. ENGELMANN: And one of the suggestions
8 you made earlier was that a large part of this problem
9 might have been as a result of your introduction of OMPPAC.

10 MR. SHAVER: It certainly was a contributing
11 factor.

12 MR. ENGELMANN: All right.

13 But I mean, there are -- OMPPAC is cited, by
14 the way, at page 248, Bates page 248 ---

15 MR. SHAVER: Right.

16 MR. ENGELMANN: --- where the authors talk
17 about the need -- I'm looking at the second paragraph:

18 "For example, the need for an
19 automatic recording system is
20 necessary with current trends in
21 law enforcement. However OMPPAC
22 has been met with much
23 resistance."

24 MR. SHAVER: Yes.

25 MR. ENGELMANN: So, I mean, they're

1 acknowledging what you're saying.

2 "Although this system has its
3 weaknesses, it also has its
4 benefits. It has not yet been
5 accepted by the workforce because
6 its needs..."

7 I think it should say:

8 "[are] not understood. For
9 ordinary policemen, change and
10 innovation mean uncertainty and
11 insecurity. One assumes that
12 there were good reasons for this
13 innovation, but better preparation
14 for and explanation of this change
15 might have reduced the ensuing
16 complaining and frustration among
17 the men."

18 So again, it's a fairly specific criticism,
19 is it not?

20 **MR. SHAVER:** Yes, it is.

21 **MR. ENGELMANN:** Yeah. And so they're not
22 saying no to OMPPAC. They're saying it's got to be sold
23 better?

24 **MR. SHAVER:** Yes, and at the time, we sold
25 it the way it was given to us. I sat on the OMPPAC

1 committee. I tried to bring all of the information that we
2 could. I tried to follow what happened in Barrie, because
3 Barrie was the first police department and Barrie had --
4 they had tremendous problems also. And the Chief of Barrie
5 was the head of the OMPPAC committee forever.

6 So any organization, sir -- and again, this
7 is what I do for a living now. I sell this software. It's
8 exactly like this and I see this with every police
9 department I talk to. I go and I consult with them. I see
10 the resistance to change whether they are going from paper
11 to notepaper, which is what we did, or whether they just --
12 they're just starting in on a system. There's an extremely
13 high resistance to change, and that happened in this
14 instance. And it stayed there. I mean that OMPPAC system
15 in '90 was the same. We're still having problems because
16 the system would work some of the time and not work parts
17 of the time.

18 So it was there. It was a major thing. I
19 mean, it's -- what I would have believed would have been
20 the single most important factor because you could blame
21 everything off that. Communications with upper management,
22 you know, "Why do you bring this in?" We did consult. We
23 went through that whole process. So ---

24 **MR. ENGELMANN:** But, sir, I mean, it's one
25 of many concerns here.

1 **MR. SHAVER:** Yeah.

2 **MR. ENGELMANN:** If we look just on the next
3 page, 245?

4 **MR. SHAVER:** M'hm?

5 **MR. ENGELMANN:** "Almost tyrannical
6 behaviour..."

7 We've seen that word before.

8 "...of supervisors; 2. Fifty (50)
9 percent of the men on the shift
10 do 90 percent of the work."

11 **MR. SHAVER:** Right.

12 **MR. ENGELMANN:**

13 "3. Transfers are often being
14 given to the wrong people for the
15 wrong reasons."

16 There's a number of concerns set out that
17 have presumably, at least on their face, nothing to do with
18 OMPPAC.

19 **MR. SHAVER:** No -- yeah, that's exactly
20 right.

21 **MR. ENGELMANN:** Right.

22 **MR. SHAVER:** The criticism there is of the
23 people that are doing their immediate supervision. And
24 they're simply saying -- and they've -- again, with the
25 Association, they're not going to identify the person

1 because that's in their Association. The only two people
2 in this report that they can identify are the two people
3 that aren't. That's myself and the Deputy. We're outside
4 of it, and I take the responsibility. It is my
5 responsibility. I was the Chief. It's my responsibility
6 to make sure this stuff gets fixed, or not to have let it
7 gotten there in the first place.

8 **MR. ENGELMANN:** So just before we get to
9 your response, sir, the conclusion to the report at 270
10 does say:

11 "The Chief and Deputy Chief must
12 accept responsibility for the
13 current situation. As the head of
14 the Police Force, they were
15 ultimately responsible for the
16 morale of the Department."

17 You would agree with that statement?

18 **MR. SHAVER:** Absolutely.

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

20 "The mistakes that have been made
21 in the past have directly
22 contributed to the current
23 dilemma. It is hoped that they
24 will consider this report
25 carefully and wisely in order that

1 they might identify past mistakes
2 and learn from them."

3 I don't know if you take issue with it so
4 far?

5 **MR. SHAVER:** No.

6 **MR. ENGELMANN:** They then say:

7 "They must modify their behaviour
8 accordingly if they wish to regain
9 the respect of the men and women
10 of the force. This is vital if
11 the Cornwall Police Service is to
12 prosper and morale to improve."

13 **MR. SHAVER:** Right.

14 **MR. ENGELMANN:** Again, I don't know if you
15 take a whole lot of issue, but they go on and they talk
16 about:

17 "It's easy to blame others for the
18 problems we experienced. We must
19 always remember..."

20 And they talk about part of -- being part of the problem:

21 "Now is the time to put pride back
22 into PRIDE."

23 As I understand the acronym PRIDE, those
24 were your units?

25 **MR. SHAVER:** Those were my units, yes. That

1 was my invention when I first came there.

2 MR. ENGELMANN: All right.

3 So I would suggest, or it appears that you
4 would agree with much of the conclusion. You might not
5 agree with the specific criticisms that are contained in
6 this report, but you certainly agree with some of the
7 comments and the conclusion?

8 MR. SHAVER: I totally agree with the
9 conclusion.

10 MR. ENGELMANN: Right.

11 And, sir, you did a response that starts at
12 Bates page 271; is that correct?

13 MR. SHAVER: I did.

14 MR. ENGELMANN: And it's dated April 26,
15 1990?

16 MR. SHAVER: Yes.

17 MR. ENGELMANN: And before you responded,
18 you would have also received the Senior Officers and Staff
19 Sergeants' reports, I believe?

20 MR. SHAVER: The Senior Officer and Staff
21 Sergeants' reports?

22 MR. ENGELMANN: Because your response is
23 dated April 26, 1990.

24 MR. SHAVER: Yes, I think I had. I think I
25 had. I have to go back and check that date.

1 **MR. ENGELMANN:** We'll go through them in a
2 minute.

3 Just with respect to your response, you are
4 saying, and I think you've said it just now as well, you
5 talk about OMPPAC on page 272?

6 **MR. SHAVER:** M'hm.

7 **MR. ENGELMANN:** And about putting some
8 rumours about it to rest?

9 **MR. SHAVER:** Right.

10 **MR. ENGELMANN:** That this is going to mean a
11 decrease in your operational budget and you're going to
12 suffer somewhere else, and you're saying that's a false
13 rumour?

14 **MR. SHAVER:** It is.

15 **MR. ENGELMANN:** You also acknowledge in the
16 communications aspect on page 273 that there is a major
17 problem in the Force, and you talk about steps that are
18 being taken at that time to try and address some of these
19 issues?

20 **MR. SHAVER:** M'hm.

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

22 And you agree with some of the comments, for
23 example, the "too many sergeants" concern and you talk
24 about some action you're going to take to address it.
25 That's at the bottom of page 274 and the top of page 275?

1 **MR. SHAVER:** Correct.

2 **MR. ENGELMANN:** And lastly, sir, amongst
3 other things, in the conclusion at Bates page 280, you
4 accept responsibility, you and the Deputy Chief, for the
5 current morale situation and are taking steps to solve the
6 problems?

7 **MR. SHAVER:** Right.

8 **MR. ENGELMANN:** And you're talking about a
9 Strategic Plan, getting it in place to start things working
10 again. But you do say that the onus is on all of the
11 members, especially those who stand and criticize, without
12 looking at themselves, to also change their behaviour?

13 **MR. SHAVER:** Absolutely.

14 **MR. ENGELMANN:** Now, sir, in addition to the
15 morale report from the Association, there were also two
16 other reports that were ---

17 **MR. SHAVER:** Well, sir, if we could stay on
18 the morale report for just a moment?

19 **MR. ENGELMANN:** Yes.

20 **MR. SHAVER:** There were many places in this
21 morale report where I admit that what we have done, or what
22 I've done, there may have been errors made, withy the Cadet
23 Program, for example. I know I admitted it there. The
24 sergeants, I thought that I was creating a great career
25 path but forgot the CFLers which are -- I could never

1 understand a constable not wanting to be promoted.
2 Somewhere it didn't ring true in my head.

3 **MR. ENGELMANN:** What does CFL mean, sir, I'm
4 sorry?

5 **THE COMMISSIONER:** Constables for Life.

6 **MR. SHAVER:** Constables for Life.

7 **MR. ENGELMANN:** Oh, okay.

8 **MR. SHAVER:** Yes, and that was -- I'm not
9 sure if it was a Mike Quinn invention, but I know Mike was
10 the person that told me that, that he was a CFLer and I had
11 to ask the same question, Mr. Commissioner, "What is that?"

12 And I wanted to create -- when I first came,
13 I created extra sergeants because I thought it would offer
14 a career path for the younger people to move up and then it
15 would give us a better selection choice for future -- the
16 future managers of the Force, the future Chief, the future
17 Deputy, because that's the thing that I wanted most of all
18 to create in the organization, when I left, that I would
19 create a career path through what I left behind, so that
20 they would be able to choose and deputy and a chief from
21 inside the Force as opposed to going outside the Force.

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

23 And, sir, I didn't mean to just jump over
24 this ---

25 **MR. SHAVER:** Oh, that's all right.

1 **MR. ENGELMANN:** There are a number of
2 concerns set out in the morale report and you respond to
3 many of them in your response.

4 **MR. SHAVER:** Yes.

5 **MR. ENGELMANN:** Is that fair?

6 **MR. SHAVER:** Yes.

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

8 Sir, the next document I wanted just to go
9 back to then is at Exhibit 1347.

10 **MR. SHAVER:** Right.

11 **MR. ENGELMANN:** And it's an amalgam. It's -
12 - I think this was done for the appendix of this inspection
13 report, but what's happened is they've collapsed these two
14 reports into one, so we see them together. So I'll give
15 you the Bates page numbers.

16 **MR. SHAVER:** I have it in front of me, sir.

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

18 So I believe, sir, that the Staff Sergeants'
19 Report, as separate and apart from the Senior Officers' is
20 what we see at Bates page 587 and 588; am I correct?

21 **MR. SHAVER:** Five-eight-seven (587) and 588,
22 yes.

23 **MR. ENGELMANN:** And there's a follow-up at
24 Bates page 590?

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** And the Senior Officers --
2 there's a report at 586 and 589?

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** And your response at 591;
5 Jos St. Denis at 592 and is this your -- the executive,
6 sir, at 593?

7 **MR. SHAVER:** That's the Executive Branch.
8 That's the next step in the management protocol.

9 **MR. ENGELMANN:** All right.
10 And then finally the response of the Board
11 at 594 and 595?

12 **MR. SHAVER:** Yes.

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

14 So, sir, just to stick with the staff
15 sergeants then, if we may ---

16 **MR. SHAVER:** M'hm.

17 **MR. ENGELMANN:** --- the report at 587 and
18 588 predates the one at 590. Did you get them together or
19 did you get them separately, or do you recall?

20 **MR. SHAVER:** The Morale Report came first by
21 a reasonably long period of time. I can't remember
22 exactly, but it was like a month or something.

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

24 So it might have been in February or early
25 March?

1 **MR. SHAVER:** It could have been, yes.

2 **MR. ENGELMANN:** All right.

3 And the Staff Sergeants' Report, the two
4 that we see there, the first one, 587-588, the two pages
5 and then later at 590, do you recall if you got those
6 together or whether you got the document at 587-588 first?

7 **MR. SHAVER:** I would have gotten the entire
8 package -- the -- I would have gotten the Staff Sergeants'
9 report, the reply from the senior officers or the --
10 because that's the -- that's how the chain of command was
11 going to work. That was Admin Directive Number 12, I
12 believe, 012.

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

14 **MR. SHAVER:** And it was how the -- it was
15 what was recommended by the inspectors in the '89 report.
16 So that was the -- this was the first -- the second report
17 submitted under the management team concept.

18 **MR. ENGELMANN:** All right.

19 So did you -- just so I'm clear then,
20 because I'm not -- did you receive all of these at the same
21 time? Is that what you're saying?

22 **MR. SHAVER:** No, I got the Morale Report
23 first.

24 **MR. ENGELMANN:** Forget about the Morale
25 Report.

1 **MR. SHAVER:** Okay.

2 **MR. ENGELMANN:** I'm just dealing with the --
3 with Exhibit 1347.

4 **MR. SHAVER:** Okay. I would have gotten
5 everything up to where the senior officer signed off on it.
6 So I would have -- it's kind of backwards on this.

7 **MR. ENGELMANN:** That's why I was referring
8 to the Bates page.

9 **MR. SHAVER:** Yeah, it is backwards because
10 really it's Bates page 587. I would have gotten that one;
11 588 and 589 all at once.

12 **MR. ENGELMANN:** Sir, is it possible you got
13 587, 588, and 586 all at once?

14 **MR. SHAVER:** Five eighty-six (586)? Please
15 read it.

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **MR. SHAVER:** Yes, that's true; I would have
18 gotten that one too, yes.

19 **MR. ENGELMANN:** That's what I thought.
20 Okay.

21 **MR. SHAVER:** Yes.

22 **MR. ENGELMANN:** And it does say, just to
23 help, on Bates page 586:

24 "On March 26th, 1990 the senior officers
25 were presented with the enclosed

1 document from the staff sergeants."

2 MR. SHAVER: Right.

3 MR. ENGELMANN: Do you see that? And then
4 they send those three pages to you. And what you're
5 getting there, sir, is a document from your senior officers
6 with an enclosure from your staff sergeants, asking you
7 either to tender your resignation or to invite the Cornwall
8 -- to invite the Ontario Police Services Branch of the
9 Solicitor General's Office to conduct an inquiry or -- and
10 this in the 586 -- an in-house and that the Board conduct
11 their own inquiry.

12 MR. SHAVER: Right.

13 MR. ENGELMANN: All right?

14 So you've got a report, at least 587, 588,
15 that's signed by six staff sergeants and 586 by your three
16 senior officers?

17 MR. SHAVER: Right.

18 MR. ENGELMANN: You had never seen anything
19 like this before, I'm sure?

20 MR. SHAVER: No, but it was offered through
21 the -- through the management team concept. This would --
22 the staff sergeants wouldn't have put this thing together
23 unless they had a vehicle to use it and the vehicle was the
24 management team concept which was introduced under Admin
25 012. And it says that they have -- they have a concern,

1 there, put the concerns on paper and send it to the next
2 level. That's the senior officers.

3 They would make their comment and send it to
4 the next level, which is the Executive Branch, and the
5 Executive Branch meets after on this, which I reccused
6 myself from, and they didn't agree with this report, and
7 then we took the extra step of sending it all the way to
8 the Board, which was not the Halton model.

9 If you look at the Halton model, sir, you'll
10 see that it stops at the Chief's office.

11 **MR. ENGELMANN:** Right.

12 **MR. SHAVER:** The Halton model stops at the
13 Chief's office. I took the step of sending it right
14 through to the Board, saying "Here, the Board has to see
15 this and let's get this thing out in the open and let's
16 clear it up."

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

18 Well, I just want to key in on some of the
19 concerns before we talk about the process perhaps.

20 **MR. SHAVER:** Okay.

21 **MR. ENGELMANN:** You've got six staff
22 sergeants who, in some pretty strong language, are asking
23 you either to resign or to have an inquiry called.

24 **MR. SHAVER:** Yes.

25 **MR. ENGELMANN:** That is unusual?

1 **MR. SHAVER:** Absolutely, yes.

2 **MR. ENGELMANN:** And did it come as a total
3 surprise to you at the time?

4 **MR. SHAVER:** Yes, it did.

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

6 And they say they have a consensus of
7 opinions -- if you look at 587 -- that set out a number of
8 concerns.

9 **MR. SHAVER:** M'hm.

10 **MR. ENGELMANN:** They say that:

11 "The office of the Chief of Police is
12 losing all credibility with the men and
13 women of the Force..."

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

15 **MR. ENGELMANN:** "...Police Commission and the
16 community. The Chief's decision making
17 is impulsive and made without
18 consultation."

19 This is not the Board; this is staff
20 sergeants.

21 **MR. SHAVER:** It's them, yeah. M'hm.

22 **MR. ENGELMANN:** "The Chief does not respect
23 the opinion or counsel of any level of
24 his management team and the Chief has
25 an alarming lack of knowledge

1 concerning day-to-day operations, not
2 taking the initiative to properly
3 familiarize himself with its
4 functioning and seeks every opportunity
5 to be absent during critical times or
6 particularly during critical times."

7 **MR. SHAVER:** M'hm.

8 **MR. ENGELMANN:** And they go a little further
9 and they say that they don't believe they can -- they can
10 no longer function as effective managers because of this.
11 They say that their authority and credibility are
12 continuously being undermined.

13 **MR. SHAVER:** Right.

14 **MR. ENGELMANN:** So this is a very strong
15 criticism from -- I don't know how many staff sergeants
16 there were, sir, but this is six staff sergeants ---

17 **MR. SHAVER:** Right.

18 **MR. ENGELMANN:** --- setting this out. And
19 then on top of that, you've got three -- three senior
20 officers, a staff inspector and two inspectors concurring
21 with those concerns.

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

23 **MR. ENGELMANN:** So do you have some sense as
24 to how it came to this, that ---

25 **MR. SHAVER:** Well, sir, look back on the

1 Morale Report. The morale report, the staff sergeants,
2 after we would talk to them said they thought the Morale
3 Report was aimed directly at them. And if you go back
4 through the sections of the Morale Report you'll find that
5 supervision -- supervision is there throughout,
6 communication and supervision.

7 Now, are they frustrated? Yes. Were they
8 frustrated that a morale report could come back up and get
9 to my office? I would imagine they were. I'm sure you
10 would have asked them in the process.

11 But remembering how this happens, we put a -
12 - we were asked by the Ontario Police Commission to put a
13 communications program process in place that was supposed
14 to be positive. It was supposed to be a positive document
15 to go from the lower level to the chief and all the way
16 back down again. So everybody up the line had a chance to
17 say something. Everybody on the way down got the reply
18 from everybody. So they know -- there was no hidden
19 agendas.

20 The first time this was ever used, the
21 management team process was used was used against one of my
22 staff sergeants and it was a negative document. It was --
23 they wanted the staff sergeant removed from the position.
24 They came back up with pretty much a lot of the same
25 language that may have been in here, "Remove the staff

1 sergeant." When it got to my level, I stopped it and said
2 "This is not going to happen. The staff sergeant is not
3 going to be removed."

4 So the first time it was ever used was as a
5 negative document and it was supposed to be a positive
6 document.

7 The second time it was used -- this is the
8 second time it was used.

9 **MR. ENGELMANN:** And it's clearly a negative
10 document?

11 **MR. SHAVER:** It's clearly a negative
12 document, absolutely.

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

14 Now, sir, as a -- they say on the next page
15 they don't think the situation is going to improve.

16 **MR. SHAVER:** Right.

17 **MR. ENGELMANN:** "Drastic intervention
18 required. Documented the proceeding,
19 observes out of frustration and as a
20 last resort. We have previously taken
21 the unusual step of meeting privately
22 with the Chief and have expressed our
23 concerns in very strong language."

24 Now, sir, you indicated you thought this
25 document -- or you were surprised when you received it. Do

1 you recall, sir, having met with some of them earlier,
2 where they had expressed some of these concerns to you in a
3 meeting?

4 **MR. SHAVER:** Sir, my office door was always
5 open to my staff sergeants. They would come in, some of
6 them more than others, to come back in and discuss anything
7 that they wanted with me and in any -- and I let them --
8 gave them the freedom to talk about it without any gloves
9 on.

10 There may be some of these things that they
11 said and never talked about resignation. They never talked
12 about things like, "You don't know what you're talking
13 about with municipal policing. That -- that never -- that
14 was never part of it. They were saying, "We're not being
15 listened to".

16 I know two of the Staff Sergeants brought me
17 a document at one time. They wanted to do something with
18 the civilian staff and have them work nights and then they
19 got all upset because I ended up having to talk to the
20 Association.

21 Well, that's the Chief's job, unfortunately.
22 That's contractual and I needed to talk to the Association.
23 The Association did not agree, and so I had to come back to
24 them and say, "I'm sorry, it was a nice idea, all right,
25 but the Association doesn't agree".

1 Then they used that to say, "Well" -- the
2 Staff Sergeants would then say, "Listen, you listen to them
3 more than you listen to us". And I said, "Well, look, I'm
4 not going to get into a labour war because of -- in a
5 section we cannot win. We need the cooperation of the
6 Police Association."

7 So that's just -- that's just one example
8 that I could give you that I can see that happened there.

9 **MR. ENGELMANN:** All right. I just want to
10 get back to my question, if I can.

11 **MR. SHAVER:** Okay.

12 **MR. ENGELMANN:** There's a suggestion that
13 there was a private meeting with you, and the way this
14 reads, it would suggest this group or a group of Staff
15 Sergeants?

16 **MR. SHAVER:** No, I don't remember a private
17 meeting. The only one that I could say that could have
18 happened was when we started to go through the strategic
19 planning process because they were a separate group. They
20 ---

21 **MR. ENGELMANN:** That's later.

22 **MR. SHAVER:** Yeah, that's the only time I
23 can think of that, sir, when they ---

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

25 **MR. SHAVER:** --- that it could have

1 happened.

2 It's possible. I don't know if it's in
3 anybody's -- any of the Staff Sergeants have testified that
4 they did meet with me privately. I don't remember -- I
5 don't remember that happening and certainly I would have
6 remembered the things that are in here.

7 **MR. ENGELMANN:** All right. Well, they say:

8 "These same concerns have also been
9 aired at meetings of the entire
10 management team."

11 So again suggesting that you should have had
12 some knowledge that this was coming?

13 **MR. SHAVER:** Well, sir, I -- I didn't.

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

15 And, sir, the last part of the Staff
16 Sergeants' Report at Bates page 590, talks about something
17 that apparently happens on the 7th of April?

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

19 **MR. ENGELMANN:** And they say that they
20 started -- they entered into this process in good faith
21 using a procedure outlined in ADM-12, and I think that's
22 the management team we've already talked about?

23 **MR. SHAVER:** Yes.

24 **MR. ENGELMANN:** "We wish to report at this
25 time to the senior officers that the

1 Chief is not following the procedures
2 set out in the policy. After receiving
3 the document, he approached two members
4 of our management team. As a result of
5 his actions, one member has withdrawn
6 his support; the other member declined
7 the Chief's invitation to remove his
8 endorsement. We feel that the Chief's
9 actions are totally improper and
10 believe you should be made aware of
11 these circumstances."

12 Sir, do you recall that this is, in fact,
13 true, that you approached two members of the management
14 team?

15 **MR. SHAVER:** No, that's not -- that's not
16 what happened.

17 Staff Sergeant Walter Phillips came to me
18 and said, "Chief, I got coerced into this. I didn't want
19 to do it. I'm going to withdraw my name before it ever
20 gets to the Board."

21 Staff Sergeant Kirkey also came after this
22 report was written, after the one on the 7th, and wanted to
23 do the same thing, he wanted his name removed. He said,
24 "Look, we were all hot and we were all upset. We're all
25 thinking of the Morale Report", and he wanted his name

1 removed.

2 The person that said that I went to see him
3 would have been Staff Sergeant Wells, which is true, I did
4 go to see Staff Sergeant Wells.

5 **MR. ENGELMANN:** So you disagree with the
6 statement that:

7 "As a result of his actions, one member
8 has withdrawn his support; the other
9 member declined the Chief's invitation
10 to remove his endorsement."

11 **MR. SHAVER:** Yes, I disagree. Walter
12 Phillips -- Walter Phillips voluntarily did it. Staff
13 Sergeant Kirkey did it later on.

14 **THE COMMISSIONER:** And what did you do with
15 Wells, did you ask him to withdraw his complaint?

16 **MR. SHAVER:** Wells?

17 **THE COMMISSIONER:** Yes.

18 **MR. SHAVER:** No, I went to talk to him to
19 see why this would have happened.

20 He was one of the Staff Sergeants that I
21 supported a great deal ---

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

23 **MR. SHAVER:** --- and who I thought I had a
24 very good rapport with, so I went to talk to him.

25 **THE COMMISSIONER:** Okay.

1 **MR. ENGELMANN:** What about your senior
2 officers, sir? You're saying that you never had
3 forewarning from them of some of these problems that
4 they're concurring with, that's Staff Inspector McDonald,
5 Inspector Burke or Burke and Inspector Trew?

6 **MR. SHAVER:** Did we -- did we speak of
7 morale and issues? Yes, we did do that.

8 **MR. ENGELMANN:** Some of the issues that are
9 set out at page 587 ---

10 **MR. SHAVER:** Right.

11 **MR. ENGELMANN:** --- that they're concurring
12 with. Then they say, "The following consensus of opinions
13 was arrived at".

14 I'm not going to go back through the list --
15 -

16 **MR. SHAVER:** Okay, fine.

17 **MR. ENGELMANN:** --- but you have some sense
18 from your senior officers that they also had these
19 criticisms?

20 **MR. SHAVER:** Two of the three of them did,
21 yes.

22 **MR. ENGELMANN:** And who were they, sir?

23 **MR. SHAVER:** Burke and McDonald.

24 **MR. ENGELMANN:** Okay.

25 So you were surprised that Inspector Trew

1 signed off as well?

2 MR. SHAVER: Yes, but I -- I think I spoke
3 to Inspector Trew at some point later on and he explained
4 to me that he was sending it up through the management
5 process and that he -- he agreed with some of the things in
6 there, but he didn't agree with all of them.

7 MR. ENGELMANN: All right.

8 MR. SHAVER: That -- that was my
9 recollection of speaking with Inspector Trew.

10 MR. ENGELMANN: Well, they also seem to take
11 issue -- and I'm looking at 589 -- with what took place
12 with the -- what allegedly took place with the two Staff
13 Sergeants. You'll see that on page 589, it said:

14 "We have since been informed and have
15 received the enclosed correspondence
16 from the Staff Sergeants. They are
17 further concerned that procedures
18 followed by Chief Shaver are improper
19 and in conflict. Having also been
20 subjected to interference in this
21 matter, we concur with the Staff
22 Sergeants and request that the Board
23 ensure these actions be discontinued."

24 Do you know what they're talking about there
25 when they say, "Having also been subject to interference"?

1 **MR. SHAVER:** Well, sir, I would -- I would
2 have spoken individually to all my senior officers.

3 **MR. ENGELMANN:** All right.

4 **MR. SHAVER:** They are my -- they are my
5 senior staff; I would have spoken to them individually.

6 **MR. ENGELMANN:** All right.

7 **MR. SHAVER:** And if they perceive that as
8 interference, then they have no idea what the Chief's job
9 is supposed to be.

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

11 Now, all of these individuals were in the
12 Association's bargaining unit at the time?

13 **MR. SHAVER:** Yes. All of them.

14 **MR. ENGELMANN:** Okay. Did that ever change
15 during your tenure?

16 **MR. SHAVER:** We tried to get it changed at
17 one point, which is I think was a souring point with my
18 senior people and my Staff Sergeants.

19 I think -- I believe it was 1989, I had been
20 talking to them, saying, "You guys have got to get into --
21 if you're going to be true managers, you've got to be on
22 the management team and cannot be controlled by the
23 Association and what they do".

24 They -- they -- it took a long time for them
25 to agree. They took a chance, sir, they came -- they came

1 forward. They put a request in to the Board.

2 The Board then took an extraordinary step in
3 my opinion -- an extraordinary step backwards in labour
4 negotiations, when they got to them and they decided they
5 wanted to negotiate the contract from scratch and tried to
6 get rid of a lot of things that were in the -- the men's
7 contract or the -- the main contract.

8 And they brought in an expert from Toronto
9 who treated them quite badly, I will tell you that, and it
10 hurt them and they just -- they -- they withdrew and said,
11 "To heck with this, we're going right back and we're going
12 to stay right where we are".

13 Because it should have been -- the
14 negotiations should have been, "Here's their contract and
15 here's what we're prepared to offer you, more if you will,
16 as senior officers of the Force".

17 **MR. ENGELMANN:** Okay. Just quickly then if
18 I can, sir, you wrote a response telling them you were not
19 going to be pressured into resigning; right?

20 **MR. SHAVER:** Absolutely, yes.

21 **MR. ENGELMANN:** And that's at Bates
22 page 591?

23 **MR. SHAVER:** M'hm.

24 **MR. ENGELMANN:** And you say you passed
25 things on to the Board for their decision?

1 **MR. SHAVER:** Yeah -- no, well, before that.
2 Before that, they -- there's another level that we seem to
3 be forgetting here.

4 **MR. ENGELMANN:** Oh, I'm going to get there.

5 **MR. SHAVER:** Okay. Well, that level is the
6 senior -- is the senior management team.

7 **MR. ENGELMANN:** But, sir, I'm just doing
8 this chronologically, if I can.

9 **MR. SHAVER:** But it wasn't passed on to the
10 Board until the senior management team had their comments.

11 **MR. ENGELMANN:** Right. Well, that's
12 April 4th, 1990, your response?

13 **MR. SHAVER:** Right.

14 **MR. ENGELMANN:** All right? And we go to
15 592.

16 **MR. SHAVER:** Yeah, that's the Deputy's ---

17 **MR. ENGELMANN:** Right, his response ---

18 **MR. SHAVER:** The Deputy's individual one,
19 yes.

20 **MR. ENGELMANN:** And concurs with your view?

21 **MR. SHAVER:** Right.

22 **MR. ENGELMANN:** That you should not be
23 forced to resign?

24 **MR. SHAVER:** Right.

25 **MR. ENGELMANN:** And then on April 6th, at

1 593, we see members of the executive team?

2 MR. SHAVER: Right.

3 MR. ENGELMANN: And these are people who
4 worked directly for you?

5 MR. SHAVER: They all worked directly for
6 me, yes.

7 MR. ENGELMANN: Right. And they agree with
8 you and the Deputy Chief that you should not resign?

9 MR. SHAVER: Absolutely, yes.

10 MR. ENGELMANN: And it's after that then it
11 then goes on to the Board?

12 MR. SHAVER: Then it goes on to the Board,
13 yes.

14 MR. ENGELMANN: Right, okay.

15 MR. SHAVER: That's the chain of command to
16 get to the Board.

17 MR. ENGELMANN: And the Board affirms its
18 support for you?

19 MR. SHAVER: They do.

20 MR. ENGELMANN: And it's in their response
21 of April 12th?

22 MR. SHAVER: Yes.

23 MR. ENGELMANN: And it does talk about the
24 fact that you're going to be attending a program ---

25 MR. SHAVER: Yes.

1 **MR. ENGELMANN:** --- to broaden your
2 management base?

3 **MR. SHAVER:** Executive development, yes.

4 **MR. ENGELMANN:** All right. And that's
5 something -- is that something they suggested?

6 **MR. SHAVER:** No, it's something I suggested
7 and they -- they agreed with.

8 **MR. ENGELMANN:** All right. And they also
9 indicate here -- and this is, of course, after the Board
10 meeting -- at paragraph 3, that they support the strategic
11 planning workshop?

12 **MR. SHAVER:** Yes.

13 **MR. ENGELMANN:** And they claim they're going
14 to support it for the next five years; that's the
15 suggestion?

16 **MR. SHAVER:** Yeah, they do, yes.

17 **MR. ENGELMANN:** All right. And they talk
18 about, at paragraph 5, how they want to be updated on an
19 ongoing basis or updated on progress made in solving the
20 problems identified and they say:

21 "... in the Cornwall Police Association
22 Morale Report and will depend on the
23 complete cooperation of all senior
24 officers ..."

25 -- et cetera.

1 So they're going to be looking at that?

2 **MR. SHAVER:** Yes.

3 **MR. ENGELMANN:** And they say:

4 "Having received the Morale Report from
5 the Association, the Board is aware
6 that certain matters need immediate
7 attention."

8 So they're going to be looking at that?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** And they say:

11 "Having received the Morale Report from
12 the Association, the Board is aware
13 that certain matters need immediate
14 attention."

15 So although they're affirming the support for you, they're
16 recognizing this Morale Report from the Association and
17 saying that certain matters do need immediate attention?

18 **MR. SHAVER:** Absolutely.

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

20 They are saying, however, that many of the
21 changes that are being requested should await the strategic
22 planning process?

23 **MR. SHAVER:** Yes, because we were in the --
24 we were in the middle of a strategic -- we were starting to
25 get in the whole process of strategic planning at this

1 time, so it was -- the Board knew that. They knew what we
2 were trying to accomplish. So we had a communications
3 protocol in place for communications in the Force. We
4 thought it was going to be a good thing and then we said
5 we'll take a look at strategic planning because if you --
6 if -- one of the things that -- in fact, it's going to be
7 in my recommendations to you, Mr. Commissioner, is that --
8 is that Board members -- I had 14 Board Members in five
9 years ---

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

11 **MR. ENGELMANN:** --- and the direction of one
12 would not be the direction of the other and none of them
13 had a -- none of them had a five-year strategic plan.
14 There was nothing that as a Chief of Police that I could
15 follow. There was -- it didn't say, well, in year one,
16 I'll do all of these things. We could bring back that --
17 bring that back to the Board and say, well, did you
18 accomplish what you -- what you said you were going to do,
19 Chief? We had none of that.

20 That's when I thought that we should have
21 the strategic plan and it was brought in as a result of all
22 of this. I mean, this was not a very pleasant time in ---

23 **MR. ENGELMANN:** I can imagine.

24 **MR. SHAVER:** --- the Cornwall Police
25 Department, not a very pleasant time for me.

1 I promoted all those staff sergeants. They
2 were my future so ---

3 MR. ENGELMANN: Well, sir, I just want then
4 to take you briefly to the strategic planning document ---

5 MR. SHAVER: Okay.

6 MR. ENGELMANN: --- that's prepared by ---

7 MR. SHAVER: Ms. McGlashan, yes.

8 MR. ENGELMANN: --- Ms. McGlashan in June.

9 MR. SHAVER: Where is that one, sir?

10 MR. ENGELMANN: It's Exhibit 1390. It
11 should be in one of the two binders you have.

12 MR. SHAVER: Thirteen nine zero (1390)?

13 MR. ENGELMANN: Yes, counsel, it's Document
14 Number 739 ---

15 MR. SHAVER: Yes.

16 MR. ENGELMANN: --- 891.

17 MR. SHAVER: I have that.

18 MR. ENGELMANN: And just briefly, this
19 arises out of what you've announced at the Board meeting
20 back in March?

21 MR. SHAVER: Yes.

22 MR. ENGELMANN: And if we look at Bates page
23 283, which is page 1 of the document, there was a two-day
24 meeting of the senior management team ---

25 MR. SHAVER: Yes.

1 **MR. ENGELMANN:** --- with the consultant.

2 **MR. SHAVER:** Yes.

3 **MR. ENGELMANN:** The people are listed there:
4 yourself, the Deputy, the three senior officers and five of
5 your staff sergeants?

6 **MR. SHAVER:** Yes.

7 **MR. ENGELMANN:** And you met with Ms.
8 McGlashan?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** And what took place during
11 the session is set out at the bottom of that page and then
12 onto the next page; correct?

13 **MR. SHAVER:** Yes.

14 **MR. ENGELMANN:** And at the bottom of page
15 284, it says:

16 "The end result of this process which
17 can take upwards of two years to
18 complete and make operational, will be
19 the first five-year strategic plan for
20 the Cornwall Police Force."

21 Correct?

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** And, sir, I understand that
24 in this report she would have gone through some of the
25 strengths and this would have been after the meeting with

1 the 10 of you ---

2 MR. SHAVER: M'hm.

3 MR. ENGELMANN: --- senior management team.

4 MR. SHAVER: That's right.

5 MR. ENGELMANN: Those are set out at page
6 287 or page 5 or your report.

7 MR. SHAVER: Correct.

8 MR. ENGELMANN: And they're listed there in
9 bullet form under "Strengths"?

10 MR. SHAVER: Yes.

11 MR. ENGELMANN: "The Force is running very
12 well in spite of the morale problems.
13 The Force is young and resilient. It
14 will bounce back..."

15 Et cetera. Okay?

16 MR. SHAVER: M'hm.

17 MR. ENGELMANN: And then the weaknesses are
18 set out on the following page at 288 ---

19 MR. SHAVER: Right.

20 MR. ENGELMANN: Some fairly significant
21 criticism:

22 "Fragmented and impotent senior
23 management team with insatiable
24 animosity."

25 MR. SHAVER: Well, start with the first one,

1 sir. Senior officers are divided on philosophies and
2 strategies and ---

3 **MR. ENGELMANN:** Yes.

4 **MR. SHAVER:** --- which leads directly into
5 the second one. You -- the senior officer -- the team did
6 not -- were not -- they weren't -- they weren't all in the
7 same boat where we were -- where we were going on
8 philosophies and our strategies to get there. They all had
9 different -- differing opinions.

10 **MR. ENGELMANN:** Okay.

11 **MR. SHAVER:** So when you get that, that's
12 when it comes out to be a fragmented and impotent senior
13 management team because the animosity was certainly there
14 because they -- no -- it was like no one was willing to
15 give in to take a compromised position. It was, "This is
16 my position. I'm not moving on it."

17 **MR. ENGELMANN:** But it seems there was a
18 real lack of trust?

19 **MR. SHAVER:** I don't think lack of trust. I
20 think it was just lack of -- lack of being able to say, "I
21 didn't do it right," you know, or "Maybe I was wrong." To
22 take the one step back and allow somebody else -- you know,
23 to concede something to someone else, and that just didn't
24 happen.

25 **MR. ENGELMANN:** I just suggested that, sir.

1 One of the bullets says:

2 "Lack of trust between the Chief and
3 the senior officers."

4 **MR. SHAVER:** Oh yeah, that did come up.

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

6 **MR. SHAVER:** No question.

7 **MR. ENGELMANN:** And again, they set out a
8 number of points. I'm not going to go through all of them,
9 but under the Strategic Issue Number 1, Management of the
10 Force, they start out with credibility and morale issues?

11 **MR. SHAVER:** Right.

12 **MR. ENGELMANN:** And that's at Bates page
13 291:

14 "Interpersonal relations, lack of
15 consultation, communication...lack of
16 team effort."

17 Those are all management issues; management of the Force
18 issues ---

19 **MR. SHAVER:** They are.

20 **MR. ENGELMANN:** --- that they ---

21 **MR. SHAVER:** They are.

22 **MR. ENGELMANN:** --- that they want to see
23 addressed in this strategic plan?

24 **MR. SHAVER:** Yes, absolutely.

25 **MR. ENGELMANN:** All right.

1 Now, sir, as I understand it, in December of
2 that year -- and we looked at this in the inspection report
3 -- there were follow-up meetings and further strategic
4 planning meetings?

5 **MR. SHAVER:** In December of 1991?

6 **MR. ENGELMAN:** Nineteen ninety (1990).

7 **MR. SHAVER:** Nineteen ninety (1990)?

8 **MR. ENGELMANN:** Yes.

9 **MR. SHAVER:** I'm going to have to think now.

10 **MR. ENGELMANN:** We looked at that -- that
11 was set out, sir, in the inspection report that we looked
12 at.

13 **MR. SHAVER:** Oh, yes. Yes, there was.
14 That's ---

15 **MR. ENGELMANN:** Exhibit 1390 was a ---

16 **MR. SHAVER:** That was a meeting with me and
17 all my senior staff. It's the senior officers, the staff
18 sergeants. That's -- that was without Ms. McGlashan. We
19 were working on our part of the strategic planning. It
20 took place at the Civic Complex over three days in
21 December.

22 **MR. ENGELMANN:** If you could give me a
23 minute, sir, I thought there was also a meeting with her in
24 December.

25 **MR. SHAVER:** There may well have been, but

1 I'm not sure which meeting you're talking about then, sir.

2 MR. ENGELMANN: I'll just be a moment, sir.

3 MR. SHAVER: Okay.

4 (SHORT PAUSE/COURTE PAUSE)

5 MR. ENGELMANN: I'll find it for you.

6 Sir, if you'll look at Exhibit 1391 ---

7 MR. SHAVER: All right.

8 MR. ENGELMANN: --- Bates page 527.

9 MR. SHAVER: Five two six (526), 527, yes.

10 MR. ENGELMANN: I'm sorry. I believe you're
11 correct. It says -- it's page 5 of your document ---

12 MR. SHAVER: Yes.

13 MR. ENGELMANN: "Subsequent to this
14 inspection, Chief Shaver conducted a
15 three-day strategic planning meeting..."

16 MR. SHAVER: Yes.

17 MR. ENGELMANN: "...December 3rd, 4th, 5th..."

18 MR. SHAVER: Right.

19 MR. ENGELMANN: "...1990..."

20 MR. SHAVER: Right.

21 MR. ENGELMANN: "...attended by senior
22 officers and staff sergeants."

23 MR. SHAVER: Exactly.

24 MR. ENGELMANN: All right.

25 "First day, discouraging. Second day,

1 mood shifts to one of optimism and
2 cooperation. December 12th, Chief
3 Shaver and the members of the group
4 that met on December 3rd, 4th and 5th
5 appeared before the Cornwall Police
6 Services Board to report on the results
7 of the meeting."

8 So you had meetings with your senior management team and
9 then you reported to the Board?

10 **MR. SHAVER:** Yes, I did.

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

12 **MR. SHAVER:** With them.

13 **MR. ENGELMANN:** Right.

14 And there's a reference to:

15 "Strong recommendation that she be
16 actively engaged and involved in the
17 implementation."

18 **MR. SHAVER:** Yes, in this interim period,
19 Ms. McGlashan was now sort of out of the process. She
20 wasn't funded. She was out of the process, and I kept
21 insisting that she has to be back in this process because
22 we had to keep this momentum going and, in fact, I know
23 that from the meeting on -- the meeting we had on December
24 3rd, 4th and 5th was -- I don't know if anybody else has been
25 talked -- talked about it before this Commission, sir, but

1 the first day was just, frankly, brutal. It was like,
2 quite frankly, sitting in there with a classroom of
3 children. All of us -- every one of them with their own
4 agenda; nobody willing to concede anything, and it was very
5 frustrating for everybody in the room. None of us -- none
6 of the people in the room would concede -- they wouldn't
7 concede anything and they wouldn't concede a point. At the
8 end of the day, I just, totally from a managerial
9 perspective, blew up as the Chief and said, "Listen; you
10 guys have got to stop acting like this," you know. And
11 they were all men at the time. I said, "Act like males and
12 start looking at this whole process." And to their great
13 credit, they all did and they performed from that day on,
14 from the next morning through those next two days,
15 phenomenally. They came up with suggestion after
16 suggestion of things that should be done and how we should
17 do it and I even went to the last -- even to the point of
18 saying, "Okay.

19 Let's start with a brand new police
20 department here, okay? Do you want to do this, you know,
21 from a democracy perspective? Let's start with a brand new
22 police department. Let's take all of the names of all of
23 the people on shift and we'll now start with who's going to
24 be the first staff sergeant in charge of "P" team, drew a
25 name, you're it. Who's the next staff sergeant? You're

1 it, you're it; you're it."

2 Then we said, "Okay, who's the sergeant
3 going to be. We allow the staff sergeant to pick a
4 sergeant, first one to pick", and we went down the line.
5 And then we went through every member of the Police
6 Department that were working all those teams.

7 I stayed out of it. I said, "You guys pick
8 them. You're going to be working with them everyday"
9 because I would hear, sir, from one team, "Well, how come I
10 get the three weak guys? How come I always get a weak
11 person on my team? Don't they get a lazy one or a
12 malingerer or something?"

13 I said, "Well, I don't know how that
14 happens. Maybe it's because you're the best or the
15 strongest manager. Maybe that's why you get them."

16 But we gave them an opportunity and everyone
17 left that meeting high, including myself, and the
18 Association came back and said, "That's the best move we've
19 ever seen here, where you went back and re-did the whole
20 department". And it meant, you know, transferring a lot of
21 people which was a real pain with courts as you can
22 understand, sir, when you're having four shifts.

23 But it was -- it was a really, really solid
24 move and these people, those staff sergeants and those
25 senior officers, came together and did it. And they did a

1 heck of a good job. More than that, they did a really good
2 job.

3 **MR. ENGELMANN:** Okay.

4 Sir, the next document I wanted to turn you
5 to, it's Document 101544.

6 Mr. Commissioner, it's the report on the
7 inspection follow-up visit to the Cornwall Police Service.

8 And, Mr. Shaver, I think it's a visit that
9 takes place on July 30th and August 1st, 1991.

10 **MR. SHAVER:** I'm sorry, where am I ---

11 **MR. ENGELMANN:** The Document Number is
12 101544.

13 **THE COMMISSIONER:** Just a second.

14 **MR. ENGELMANN:** Oh, I'm sorry, 17.

15 **THE COMMISSIONER:** All right. So you'll
16 need a new book.

17 **MR. SHAVER:** Yes, I was thinking.

18 **THE COMMISSIONER:** Do I have the new book?
19 Oh, yeah, what's the -- I'm sorry?

20 **MR. SHAVER:** Do I have it?

21 **THE COMMISSIONER:** It's the last book.
22 Yeah, you should it. It's the skinnier -- what's the
23 exhibit number?

24 **MR. ENGELMANN:** I'm sorry, it's 1767. This
25 was put in during the Deputy Chief's -- the former Deputy

1 Chief's evidence.

2 MR. SHAVER: Yeah, 17 -- I'm sorry, sir?

3 MR. ENGELMANN: Sixty-seven (67).

4 MR. SHAVER: Seventeen-sixty-seven (1767).

5 MR. ENGELMANN: My apologies. I had it
6 written down and I missed it.

7 MR. SHAVER: Okay.

8 MR. ENGELMANN: So, sir, this is the follow-
9 up visit to monitor progress and results.

10 MR. SHAVER: M'hm.

11 MR. ENGELMANN: Of the previous inspection?

12 MR. SHAVER: Right.

13 MR. ENGELMANN: From 1990 and also this
14 postdates of course this strategic plan session that you
15 had; correct?

16 MR. SHAVER: Yes.

17 MR. ENGELMANN: And the author's note --
18 first of all, the recommendation that had been made
19 previously at Bates page 491, Recommendation number 1:

20 "Services of Ms. Suzanne McGlashan may
21 be retained on an ongoing basis to
22 monitor the implementation of the
23 strategic plan."

24 And, of course, the action it just -- it
25 hasn't happened. And I think you told us ---

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** --- that you were
3 disappointed and that you had been pushing the Board, but
4 they just weren't buying into it at that time?

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** All right, because it does
7 even reference the minutes of the March 11th, '91 Board
8 meeting, "Reflected some tension to retain the services of
9 the consultant"?

10 **MR. SHAVER:** Right.

11 **MR. ENGELMANN:** Yet, it just hadn't
12 happened.

13 **MR. SHAVER:** Did not happen.

14 **MR. ENGELMANN:** Sir, it talks about a few
15 other recommendations that had been asked for.

16 Again, there was something about an internal
17 auditor that had been appointed by the Deputy Chief but ---

18 **MR. SHAVER:** Deputy Chief was appointed.

19 **MR. ENGELMANN:** Oh, the Deputy Chief was
20 appointed. Sorry, he seems to me was appointed the
21 internal auditor?

22 **MR. SHAVER:** Yes.

23 **MR. ENGELMANN:** But it talks about the fact
24 that sufficient procedures had not yet been developed.

25 At 492, it talks about inservice training

1 program not yet been developed.

2 At 493 ---

3 **MR. SHAVER:** Sir, can we back-up to the
4 Deputy Chief not being developed?

5 The Deputy Chief came from an auditing
6 background. He was an expert auditor and he did do a good
7 job with this. So I didn't agree with that particular
8 section, that statement that ---

9 **MR. ENGELMANN:** Okay. So you're not
10 agreeing with the advisors?

11 **MR. SHAVER:** No, I'm not agreeing with the
12 advisors.

13 **MR. ENGELMANN:** Okay.

14 **MR. SHAVER:** Are you asking me, sir, if I'm
15 agreeing with all of these things now or just ---

16 **MR. ENGELMANN:** No, these were just points
17 that they made.

18 **MR. SHAVER:** --- what you're saying.

19 **MR. ENGELMANN:** If you don't agree with them
20 though, I'd welcome your ---

21 **MR. SHAVER:** Please, okay. Thank you.

22 **MR. ENGELMANN:** --- your voice, but I'm just
23 making comments about some of the findings that they have
24 made with respect to some of the recommendations and you
25 were certainly *ad idem* though on the first one. They said

1 this person has not been retained and should have been and
2 you wanted that person retained?

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** They talk about issues on
5 inservice training and they say that's not been developed
6 through the management team concept. They talk about a
7 number of other things that have been set out. So this is
8 a report that comes shortly after the previous one, within
9 the year?

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** And they are just commenting
12 on some of the recommendations that have been implemented
13 and some that haven't?

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

15 For example, sir, the workload -- I just
16 happened to pick on this page -- the workload study was
17 completed between March 9th and April 5th of 1991 and June 28
18 and July 25 of 1991.

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

20 **MR. SHAVER:** We had talked about the
21 workload study before and we didn't -- I don't think we had
22 dates on it, sir.

23 **MR. ENGELMANN:** Yes. And do you know what
24 happened with that, sir?

25 **MR. SHAVER:** What happened with the study?

1 **MR. ENGELMANN:** Yeah.

2 **MR. SHAVER:** M'hm ---

3 **MR. ENGELMANN:** It said:

4 "The results of the study will be
5 discussed with the Chief of Police and
6 the Police Services Board."

7 **MR. SHAVER:** The ---

8 **MR. ENGELMANN:** That would have been a study
9 done by the auditors?

10 **MR. SHAVER:** Yes -- oh, done by the Police
11 Commission, not by our Police Commission.

12 **MR. ENGELMANN:** No, no, I meant these
13 auditor advisors.

14 **MR. SHAVER:** As I remember it, sir, it did
15 come back that we were sufficiently over everybody else in
16 terms of how we had to handle things, the amount of crime
17 and so on and so forth.

18 It did come back, making recommendations
19 that even though we were the same size as big places like
20 North Bay and Peterborough and so on, that our crime rate
21 was higher and our officers were under significantly more
22 pressure.

23 **MR. ENGELMANN:** And was something achieved
24 as a result of that study?

25 **MR. SHAVER:** Well, we made some changes,

1 sir, with -- and it came about through strategic planning
2 also. We made some changes. And the Morale Report,
3 actually, you know, having SOCO officers, that's a seasoned
4 crime officer on every team, so we could take the pressure
5 off the Ident unit and these people go could go back out
6 and do preliminary ident work on cases that were minor.

7 You know, the person said, "Well, my house
8 was broken into and this glass was broken". You know,
9 that's how they got in. They might be able to go and dust
10 the scene, that type of thing.

11 We did that. We came back with secondary
12 complaints officers where we took people that were maybe
13 off duty because they had injured themselves on duty, but
14 we decided to take about 25 percent of our workload.

15 It's almost like it's a nuisance call for
16 us, sir. It would be like, "Somebody broke into my
17 backyard and stole the lawn chairs that I bought from
18 Sears". "Well, what were they like?" "Well, like every
19 other lawn chair that Sears had", so the chance of us ever
20 finding those chairs are pretty remote because there are no
21 serial numbers or anything.

22 We would take that as a secondary complaint.
23 The officer would then call the person back, call the
24 citizen back, and say, "Listen, do you have any more
25 information?" or "We haven't found your bicycle". Bicycles

1 were the big thing. We probably had a couple of thousand
2 bicycles a year stolen here, sir. And nobody -- nobody
3 cared about it because it was all insurance claims, so they
4 ended up with a better bicycle is what happened.

5 So that's the kind of -- that's the kind of
6 thing we tried to do with the secondary complaints. It was
7 everything to relieve the officer on the road because we
8 had -- there was so much pressure on that officer on the
9 road and I felt very, very badly for them because I would
10 come in and see them at night and they hadn't eaten. They
11 were going call to call to call to call. I used to sit
12 back and listen to of course my radio in the evening. I'd
13 listen to how many calls they'd go to and it was awful. I
14 mean, these guys were working their tails off; guys and
15 gals.

16 **MR. ENGELMANN:** Sir, just to finish on this
17 document, if I may.

18 **MR. SHAVER:** Okay.

19 **MR. ENGELMANN:** There are some comments at
20 Bates page 495 with respect to some of the recommendations
21 that had been met or not.

22 **MR. SHAVER:** Okay.

23 **MR. ENGELMANN:** They bring up, again, the
24 issue about the implementation of the strategic plan in the
25 first couple of paragraphs.

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** Now, this is again now the
3 summer of 1991?

4 **MR. SHAVER:** Yes.

5 **MR. ENGELMANN:** They talk about some other
6 issues and then in the conclusion at 497 they talk about
7 the fact that they discussed in detail some of the
8 recommendations and the status of the strategic plan with
9 you and with members of the Board during their visit?

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

11 **MR. ENGELMANN:** Clearly, they were in
12 support of this happening, the strategic plan?

13 **MR. SHAVER:** They were.

14 **MR. ENGELMANN:** They said they noted:

15 "An improved spirit in the organization
16 during their visit."

17 Presumably from the fall of the year before,
18 and they're hoping that:

19 "The improvement in productivity will
20 continue in the months following the
21 visit."

22 And they talk about the need for people to
23 work together here, both the Board, the Chief, the senior
24 officers and the Association?

25 **MR. SHAVER:** Right.

1 **MR. ENGELMANN:** Do you know, sir -- this is
2 now the summer of 1991.

3 **MR. SHAVER:** Right.

4 **MR. ENGELMANN:** And getting a fairly clear
5 direction that you really need a strategic plan?

6 **MR. SHAVER:** Right.

7 **MR. ENGELMANN:** And I understand, sir, that
8 you work on something in the spring of 1993, and I believe
9 that may be on your own initiative.

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** What happens for the year
12 and a half or so before then?

13 **MR. SHAVER:** As it turned out, Ms.
14 McGlashan, I think, had either lost her job in Ottawa --
15 she was the human resources manager or something to that
16 effect in Ottawa. I can't remember exactly what it was.
17 But when we got back to being able to have her come, she
18 was unable to come. She was unable.

19 So we go through all of this process of
20 having her there through the first part and then she's sort
21 of left alone, and then when we want to bring her back in
22 she was not available to come back in.

23 **MR. ENGELMANN:** Because it does say in the
24 comment section at Bates page 495 that she's going to be
25 attending board meetings on a regular basis.

1 **MR. SHAVER:** Yes. That was the intent at
2 the time, yes.

3 **MR. ENGELMANN:** And that didn't happen?

4 **MR. SHAVER:** I can't remember her -- she may
5 have attended some board meetings, sir. I think you'd have
6 to look at the board minutes for that. You know, she was -
7 - she was very good. She was a very good facilitator.

8 **THE COMMISSIONER:** Okay. But -- so if you
9 lost her, was there any attempts made to get another
10 facilitator?

11 **MR. SHAVER:** Well, that was the -- this --
12 sir, this sort of went into '92, kind of into the '92
13 period.

14 **THE COMMISSIONER:** Right.

15 **MR. SHAVER:** They -- I wanted a facilitator.
16 Basically, we came back to, "Well, look, you have enough
17 information. She gave us all the information. Maybe we
18 should start looking at putting this stuff together in a
19 five-year plan."

20 Her information she gave back to us was
21 basically raw data, and now it was up to us to say, okay,
22 year one, year two and break it out, which is what I
23 attempted to do in my strategic plan document.

24 **THE COMMISSIONER:** Right.

25 **MR. SHAVER:** So by the time that got back to

1 the Board, it was really -- remember, she said it was going
2 to be a one to two-year period before we could ever get
3 this thing fixed and finished, and I saw there was no
4 progress being made on it. We were slipping backwards on
5 it. So I said I'll just take it on my own to take
6 everything that she has, put it into a document that we can
7 use and then present that to the Board, which is what I
8 ended up doing.

9 **THE COMMISSIONER:** Fair enough.

10 Mr. Engelmann, maybe it's time for the
11 afternoon break?

12 **MR. ENGELMANN:** Yes, sir. Thank you.

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

15 This hearing will resume at 3:20.

16 --- Upon recessing at 3:06 p.m./

17 L'audience est suspendue à 15h06

18 --- Upon resuming at 3:24 p.m./

19 L'audience est reprise à 15h24

20 **THE REGISTRAR:** Veuillez vous lever.

21 This hearing is now resumed. Please be
22 seated. Veuillez vous asseoir.

23 **THE COMMISSIONER:** So, Mr. Engelmann, can we
24 talk a little bit about time ---

25 **MR. ENGELMANN:** Yes.

1 **THE COMMISSIONER:** --- and how we're going
2 to orchestrate this week?

3 **MR. ENGELMANN:** Yes. Sir, I had indicated
4 to my friends that I anticipated the chief would be between
5 11 and 13 hours, and I hope to be finished no later than
6 Wednesday morning at the break.

7 **THE COMMISSIONER:** Right.

8 **MR. ENGELMANN:** I understand you might be
9 prepared to sit a bit later today than the norm on a 9:30
10 day, 5:15 - 5:20, thereabouts.

11 **THE COMMISSIONER:** Sure.

12 **MR. ENGELMANN:** Just by way of background, I
13 want to finish up some of these audits and plans and then
14 the former Chief's retirement and then, sir, we go into
15 issues about investigations, and there are a number of
16 investigations that took place during his tenure.

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

18 **MR. ENGELMANN:** So I'm hoping to start with
19 them chronologically. We'll see how times goes.

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

21 **MR. ENGELMANN:** This witness is from out of
22 the country, sir. He has counsel here, as you know. It's
23 important that we finish him this week.

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

25 **MR. ENGELMANN:** I would hope -- it may be

1 completely unrealistic, but hope to try and finish him late
2 on Thursday or, if not, Friday morning.

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

4 **MR. ENGELMANN:** We have two other matters we
5 could occupy time with on Friday, one being the motion with
6 respect to Officer Lefebvre; the second being the possible
7 continuation of the former Deputy Chief Joseph St. Denis'
8 evidence in-chief.

9 **THE COMMISSIONER:** Okay. So let's aim for
10 that in the sense that we'll sit later tonight and
11 certainly on Wednesday and Thursday we can do the same and
12 we'll see where we go.

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

14 **THE COMMISSIONER:** All right?

15 **MR. ENGELMANN:** Thank you, sir. And I've
16 spoken to the witness and he'll let us know if he's got any
17 issues.

18 **THE COMMISSIONER:** Yes, you will let us
19 know?

20 **MR. SHAVER:** Yes, I will, absolutely, sir.

21 **THE COMMISSIONER:** Okay. Good. Thank you.

22 **CLAUDE SHAVER, Resumed/Sous le même serment:**

23 --- EXAMINATION IN-CHIEF BY/ INTERROGATOIRE EN-CHEF PAR MR.
24 ENGELMANN (Cont'd/Suite):

25 **MR. SHAVER:** Mr. Engelmann, before we start,

1 could I ask a question? I want to make sure that the
2 Commissioner hears everything about when the strategic
3 planning process stopped. Can you tell me when -- when the
4 Board changed and Mayor Martelle came in, what -- was that
5 November of '91 or November of '92?

6 **MR. ENGELMANN:** We'll get that for you. I
7 can't tell you that off the top of my head.

8 **MEMBER:** It's not -- Mr. Manderville -- It's
9 not '92, that's for sure.

10 **MR. SHAVER:** It's '91, I think, yes.

11 **MR. ENGELMANN:** Ninety-one ('91).

12 **MR. MANDERVILLE:** Municipal elections, '88,
13 '91, '94, and '97.

14 **MR. ENGELMANN:** It could be the fall of '91,
15 sir.

16 **MR. SHAVER:** Yes. And just one other
17 question or one other comment. I wanted to talk about Ron
18 Adams because Ron Adams is the Chair of my Board because
19 when Mayor Martelle came in, the Board changed and Ron
20 Adams died in that short period of time in there.

21 So that's -- I just wanted to make sure
22 because Ron Adams -- I think you were on the question of
23 what happened to the strategic plan? Well, Ron Adams, who
24 was the champion of the plan, from the Board's perspective,
25 ended up passing away, unfortunately, and then the next

1 election and then the NDP election also changed the Board
2 again.

3 So that's -- so the Board, for all intents
4 and purposes, had no one on it who knew anything about the
5 strategic planning process and all of the work that had
6 gone into it when they came on the Board, and I thought
7 that was an important issue because -- and we also had
8 severe money situations, sir, at that stage. Our budgets
9 were cut back incredibly.

10 So there were several other contributing
11 factors to the fact that the strategic planning process
12 never -- never continued when it was on this high at this
13 particular point.

14 **MR. ENGELMANN:** Just, if I can, and
15 hopefully my memory is correct; I believe Mr. Rae was
16 elected in the summer of 1990.

17 **THE COMMISSIONER:** That's right.

18 **MR. ENGELMANN:** So there would have been
19 presumably a change then, as you've indicated, these
20 provincial appointments, and there would have been a
21 municipal election in the fall of 1991.

22 **MR. SHAVER:** Mr. Rae's appointments did not
23 appear -- they didn't come as quickly as the others when
24 the Liberals took over. We had Liberals the next day,
25 basically, that kind of thing, and the Conservatives ---

1 **MR. ENGELMANN:** Some people do those things
2 faster than others.

3 **MR. SHAVER:** Yes. Yes, that's the impulsive
4 people.

5 **THE COMMISSIONER:** You had appointments.

6 **MR. SHAVER:** Sir, that -- yes, and that
7 really was ---

8 **MR. ENGELMANN:** Probably more experienced.

9 **MR. SHAVER:** They probably were experienced,
10 yes. That was -- that's a really important point to
11 understand where we are in this planning process and why
12 this process all of a sudden sounds, to the rank and file,
13 like it's been derailed and it -- it really has been
14 derailed but not through anybody's fault. It's through a
15 whole bunch of circumstances that had taken place.

16 **MR. ENGELMANN:** Well, you indicated to us
17 some of the personal circumstances of the individual
18 involved as well.

19 **MR. SHAVER:** Exactly. Exactly.

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

21 **MR. SHAVER:** And Ron Adams passing was the -
22 - was for me the worst part of all of that because I liked
23 Ron Adams.

24 **MR. ENGELMANN:** And when was that, sir?

25 **MR. SHAVER:** I believe it was '91. I can't

1 remember if it was the -- or into the early part of '92.

2 I'm not -- I can't remember, sir, but ---

3 **MR. ENGELMANN:** All right.

4 Well again, and I don't -- this isn't to be
5 a memory test and if you don't remember the answer that's
6 fine.

7 Rick Hart was assigned the role of being
8 your strategic planning officer?

9 **MR. SHAVER:** He was.

10 **MR. ENGELMANN:** You assigned him to that
11 role, sir?

12 **MR. SHAVER:** I did.

13 **MR. ENGELMANN:** And do you recall
14 approximately when that would have been? It would have
15 been after this inspection report we looked at? That was
16 the summer of '91; is that fair?

17 **MR. SHAVER:** It would have been because that
18 was my only other option that I had available. I had no
19 outside resources, so I had to come inside.

20 **MR. ENGELMANN:** And what were his duties
21 then, as the strategic planning officer, sir?

22 **MR. SHAVER:** I think he was to set up all of
23 the meetings. He was to look at the entire strategic plan
24 that Suzanne McGlashan had prepared, to take, you know, the
25 various points out and start putting it -- lumping it into

1 places. Sergeant Carter was an extremely proficient man.

2 MR. ENGELMANN: All right.

3 And, sir, as we discussed briefly before,
4 you yourself prepared a form of strategic plan in March of
5 1993 and presented it -- presented it to the Board.

6 MR. SHAVER: It was presented in March of
7 '93, but I was working on it. I probably worked on it with
8 Sergeant Carter.

9 MR. ENGELMANN: That's what I wanted to ask.

10 MR. SHAVER: Yes, I probably worked on it
11 with him throughout the process, setting it up.

12 MR. ENGELMANN: Do you know if you consulted
13 with other stakeholders in doing that?

14 MR. SHAVER: Yes, I did.

15 MR. ENGELMANN: All right.

16 MR. SHAVER: Yes, I did.

17 MR. ENGELMANN: So for example, the Board or
18 senior management?

19 MR. SHAVER: I did not consult with the
20 Board because it was going to be a presentation for them.
21 I would have consulted with my senior managers, making sure
22 that the stuff that we were putting down was correct and we
23 also -- sir, at that stage of the game we were involved in
24 so many meetings, it was incredible. We were meeting to
25 death. We were meeting on the social contract with the

1 NDP, employment equity contract. We were meeting on
2 strategic planning.

3 MR. ENGELMANN: Was a lot of this happening,
4 sir, in the '92 - '93 year?

5 MR. SHAVER: The '92 - '93, absolutely, yes.

6 MR. ENGELMANN: All right.

7 And, sir, when is it that you make a
8 request? As I understand it, you make a request for an
9 inspection of the Cornwall Police Services or the Cornwall
10 Police Services Board.

11 MR. SHAVER: It was in '93.

12 MR. ENGELMANN: Do you recall when?

13 MR. SHAVER: I think about February, maybe
14 March at the outside, but I think it was February.

15 MR. ENGELMANN: All right. And --- you ask
16 the Chair ---

17 MR. SHAVER: Yes, I did.

18 MR. ENGELMANN: ---to write, and you want an
19 inspection of the Board or you want an inspection of the
20 Service, or what do you want?

21 MR. SHAVER: Two ways, sir.

22 The Board -- the Board at that time, sir,
23 was not functioning at all, in my opinion, that's solely my
24 opinion. Not because there weren't really good people on
25 the Board; there were. But there were two different camps,

1 two split camps. The Mayor Martelle camp and the Courville
2 camp and Angelo Towndale was kind of left in the middle, he
3 was kind of the swing vote.

4 And it just wasn't functioning at all
5 because, as a perfect example, when I brought up the
6 strategic planning process, Mayor Martelle totally, totally
7 disagreed at the top of his lungs.

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

9 **MR. SHAVER:** And said that that was not a
10 job that we were -- that I was to do or anybody in the
11 Police Force and that he and the Board would do that.

12 **MR. ENGELMANN:** All right. And do you
13 recall, sir, if you asked for the inspection after the
14 rejection of your strategic plan or before?

15 **MR. SHAVER:** I don't recall, sir. I don't
16 know. It would have been very close to the same time.

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

18 **MR. SHAVER:** For sure.

19 **MR. ENGELMANN:** I was just wondering if the
20 Board rejects your plan that you've worked on, your
21 strategic plan, and then at that point, it's the last
22 straw, you ask the Board Chair to ask for the inspection?

23 **MR. SHAVER:** It may well have been, sir, I
24 can't remember. It was at very close proximity, proximics
25 to one another.

1 **MR. ENGELMANN:** And you were on good terms
2 with the Board Chair, Mr. Courville?

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** All right. And he did in
5 fact ask for that inspection for you?

6 **MR. SHAVER:** He did. He did.

7 **MR. ENGELMANN:** And that inspection took
8 place in the summer of 1993?

9 **MR. SHAVER:** Summer of '93. Yes.

10 **MR. ENGELMANN:** All right. And I believe,
11 sir, you'll have that near you, it's Exhibit 1393.

12 **MR. SHAVER:** Thirteen ninety-three (1393)

13 **MR. ENGELMANN:** Counsel, that's document
14 number 729854.

15 **THE COMMISSIONER:** Sorry.

16 **MR. SHAVER:** Sorry, sound man.

17 **THE COMMISSIONER:** No that was -- actually
18 thank you but that was me that did that.

19 **MR. SHAVER:** Oh, I'll take the blame for
20 you, sir, no problem.

21 **MR. ENGELMANN:** Sir, it's my understanding
22 this report was completed in November. It's actually
23 received sometime in early December, and it refers to
24 inspections that took place in the months of July and
25 August.

1 MR. SHAVER: Yes.

2 MR. ENGELMANN: Is that fair?

3 MR. SHAVER: Yes.

4 MR. ENGELMANN: All right.

5 And, at Bates page 71, second paragraph, in
6 the Executive Summary, the advisors or auditors note that
7 the Police Services Board Chair, in his letter to the
8 Ministry, requesting the inspection, mentions serious
9 concerns about management, the relationship among
10 stakeholders and morale.

11 Based on these concerns, it was determined
12 that the primary focus would be selective, i.e., on human
13 resource issues.

14 "Matters relating to morale were
15 reviewed in the context of the
16 definition outlined below. And
17 they state morale and attitude of
18 satisfaction with desire to
19 continue in, and willingness to
20 strive for, the goals of a
21 particular group or organization."

22 MR. SHAVER: Right.

23 MR. ENGELMANN: All right?

24 So they set out the fact that this has been
25 requested, set out some profile on Cornwall before and I

1 think you just told us why you thought this inspection --
2 why you wanted this inspection done.

3 MR. SHAVER: Why I wanted it done?

4 MR. ENGELMANN: Yes.

5 MR. SHAVER: I wanted it done basically for
6 three reasons, because the first reason is that -- is that
7 the -- where the Board was, the -- we needed -- we needed
8 governance, you know. And as any organisation needs, you
9 need to have a place that you can go, where you have solid
10 governance and it's -- and it's -- what's the word I want
11 to use -- where it's uniform and it sort of falls back on
12 everything else that we had done up to and including that
13 point, and that was not happening.

14 We were just in a -- it was literally a
15 battle about everything. It was a battle about money, it
16 was a battle about resources, it was a battle, many, many
17 battles that ---

18 MR. ENGELMANN: All right.

19 MR. SHAVER: --- I had never seen before in
20 the years. So that was the number one issue.

21 MR. ENGELMANN: So that would have been --
22 that would have been a reason to have an inspection of the
23 Board?

24 MR. SHAVER: Of the Board.

25 MR. ENGELMANN: All right.

1 **MR. SHAVER:** And it originally started out
2 that's what was going to be. And we looked at it and said
3 "No, let's just do this. Let's have them come in and take
4 a look and make recommendations".

5 So this report is not balanced, sir, as you
6 can probably tell when you read it. It doesn't talk about
7 the good things. They were asked to come in to do this
8 kind of report. It was -- it's not a -- it's not going to
9 say that, "Oh yeah, we were wonderful on the one side but
10 we didn't do this on the other".

11 I think they do it a bit throughout this
12 process but it was designed to say here are solid
13 recommendations that have to go in and you must -- you must
14 do this. That's how it was designed.

15 So I guess that's two points, maybe two and
16 one half points, so -- as opposed to three.

17 **MR. ENGELMANN:** All right. But the problems
18 weren't just between senior management and the Board; there
19 were still ongoing problems within the organization itself?

20 **MR. SHAVER:** Oh, absolutely. Yes, there
21 were. There were.

22 **MR. ENGELMANN:** All right. And the advisors
23 were onsite for a preliminary review and visit on July 12th
24 and 13th ---

25 **MR. SHAVER:** Right.

1 **MR. ENGELMANN:** --- according to this
2 document?

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

4 **MR. ENGELMANN:** They would have met with you
5 and others, sir, at that time?

6 **MR. SHAVER:** They would always meet with me
7 first, obviously.

8 **MR. ENGELMANN:** Yes.

9 **MR. SHAVER:** Yes and they would be -- then
10 they would just go on their way. We would just set up the
11 appointments for them.

12 **MR. ENGELMANN:** And it said -- they just
13 comment on that at the bottom of Bates 71:

14 "The insights, observations,
15 documentation provided by the
16 Chief, the entire Police Services
17 Board and members of the
18 Association Executive assisted the
19 advisors in establishing the
20 attached inspection/audit plan."

21 **MR. SHAVER:** Yes.

22 **MR. ENGELMANN:** They talk about several of
23 the issues of significance on the following page and they
24 cite the fact that they were there for some 18 days.

25 **MR. SHAVER:** Right.

1 **MR. ENGELMANN:** So again, this is a fairly
2 extensive inspection?

3 **MR. SHAVER:** Yes, it was.

4 **MR. ENGELMANN:** This would be similar to the
5 Level 3 we looked at earlier?

6 **MR. SHAVER:** Yeah, and that's what it was
7 intended to be right from the beginning.

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

9 Now, I understand, sir, after that
10 preliminary visit you actually wrote to the advisors during
11 the summer of 1993 and that's in your exhibit binder at
12 1392.

13 **THE COMMISSIONER:** Was that before the visit
14 or after the visit?

15 **MR. ENGELMANN:** There was a preliminary
16 visit, sir ---

17 **THE COMMISSIONER:** Yes.

18 **MR. ENGELMANN:** --- July 12th and 13th.

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

20 **MR. ENGELMANN:** And then the actual visits
21 for the inspection are the week of July 26th. You'll see
22 this at the top of Bates page 72.

23 **THE COMMISSIONER:** What exhibit again?

24 **MR. ENGELMANN:** Sorry, it's Exhibit ---

25 **THE COMMISSIONER:** Thirteen?

1 **MR. ENGELMANN:** Thirteen ninety-three
2 (1393).

3 **THE COMMISSIONER:** Right, Mr. Engelmann.

4 **MR. ENGELMANN:** On Bates page 071 at the
5 bottom.

6 **THE COMMISSIONER:** Zero seven -- yes.

7 **MR. ENGELMANN:** They talk about an onsite
8 visit and preliminary review, July 12th and 13th. This is
9 all 1993.

10 **THE COMMISSIONER:** Yes.

11 **MR. ENGELMANN:** Then at Bates page 072,
12 first paragraph --- **THE COMMISSIONER:** M'hm.

13 **MR. ENGELMANN:** ---they say follow-up visits
14 were undertaken July 26th to 30th, August 3rd to 6th and
15 August 16th to 20th, for a total of 18 days onsite.

16 **THE COMMISSIONER:** Yeah. That's not my
17 question.

18 **MR. ENGELMANN:** Oh, I'm sorry.

19 **THE COMMISSIONER:** My question was ---

20 **MR. ENGELMANN:** You're wondering about the
21 letter that's written?

22 **THE COMMISSIONER:** Yeah.

23 **MR. ENGELMANN:** The letter that's written is
24 between those two visits.

25 **THE COMMISSIONER:** Okay.

1 **MR. ENGELMANN:** That's Exhibit 1392.

2 **MR. SHAVER:** Right.

3 **MR. ENGELMANN:** And it's a letter dated July
4 22nd.

5 **THE COMMISSIONER:** That's right.

6 **MR. SHAVER:** Right.

7 **MR. ENGELMANN:** From then Chief Shaver to
8 the two advisors.

9 **THE COMMISSIONER:** Yeah.

10 **MR. ENGELMANN:** Right?

11 **THE COMMISSIONER:** Yeah.

12 **MR. ENGELMANN:** So between the preliminary
13 visit and the formal inspection, if I can call it that, you
14 wrote to the two advisors?

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** And you wrote the letter
17 that we see as Exhibit 1392; correct?

18 **MR. SHAVER:** Yes, which was intended to be
19 an in-house document by the way; never to be -- never to be
20 used in a public forum, obviously.

21 **MR. ENGELMANN:** Okay. I'm not sure if you
22 ever gave permission for it to be released by anybody, but
23 here it is, and it was put in through a witness some time
24 ago.

25 **MR. SHAVER:** Really?

1 **MR. ENGELMANN:** So can you tell us why you
2 wrote this letter at that time?

3 **MR. SHAVER:** I think, sir, it was at a
4 series of -- like just total frustration that something had
5 to be done and I don't think that -- I think that the Chief
6 had to -- I took the extraordinary stance of saying:
7 "Listen, you have to understand what's happening here, not
8 what's happening in Metro Toronto", which was -- which was
9 generally the advisors' thinking.

10 Everything came out of the Golden Horseshoe
11 and if it wasn't in the Golden Horseshoe it didn't exist.
12 So it had -- you had to take a look at this city's
13 situation and I think that they had to hear this because if
14 they were going to come in and listen to the -- and make
15 recommendations, because at that -- at this stage of the
16 game, sir, I had decided I was going to retire.

17 **MR. ENGELMANN:** You had decided?

18 **MR. SHAVER:** I had decided -- I decided
19 before I wrote this letter that I was -- that I was
20 retiring.

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

22 **MR. SHAVER:** And I wanted to -- I wanted to
23 clear the decks as much as I possibly could so that when
24 Carl Johnston got here, I didn't realise it was going to be
25 Carl Johnston but, that whoever was going to come in, when

1 he came in with his recommendations he would have as clear
2 an understanding of what was going on and he would be able
3 to implement the recommendations very much the way that I
4 did when I came in in '82.

5 I didn't have any interference in '82. I
6 wasn't caught up in old things. I could come back in, look
7 at the recommendations and implement the recommendations.
8 I wanted the same thing for Carl Johnston, or the person
9 that came in who happened to be Carl Johnston.

10 **MR. ENGELMANN:** So why write to them?
11 They're going to come back; you're going to have private
12 meetings. Why not just meet with them?

13 **MR. SHAVER:** Well, sir, I was at the point
14 where I was so frustrated with this whole process that I
15 said I'm going to put it on paper. And again, I wanted to
16 put it on paper and give it to them in the strongest
17 possible terms so that they understand that there are
18 things happening here that they may not -- you know, that
19 they may hear bits and pieces of, but here's one time from
20 the Chief's perspective, and I have no axes to grind here.
21 I want the very best for my police department. I wanted
22 them to be really successful.

23 **MR. ENGELMANN:** Okay. But just on that
24 point ---

25 **MR. SHAVER:** Okay.

1 **MR. ENGELMANN:** --- I mean, no axes to
2 grind, I mean, there are a lot of people that have been
3 very critical of you not too long before this.

4 **MR. SHAVER:** Well, sir, that's their
5 prerogative.

6 **MR. ENGELMANN:** No, fair enough.

7 **MR. SHAVER:** And I -- because they're
8 critical of me, sir, it doesn't mean I'm going to be
9 critical of them.

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

11 And you mark this confidential. Did you
12 want them to actually use this information?

13 **MR. SHAVER:** Yes. I wanted them to know the
14 information when they were doing the audit.

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

16 And you use some fairly strong language.

17 **MR. SHAVER:** I do.

18 **MR. ENGELMANN:** As you knowledge.

19 **MR. SHAVER:** I do.

20 **MR. ENGELMANN:** For example, at the bottom
21 of the first page you talk about -- well, before we even
22 get to the bottom you say:

23 "There was and it continues today a
24 cancerous rot ..."

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

1 **MR. ENGELMANN:** "...in which the Service eats
2 itself from the inside."

3 **MR. SHAVER:** Right.

4 **MR. ENGELMANN:** And then you make a comment
5 about:

6 "The history of the Service shows
7 repeated internal attempts of coups
8 which were specifically designed to
9 oust or discredit various members of
10 the Service."

11 You talk about issues about former
12 superintendents, inspectors and chiefs.

13 **MR. SHAVER:** Right.

14 **MR. ENGELMANN:** And then the deputy chief
15 and yourself. You say:

16 "The attacks were personal, brutal and
17 most times without solid foundation but
18 their effects have had a devastating
19 effect on the Service. General rules
20 of the game were to create and spread
21 malicious rumours until they are
22 repeated as fact. Discredit those in
23 authority, bring them down to the
24 lowest level possible and destroy their
25 health and spirit. These are not words

1 invented by me but part of the lexicon
2 of the Cornwall Police Service."

3 Those are very strong words, sir.

4 **MR. SHAVER:** Absolutely. They were intended
5 to be.

6 **MR. ENGELMANN:** Sir, if you're doing this
7 and doing it so forcefully, why not do it in an open way?
8 Why not be transparent? If you know you're going anyway,
9 why do it confidential?

10 **MR. SHAVER:** It was confidential for them so
11 that they can have an understanding of what was going on.

12 Their process is all open. They didn't have
13 to agree with any of these things. I just wanted them to
14 hear and to look back and say, "Now, listen, there's a
15 history here and what is the history?" And the history
16 was -- the history was exactly as I described it there.

17 You know, the '78 audit showed that, you
18 know, anonymous letters being sent up and people reacting
19 to anonymous letters. It's just -- it boggles my mind, as
20 a Chief, that if I got an anonymous letter I'm certainly
21 not going to be reacting to it, especially if it's talking
22 about one of my people.

23 So that's the kind of thing that went on and
24 it's the kind of thing that happened, and when you start
25 it's like spreading a rumour; as soon as you repeat it the

1 second time it becomes fact somewhere to someone else and
2 then it's repeated again.

3 MR. ENGELMANN: All right.

4 Well, on the next page under the caption
5 "How Did This Come About?" ---

6 MR. SHAVER: Right.

7 MR. ENGELMANN: --- you seem to talk about
8 all sorts of difficulties ---

9 MR. SHAVER: Yes.

10 MR. ENGELMANN: --- that Cornwall has.

11 MR. SHAVER: Yes.

12 MR. ENGELMANN: I don't want to repeat them
13 all, but we ---

14 MR. SHAVER: Yes.

15 MR. ENGELMANN: --- you know, you've been
16 here for long enough, you've heard ---

17 MR. SHAVER: M'hm.

18 MR. ENGELMANN: --- even as I have today,
19 heard many of these comments.

20 MR. SHAVER: Yes.

21 MR. ENGELMANN: But in reading it, it
22 appears you're suggesting that this -- some of the issues
23 that are out there in the community are the reasons or
24 perhaps excuses for a problem of poor morale ---

25 MR. SHAVER: No.

1 **MR. ENGELMANN:** --- in the Police Force.

2 **MR. SHAVER:** No, sir, not in the least.

3 **MR. ENGELMANN:** All right.

4 Well, the reason I say that, sir, is you
5 talk for two paragraphs about some of the -- some of the
6 criticisms of the city, some of the difficulties here, and
7 some of the trouble that many citizens find themselves in.

8 **MR. SHAVER:** Right.

9 **MR. ENGELMANN:** And you say at the bottom of
10 the page:

11 "Low morale has been linked by the
12 public officials and supported by the
13 Cornwall Police Association to our
14 Service, but I submit morale in this
15 entire community is poor and single out
16 the police is a most unfair focus."

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** That's the reason I made
19 that comment.

20 **MR. SHAVER:** Oh, okay.

21 **MR. ENGELMANN:** Do you see -- do you see the
22 link there? That's what it appears, sir.

23 **MR. SHAVER:** Well, sir, it may appear that
24 way, but that was not the -- that's not the -- that's not
25 what it was designed to do.

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

2 **MR. SHAVER:** It was simply, "Listen, there's
3 a set of historical facts that you have to take a look at.
4 You have to take a look at this community as a separate
5 community from anything in Metro or any other community in
6 the province because we have separate -- we have things
7 here that no one else at the time -- and we have all of the
8 other things. We have the NDP contract and the social
9 contract. We have all of those other issues that are
10 coming, the changes in policing. We have every other issue
11 every other police department has, but throw on top of that
12 the historical issues that we had in this department or in
13 this city and that's -- these officers, the officers that
14 live here all have family here and if it's affecting -- if
15 it's affecting their family, it's affecting them.

16 And I saw it. I saw it literally every day.
17 I mean, I think as Leo -- I think Mr. Courville suggested
18 that we lost 40 industries in that particular period of
19 time, as I remember. I saw part of his evidence. And
20 that's true. We lost 40 industries in this community.

21 So those were 40 industries with an awful
22 lot of jobs that just disappeared, and when you have that,
23 one of the things that happens as a result of that is your
24 crime rate goes up. The calls for your police officers
25 have to come back, more calls, more calls for police

1 officers.

2 So as the economy slowed down, as the money
3 shrunk for policing, which we had, you know, we didn't have
4 any money through that -- those three years, '90, '91, and
5 '92 and right up to '93, we didn't have any money. We
6 couldn't -- we couldn't -- there was nothing new we could
7 do. We had to basically survive with what we had or cut
8 back.

9 So that -- those are things. Now, if the --
10 if the inspectors wanted to read this and say, "Okay,
11 that's good, I'll take that into consideration and perhaps
12 maybe ask questions in the community about that", that's
13 what I was hoping they might do.

14 **THE COMMISSIONER:** All right.

15 **MR. ENGELMANN:** But, sir, community concerns
16 -- concerns that would bring about perhaps a higher crime
17 rate, more unemployment and other issues in the community,
18 I can take issue with you that that can have an impact on
19 the demand for the police services, but it seems, in
20 reading this, that you're suggesting that it's either a
21 principal reason or a main reason and I use the term "for
22 the low morale in the department".

23 **MR. SHAVER:** No, that's not what I was --
24 that's not what -- if that's the way ---

25 **MR. ENGELMANN:** So it's just a factor, is

1 what you meant.

2 **MR. SHAVER:** It's a factor.

3 **MR. ENGELMANN:** Is that what you meant?

4 **MR. SHAVER:** It's a contributing factor that
5 maybe they had never thought of.

6 **MR. ENGELMANN:** All right.

7 **MR. SHAVER:** So that's all I wanted to have
8 in there.

9 They had all of the other information. They
10 had the morale report. They had all of the other
11 inspections. They just didn't have this information and I
12 wanted to make sue that they had it.

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

14 Now, you make a number of suggestions over
15 the next three pages, starting under the caption "What
16 would make it better?"

17 **MR. SHAVER:** Right.

18 **MR. ENGELMANN:** You talk about a human
19 resources officer and that's for the Police Service itself.

20 **MR. SHAVER:** That's right.

21 **MR. ENGELMANN:** You talk about implementing
22 a strategic plan.

23 **MR. SHAVER:** And that did happen, by the
24 way. The human resource officer did happen.

25 **MR. ENGELMANN:** Fair enough.

1 **MR. SHAVER:** Right.

2 **MR. ENGELMANN:** You talk about an
3 association for the senior officers.

4 **MR. SHAVER:** Yes.

5 **MR. ENGELMANN:** And by that you mean
6 bringing them out of the Bargaining Unit ---

7 **MR. SHAVER:** Bringing them ---

8 **MR. ENGELMANN:** --- rank and file and into
9 another. You even go so far as to suggest if they resist
10 that suggestion, that "There's, in my opinion, very little
11 reason to maintain their ranks."

12 **MR. SHAVER:** Absolutely.

13 **MR. ENGELMANN:** So you would demote them?

14 **MR. SHAVER:** No. No, no, as they retired or
15 whatever, we just wouldn't refill them.

16 **MR. ENGELMANN:** Attrition.

17 **MR. SHAVER:** No, I wasn't going to demote
18 anybody.

19 **MR. ENGELMANN:** Yeah, okay. I just -- I
20 wanted to understand the wording.

21 **MR. SHAVER:** No, okay.

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

23 So a number of these -- of these comments
24 for improvement -- and I don't know, did you make these
25 more publicly as well, more transparently than in a

1 confidential letter?

2 I know you make ---

3 **MR. SHAVER:** No.

4 **MR. ENGELMANN:** You do a rebuttal to this
5 report later.

6 **MR. SHAVER:** Right.

7 **MR. ENGELMANN:** And perhaps some of those
8 are contained therein, but here you're trying to make
9 suggestions to make things better?

10 **MR. SHAVER:** Yes. I'm saying to them,
11 "Listen there's a historical precedent here, take a look at
12 it, and if you want some thoughts on things that I think
13 could make it better, it would have an immediate impact,
14 there are some of the things."

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

16 Did you repeat some of these suggestions
17 when you met with these advisors in a non-confidential way,
18 or do you recall?

19 **MR. SHAVER:** I don't recall, sir.

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

21 **THE COMMISSIONER:** Well, do you recall them
22 bringing -- them discussing it with you at a later date?

23 **MR. SHAVER:** I've been wracking my brain,
24 sir, trying to think about that and I can't -- I can't
25 remember.

1 **THE COMMISSIONER:** Okay.

2 **MR. ENGELMANN:** All right.

3 Sir, if we could just look quickly at the
4 document itself, the inspection report.

5 **MR. SHAVER:** Sure.

6 **MR. ENGELMANN:** It's Exhibit 1393, the next
7 document ---

8 **MR. SHAVER:** Right.

9 **MR. ENGELMANN:** --- in the binder. At Bates
10 page 72 it talks about the fact that -- second paragraph.
11 "Interviews were held with over half the staff." So that's
12 a significant number of interviews.

13 **MR. SHAVER:** It is.

14 **MR. ENGELMANN:** You've also got Police
15 Service Board members and then community representatives
16 from the local bars, school boards, community groups, et
17 cetera.

18 So they are interviewing a large number of
19 people over this 18 days?

20 **MR. SHAVER:** Yes, they are.

21 **MR. ENGELMANN:** They talk about the
22 seriousness of some of these problems and the recognition
23 that little has been done to deal with them. So they see
24 this as an ongoing -- well, that's their view.

25 **MR. SHAVER:** That's their interpretation

1 too, yes.

2 MR. ENGELMANN: All right. And do you
3 disagree with that, that there's serious problems?

4 MR. SHAVER: No, I don't disagree that there
5 was serious problems, but I disagree that we weren't trying
6 to do something about them.

7 MR. ENGELMANN: All right.

8 They do conclude, sir, that positive changes
9 in leadership must be implemented quickly. Do you agree
10 with that?

11 MR. SHAVER: I certainly do.

12 MR. ENGELMANN: All right.

13 And that's just the bottom paragraph of that
14 page 072:

15 "Levels of discontent have reached a
16 critical point. Positive changes in
17 leadership and within the internal
18 management environment must be
19 implemented quickly."

20 MR. SHAVER: Sir, I was at the end of my
21 managerial rope, all right? Quite frankly, I was. I was
22 at the end of the managerial rope. Everything I tried to
23 do, all the things that I could get them to buy into
24 before, they weren't buying into any longer.

25 So it was a matter of, you know, like you're

1 coaching the Leafs, you can't win the Stanley Cup so fire
2 the manager or fire the coach. And that's pretty much what
3 I looked at.

4 I said, "Listen, they're not going to be
5 able to do this. They're going to need someone who can
6 come back in here as I did in '82 and take the
7 recommendations and apply those recommendations without any
8 fear or favour."

9 And that, to me, is the only way that they
10 could have done this.

11 **MR. ENGELMANN:** Do you advise them when you
12 write to them in July or when you meet with them in July
13 that you're on the way out and so that that's in the works?

14 **MR. SHAVER:** I think I said it in one letter
15 that I wrote to them that if I'm not -- I'm not sure, it
16 might even be in the one that we just looked at.

17 I said, "Look, if I'm not the person to lead
18 this" -- I mean, I was willing to stay and do it at the
19 beginning and then just when it got into July, some things
20 happened from a personal perspective and I said, "No, this
21 is not -- this just can't happen". You know, my health was
22 going to be affected.

23 And they need -- I wanted the best for the
24 Service and the people and the employees of the Service
25 because there were a lot of really good -- there's a lot of

1 really good people in there.

2 MR. ENGELMANN: I mean, if you said it I
3 think you certainly said it cryptically. I don't know if -
4 --

5 MR. SHAVER: No, I wrote it somewhere, sir.
6 It's in some document that I wrote to them that if I may --
7 it may even be the one we just passed up on. If I'm not
8 the person to lead it -- oh, wait a minute. It may have
9 been in my reply to them.

10 MR. ENGELMANN: Yeah, I think it was in the
11 rebuttal, sir, and that's when you're ---

12 MR. SHAVER: No, it was before that.

13 MR. ENGELMANN: Okay.

14 MR. SHAVER: No, because ---

15 MR. ENGELMANN: I was just wondering if you
16 had made the decision whether you had told them expressly
17 that, "Hey, don't worry. I'm doing this for the good of
18 the Service. I'm not going to be here."

19 THE COMMISSIONER: Well, when did the
20 negotiations start with Mayor Martelle?

21 MR. ENGELMANN: It started about February or
22 March when we had the big blow-up, Martelle and I.

23 THE COMMISSIONER: February of?

24 MR. ENGELMANN: Ninety-three ('93).

25 THE COMMISSIONER: Oh, okay, okay.

1 **MR. ENGELMANN:** So was this at the time when
2 he rejects your strategic plan?

3 **MR. SHAVER:** It was in around that time,
4 sir. Do you want to hear the circumstances of this blow-
5 up? Okay.

6 Mayor Martelle had been -- in the first year
7 had been the Chairman of the Police Commission, and when
8 the two NDP members come on the Police Commission Mayor
9 Martelle absolutely disliked both of them. He just wanted
10 nothing to do with either one of them. And as the Chief
11 and the Chair you do a lot of talking, and Mayor Martelle
12 and I had been friends since we were in school. And it
13 went along very well and, you know, and I was basically
14 reining him in and saying, "Hey, you know, Ron, you can't
15 be doing this. You can't be saying these kinds of things."

16 Well, they had a big blow-up for some reason
17 in around January where Mayor Martelle and Alderman Green
18 walked out of a meeting and said they were resigning.

19 **MR. ENGELMANN:** The Board?

20 **MR. SHAVER:** The Board.

21 That was the first time they said that.
22 They left and the Board met; the three other members of the
23 Board met and selected Mr. Courville as the Chairperson, so
24 that was fine.

25 **THE COMMISSIONER:** Mr. who left the first

1 time?

2 MR. SHAVER: Martelle and Alderman Green.

3 The city representatives both left.

4 THE COMMISSIONER: Okay, sorry.

5 MR. SHAVER: Then Mayor Martelle came to me
6 because we were still -- because we still had a friendship
7 and he came to me and it was confidential. He said he
8 wanted two things done.

9 He wanted the two "Pinkos" removed -- that
10 was his exact quote -- from the Board, and he wanted me "to
11 sabotage them". That was his exact quote. I refused.

12 He also wanted one of my Staff Sergeants
13 demoted or severely reprimanded, and he said that he had
14 the backing of the Police Association on that and I told
15 him I would do neither of those things.

16 So right from that moment, the next words
17 out of his mouth is, you know, "Okay, well, what's it's
18 going to take to get you down the road", basically. And
19 that started in February and that was just a comment, a
20 conversation that he and I had. And that was it. That was
21 the conversation.

22 So I refused. I said, "I'm not going to go
23 back and sabotage a Board Member; it won't happen. And I'm
24 not going to go back and discipline one of my Staff
25 Sergeants for no reason. It's just not going to happen.

1 Even if you could have the -- you could get the backing of
2 everybody, I'm not going to do it."

3 **MR. ENGELMANN:** And this in around the time
4 that he's also rejecting a strategic plan approach that
5 you're ---

6 **MR. SHAVER:** Absolutely. Well, he's
7 rejected everything. He's rejected Employment Equity at
8 the time. He's rejected the NDP Social Contract. He's
9 rejected the plan, the strategic plan that we worked for,
10 what, two-and-a-half years to do?

11 So all of these things were happening all at
12 the same time and he really wanted control of the Board and
13 that was his bottom line.

14 **MR. ENGELMANN:** And this all foreshadows
15 your letter, through Mr. Courville to the Commission, to do
16 an inspection?

17 **MR. SHAVER:** Yes, that happens just before I
18 get back to Mr. Courville and said, listen -- I don't know
19 if I told Mr. Courville at the time what he had wanted to
20 do with them. I did not want that to get to become the
21 major thing but I may have. I said, "You've got to do
22 something, you know, like as the Chair of the Board, you
23 have to do something". And Mr. Courville agreed.

24 Mr. Courville is a very intelligent and nice
25 man and thinks things logically and wants to debate. It

1 was like the Board meetings were -- you have someone from
2 Harvard wanting to debate and you have Mayor Martelle who
3 wants to yell. So that was pretty much what was going on
4 in the Board meeting. And Mr. Courville would think that
5 he would be debating and winning with the debate and that
6 just didn't happen.

7 **MR. ENGELMANN:** Well, just to get back then
8 to the Commissioner's questions, and I was going to come to
9 this later, but was it in the spring already that you
10 started to negotiate your severance package, if I can call
11 it that?

12 **MR. SHAVER:** Mayor Martelle left that
13 meeting with me and then never wanted to talk to me again,
14 so that was -- I thought he would go away and cool off, I
15 would go away, cool off, and we'd come back and we'd still
16 be friends, you know, and we'll discuss, but that didn't
17 happen.

18 He just -- he went off. He went back to
19 city council. They had a private meeting of city council
20 where he asked them about if I was going to be removed,
21 would they support it. I guess the city council must have
22 said yes.

23 Then he came back to me and that's when I
24 went to Mr. Courville and I said, "Look, this is what's
25 happening". And I told Martelle, I said, "There's no

1 chance in the world. I don't work for you. You're the
2 mayor of the city. I do not work for you. I work for the
3 Board. So if you want to do this you go back and talk to
4 the Board." And he ended up getting a lawyer to start
5 doing that whole process.

6 That's when they -- I told Mr. Courville
7 what had happened. It was probably in about -- I would
8 think about May or June, in that area, and said, "Listen,
9 this is what's going on". And I said, "Do you want me
10 gone, Mr. Courville?" And he said, "No, absolutely not".
11 I said, "Okay".

12 And at that stage of the game I was willing
13 to stay on and say, okay, I'll fight this things through.
14 I don't have aifficulty, you know, backing into a fight.
15 So I'll do it if I have to do it.

16 But then as things progressed there was a
17 natural progression where it disintegrated into a lot of
18 very personal things and I looked it and said, "What am I
19 doing here, you know, why would I want to be here?"

20 **MR. ENGELMANN:** So did you and Mr. Martelle
21 actually negotiate together or did you do this through
22 counsel?

23 **MR. SHAVER:** It's through counsel.

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

25 And who did the city hire at the time, do

1 you recall?

2 **MR. SHAVER:** Oh, I may get it wrong, sir.

3 So I think it's a man named Saunders but I'm not sure. I'm
4 not sure.

5 **MR. ENGELMANN:** At this point-in-time you
6 had hired Mr. McKinnon?

7 **MR. SHAVER:** Well, Mr. MacKinnon was the
8 Board's lawyer.

9 **MR. ENGELMANN:** Yes.

10 **MR. SHAVER:** And he got involved in it
11 because he basically wrote a letter to Martelle saying,
12 "I'm sorry, you can't negotiate anything with him because
13 you have to negotiate through the Board".

14 And I think that's how that whole thing
15 started, so that made Martelle even madder, and they just
16 kept going on and going on and back-and-forth on this whole
17 process.

18 **MR. ENGELMANN:** But did Colin McKinnon
19 actually represent you or did he represent the Board?

20 **MR. SHAVER:** He represented the Board but
21 I'm the Chief. I mean obviously he's representing the
22 Chief of Police because there's an outside influence coming
23 in here to try to negotiate me out and my employers are the
24 Board.

25 **MR. ENGELMANN:** But you're negotiating with

1 the city and the Board, are you not, sir?

2 MR. SHAVER: No, I didn't negotiate with the
3 Board at all. It was -- the Board decided at the end of
4 the process that Martelle's lawyer -- Martelle's lawyer and
5 Colin McKinnon would do this negotiation, and that's what
6 happened. They did all the negotiations. I wasn't
7 involved in negotiations at all other than to be asked
8 about things that were being said. That was it.

9 MR. ENGELMANN: All right.

10 We jumped ahead a bit there.

11 MR. SHAVER: Yeah, I'm sorry. Yeah.

12 MR. ENGELMANN: No, no, it's fine. Let's go
13 back, if we can. We're in the inspection. It is Exhibit
14 1393. At page 75 they note a number of recommendations
15 from previous reports. Some have been complied with, some
16 have not. Is that fair?

17 MR. SHAVER: Yes.

18 MR. ENGELMANN: Ones that have not include
19 the McGlashan or something similar, a management consultant
20 to do the strategic plan?

21 MR. SHAVER: Sir, as I read that, if we go
22 down to the third one, you know, they talk about -- this is
23 where they end up talking about that auditing process
24 again.

25 MR. ENGELMANN: Yes.

1 **MR. SHAVER:** I mean, Deputy Chief -- Deputy
2 Chief St. Denis was -- is a certified auditor, I mean ---

3 **MR. ENGELMANN:** You take issue with that?

4 **MR. SHAVER:** I absolutely take issue with
5 that.

6 **MR. ENGELMANN:** Fair enough.

7 **MR. SHAVER:** They ---

8 **MR. ENGELMANN:** You thought he was suitably
9 trained?

10 **MR. SHAVER:** They took a great deal of -- --
11 what's the word I want to use -- took a lot of -- I need a
12 word here. They -- anyway, they took a great deal of
13 excess in that and, you know, using that kind of thing.

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

15 What about your -- the concern they have
16 about the training, and they say there's non compliance
17 there?

18 **MR. SHAVER:** They have a point because we
19 had no money and that's the first thing we had to cut back
20 on was training.

21 I had two of the best people I could
22 possibly put into my training branch. That's Sergeant
23 Marquin and Constable Aikman at the time, and both of them
24 had been trainers at the Ontario Police College. So I
25 couldn't have gotten better people to be in the Training

1 Branch, and yet I couldn't get them to do training. I
2 couldn't get that training in and I couldn't send anybody
3 away because all of the -- like, the Ontario Police College
4 and the Canadian Police College were all -- everybody was
5 suffering at that stage of the game in terms of money and
6 it was no longer free to go. They wanted us to start
7 paying our way and ---

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

9 **MR. SHAVER:** --- we just couldn't do it. So
10 you can't -- you can't send -- they couldn't send the
11 amount of people away that I would normally have sent.

12 **MR. ENGELMANN:** Sir, they -- and I don't
13 want to go through these in detail.

14 **MR. SHAVER:** Right.

15 **MR. ENGELMANN:** They make comments about the
16 selection process and findings at Bates page 078, career
17 development issues at 080 and some findings, the employment
18 equity issue you talked about earlier at 083, a number of
19 areas that are looked at.

20 I understand, sir, that they give you a
21 verbal report about this in or around the 20th of August?

22 **MR. SHAVER:** Yes, they do.

23 **MR. ENGELMANN:** Is that common, to give an
24 oral ---

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** Okay.

2 **MR. SHAVER:** Yes.

3 **MR. ENGELMANN:** And I understand as a result
4 of that verbal report you -- you took some action?

5 **MR. SHAVER:** Another impulsive move, Mr.
6 Engelmann.

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

8 So this was one where you'd agree you might
9 have ---

10 **MR. SHAVER:** Absolutely.

11 **MR. ENGELMANN:** --- acted in a spontaneous
12 or impulsive manner?

13 **MR. SHAVER:** Absolutely. Sir, I'm faced
14 with a problem. They've identified the problem. I want to
15 try to provide a solution.

16 They don't -- in these recommendations they
17 basically they recommend, but they don't tell you how to
18 get there. They don't tell you -- you know, the solutions
19 are sometimes much more difficult.

20 **MR. ENGELMANN:** Let's look at your response
21 then, sir.

22 **MR. SHAVER:** Okay.

23 **MR. ENGELMANN:** Document Number 740511,
24 Madam Clerk. It's a memo ---

25 **MR. SHAVER:** Oh, it's a memo.

1 **MR. ENGELMANN:** --- to all personnel,
2 Cornwall Police Service from Chief J.C.C. Shaver, 26 August
3 '93.

4 **MR. SHAVER:** Okay. But leading up to that,
5 Mr. Engelmann, let's make sure we set the table correctly
6 here. They gave me a verbal report.

7 **MR. ENGELMANN:** Yes, August 20th.

8 **MR. SHAVER:** Right. I talked to them and I
9 asked -- I said "Listen, I have -- I'm going to start
10 looking at an interim solution." What I'm trying to do is
11 trying to get as many of those niggly things off the --
12 off the table before the new chief comes in because I
13 wanted him to be able to concentrate on the issues.

14 So I thought if I can implement as many of
15 these things as possible, and that's -- they agreed with
16 me. They said "Please do it. Go ahead; it's a very good
17 first step." And I think they even wrote on that
18 somewhere, sir. You must have some documentation or they
19 wrote to me and said, "Yes, this is a good first step in
20 doing it."

21 **MR. ENGELMANN:** Yeah, we'll look at that.
22 They do write the letter.

23 **MR. SHAVER:** Okay.

24 **MR. ENGELMANN:** We'll get there.

25 **MR. SHAVER:** Okay.

1 **THE COMMISSIONER:** All right.

2 So Exhibit Number 1777 is a memorandum to
3 all personnel of the Cornwall Police Service from Chief
4 Shaver, dated August 26th, 1993.

5 **--- EXHIBIT NO./PIÈCE No. P-1777:**

6 (740511) Memorandum from Claude Shaver to
7 All Personnel CPS - 26 Aug, 93

8 **MR. ENGELMANN:** So you say at the bottom of
9 the first page, 751, following the observations which come
10 from the advisors personal viewing or by being told by
11 employees interviewed of improvements we could make to
12 assist?

13 **MR. SHAVER:** Right.

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

15 Next page, 752, you talk about the found
16 areas which required improvement which are listed below and
17 the steps that have been taken to date to improve our
18 service and you talk about a number of matters of action to
19 be taken and some where action already has been taken.

20 **MR. SHAVER:** Yes.

21 **MR. ENGELMANN:** For example, you make a
22 reference at page 754, to the notebook issue and a positive
23 comment from the advisors.

24 **MR. SHAVER:** M'hm.

25 **MR. ENGELMANN:** And how you're going to keep

1 doing what you've been doing, plus the suggestion that the
2 deputy chief and chief, on a random basis, check notebooks.

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** A number of other areas and,
5 as I said, sometimes you make a specific recommendation for
6 immediate actions; sometimes you don't or sometimes you're
7 simply referring it back that something's already been
8 done?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** But, sir, as I understand
11 it, these were some of the recommendations that you were
12 advised of ---

13 **MR. SHAVER:** Yes.

14 **MR. ENGELMANN:** --- in the form of a verbal
15 report. And you close by saying:

16 "Provided the above information, keep
17 all personnel informed on the
18 inspection process and any updates will
19 be disseminated on a priority basis."

20 **MR. SHAVER:** Yes.

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

22 And in response to that you receive a letter
23 from one of the advisors; is that correct? I'll show it to
24 you, sir. Document 740517. It's a letter dated September
25 2nd, 1993 to you from Hyacinthe M. Josiah.

1 **MR. SHAVER:** Right.

2 Sir, can I come back -- just ---

3 **MR. ENGELMANN:** Yes.

4 **MR. SHAVER:** Do you mind just going back to
5 this memorandum, if you go on the back, on the first page,
6 on the third line, it says:

7 "This report is the first step in the
8 inspection process."

9 **MR. ENGELMANN:** Yes.

10 **MR. SHAVER:** It's not the final step; it's
11 the first step.

12 **MR. ENGELMANN:** Yes, you're referring to
13 their August 20th report?

14 **MR. SHAVER:** Yes. And no, but the reaction
15 to it, what we planned on doing. This is the first step.
16 What I was telling my people is that "Listen, there's a
17 whole bunch of things that are going to be coming out from
18 there, but we've got -- if we can clean up these things, we
19 can clean these things up ourselves without any -- we'll
20 get the recommendations. We'll get them back in November
21 or December of whenever we're going to get them."

22 **MR. ENGELMANN:** Yeah.

23 **MR. SHAVER:** But we can do all of these
24 things, you know, cleaning up the police station, polishing
25 your leathers, those are kinds of things that ---

1 **MR. ENGELMANN:** As I understood this, sir,
2 you say in the first paragraph "The various things that are
3 going to happen with respect to the inspection process" and
4 then you list things that can happen in the meantime.

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** And that's what this is?

7 **MR. SHAVER:** That's what this is.

8 **MR. ENGELMANN:** All right. Okay. So I just
9 want to make sure we're on the same page.

10 **MR. SHAVER:** Yeah, we are, sir. We are.

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

12 So the next letter then is their response?

13 **MR. SHAVER:** Right.

14 **THE COMMISSIONER:** Thank you.

15 **MR. ENGELMANN:** Because you copy them.

16 **MR. SHAVER:** Thank you.

17 **THE COMMISSIONER:** That one is yours.

18 **MR. SHAVER:** That was me.

19 **THE COMMISSIONER:** Yes. So ---

20 **MR. SHAVER:** The Commissioner did that one,
21 by the way.

22 **THE COMMISSIONER:** So a letter to Chief
23 Shaver from Hyacinthe Josiah, September 2nd, 1993, Exhibit
24 1778.

25 --- **EXHIBIT NO./PIÈCE No. P-1778:**

1 (740517) Letter from Hyacinthe Josiah to
2 Claude Shaver - 02 Sep, 93

3 **MR. ENGELMANN:** It refers to the fact that
4 you have given them a response -- a copy of the response?

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** So that would have been the
7 previous document we just looked at?

8 **MR. SHAVER:** Yes.

9 **MR. ENGELMANN:** You not only provided that
10 to your Service; you provided them a copy?

11 **MR. SHAVER:** Absolutely, yes.

12 **MR. ENGELMANN:** And they do say, and this
13 is, I think, the comment you were trying to make earlier:

14 "Full implementation of the action plan
15 you have proposed will be a sound first
16 step..."

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** "... in re-engineering the
19 Cornwall Police Service. One word of
20 caution, however, about action be taken
21 on our observations. The changes you
22 are undertaking immediately are clearly
23 within the realm of day-to-day
24 operational management, nevertheless,
25 would not be prudent to embark on any

1 wholesale program of changes before the
2 Police Services Board and you have had
3 the opportunity to review and discuss
4 the completed inspection."

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** Do you agree with that
7 comment, sir?

8 **MR. SHAVER:** I totally agree.

9 **MR. ENGELMANN:** All right.
10 And they're asking for progress reports;
11 right?

12 **MR. SHAVER:** Yes.

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

14 So there's no discussion here yet, at least
15 expressly, that you're leaving when you're corresponding
16 with these advisors?

17 **MR. SHAVER:** No.

18 **MR. ENGELMANN:** That's what I was saying
19 earlier. All right. So they say it's a first -- a good
20 first step?

21 **MR. SHAVER:** Yes.

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

23 Then you wrote a follow-up letter to the
24 advisors, sir, and I'd like to show you a document, 740516.
25 It's dated September 27th, 1993.

1 **MR. SHAVER:** I did.

2 **MR. ENGELMANN:** If that could be the next
3 exhibit, Mr. Commissioner.

4 **THE COMMISSIONER:** It's a letter to
5 Hyacinthe Josiah, I guess, and Mr. Kopinak.

6 **MR. SHAVER:** Kopinak.

7 **THE COMMISSIONER:** Re: the audit, and so
8 it's from Chief Shaver dated September 27th, 1993.

9 **MR. ENGELMANN:** I'm sorry, sir, the number?

10 **THE COMMISSIONER:** You're catching the
11 Dumais condition and I've started saying it at the end so
12 you folks would ---

13 **MR. ENGELMANN:** One seven seven nine (1779)
14 ---

15 **THE COMMISSIONER:** Seven nine (79).

16 --- **EXHIBIT NO./PIÈCE No. P-1779:**

17 (740516) Letter from Claude Shaver to
18 Hyacinthe Josiah and John Kopinak - 27 Sep,
19 93

20 **(SHORT PAUSE/COURTE PAUSE)**

21 **MR. ENGELMANN:** Now, just a couple of points
22 here, sir, and I'll just be a moment.

23 Your -- this is really a follow-up; you had
24 -- they had asked you to give them some follow-up and this
25 is your follow-up response to them ---

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** --- about how things are
3 going to date?

4 **MR. SHAVER:** Yeah, the -- this is basically
5 just correspondence we're going back and forth on, yes.

6 **MR. ENGELMANN:** All right.

7 And you're setting out some of the concerns
8 and the feedback that you've received, particularly at the
9 top of the second page?

10 **MR. SHAVER:** Yes.

11 **MR. ENGELMANN:** And when you say the --
12 overall, the general consensus was this report could have
13 waited until the final report was in, was that the feedback
14 you were getting from some of the members of the Service?

15 **MR. SHAVER:** Yes, that's exactly what I got
16 back ---

17 **MR. ENGELMANN:** About your records?

18 **MR. SHAVER:** --- I got -- I got it back from
19 the Association; the Association were all upset. My NCOs
20 were upset because they thought it was aimed at them and --
21 and -- my -- the staff sergeants were upset that -- that
22 the deputy chief would be -- be taking over all of field
23 operations and ---

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

25 You do say: "In hindsight this point of view

1 has some merit."

2 MR. SHAVER: Yes.

3 MR. ENGELMANN: "But I, as well as my
4 managers, believe that all of the areas
5 mentioned have been a concern and
6 should have been dealt with."

7 MR. SHAVER: Absolutely.

8 MR. ENGELMANN: And then you talk about the
9 fact that you're going to now wait until the final report
10 is in before you meet, but really, at that point, you know
11 that's not going to be you?

12 MR. SHAVER: Oh, at that point, I know
13 definitely it's not going to be me. I -- I was trying to -
14 - I was trying to plough the road for the -- for the person
15 that came in behind me.

16 MR. ENGELMANN: Now, the final report, sir,
17 as I understand it, the inspection report that we looked
18 at, was released on or around December 6th?

19 MR. SHAVER: Right.

20 MR. ENGELMANN: And you're no longer
21 actively employed; you're on strength but you're not at
22 work?

23 MR. SHAVER: Well, I -- no, I -- I was still
24 -- I was still on strength and I still came into the office
25 every once in awhile. I took the month of December off.

1 **MR. ENGELMANN:** Okay. It was my
2 understanding that you actually weren't at the office from
3 some time in early November ---

4 **MR. SHAVER:** Well ---

5 **MR. ENGELMANN:** --- am I mistaken?

6 **MR. SHAVER:** Not early in November, no. It
7 would have been -- it would probably have been late
8 November.

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

10 **MR. SHAVER:** And I took -- I took leave and
11 -- but I did come into the office a few times, you know. I
12 came back and forth. I came in at Christmas to wish people
13 a Merry Christmas, Happy New Year; that kind of thing.

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

15 All right, your retirement was announced
16 though in early November?

17 **MR. SHAVER:** I think it was the 4th of
18 November that I -- that I officially announced it, yes.

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

20 And sir, as I understand it, after the
21 report came in, you drafted a response or rebuttal?

22 **MR. SHAVER:** I did.

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

24 Sir -- Madam Clerk, Document Number 740519
25 and then 740520.

1 (SHORT PAUSE/COURTE PAUSE)

2 THE COMMISSIONER: So, the memo to Mr. Leo
3 Courville from Chief Shaver, dated December 29th, 1992 will
4 be Exhibit 1780, Mr. Engelmann.

5 MR. ENGELMANN: Thank you, sir.

6 --- EXHIBIT NO./PIÈCE No. P-1780:

7 (740519) Memorandum from Claude Shaver to
8 Leo Courville, Shelley Adams and CPS Board -
9 29 Dec, 93

10 MR. ENGELMANN: That is the cover page, as I
11 understand it, Mr. Shaver, to the actual rebuttal ---

12 MR. SHAVER: I gather ---

13 MR. ENGELMANN: --- which I believe is
14 740520 and it says:

15 "Re: Human resources management
16 inspection, Cornwall Police Service,
17 July/August 1993."

18 THE COMMISSIONER: M'hm. So that ---

19 MR. ENGELMANN: If that could be Exhibit
20 1781?

21 THE COMMISSIONER: Sure.

22 MR. ENGELMANN: I'm aiming for my gold star.

23 THE COMMISSIONER: Mr. Manson is looking ---

24 MR. MANSON: He's welcome to it.

25 (LAUGHTER/RIRES)

1 **MR. MANSON:** I think he's a long now.

2 **--- EXHIBIT NO./PIÈCE No. P-1781:**

3 (740520) Rebuttal - Inspection Report

4 **MR. ENGELMANN:** Sir, this is a cover sheet
5 with the ---

6 **MR. SHAVER:** Right.

7 **MR. ENGELMANN:** --- rebuttal, if I can call
8 it that; that you wrote.

9 **MR. SHAVER:** M'hm.

10 **MR. ENGELMANN:** And you would have submitted
11 this to the Board right at the end of December?

12 **MR. SHAVER:** Yes.

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

14 **MR. SHAVER:** On the date that I ---

15 **MR. ENGELMANN:** Now, you refer to two people
16 in 1780; Leo Courville and Shelley Adams ---

17 **MR. SHAVER:** Yes.

18 **MR. ENGELMANN:** Did it go to all members of
19 the Board?

20 **MR. SHAVER:** The -- the process is you send
21 it to the Chair and the Secretary, and the Secretary
22 distributes it.

23 **MR. ENGELMANN:** Fair enough.

24 All right. Now, sir, one of the -- one of
25 the things you comment on and it might be helpful to look

1 back at the inspection report itself.

2 MR. SHAVER: Which page, sir?

3 MR. ENGELMANN: I'm looking at -- it's page
4 3 of your rebuttal ---

5 MR. SHAVER: Oh, okay.

6 MR. ENGELMANN: Eight two four (824). One
7 of the audit recommendations, the one at page 28, and it
8 says:

9 "It appears from the Chief's actions
10 and behaviour that he has difficulty
11 accepting the Board as the governing
12 authority, e.g., critical issues such
13 as expenditures and strategic planning
14 have not been fully discussed with the
15 Board."

16 And, sir, if you want a further description
17 of that, if you look at page 28 ---

18 MR. SHAVER: Right.

19 MR. ENGELMANN: --- of Exhibit 1393 ---

20 MR. SHAVER: Right.

21 MR. ENGELMANN: --- it goes on:

22 "Frequent references were made by
23 interviewees to the Chief being an
24 absentee manager."

25 They refer back to 1990 about the documents

1 and non-confidence ---

2 MR. SHAVER: M'hm.

3 MR. ENGELMANN: --- and some of the other
4 issues that have -- and then they also make a negative
5 comment, sir, about the Deputy "lacking solid operational
6 competence" et cetera. And then they go on about ---

7 MR. SHAVER: That's a cheap shot though,
8 sir.

9 MR. ENGELMANN: All right.

10 MR. SHAVER: In my opinion, cheap shot.

11 MR. ENGELMANN: Okay.

12 And they go on and talk about both of you
13 regarded by -- neither regarded by staff or community
14 members:

15 "...exerting a positive, consistent
16 managerial style or presence, not seen
17 as credible role models, visionary
18 managers, leaders," et cetera.

19 So you take issue with those comments?

20 MR. SHAVER: I do.

21 MR. ENGELMANN: And you write -- and that's
22 part of the reason you write a rebuttal?

23 MR. SHAVER: Partly, yes.

24 MR. ENGELMANN: Yes and that's what you're
25 setting out here at Bates page 824, in Exhibit 1781?

1 **MR. SHAVER:** That's what I am attempting to
2 do, yes.

3 **MR. ENGELMANN:** All right.

4 And you -- and you address many of the
5 recommendations and part of this, sir, as I understand it,
6 is you -- you attach excerpts from an effort that you had
7 made in the spring of that year, of 1993, with respect to
8 strategic planning of your own?

9 **MR. SHAVER:** Yes.

10 **MR. ENGELMANN:** And so ---

11 **MR. SHAVER:** No, sir. Not of my own; it's a
12 document I prepared from the documents that Ms. McGlashan
13 gave us.

14 **MR. ENGELMANN:** Fair enough, but it was your
15 efforts from ---

16 **MR. SHAVER:** Yes.

17 **MR. ENGELMANN:** --- those documents, perhaps
18 with the aid of Sergeant Carter?

19 **MR. SHAVER:** Yes.

20 **MR. ENGELMANN:** Is that fair?

21 **MR. SHAVER:** I think that's fair, yes.

22 **MR. ENGELMANN:** Yeah.

23 And so when we're looking at much of what
24 you've written here under "Audit Recommendations", you are
25 referring to portions of the strategic plan that you worked

1 on?

2 MR. SHAVER: I am. I -- I get later on into
3 it with the strategic plan, yes.

4 MR. ENGELMANN: Right.

5 And so when we're looking at -- and sir,
6 perhaps you can help me with this, but it seems many of the
7 pages of this rebuttal are referring directly to the
8 strategic planning document you worked on?

9 MR. SHAVER: Yes because, in fact, I think I
10 commented somewhere in here that -- that the auditors took
11 the wording right straight out of my strategic plan
12 document and put it in their audit process. So although
13 they did not look at the strategic plan -- from my opinion
14 they didn't look at the plan at all.

15 MR. ENGELMANN: All right. So sir, for
16 example, if you start at Bates page 826.

17 MR. SHAVER: Yes.

18 MR. ENGELMANN: With the term "Strategic
19 Plan Service Goals Draft Plan ---

20 MR. SHAVER: Yes.

21 MR. ENGELMANN: --- you're referring to
22 portions of the work that you had done?

23 MR. SHAVER: Yes.

24 MR. ENGELMANN: And that carries on for
25 several pages?

1 **MR. SHAVER:** Yeah, it does. Yes.

2 **MR. ENGELMANN:** All right. And you make
3 note of that at the end of your rebuttal, do you not, sir,
4 at Bates page 848?

5 **MR. SHAVER:** Eight four eight (848)? Yes.

6 **MR. ENGELMANN:** That's where you say:

7 "It should be noted that 25 of the
8 48 recommendations were covered in
9 my draft strategic plan to the
10 Board."

11 **MR. SHAVER:** Yes.

12 **MR. ENGELMANN:**

13 "It is of great interest to note
14 that the wording and the
15 recommendations are very similar
16 to the Draft Strategic Plan in
17 many cases."

18 **MR. SHAVER:** Yes.

19 **MR. ENGELMANN:** All right, and that's the
20 point you were making?

21 **MR. SHAVER:** That's the point I was trying
22 to make, yes.

23 **MR. ENGELMANN:** Yeah. And you accept some
24 responsibility in the second paragraph for not being able
25 to pull people together to function as a team?

1 **MR. SHAVER:** I don't accept some, I accept
2 all of the responsibility. It's my -- my position as the
3 Chief is I have to accept that responsibility. I have no
4 difficulty accepting that, sir.

5 **MR. ENGELMANN:** You say:

6 "Our internal problems are deep-
7 rooted and have, in my opinion,
8 been a part of the Cornwall Police
9 Service long before I arrived as
10 Deputy Chief and will again, in my
11 opinion, continue after I am
12 retired. The key personnel have
13 not changed and the prevailing
14 attitudes also have not changed.
15 I do take responsibility for my
16 actions and not being 'the Great
17 White Hope', as I was referred to
18 by the officers on my arrival in
19 Cornwall but for this audit to
20 suggest my administration was not
21 pro-active, community-based or
22 failed to plan is, in my opinion,
23 an unfair interpretation of the
24 facts."

25 **MR. SHAVER:** Yes.

1 **MR. ENGELMANN:** So you're taking issue,
2 though, with some of the findings of these auditors on
3 those bases?

4 **MR. SHAVER:** No, the findings of the
5 auditors were their findings. They -- you know, they were
6 entitled to their opinion. I just didn't have to agree
7 with all of their opinions.

8 **MR. ENGELMANN:** Fair enough.
9 You say:

10 "I do not blame the auditors, as
11 there was so much distrust and
12 discontent within the Service and
13 Board that laid the blame on my
14 office, that anything I did would
15 be viewed with a jaundiced eye."

16 **MR. SHAVER:** Absolutely. Yes, sir.

17 **MR. ENGELMANN:** And you go on and make the
18 comment you did earlier about not having an axe to grind as
19 you leave?

20 **MR. SHAVER:** Right, and no hidden agenda and
21 a profound, high regard for the police officers and Police
22 Service and the community, which I still have.

23 **MR. ENGELMANN:** Now, sir, were you aware
24 that your deputy chief also wrote a rebuttal to this ---

25 **MR. SHAVER:** I was not aware until I read it

1 in one of the documents, sir.

2 MR. ENGELMANN: Okay.

3 So you were not aware of that until your
4 preparation for this hearing?

5 MR. SHAVER: Yes.

6 MR. ENGELMANN: All right. And you have
7 seen that document then in the last few weeks?

8 MR. SHAVER: Yes, I have seen it.

9 MR. ENGELMANN: All right. It's -- as I
10 understand it, it's already been made an exhibit; it's
11 Exhibit 1768.

12 MR. SHAVER: Right.

13 MR. ENGELMANN: Do you have the document,
14 sir? It's dated January 24th, 1994.

15 MR. SHAVER: Where am I supposed to be
16 looking, sir? Where? I'm sorry.

17 MR. ENGELMANN: Seventeen sixty eight (1768)

18 THE COMMISSIONER: Exhibit 1768, yeah.

19 MR. SHAVER: One seven six eight (1768).

20 MR. ENGELMANN: I don't know if he has that
21 binder, sir.

22 MR. SHAVER: I do.

23 THE COMMISSIONER: He does, he does.

24 MR. SHAVER: Third binder.

25 I have it sir, yes.

1 **MR. ENGELMANN:** Mr. Shaver, you described
2 for us a good working relationship with Joseph St. Denis,
3 at least for the first three or four years of your working
4 together?

5 **MR. SHAVER:** Not for the first three or
6 four, sir, it's throughout the whole process.

7 **MR. ENGELMANN:** Well that's area I'd asked
8 you about.

9 **MR. SHAVER:** Yeah.

10 **MR. ENGELMANN:** So you believed your working
11 relationship was good from start to finish?

12 **MR. SHAVER:** The deputy and I had issues, I
13 mean we had -- we probably came up with one or two issues a
14 year that we had with each other. The rest of the time I
15 think we agreed. But we certainly had a high professional
16 relationship with one another and a social relationship,
17 so.

18 **MR. ENGELMANN:** No, he, in fact -- I wasn't
19 here, sir, but I think he testified about the fact that you
20 had an active social relationship.

21 **MR. SHAVER:** Yeah, we did. We were friends;
22 we worked -- we worked as Chief and Deputy Chief, as
23 colleagues in another matter, and also as friends.

24 **MR. ENGELMANN:** Can you tell us then if
25 something happened in 1991 that might have changed that to

1 some extent?

2 **MR. SHAVER:** I listened to the deputy's
3 testimony. I could not for the life of me think of what
4 that was. I know he mentioned there was an incident. I
5 went back in my thinking.

6 I guess, sir, the -- see, I always believed
7 that discipline should be firm, fair and then forgotten and
8 I guess I just forgot it if, it was discipline, which he
9 made it sound like it was discipline.

10 So that's one thing you have to ask the
11 deputy. I would love to have been able to sit with him now
12 and find out for myself, you know.

13 **MR. ENGELMANN:** I just noted Bates page 054;
14 he makes a reference to that. You've seen that, probably,
15 it says, middle of the page:

16 "After a serious blow-up at the
17 Chief's residence between myself
18 and the Chief on September 2nd,
19 1991, I forwarded a letter to
20 Chief Shaver dated September 3rd,
21 1991, clearly trying to coach the
22 Chief to change but to no avail.
23 Chief Shaver's internal, dated
24 August 26th, '91, basically put the
25 muzzle on me and I had nowhere to

1 go for help."

2 Do you know what he's referring to?

3 **MR. SHAVER:** I haven't a clue, sir. I wish
4 -- I wish those documents were available then -- then I
5 could certainly tell you.

6 **MR. ENGELMANN:** We asked for them but they
7 weren't available.

8 **MR. SHAVER:** I don't know sir. I really
9 don't know.

10 **MR. ENGELMANN:** And he goes on ---

11 **THE COMMISSIONER:** Well, didn't he say
12 something like you told him: "Be very careful what you
13 do", and I think it was around something to do with him
14 going to the Board and that ---

15 **MR. SHAVER:** Sir, that did happen, but that
16 happened in 1993.

17 **THE COMMISSIONER:** Oh, okay.

18 **MR. SHAVER:** Inspection -- it was not 1991.

19 **MR. ENGELMANN:** Okay, because there was
20 something else that he refers to, sir, if you look at Bates
21 page 055, he says:

22 "I'm attaching an internal
23 correspondence dated October 27th,
24 '92 from Chief Shaver, in response
25 to my internal of October 19th. It

1 becomes clear to me that the Chief
2 was considering *Police Act* charges
3 and civil litigation against me,
4 based on my correspondence which
5 should have been kept between our
6 two offices. I am attaching my
7 letter dated June 11th, '93 to
8 Chairman Mr. L. Courville, as at
9 this point, I needed a lawyer."

10 **MR. SHAVER:** Nineteen ninety three (1993)?
11 Yes, there was an issue.

12 **MR. ENGELMANN:** All right. But I think he
13 relates it to something that happened in the fall of '92.

14 **MR. SHAVER:** No. The issue that I -- the
15 issue that I remember was in the -- it was in 1993.

16 **THE COMMISSIONER:** And what issue was that?

17 **MR. SHAVER:** Deputy Chief St. Denis -- when
18 Mayor Martelle was on his -- doing his investigation,
19 because Mayor Martelle started an investigation and Deputy
20 Chief St. Denis supplied information to the Mayor, on me,
21 which was brought to my attention through our lawyers.

22 **MR. ENGELMANN:** Were you -- were you aware
23 of his feelings? In his rebuttal he says, and this is
24 after the blow-up in '91. At the bottom of Bates page 054,
25 he says:

1 "Someone suggested I should have
2 gone to the OACP. How could I? I
3 report to the Chief and the Chief
4 always had three votes out of five
5 on the Board. In any event, what
6 could the OACP have done under
7 these circumstances? Everyone
8 knew that the Chief had to go.
9 Even the auditors failed to
10 realise this, as they indicated to
11 all auditees, including myself, on
12 several occasions, they were not
13 after the Chief's job. Although
14 no one is perfect, at least Mayor
15 Martelle and Alderman Green fully
16 realise that the first step to fix
17 and heal our Service was to get
18 the Chief to retire.
19 Unfortunately, this should have
20 happened much sooner, but the
21 Deputy Chief could not do any more
22 than he did, as the Chief clearly
23 placed restraints on my office."

24 And he appears to be talking, sir, about a
25 timeframe in the fall of 1991.

1 **MR. SHAVER:** In the fall of what?

2 **MR. ENGELMANN:** Nineteen ninety one (1991).

3 **MR. SHAVER:** Well sir, I'm afraid these are
4 things you're going to have to ask him because I -- I don't
5 remember these things, I don't remember what he -- I don't
6 know what he's talking about here.

7 We had -- we had a professional
8 relationship. I know he said that at one point he didn't
9 trust me. I never gave him that impression, I don't think.
10 I never threatened *Police Act*. I suggested to him at that
11 last time, when he did -- when he was part of the
12 investigation, that there is a section in *the Police Act*
13 for causing disaffection and that he should be really
14 careful with this.

15 The Deputy Chief was extremely paranoid
16 about his job, for whatever reason, and I never threatened
17 his job, ever, that I can remember. But he was paranoid
18 about losing his job somehow and I don't know where it came
19 from, sir, you'd have to ask him.

20 As far as I'm concerned, he was a good man;
21 he performed his duties well; we had a good working
22 relationship; we are also, you know, as I said, comrades
23 and we were also friends.

24 **MR. ENGELMANN:** All right. So from your
25 point of view, there was no change in your relationship in

1 1991?

2 MR. SHAVER: Not that I can remember, sir.
3 I mean, and if there was, it was so -- the incident must
4 have been so minuscule to me that I never gave it another
5 thought.

6 MR. ENGELMANN: And did you feel that you
7 continued to follow and employ the chain of command
8 throughout his tenure with you as the Deputy Chief?

9 MR. SHAVER: Absolutely, absolutely.

10 MR. ENGELMANN: So you didn't ---

11 MR. SHAVER: I know he wrote a memo
12 somewhere down the line that said that I didn't and I'm
13 certainly prepared to talk to that. But I always followed
14 the chain of command, sir. The chain of command is -- you
15 have to in the police agency.

16 MR. ENGELMANN: Okay.

17 MR. SHAVER: It's just absolutely paramount.

18 MR. ENGELMANN: Well we'll come into some
19 investigations ---

20 MR. SHAVER: Sure.

21 MR. ENGELMANN: --- tomorrow but -- so what
22 you're suggesting then is you would have never interfered
23 with his supervisory role over an OIC or whatever and/or
24 supervision of investigations?

25 MR. SHAVER: No, that was his job, sir. His

1 job was to supervise the operations of the Cornwall Police
2 Department. My job was to make sure that I provided the
3 resources for that -- for that to happen.

4 **MR. ENGELMANN:** And so what you're saying
5 though, as I understand it, that neither in 1991 or in 1992
6 when there appeared to have been some friction, at least
7 from his perspective, you did not take on a more hands-on
8 role with respect to the operational side of the CPS?

9 **MR. SHAVER:** Not -- never, sir.

10 **MR. ENGELMANN:** And you left that to him?

11 **MR. SHAVER:** It's his job, he's the
12 operational Deputy.

13 **MR. ENGELMANN:** All right. We've talked a
14 little bit, sir, about your retirement.

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** That you started discussing
17 it sometime well in advance of its effective -- well, of
18 the announcement ---

19 **MR. SHAVER:** Yes.

20 **MR. ENGELMANN:** --- which happened in early
21 November?

22 **MR. SHAVER:** Right.

23 **MR. ENGELMANN:** And I believe -- I can't
24 remember when you said you started those discussions but it
25 would have been the late spring or summer?

1 **MR. SHAVER:** Yes, I'm trying to remember,
2 sir, I think it was around -- it was after the Martelle --
3 the Martelle incident with myself and ---

4 **MR. ENGELMANN:** Right, in the spring.

5 **MR. SHAVER:** So that would have been, I
6 think February or March, in that area, sir. I think you'd
7 go back and look at what I said before; I can't remember, I
8 think that's exactly -- around the exact date.

9 **MR. ENGELMANN:** Sir, did you -- aside from
10 engaging a lawyer to negotiate with you and/or you and the
11 Board, did you know if the city had engaged a lawyer to
12 investigate any of your activities?

13 **MR. SHAVER:** Absolutely, they did.

14 **MR. ENGELMANN:** And do you know what
15 activities they were investigating, what alleged activities
16 they were investigating?

17 **MR. SHAVER:** I do, sir, but they were very
18 personal.

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

20 **MR. SHAVER:** And none of them were true and
21 that's the reason that the numbers -- the number kept going
22 up in the final settlement agreement.

23 **MR. ENGELMANN:** All right. And the
24 activities they were investigating, did they have anything
25 to do with your active role as the Chief?

1 **MR. SHAVER:** Let me give you the one that's
2 not totally personal. They -- the last one that they came
3 up with was that they had several members of the Police
4 Department who were willing to come forth and testify that
5 one evening after a golf tournament I allegedly got very,
6 very drunk, took my police car, drove it home, was coming
7 through the east end of the city where there was a block
8 party going on; I drove my police car through the block
9 party, missed hitting people; I got my police car lodged
10 into a veranda of a -- of a house. They had to bring the
11 fire department to get me out of the vehicle and tow the
12 car away and all the police officers and everybody hushed
13 it up.

14 Now, sir, the first thing I told -- the
15 first thing I said about that was, do you think these same
16 people that want me out the door wouldn't have been
17 standing there and saying, "Gladly, let's take a picture of
18 the Chief." It never happened; it was an absolute total
19 fabrication and a lie and -- and when it was first
20 presented, it was presented as if this was the absolute
21 truth. It was, here it is, they have this on you and ---

22 **MR. ENGELMANN:** Were these allegations
23 and/or rumours that were started from within?

24 **MR. SHAVER:** Absolutely.

25 **MR. ENGELMANN:** By people ---

1 **MR. SHAVER:** For their lawyer to say that he
2 had several members of the Police Department who were
3 willing to come forth and testify on this, I said -- my
4 answer was -- I won't tell you what my answer was because
5 that's privy between my lawyer and I but it wasn't very
6 pleasant and it was simply "Bring it on," you know this is
7 -- come on, let's do this thing.

8 That's -- that's the kind of -- that's the
9 kind of area, sir, where it got down to at the end of the
10 process and I said, "What am I doing", and so did Colin
11 McKinnon and so did people that I respected say "Why are
12 you doing, why would you want to stay there?"

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

14 **MR. SHAVER:** You know?

15 **MR. ENGELMANN:** The reason I asked you that,
16 sir, was I have looked at some of the open sessions
17 meetings of the Board.

18 **MR. SHAVER:** Right.

19 **MR. ENGELMANN:** And they brought this issue
20 up.

21 **MR. SHAVER:** That brought that issue up?

22 **MR. ENGELMANN:** Well, not the specifics but
23 the fact that they engaged a lawyer ---

24 **MR. SHAVER:** Oh yes, absolutely.

25 **MR. ENGELMANN:** --- to investigate your

1 activities.

2 MR. SHAVER: He was doing an investigation,
3 yes.

4 MR. ENGELMANN: And in fact, sir, if you
5 look -- Madam Clerk, it's Document Number 128771 and it is
6 the Cornwall Police Services Board open session meeting,
7 June 27th, 1995.

8 MR. SHAVER: That would have been around the
9 time everything was happening.

10 THE COMMISSIONER: Thank you.

11 MR. SHAVER: Thank you.

12 THE COMMISSIONER: So Exhibit 1782.

13 --- EXHIBIT NO./PIÈCE No. P-1782:

14 (128771) Cornwall Police Services Board
15 'Open Session' Minutes - 27 Jun, 95

16 MR. ENGELMANN: Sir, do you know if you were
17 present at that meeting?

18 MR. SHAVER: This can't be 1992; is it?

19 MR. ENGELMANN: Nineteen ninety-five (1995).

20 MR. SHAVER: Oh, 1995. No, I was not
21 present at the meeting.

22 MR. ENGELMANN: All right.

23 MR. SHAVER: You said '92, didn't you, sir,
24 originally?

25 MR. ENGELMANN: I'm not sure what I said.

1 **MR. SHAVER:** I'm sorry.

2 **MR. ENGELMANN:** I would have thought this
3 would have been -- hang on.

4 **THE COMMISSIONER:** This was an investigation
5 ---

6 **MR. ENGELMANN:** All right, yes, sir, it is
7 the correct date, June 27th, 1995. They're looking back, I
8 think it's in past expenses and actions.

9 And what I want to refer you to is Bates
10 page 814. And, sir, it's about three paragraphs from the
11 bottom.

12 **MR. SHAVER:** I'm sorry ---

13 **MR. ENGELMANN:** This would have been in the
14 package but I'm not sure ---

15 **MR. SHAVER:** I'm still trying to read this
16 one, sir.

17 **MR. ENGELMANN:** --- would have read it.

18 **MR. SHAVER:** I haven't seen this before.
19 No, just looking -- just reading the end of it, if you can
20 give me a moment.

21 **MR. ENGELMANN:** It said:

22 "Mayor Martelle confirmed that he'd
23 been asked by Mike Federico..."

24 I don't know who that is:

25 "...provide information concerning

1 former Chief Shaver's retirement and
2 the retaining of a lawyer by the city
3 to investigate former Chief Shaver and
4 negotiate the terms of his retirement.
5 In response he asked whether OCCOPS had
6 spoken to individuals he had
7 recommended and since they had not he
8 would not provide the information
9 requested. He stated that it's well
10 known that he conducted the
11 negotiations with former Chief Shaver."

12 Now, I'm not sure who he is there, whether
13 that's Mayor Martelle or Mike Federico or the lawyer.

14 **MR. SHAVER:** Well it wasn't Mike Federico; I
15 don't know that name at all.

16 **MR. ENGELMANN:** All right. And, sir, again,
17 just to go back, did you conduct those negotiations on your
18 own behalf or was that really Colin McKinnon with the
19 city's lawyer?

20 **MR. SHAVER:** Colin McKinnon with the city's
21 lawyer.

22 **MR. ENGELMANN:** Right. And the city lawyer
23 was not just negotiating a severance package with you; he
24 or she was also investigating some alleged activity?

25 **MR. SHAVER:** That's -- that's what -- that's

1 what they brought up. They brought up three incidents,
2 sir; I gave you the third one.

3 **MR. ENGELMANN:** All right.

4 **THE COMMISSIONER:** All right, but I don't
5 know but the other two incidents, do they relate to part of
6 the reason that we're here?

7 **MR. ENGELMANN:** I don't know, sir.

8 **THE COMMISSIONER:** Well ---

9 **MR. ENGELMANN:** All I know is there -- no,
10 one of the things that has been talked about ---

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

12 **MR. ENGELMANN:** --- publicly is Mr. Shaver's
13 retirement.

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

15 **MR. ENGELMANN:** And there were suggestions
16 made that his retirement was for any number of reasons and
17 I think it's important that we look at the issue of his
18 retirement, when it happened and what the reasons for it
19 were, and there was speculation in the community about it;
20 there was suggestions that certain investigations might
21 have been responsible for it or any number of things.

22 So I think it's important and I don't think
23 this is anything that the witness wishes to avoid. My
24 understanding is he wants to talk about his retirement and
25 why he retired.

1 **THE COMMISSIONER:** Mr. Manderville, sorry.

2 **MR. MANDERVILLE:** I don't think Chief Shaver
3 takes any issue with talking about his retirement. The two
4 issues that he's not willing to discuss are not related to
5 why we're here, sir.

6 And I don't know that this Inquiry needs to
7 go into irrelevant matters.

8 **THE COMMISSIONER:** But how do I know -- well
9 do you -- come on back here, Mr. Manderville.

10 Do you know what the two matters are?

11 **MR. MANDERVILLE:** By the way, Mr.
12 Commissioner, I'm not walking away from you repeatedly like
13 some.

14 **THE COMMISSIONER:** Do you know what the two
15 reasons are?

16 **MR. MANDERVILLE:** I do, sir.

17 **THE COMMISSIONER:** Okay, and so I don't know
18 -- well, you know, the Coalition might want to find out
19 what that is but, you know. So I don't know exactly what
20 to do there, I mean you're here as an Officer of this
21 procedure and if -- if you tell me that they are unrelated
22 I don't know, does anybody else have any comments on that
23 regard -- in that regard?

24 **MR. MANSON:** First, I think Mike Federico is
25 a senior officer with the Metropolitan Toronto Police

1 Force. I don't know why his name is here but I believe
2 that's who he is.

3 But with respect to this other matter, Mr.
4 Commissioner, it seems to me if Mr. Engelmann wants to
5 pursue this and is of the view that it's relevant to you,
6 perhaps this is an occasion where we should go in camera;
7 have a little mini *voir dire* and ---

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

9 **MR. ENGELMANN:** I could just speak for
10 myself for a minute. I didn't know ---

11 **THE COMMISSIONER:** I'm sorry?

12 **MR. ENGELMANN:** I didn't know.

13 **THE COMMISSIONER:** Did not know.

14 **MR. ENGELMANN:** And perhaps I could have a
15 discussion with Mr. Manderville.

16 **THE COMMISSIONER:** Right.

17 **MR. ENGELMANN:** And maybe we don't have to
18 go here.

19 **THE COMMISSIONER:** Exactly.

20 **MR. SHAVER:** Sir, if I could?

21 **THE COMMISSIONER:** No.

22 **MR. SHAVER:** No?

23 **THE COMMISSIONER:** No. Just ---

24 **MR. ENGELMANN:** Let's move on and if you
25 don't -- sir, if I can -- I could always come back to this

1 if it's necessary.

2 THE COMMISSIONER: Okay.

3 MR. ENGELMANN: What I'd suggest is I carry
4 on. I'll have a discussion with Mr. Manderville when we're
5 done today.

6 THE COMMISSIONER: M'hm.

7 MR. ENGELMANN: And then I can make a brief
8 report on that in the morning.

9 THE COMMISSIONER: Okay. Does anybody else
10 have any comments on that?

11 No, all right. So we're going to table that
12 for a little bit. I will want you to report back to me.

13 MR. ENGELMANN: Fair enough.

14 MEMBER: In case I forget this issue.

15 MR. ENGELMANN: You may have a report from
16 two Officers of the Court.

17 THE COMMISSIONER: That's great.

18 MR. ENGELMANN: But we'll see where we go
19 with that.

20 THE COMMISSIONER: Okay.

21 MR. ENGELMANN: I just honestly don't know
22 the circumstances and I wasn't probing there, it just -- it
23 came up and one thing leads to another here.

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

25 MR. ENGELMANN: But the whole reason for

1 going into the retirement issue is because of rumours in
2 the community and some of the -- some of the matters that I
3 think we need to discuss at this Inquiry.

4 **THE COMMISSIONER:** Absolutely.

5 **MR. ENGELMANN:** So, sir, a settlement was
6 eventually -- some kind of agreement was eventually reached
7 ---

8 **MR. SHAVER:** Yes.

9 **MR. ENGELMANN:** --- between the lawyers?

10 **MR. SHAVER:** Between the lawyers, yes.

11 **MR. ENGELMANN:** And that was acceptable to
12 you?

13 **MR. SHAVER:** No, actually it was between the
14 lawyers and presented to the Board; between the lawyer, my
15 lawyer and presented to the Board.

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

17 **THE COMMISSIONER:** But Colin McKinnon was
18 lawyer to the Board?

19 **MR. SHAVER:** To the Board, yes.

20 **THE COMMISSIONER:** So ---

21 **MR. ENGELMANN:** I still don't understand how
22 he ---

23 **THE COMMISSIONER:** --- would he be in
24 conflict?

25 **MR. SHAVER:** Well, sir, I don't believe so

1 because the -- the -- if there would have been -- if there
2 would have been negotiations with me and the Board it would
3 have been through Colin McKinnon.

4 So Colin McKinnon was representing the Board
5 and all he wanted to do was stop this stuff with Martelle
6 and he couldn't -- he could not do this -- he could not do
7 this legally because the Board was the employer, my
8 employer. That's basically what that was all about, sir.

9 **THE COMMISSIONER:** Right, but he can't
10 represent two entities, you and the Board, because in the
11 end it's taxpayers dollars which are controlled by the
12 Board, but you're wanting as many of those tax dollars as
13 you can and the Board would be negotiating to give you the
14 least or whatever is fair.

15 **MR. SHAVER:** Right.

16 **THE COMMISSIONER:** You see? So there is a
17 conflict there.

18 In any event, go ahead, Mr. Engelmann.

19 **MR. SHAVER:** Sir, if I could -- maybe if I
20 could explain a little bit about where the money came from.

21 One of the -- one of the conditions that I
22 asked to be put on this was that the money was not to be
23 taken from the Police operational budget. In other words,
24 the Board's budget, and it was agreed by the city that the
25 money would be taken from city coffers.

1 I realize it's the same pot ---

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

3 **MR. SHAVER:** --- but I didn't want -- what I
4 didn't want to have happen, sir, was that some -- the chief
5 that came in behind me all of a sudden gets this debt.

6 **THE COMMISSIONER:** I understand.

7 **MR. SHAVER:** All right? And so they agreed
8 to that and that's what they did.

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

10 **MR. SHAVER:** So the Board -- the Board did
11 not pay out the money, the city paid out the money.

12 **MR. ENGELMANN:** But just so we're clear, it
13 was Mr. McKinnon who negotiated the amount on your behalf
14 with the city lawyer?

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** And as I understand it from
17 the evidence of Mr. St. Denis, he also represented both you
18 and Mr. St. Denis with respect to an FOI complaint about a
19 public release of the 1993 inspection report?

20 **MR. SHAVER:** Yeah, that came out in '94,
21 yes.

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

23 Sir, these negotiations concluded
24 approximately when? Your retirement is announced in early
25 November.

1 **MR. SHAVER:** I'm not sure exactly, sir, by
2 the time the papers and -- I think the negotiations were
3 over at the end of the summer. July, maybe August, by the
4 time it got the formalized document back and forth and it
5 was brought -- I can't remember when it was brought to the
6 Board, sir, you'd have to look at the Board minutes for
7 that.

8 **MR. ENGELMANN:** Well, some we have, some we
9 don't.

10 **MR. SHAVER:** Okay.

11 **MR. ENGELMANN:** I'm not sure whether we have
12 those but in any event ---

13 **MR. SHAVER:** It was obviously before
14 November 4th, which is the day I officially had told
15 everybody at the Police Department.

16 **MR. ENGELMANN:** Yes. No, I -- I think
17 that's safe to assume.

18 The question is, was it in September, was it
19 in October, was it in August?

20 **MR. SHAVER:** I don't remember, sir.

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

22 Well, we're about to look at some specific
23 investigations that occurred during your tenure as Chief,
24 and one of them is an investigation of allegations made by
25 a David Silmser.

1 **MR. SHAVER:** Yes.

2 **MR. ENGELMANN:** And that name is certainly
3 familiar to you?

4 **MR. SHAVER:** It is.

5 **MR. ENGELMANN:** And we know that you became
6 aware of the release of certain information to the
7 Children's Aid Society in late September of 1993?

8 **MR. SHAVER:** Yes.

9 **MR. ENGELMANN:** And that there were contacts
10 with officials from several institutions after that, by you
11 personally. And I'll get into this more tomorrow.

12 **MR. SHAVER:** Okay.

13 **MR. ENGELMANN:** You know, the local Crown,
14 the local Bishop and others.

15 **MR. SHAVER:** Yes.

16 **MR. ENGELMANN:** So I want to ask you if the
17 investigation of the Silmsler complaint which -- or issues
18 surrounding the Silmsler complaint which happened in the
19 fall of 1993, had anything to do with your retirement?

20 **MR. SHAVER:** Nothing whatsoever.

21 **MR. ENGELMANN:** And, sir, were the terms of
22 the settlement that you agreed to subject to a
23 confidentiality order?

24 **MR. SHAVER:** I'm not sure, sir. I think I
25 still have the document at the hotel. Maybe I could look

1 at it ---

2 MR. ENGELMANN: The only reason I ask, sir,
3 is in the newspaper articles where you're quoted, you talk
4 about issues but you don't get into specifics.

5 MR. SHAVER: Right.

6 MR. ENGELMANN: And I just wasn't sure at
7 that time if they were.

8 MR. SHAVER: It must have been then, sir, if
9 that's -- thinking back because obviously the press were
10 quite anxious to know and find out about it, find out
11 exactly what the -- what the -- I don't think they were
12 interested in the terms, they were interested in the
13 amount, that was the basic ---

14 MR. ENGELMANN: All right.

15 MR. SHAVER: --- that was the bottom line.

16 MR. ENGELMANN: All right. There was some
17 amount of money involved?

18 MR. SHAVER: Yes, there was.

19 MR. ENGELMANN: Yes. And, sir, would it be
20 fair to say that there might have been some agreement on a
21 joint press release that would deal with this issue?

22 MR. SHAVER: Joint press release.

23 MR. ENGELMANN: Let me show you a document.

24 MR. SHAVER: Okay.

25 MR. ENGELMANN: And perhaps that will

1 refresh your memory.

2 MR. SHAVER: Please do, certainly, yes.

3 MR. ENGELMANN: Document Number 729798.

4 MR. SHAVER: Do I have that document, sir?

5 MR. ENGELMANN: You're about to have it,
6 sir. It was in the package, but so were many others.

7 MR. SHAVER: Okay. Yes.

8 THE COMMISSIONER: Thank you.

9 MR. SHAVER: Thank you.

10 THE COMMISSIONER: This is a press release
11 from Mr. Leo Courville, dated November 2nd, 1993, entitled
12 "Retirement of Chief Shaver".

13 --- EXHIBIT NO./PIÈCE NO. P-1783:

14 Letter from Leo Courville re Retirement of
15 Chief Claude Shaver - November 2, 1993

16 MR. ENGELMANN: If you can just have a look
17 at it for a minute, sir, it's not long.

18 MR. SHAVER: Yes.

19 MR. ENGELMANN: Sir, do you know if there
20 would have been some mutual agreement on the wording of
21 this document, just advising of your retirement?

22 MR. SHAVER: I don't think so, sir, not that
23 I can remember.

24 MR. ENGELMANN: Is it something that you
25 would have seen before it was issued?

1 **MR. SHAVER:** Again, I don't think so. There
2 was some on the letter of reference that they -- that the
3 Board provided. There was mutual discussion on that.

4 **MR. ENGELMANN:** So there was some give-and-
5 take on that?

6 **MR. SHAVER:** Yes, I don't think on this.
7 I'm not sure, sir, I don't think so.

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

9 **MR. SHAVER:** Because a lot of the stuff
10 that's contained here was contained in that other -- in
11 that other -- in the letter of reference.

12 **MR. ENGELMANN:** And, sir, there was some
13 press coverage at or around the time of your retirement?

14 **MR. SHAVER:** A lot of press coverage, yes.

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

16 And if you could, Madam Clerk, show Document
17 722154 to Mr. Shaver.

18 It is an article from the city page of the
19 Standard-Freeholder, November 4th, 1993.

20 **THE COMMISSIONER:** Thank you.

21 Exhibit 1784. Merci.

22 **---EXHIBIT NO./PIÈCE NO. P-1784:**

23 (722154) Standard-Freeholder news clipping

24 "Shaver Insists it was His Decision" -

25 November 4, 1993

1 **MR. ENGELMANN:** Sir, I'm sure you've seen
2 this before but if you want to have a look at it for a
3 minute?

4 **THE COMMISSIONER:** Just what it says here,
5 that The details have yet to be settled, yet to be
6 finalized.

7 **MR. ENGELMANN:** I wanted to actually start
8 there, it says:

9 "He would not, however, release any
10 details of the agreement which is yet
11 to be finalized..."

12 **THE COMMISSIONER:** Sorry, Mr. Engelmann.
13 Would you put it on the screen, Madam Clerk?

14 **MR. ENGELMANN:** Yes, you have to blow it up
15 a bit; it's pretty small.

16 **THE COMMISSIONER:** Yes, I know.

17 **MR. ENGELMANN:** "It's all settled,'
18 Shaver said, adding, 'the only
19 remaining steps is for the lawyers to
20 have a look at it'."

21 So it appears that the final documents aren't yet ---

22 **MR. SHAVER:** Right.

23 **MR. ENGELMANN:** --- completed, but that
24 you've agreed to the terms, essentially.

25 **MR. SHAVER:** Yes, I think that's -- I think

1 that's probably quite accurate.

2 MR. ENGELMANN: Okay. So this might have
3 been a bit later than you thought.

4 MR. SHAVER: Yes, it could have been.

5 MR. ENGELMANN: All right.

6 Have you had a chance to look at that? I'm
7 just wondering if you're correctly quoted.

8 MR. SHAVER: I -- I'm trying to look at it
9 from a 13-or-14-year-old perspective. I -- the Standard
10 Freeholder was usually pretty good about their quotes so
11 I've no reason not to believe it.

12 MR. ENGELMANN: All right. You're saying in
13 the fourth column:

14 "Shaver said the results of an
15 inspection carried out earlier this
16 year by the Policing Service Divisions
17 of Ontario at the request of the
18 Cornwall Police Board had nothing to do
19 with his decision to leave."

20 MR. SHAVER: That's true.

21 MR. ENGELMANN: Is that true?

22 MR. SHAVER: That's true.

23 MR. ENGELMANN: "That inspection, he said,
24 became distorted when it was
25 incorrectly called an investigation.

1 Shaver said these inspections are
2 routine. There have been four since
3 he's been Chief of Police."

4 MR. SHAVER: Okay.

5 MR. ENGELMANN: Now, the type of inspection
6 they were dealing with in '93 was more than just routine
7 though; was it not, sir? That was a level three rather
8 extensive inspection?

9 MR. SHAVER: Yes, but I went through two
10 level threes.

11 MR. ENGELMANN: True.

12 MR. SHAVER: Right?

13 MR. ENGELMANN: That doesn't mean they're
14 routine; does it?

15 MR. SHAVER: Well, level threes are -- are a
16 matter of routine.

17 MR. ENGELMANN: All right.

18 MR. SHAVER: It's a -- it depends on where -
19 - what -- you know, it depends on what the investigators
20 are coming to take a look at so the level three is a -- is
21 a -- is as far as I'm concerned a routine inspection
22 because they're looking at very specific items in level
23 three.

24 MR. ENGELMANN: All right.

25 Well, you did say "We were due to have one."

1 I saw your quote.

2 MR. SHAVER: Sorry?

3 MR. ENGELMANN: Right after that you say "We
4 were due to have one."

5 MR. SHAVER: Yes.

6 MR. ENGELMANN: And you do say, and you're
7 quoted as saying:

8 "I am particularly pleased with my time
9 spent working with children and serving
10 on Boards that deal with children. I
11 have a real fondness in my heart for
12 children."

13 MR. SHAVER: Yes.

14 MR. ENGELMANN: And that's -- you're
15 correctly quoted there?

16 MR. SHAVER: I'm correctly quoted there, I
17 think.

18 MR. ENGELMANN: All right.

19 And sir, did you also bring this interest in
20 children to your work with the Police Force?

21 MR. SHAVER: I -- I -- I would certainly --
22 yes, I would have because of the amount of the Boards that
23 I sat on and ---

24 MR. ENGELMANN: Well, clearly you did some
25 extracurricular work ---

1 **MR. SHAVER:** Many, many -- much.

2 **MR. ENGELMANN:** --- on Boards ---

3 **MR. SHAVER:** On Boards, yes.

4 **MR. ENGELMANN:** --- helping children?

5 **MR. SHAVER:** Yes.

6 **MR. ENGELMANN:** What about with your
7 principal police work; would it have been known to your
8 officers that you had a special interest in issues
9 involving children?

10 **MR. SHAVER:** It would have been known. I
11 know it was definitely known to Deputy Chief St. -- or
12 Deputy Chief O'Neill because he knew my family very well.
13 Deputy Chief O'Neill and I were very close. He knew my
14 family well. He knew -- and you know, I knew his family.

15 **MR. ENGELMANN:** Was he from here, sir?

16 **MR. SHAVER:** No, he's from outside of
17 Toronto.

18 **MR. ENGELMANN:** Because he was hired here in
19 1984; was it not?

20 **MR. SHAVER:** It was '84. He came from the
21 Peel Regional Police Department.

22 **MR. ENGELMANN:** Right.
23 Did you know him before then?

24 **MR. SHAVER:** No, never met him.

25 **MR. ENGELMANN:** Why do you say that he knew

1 my family, he knew ---

2 MR. SHAVER: Well, when he -- when he was
3 here, he got -- he got to know my family and I got to know
4 his. In fact, I was -- I was his daughter's date for her
5 Grade 8 graduation ---

6 MR. ENGELMANN: All right.

7 MR. SHAVER: --- you know, so that was the -
8 - that was -- that was part of the -- that's how -- that we
9 were very close ---

10 MR. ENGELMANN: All right ---

11 MR. SHAVER: --- from that perspective.

12 MR. ENGELMANN: --- but sir, if he knew
13 about your special interest in issues or cases involving
14 children -- you socialized and worked with Joseph St. Denis
15 for many years.

16 MR. SHAVER: Yes.

17 MR. ENGELMANN: Would he have known of your
18 special interest in cases involving children?

19 MR. SHAVER: I -- I -- Joe and I weren't --
20 weren't as close on the personal level as -- as O'Neill and
21 I were so I don't know, sir; he ---

22 MR. ENGELMANN: All right.

23 MR. SHAVER: --- he may have. He may have;
24 I don't know ---

25 MR. ENGELMANN: Well, let me put it ---

1 **MR. SHAVER:** --- you'd have to ask him.

2 **MR. ENGELMANN:** --- another way; do you
3 recall if you would have impressed upon your senior
4 management team your interest in cases involving children
5 and your desire to be fully informed of those
6 investigations?

7 **MR. SHAVER:** No.

8 **MR. ENGELMANN:** You would not have impressed
9 upon him?

10 **MR. SHAVER:** No.

11 **MR. ENGELMANN:** Did you formalize your
12 interest in cases involving children in any way, to your
13 knowledge?

14 **MR. SHAVER:** Formalize it how, sir?

15 **MR. ENGELMANN:** Well, by issuing orders or
16 directives giving ---

17 **MR. SHAVER:** No.

18 **MR. ENGELMANN:** --- priority to
19 investigations; sexual crimes against young people?

20 **MR. SHAVER:** No, no; absolutely not.

21 **MR. ENGELMANN:** What about your work with
22 other agencies and organizations; you did do some work,
23 sir, did you not in the implementation of an interagency
24 protocol?

25 **MR. SHAVER:** I did.

1 **MR. ENGELMANN:** And that was a protocol with
2 the CAS, the school boards?

3 **MR. SHAVER:** Yes.

4 **MR. ENGELMANN:** And did you think that those
5 were important with respect to combating abuse against
6 children; whether that was physical or sexual abuse?

7 **MR. SHAVER:** Absolutely, yes; I did.

8 **MR. ENGELMANN:** And would you agree, sir,
9 that even entering into discussions about creating
10 protocols of that nature are good because they get people
11 from different agencies to talk about these issues?

12 **MR. SHAVER:** Yes, because at that time, we -
13 - we -- there -- there were -- there were a lot of
14 disjointed conversations about that; policing going into
15 schools and things like that, yes.

16 **MR. ENGELMANN:** So this would get officials
17 from different agencies working together ---

18 **MR. SHAVER:** Yes, yeah.

19 **MR. ENGELMANN:** --- and knowing what each
20 other are doing?

21 **MR. SHAVER:** Well, at least knowing what the
22 mandate of the other -- of the -- you know, understanding
23 the mandate. I -- I don't think some of the -- I think the
24 school board in particular, at the time was the Catholic
25 School Board did not understand the mandate of the police

1 officer. They didn't want us in their schools ---

2 MR. ENGELMANN: Well, it -- and it certainly
3 could allow for better or joint cooperation?

4 MR. SHAVER: Oh, yes; absolutely.

5 MR. ENGELMANN: And it could provide
6 guidance to your investigators about what they're
7 principally responsible for and/or not?

8 MR. SHAVER: No, they know what they're
9 principally responsible for, sir, they -- but it would be
10 to understand what the other agencies would -- would --
11 what they -- how they look at things.

12 Policing was turning very much away from
13 being the old police officer with the night stick and their
14 flashlight to turning in -- we were turning into very much
15 a social agency ourselves, and that's just been continuing
16 and continuing. So it was to try to understand that and --
17 and again to try to make the point with the older officers
18 that that's where we were going; that's where,
19 unfortunately for them, that's where policing was heading
20 and we -- we needed to understand it. We were becoming a
21 social agency.

22 MR. ENGELMANN: And sir, the first child
23 sexual abuse protocol, and it was called the child sexual
24 abuse protocol, was signed off with you as a signatory
25 sometime in 1992; is that correct?

1 **MR. SHAVER:** Yeah, that would be -- that
2 would be correct, I think.

3 **MR. ENGELMANN:** And this is Exhibit 30, Tab
4 23. This would have been something put in during corporate
5 policy presentations?

6 **MR. SHAVER:** M'hm. So do you want to refer
7 to it?

8 **MR. ENGELMANN:** Yes, I do.

9 **THE COMMISSIONER:** Then can we wrap up after
10 that, Mr. Engelmann?

11 **MR. ENGELMANN:** I probably have about 10
12 minutes of questions on this, sir.

13 **MR. SHAVER:** Thank you, Mr. Commissioner,
14 because I'm actually getting quite tired myself, so thank
15 you.

16 **MR. ENGELMANN:** Sir, second page in, Bates
17 634, your signatory to this document on June 30th of 1992.

18 **THE COMMISSIONER:** It's on the left-hand
19 side there.

20 **MR. SHAVER:** On the left-hand side, sir, I'm
21 just ---

22 **THE COMMISSIONER:** No, keep going.

23 **MR. SHAVER:** Okay.

24 **THE COMMISSIONER:** It should be right ---

25 **MR. ENGELMANN:** It's Tab 23.

1 **MR. SHAVER:** Oh, Tab 23; I'm sorry.

2 **MR. ENGELMANN:** Sorry.

3 **MR. SHAVER:** I'm starting at the beginning
4 of the book, sir, and said there's none of that that ---

5 **THE COMMISSIONER:** Well, but it is the first
6 tab in this exhibit.

7 **MR. SHAVER:** It is Tab number 1?

8 **THE COMMISSIONER:** No, you might have the
9 wrong book. It's Volume 2 ---

10 **MR. SHAVER:** Yeah, I -- I don't have the
11 right book, sir.

12 **THE COMMISSIONER:** This is Volume 2, chapter
13 23?

14 **MR. ENGELMANN:** Yes.

15 **THE COMMISSIONER:** He's got Volume 1.

16 **MR. SHAVER:** This -- this appears to be the
17 -- the protocol as it exists now; a new protocol under
18 Deputy Chief Aikman.

19 **THE REGISTRAR:** Tab 20?

20 **MR. ENGELMANN:** Tab 23, Exhibit 30.

21 **THE COMMISSIONER:** See, I've got -- it's
22 Volume 2.

23 It's fate telling us, Mr. Engelmann, to
24 leave it until tomorrow; that's what it is.

25 **MR. SHAVER:** It's not a bad thought, Mr.

1 Commissioner.

2 **MR. ENGELMANN:** I'm in your hands, sir.

3 **THE COMMISSIONER:** Good. Let's go home.

4 **MR. SHAVER:** Thank you, sir.

5 **THE COMMISSIONER:** Mr. Engelmann ---

6 **THE REGISTRAR:** Order; all rise ---

7 **THE COMMISSIONER:** --- I'm sorry you've been
8 overruled, but it happens.

9 **MR. ENGELMANN:** Ah, two out of three.

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

12 This hearing is adjourned until tomorrow
13 morning at 9:30 a.m.

14 --- Upon adjourning at 5:02 p.m./

15 L'audience est ajourné à 15h02

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C E R T I F I C A T I O N

I, Marc Demers a certified court reporter inthe Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Marc Demers, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Marc Demers, CM