

**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 98

Held at :

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

Thursday, March 01, 2007

Tenue à:

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

Jeudi, le 1 mars 2007

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Mr. Pierre R. Dumais	Commission Counsel
Ms. Julie Gauthier	Registrar
Mr. Peter Manderville Mr. Mark Crane	Cornwall Police Service Board
Mr. Neil Kozloff Ms. Diane Lahaie	Ontario Provincial Police
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Steven Canto	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Giuseppe Cipriano	The Estate of Ken Seguin and Scott Seguin and Father Charles MacDonald
Ms. Jill Makepeace	Mr. Jacques Leduc
Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Robert Renshaw	Mr. Robert Renshaw

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1 --- Upon commencing at 9:34 a.m./

2 L'audience débute à 9h34

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

5 This hearing of the Cornwall Public Inquiry
6 is now in session. The Honourable Mr. Justice Normand
7 Glaude, Commissioner, presiding. Please be seated.
8 Veuillez vous asseoir.

9 **THE COMMISSIONER:** Mr. Engelmann, good
10 morning.

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

13 I'm just here briefly again.

14 Just before the cross-examination of Mr.
15 Renshaw, I just wanted to speak to the issue of Mr.
16 Silmsers' evidence one more time. As was mentioned
17 yesterday, we had an all-counsel meeting over the lunch
18 hour, and counsel for parties who have not had an
19 opportunity to cross-examine Mr. Silmsers, talked about some
20 of the process that they envision, that they would like to
21 roll out during the week of March 26th.

22 I have spoken to Mr. Rose for Corrections;
23 Mr. Kozloff for the OPP; and Mr. Wallace for the OPPA; and
24 Mr. Manderville for the Cornwall Police Service; and I'm in
25 discussions with Jennifer Birrell from the Catholic School

1 Board; and I've received a letter from her as well.

2 What I thought might be appropriate is if
3 there's a good time for you this afternoon so that counsel
4 can just address this very briefly from their clients'
5 point of view as to what they intend to do by way of
6 process.

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

8 **MR. ENGELMANN:** This is the alternatives
9 we've looked at. The motion is now off the table for
10 Friday. So we're into this alternative process.

11 **THE COMMISSIONER:** Yes, I think it's
12 important, Mr. Engelmann, that I get some idea of what the
13 suggestions are and the approaches are and that's not
14 necessarily finding out exactly what questions people are
15 going to ask. That we'll deal with, with respect to
16 relevancy and directions that I gave with respect to cross-
17 examination in the future, but I think, in order to save
18 people a lot of time and perhaps getting a lot of different
19 ideas together, that we should have a discussion, so I can
20 give -- understand where people are proposing to go and
21 perhaps give them some guidance as to what I think might be
22 a better or different way of doing things.

23 **MR. ENGELMANN:** Okay.

24 Do you have a preferred time, sir, for this
25 afternoon?

1 **THE COMMISSIONER:** Well, in the afternoon.

2 I want to get Mr. Renshaw's evidence done as quickly as
3 possible and get him on his way; so perhaps after he's
4 finished his cross-examination.

5 All right?

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

7 Thank you very much.

8 Have a good day.

9 **THE COMMISSIONER:** All right.

10 Thank you.

11 **ROBERT RENSHAW, Resumed/Sous le même serment:**

12 **THE COMMISSIONER:** Good morning, Mr.
13 Renshaw.

14 How are you doing?

15 **MR. RENSHAW:** Good.

16 **THE COMMISSIONER:** Good.

17 All right.

18 We are going to have different people today
19 asking you questions. So you understand you're still under
20 oath.

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

22 **THE COMMISSIONER:** You understand that if
23 ever you need a break or anything like that, you just tell
24 me. If there's something you're not comfortable with, let
25 me know. If you want a break, let me know. It's important

1 that I know those things.

2 MR. RENSRAW: Okay.

3 THE COMMISSIONER: Because sometimes I can
4 realize it, but sometimes I don't.

5 So, now, I believe Mr. Canto will be the
6 first person to ask you questions.

7 All right?

8 MR. RENSRAW: Yes.

9 THE COMMISSIONER: Thank you.

10 MR. CANTO: Good morning, Mr. Commissioner.

11 THE COMMISSIONER: Good morning, sir.

12 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

13 CANTO:

14 MR. CANTO: Good morning, Mr. Renshaw.

15 MR. RENSRAW: Good morning.

16 MR. CANTO: My name is Steven Canto, and I'm
17 one of the lawyers here on behalf of the Citizens for
18 Community Renewal.

19 The Citizens for Community Renewal is an
20 organization of concerned citizens with standing at this
21 inquiry. They are determined to promote needed
22 institutional reform so as to ensure the -- for the
23 protection of children and justice for all. I only have a
24 couple of questions for you today.

25 I just want to take you back to your

1 evidence yesterday, where you indicated that, while you
2 were on probation, you were abused by Ken Seguin inside the
3 probation office.

4 MR. RENSRAW: Yes.

5 MR. CANTO: And you indicated that these
6 were regular meetings?

7 MR. RENSRAW: Yes.

8 MR. CANTO: Regular scheduled meetings,
9 approximately once, maybe twice a week?

10 MR. RENSRAW: Yes.

11 MR. CANTO: How long were you on probation?

12 MR. RENSRAW: I was on a couple of times,
13 sometimes nine months. You'd have to look at my file.

14 MR. CANTO: That's fair.

15 Generally, do you remember at what time of
16 the day you had your appointments with Mr. Seguin?

17 MR. RENSRAW: Sometimes in the morning,
18 sometimes in the afternoon.

19 MR. CANTO: Okay.

20 And with respect to the instances when you
21 were abused inside the office, do you recall at what time
22 of the day did it occur; did it occur in the morning; did
23 it occur in the afternoon; in the evening?

24 MR. RENSRAW: Again, you know, morning or
25 afternoon.

1 **MR. CANTO:** All right.

2 So, generally, there's no specific time of
3 day that it occurred.

4 Okay.

5 And yesterday you also brought up the name
6 Louise who I believe was a secretary inside the probation
7 office.

8 Correct?

9 **MR. RENSRAW:** Yes.

10 **MR. CANTO:** Okay.

11 And you also indicated that, when you
12 reported to Probation, you realized she had a look on her
13 face and, if I recall your evidence, you indicated that she
14 either had a weird look on her face or a -- she empathized;
15 she felt sorry for you.

16 **MR. RENSRAW:** I think so. That's the
17 impression I got.

18 **MR. CANTO:** That's the impression you got.

19 Thank you.

20 So is it safe to say that, on the occasions
21 when you were abused by Ken Seguin, was she in the office
22 at the time?

23 **MR. RENSRAW:** Yes.

24 **MR. CANTO:** Okay.

25 Do you believe that Louise knew what was

1 going on at the time?

2 MR. RENSRAW: I can't say whether she knew,
3 you know. You'd have to definitely ask her about that.

4 MR. CANTO: That's fair.

5 Mr. Renshaw, those are my questions and
6 thank you for your evidence today.

7 MR. RENSRAW: Thank you.

8 MR. CANTO: And yesterday.

9 THE COMMISSIONER: Thank you, Mr. Canto.
10 Mr. Cipriano.

11 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.
12 CIPRIANO:

13 MR. CIPRIANO: Good morning, Mr. Renshaw.

14 MR. RENSRAW: Good morning.

15 MR. CIPRIANO: Mr. Renshaw, you're perhaps
16 aware that, as someone who has made very serious
17 allegations - oh! I'm sorry.

18 My name is Giuseppe Cipriano. I represent
19 Father MacDonald.

20 Just to go back to what I was saying, Mr.
21 Renshaw, as someone who has made serious allegations
22 against my client, I take it that you're aware that what
23 you've -- what you've complained about, your story is going
24 to be closely examined, and would have been closely
25 examined during the criminal proceedings.

1 MR. RENSCHAW: M'hm.

2 MR. CIPRIANO: And not only here but during
3 the preliminary inquiry or a trial if it had occurred.

4 You're aware of that?

5 MR. RENSCHAW: Yes.

6 MR. CIPRIANO: Okay.

7 And I take it then, as being aware of that,
8 you don't -- you don't dispute the right of my client to
9 defend himself against the allegations and to conduct a
10 cross-examination?

11 MR. RENSCHAW: No.

12 MR. CIPRIANO: Okay.

13 And I take it that in raising such serious
14 allegations, what you said, how the allegations came to be
15 known to the police, evidence that existed independently of
16 your allegations would be examined during the proceedings
17 and even here at the Inquiry?

18 MR. RENSCHAW: That's right.

19 THE COMMISSIONER: Ask that question again;
20 could you repeat that question?

21 MR. CIPRIANO: As someone who has made
22 allegations ---

23 THE COMMISSIONER: M'hm.

24 MR. CIPRIANO: --- I was asking whether he
25 was aware that what he said, how the allegations came to be

1 known to authorities ---

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

3 **MR. CIPRIANO:** --- and what -- what existed
4 independently, that came out through the investigation,
5 would be looked at, not only at the criminal proceedings,
6 but possibly even here at the Inquiry.

7 **THE COMMISSIONER:** Well, possibly here at
8 the Inquiry as part of the institutional response.

9 **MR. CIPRIANO:** Yes.

10 Sorry.

11 I should have added that, yes.

12 **THE COMMISSIONER:** No, no. No, it was a
13 fair question. It's just I wanted to make sure I had it
14 clear in my mind.

15 **MR. CIPRIANO:** Okay.

16 And, Mr. Renshaw, I'm going to suggest to
17 you that there's, among other things, probably three areas
18 that we can look at when investigating institutional
19 response. That's the information you've provided, the
20 information that came through the investigation, those
21 collected by the police, and information as to how the
22 information, what you alleged, came to be known to the
23 authorities.

24 Would you agree with that?

25 **MR. RENSRAW:** Okay.

1 MR. CIPRIANO: Okay.

2 And I want to talk a little bit about how
3 the information came to be known to the authorities, and
4 I'm going to ask you, can you confirm that -- I think you
5 stated this yesterday -- that until Gerry, your brother,
6 your little brother, and Perry Dunlop showed up, no one had
7 known about these allegations.

8 MR. RENSRAW: That's right.

9 MR. CIPRIANO: Not even your wife.

10 MR. RENSRAW: No.

11 MR. CIPRIANO: And you confirmed for us
12 yesterday that you were aware of what was happening in
13 Cornwall.

14 MR. RENSRAW: Yes.

15 MR. CIPRIANO: And can I ask you, because
16 you said you knew what was going on, and what specifically
17 did you know that was going on in Cornwall?

18 MR. RENSRAW: I have friends here in this
19 town that, you know, would phone me or, you know, this
20 newspaper clipping would have come out or ---

21 MR. CIPRIANO: Which newspaper clipping are
22 you referring to?

23 MR. RENSRAW: Standard Freeholder or, you
24 know, whatever at the time, you know.

25 MR. CIPRIANO: Okay.

1 Do you recall what the newspaper clipping
2 would have said?

3 **MR. RENSRAW:** I believe it was when Ken
4 Seguin killed himself.

5 **MR. CIPRIANO:** Okay.

6 And your friends, were they people who were
7 involved in what was going on in Cornwall?

8 **MR. RENSRAW:** No.

9 **MR. CIPRIANO:** Okay.

10 And, in terms of just so we know
11 specifically, when you say you know what's going on, do you
12 know what was happening, in what respect?

13 Were people being charged; were people being
14 investigated?

15 Did you know who the names of the players
16 were?

17 **MR. RENSRAW:** No, not at that time.

18 **MR. CIPRIANO:** Not at that time.

19 Okay.

20 Did you know who Perry Dunlop was?

21 **MR. RENSRAW:** Yes.

22 **MR. CIPRIANO:** And what did you know of him
23 before you even met him?

24 **MR. RENSRAW:** I just knew him as a police
25 officer.

1 **MR. CIPRIANO:** Okay.

2 And we heard -- when we heard from your
3 wife, Claire, she indicated there was a lot of negativity
4 being thrown at Perry Dunlop.

5 Were you aware of that at that time?

6 **MR. RENSRAW:** Not at that time but ---

7 **MR. CIPRIANO:** Not at that time.

8 Okay.

9 **MR. RENSRAW:** --- since then, yes.

10 **MR. CIPRIANO:** Okay.

11 Did you know him or his name as one of the
12 players that was going on here at the time in Cornwall?

13 **MR. RENSRAW:** Could you say that ---

14 **MR. CIPRIANO:** For instance, in the article
15 you read or in what people were telling you, did his name
16 come up?

17 **MR. RENSRAW:** Yes, it did.

18 **MR. CIPRIANO:** Okay.

19 And in what respect did his name come up?

20 **MR. RENSRAW:** As a -- I believe at the time
21 where it stated that he brought the file to Children's Aid
22 or ---

23 **MR. CIPRIANO:** Okay.

24 **MR. RENSRAW:** --- something along those
25 lines.

1 MR. CIPRIANO: Okay.

2 So you knew that he had disclosed a
3 statement to the Children's Aid Society?

4 MR. RENSRAW: Yes.

5 MR. CIPRIANO: Okay.

6 Did you know whose statement it was he had
7 disclosed?

8 MR. RENSRAW: No.

9 MR. CIPRIANO: No.

10 Okay.

11 And what else did you know of him at the
12 time?

13 MR. RENSRAW: That's pretty much it ---

14 MR. CIPRIANO: Okay.

15 MR. RENSRAW: --- at that time.

16 MR. CIPRIANO: Did you read about him in the
17 media?

18 MR. RENSRAW: No. I couldn't be bothered.

19 MR. CIPRIANO: Okay.

20 Now, we also heard from Claire about this
21 that Gerry, your little brother, and yourself, although
22 brothers, you didn't see each other that often.

23 MR. RENSRAW: That's right.

24 MR. CIPRIANO: Unless it was a family
25 occasion, there would be no reason to see him.

1 MR. RENSRAW: Yes.

2 MR. CIPRIANO: Is that fair?

3 MR. RENSRAW: M'hm.

4 MR. CIPRIANO: And so when he showed up or
5 when he first contacted you when you were in Mildmay, that
6 was not a routine thing for him to have done?

7 MR. RENSRAW: No.

8 MR. CIPRIANO: And, as you said, no one knew
9 about the allegations at this point and neither did Gerry.

10 MR. RENSRAW: No, not against me. I don't
11 believe so.

12 MR. CIPRIANO: Okay.

13 And how often did he ask you to speak to
14 Perry Dunlop?

15 I think you said yesterday maybe three or
16 four times.

17 MR. RENSRAW: Yes. I'd have to -- yes,
18 three or four, maybe five times, you know, he phoned.

19 MR. CIPRIANO: Okay.

20 And you were adamant, at least for the first
21 four times, that you didn't want to speak to him.

22 MR. RENSRAW: That's right.

23 MR. CIPRIANO: Okay.

24 You indicated that Gerry was asking you to
25 do you a favour in doing this.

1 MR. RENSRAW: Yes.

2 MR. CIPRIANO: Okay.

3 And is it fair to say that you didn't know
4 what the favour was?

5 MR. RENSRAW: Not at that time until he told
6 me.

7 MR. CIPRIANO: Okay.

8 And you didn't know about anyone who was
9 charged at that time?

10 MR. RENSRAW: No.

11 MR. CIPRIANO: Okay.

12 And it was Gerry who told you that Perry
13 Dunlop was conducting a police investigation?

14 MR. RENSRAW: Yes.

15 MR. CIPRIANO: And I take it, logically, you
16 would have connected that investigation to what was going
17 on in Cornwall?

18 MR. RENSRAW: Yes.

19 MR. CIPRIANO: Okay.

20 MR. RENSRAW: I knew why he was around, yes.

21 MR. CIPRIANO: Okay.

22 I understand that even at the preliminary
23 inquiry, and this would be March of 1999, you still didn't
24 really know what the favour was that Gerry was asking you
25 to do.

1 MR. RENSRAW: Pardon.

2 THE COMMISSIONER: I'm sorry.

3 What preliminary inquiry?

4 MR. CIPRIANO: The preliminary inquiry in
5 March of 1999.

6 THE COMMISSIONER: Of Father MacDonald?

7 MR. CIPRIANO: Yes. I'm sorry. Yes.

8 THE COMMISSIONER: So -- okay -- so your
9 question is?

10 MR. CIPRIANO: Is: even at that time, you
11 still didn't know what the favour was that Gerry ---

12 MR. RENSRAW: Yes, I did.

13 MR. CIPRIANO: You did?

14 MR. RENSRAW: Yes, I did.

15 MR. CIPRIANO: Okay. Have you had a chance
16 to look at your preliminary inquiry transcript?

17 MR. RENSRAW: No, I did not.

18 MR. CIPRIANO: Perhaps sir, I'm going to ask
19 if we can pull up a document.

20 THE COMMISSIONER: So, okay, what's the
21 rationale for wanting to know if his brother-in-law -- if
22 he knew what the favour was?

23 MR. CIPRIANO: I'm just trying to understand
24 how it is the authorities came to know of the charges or of
25 the allegations and held what the -- what the dynamics were

1 when they came forward.

2 **THE COMMISSIONER:** Okay.

3 So let's find out what was the favour to
4 start off with; do we know what the favour was?

5 **MR. CIPRIANO:** I don't know what the favour
6 was and, from reading the transcript, I don't know what the
7 favour was and I was going to get to that.

8 **THE COMMISSIONER:** Okay.

9 We'll let him go for a bit.

10 **MR. CIPRIANO:** It would be document number
11 111254; it's the preliminary inquiry transcript.

12 **THE COMMISSIONER:** So is it for the purpose
13 of saying that, at the preliminary inquiry, he said he
14 didn't know what the favour was?

15 Is that what you're going to do?

16 **MR. CIPRIANO:** Yes.

17 **THE COMMISSIONER:** Okay.

18 When did you figure out what the favour was;
19 when do you say you figured out?

20 **MR. RENSRAW:** When ---

21 **THE COMMISSIONER:** What the favour was?

22 **MR. RENSRAW:** When Gerry showed up at my
23 house with Perry.

24 **THE COMMISSIONER:** So it's preliminary
25 inquiry transcript?

1 **MR. CIPRIANO:** Yes, it is.

2 **MR. DUMAIS:** Correct, Commissioner. It's
3 one of the documents that we had that identified as
4 potentially one to file as an exhibit.

5 **THE COMMISSIONER:** All right.

6 And is there a publication ban on this
7 document?

8 **MR. CIPRIANO:** Yes, there is. There is the
9 preliminary inquiry ban, which I take would have expired
10 since the proceedings were completed. But there is also a
11 486(3) ban, which I believe Mr. Dumais indicated that it's
12 still in effect for some of the names.

13 **THE COMMISSIONER:** Is that correct, Mr.
14 Dumais?

15 **MR. DUMAIS:** That's correct, Commissioner.
16 Other than for the David Silmser, John MacDonald and Robert
17 Renshaw, which that ban has been lifted for those three
18 individuals; otherwise, the ban is still in effect and, as
19 I have indicated for other documents, we should mirror that
20 ban for the other victims and, if there is any need to
21 refer to those names, they do have monikers.

22 **THE COMMISSIONER:** All right.

23 Thank you.

24 Exhibit 350 (sic) is a copy or transcript
25 for Volume II -- I take it or Volume 11 -- probably Volume

1 II of a preliminary inquiry held before Justice Renaud on
2 March 9th, 1999.

3 ---EXHIBIT NO./PIÈCE NO P-351:

4 (111254) Preliminary Inquiry - Vol. II - R.
5 v. Charles F. MacDonald - March 9, 1999.

6 **THE COMMISSIONER:** All right.

7 So were we -- where do you want to take us?

8 **MR. CIPRIANO:** I'm sorry.

9 I didn't get the exhibit number, Mr.

10 Commissioner?

11 **THE COMMISSIONER:** Three fifty -- pardon.

12 **THE REGISTRAR:** Three fifty-one (351).

13 **THE COMMISSIONER:** You put 350 here.

14 Where are we now?

15 **THE REGISTRAR:** Three fifty-one (351).

16 **THE COMMISSIONER:** It's 351, Exhibit 351.

17 **MR. CIPRIANO:** Thank you.

18 **THE COMMISSIONER:** Okay.

19 So you'll get a copy in a minute there.

20 **MR. RENSRAW:** I got one here, sir.

21 **THE COMMISSIONER:** Oh! You have one?

22 All right.

23 Then we'll put it up on the screen.

24 And where would you like to go if you could
25 use page numbers of the transcript?

1 **MR. CIPRIANO:** Whatever is easier. I could
2 do page numbers or Bates page numbers; whatever is easier.

3 **THE COMMISSIONER:** Well, I prefer page
4 number.

5 **MR. CIPRIANO:** Page 33 and for Madam Clerk,
6 Bates page 1056149.

7 **(SHORT PAUSE/COURTE PAUSE)**

8 **MR. CIPRIANO:** Mr. Renshaw, do you see it on
9 your screen now?

10 **MR. RENSRAW:** Yes, I do.

11 **MR. CIPRIANO:** And at the top of the page,
12 there is one of your answers to the page -- the question
13 before:

14 "And the question I should put to you
15 is: Yes, and what did your brother
16 specifically want you to do?"

17 And your answer on page 33 is:

18 "He asked me to do him a favour and
19 talk to this fellow".

20 Question:

21 "Why were you doing him a favour? What
22 did you understand was a favour for
23 your brother?"

24 The answer:

25 "Talk to Perry Dunlop".

1 Question:

2 "Okay. What was that going to do for
3 your brother as you understand it?"

4 Answer:

5 "As a favour".

6 Question:

7 "No. But what was it going to do for
8 him, your brother?"

9 Answer:

10 "I have no idea".

11 And I'm going to ask you: is it fair to say
12 that at that time you still didn't know what the favour was you
13 were doing for your brother?

14 **MR. RENSRAW:** I took it as talk to Perry
15 Dunlop.

16 **MR. CIPRIANO:** Okay.

17 **MR. RENSRAW:** At that time.

18 **MR. CIPRIANO:** But you didn't know what it
19 was it would be doing for your brother?

20 **MR. RENSRAW:** What, in terms or what he was
21 going to get out of it?

22 Is that what you ---

23 **MR. CIPRIANO:** It's because your brother
24 asked you for a favour.

25 Correct?

1 MR. RENSRAW: Yes.

2 MR. CIPRIANO: And you didn't know what it
3 was -- how it would benefit your brother?

4 MR. RENSRAW: No, I did not.

5 MR. CIPRIANO: Okay.

6 And where was Gerry living at the time?

7 MR. RENSRAW: I'm not sure whether he was
8 still living out west or in Walkerton at the time.

9 MR. CIPRIANO: Okay.

10 And when ---

11 (SHORT PAUSE/COURTE PAUSE)

12 THE COMMISSIONER: I see you've caught my
13 cough.

14 MR. RENSRAW: Oh! Yeah.

15 MR. CIPRIANO: I'm going to take you now to
16 page 44 of the transcript and that would be Bates page
17 number ---

18 Oh! You have it.

19 Okay.

20 You gave an answer here, I guess, that
21 qualifies that you knew you were doing as a favour for your
22 brother and your answer is, at the beginning of the page
23 there:

24 "How am I helping my brother? Well, at
25 the time, I kind of thought that

1 Charles MacDonald had did something to
2 him, you know, I wasn't too sure
3 whatever but I knew Ken Seguin did. So
4 maybe if I would have opened my mouth
5 when I was younger, it wouldn't have
6 happened to him".

7 Is that fair?

8 **MR. RENSRAW:** Yes.

9 **MR. CIPRIANO:** Okay.

10 So we're talking about events that,
11 according to your allegations, occurred in Cornwall.

12 Correct?

13 **MR. RENSRAW:** Yes.

14 **MR. CIPRIANO:** And you knew Perry Dunlop
15 from Cornwall.

16 Correct?

17 **MR. RENSRAW:** Yes.

18 **MR. CIPRIANO:** Okay.

19 And he came -- I know we heard that Cornwall
20 is about seven-and-a-half hours from Mildmay where you were
21 living.

22 **MR. RENSRAW:** Roughly, yes.

23 **MR. CIPRIANO:** Okay.

24 And so he showed up one day at your door
25 with your brother Gerry.

1 MR. RENSRAW: Yes.

2 MR. CIPRIANO: So I take it he would have
3 travelled from Cornwall to Mildmay.

4 MR. RENSRAW: I believe so, yes.

5 MR. CIPRIANO: Okay.

6 And he wasn't in uniform though?

7 MR. RENSRAW: No.

8 MR. CIPRIANO: But he made it clear to you
9 that he was conducting a police investigation?

10 MR. RENSRAW: Not at that meeting.

11 MR. CIPRIANO: Not at that meeting.

12 Okay.

13 MR. RENSRAW: No.

14 MR. CIPRIANO: Do you recall what time of
15 day he would have showed up at?

16 MR. RENSRAW: It was at night time.

17 MR. CIPRIANO: Evening hours?

18 MR. RENSRAW: Yes, after supper.

19 MR. CIPRIANO: Okay.

20 And were you expecting him?

21 MR. RENSRAW: No.

22 MR. CIPRIANO: He just showed up?

23 MR. RENSRAW: Well, there was a phone call.

24 MR. CIPRIANO: There was a phone call?

25 MR. RENSRAW: Yes, there was a phone call

1 from my brother Gerry from the town of Clifford, which is
2 five minutes away.

3 MR. CIPRIANO: Okay.

4 And was the phone call that day or was it a
5 day earlier or did he say ---

6 MR. RENSRAW: Two (2) minutes before he got
7 to my door.

8 MR. CIPRIANO: Okay.

9 So before that, you had no clue.

10 MR. RENSRAW: I had no idea he was coming,
11 no.

12 MR. CIPRIANO: Okay.

13 And how long did he stay when he showed up?

14 MR. RENSRAW: Perry or my ---

15 MR. CIPRIANO: Perry Dunlop.

16 MR. RENSRAW: Maybe half an hour.

17 MR. CIPRIANO: Half an hour.

18 MR. RENSRAW: Maybe.

19 MR. CIPRIANO: Okay.

20 Was it arranged that you were going to meet
21 with him again when he left?

22 MR. RENSRAW: Yes.

23 MR. CIPRIANO: And how was that arrangement
24 made?

25 MR. RENSRAW: That he would contact me and

1 we'd get together.

2 MR. CIPRIANO: And did you provide him with
3 your contact information?

4 MR. RENSRAW: Well, I gave him my number,
5 yes.

6 MR. CIPRIANO: Okay.
7 And did he contact you after that?

8 MR. RENSRAW: Yes.

9 MR. CIPRIANO: How far or how long after did
10 he contact you, roughly?

11 MR. RENSRAW: Maybe a week.

12 MR. CIPRIANO: A week.

13 Okay.

14 By phone, I take it, he would have contacted
15 you?

16 MR. RENSRAW: Phone, yes.

17 MR. CIPRIANO: And another meeting is
18 arranged at this point?

19 MR. RENSRAW: Yes.

20 MR. CIPRIANO: And is it at this time that
21 he informs you he is conducting a police investigation?

22 MR. RENSRAW: Yes.

23 MR. CIPRIANO: Okay.

24 And was he in uniform then?

25 MR. RENSRAW: No.

1 MR. CIPRIANO: No.

2 THE COMMISSIONER: When?

3 When he talked to him on the phone.

4 MR. CIPRIANO: No, no, the second meeting.

5 Ah! Sorry.

6 THE COMMISSIONER: At the second meeting.

7 Was he ever -- did you ever see him in a

8 police uniform?

9 MR. RENSRAW: No.

10 MR. CIPRIANO: No.

11 Okay.

12 The second meeting was where?

13 MR. RENSRAW: Newmarket.

14 MR. CIPRIANO: Newmarket.

15 Was this in the lawyer's office?

16 MR. RENSRAW: No.

17 MR. CIPRIANO: No.

18 MR. RENSRAW: No, I was at the -- Kelsey's.

19 MR. CIPRIANO: Oh! This is at the

20 restaurant?

21 MR. RENSRAW: First meeting was at Kelsey's.

22 MR. CIPRIANO: Okay.

23 Were you -- was it just yourself and Perry

24 Dunlop?

25 MR. RENSRAW: Yes.

1 MR. CIPRIANO: And Gerry wasn't there?
2 MR. RENSRAW: No.
3 MR. CIPRIANO: Was Helen Dunlop there?
4 MR. RENSRAW: No.
5 MR. CIPRIANO: No.
6 Had you met Helen Dunlop at this point?
7 MR. RENSRAW: No.
8 MR. CIPRIANO: Had you spoken to her at all?
9 MR. RENSRAW: No.
10 MR. CIPRIANO: And how long is this meeting
11 at the restaurant?
12 MR. RENSRAW: Maybe a couple of hours.
13 MR. CIPRIANO: A couple of hours.
14 This is the meeting where you're shown a
15 bunch of photos ---
16 MR. RENSRAW: Yes.
17 MR. CIPRIANO: --- and they're put on the
18 table for you?
19 MR. RENSRAW: M'hm.
20 MR. CIPRIANO: And you get to examine them?
21 MR. RENSRAW: Yes, I do.
22 MR. CIPRIANO: Okay.
23 You look over them once or twice or more
24 than that?
25 MR. RENSRAW: Twice maybe, I don't know.

1 MR. CIPRIANO: Do you recall how many photos
2 it would have been?

3 MR. RENSCHAW: No, I don't.

4 MR. CIPRIANO: Twenty (20), 25?

5 MR. RENSCHAW: Well, there was quite a few.

6 MR. CIPRIANO: Quite a few.

7 MR. RENSCHAW: Yes.

8 MR. CIPRIANO: Okay.

9 (SHORT PAUSE/COURTE PAUSE)

10 MR. CIPRIANO: After that meeting, is it
11 arranged that you're going to meet with him again?

12 MR. RENSCHAW: Yes.

13 MR. CIPRIANO: And how is that set up?
14 Did he say he would contact you or you would
15 contact him?

16 MR. RENSCHAW: He'd contact me.

17 MR. CIPRIANO: Okay.
18 And I take it that happened; he contacted
19 you.

20 MR. RENSCHAW: Yes.

21 MR. CIPRIANO: How far after that did he
22 contact you, a day, a week?

23 MR. RENSCHAW: I cannot say. A week, two
24 weeks, I have no idea.

25 MR. CIPRIANO: Okay.

1 Some time after.

2 **MR. RENSRAW:** Yes.

3 **MR. CIPRIANO:** And when he contacts you,
4 what time of day is it, if you recall?

5 **MR. RENSRAW:** I have no idea.

6 **MR. CIPRIANO:** Okay.

7 **MR. RENSRAW:** It probably was at night
8 because, at that time, I was working.

9 **MR. DUMAIS:** I think the last 40 questions I
10 put to the witness yesterday.

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

12 **MR. DUMAIS:** I understand that there is
13 sometimes a need to set up a question that has to be put to
14 the witness, but, I mean, we're just navigating there. I
15 mean, these were asked and answered yesterday.

16 **THE COMMISSIONER:** They were.

17 **MR. CIPRIANO:** Well, I just wanted to know
18 some more specifics.

19 **THE COMMISSIONER:** Okay.

20 But you know you got to get to a point
21 sometime.

22 **MR. CIPRIANO:** Yes.

23 So he contacts you -- were you working at
24 the time?

25 **MR. RENSRAW:** I believe I was, yes.

1 MR. CIPRIANO: Okay.

2 So were you working days or nights or ---

3 MR. RENSRAW: Days.

4 MR. CIPRIANO: So, if you were at home, it
5 would have been in the evening when he contacted you?

6 MR. RENSRAW: Yes.

7 MR. CIPRIANO: And when you meet him, are
8 you -- do you know where it is you are going to meet him or
9 does he come pick you up?

10 MR. RENSRAW: No, I went to Newmarket.

11 MR. CIPRIANO: He told you where to go?

12 MR. RENSRAW: Yes.

13 MR. CIPRIANO: To the lawyer's office?

14 MR. RENSRAW: Yes.

15 MR. CIPRIANO: Okay.

16 Do you meet Helen at this point?

17 MR. RENSRAW: No.

18 MR. CIPRIANO: No.

19 She is not at the lawyer's office?

20 MR. RENSRAW: No.

21 MR. CIPRIANO: Okay.

22 Do you know of her at this point?

23 MR. RENSRAW: No.

24 MR. CIPRIANO: Okay.

25 When you meet him at the lawyer's office,

1 this first time -- this would be the third time you've met
2 Perry Dunlop?

3 **MR. RENSRAW:** Second or -- yeah, third, yes.

4 **MR. CIPRIANO:** Okay.

5 And when you meet him, were you introduced
6 to his lawyer as well during this meeting?

7 **MR. RENSRAW:** No, he was not there at that
8 one.

9 **MR. CIPRIANO:** He was not there at that one?

10 **MR. RENSRAW:** No.

11 **MR. CIPRIANO:** Okay.

12 Was this the one where you were taped?

13 **MR. RENSRAW:** I couldn't tell you yes or --
14 I can't say for sure.

15 **MR. CIPRIANO:** Okay.

16 But it was Perry Dunlop, I guess, who was
17 there leading the investigation, as you understand it?

18 **MR. RENSRAW:** Oh! Yes. Yes, it was Perry.

19 **MR. CIPRIANO:** At some point then, you do
20 get to meet Helen Dunlop at the lawyer's office?

21 **MR. RENSRAW:** Yes I believe it was the next
22 meeting I had at the office.

23 **MR. CIPRIANO:** Okay.

24 So you're in Newmarket again ---

25 **MR. RENSRAW:** Yes.

1 MR. CIPRIANO: --- and there is, from what
2 you understand, a police investigation being conducted by
3 Perry Dunlop from Cornwall.

4 MR. RENSRAW: Yes.

5 MR. CIPRIANO: And his wife is there.

6 MR. RENSRAW: Yes.

7 MR. CIPRIANO: And you're in Perry Dunlop's
8 lawyer's office?

9 MR. RENSRAW: Yes.

10 MR. CIPRIANO: Okay.

11 And again you're shown the same array of
12 photographs?

13 MR. RENSRAW: Not on that one, no.

14 MR. CIPRIANO: In one of the two meetings at
15 the lawyer's office ---

16 MR. RENSRAW: Yes.

17 MR. CIPRIANO: --- you're shown a bunch of
18 photographs.

19 MR. RENSRAW: Yes, at the prior meeting,
20 yes, sir.

21 MR. CIPRIANO: And you had selected two of
22 the photographs?

23 MR. RENSRAW: Okay.

24 MR. CIPRIANO: Do you recall that? I
25 believe it was number 20 and number 2.

1 MR. RENSRAW: Okay.

2 MR. CIPRIANO: And you identify them as
3 being Father MacDonald?

4 MR. RENSRAW: Okay.

5 MR. CIPRIANO: Now, do you recall that? I
6 think you told us that yesterday.

7 MR. RENSRAW: Yes.

8 MR. CIPRIANO: Were you ever told that one
9 of the two photographs was not Father MacDonald?

10 MR. RENSRAW: No.

11 MR. CIPRIANO: No. Did Perry ever tell you
12 that?

13 MR. RENSRAW: No.

14 MR. CIPRIANO: Okay. Do ---

15 MR. RENSRAW: Not that I'm a -- not that I
16 can recollect.

17 MR. CIPRIANO: No.

18 MR. RENSRAW: No.

19 MR. CIPRIANO: So you're not aware that you
20 selected someone else other than Father MacDonald in one of
21 the photographs?

22 MR. RENSRAW: I don't believe I did.

23 MR. CIPRIANO: No? if I can show you
24 document 102990.

25 THE COMMISSIONER: Why is this relevant?

1 **MR. CIPRIANO:** I'm sorry.

2 **THE COMMISSIONER:** Why is it relevant?

3 **MR. CIPRIANO:** Well, I think for one reason
4 this is how the allegations -- the dynamic of how the
5 allegations became to be known to the institution are
6 through these interactions with Perry Dunlop. The fact
7 that he is shown certain photographs and identifies them as
8 being a perpetrator and if there's information that shows
9 that that's not the perpetrator and if this was known to
10 the authorities, I think that goes to how the institutions
11 responded and how their response was informed by what they
12 knew at the time.

13 **THE COMMISSIONER:** Mr. Manderville.

14 **MR. MANDERVILLE:** Excuse me, Mr.
15 Commissioner, if you are disinclined to let Mr. Cipriano
16 proceed on this, I can assure that this issue is very
17 relevant to my client and I will make it very plain to you
18 when it's my turn.

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

20 Mr. Lee.

21 **Mr. LEE:** I haven't objected at this point
22 to this question. Mr. Cipriano now has from Mr. Renshaw
23 that he looked at photographs that Mr. Dunlop showed him,
24 that he recalls identifying a couple of photographs as
25 Father MacDonald and that he was never told at any point

1 that there was any problem with his identification. He was
2 never told anything.

3 It seems to me that Mr. Cipriano's issue
4 from here on out is what Perry Dunlop and possibly with the
5 police and the terms of whether the charge should have been
6 laid or not. I don't see anything further that Mr. Renshaw
7 can add to this conversation.

8 **THE COMMISSIONER:** Okay, thank you.

9 Mr. Renshaw is saying that he was shown two
10 photographs, number 2 and number 20.

11 **MR. CIPRIANO:** No, he selected number 2 and
12 number 20.

13 **THE COMMISSIONER:** Yes, right. Right, okay.

14 And he is saying that he never was told by
15 anyone that the photos were not of Father MacDonald?

16 **MR. CIPRIANO:** One of them was not.

17 **THE COMMISSIONER:** Well, that's what you're
18 saying but he's saying, "I was never told anything of
19 that".

20 All right. So now you want to what, show
21 him the photos?

22 **MR. CIPRIANO:** No. I was just going to show
23 him the information provided by Mr. Dunlop during one of
24 the hearings, in which he confirms that one of the photos
25 was not that of my client.

1 **THE COMMISSIONER:** And how is that relevant?

2 **MR. CIPRIANO:** Well, again, it --- there's
3 this dynamic that's happening between Mr. Dunlop and the
4 witness. Mr. Dunlop has informed the witness he's
5 conducting the police investigation ---

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

7 **MR. CIPRIANO:** --- and, I gather we'll hear
8 information later on that we knew he wasn't. The way the
9 charges or the way the allegations came to be known to the
10 institutions who were in fact conducting the investigation,
11 I think, is highly relevant to the mandate of the inquiry
12 in whether, whether or not there was sufficient grounds to
13 even lay a charge.

14 Given the information that was provided or
15 was withheld by Mr. Dunlop, or provided at a later date,
16 and the ongoing institutional response to what was being
17 learned on a daily basis with information being provided by
18 Mr. Dunlop.

19 **THE COMMISSIONER:** Okay. That I can
20 understand, except for this gentleman, all right?

21 For his testimony, I would think that would
22 be more by way of a response than, first of all, I take it
23 you're trying in any way, shape or form attacking this
24 man's credibility.

25 **MR. CIPRIANO:** No, I was simply asking what

1 information he had at the time.

2 THE COMMISSIONER: Okay, but -- and that's
3 what I'm saying, sir. If he says, "Look it. I saw these
4 two pictures. They're Father MacDonald."

5 MR. CIPRIANO: Okay.

6 THE COMMISSIONER: You can ask him, "Did
7 anyone ever tell you that or were you ever aware that one
8 of the pictures wasn't Father MacDonald?" And he says,
9 "No".

10 So would it surprise you, sir, to find out
11 that one of the pictures weren't?

12 MR. RENSRAW: Yes, it would surprise me.

13 THE COMMISSIONER: And did Mr. Dunlop ever
14 tell you that one of those pictures was not one of Father
15 MacDonald's?

16 MR. RENSRAW: No.

17 THE COMMISSIONER: Okay. So I think the
18 point's been made -- and we'll get to Mr. Manderville's
19 issue later on -- but I think your point's been made with
20 respect to, if further on, someone's going to come up and
21 tell me ---

22 MR. CIPRIANO: Yes.

23 THE COMMISSIONER: --- that Mr. Dunlop
24 didn't tell -- first of all, somebody's going to show me
25 that Father MacDonald, the two pictures that were shown,

1 one of them wasn't Father MacDonald.

2 MR. CIPRIANO: Yes.

3 THE COMMISSIONER: And that somebody comes
4 up and says, "Well Mr. Dunlop never told the police".
5 Well, that's going to be relevant there but I don't know
6 what more we can do with this witness on that issue.

7 MR. CIPRIANO: No, I wasn't going to go into
8 it further. In fact, you asked the questions for me.

9 THE COMMISSIONER: Oh.

10 MR. CIPRIANO: I can move on from that.

11 THE COMMISSIONER: Good. Thank you.

12 MR. CIPRIANO: And the fourth meeting you
13 had with Mr. Dunlop in his lawyer's office in Newmarket.

14 MR. RENSRAW: Okay.

15 MR. CIPRIANO: That's when he had you sign
16 the affidavit?

17 MR. RENSRAW: Correct.

18 (SHORT PAUSE/COURTE PAUSE)

19 MR. SHERRIFF-SCOTT: Excuse me, Mr.
20 Commissioner. I just want to make sure there is no
21 duplication on the point that I had to say. Thank you.

22 THE COMMISSIONER: So Mr. Renshaw, you see
23 we're -- I'm intervening and other people are objecting.
24 Don't get riled up by that, all right?

25 We're just trying to limit the things to

1 what you know, and that kind of thing. It is not a
2 reflection on your testimony at all.

3 **MR. RENSRAW:** Thank you.

4 **THE COMMISSIONER:** All right.

5 **MR. RENSRAW:** Thank you.

6 **MR. CIPRIANO:** The affidavit that you signed
7 is Exhibit 354. Perhaps that could be put up on the
8 screen.

9 **THE COMMISSIONER:** Three-fifty-four (354),
10 it's up -- it could be on the screen. You must have that -
11 -

12 **MR. CIPRIANO:** We may have it in hard copy?

13 **THE COMMISSIONER:** Yes. We do.

14 **MR. RENSRAW:** Oh, I do?

15 **THE COMMISSIONER:** 345. Madam Clerk, can
16 you help him find it as well?

17 It's not in there.

18 **MR. CIPRIANO:** Oh, sorry, 351.

19 **MR. RENSRAW:** No, I don't have it.

20 **THE COMMISSIONER:** Three-fifty-four (344).

21 **MR. CIPRIANO:** Oh, sorry. I may have
22 misquoted the number.

23 **THE COMMISSIONER:** Yes, 354 doesn't exist
24 yet.

25 **MR. CIPRIANO:** Three-thirty-four (334), I'm

1 sorry.

2 **THE COMMISSIONER:** Three-thirty-four (334).

3 And, Madam Clerk, whenever you can put it up
4 on the screen?

5 Just a second. Do you have it up on the
6 screen, Madam Clerk? Yes, good.

7 **MR. CIPRIANO:** Okay.

8 **THE COMMISSIONER:** What reference, what page
9 are you on ---

10 **MR. CIPRIANO:** Well, I'm just, I'm going to
11 stick with the Style of Cause.

12 **THE COMMISSIONER:** Okay.

13 **MR. CIPRIANO:** You see in the affidavit
14 there the Style of Cause? That's the general heading, What
15 we refer to as the general heading. It has a court name on
16 it and it says, "Between Perry Dunlop and all those other
17 names".

18 **MR. RENSRAW:** Okay.

19 **MR. CIPRIANO:** All right. Now you would
20 agree Father MacDonald's name is not in there.

21 **MR. RENSRAW:** Okay.

22 **MR. CIPRIANO:** Okay. And, I'm going to ask
23 you to turn to page 47 of the preliminary inquiry, which
24 would be Bates page number 1056163.

25 **THE COMMISSIONER:** So page 47 of that

1 document, Mr. Renshaw.

2 MR. CIPRIANO: And I think that would be
3 Exhibit 351.

4 THE COMMISSIONER: M'hm.

5 MR. CIPRIANO: And starting at line 25 --do
6 you see that, Mr. Renshaw? It says:

7 "You knew what you were there to talk
8 about?"

9 The answer is "Yes".

10 Question:

11 "You had several..."

12 Am I on the right page?

13 THE COMMISSIONER: Page 47?

14 MR. CIPRIANO: Is this page 47? I don't
15 know. I don't believe it is.

16 THE COMMISSIONER: No.

17 MR. CIPRIANO: It would be Bates page
18 1056163.

19 THE COMMISSIONER: Yes, that's the one.
20 Now, bring it down a little bit. There you go.

21 MR. CIPRIANO: Okay. Yes.

22 There's -- I guess it's line 25. "Was it
23 already prepared?" was the question asked to you. Your
24 answer was:

25 "Yes, it was already written out. All

1 I had to do was sign it."

2 Question:

3 "Okay, was in it handwriting or typed?"

4 Answer:

5 "Typed".

6 Question:

7 "Did you read it?"

8 Answer:

9 "Yes, I did."

10 So you recall saying that you read the
11 affidavit?

12 **MR. RENSRAW:** Well, I just flipped through
13 it. I'm not the type of person to really read it, no.

14 **MR. CIPRIANO:** You're not disagreeing with
15 the answer you gave though at the preliminary inquiry?
16 Correct; you said you read it at the preliminary inquiry?

17 **MR. RENSRAW:** Well, I am saying that, "No, I
18 did not fully read it, no".

19 **MR. CIPRIANO:** Okay.

20 (SHORT PAUSE/COURTE PAUSE)

21 **MR. CIPRIANO:** And you were asked -- at this
22 point when you leave do you take a copy of the affidavit
23 with you?

24 **MR. RENSRAW:** Yes.

25 **MR. CIPRIANO:** Okay. So a copy was made for

1 you, then, I take it?

2 **MR. RENSRAW:** Yes.

3 **MR. CIPRIANO:** Okay. You don't have any
4 involvement, let's say, with Mr. Dunlop for a number of
5 months after that; is that correct, or do you keep in
6 contact with him?

7 **MR. RENSRAW:** Once in while he would --
8 Helen would contact Claire, you know, by email or just to
9 see how we were doing.

10 **MR. CIPRIANO:** Okay. And did you ever,
11 would you ever ask Helen about the course of the police
12 investigation?

13 **THE COMMISSIONER:** Just a second, just
14 second. Did you ever have any correspondence with Helen?

15 **MR. RENSRAW:** No.

16 **THE COMMISSIONER:** Did you ever use the
17 internet and do that ---

18 **MR. RENSRAW:** No.

19 **THE COMMISSIONER:** --- or was it all Claire?

20 **MR. RENSRAW:** Always Claire.

21 **MR. CIPRIANO:** Okay. Did you ever -- did
22 you yourself make any inquiries as to the course of the
23 police investigation at this point?

24 **MR. RENSRAW:** No, I didn't.

25 **MR. CIPRIANO:** And were you made aware of

1 any lawsuits for millions of dollars that Perry Dunlop
2 would have had ongoing, at the time?

3 MR. RENSRAW: I believe after I found that
4 out, yes.

5 MR. CIPRIANO: When would you have found
6 that out?

7 MR. RENSRAW: I don't know whether after I -
8 - it was when I watched the W5 program or -- I can't say
9 for sure.

10 MR. CIPRIANO: Was it before that the police
11 had contacted you to come to Walkerton?

12 MR. RENSRAW: I can't answer that. I'm ---

13 MR. CIPRIANO: You don't know, okay.

14 MR. RENSRAW: No, I don't know.

15 MR. CIPRIANO: Is it fair to say that the
16 next time any word about charges or police investigation
17 comes around is when the OPP contact you?

18 MR. RENSRAW: Yes.

19 MR. CIPRIANO: Okay.

20 Were you informed that they were the police
21 force conducting the Project Truth investigation?

22 MR. RENSRAW: Yes.

23 MR. CIPRIANO: Okay. You met them at the
24 police station in Walkerton?

25 MR. RENSRAW: Yes.

1 MR. CIPRIANO: Not in a lawyer's office?

2 MR. RENSRAW: The police station in
3 Walkerton.

4 MR. CIPRIANO: Yes, okay.
5 You didn't meet anyone else other than the
6 police officers then?

7 MR. RENSRAW: Two officers, Dupuis and
8 Seguin.

9 MR. CIPRIANO: Okay. But no one else, I'm
10 saying.

11 MR. RENSRAW: No.

12 MR. CIPRIANO: No, just officers.

13 MR. RENSRAW: Yes.

14 MR. CIPRIANO: Okay.

15 You talked a little bit about the issue of
16 the date yesterday with Mr. Dumais, with Pierre -- the 1981
17 versus the 1983 dates.

18 MR. RENSRAW: M'hm.

19 MR. CIPRIANO: I understand that you
20 corrected Perry Dunlop, because your affidavit was quite
21 clear in that the date was 1981.

22 MR. RENSRAW: Yes.

23 MR. CIPRIANO: But you corrected Perry
24 Dunlop about three to four weeks after you swore that
25 affidavit.

1 **MR. RENSRAW:** I believe I did, yes.

2 **MR. CIPRIANO:** Okay. So is it fair to say
3 that if you swore your affidavit in February that by March
4 you knew that the date was incorrect? That would bring the
5 three to four weeks after February -- would bring us into
6 March of '97.

7 **MR. RENSRAW:** I can't answer that for sure
8 because I ---

9 **MR. CIPRIANO:** Okay. You would agree it was
10 about a month after?

11 **MR. RENSRAW:** Possibly.

12 **MR. CIPRIANO:** Okay and, if you want,
13 we can refresh your memory by looking into the transcript
14 of the preliminary inquiry, if that will help you. It's
15 page 62 of the transcript. And that would be Bates page
16 1056178.

17 **THE COMMISSIONER:** So at the bottom of that
18 page, Madam Clerk, lines 25:

19 "I corrected Perry after this was
20 taken."

21 "When did you correct Constable Dunlop?
22 Tell me."

23 "A few weeks after, I would imagine."

24 "How many weeks after?"

25 "Three or four weeks."

1 Does that sound fair?

2 **MR. CIPRIANO:** Does that sound fair?

3 **MR. RENSRAW:** Okay.

4 **MR. CIPRIANO:** Okay.

5 So it was about a month after you corrected
6 Perry Dunlop?

7 **MR. RENSRAW:** Yeah.

8 **MR. CIPRIANO:** Did he ever come to you to
9 swear a new Affidavit?

10 **MR. RENSRAW:** No, just what I signed at the
11 lawyer's office.

12 **MR. CIPRIANO:** Okay.

13 **MR. RENSRAW:** That's the only dealings I had
14 with Perry.

15 **MR. CIPRIANO:** Okay.

16 So he never came to you to correct it; him
17 or his lawyer never came and asked you to correct the sworn
18 document?

19 **MR. RENSRAW:** H'uh, no.

20 **MR. CIPRIANO:** No.

21 Okay.

22 **(SHORT PAUSE/COURTE PAUSE)**

23 **MR. CIPRIANO:** When you were interviewed by
24 the OPP in Walkerton ---

25 **MR. RENSRAW:** Yes.

1 **MR. CIPIRANO:** --- you also gave him the
2 1981 date?

3 **MR. RENSRAW:** Yes.

4 **MR. CIPRIANO:** Okay.

5 This was some time after you had realized
6 the error in the Affidavit?

7 **MR. RENSRAW:** Yes.

8 **MR. CIPRIANO:** Okay.

9 And despite knowing of the error, you had
10 committed the same error?

11 **MR. RENSRAW:** In my mind, at that time, I
12 still believed it was '81.

13 **MR. CIPRIANO:** Okay.

14 Even though you had corrected Perry Dunlop
15 three to four weeks after he swore the Affidavit?

16 **MR. RENSRAW:** What I had said to Perry
17 Dunlop was in between when my father had died and when I
18 went into the hospital ---

19 **MR. CIPRIANO:** Okay.

20 **MR. RENSRAW:** I wasn't sure of the dates.

21 **MR. CIPRIANO:** Okay.

22 So did you not correct Perry Dunlop of the
23 date?

24 **MR. RENSRAW:** I believe that would be a
25 correction.

1 **MR. CIPRIANO:** Okay.

2 So you didn't -- so your evidence is you
3 didn't advise him that it was '83; you just said that it
4 was -- it may not have been '81.

5 **MR. RENSRAW:** I just told -- told him that
6 it was after my father died and before I went in the
7 hospital. I didn't know the date. All I told him, that it
8 was cold at the time.

9 **MR. CIPRIANO:** Okay.

10 I'm just confused because on that page in
11 front of you on the screen there, it says that you
12 corrected him about your father's death, that it was two
13 years to 1983.

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

15 **MR. CIPRIANO:** So I'm asking: did you or
16 did you not tell Perry Dunlop that it was two years after
17 your father's death?

18 **MR. RENSRAW:** I told Perry that it was just
19 before I went into the hospital. That's all I could
20 remember.

21 **MR. CIPRIANO:** Okay.

22 **MR. RENSRAW:** Whether it was '81, '82 or '83
23 I don't know at that time.

24 **MR. CIPRIANO:** Okay.

25 And when you met the police in November of

1 '97, you still continued to use the same date of 1981?

2 MR. RENSRAW: Yes, I did.

3 MR. CIPRIANO: Okay.

4 What I'm asking you is you knew that that
5 date may not have been accurate?

6 MR. RENSRAW: Yes.

7 MR. CIPRIANO: But you maintained that that
8 was the date that you told the police?

9 MR. RENSRAW: Yes.

10 MR. CIPRIANO: Okay.

11 You can see that there's an inconsistency
12 there?

13 MR. RENSRAW: Yes.

14 MR. CIPRIANO: Okay.

15 (SHORT PAUSE/COURTE PAUSE)

16 MR. CIPRIANO: And at what point did you
17 realize that you had to correct what you told the police?

18 MR. RENSRAW: After me and my wife sat down
19 for a couple of days and went over this, went over that;
20 and then I realized that it had to be '83, because I
21 believe in '81 I was in jail.

22 MR. CIPRIANO: Okay.

23 And is it fair -- when you left the
24 Walkerton police station did you get a copy of your
25 statement?

1 **MR. RENSRAW:** I don't believe at that time,
2 no.

3 **MR. CIPRIANO:** Did you ever get a copy of
4 it?

5 **MR. RENSRAW:** You'd have to ask my wife on
6 that. I don't know.

7 **MR. CIPRIANO:** Okay.

8 **(SHORT PAUSE/COURTE PAUSE)**

9 **MR. RENSRAW:** In between speaking to the
10 police, and this is the OPP in Walkerton, and your eventual
11 testimony at the preliminary inquiry, I understand that you
12 had attended some of the proceedings against Father
13 MacDonald. You went to watch another preliminary inquiry
14 in the courtroom.

15 **MR. RENSRAW:** Yes, I did.

16 **MR. CIPRIANO:** And that was with Perry
17 Dunlop?

18 **MR. RENSRAW:** Yes, it was.

19 **MR. CIPRIANO:** Okay.

20 Do you recall whose preliminary inquiry it
21 is that you went to watch; which complainant?

22 **MR. RENSRAW:** I believe it was Mr. Silmser.

23 **MR. CIPRIANO:** Okay.

24 So you went to watch him testify in the
25 courtroom?

1 MR. RENSRAW: Well, I sat outside.

2 MR. CIPRIANO: Okay.

3 You didn't sit inside?

4 MR. RENSRAW: No, I did not.

5 MR. CIPRIANO: Okay.

6 MR. RENSRAW: I was only there to maybe
7 lend, you know, moral support if he needed it. That was
8 it.

9 MR. CIPRIANO: Okay.

10 Did you know Mr. Silmser at the time?

11 MR. RENSRAW: No, I did not.

12 MR. CIPRIANO: You never met him before?

13 MR. RENSRAW: Not that I was aware of, no.

14 MR. CIPRIANO: Okay.

15 And are you positive that you never sat
16 through the evidence of any of the witnesses?

17 MR. RENSRAW: I don't think so, no. I might
18 have popped my head in but that was about it.

19 MR. CIPRIANO: Okay.

20 Because there is a reference in the
21 preliminary inquiry in which you say you sat through the
22 evidence of one of the witnesses.

23 MR. RENSRAW: I don't think so.

24 MR. CIPRIANO: No?

25 MR. RENSRAW: No.

1 MR. CIPRIANO: Okay.

2 MR. RENSRAW: I sat outside, yeah.

3 MR. CIPRIANO: Okay.

4 MR. RENSRAW: In front of your client, I do
5 believe.

6 MR. CIPRIANO: There is a reference on page
7 127 of the transcript, where the question was specifically
8 put to you:

9 "You sat through the evidence of other
10 witnesses?"

11 And you said:

12 "Just one."

13 So is it possible that you might have sat
14 through the evidence of one of the witnesses?

15 MR. RENSRAW: I don't think so.

16 MR. CIPRIANO: No?

17 MR. RENSRAW: I might have sat there for,
18 you know, take a peek in to see what was going on.

19 MR. CIPRIANO: Okay.

20 MR. RENSRAW: I do remember Mr. Neville -- I
21 believe it was Mr. Neville questioning Mr. Silmser, I
22 think.

23 MR. CIPRIANO: There may be a name in this
24 part of the transcript which is a "C" name. So I don't
25 know if we should put it up on the public screens.

1 **THE COMMISSIONER:** All right.

2 What's the relevance of whether or not he
3 heard some evidence?

4 **MR. CIPRIANO:** Again, it's this dynamic with
5 Mr. Dunlop and ---

6 **THE COMMISSIONER:** Yes, I know, but I can
7 see that it may be relevant that Dunlop was there with him
8 during the preliminary inquiry, but whether he sat in or
9 not -- collateral.

10 **MR. CIPRIANO:** Okay.

11 Now, going back to -- so I'll move on from
12 that. I don't need to ---

13 **THE COMMISSIONER:** Thank you.

14 **MR. CIPRIANO:** --- have that on the screen,
15 sir.

16 Going back to the preliminary inquiry, you
17 were examined at length on the various -- the stories that
18 you had given to both Mr. Dunlop and to the OPP.

19 **MR. RENSRAW:** By Mr. Neville, yes.

20 **MR. CIPRIANO:** Yes, and there were -- the
21 inconsistencies were brought up.

22 **MR. RENSRAW:** Yes, they were.

23 **MR. CIPRIANO:** Okay.

24 And you were challenged on the veracity of
25 the story that you had given?

1 **THE COMMISSIONER:** Relevance?

2 **MR. CIPRIANO:** I think it goes to part of
3 the ongoing response by the institutions to, once
4 information comes out, not only in statements taken by the
5 police or by Mr. Dunlop, but also as the evidence unfolds
6 through proceedings, and whether that should have impacted
7 the institutional response as against my client.

8 **THE COMMISSIONER:** Well, he was committed to
9 trial; your client was committed to trial.

10 **MR. CIPRIANO:** Yes.

11 **THE COMMISSIONER:** Okay.

12 And so what he said, how could that have
13 affected the institutional response?

14 **MR. CIPRIANO:** Well, in my -- in my
15 submission, the institutional response is an ongoing one.
16 It wouldn't freeze just at the point the charge is laid.

17 **THE COMMISSIONER:** Right.

18 **MR. CIPRIANO:** I think it would have to be
19 reassessed after evidence comes out at a preliminary
20 inquiry, and the more they learn, the more information was
21 provided by Mr. Dunlop. So when one reads the preliminary
22 inquiry transcript -- and I don't intend to go into the
23 details because that's clearly not relevant -- but as the
24 information unfolds and as the information shifts and
25 changes over time ---

1 **THE COMMISSIONER:** Right.

2 **MR. CIPRIANO:** --- it's my submission that
3 that would inform the way the institutions respond and
4 whether they ought to have responded in ways that they
5 didn't; for instance, should they have proceeded with
6 certain complainants or not, given the information that has
7 been unfolded at the preliminary inquiry and, after, as
8 provided by Mr. Dunlop.

9 **THE COMMISSIONER:** Well, the fact of the
10 matter is, regardless of what he said in the preliminary,
11 he was committed to -- your client was committed to trial.

12 **MR. CIPRIANO:** Oh! No. I'm not disputing
13 that, but what I'm -- I'm more geared towards, given what
14 was learned by the institutions at the preliminary inquiry,
15 whether that ought to have triggered a different response
16 after the preliminary inquiry, and that's what I'm getting
17 at.

18 **THE COMMISSIONER:** But why through this
19 witness?

20 What's he have ---

21 **MR. CIPRIANO:** Well, it was this witness'
22 answers that would have informed the institutional
23 response.

24 **THE COMMISSIONER:** Right.

25 Well, I would think that once we get the

1 institutional response begun, then you could say, "Well,
2 look it, Mr. Crown Attorney or whoever, you have this
3 transcript. You heard that he said this, he said that." I
4 mean, I just question why you would want to get this
5 through this client -- through this witness.

6 **MR. CIPRIANO:** Well, I suppose the
7 transcript is now into evidence and so ---

8 **THE COMMISSIONER:** There you go.

9 **MR. CIPRIANO:** --- we can move on from
10 there.

11 **THE COMMISSIONER:** Okay.

12 **MR. CIPRIANO:** Mr. Renshaw, regardless of
13 the dates that you gave, were you ever informed of the
14 other pieces of evidence that were gathered by the police
15 independent from you?

16 **MR. RENSRAW:** I don't understand that.

17 **MR. CIPRIANO:** Okay.

18 You alleged an incident that took place ---

19 **MR. RENSRAW:** Okay.

20 **MR. CIPRIANO:** --- in 1981 or 1983, one of
21 those two dates.

22 **MR. RENSRAW:** Or '83.

23 Okay.

24 **MR. CIPRIANO:** Okay.

25 And in the course of the investigation the

1 police gathered information.

2 MR. RENSRAW: Okay.

3 MR. CIPRIANO: About my client.

4 MR. RENSRAW: Okay.

5 MR. CIPRIANO: One of the things they
6 gathered was his resume, his CV.

7 You know what that is, right, his work
8 history?

9 MR. RENSRAW: Okay.

10 MR. CIPRIANO: And ---

11 THE COMMISSIONER: You know when you apply
12 for a job and you send ---

13 MR. RENSRAW: Right. Yes, I know.

14 MR. CIPRIANO: Were you ever told or shown -
15 - was it shown to you that, according to what the police
16 had gathered, my client was not at the parish that you
17 claimed -- you said he was?

18 MR. DUMAIS: Commissioner, I mean, quite
19 frankly I've had enough. I've tried to give some leeway to
20 Mr. Cipriano and not interrupt his cross-examination, but,
21 I mean, clearly, that -- the only purpose of that question
22 is trying to establish that Father Charlie is or is not
23 guilty and, I mean, certainly that is beyond the scope of
24 this mandate.

25 I mean -- and I'm not sure what type of

1 answer he is trying to get from Mr. Renshaw but, I mean,
2 whether Father Charlie was there or was not there, I mean,
3 does nothing to inform the institutional response, which is
4 what we're looking at here.

5 I mean, whether or not charges were laid,
6 whether or not the judge committed the matter to trial,
7 whether they should have, I mean, those are all questions
8 for the institutional response.

9 So these questions will be relevant. I
10 agree with Mr. Cipriano, but I mean they will be relevant
11 when we call the institutional response. He can put those
12 questions to those witnesses.

13 **MR. CIPRIANO:** I agree. I mean, the witness
14 is not going to know everything. But all I asked him was
15 whether he was advised of certain pieces of information.
16 As one of the complainants, I don't know what information
17 throughout the investigation that he was advised of by the
18 various institutions when interviewing him, taking
19 statements from him, comparing dates and so on. I'm simply
20 asking the witness whether he was advised. Either he was
21 or he wasn't. I don't know. And I'm asking him to confirm
22 whether or not he was advised of the information that the
23 police had gathered of where my client was employed at the
24 time in which both dates of the allegations.

25 **THE COMMISSIONER:** Yes, I know, but maybe

1 the CV was forged. I mean, you know, there's all kinds of
2 things. You're coming to conclusions that aren't before me
3 yet and asking this gentleman.

4 Why would it be relevant whether the police
5 told him that?

6 I mean, clearly the police aren't in the
7 business of telling everybody what they've got in their
8 hand here.

9 **MR. CIPRIANO:** It could be relevant because
10 -- or I think, in my submission, it is relevant if they did
11 tell him and if that affected certain responses, certain
12 changes in evidence, and the CV was not -- was one that was
13 put together by -- I can put it up on the screen. It's one
14 of the documents they gave notice of.

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

16 **MR. CIPRIANO:** It was one put together by
17 the Crown -- it's in the Crown brief; at page 9 of the
18 Crown brief.

19 **THE COMMISSIONER:** Did you ever -- did the
20 police ever question you about whether or not Father
21 MacDonald was at the parish in those years when you allege
22 this happened?

23 **MR. RENSRAW:** No.

24 **THE COMMISSIONER:** No.

25 **MR. RENSRAW:** Not that I recall, no.

1 **THE COMMISSIONER:** No, they never asked him.

2 **MR. CIPRIANO:** Okay.

3 That's all I wanted to get from the witness.

4 **THE COMMISSIONER:** The witness will want to
5 take a break now.

6 So why don't we take 10 minutes, 15 -- we'll
7 take 15.

8 **MR. CIPRIANO:** I think I may be done. So
9 probably it's a good time.

10 **THE COMMISSIONER:** Oh!

11 **MR. CIPRIANO:** No, I could review my notes
12 and I may be done.

13 **THE COMMISSIONER:** All right. Fine, fair
14 enough. We'll take a break.

15 Thank you.

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

18 This hearing will resume at 10:50.

19 --- Upon recessing at 10:36 a.m./

20 L'audience est suspendue à 10h36

21 --- Upon resuming at 10:55 a.m./

22 L'audience est reprise à 10h55

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

25 This hearing is now resumed. Please be

1 seated.

2 **THE COMMISSIONER:** Thank you.

3 Yes, sir.

4 **ROBERT RENSRAW, Resumed/Sous le même serment:**

5 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**

6 **CIPRIANO, (cont'd/suite):**

7 **MR. CIPRIANO:** Good morning again, Mr.
8 Renshaw.

9 I just have a few more questions to ask you.
10 I won't be much longer.

11 After the preliminary inquiry, at any point
12 after that when you may have met with Crown Attorneys or
13 police officers, were any of -- did they raise any problems
14 with you with respect to some of the evidence you gave?

15 **MR. RENSRAW:** The only one was the -- the
16 date, you know.

17 **MR. CIPRIANO:** The date?

18 **MR. RENSRAW:** Yes.

19 **MR. CIPRIANO:** What about problems with
20 respect to any of the details that you were giving?

21 **MR. RENSRAW:** Not that I recall, no.

22 **MR. CIPRIANO:** Okay.

23 And problems with respect to previous
24 lifestyles.

25 **MR. RENSRAW:** Say that again.

1 **MR. CIPRIANO:** Did they raise any issue with
2 you with respect to previous encounters you may have had
3 with certain people?

4 **MR. RENSRAW:** No.

5 **MR. CIPRIANO:** Okay.

6 Did they raise problems with your criminal
7 record?

8 **MR. RENSRAW:** Well, they brought it up, yes.

9 **MR. CIPRIANO:** Okay.

10 Did they -- did they raise issues with your
11 involvement with Perry Dunlop?

12 **MR. RENSRAW:** They questioned if I had any
13 relationship with him or ---

14 **MR. CIPRIANO:** Okay.

15 Do you recall what it is you told them?

16 **MR. RENSRAW:** That I don't have a
17 relationship with Perry.

18 **MR. CIPRIANO:** Okay.

19 In any of those meetings with Crown
20 Attorneys or police officers, it was only them that you
21 met.

22 You didn't meet -- for example, you didn't
23 get to know any of the wives of the OPP, did you?

24 **MR. RENSRAW:** No.

25 **MR. CIPRIANO:** Okay.

1 **MR. RENSRAW:** No.

2 **MR. CIPRIANO:** And just -- finally, did it
3 ever occur to you as being strange that you were meeting
4 Perry Dunlop who claimed to -- who was conducting a police
5 investigation, did it ever occur to you that it was strange
6 that you were meeting him at his lawyer's office in
7 Newmarket?

8 **MR. RENSRAW:** No. I just maybe took it for
9 granted that he was an officer. So what he was doing was
10 what he was supposed to be doing.

11 **MR. CIPRIANO:** Okay.

12 And the fact that you're in Newmarket in a
13 lawyer's office that never ---

14 **MR. RENSRAW:** No.

15 **MR. CIPRIANO:** --- crossed your mind as
16 strange?

17 **MR. RENSRAW:** No.

18 **MR. CIPRIANO:** And ---

19 **MR. RENSRAW:** Not that, you know, I know
20 about criminal procedures or anything like that, you know.

21 **MR. CIPRIANO:** Okay.

22 **MR. RENSRAW:** I didn't know what to expect.

23 **MR. CIPRIANO:** Okay.

24 And just finally, when you did go to court,
25 not for your matter, when you went to watch or when you

1 were in the courthouse when David Silmser was testifying --

2 -

3 MR. RENSRAW: Right.

4 MR. CIPRIANO: --- you travelled from
5 Mildmay to Ottawa to watch that?

6 MR. RENSRAW: I believe so.

7 MR. CIPRIANO: And that was at the request
8 of either Perry Dunlop or your brother Gerry?

9 MR. RENSRAW: I believe Perry asked me if
10 I'd go there for moral support for Mr. Silmser.

11 MR. CIPRIANO: Okay.

12 And you said you had never met Mr. Silmser
13 before.

14 MR. RENSRAW: No.

15 MR. CIPRIANO: Okay.

16 Did you know what kind of support you would
17 be giving him then?

18 MR. RENSRAW: Well, I knew of his situation.
19 So I didn't know what I could help with but I was willing
20 to help.

21 MR. CIPRIANO: Okay.

22 And did Perry pay for you to go there?

23 MR. RENSRAW: No.

24 MR. CIPRIANO: Who paid for you to travel?

25 MR. RENSRAW: Myself.

1 **MR. CIPRIANO:** You paid yourself?

2 **MR. RENSRAW:** Yes.

3 **MR. CIPRIANO:** Okay.

4 Did you have to take a day off work to do
5 that?

6 **MR. RENSRAW:** Well, I believe I would have
7 to, yes.

8 **MR. CIPRIANO:** Okay.

9 And did your wife attend with you?

10 **MR. RENSRAW:** Yes.

11 **MR. CIPRIANO:** She did.

12 Okay.

13 Thank you, sir.

14 Those are my questions.

15 **THE COMMISSIONER:** Thank you.

16 Mr. Chisholm.

17 **MR. CHISHOLM:** Good morning, Mr.

18 Commissioner; good morning, Mr. Renshaw.

19 My name is Peter Chisholm. I'm counsel for
20 the Children's Aid Society. I have no questions for you.

21 Thank you very much for coming today.

22 **MR. RENSRAW:** Thank you.

23 **THE COMMISSIONER:** Thank you.

24 Mr. Rose.

25 **MR. ROSE:** Mr. Commissioner, we've reordered

1 our cross-examination down here on consent of everyone. So
2 I'm actually going to be going towards the bottom of the
3 order.

4 **THE COMMISSIONER:** Okay.

5 Who is next then?

6 Mr. Kloeze.

7 **MR. KLOEZE:** Good morning, Mr. Commissioner.

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

9 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**

10 **KLOEZE:**

11 **MR. KLOEZE:** Good morning, Mr. Renshaw.

12 My name is Darrell Kloeze and I'm counsel
13 for the Ministry of the Attorney General, and it's our
14 Ministry that employs Crown Attorneys, and it's also our
15 Ministry that -- out of which the Victim/Witness Support
16 Program is run. And it's in the latter -- the latter
17 program that I'm going to be asking you questions about
18 this morning.

19 And, most importantly, I wanted to ask you
20 some questions first about counselling and the counselling
21 that you did receive over the years. And I understand from
22 your wife's testimony and also from your testimony
23 yesterday that your wife worked very hard indeed to try to
24 find any support for counselling for you after you raised
25 these allegations or disclosed these incidents to her in

1 1997.

2 Is that not true?

3 **MR. RENSRAW:** Yes.

4 **MR. KLOEZE:** And while you were still living
5 in Mildmay in 1997 and possibly '98, you did receive some
6 counselling sessions in Owen Sound?

7 **MR. RENSRAW:** Yes, I believe there was a
8 couple up there.

9 **MR. KLOEZE:** Now, that was one-on-one
10 counselling?

11 **MR. RENSRAW:** Yes.

12 **MR. KLOEZE:** It was not group counselling?

13 **MR. RENSRAW:** No.

14 **MR. KLOEZE:** And it was free of charge?

15 **MR. RENSRAW:** I believe it was.

16 **MR. KLOEZE:** Okay.

17 Now, do you know who gave your wife the
18 referral for this counselling?

19 **MR. RENSRAW:** No, I don't. You'd have to
20 speak to her on that.

21 **MR. KLOEZE:** Okay.

22 Thank you.

23 **MR. RENSRAW:** I never handled any of the
24 matters.

25 **MR. KLOEZE:** It was your wife who handled

1 all of that?

2 MR. RENSCHAW: Everything, yes.

3 MR. KLOEZE: But you knew your wife was
4 doing this?

5 MR. RENSCHAW: Oh! Yes. Oh! Yes.

6 MR. KLOEZE: Now, I understand you said
7 yesterday that you weren't able to continue with this
8 counselling in Owen Sound because you were going to have to
9 pay for it.

10 MR. RENSCHAW: Right.

11 MR. KLOEZE: So you had to drop that
12 counselling?

13 MR. RENSCHAW: Just didn't have the extra
14 funds.

15 MR. KLOEZE: That's right.

16 Now, if you had been able to continue with
17 that counselling free of charge, would you have continued
18 with it?

19 MR. RENSCHAW: Yes.

20 MR. KLOEZE: You would have gone to Owen
21 Sound for that?

22 MR. RENSCHAW: Yes.

23 MR. KLOEZE: Okay.

24 And roughly how long does it take to drive
25 from Mildmay to Owen Sound?

1 **MR. RENSRAW:** An hour-and-a-half.

2 **MR. KLOEZE:** An hour-and-a-half.

3 Okay.

4 **MR. RENSRAW:** An hour. It depends on the
5 weather I guess.

6 **MR. KLOEZE:** Now, the other document that
7 Mr. Dumais showed you yesterday were notes of a woman named
8 Cosette Chafe, and he was asking you questions about some
9 telephone conversations you had around the time that the
10 criminal charges were stayed with this woman named Cosette
11 Chafe.

12 Now, does that name mean anything to you; Do
13 you know a woman named Cosette?

14 **MR. RENSRAW:** It doesn't ring a bell to me.

15 **MR. KLOEZE:** That name doesn't ring a bell
16 to you?

17 **MR. RENSRAW:** I talked to a lady on the
18 phone but -- about the stay but I don't know if it was her
19 or -- I don't know.

20 **MR. KLOEZE:** Okay.

21 So let's just talk about the lady who phoned
22 you about the stay.

23 Do you remember talking with that lady at
24 any other time on the phone?

25 **MR. RENSRAW:** No.

1 **MR. KLOEZE:** That was the only time that you
2 remember talking to a lady?

3 **MR. RENSRAW:** Yes, only one.

4 **MR. KLOEZE:** Okay.

5 So you don't remember receiving phone calls
6 in 2001 and also in 2002 just updating you on the criminal
7 process, what was going on, whether there were
8 adjournments?

9 **MR. RENSRAW:** Oh! Might have but not that
10 anything sticks out in my mind.

11 **MR. KLOEZE:** Okay.

12 So you might have been receiving those phone
13 calls?

14 **MR. RENSRAW:** Might have.

15 **MR. KLOEZE:** Okay.

16 But you don't remember specifically?

17 **MR. RENSRAW:** No, nothing stands out that --

18 -

19 **MR. KLOEZE:** Now, I think you said yesterday
20 that you thought that Cosette worked for the Men's Group or
21 the Men's Project in Ottawa.

22 Do you remember anybody else, at any time,
23 from the Men's Project or what you thought was the Men's
24 Project phoning you about ---

25 **MR. RENSRAW:** No, not phoning or nothing.

1 MR. KLOEZE: Okay.

2 And do you remember any phone call that you
3 received, I guess, shortly before the time that the charges
4 were stayed, in about March of 2002, from a woman saying
5 that the trial was going to come up, and there would be
6 somebody at the courthouse for you, that she actually would
7 be at the courthouse for you when you had to testify at the
8 trial?

9 MR. RENSRAW: I don't remember that.

10 MR. KLOEZE: You don't remember that phone
11 call at all?

12 MR. RENSRAW: No.

13 MR. KLOEZE: Okay.

14 MR. RENSRAW: No, there was nobody there.

15 MR. KLOEZE: Well, did you actually attend
16 at the courthouse in May of 2002?

17 I'm talking about the time the charges were
18 stayed, were you -- and there was about two weeks of
19 motions.

20 MR. RENSRAW: No, I wasn't there at that
21 time.

22 MR. KLOEZE: You didn't go at that time?

23 MR. RENSRAW: No, I did not.

24 MR. KLOEZE: Okay.

25 MR. RENSRAW: I was at home when I got the

1 phone call.

2 MR. KLOEZE: When the charges were stayed in
3 May of -- May 13th, 2002, you were at home?

4 MR. RENSRAW: Yes.

5 MR. KLOEZE: But you hadn't attended at the
6 courthouse in Cornwall ---

7 MR. RENSRAW: Not at that -- not when Mr.
8 MacDonald got a stay, no.

9 MR. KLOEZE: Okay. But ---

10 MR. RENSRAW: I wasn't there.

11 MR. KLOEZE: But did you -- until you got
12 the call saying that the charges were stayed, I expect that
13 you at some point expected that you would have to go and
14 testify.

15 MR. RENSRAW: Yes.

16 MR. KLOEZE: You had been prepared by the
17 Crown attorneys at your home and they had -- and you were
18 expecting a call saying, "Come and testify."

19 MR. RENSRAW: Yes. Yes.

20 MR. KLOEZE: Okay.

21 But you hadn't - obviously, you didn't
22 receive that call.

23 MR. RENSRAW: No.

24 MR. KLOEZE: And I guess the question I did
25 want to ask you is: Do you remember at any point somebody

1 phoning and saying, "When you go to testify, I'll be there
2 and I'll help you out. I'll be at the courthouse and I'll
3 tell you what's going on." Do you remember receiving that
4 call from a woman who might have been from the Men's Group
5 or the Men's Project?

6 MR. RENSRAW: No.

7 MR. KLOEZE: You don't remember that
8 conversation at all?

9 MR. RENSRAW: No.

10 MR. KLOEZE: Are you saying that that
11 conversation didn't happen or you just don't remember the
12 conversation?

13 MR. RENSRAW: I'd have to say that I don't
14 remember. I can't say ---

15 MR. KLOEZE: Somebody might have called you
16 and told you that?

17 MR. RENSRAW: Might have.

18 MR. KLOEZE: Okay.

19 Thank you.

20 MR. RENSRAW: I just don't remember it.

21 MR. KLOEZE: Now, the last thing that Mr.
22 Dumais showed you yesterday from these notes from a woman
23 named Cosette, was -- there was a woman who phoned you the
24 day that the charges were stayed and told you that.

25 MR. RENSRAW: Yes.

1 **MR. KLOEZE:** And then a few days later,
2 somebody phoned you and told you about a counselling
3 service you could have accessed and that was at Quinte
4 Sexual Assault Centre.

5 Do you remember those questions from Mr.
6 Dumais yesterday?

7 **MR. RENSRAW:** Yes, I remember those
8 questions from him.

9 **MR. KLOEZE:** Now, do you remember actually
10 the phone calls; do you remember anybody phoning you and
11 telling you, "There is free counselling available to you at
12 Quinte Sexual Assault Centre"?

13 **MR. RENSRAW:** No.

14 **MR. KLOEZE:** You don't remember that at all?

15 **MR. RENSRAW:** No.

16 **MR. KLOEZE:** And you don't remember saying
17 to that person, "Well, I didn't know about that but I'll go
18 and check it out and I'll phone them"?

19 **MR. RENSRAW:** No.

20 **MR. KLOEZE:** You don't remember that?

21 **MR. RENSRAW:** They would have -- at that
22 time, anybody that phoned the house, Claire would have
23 taken the phone.

24 **MR. KLOEZE:** Your wife would have taken that
25 phone call?

1 MR. RENSRAW: Yes.

2 MR. KLOEZE: Okay.

3 So that's another phone call that you just
4 don't remember happening, whether or not

5 MR. RENSRAW: Well, at that time, she
6 handled everything.

7 MR. KLOEZE: Okay.

8 MR. RENSRAW: I never answered the phone.

9 MR. KLOEZE: Now, do you remember any -- was
10 yesterday the first time you had heard of a counselling
11 support at Quinte Sexual Assault Centre?

12 MR. RENSRAW: Yes.

13 MR. KLOEZE: You had never heard of that
14 before?

15 MR. RENSRAW: Never heard of the place
16 before in my life.

17 MR. KLOEZE: Okay.

18 And you were not aware that you could have
19 obtained free counselling there, one-on-one counselling?

20 MR. RENSRAW: No, never heard about it.

21 MR. KLOEZE: You weren't aware of that at
22 all?

23 MR. RENSRAW: No.

24 MR. KLOEZE: Okay.

25 So obviously you never phoned that ---

1 **MR. RENSRAW:** No, I never phoned them.

2 **MR. KLOEZE:** --- that agency.

3 Did you ever phone the Men's Project?

4 I understand that you weren't willing to go
5 to the Men's Project counselling because it was group
6 counselling, but did you ever phone them and ask them if
7 there were other alternatives?

8 **MR. RENSRAW:** I don't know if my wife did or
9 not, but I know I did not.

10 **MR. KLOEZE:** But you yourself didn't phone
11 him?

12 **MR. RENSRAW:** No.

13 **MR. KLOEZE:** Okay.

14 And I understand that you have now found a
15 counselor with the help of your wife and that you're very
16 happy with that counsellor?

17 **MR. RENSRAW:** Yes.

18 **MR. KLOEZE:** And do you mind telling me just
19 what city that counsellor or what town that counselor is
20 located in?

21 **MR. RENSRAW:** It's Kingston.

22 **MR. KLOEZE:** It's in Kingston?

23 **MR. RENSRAW:** Yes.

24 **MR. KLOEZE:** Okay.

25 Thank you very much, Mr. Renshaw, for your

1 testimony.

2 MR. RENSRAW: You're welcome.

3 MR. KLOEZE: Those are my questions.

4 THE COMMISSIONER: Thank you.

5 Who is next?

6 Ms. Hamou.

7 MS. HAMOU: I have no questions.

8 THE COMMISSIONER: Thank you.

9 Mr. Sherriff-Scott, are you next?

10 MR. SHERRIFF-SCOTT: Yes.

11 Thank you.

12 THE COMMISSIONER: Thank you.

13 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

14 SHERRIFF-SCOTT:

15 MR. SHERRIFF-SCOTT: Good morning, Mr.

16 Renshaw.

17 MR. RENSRAW: Good day.

18 MR. SHERRIFF-SCOTT: My name is David

19 Sherriff-Scott. We've met before. You know that I act for

20 the Diocese.

21 MR. RENSRAW: Yes.

22 MR. SHERRIFF-SCOTT: Okay.

23 I want to thank you for coming and for the

24 courage you have displayed testifying here, and I want to

25 just very briefly touch on and try and clarify two little

1 points.

2 All right?

3 **MR. RENSRAW:** Okay.

4 **MR. SHERRIFF-SCOTT:** The first point deals
5 with what, if any, historical relationship you would have
6 had with the Diocese and the Catholic Church, and you and I
7 have exchanged questions on this before so it'll be
8 familiar.

9 Okay?

10 **MR. RENSRAW:** Okay.

11 **MR. SHERRIFF-SCOTT:** So I'll start with
12 that.

13 All right?

14 **MR. RENSRAW:** Sure.

15 **MR. SHERRIFF-SCOTT:** Okay.

16 I understand, from our prior exchanges, that
17 your mother left before you were the age of five?

18 **MR. RENSRAW:** Yes.

19 **MR. SHERRIFF-SCOTT:** You're not sure when,
20 but you were a very small child?

21 **MR. RENSRAW:** That's right.

22 **MR. SHERRIFF-SCOTT:** And you basically had
23 very little, if any, maternal influence in your life past
24 that point?

25 **MR. RENSRAW:** By her, yes.

1 MR. SHERRIFF-SCOTT: Okay.

2 And your father raised your family?

3 MR. RENSRAW: Yes.

4 MR. SHERRIFF-SCOTT: He was not a Catholic?

5 MR. RENSRAW: No.

6 MR. SHERRIFF-SCOTT: And, to the best of
7 your knowledge, you were not baptized a Catholic?

8 MR. RENSRAW: No, I was not.

9 MR. SHERRIFF-SCOTT: Okay.

10 And you didn't go to Catholic school?

11 MR. RENSRAW: No.

12 MR. SHERRIFF-SCOTT: No first communion,
13 none of that?

14 MR. RENSRAW: No.

15 MR. SHERRIFF-SCOTT: Okay.

16 And so you would have never interacted with
17 anyone at the Diocese pertaining to Catholic faith?

18 MR. RENSRAW: No.

19 MR. SHERRIFF-SCOTT: Catholic practice or
20 anything like that?

21 MR. RENSRAW: Not to do with the Catholic
22 Church, no.

23 MR. SHERRIFF-SCOTT: Okay.

24 And so is it fair to say that as a child and
25 now you are not a person who subscribed to the Catholic

1 faith?

2 **MR. RENSRAW:** I would say that's accurate.

3 **MR. SHERRIFF-SCOTT:** Okay.

4 Could we turn up document 200123?

5 You'll see this document, sir, is an
6 Affidavit and we'll get you to look at it and you can
7 identify it and so forth ---

8 **MR. RENSRAW:** Okay.

9 **MR. SHERRIFF-SCOTT:** --- before I ask you
10 anything about it.

11 **(SHORT PAUSE/COURTE PAUSE)**

12 **THE COMMISSIONER:** Okay.

13 So Exhibit 252 (sic) is the Affidavit of
14 Robert Renshaw and it's the Affidavit that was filed in the
15 application for standing and funding.

16 **MR. SHERRIFF-SCOTT:** Yes, sir. November 3rd
17 2005, sworn.

18 **MR. MANDERVILLE:** Is it Exhibit 252 or 352?

19 **THE COMMISSIONER:** Oh! Madam Clerk -- I
20 think it's 352.

21 Thank you very much, Mr. Manderville.

22 **MR. MANDERVILLE:** You're welcome, sir.

23 **THE COMMISSIONER:** Exhibit 352.

24 **MR. SHERRIFF-SCOTT:** Sworn November 3rd '05.

25 **THE COMMISSIONER:** Okay.

1 --- EXHIBIT NO./PIÈCE NO. P-352:

2 (200123) Affidavit of Robert Renshaw - Sworn
3 on Nov. 3/05

4
5 **MR. SHERRIFF-SCOTT:** Okay.

6 Sir, just flip to the last page.

7 That's your signature down at the bottom

8 right?

9 **MR. RENSRAW:** Just a second.

10 Yes, it is.

11 **MR. SHERRIFF-SCOTT:** Okay.

12 I just wanted to make sure, Mr. Renshaw.

13 This is an Affidavit that was prepared and sworn by you, as

14 I understand it, that you could confirm for the purpose of

15 getting standing and funding as a person who would come to

16 the Inquiry.

17 **MR. RENSRAW:** Okay.

18 **MR. SHERRIFF-SCOTT:** Does that comport with

19 your recollection?

20 **MR. RENSRAW:** Okay.

21 **MR. SHERRIFF-SCOTT:** Okay?

22 **MR. RENSRAW:** Yes.

23 **MR. SHERRIFF-SCOTT:** And I just want to -- I

24 want to ask you one question.

25 Do you want to scan it for a minute before I

1 ask you about it or are you familiar with it?

2 MR. RENSRAW: Go ahead.

3 MR. SHERRIFF-SCOTT: Okay.

4 Paragraph 5 on page 2. If you just read
5 that paragraph.

6 MR. RENSRAW:

7 "I was raised in a family of devout
8 Catholics. However, as a result of
9 sexual abuse I have total loss of my
10 Catholic faith."

11 MR. SHERRIFF-SCOTT: That's not accurate,
12 right?

13 MR. RENSRAW: No, it's not.

14 MR. SHERRIFF-SCOTT: That's a mistake in
15 this Affidavit?

16 MR. RENSRAW: Yes.

17 MR. SHERRIFF-SCOTT: Okay.

18 Thank you.

19 MR. RENSRAW: Yeah, you can scratch that
20 out.

21 MR. SHERRIFF-SCOTT: All right.

22 That's what I thought.

23 (LAUGHTER/RIRES)

24 MR. SHERRIFF-SCOTT: I just wanted to
25 confirm that for the record.

1 Thank you, sir.

2 And so none of the situations in your life
3 that developed as a teenager, the CAS care, the criminal
4 record, the drug habit, the school issues, had anything to
5 do with the Catholic Church as far as you ---

6 **MR. RENSRAW:** No.

7 **MR. SHERRIFF-SCOTT:** Okay.

8 Thanks.

9 Now, another point and the last one, is
10 something you told Mr. Dunlop when your statement was audio
11 taped by him.

12 **MR. RENSRAW:** Okay.

13 **MR. SHERRIFF-SCOTT:** Just to give you an
14 orientation. And that is Exhibit 348. So they'll give you
15 a copy of that transcript.

16 **THE COMMISSIONER:** That would be in the --
17 yes, in the three-ring binder.

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **MR. SHERRIFF-SCOTT:** Do you have that
20 transcript, sir?

21 **MR. RENSRAW:** Yes, I do.

22 **MR. SHERRIFF-SCOTT:** Commissioner, are you
23 ready?

24 **THE COMMISSIONER:** I've got it.

25 **MR. SHERRIFF-SCOTT:** Thank you, sir.

1 **THE COMMISSIONER:** Whoa, whoa, whoa. Got to
2 put it up on the screen.

3 **MR. SHERRIFF-SCOTT:** Okay.

4 Fair enough.

5 **THE COMMISSIONER:** So what doc number?

6 **MR. SHERRIFF-SCOTT:** It's 348 but I'm not
7 going to turn to the page just yet.

8 **THE COMMISSIONER:** Okay.

9 **MR. SHERRIFF-SCOTT:** I just want a general
10 couple of questions.

11 **THE COMMISSIONER:** Yes.

12 **MR. SHERRIFF-SCOTT:** This, you'll remember
13 you were audio taped by Mr. Dunlop.

14 **MR. RENSRAW:** Okay.

15 **MR. SHERRIFF-SCOTT:** And as you recall, and
16 I assume it's your evidence today, that the answers you
17 gave him were true and accurate back then?

18 **MR. RENSRAW:** As far as I knew, yes.

19 **MR. SHERRIFF-SCOTT:** Okay.

20 And just to turn to page 59 of that
21 transcript, you'll see at the bottom, sort of bottom right,
22 you'll see that they have a very tiny "page 59 of 91"?

23 **MR. RENSRAW:** Oh! Okay.

24 This one. Yes.

25 **THE COMMISSIONER:** So, Madam Clerk, that

1 would -- do you want the doc -- no, we want the ---

2 **MR. SHERRIFF-SCOTT:** Mr. Commissioner, my
3 version it's 7059955.

4 **THE COMMISSIONER:** That's right.
5 Thank you.

6 **MR. SHERRIFF-SCOTT:** Do you have that, sir?

7 **MR. RENSRAW:** Yes, I do.

8 **MR. SHERRIFF-SCOTT:** Okay. You can look at
9 sort of just a little over halfway down the page you'll
10 see:

11 "Okay. [this is Mr. Dunlop asking] Did
12 you ever see the bishop at Ken's
13 house?"

14 Why don't you read just to yourself, not out
15 loud, what follows down to sort of near the bottom of the
16 page.

17 Okay?

18 **(SHORT PAUSE/COURTE PAUSE)**

19 **MR. RENSRAW:** Okay.

20 **MR. SHERRIFF-SCOTT:** Okay.

21 So your evidence, when you talked to Mr.
22 Dunlop, is when he was trying to get you to identify people
23 that you'd seen at Mr. Seguin's house ---

24 **MR. RENSRAW:** Right.

25 **MR. SHERRIFF-SCOTT:** --- was that you had

1 never seen the bishop there. And we're talking now about
2 the former bishop.

3 **MR. RENSRAW:** I seen a fellow there in a
4 minister's garment, what you would call it, but to say it
5 was the bishop ---

6 **MR. SHERRIFF-SCOTT:** Okay.
7 You couldn't identify the bishop as having
8 been there.

9 **MR. RENSRAW:** No.

10 **MR. SHERRIFF-SCOTT:** Correct; right?
11 That's truthful evidence; that's what you
12 told him then?

13 **MR. RENSRAW:** Yes.

14 **MR. SHERRIFF-SCOTT:** And that's what you
15 believe today?

16 **MR. RENSRAW:** Yes.

17 **MR. SHERRIFF-SCOTT:** Okay.
18 Thank you.

19 Those are my questions.

20 **THE COMMISSIONER:** Thank you.

21 **MR. SHERRIFF-SCOTT:** Thank you, sir.

22 **THE COMMISSIONER:** Mr. Manderville.

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

25 **THE COMMISSIONER:** Good morning.

1 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

2 MANDERVILLE:

3 MR. MANDERVILLE: Good morning, Mr. Renshaw.
4 My name is Peter Manderville and I'm counsel
5 for the Cornwall Police Service.

6 MR. RENSRAW: Okay.

7 MR. MANDERVILLE: Now, you were here in the
8 room, Mr. Renshaw, when your wife was giving her evidence?

9 MR. RENSRAW: Yes.

10 MR. MANDERVILLE: And there was a nice
11 moment when she was giving her evidence when Mr. Kozloff,
12 on behalf of the OPP, suggested to your wife that she was a
13 take-charge type of person.

14 Do you remember that?

15 MR. RENSRAW: Yes.

16 MR. MANDERVILLE: Your wife quite
17 emphatically agreed with that, didn't she?

18 MR. RENSRAW: Yes.

19 MR. MANDERVILLE: And she is a take-charge
20 type of person, isn't she?

21 MR. RENSRAW: Very much so.

22 MR. MANDERVILLE: And I also take it that
23 you are not so much a take-charge person.

24 Is that right?

25 MR. RENSRAW: No, I'm not.

1 **MR. MANDERVILLE:** And in your past you've
2 had a tendency to let other people take charge for you?

3 **MR. RENSRAW:** I'd have to say yes.

4 **MR. MANDERVILLE:** And with your wife that's
5 a good thing, but, obviously, in your past for people such
6 as Mr. Seguin that has not been a good thing?

7 **MR. RENSRAW:** Right.

8 **MR. MANDERVILLE:** And sometimes in your
9 past, letting other people take charge of things for you
10 has meant that you wound up doing things that you didn't
11 want to do, hasn't it?

12 **MR. RENSRAW:** Yes.

13 **MR. MANDERVILLE:** It's meant that you wind
14 up saying certain things were true when it was inaccurate,
15 didn't it?

16 **MR. RENSRAW:** I'd have to hear what I
17 commented on to answer that.

18 **MR. MANDERVILLE:** Well, let's look at that.
19 I'm going to suggest that these events and
20 perhaps things you've said, happened because you felt
21 unable to resist or you were vulnerable and felt unable to
22 contradict or argue with the person who was taking charge
23 of things for you.

24 Is that fair?

25 **MR. RENSRAW:** I don't really understand

1 exactly, you know, your question.

2 MR. MANDERVILLE: Okay.

3 I'll try and rephrase it.

4 MR. RENSRAW: Was Ken Seguin controlling me?

5 Yes.

6 MR. MANDERVILLE: And you felt unable to
7 resist him?

8 MR. RENSRAW: Most definitely, yes.

9 MR. MANDERVILLE: And that's been true of
10 other people who have taken charge of things for you from
11 time to time, you felt unable to resist on occasion?

12 MR. RENSRAW: Not in the same context, no.

13 MR. MANDERVILLE: No. I'm not trying to put
14 it all in the same context, believe me.

15 MR. RENSRAW: Okay.

16 MR. MANDERVILLE: Is it fair to say that you
17 have a reluctance to argue with people who are trying to
18 take charge?

19 MR. RENSRAW: To a certain extent, yes.

20 MR. MANDERVILLE: Now, Mr. Sherriff-Scott
21 had you look at the Affidavit that you swore in support of
22 your part in applying for standing at this Inquiry.

23 MR. RENSRAW: Okay.

24 MR. MANDERVILLE: And I'd like you to look
25 at it again, if it can be put before Mr. Renshaw ---

1 THE COMMISSIONER: Exhibit 352.

2 MR. MANDERVILLE: --- Exhibit 352.

3 THE COMMISSIONER: It's the last one you
4 got, I think. It's not in the binder.

5 MR. MANDERVILLE: Do you have it in front of
6 you, Mr. Renshaw?

7 MR. RENSRAW: Yes, I do.

8 MR. MANDERVILLE: Now, you swore everything
9 in that Affidavit was true, didn't you?

10 MR. RENSRAW: Yes.

11 MR. MANDERVILLE: And the person who, us
12 lawyers call a Commissioner of Oaths or a Commissioner of
13 Affidavits asked you to swear it was true, and you did, and
14 you signed it, and that person witnessed your signature on
15 one side?

16 MR. RENSRAW: I believe so, yes.

17 MR. MANDERVILLE: And you signed it in front
18 of a witness?

19 MR. RENSRAW: Yes.

20 MR. MANDERVILLE: Probably a witness from
21 Mr. Lee's firm?

22 MR. RENSRAW: I would imagine.

23 MR. MANDERVILLE: Did you read it before you
24 signed it or was it sort of, "Here is you're Affidavit;
25 could you sign it?"

1 **MR. RENSRAW:** No, I did not read it. I just
2 let them guys do their thing.

3 **MR. MANDERVILLE:** And we have agreed that
4 paragraph 5 is just not true, is it?

5 **MR. RENSRAW:** That's right.

6 **MR. MANDERVILLE:** Can I ask you to turn to
7 paragraph 14, the first couple of lines there?

8 **MR. RENSRAW:** Okay.

9 **MR. MANDERVILLE:** Where you say,
10 "I believe that further details of my
11 firsthand experience as a victim
12 dealing with the Cornwall Police..."

13 And you go on.

14 That part is not true either, is it?

15 You have never dealt with the Cornwall
16 Police as a victim, have you?

17 **MR. RENSRAW:** Not in a sexual ---

18 **MR. MANDERVILLE:** You've dealt with the OPP
19 but not the Cornwall Police?

20 **MR. RENSRAW:** Yes, yes.

21 **MR. LEE:** Sorry.

22 **THE COMMISSIONER:** Mr. Lee.

23 **MR. LEE:** Mr. Commissioner, I'm concerned
24 that's a little bit unfair. It does not say the Cornwall
25 Police Service or anything along those lines. I think Mr.

1 Renshaw should at least be asked if he would always take
2 the phrase "Cornwall Police" to mean the city police as
3 opposed to police in Cornwall.

4 Mr. Manderville has asked him to agree that
5 he has made a mistake in this Affidavit because he said he
6 dealt with the Cornwall Police, and I don't think it's fair
7 to suggest that that necessarily means the Cornwall Police
8 Service, and the question should at least be put to Mr.
9 Renshaw.

10 **THE COMMISSIONER:** I don't know about that
11 one.

12 (LAUGHTER/RIRES)

13 **MR. LEE:** That's fine.

14 **MR. MANDERVILLE:** You do have experience
15 with the Cornwall Police, whether it's capital "P" or small
16 "p" on the various occasions in your past when you've been
17 arrested and charged, right?

18 **MR. RENSRAW:** Right.

19 **MR. MANDERVILLE:** But not as a victim?

20 **MR. RENSRAW:** That's right.

21 **MR. MANDERVILLE:** And I'd ask Mr. Renshaw --
22 I'm all done with that Affidavit, Mr. Renshaw ---

23 **MR. RENSRAW:** Okay.

24 **MR. MANDERVILLE:** I'd ask Mr. Renshaw to be
25 given Exhibit 334, which is the Affidavit dated February 8,

1 1997.

2 **THE COMMISSIONER:** Three thirty-four (334).

3 **MR. MANDERVILLE:** Three-three-four (334),
4 document number 721879.

5 **THE COMMISSIONER:** All right.

6 So that's the Affidavit you would have
7 signed in Mr. Bourgeois' office.

8 **MR. RENSRAW:** Okay.

9 **MR. MANDERVILLE:** And this is the Affidavit
10 that has the title "Proceedings Involving Mr. Dunlop's
11 Lawsuit."

12 **MR. RENSRAW:** Okay.

13 **MR. MANDERVILLE:** Got it?

14 And you told us yesterday that you signed
15 this document.

16 **MR. RENSRAW:** Yes.

17 **MR. MANDERVILLE:** And when you signed it you
18 swore it was true.

19 Correct?

20 **MR. RENSRAW:** Yes.

21 **MR. MANDERVILLE:** And at paragraph 2 of the
22 Affidavit, you state that in September 1981 your father
23 died, and that's true, isn't it?

24 **MR. RENSRAW:** Yes.

25 **MR. MANDERVILLE:** And then you note that Mr.

1 Seguin came to your house and picked you up about four days
2 later, and that's not accurate, is it?

3 **MR. RENSRAW:** I can't remember whether he
4 was there because, you know, at the time when my father
5 died he was ---

6 **MR. MANDERVILLE:** Okay.

7 I should rephrase the question because I
8 haven't asked you that question fairly.

9 You go on to say that Mr. Seguin picked you
10 up about four days later and took you to Father Macdonald's
11 place of residence, in the rectory.

12 **MR. RENSRAW:** Not ---

13 **MR. MANDERVILLE:** And that part is not, is
14 it?

15 **MR. RENSRAW:** No.

16 **THE COMMISSIONER:** But you thought it true
17 at the time that the Affidavit was sworn?

18 **MR. MANDERVILLE:** Fair enough.

19 **THE COMMISSIONER:** All right.

20 **MR. MANDERVILLE:** I believe you mentioned to
21 Mr. Cipriano that, in September 1981, you felt you might
22 have been in custody at the time?

23 **MR. RENSRAW:** Yes.

24 **MR. MANDERVILLE:** And turning to paragraph 3
25 of that Affidavit, you're talking about having gone to

1 Father MacDonald's house.

2 MR. RENSRAW: Okay.

3 MR. MANDERVILLE: Paragraph 3.

4 MR. RENSRAW: Yes, I have it right in front
5 of me.

6 MR. MANDERVILLE: And you note:

7 "He asked me..."

8 In paragraph 3:

9 "He asked me what kind of problem that
10 I had and I said my father just died.
11 I remember that I was crying at the
12 time".

13 And you now know that that just was not
14 accurate as at 1981, was it?

15 MR. RENSRAW: That my father had died a
16 couple of years prior to this, yes.

17 MR. MANDERVILLE: We now know and you recall
18 now that your father died in '81.

19 MR. RENSRAW: Yes.

20 MR. MANDERVILLE: And that the events with
21 Father Charles MacDonald you say took place in the fall of
22 '83.

23 MR. RENSRAW: That's right.

24 MR. MANDERVILLE: So when you say here in
25 the Affidavit:

1 "My father had just dies. I remember
2 that I was crying at the time".

3 You now know that wasn't accurate, was it?

4 **MR. RENSRAW:** That's right.

5 **MR. MANDERVILLE:** And you didn't prepare
6 this Affidavit, did you?

7 **MR. RENSRAW:** No.

8 **MR. MANDERVILLE:** Mr. Dunlop and Mr.
9 Bourgeois took charge of preparing that Affidavit, didn't
10 they?

11 **MR. RENSRAW:** That's right.

12 **THE COMMISSIONER:** Well, just a minute now.
13 I don't know about he'd -- you're saying that Dunlop and
14 Bourgeois -- I don't know if he knows whether Bourgeois had
15 anything to do with this.

16 **MR. RENSRAW:** I know Perry did, yes.

17 **MR. MANDERVILLE:** Fair enough.

18 Mr. Dunlop took charge preparing this
19 Affidavit, to your knowledge.

20 **MR. RENSRAW:** Yes.

21 **MR. MANDERVILLE:** And Mr. Cipriano talked
22 about your testimony at the preliminary inquiry.

23 **MR. RENSRAW:** M'hm.

24 **MR. MANDERVILLE:** And I'd ask that that
25 document -- the preliminary inquiry transcript be placed

1 with Mr. Renshaw, Exhibit 351.

2 THE COMMISSIONER: I am sorry.

3 I do note that it was Mr. Bourgeois who
4 swore the Affidavit.

5 MR. MANDERVILLE: Yes.

6 THE COMMISSIONER: So, now, you want to go
7 to the preliminary inquiry?

8 MR. MANDERVILLE: I do.

9 THE COMMISSIONER: That's Exhibit 351?

10 MR. MANDERVILLE: Correct. Yes.

11 THE COMMISSIONER: All right.

12 MR. MANDERVILLE: At least on the cover
13 page, they indicate that this took place on March 9, 1999.

14 MR. RENSRAW: Okay.

15 MR. MANDERVILLE: About eight years ago now
16 or close to it.

17 MR. RENSRAW: Yes.

18 MR. MANDERVILLE: And, at that time, you got
19 into a witness box, and swore to tell the truth to the best
20 of your recollection and ability, yes?

21 MR. RENSRAW: Yes.

22 MR. MANDERVILLE: And you did try to do that
23 to the best of your ability.

24 MR. RENSRAW: Yes, I did try to do that.

25 MR. MANDERVILLE: And could you scroll to --

1 it says paragraph -- page 7 at the top, but I think it's
2 actually page 9 of the document and the Bates page is
3 1056123.

4 **THE COMMISSIONER:** No, then it would be page
5 -- page number 7 in the transcript.

6 **MR. RENSRAW:** Pardon.

7 **THE COMMISSIONER:** If you're looking at the
8 hard copy, it's page number 7; if you're looking at the
9 computer, we'll have it up for you in a moment.

10 **MR. RENSRAW:** Okay.

11 **MR. MANDERVILLE:** Is it now in front of you,
12 Mr. Renshaw?

13 **MR. RENSRAW:** Yes, it is.

14 **THE COMMISSIONER:** Yes, that's the page.
15 Okay.

16 **MR. MANDERVILLE:** And you're being examined
17 at that time by Mr. Pelletier, the Crown Attorney.

18 **MR. RENSRAW:** Okay.

19 **MR. MANDERVILLE:** It's your examination in-
20 chief. And you see at page 7, you correct the inaccuracy
21 or you reconfirm the correction of the inaccuracy in the
22 Affidavit we just looked at. You talk about the fact that
23 events happened in the fall of '83 as opposed to September
24 of '81.

25 **MR. RENSRAW:** Okay.

1 **MR. MANDERVILLE:** You go on at the bottom of
2 that page, because you're asked by Mr. Pelletier to explain
3 your inability to recall the dates. The bottom of that
4 page:

5 "Can you explain that Mr. Renshaw?"

6 And your answer is:

7 "At that time, you know, when I was
8 growing up or whatever, there was a lot
9 of alcohol and drugs, you know, that
10 sort of thing and everything a lot back
11 then, were just more or less like a
12 blur, you know".

13 That's your answer there?

14 **MR. RENSRAW:** Yes.

15 **MR. MANDERVILLE:** And is it fair for me to
16 conclude that certain points, back in the early '80s, there
17 are various periods of time where it's all a blur to you?

18 **MR. RENSRAW:** Yes.

19 **MR. MANDERVILLE:** I'm going to ask you then
20 to turn to page 23 of the document, it says page 21 on the
21 top. That's the page where Mr. Neville, on behalf of
22 Father MacDonald, begins his cross-examination of you.

23 **MR. RENSRAW:** Twenty-one (21)?

24 **THE COMMISSIONER:** Yes.

25 **MR. MANDERVILLE:** It says page 21 at the

1 top.

2 MR. RENSRAW: Okay.

3 MR. MANDERVILLE: And, again, here you're
4 correcting some of the inaccuracies in the Affidavit we
5 just looked at. You mention here that Mr. Neville asks
6 you:

7 "In January '81, was that when you
8 first met Ken Seguin?"

9 "No, I had met him prior to that."

10 "How much prior?"

11 Turning to the next page, you indicate:

12 "A couple of years prior."

13 MR. RENSRAW: Okay.

14 MR. MANDERVILLE: Sir, you see that?

15 MR. RENSRAW: Yes.

16 MR. MANDERVILLE: And I'd ask you to turn
17 back to that Affidavit we were looking at. The one that --
18 -

19 MR. RENSRAW: Twenty-one (21)?

20 MR. MANDERVILLE: The one that is placed on
21 the -- Mr. Dunlop's lawsuit title "Proceeding", Exhibit
22 334. I am sorry to make you go back to another document.

23 THE COMMISSIONER: What paragraph in ---

24 MR. MANDERVILLE: Sorry?

25 THE COMMISSIONER: What paragraph in the

1 Affidavit?

2 **MR. MANDERVILLE:** Paragraph 7.

3 **THE COMMISSIONER:** And what's the purpose of
4 doing this?

5 **MR. MANDERVILLE:** I am laying a foundation,
6 Mr. Commissioner. I am quite happy to explain it more
7 fully, but if you would like me to explain it more fully, I
8 would like Mr. and Mrs. Renshaw to leave the room.

9 **THE COMMISSIONER:** Mr. and Mrs. Renshaw?

10 **MR. MANDERVILLE:** Yes.

11 **THE COMMISSIONER:** Why would Mrs. Renshaw
12 have to leave the room?

13 **MR. MANDERVILLE:** That's what I would like.

14 **THE COMMISSIONER:** Okay.

15 Let's, for the moment ---

16 **MR. MANDERVILLE:** My point, sir, will become
17 apparent, I believe, very shortly.

18 **THE COMMISSIONER:** Okay.

19 Have a seat; we'll let you go a little bit
20 longer.

21 **MR. MANDERVILLE:** We're continuing?

22 **THE COMMISSIONER:** Yes.

23 **MR. MANDERVILLE:** Okay.

24 Do you have paragraph 7 of that Affidavit in
25 front of you Mr. Renshaw?

1 MR. RENSRAW: Yes.

2 MR. MANDERVILLE: In that paragraph you say:

3 "I had known Ken Seguin before for
4 about six months."

5 And that, I take it is six months before
6 September 19, '81, because you're talking about ---

7 MR. RENSRAW: No, it would have been ---

8 MR. MANDERVILLE: Sorry.

9 MR. RENSRAW: --- I met him in some -- well,
10 quite a bit earlier than that because he was my brother's
11 probation officer.

12 MR. MANDERVILLE: And that is my point.

13 MR. RENSRAW: Yes, sir.

14 MR. MANDERVILLE: In the transcript we're
15 looking at, you're correcting it and saying:

16 "I had met Mr. Seguin a few years prior
17 to 1981."

18 You're correcting what was in this Affidavit
19 and you're, as you said, trying to the best of your ability
20 to tell truth at the preliminary inquiry.

21 MR. RENSRAW: Okay.

22 MR. MANDERVILLE: And you're correcting your
23 previous sworn evidence in this Affidavit by saying:

24 "I actually met Mr. Seguin a few years
25 before the events involving Father

1 Charles, back in the latter part of the
2 '70s, when he was the probation officer
3 to my older brother".

4 **MR. RENSRAW:** That's right.

5 **MR. MANDERVILLE:** And what is set out in
6 paragraph 7 of this Affidavit we're looking at is
7 inaccurate, isn't it?

8 **MR. RENSRAW:** Yes, it is.

9 **MR. MANDERVILLE:** Okay.

10 **MR. RENSRAW:** I don't know what year exactly
11 that -- you know he started to come over to the house
12 whether it was '75, '76 ---

13 **MR. MANDERVILLE:** M'hm.

14 **MR. RENSRAW:** --- I have no idea.

15 **MR. MANDERVILLE:** Fair enough.

16 **MR. RENSRAW:** But I know it was a couple
17 years before my father died.

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

19 Now I'd ask -- do you have that transcript
20 back in front of you sir?

21 **MR. RENSRAW:** Which one?

22 **MR. MANDERVILLE:** The preliminary inquiry
23 transcript.

24 **THE COMMISSIONER:** What page?

25 **MR. MANDERVILLE:** Page 35, at the top, and

1 Bates page number 1056151.

2 Do you have that in front of you, sir?

3 **MR. RENSRAW:** Yes, I do.

4 **MR. MANDERVILLE:** Okay.

5 And you're being cross-examined by Mr.

6 Neville ---

7 **MR. RENSRAW:** Yes.

8 **MR. MANDERVILLE:** --- and it begins at the

9 top:

10 "Well, did your brother give you the
11 understanding that Constable Dunlop was
12 conducting a police investigation?"

13 Answer:

14 "Yes."

15 Question:

16 "Or a personal investigation?"

17 Answer:

18 "Police."

19 Question:

20 "Police. You understood he was acting
21 as a policeman?"

22 "As a police officer, yes."

23 So, back then, you were given the
24 understanding that Mr. Dunlop was carrying out a police
25 investigation when he came to meet with you.

1 **MR. RENSRAW:** Yes.

2 **MR. MANDERVILLE:** And, yesterday, you
3 suggested to Mr. Dumais that it was never suggested to you
4 one way or the other whether it was a police investigation
5 or a personal investigation by Mr. Dunlop. And looking at
6 this transcript, you'll agree with me that, at the time,
7 you understood it was a police investigation.

8 **MR. RENSRAW:** Yes.

9 **MR. MANDERVILLE:** If you turn to page 38 of
10 that transcript, and you and Mr. Neville are discussing
11 this first brief meeting in Mildmay where Mr. Dunlop and
12 your brother Gerry talked with you.

13 **MR. RENSRAW:** Okay.

14 **MR. MANDERVILLE:** And part way down the
15 page, you're asked if Mr. Dunlop told you for what purpose
16 he was coming and your answer is:

17 "Well, just an ongoing investigation of
18 sexual abuse sort of thing down in
19 Cornwall."

20 Question:

21 "That he was conducting?"

22 Answer:

23 "Yes."

24 Question:

25 "As a policeman?"

1 Answer:

2 "As a police officer."

3 Question:

4 "Is that what he told you?"

5 Answer:

6 "Yes."

7 So here you're indicating that Constable
8 Dunlop -- Mr. Dunlop told you he was carrying out a police
9 investigation.

10 Correct?

11 **MR. RENSRAW:** I would have to say yes on
12 that.

13 **MR. MANDERVILLE:** Okay.

14 **MR. RENSRAW:** I don't know for sure if I --
15 whether he did for sure, but I just took it that he was
16 acting as a Cornwall City police officer.

17 **MR. MANDERVILLE:** Okay.

18 Now, certainly, in this transcript, you're
19 saying he told you that he was acting as a police officer.

20 **MR. RENSRAW:** Maybe he did. I don't recall
21 that.

22 **MR. MANDERVILLE:** And that was close to
23 eight years ago now that you were testifying at this
24 preliminary inquiry.

25 Now can you turn to page 41 of the

1 transcript, please?

2 And what -- just to put it in context,
3 you've had your meeting in Mildmay, and you're now being
4 invited to go to Newmarket for the first meeting that took
5 place in Newmarket. And I take it, as best you can recall,
6 that took part -- or took place in either February or late
7 January of 1997.

8 Would that be about right?

9 **MR. RENSRAW:** I'd say yes.

10 **MR. MANDERVILLE:** Now, in the first meeting
11 at Newmarket, was that the one that took place at Kelsey's?

12 **MR. RENSRAW:** Yes.

13 **MR. MANDERVILLE:** And Mr. Neville is
14 questioning you about that at page 41, and about one third
15 of the way down the page, he's asking you:

16 "Did Mr. Dunlop tell you for what
17 purpose he wanted you to come to
18 Newmarket?"

19 And you give the answer:

20 "Ah! Just to do with the case so
21 whatever the -- was going on down
22 here."

23 Question:

24 "Police case?"

25 Answer:

1 "Yeah."

2 So, again, from the transcript at least, it
3 seems that it's clear in your mind that Mr. Dunlop had told
4 you he was carrying out a police investigation.

5 Is that fair?

6 **MR. RENSRAW:** Okay.

7 **MR. MANDERVILLE:** So then you have a second
8 meeting with Mr. Dunlop in Newmarket.

9 **MR. RENSRAW:** Okay.

10 **MR. MANDERVILLE:** And this one was not at
11 Kelsey's; it was at Mr. Bourgeois' office.

12 Is that right?

13 **MR. RENSRAW:** Yes.

14 **MR. MANDERVILLE:** And that happened, because
15 we have the interview tape, on February 8, 1997, didn't it?

16 **MR. RENSRAW:** Okay.

17 Excuse me.

18 **MR. MANDERVILLE:** You need a moment or some
19 water?

20 **MR. RENSRAW:** No, I'm good.

21 **MR. MANDERVILLE:** Okay.

22 So that happened on February 8th, 1997,
23 didn't it?

24 **MR. RENSRAW:** Okay.

25 **MR. MANDERVILLE:** How did you get there?

1 MR. RENSRAW: I drove myself.

2 MR. MANDERVILLE: Okay.

3 That's about two-and-a-half, three hours
4 from ---

5 MR. RENSRAW: Two (2) hours ---

6 MR. MANDERVILLE: --- Mildway to Newmarket?

7 MR. RENSRAW: Yeah, about two hours, down
8 Highway 9.

9 MR. MANDERVILLE: I've done that drive; I
10 know that drive.

11 And this is the meeting where Mr. Dunlop
12 shows you some photographs, a number of photographs?

13 MR. RENSRAW: He showed me some at Kelsey's.

14 MR. MANDERVILLE: Okay.

15 MR. RENSRAW: Then he showed me --
16 basically, I take it, as the same pictures at the law
17 office.

18 MR. MANDERVILLE: Okay.

19 And if you could turn to page 43 of the
20 transcript, Mr. Neville's asking you about the second
21 meeting.

22 THE COMMISSIONER: What line?

23 MR. MANDERVILLE: I guess it would be line
24 7.

25 THE COMMISSIONER: Okay.

1 **MR. MANDERVILLE:** "I believe two weeks
2 after that I went back down to
3 Newmarket and that's when I laid a
4 charge against Charles MacDonald."

5 Question:

6 "You laid a charge?"

7 Answer:

8 "Yes."

9 "In what fashion did you lay a charge?"

10 "Well, Perry had asked me if I would
11 like to."

12 "Like to?"

13 "Lay a charge. Yes."

14 "On this matter?"

15 "Yes."

16 And you've told us you understood that this
17 Affidavit we looked at ---

18 **MR. RENSRAW:** Okay.

19 **MR. MANDERVILLE:** --- was the means by which
20 you were laying a charge against Father Charles MacDonald?

21 **MR. RENSRAW:** At the time, that's what I
22 believed, yes.

23 **MR. MANDERVILLE:** And is that what Mr.
24 Dunlop led you to believe?

25 **MR. RENSRAW:** I don't think he led me to

1 believe anything, I just took it upon myself that this was
2 the Affidavit, you know, for me -- concerning me.

3 **THE COMMISSIONER:** Well did he tell you for
4 what -- did he tell you for what purpose you were signing
5 this document?

6 **MR. RENSRAW:** To charge Father MacDonald.

7 **MR. MANDERVILLE:** And at page 46 of the
8 transcript you and Mr. Neville are talking about the third
9 meeting in Newmarket and that would be the day on which you
10 swore the Affidavit.

11 **MR. RENSRAW:** Okay.

12 **MR. MANDERVILLE:** And that appears to be
13 February 10, 1997.

14 **MR. RENSRAW:** Okay.

15 **MR. MANDERVILLE:** So I take it you had the
16 meeting with Mr. Dunlop on February 8th, that we have the
17 recording of ---

18 **MR. RENSRAW:** Okay.

19 **MR. MANDERVILLE:** --- and then two days
20 later you return to Newmarket?

21 **MR. RENSRAW:** Yes.

22 **MR. MANDERVILLE:** Is that fair?

23 **MR. RENSRAW:** Yes.

24 **MR. MANDERVILLE:** And did you stay in the
25 intervening time or did you back ---

1 MR. RENSRAW: No.

2 MR. MANDERVILLE: --- to Mildmay?

3 MR. RENSRAW: No. Back to Mildmay. Had to
4 go back to work.

5 MR. MANDERVILLE: And the interview you had
6 with Mr. Dunlop on the 8th, how long did that last, give or
7 take?

8 MR. RENSRAW: A guess, a couple of hours.

9 MR. MANDERVILLE: And I take it your meeting
10 with him on the 10th of February, where you swore the
11 Affidavit, was a shorter meeting?

12 MR. RENSRAW: Yes.

13 MR. MANDERVILLE: Can you ---

14 MR. RENSRAW: Maybe ---

15 MR. MANDERVILLE: --- explain how long that
16 might have been?

17 MR. RENSRAW: I'm only guessing. I'd have
18 to say an hour.

19 MR. MANDERVILLE: Were you given an
20 opportunity to read through that Affidavit we've been
21 looking at?

22 MR. RENSRAW: Pardon.

23 MR. MANDERVILLE: Were you given an
24 opportunity to read through that Affidavit?

25 MR. RENSRAW: Oh! You asked me if I wanted

1 to read it and that was ---

2 MR. MANDERVILLE: And you did read it before
3 you signed it?

4 MR. RENSRAW: Well, I just, basically,
5 flipped through it and turned it over and signed it.

6 MR. MANDERVILLE: Okay.

7 So a cursory reading?

8 MR. RENSRAW: Well, I wouldn't even put it
9 that but ---

10 MR. MANDERVILLE: Okay.

11 MR. RENSRAW: More or less to show me where
12 I have to sign it.

13 MR. MANDERVILLE: Could you turn to page 47
14 of the transcript and, again, you're still talking about the
15 Affidavit.

16 At line 15 -- sorry -- at line 10, you're
17 asked:

18 "How many documents did you sign for
19 either Mr. Bourgeois or Mr. Dunlop?"

20 And your answer is:

21 "One."

22 Do you see that?

23 MR. RENSRAW: And this 46?

24 THE COMMISSIONER: Forty-seven (47).

25 MR. MANDERVILLE: Forty-seven (47).

1 MR. RENSRAW: Forty-seven (47).

2 Okay.

3 Just one second, please.

4 (SHORT PAUSE/COURTE PAUSE)

5 MR. RENSRAW: Okay.

6 I can't find the paper right now, but ---

7 MR. MANDERVILLE: Okay.

8 That's fine.

9 THE COMMISSIONER: But you're looking at the
10 screen all right?

11 MR. RENSRAW: Yes.

12 MR. MANDERVILLE: You have it on the screen?

13 THE COMMISSIONER: M'hm.

14 MR. RENSRAW: Yes.

15 MR. MANDERVILLE: Do you see at line 10, it
16 says:

17 "How many documents did you sign for
18 either Mr. Bourgeois or Mr. Dunlop?"

19 And your answer is:

20 "One."

21 MR. RENSRAW: Yes.

22 MR. MANDERVILLE: And that is that Affidavit
23 isn't it?

24 MR. RENSRAW: Yes.

25 MR. MANDERVILLE: And then at line 15,

1 you're asked:

2 "Okay. And understood this was for
3 some kind of formal charge against
4 Father MacDonald?"

5 Answer:

6 "That's right."

7 "And who led you to understand that?"

8 "Perry. Perry did."

9 "What about Mr. Bourgeois?"

10 "He just more or less stayed right out
11 of it until Perry was done talking."

12 So Mr. Dunlop led you to understand that the
13 Affidavit was for the purpose of laying a charge, right?

14 **MR. RENSRAW:** That's right.

15 **MR. MANDERVILLE:** And I suggest to you
16 that's because he had told you that he was carrying out a
17 police investigation, wasn't it?

18 **MR. RENSRAW:** I'd have to say that I led to
19 believe that because I just filled out a statement
20 concerning myself not anybody else. So I thought this was
21 to deal with myself anyway.

22 **MR. MANDERVILLE:** You getting the ball
23 rolling to lay a charge against Father MacDonald?

24 **MR. RENSRAW:** Yes.

25 **MR. MANDERVILLE:** And Mr. Dunlop assisting

1 you in the context of carrying out a police investigation
2 with an eye to laying charges?

3 **MR. RENSRAW:** I'd have to say yes.

4 **MR. MANDERVILLE:** You're asked at the bottom
5 of the page if you read the Affidavit and you say you did
6 and:

7 "Did you swear to it?"

8 And, yes, you did, under oath ---

9 **MR. RENSRAW:** Yes.

10 **MR. MANDERVILLE:** --- and that's -- no
11 disagreement there.

12 **MR. RENSRAW:** I'm not going to disagree with
13 it. No.

14 **MR. MANDERVILLE:** Okay.

15 **MR. RENSRAW:** I signed it so ---

16 **MR. MANDERVILLE:** Now you've told us at the
17 time you did not know that Mr. Dunlop had commenced a law
18 suit against the people named in that Affidavit and he was
19 claiming more than \$70 million against them.

20 You didn't know that, did you?

21 **MR. RENSRAW:** No, not at that time.

22 **MR. MANDERVILLE:** You know that now?

23 **MR. RENSRAW:** Yes.

24 **MR. MANDERVILLE:** And you'd agree with me
25 that someone who commences a law suit wants to be

1 successful at it, don't they?

2 **MR. RENSRAW:** Yes.

3 **MR. MANDERVILLE:** They don't start one to
4 lose.

5 **MR. RENSRAW:** That's right.

6 **MR. MANDERVILLE:** No, they play to win.

7 **MR. RENSRAW:** M'hm.

8 **MR. MANDERVILLE:** That's right?

9 **MR. RENSRAW:** Yes.

10 **MR. MANDERVILLE:** I would ask you to turn to
11 page 57 of the transcript please, Mr. Renshaw.

12 Mr. Neville here is quizzing you about the
13 inaccuracy in saying that it was in '81 instead of '83.

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

15 **MR. MANDERVILLE:** And he is asking you how
16 you could have gotten it wrong in the first place, and you
17 note, at about line 22, that, at the time, you had an awful
18 lot of alcohol and dope pumping into you.

19 Correct?

20 **MR. RENSRAW:** Yes.

21 **MR. MANDERVILLE:** And that impaired your
22 ability to recall things?

23 **MR. RENSRAW:** Greatly. Still does. It
24 still does.

25 **MR. MANDERVILLE:** Okay.

1 And I would ask you to turn to page 66 of the
2 transcript.

3 Do you have that in front of you, Mr.
4 Renshaw?

5 **MR. RENSRAW:** Yes, I do.

6 **MR. MANDERVILLE:** And at about line 22,
7 he's still quizzing you about the 1981-1983 discrepancy?

8 **MR. RENSRAW:** Okay.

9 **MR. MANDERVILLE:** And the court directs Mr.
10 Neville to allow you to answer the question, and your answer
11 beginning at line 22 is:

12 "At that period of time [and you're
13 talking about the early eighties] like
14 I told you before four or five times, I
15 was doing a lot of drugs back then, a
16 hell of a lot of drugs, so there's parts
17 in there, 60, 90 days I don't even
18 remember."

19 So that's true there were ---

20 **MR. RENSRAW:** Yes.

21 **MR. MANDERVILLE:** --- gaps in your memory?

22 **MR. RENSRAW:** Yes.

23 **MR. MANDERVILLE:** And they still exist?

24 **MR. RENSRAW:** Yes.

25 **MR. MANDERVILLE:** Okay.

1 We can stop looking at this transcript for a
2 few minutes, to your relief, I'm sure.

3 **THE COMMISSIONER:** Have we laid the
4 groundwork yet?

5 **MR. MANDERVILLE:** Not yet.

6 **THE COMMISSIONER:** Okay.

7 **MR. MANDERVILLE:** We're going to turn
8 Exhibit 348, which is the interview of you by Mr. Dunlop of
9 February 8.

10 **MR. RENSRAW:** Okay.

11 **MR. MANDERVILLE:** And you were not under
12 oath at the time you were interviewed by Mr. Dunlop, were
13 you?

14 **MR. RENSRAW:** H'uh ---

15 **MR. MANDERVILLE:** It's just you and he
16 talking?

17 **MR. RENSRAW:** That's right.

18 **MR. MANDERVILLE:** And you told us before at
19 this interview, and he had previously too, he showed you a
20 number of photographs he happened to have with him?

21 **MR. RENSRAW:** Yes.

22 **MR. MANDERVILLE:** And at page 2 of the
23 document, he shows you a couple of numbered photos. He asks
24 you about photo number 20, and you identify the person in
25 that photo as being Father MacDonald, don't you?

1 MR. RENSCHAW: Yes.

2 MR. MANDERVILLE: So he was younger then but
3 -- and then he shows you photo number 2 and you identify
4 that as being Father MacDonald as well, don't you?

5 MR. RENSCHAW: I would have to say yes;
6 according to this, yes.

7 MR. MANDERVILLE: It says this on the
8 document ---

9 MR. RENSCHAW: Yes.

10 MR. MANDERVILLE: --- we're looking at,
11 doesn't it?

12 MR. RENSCHAW: Yes.

13 MR. MANDERVILLE: And Mr. Dunlop says:

14 "He was younger; did he have a
15 moustache at the time?"

16 And you say:

17 "Yes, he did at the time; he had a
18 moustache."

19 MR. RENSCHAW: Okay.

20 MR. MANDERVILLE: I ask to turn to page 3 of
21 the document, and you and Mr. Dunlop are talking about the
22 occasion where you go to Father MacDonald's, to the
23 rectory, to the home where Father MacDonald is, and I'm
24 going to suggest to you that what we see at page 3 of the
25 document is very much Mr. Dunlop telling you what happened

1 and you agreeing with Mr. Dunlop.

2 Is that fair?

3 **MR. RENSRAW:** No, I wouldn't -- he might have
4 helped me get the words out of my mouth but, no, I don't
5 think he was speaking for me, if that's what you're asking
6 me.

7 **MR. MANDERVILLE:** Well, let's look at this,
8 midway down, Mr. Dunlop is saying you told Father MacDonald
9 that your dad had passed away and you're saying:

10 "Right."

11 And you were having a hard time with it.

12 Mr. Dunlop is saying:

13 "And you were crying a bit that night,
14 weren't you?"

15 And you're answering:

16 "Yes."

17 And Mr. Dunlop is saying:

18 "Your dad just passed on; you're pretty
19 emotional."

20 And you're answering:

21 "Yes."

22 And Mr. Dunlop is saying:

23 "You're pretty vulnerable?"

24 And you're answering:

25 "Yes."

1 And I am suggesting to you that it is Mr.
2 Dunlop telling you these things and you agreeing with it,
3 as opposed to you telling him, you giving him the
4 information yourself, at least in the sequence we just
5 looked at.

6 Is that fair?

7 **MR. RENSRAW:** Maybe according to this it
8 might look that way, but I don't believe that Perry was
9 speaking for me.

10 **MR. MANDERVILLE:** I'm not suggesting he was,
11 but he took charge of this interview, didn't he?

12 **MR. RENSRAW:** Oh! Yes. Yes.

13 **MR. MANDERVILLE:** And in the sequence we
14 just looked at, certainly, and I'll suggest there are
15 others, it's Mr. Dunlop providing you with the information
16 and you agreeing with him.

17 **MR. RENSRAW:** According to this, yes.

18 **MR. MANDERVILLE:** And again I would ask you
19 to turn to page 9 of the document. It's in small type at
20 the bottom of the page. The very bottom of the page on the
21 right, it says, "Page 9 of 91"?

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

23 **MR. MANDERVILLE:** You see that?

24 **MR. RENSRAW:** Yes.

25 **MR. MANDERVILLE:** And, again, this is Mr.

1 Dunlop, I suggest, talking to you and giving you the
2 information ---

3 MR. RENSRAW: I ---

4 MR. MANDERVILLE: --- telling you what
5 Father MacDonald's aim was on that night -- towards the top
6 of the page -- that's what his aim was on that night.

7 MR. RENSRAW: I can't comment on that. You
8 would have to ask Perry his thinking or -- I can't comment
9 on that.

10 MR. MANDERVILLE: Just looking at this page,
11 Mr. Renshaw, would you agree with me -- and you can disagree
12 with me; you're free to disagree with me, believe me --
13 looking at this page, would you agree with me that it is
14 Mr. Dunlop suggesting things to you and you agreeing with
15 him, as opposed to you telling him all about what happened
16 and him just sort of taking down the information?

17 MR. RENSRAW: I'd have to -- as I recall, he
18 was helping me maybe get the words out, but I didn't feel
19 in any way that he was putting words in my mouth or
20 whatever you might want to ---

21 MR. MANDERVILLE: Suggest.

22 MR. RENSRAW: Exactly.

23 MR. MANDERVILLE: And this is your first
24 time telling anyone about this, isn't it?

25 MR. RENSRAW: Yes, I just -- I don't deal

1 with stuff when it's done, no.

2 MR. MANDERVILLE: Yes, but this interview
3 we're looking at --

4 MR. RENSRAW: Yes.

5 MR. MANDERVILLE: --- represents the first
6 time that you're telling anyone about those events in your
7 past?

8 MR. RENSRAW: Yes.

9 MR. MANDERVILLE: And that's not easy.

10 MR. RENSRAW: No, it's not.

11 MR. MANDERVILLE: If you would turn to page
12 14 of this interview, on this page -- you can read it to
13 yourself -- I suggest to you again this is Mr. Dunlop
14 describing for you what happened as opposed to the reverse.

15 Is that fair?

16 MR. RENSRAW: The way this presents itself,
17 yes.

18 MR. MANDERVILLE: And, again, at page 15,
19 it's more of the same, isn't it?

20 Would you agree?

21 MR. RENSRAW: Again, according to this, yes.

22 MR. MANDERVILLE: Looks that way, doesn't
23 it?

24 MR. RENSRAW: That's not the impression I
25 got at the time, but ---

1 **MR. MANDERVILLE:** At least on the printed
2 page it looks that way, doesn't it?

3 **MR. RENSRAW:** According to this, yes.

4 **MR. MANDERVILLE:** Could you turn briefly to
5 page 18 of this interview? It says 18 of 91 at the bottom.

6 **MR. RENSRAW:** Yes, just the print is awful
7 small.

8 **MR. MANDERVILLE:** No, I agree with you it
9 is.

10 Mr. Dunlop is suggesting that those who
11 preyed upon you are sharks and he's saying that Mr. Seguin
12 brought you into a shark tank, isn't he?

13 **MR. RENSRAW:** Yes.

14 **MR. MANDERVILLE:** And that's his suggestion,
15 not yours.

16 **MR. RENSRAW:** Yes.

17 **MR. MANDERVILLE:** And that expression
18 "brought me into a shark tank" finds its way into that
19 affidavit we looked at doesn't it?

20 **MR. RENSRAW:** It could, yes.

21 **MR. MANDERVILLE:** Should we look at it?
22 Would you like to look at it?

23 **MR. RENSRAW:** I see it now, okay. Yes,
24 okay.

25 **THE COMMISSIONER:** So Mr. Manderville, can

1 we say that your point has been made or are we going to go
2 much further?

3 **MR. MANDERVILLE:** I'll move on to a
4 different area, still within this interview but to a
5 different area.

6 **THE COMMISSIONER:** Okay. So Mr. Renshaw,
7 are you okay?

8 **MR. RENSRAW:** Yes.

9 **THE COMMISSIONER:** Okay.

10 I think it should be clear to the witness
11 that Mr. Manderville isn't saying that you've done anything
12 wrong. Is that a fair ---

13 **MR. MANDERVILLE:** Absolutely correct. I'm
14 not for a moment suggesting that.

15 **THE COMMISSIONER:** All right. So don't get
16 upset about this.

17 **MR. RENSRAW:** Okay.

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

19 **MR. MANDERVILLE:** And if it seems like I'm
20 suggesting there are things you don't recall, I am, but
21 that just makes you like everyone else. We all forget
22 things.

23 **MR. RENSRAW:** Okay.

24 **MR. MANDERVILLE:** Now, at page 40 of this
25 interview, Mr. Dunlop returns to some of the pictures and

1 gets you to talk about some of the pictures, beginning at
2 page 40.

3 **MR. RENSRAW:** Okay.

4 **MR. MANDERVILLE:** It says at page 40:

5 "I've got some pictures we're going to
6 go through."

7 And at page 41, you've identified a couple
8 of the people on the photos and then at page 41, partway
9 down, he again takes you to photo "#2" and after you've
10 identified in a picture Ken Seguin and your brother Gerry,
11 then he says,

12 "That's Gerry. Who is this guy here in
13 #2?"

14 "Well, that's Father Charles."

15 "Okay. So you remember him from being
16 at Ken's?"

17 "He was at Ken's in Summerstown."

18 So you've identified photo #2 as being
19 Father Charles; correct?

20 **MR. RENSRAW:** The photo that I have seen
21 that was marked #2, yes.

22 **MR. MANDERVILLE:** At page 47 of the document
23 -- you have that in front of you, Mr. Renshaw?

24 **MR. RENSRAW:** Yes, I do.

25 **MR. MANDERVILLE:** Two-thirds of the way down

1 the page, Mr. Dunlop says:

2 "Okay, okay. I'm holding picture #7
3 here. Do you recognize..."

4 Answer:

5 "Yeah."

6 "...the person? Who is it?"

7 "You know, well, I think he's a cop."

8 And Mr. Dunlop tells you that it's Stuart
9 McDonald, doesn't he?

10 **MR. RENSRAW:** Yes.

11 **MR. MANDERVILLE:** And you recognized Mr.
12 McDonald because, as you say, on page 49, you'd seen him
13 quite a few times at the police station.

14 **MR. RENSRAW:** Yes.

15 **MR. MANDERVILLE:** Now, are you aware that
16 Stuart McDonald is Mr. Dunlop's brother-in-law, that they
17 are family?

18 **MR. RENSRAW:** I had no idea.

19 **MR. MANDERVILLE:** And that Stuart McDonald
20 strenuously denies ever being at Mr. Seguin's house in
21 Summerstown at any time; are you aware of that?

22 **MR. RENSRAW:** No, I wasn't.

23 **MR. MANDERVILLE:** And you do say that you
24 saw him a number of times at the police station.

25 **MR. RENSRAW:** Yes.

1 **MR. MANDERVILLE:** And I suggest it's
2 possible that you were mistaken about him being at Ken
3 Seguin's house.

4 **MR. RENSRAW:** I don't think so.

5 **MR. MANDERVILLE:** And why is that?

6 **MR. RENSRAW:** Because in my mind ---

7 **MR. MANDERVILLE:** You told us that you have
8 60 -- 90-day gaps in your memory.

9 **MR. RENSRAW:** Yes.

10 **MR. MANDERVILLE:** And you've told us you
11 have seen him quite a few times at the police station.

12 **MR. RENSRAW:** M'hm.

13 **MR. MANDERVILLE:** And Mr. Dunlop is the one
14 who identifies him for you ---

15 **MR. RENSRAW:** I ---

16 **MR. MANDERVILLE:** --- and I would suggest to
17 you as a result it's quite possible you were mistaken about
18 having seen him at Ken Seguin's house in Summerstown.

19 **MR. RENSRAW:** First off, Ken told me his
20 name because I did not know his name. I knew he was a
21 police officer. I did not know his name. And the second
22 point is, yes, I did see him at Ken's. I don't know what
23 else you want me to say on this matter, you know.

24 **MR. MANDERVILLE:** You and Mr. McDonald have
25 a point of disagreement on that.

1 **MR. RENSRAW:** What's that?

2 **THE COMMISSIONER:** You and Mr. McDonald?

3 **MR. MANDERVILLE:** You and Mr. Stuart

4 McDonald have a point of disagreement about that.

5 **MR. RENSRAW:** Okay.

6 **MR. MANDERVILLE:** I'd ask you to turn to
7 page 68 of the interview transcript and you're talking
8 there about "who knew the score" and you make reference to
9 Mr. Shaver. And you knew that Mr. Shaver was the chief of
10 police, didn't you?

11 **MR. RENSRAW:** Yes, I did. Yes, I did.

12 **MR. MANDERVILLE:** And you know now that Mr.
13 Dunlop was suing Mr. Shaver personally along with a number
14 of others.

15 **MR. RENSRAW:** Yes.

16 **MR. MANDERVILLE:** For \$70 million.

17 **MR. RENSRAW:** Yes.

18 **MR. MANDERVILLE:** And again, at page 68, we
19 have an example of Mr. Dunlop saying "who knew the score"
20 rather than you saying "who knew the score". Rather,
21 you're agreeing with Mr. Dunlop's assessment.

22 **THE COMMISSIONER:** Well, let's go back to
23 what "who knew the score" was and that's the page before
24 that.

25 "So in your mind's eye, do probation

1 people know what's going on down
2 there?"

3 And before that, you were saying:

4 "Like, no, he knew -- he knew, well,
5 that you were still doing break and
6 enters."

7 **MR. MANDERVILLE:** Do you know what "the
8 score" was that Mr. Dunlop was pressing upon you?

9 **MR. RENSRAW:** No, I did not.

10 **MR. MANDERVILLE:** So looking at this today,
11 you really don't know what Mr. Dunlop was trying to get you
12 to talk about, do you?

13 **MR. RENSRAW:** No. Whether it's -- I can
14 only speculate on, you know, what was going through Perry's
15 mind at the time.

16 **MR. MANDERVILLE:** Fair enough. Fair enough.
17 This is an interview he's in charge of, isn't it?

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

19 **MR. MANDERVILLE:** And he's taking charge
20 here, isn't he?

21 **MR. RENSRAW:** It seems that way.

22 **MR. MANDERVILLE:** And you now know he's had
23 you swear an affidavit in support of his lawsuit, hasn't
24 he?

25 **MR. RENSRAW:** Yes, he has.

1 **MR. MANDERVILLE:** Page 79 of this interview,
2 you're talking about your drug use.

3 **MR. RENSRAW:** Okay.

4 **MR. MANDERVILLE:** And again, the fact that
5 in your past you used drugs a great deal to assist you in
6 forgetting about things. Correct?

7 **MR. RENSRAW:** Yes.

8 **MR. MANDERVILLE:** Forgetting about things
9 you just did not want to remember.

10 **MR. RENSRAW:** Stuff that caused me pain,
11 yes.

12 **MR. MANDERVILLE:** Mr. Sherriff-Scott took
13 you to page 59 of the interview where Mr. Dunlop suggests
14 that the bishop might be involved and you agreed with Mr.
15 Sherriff-Scott that you had no knowledge of whether the
16 bishop was involved in any way or not.

17 **MR. RENSRAW:** All I said was that I had seen
18 these people at Ken Seguin's. I didn't know exactly what
19 they were doing or anything, you know.

20 **MR. MANDERVILLE:** Further on in the
21 interview at page 86 -- and I'd ask that not be turned up -
22 - at Mr. Dunlop's prompting you suggest a local judge might
23 be involved, don't you?

24 **MR. RENSRAW:** Okay, yes.

25 **MR. MANDERVILLE:** And I suggest ---

1 **THE COMMISSIONER:** Excuse me. Why wouldn't
2 it be put up?

3 **MR. MANDERVILLE:** Pardon me?

4 **THE COMMISSIONER:** I mean you're saying you
5 don't want that ---

6 **MR. MANDERVILLE:** I don't want that page
7 shown.

8 **THE COMMISSIONER:** Why not to the public?

9 **MR. MANDERVILLE:** Yes. I mean a judge is
10 named on the page.

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

12 **MR. MANDERVILLE:** Should that be up there?

13 **THE COMMISSIONER:** Have we had a measure of
14 confidentiality?

15 **MR. MANDERVILLE:** Not that I'm aware of.
16 It's a discretionary thing as far as I'm concerned.

17 **THE COMMISSIONER:** Well, then you should
18 make the argument, I guess.

19 **MR. MANDERVILLE:** I'm not here to make an
20 argument about it, Mr. Commissioner. I don't act for the
21 individual.

22 **THE COMMISSIONER:** Okay. And ---

23 **MR. MANDERVILLE:** Can we do it this way?

24 **THE COMMISSIONER:** Sure.

25 **MR. MANDERVILLE:** Would you agree with me,

1 Mr. Renshaw, that at a certain point in the latter part of
2 the interview, at Mr. Dunlop's prompting, you suggested
3 that a local judge might be involved in the goings on at
4 Ken Seguin's place?

5 MR. RENSRAW: And what page are we on here?

6 MR. MANDERVILLE: Eighty-six (86).

7 MR. RENSRAW: Okay.

8 MR. MANDERVILLE: And I'm going to suggest
9 to you that that is speculation on your part, isn't it?

10 MR. RENSRAW: Yes, it is.

11 MR. MANDERVILLE: It's ---

12 MR. RENSRAW: I did not firsthand or
13 anything, you know.

14 MR. MANDERVILLE: And I'm going to suggest
15 that at this point in the interview, Mr. Dunlop has you
16 wound up a bit.

17 MR. RENSRAW: I was pretty wound up from the
18 get go.

19 MR. MANDERVILLE: I'd ask you now to turn,
20 Mr. Renshaw, to the OPP interview of you.

21 Mr. Commissioner, I don't believe that's
22 been made an exhibit yet. It's document 721237. It's the
23 video-taped interview report of Mr. Renshaw in Walkerton on
24 November 5, 1997.

25 MR. WALLACE: I think it's Exhibit 349.

1 **MR. MANDERVILLE:** Okay. I stand corrected.

2 **THE COMMISSIONER:** Exhibit?

3 **MR. MANDERVILLE:** Three-four-nine (349), Mr.
4 Commissioner.

5 **THE COMMISSIONER:** Three-four-nine (349);
6 yes, it is.

7 **MR. MANDERVILLE:** And we've talked about --
8 you've talked about this interview with others a little bit
9 in the course of your testimony here, haven't you?

10 **MR. RENSRAW:** Okay.

11 **MR. MANDERVILLE:** Yes, you have?

12 **MR. RENSRAW:** Yes.

13 **MR. MANDERVILLE:** Okay. And again, you were
14 not under oath at the time you gave the interview. It's
15 just the police officers talking with you?

16 **MR. RENSRAW:** I would imagine I was under
17 oath at this time. They usually don't start taping me
18 until they ---

19 **MR. MANDERVILLE:** You believe you were sworn
20 on this occasion?

21 **MR. RENSRAW:** Well, I can't say for sure but
22 it would make sense.

23 **MR. MANDERVILLE:** And again, on this
24 occasion, you try to tell the truth to the best of your
25 ability and the best of your recollection, right?

1 MR. RENSRAW: Yes.

2 MR. MANDERVILLE: And at page 3 of the
3 interview, you tell the officers more or less to the best
4 of your recollection, when you would have first met Mr.
5 Seguin, Mr. Ken Seguin.

6 MR. RENSRAW: Okay.

7 MR. MANDERVILLE: At page 3?

8 MR. RENSRAW: Yes.

9 MR. MANDERVILLE: And at page 10, you talk
10 about your meetings with Mr. Dunlop and Mr. Dunlop asking
11 about who you might have seen at Ken Seguin's house, among
12 other things.

13 MR. RENSRAW: Okay.

14 MR. MANDERVILLE: And then if you turn to
15 page 13, the officers ask you if you know or if you
16 remember what Charles MacDonald looked like. Do you see
17 that?

18 MR. RENSRAW: M'hm.

19 MR. MANDERVILLE: You describe him as being
20 clean shaven.

21 MR. RENSRAW: Pardon?

22 MR. MANDERVILLE: They ask you:

23 "Do you remember what Charles MacDonald
24 looked like at the time?"

25 "Yeah, glasses on, you know, like clean

1 shaven."

2 Do you see that?

3 **MR. RENSRAW:** Okay. Yes.

4 **MR. MANDERVILLE:** And you had told Mr.
5 Dunlop earlier that Charles MacDonald had a moustache,
6 hadn't you?

7 **MR. RENSRAW:** Yes, I did.

8 **MR. MANDERVILLE:** And the officers in this
9 interview also asked you about who else you saw at Mr.
10 Seguin's place in Summerstown.

11 **MR. RENSRAW:** Right.

12 **MR. MANDERVILLE:** And they don't suggest to
13 you who was there. Instead they ask you to tell them who
14 you recall being there, don't they?

15 **MR. RENSRAW:** Yes.

16 **MR. MANDERVILLE:** And you give them several
17 names of people you observed there.

18 **MR. RENSRAW:** Yes, off the top of my head,
19 yes.

20 **MR. MANDERVILLE:** And nowhere in this
21 interview do you make any mention at all of Mr. Shaver or
22 Stuart McDonald being at Ken Seguin's house, do you?

23 **MR. RENSRAW:** No.

24 **MR. MANDERVILLE:** And I suggest to you on
25 this occasion the OPP was asking you for your information

1 and your evidence instead of telling you what the evidence
2 should be. Correct?

3 MR. RENSRAW: Okay.

4 MR. MANDERVILLE: And to your knowledge, the
5 OPP officers, Officer Seguin and Officer Dupuis, did not
6 have a \$70 million lawsuit against the Cornwall Police and
7 Mr. Shaver did they, to your knowledge?

8 MR. RENSRAW: No.

9 MR. MANDERVILLE: Just one moment, Mr.
10 Commissioner.

11 (SHORT PAUSE/COURTE PAUSE)

12 MR. MANDERVILLE: When Mr. Sherriff-Scott
13 got up to ask you his questions he made reference to the
14 fact that you and he had met before, haven't you?

15 MR. RENSRAW: Yes.

16 MR. MANDERVILLE: And that previous occasion
17 was where you were examined for discovery in your civil
18 action against ---

19 MR. RENSRAW: Father Charles, yes.

20 MR. MANDERVILLE: Father MacDonald and the
21 Diocese, right?

22 MR. RENSRAW: That's right.

23 MR. MANDERVILLE: And you went to a place in
24 Ottawa and you swore to tell the truth and Mr. Sherriff-
25 Scott asked you a number of questions?

1 **MR. RENSRAW:** Yes.

2 **MR. MANDERVILLE:** And I have one question
3 for you from that and Mr. Lee may weigh in.

4 We gave notice on this document, Mr.
5 Commissioner. It's document number 123470.

6 **THE COMMISSIONER:** And what is the question?

7 **MR. LEE:** I don't intend to weigh in until
8 this is proposed to go in as an exhibit and if that's not
9 going to happen, if he is just going to put a question to
10 him and that's going to be the end of it then I -- I just
11 don't want to jump up ---

12 **THE COMMISSIONER:** Well, we are going to get
13 the document as an exhibit now.

14 **MR. LEE:** Well, then, I have something to
15 say, sir.

16 **THE COMMISSIONER:** Are you proposing to file
17 it?

18 **MR. MANDERVILLE:** I don't know yet. It
19 depends on the answer.

20 **THE COMMISSIONER:** Okay. Well, let's try it
21 -- let's do it this way; ask the question.

22 **MR. MANDERVILLE:** I'd like it to be put in
23 front of Mr. Renshaw.

24 **THE COMMISSIONER:** Okay. So sir, do you
25 recall giving evidence at the examination for discovery,

1 you know, with Mr. Sherriff-Scott in Ottawa about your
2 lawsuit with the Diocese?

3 **MR. RENSRAW:** Yes, okay. I remember in
4 Ottawa, yes.

5 **MR. MANDERVILLE:** And according to the
6 document I have, it happened last April, April 2006. Is
7 that about right?

8 **MR. RENSRAW:** Okay.

9 **MR. MANDERVILLE:** And you went into a room
10 and you swore to tell the truth ---

11 **MR. RENSRAW:** Yes.

12 **MR. MANDERVILLE:** --- and to the best of
13 your ability you did tell the truth?

14 **MR. RENSRAW:** Yes.

15 **MR. MANDERVILLE:** Now, at page 110 of the
16 examination you were asked if there were big parties at Mr.
17 Seguin's house and your answer at the top of page 111 is:

18 "Well, there was a couple of times.

19 As it progressed on, I did go to one
20 of his birthday parties or some
21 stupid thing."

22 **THE COMMISSIONER:** No, just take -- but
23 don't give it to him yet.

24 **MR. RENSRAW:** Okay.

25 **THE COMMISSIONER:** So the answer was:

1 "...there was a couple of times as it
2 progressed on I did go to one of his --
3 I think it was his birthday party."

4 **MR. RENSRAW:** Birthday party, yes.

5 **MR. MANDERVILLE:** And to the best of your
6 ability to recall, that was a true answer, wasn't it?

7 **MR. RENSRAW:** Yes.

8 **MR. MANDERVILLE:** So you're saying that you
9 went to a couple of Mr. Seguin's parties and you recall
10 going to one of his birthday parties. Is that correct?

11 **MR. RENSRAW:** Yes.

12 **MR. MANDERVILLE:** And a couple means two?

13 **MR. RENSRAW:** Well, it could be more.

14 **MR. MANDERVILLE:** What does a couple mean to
15 you, sir?

16 **MR. RENSRAW:** I can't tell you how many
17 times I was there. I can't tell you that.

18 **MR. MANDERVILLE:** At least in this document,
19 to the best of your ability to recall, you recall being
20 there a couple of times, right?

21 **MR. RENSRAW:** Okay.

22 **THE COMMISSIONER:** No, no, I don't know if
23 that's fair. It says, "Were there big parties?"

24 **MR. MANDERVILLE:** You recall being at a
25 couple of parties there?

1 **MR. RENSRAW:** Yes.

2 **THE COMMISSIONER:** So that doesn't exclude
3 the fact that he may have been there oftentimes before,
4 right?

5 **MR. MANDERVILLE:** Perhaps not.

6 **THE COMMISSIONER:** Well, I don't know, but I
7 thought the evidence was that when he started off -- when
8 you went over to Mr. Seguin's office you cut grass there
9 and stuff?

10 **MR. RENSRAW:** Yes.

11 **MR. MANDERVILLE:** Now, was this ---

12 **MR. RENSRAW:** That was on ---

13 **MR. MANDERVILLE:** Yes, we are talking about
14 the house in Summerstown. You never went to cut the lawn
15 in Summerstown, did you?

16 **MR. RENSRAW:** No, but I did do work around
17 there when ---

18 **MR. MANDERVILLE:** You didn't acquire that
19 place until you were somewhat older. Correct?

20 **MR. RENSRAW:** Yes.

21 **MR. MANDERVILLE:** That's all I had to ask
22 you from that transcript.

23 I want to go back very briefly to the
24 transcript of Mr. Dunlop's interview of you.

25 **THE COMMISSIONER:** Exhibit number?

1 **MR. MANDERVILLE:** Exhibit number 348.

2 **THE COMMISSIONER:** Page number?

3 **MR. MANDERVILLE:** Page number two.

4 We talked about this a short time ago. This
5 is where Mr. Dunlop shows you photo number 20 and you
6 identify it as Father Charlie MacDonald, don't you?

7 **MR. RENSRAW:** Okay.

8 **MR. MANDERVILLE:** And I have a copy of photo
9 number 20 here. We have given notice on that.

10 **THE COMMISSIONER:** Do we have the photos
11 here? Do we have copies of that, Madam Clerk? Do we have
12 copies of those?

13 **MR. MANDERVILLE:** We did make several copies
14 of them.

15 **THE COMMISSIONER:** Okay.

16 **MR. DUMAIS:** I'm not sure that actually
17 qualifies as "the" photo but perhaps "a" photo in number
18 20. It has not been previously identified. Perhaps Mr.
19 Manderville can indicate where -- what's the providence?

20 **MR. MANDERVILLE:** Providence?

21 **MR. DUMAIS:** Yes, where it came from.

22 **MR. MANDERVILLE:** Where it came -- it came
23 from Mr. Dunlop's records that the Commission has produced.

24 **THE COMMISSIONER:** Okay. Well, we could put
25 it to them. Maybe he'll identify it as the picture that he

1 saw. I don't know.

2 So you want this as an exhibit?

3 **MR. MANDERVILLE:** I would, please.

4 **THE COMMISSIONER:** Okay. Well, there is two
5 pages here.

6 **MR. MANDERVILLE:** I only want to put the
7 picture to Mr. Renshaw.

8 **THE COMMISSIONER:** So do we want to take the
9 second page out?

10 **MR. MANDERVILLE:** I think it would be wise,
11 yes.

12 **THE COMMISSIONER:** Okay. So that's out.
13 So this will be Exhibit number -- Madam
14 Clerk? I'm sorry?

15 **THE REGISTRAR:** Three-fifty-three (353).

16 **THE COMMISSIONER:** Three-fifty-three (353),
17 all right.

18 --- **EXHIBIT NO./PIÈCE NO. P-353:**

19 (728996) Bates 7115371 Picture #20

20 **MR. MANDERVILLE:** So you have that photo in
21 front of you?

22 **MR. RENSRAW:** Yes, I do.

23 **MR. MANDERVILLE:** And can you identify who
24 is in that photo?

25 **MR. RENSRAW:** That's Charlie MacDonald.

1 **MR. MANDERVILLE:** And that, to the best of
2 your knowledge, is photo "#20", isn't it?

3 **MR. RENSRAW:** Yes, I'll ---

4 **THE COMMISSIONER:** Hold it to ---

5 **MR. RENSRAW:** According to this.

6 **THE COMMISSIONER:** Mr. Manderville.

7 **MR. MANDERVILLE:** Well, Mr. Commissioner,
8 this document and others we received directly from ---

9 **THE COMMISSIONER:** No, that's not what I'm
10 saying.

11 **MR. MANDERVILLE:** As being Mr. Dunlop's
12 produced ---

13 **THE COMMISSIONER:** That's not what I'm
14 saying. It just -- you know, you said "laid the
15 foundation". Well, is this the photograph -- do you recall
16 that this is the photograph that Mr. Dunlop showed you?

17 **MR. RENSRAW:** I remember him showing me this
18 picture, yes.

19 **THE COMMISSIONER:** All right.

20 And was it a photocopy or was it ---

21 **MR. RENSRAW:** It was the same as this.

22 **THE COMMISSIONER:** And was "#20" written the
23 same as this?

24 **MR. RENSRAW:** Not as big but ---

25 **MR. MANDERVILLE:** And you can identify that

1 as a picture of Father MacDonald?

2 MR. RENSRAW: This is a picture of Father
3 Charles, yes.

4 MR. MANDERVILLE: Okay. I'd also like to
5 show you photograph "#2".

6 (SHORT PAUSE/COURTE PAUSE)

7 MR. MANDERVILLE: And again, the page of
8 Officer Dunlop's notes attached to it will be removed.

9 THE COMMISSIONER: Exhibit No. 354.

10 --- EXHIBIT NO./PIÈCE NO. P-354:

11 (728983) Bates 7115339 Picture #2

12 MR. MANDERVILLE: The document number is ---

13 THE COMMISSIONER: Just what is your name?

14 Do you have any more? We need more copies.

15 MR. MANDERVILLE: The document number for
16 the record, Mr. Commissioner, is 728983.

17 THE COMMISSIONER: That's Exhibit 354.

18 Now, sir, have you seen this photograph
19 before?

20 MR. RENSRAW: Yes, I have.

21 THE COMMISSIONER: Right. Where did you see
22 it?

23 MR. RENSRAW: At Perry's.

24 THE COMMISSIONER: At Perry's?

25 MR. RENSRAW: He was showing me these

1 pictures.

2 **THE COMMISSIONER:** Okay. So this is the
3 kind of picture he showed you?

4 **MR. RENSRAW:** Yes.

5 **THE COMMISSIONER:** And with the "#2" beside
6 it?

7 **MR. RENSRAW:** Yes.

8 **THE COMMISSIONER:** Okay.

9 **MR. MANDERVILLE:** And this is the photo you
10 identified as Father Charles MacDonald?

11 **MR. RENSRAW:** No, I would have identified
12 him as Claude Shaver.

13 **MR. MANDERVILLE:** At the time would you
14 have?

15 **MR. RENSRAW:** Oh, yes. I know the
16 difference between the two of them. Oh, yes.

17 **MR. MANDERVILLE:** So this picture was never
18 shown to you?

19 **MR. RENSRAW:** Yes, it was. This -- I don't
20 know whether it was this picture but a picture of Claude
21 Shaver was shown to me, yes.

22 **MR. MANDERVILLE:** And can you tell me where
23 in the transcript of your interview with Mr. Dunlop you
24 identify a picture of Mr. Shaver anywhere?

25 **THE COMMISSIONER:** You're assuming, sir,

1 that the transcript of Mr. Dunlop's interview with him and
2 what he was shown are identical.

3 **MR. MANDERVILLE:** I'm making no such
4 assumption, Mr. Commissioner.

5 **THE COMMISSIONER:** You're not?

6 **MR. MANDERVILLE:** I'm asking Mr. Renshaw if,
7 to his knowledge, anywhere in this transcript he is noted
8 as identifying a photograph of Mr. Shaver.

9 **MR. RENSRAW:** I couldn't answer that because
10 I'd have to read the whole thing to ---

11 **MR. MANDERVILLE:** Well, from the transcript
12 the only thing we do know ---

13 **MR. RENSRAW:** Okay.

14 **MR. MANDERVILLE:** --- is that you identified
15 photograph #2 ---

16 **MR. RENSRAW:** Okay.

17 **MR. MANDERVILLE:** --- as being Father
18 Charles MacDonald, didn't you?

19 **MR. RENSRAW:** I would not have made that
20 mistake of mixing up the two of them, so whether -- I don't
21 know what to tell you.

22 **THE COMMISSIONER:** What I am telling you,
23 sir, is that he was shown a photo with "#2" on it.

24 **MR. MANDERVILLE:** Agreed.

25 **THE COMMISSIONER:** Right. And you're

1 assuming that this photograph is what he was shown as #2.

2 **MR. MANDERVILLE:** I don't think I am
3 assuming that but I am asking him questions to ascertain
4 that and he is clarifying any misapprehensions I might have
5 had.

6 **THE COMMISSIONER:** Okay.

7 **MR. MANDERVILLE:** Sitting here today, you
8 think this photograph #2 may not have been the same one you
9 were shown as being #2 when you attended at ---

10 **MR. RENSRAW:** Perry ---

11 **MR. MANDERVILLE:** --- Bourgeois' office to
12 meet with Mr. Dunlop?

13 **MR. RENSRAW:** The picture I identified was
14 Charles MacDonald and then another picture I identified
15 Claude Shaver. That's all I can tell you on that matter.
16 I didn't really pay attention to the numbers on them or --
17 he just asked me if I could identify these people. That's
18 it.

19 **MR. MANDERVILLE:** And all we can tell from
20 the transcript is he asked you "Photo #20, who is that, do
21 you know?" and you identified as Charles MacDonald, and he
22 says, "Photo #2, who is that, do you know?" and you
23 identify that as Charles MacDonald. Correct?

24 **MR. RENSRAW:** Okay, yes.

25 **MR. MANDERVILLE:** And that's all we can

1 glean ---

2 MR. RENSRAW: That's all ---

3 MR. MANDERVILLE: --- from this transcript.

4 MR. RENSRAW: Okay.

5 MR. MANDERVILLE: And that nowhere in the
6 transcript do you identify -- are you recorded as
7 identifying a photo of Claude Shaver. Correct?

8 MR. RENSRAW: Okay.

9 (SHORT PAUSE/COURTE PAUSE)

10 MR. MANDERVILLE: Bear with me a moment
11 please, sir.

12 (SHORT PAUSE/COURTE PAUSE)

13 MR. MANDERVILLE: Can Mr. Renshaw be shown
14 document 102990, please?

15 THE COMMISSIONER: That's a new exhibit,
16 then?

17 MR. MANDERVILLE: I believe it would be,
18 yes, sir.

19 THE COMMISSIONER: All right.

20 MR. MANDERVILLE: And particularly page 534
21 of the document or Bates page 1015702.

22 THE COMMISSIONER: What document is this?

23 MR. MANDERVILLE: This is another section of
24 the preliminary inquiry evidence.

25 THE COMMISSIONER: Well, it's already an

1 exhibit then.

2 **MR. MANDERVILLE:** I believe it would be a
3 different transcript.

4 Okay. I'm sorry. It's not the preliminary
5 inquiry. It's the 11(b) application made on behalf of
6 Father MacDonald and it's an excerpt from the cross-
7 examination of Mr. Dunlop.

8 **THE COMMISSIONER:** Yes.

9 Thank you. Exhibit 355.

10 --- **EXHIBIT NO./PIÈCE No. P-355:**

11 (102990) Transcript - R. v. Charles
12 MacDonald - Section 11(b) Motion

13 **THE COMMISSIONER:** What page?

14 **MR. MANDERVILLE:** Bates page 1015702. The
15 top of the document says page 534.

16 **THE COMMISSIONER:** Okay. Just look at 534,
17 sir.

18 **MR. MANDERVILLE:** I'm sorry, Mr.
19 Commissioner. Did you say Exhibit 355?

20 **THE COMMISSIONER:** Well, that's what ---

21 **MR. MANDERVILLE:** No, I think that's
22 correct. I just to make sure I have the number right.

23 **THE COMMISSIONER:** Yes, three-five-five
24 (355), yes.

25 **MR. MANDERVILLE:** Do you have that in front

1 of you, Mr. Renshaw?

2 MR. RENSRAW: Yes, I do.

3 MR. MANDERVILLE: Okay. This is Mr. Dunlop
4 being cross-examined by Mr. Neville.

5 MR. RENSRAW: Okay.

6 MR. MANDERVILLE: And they're talking about
7 the discussion regarding photos.

8 MR. RENSRAW: Okay.

9 MR. MANDERVILLE: Photos that he -- that Mr.
10 Dunlop showed you and at line 13 -- and it's obvious that
11 he has the transcript of this interview we've been looking
12 at.

13 MR. RENSRAW: Okay.

14 MR. MANDERVILLE: And Mr. Neville is asking
15 Mr. Dunlop about it.

16 Question:

17 "Okay. So it's probably you then.

18 Someone says to Renshaw, 'How about

19 this guy? Does he...' Renshaw says,

20 'Yeah, number 2.' You say, 'Yeah.'

21 Renshaw says, 'That's him' and somebody

22 says, 'Charles MacDonald.' So Renshaw

23 then picks number 2. It would appear

24 from your tape as Charles MacDonald;

25 right?"

1 Answer:

2 "M'hm."

3 Question:

4 "You agree with that?"

5 Answer:

6 "Yeah."

7 Question:

8 "Here's photograph number 2. Is that
9 Charles MacDonald?"

10 Answer:

11 "No."

12 Question:

13 "Who is it?"

14 Answer:

15 "Claude Shaver."

16 Question:

17 "Claude Shaver. So Mr. Renshaw picks
18 two different people as purportedly
19 being Charles MacDonald. One is
20 Charles MacDonald's photo and the other
21 is a photograph of Claude Shaver."

22 Answer:

23 "Right."

24 So that's Mr. Dunlop saying, I suggest, that
25 you were mistaken in identifying photo number two (#2) as

1 being one of Father Charles MacDonald, isn't it?

2 MR. RENSRAW: According to this statement,
3 yes.

4 MR. MANDERVILLE: And do you agree with --
5 or disagree rather with Mr. Dunlop's evidence on this
6 point?

7 MR. RENSRAW: All I know is which people I
8 picked out and said who they were, were the ones I picked
9 out. If it was Charles MacDonald, it was Charles. If it
10 was Claude Shaver, I know the difference between them, you
11 know, like ---

12 MR. MANDERVILLE: Is it possible on that
13 occasion you were mistaken?

14 MR. RENSRAW: No.

15 MR. MANDERVILLE: So you would say Mr.
16 Dunlop is mistaken?

17 MR. RENSRAW: All I'm saying is the pictures
18 that I looked at were the ones that I identified. One was
19 Charles MacDonald. One was Claude Shaver. Now, I don't
20 know what -- I don't know what to tell you. I know the
21 difference between the two fellows. It's like night and
22 day.

23 MR. MANDERVILLE: And we don't have a record
24 of you identifying the difference and, in fact, the only
25 records we have before us today suggest that you made a

1 mistake in the identification, don't they?

2 MR. RENSRAW: I can't say that I did. It
3 just doesn't make sense to me.

4 MR. MANDERVILLE: Now, again, Mr. Shaver
5 adamantly denies ever being at Mr. Seguin's house at any
6 time. Is it fair to say you may have been mistaken in
7 identifying him as having been at Ken Seguin's house?

8 MR. RENSRAW: No, I don't think so.

9 MR. MANDERVILLE: You're absolutely certain
10 he was there?

11 MR. RENSRAW: In my mind, yes.

12 MR. MANDERVILLE: You have a strong memory
13 of that?

14 MR. RENSRAW: I can remember him being
15 there, yes.

16 MR. MANDERVILLE: So again, that would be a
17 point of disagreement between you and Mr. Shaver.

18 MR. RENSRAW: Yes.

19 MR. MANDERVILLE: Mr. Commissioner, I have
20 about 15-20 more minutes.

21 THE COMMISSIONER: Would you rather finish
22 off with this gentleman or would you like to take lunch?

23 MR. RENSRAW: It doesn't really matter to
24 me.

25 THE COMMISSIONER: Let's forge on.

1 **MR. MANDERVILLE:** Sorry?

2 **THE COMMISSIONER:** Let's go.

3 **MR. MANDERVILLE:** Okay. The next document
4 I'd ask be provided to Mr. Renshaw is document number
5 705936. That has not been made an exhibit yet, Mr.
6 Commissioner.

7 **(SHORT PAUSE/COURTE PAUSE)**

8 **THE COMMISSIONER:** So Exhibit 356 is a
9 memorandum to the Director of Criminal Investigation Branch
10 in Orillia from Inspector Hall, the 15th of March '01.

11 **--- EXHIBIT NO./PIÈCE No. P-356:**

12 (705936) Memo to CIBC from Pat Hall re
13 Project Truth Website - March 15/01

14 **MR. MANDERVILLE:** Now, to put this document
15 in context for you, Mr. Renshaw, this is Inspector Hall's
16 notes of the events concerning Mr. Nadeau's operation of
17 the website.

18 **MR. RENSRAW:** Okay.

19 **THE COMMISSIONER:** This was put in as an
20 exhibit, was it not, yesterday?

21 **MR. MANDERVILLE:** I don't believe Mr. Dumais
22 put this particular one in.

23 **THE COMMISSIONER:** Oh, okay, maybe a
24 different one. Okay. Sorry.

25 **MR. MANDERVILLE:** Do you have that document

1 in front of you?

2 MR. RENSCHAW: Yes, I do.

3 MR. MANDERVILLE: Where it makes reference
4 to -- the very first line under synopsis, you'll see "The
5 suspect".

6 MR. RENSCHAW: Okay.

7 MR. MANDERVILLE: In this instance, that is
8 referring to Mr. Nadeau.

9 MR. RENSCHAW: Okay.

10 MR. MANDERVILLE: And as I understand it, in
11 the summer of 2000, Mrs. Renschaw and you became aware that
12 Mr. Nadeau's website had broadcast on it personal
13 information about you and other victims; correct?

14 MR. RENSCHAW: It wasn't about me but other
15 victims, yes. My name was there but ---

16 MR. MANDERVILLE: Were your statements not
17 there?

18 MR. RENSCHAW: I don't believe mine was.

19 MR. MANDERVILLE: The affidavit we looked
20 at?

21 MR. RENSCHAW: I don't think so. I mean it
22 was just a few other people. I'm not too sure.

23 MR. MANDERVILLE: At page 4 of the document,
24 the fifth paragraph that begins, "On 8 August 2000" ---

25 MR. RENSCHAW: Yes.

1 **MR. MANDERVILLE:** Officer Hall -- Inspector
2 Hall receives a call about -- from someone, not Mrs.
3 Renshaw, who was quite upset about the website information
4 and in particular the victim statements.

5 "Even though the names were deleted,
6 she said most people would know who the
7 victim was. The victim Robert Renshaw
8 has indicated he will not testify due
9 to what is on this website."

10 Had you indicated at that time ---

11 **MR. RENSRAW:** No, I did not.

12 **MR. MANDERVILLE:** --- you were not inclined
13 to testify?

14 **MR. RENSRAW:** No, I have not said anything
15 to that.

16 **MR. MANDERVILLE:** And the lady who called on
17 that occasion indicated she could tell who all the victims
18 were just by reading the statements. To the best of your
19 recollection, was that the case that the victims or the
20 identity of the victims could be identified from what had
21 been placed on the web?

22 **MR. RENSRAW:** Some of them, yes.

23 **MR. MANDERVILLE:** And was that troubling to
24 you?

25 **MR. RENSRAW:** Very much so, yes.

1 **MR. MANDERVILLE:** It's very personal
2 information, wasn't it?

3 **MR. RENSCHAW:** Yes. I thought they at least
4 had the right to ask first.

5 **MR. MANDERVILLE:** And in the next paragraph
6 on that page, it says:

7 "On 9 August, 2000, Inspector Hall
8 received a call from Claire Chouinor."

9 And that's Mrs. Renshaw, isn't it? Mr.
10 Renshaw, Claire Chouinor is your wife, isn't it?

11 **MR. RENSCHAW:** Yes.

12 **MR. MANDERVILLE:**

13 "She was upset about the
14 website and the information on it."

15 And that's true too, isn't it?

16 **MR. RENSCHAW:** Yes.

17 **MR. MANDERVILLE:** And your wife told
18 Inspector Hall, according to this note, that she could
19 identify all the victims on the website from reading the
20 information. And that's true too, isn't it?

21 **MR. RENSCHAW:** Yes.

22 **MR. MANDERVILLE:** And if you go on to the
23 next page, please, it's a continuation of the note
24 concerning Mrs. Renshaw.

25 "Chouinor had received information that

1 copies of the victim statements had
2 been distributed around the Domtar
3 plant in Cornwall. She said she spoke
4 to the suspect several times about the
5 information on the website."

6 And to the best of your recollection, that
7 was true too, wasn't it?

8 **MR. RENSRAW:** Yes.

9 **MR. MANDERVILLE:** That she had spoken to Mr.
10 Nadeau about it.

11 **MR. RENSRAW:** About the information on his
12 web, yes.

13 **MR. MANDERVILLE:** Right, and that the
14 information to her knowledge and to yours had been
15 distributed around the Domtar plant.

16 **MR. RENSRAW:** Yes.

17 **MR. MANDERVILLE:** And that was very hurtful,
18 wasn't it?

19 **MR. RENSRAW:** Yes.

20 **MR. MANDERVILLE:** And then Inspector Hall
21 goes on to note that:

22 "The suspect..."

23 Being Mr. Nadeau:

24 "...after putting the victims

25 statements on the website was trying to

1 get permission to use it. On this
2 date, Chouinor was talking to the
3 suspect on the telephone and he told
4 her to "F" off."

5 **MR. RENSRAW:** Yes.

6 **MR. MANDERVILLE:** And hung up the phone.
7 "...hung up just prior to her calling
8 the OPP. She wanted to know what could
9 be done. She has already spoken to
10 Howard Yegendorf. She also said that
11 Robert Renshaw will refuse to go to
12 court on the Charles MacDonald matter."

13 Now, the refusal to go to court you say is
14 inaccurate, right?

15 **MR. RENSRAW:** I don't know. You'd have to
16 ask my wife, Claire. Now, I do remember her saying a few
17 times when I was getting frustrated that everybody had
18 their hands stuck in their back pockets, that I was getting
19 pretty frustrated, yes. But was I going to go to court,
20 yes.

21 **MR. MANDERVILLE:** And your wife relayed to
22 you that Mr. Nadeau had become quite rude to her, hadn't
23 he?

24 **MR. RENSRAW:** Yes, and then I had phoned him
25 -- I had phoned him.

1 **MR. MANDERVILLE:** And that was upsetting,
2 wasn't it, to your wife certainly?

3 **MR. RENSRAW:** Yes.

4 **MR. MANDERVILLE:** And upsetting to you?

5 **MR. RENSRAW:** Yes.

6 **MR. MANDERVILLE:** And you felt that
7 broadcasting this information on the web was not in your
8 best interest.

9 **MR. RENSRAW:** I thought that these people
10 could at least get my permission first.

11 **MR. MANDERVILLE:** Right. They had done it
12 without seeking your permission at all.

13 **MR. RENSRAW:** That's right.

14 **MR. MANDERVILLE:** And that was troubling.

15 **MR. RENSRAW:** Very much so.

16 **MR. MANDERVILLE:** Now, you, it's evident,
17 had placed a lot of trust in Mr. Dunlop, hadn't you?

18 **MR. RENSRAW:** Yes.

19 **MR. MANDERVILLE:** And Mrs. Renshaw has as
20 well.

21 **MR. RENSRAW:** Yes.

22 **MR. MANDERVILLE:** And both of you felt he
23 was looking out for your best interests and those of the
24 other victims?

25 **MR. RENSRAW:** Yes.

1 **MR. MANDERVILLE:** And therefore, you don't
2 want to believe that he could have been -- Mr. Dunlop could
3 have been responsible for having that personal information
4 placed on the website, do you?

5 **MR. RENSRAW:** I'm not going to say that I do
6 believe it or I don't believe it. I don't have that
7 information of -- so I can't say.

8 **MR. MANDERVILLE:** You'd rather not believe
9 it.

10 **MR. RENSRAW:** If I look at it now, it
11 doesn't matter.

12 **MR. MANDERVILLE:** At the time, it was quite
13 troubling, wasn't it?

14 **MR. RENSRAW:** At the time because I was
15 getting bombarded from, you know, every direction I could
16 possibly think.

17 **MR. MANDERVILLE:** Now, as you know, Mrs.
18 Renshaw denies telling Inspector Hall that you and she felt
19 that Constable Dunlop had betrayed them.

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

21 **MR. MANDERVILLE:** That's a "yes"?

22 **MR. RENSRAW:** Yes. Sorry.

23 **MR. MANDERVILLE:** That's okay. And Mrs.
24 Renshaw also denies telling Inspector Hall that Mr. Nadeau
25 had told her that Mr. Nadeau had received the information

1 from Perry Dunlop; correct?

2 MR. RENSRAW: Yes.

3 (SHORT PAUSE/COURTE PAUSE)

4 MR. MANDERVILLE: Now, if you'd turn to
5 page 3 of the document please, Mr. Renshaw.

6 MR. MANDERVILLE: The third paragraph that
7 begins:

8 "The suspect..." ---

9 MR. RENSRAW: Okay.

10 MR. MANDERVILLE: --- do you see that?

11 "The suspect had placed six anonymous
12 statements on the website. These
13 interview reports were identical in
14 content and format as those received
15 from Constable Perry Dunlop by Project
16 Truth investigators."

17 And then if you would go further down to the
18 fourth paragraph that begins:

19 "The suspect said he would remove a
20 paragraph..."

21 You see that?

22 MR. RENSRAW: Okay.

23 MR. MANDERVILLE: And the third sentence
24 there:

25 "He [being Mr. Nadeau] advised he

1 received information for the website
2 from Constable Perry Dunlop."

3 Do you see that?

4 **MR. RENSRAW:** Yes.

5 **MR. MANDERVILLE:** So that would seem to
6 suggest that it was Constable Dunlop who had provided Mr.
7 Nadeau with the information to place on the website,
8 wouldn't it?

9 **MR. RENSRAW:** Looks that way.

10 **MR. MANDERVILLE:** And I know you feel
11 differently now, but, at the time, that was quite upsetting
12 to you, wasn't it?

13 **MR. RENSRAW:** And -- yes.

14 **MR. MANDERVILLE:** And, at the time, you felt
15 that whoever had done that, maybe had done so without
16 considering your best interests?

17 **MR. RENSRAW:** I wasn't really upset that
18 names were up there, just the details of it. That's what
19 we were concerned about.

20 **MR. MANDERVILLE:** Putting that information
21 out there was hurtful.

22 **MR. RENSRAW:** Yes.

23 **MR. MANDERVILLE:** The last document I would
24 like to look at, Mr. Renshaw, is Exhibit 227, document
25 710568.

1 **THE COMMISSIONER:** I don't know if you would
2 have that, Madam Clerk, if the witness would have that
3 book.

4 **(SHORT PAUSE/COURTE PAUSE)**

5 **MR. MANDERVILLE:** This is Exhibit 227, Madam
6 Clerk.

7 **THE COMMISSIONER:** So this is a transcript -
8 - when we get it -- of the ruling that Mr. Justice Chilcott
9 did on giving the stay on Father MacDonald's charges.

10 **MR. RENSRAW:** Okay.

11 **THE COMMISSIONER:** Okay.

12 All right.

13 What page?

14 **MR. MANDERVILLE:** Beginning at page 6 --
15 you've never seen this document before, have you?

16 **MR. RENSRAW:** No, obviously, not.

17 **MR. MANDERVILLE:** You don't make a habit of
18 reading court judgements?

19 **MR. RENSRAW:** No.

20 **THE COMMISSIONER:** Makes good bedtime
21 reading.

22 **MR. MANDERVILLE:** Extremely entertaining,
23 let me tell you.

24 **MR. RENSRAW:** I would imagine.

25 **THE COMMISSIONER:** Page 6?

1 **MR. MANDERVILLE:** Page 6, very briefly.

2 They are talking about disclosure that the
3 crown had received from Mr. Dunlop and indicate that March
4 20 and May 8, '97:

5 "The crown sent further disclosure to
6 the defense. This disclosure included
7 some of the material uncovered by Mr.
8 Dunlop and his group and included an
9 Affidavit of Robert Renshaw."

10 **MR. RENSRAW:** Okay.

11 **MR. MANDERVILLE:** And in all likelihood
12 that's your February '97 Affidavit, isn't it?

13 **MR. RENSRAW:** Could be, yes.

14 **MR. MANDERVILLE:** You never swore any other
15 Affidavits ---

16 **MR. RENSRAW:** No.

17 **MR. MANDERVILLE:** --- and gave them to Mr.
18 Dunlop, did you?

19 **MR. RENSRAW:** No.

20 **MR. MANDERVILLE:** And the court goes on to
21 note at page 7 -- and I think there's some confidentiality
22 issues here, Mr. Commissioner.

23 **THE COMMISSIONER:** We'll leave that off the
24 public screen.

25 **MR. MANDERVILLE:** Yes. Yes.

1 **THE COMMISSIONER:** Thank you.

2 **MR. MANDERVILLE:** It simply goes to note at
3 page 7 that additional complaints were laid against Father
4 MacDonald in relation to five complainants, one of whom was
5 you.

6 Right?

7 **MR. RENSRAW:** Okay.

8 **MR. MANDERVILLE:** Do you see that?

9 **MR. RENSRAW:** Yes.

10 **MR. MANDERVILLE:** Now, what Mr. Justice
11 Chilcott was being asked to consider was whether or not to
12 stay the claims -- or the charges against Father MacDonald
13 because of delay.

14 **MR. RENSRAW:** Okay.

15 **MR. MANDERVILLE:** And one of the exercises a
16 judge has to go through is to consider the reasons for the
17 delay and if they can be laid at the feet of the Crown, and
18 they're unduly long, the charges can be stayed.

19 **MR. RENSRAW:** Okay.

20 **MR. MANDERVILLE:** And at page 21, after
21 talking about certain time delays that occurred, he talks
22 about other reasons for delay.

23 Do you have page 21 in front of you, Mr.
24 Renshaw?

25 **MR. RENSRAW:** Yes, I do.

1 **MR. MANDERVILLE:** Under the heading "Other
2 Reasons for Delay" he indicates:

3 "That the greatest contributor to the
4 delay in this matter was Mr. Dunlop
5 formerly a police officer on the
6 Cornwall force. Mr. Dunlop has been
7 described with many colourful
8 adjectives, few, if any, I would
9 disagree with."

10 **THE COMMISSIONER:** Excuse me. Excuse me.
11 What's the relevance of putting a judgement
12 to this man?

13 **MR. MANDERVILLE:** Fine.

14 I'm just recalling Mr. Marleau's testimony
15 and all the judgements that were put to him, but anyway ---

16 **THE COMMISSIONER:** Right, well ---

17 **MR. MANDERVILLE:** If you go to page 22 at
18 line 53, do you see that -- or paragraph 53?

19 **MR. RENSRAW:** Okay.

20 **MR. MANDERVILLE:** The judge is saying there:
21 "It is clear that Dunlop was trusted at
22 the time and that was a mistake. Mr.
23 Dunlop was the cause of a large part of
24 the delay."

25 It goes on to note:

1 "I do not attribute the delay by reason
2 of Dunlop's actions, or lack thereof,
3 to any party because of his purposeful
4 deceit and deception."

5 And you'd agree with me that, certainly,
6 from what you have read, the court is finding that Mr.
7 Dunlop was deceitful and need not have been trusted, wasn't
8 it?

9 **MR. RENSRAW:** That's what the paper says,
10 yes.

11 **MR. MANDERVILLE:** And I suggest that the
12 court is saying May, 2002, things about Mr. Dunlop that you
13 already had an inkling about in August 2000, when you were
14 so upset about the website.

15 **MR. RENSRAW:** I didn't think Perry -- I
16 didn't think Perry betrayed us or, you know, that wasn't in
17 my brain.

18 **MR. MANDERVILLE:** So notwithstanding the
19 court says, you don't believe he was deceitful or
20 untrustworthy towards you?

21 **MR. RENSRAW:** Not towards me. Not that I
22 felt. Whether I liked some of the ways that he went around,
23 probably not, but he got the job done.

24 **MR. MANDERVILLE:** And one last question for
25 you, Mr. Renshaw, you maintain here today that despite what

1 you concede to be significant gaps in your memory over the
2 years ---

3 **MR. RENSRAW:** Yes.

4 **MR. MANDERVILLE:** --- and the fact that when
5 you would attend Mr. Seguin's house, on your evidence, the
6 alcohol would be flowing freely and you would take drugs on
7 occasion at Mr. Seguin's house?

8 **MR. RENSRAW:** Yes.

9 **MR. MANDERVILLE:** And despite those facts,
10 you're absolutely certain that you saw two of my clients
11 there being Stuart MacDonald and Claude Shaver?

12 **MR. RENSRAW:** Yes, at one time ---

13 **MR. MANDERVILLE:** No doubt in your mind?

14 **MR. RENSRAW:** No.

15 **MR. MANDERVILLE:** Thank you very much.

16 **MR. RENSRAW:** You're welcome.

17 **THE COMMISSIONER:** All right.

18 Thank you.

19 Can we get some idea of ---

20 I'm sorry, Mr. Manderville.

21 Can we get some idea of who is left to cross-
22 exam and how much time we will require?

23 **MR. KOZLOFF:** Good afternoon, Mr.

24 Commissioner.

25 Mr. Commissioner, I have some very good news

1 for you and for Mr. Renshaw. I will not have any questions.

2 I'm counsel for the Ontario Provincial
3 Police, sir.

4 Thank you.

5 **MR. RENSRAW:** Thank you.

6 **THE COMMISSIONER:** All right.

7 Thank you.

8 Mr. Wallace.

9 **MR. WALLACE:** Yes.

10 I am thinking something in the order of 15
11 minutes or less.

12 **THE COMMISSIONER:** All right.

13 Who else is left?

14 **MR. ROSE:** Mr. Commissioner, I would expect
15 to be between -- somewhere between 15 minutes and half-an-
16 hour.

17 **THE COMMISSIONER:** Okay.

18 And who else is left?

19 Mr. Lee.

20 **MR. LEE:** If I have anything at all, it will
21 be very brief as well.

22 **THE COMMISSIONER:** So we should be finished
23 within an hour?

24 One of the concerns I have is a personal one,
25 is the snow storm that, obviously, is coming to Sudbury and

1 to Ottawa, and I also wanted to make sure that people are
2 well on their way home. So could we ---

3 Well, can we come back at 2:00 p.m. sharp,
4 and we will try to finish this as soon as possible and get
5 you on your way?

6 **MR. RENSRAW:** Okay.

7 **THE COMMISSIONER:** All right?

8 **MR. RENSRAW:** Yes.

9 **THE COMMISSIONER:** Okay.

10 Thank you.

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

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

14 --- Upon recessing at 12:48 p.m./

15 L'audience est suspendue à 12h48

16 --- Upon resuming at 2:01 p.m./

17 L'audience est reprise à 14h01

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

20 This hearing is now resumed. Please be
21 seated.

22 **THE COMMISSIONER:** Well, Madam Clerk, I can
23 tell you that we had no difficulty hearing your voice.

24 **(LAUGHTER/RIRES)**

1 Mr. Renshaw, how you doing?

2 MR. RENSRAW: Pretty good.

3 THE COMMISSIONER: How was lunch?

4 MR. RENSRAW: Not bad.

5 THE COMMISSIONER: Good.

6 All right.

7 So we've got a few more lawyers who have a
8 few questions to ask of you. Again, if you have any
9 questions, just let me know.

10 MR. RENSRAW: Okay.

11 THE COMMISSIONER: All right?

12 MR. RENSRAW: Yes.

13 THE COMMISSIONER: Mr. Wallace?

14 MR. WALLACE: Thank you.

15 --- EXAMINATION-IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.
16 WALLACE:

17 MR. WALLACE: Mr. Renshaw, my name is Mark
18 Wallace and I'm the lawyer appearing today on behalf of the
19 Ontario Provincial Police Association ---

20 MR. RENSRAW: Okay.

21 MR. WALLACE: --- which is different than the
22 police service itself. I'm looking after -- and for your
23 purposes -- looking after Officers Seguin and Dupuis.

24 MR. RENSRAW: Okay.

25 MR. WALLACE: Okay?

1 MR. RENSRAW: M'hm.

2 MR. WALLACE: My initial area that I want to
3 ask you about is the interview that you gave to the OPP in
4 Walkerton in November of '97.

5 Okay?

6 MR. RENSRAW: Yes.

7 MR. WALLACE: And I just want to set that
8 up. As I understand it, you originally got involved in the
9 -- with Perry Dunlop as a result of your brother giving
10 Perry your name.

11 MR. RENSRAW: Yes.

12 MR. WALLACE: And as a result of that you had
13 a number of phone calls and you have told us all about those
14 things, which ultimately resulted in you going to Newmarket
15 and giving a statement, an Affidavit, and you've told us
16 about that.

17 MR. RENSRAW: Right.

18 MR. WALLACE: Okay.

19 Now you said yesterday as well that the real
20 motivation for you to do that, that to get yourself involved
21 with Perry was because of your brother's asking you to give
22 him a hand; help him out.

23 MR. RENSRAW: Yes.

24 MR. WALLACE: Okay.

25 You were doing this originally as a means of

1 assisting your brother who, as I understand it, was having a
2 really tough time coping with these types of issues.

3 MR. RENSRAW: Yes.

4 MR. WALLACE: And you felt that by -- if he
5 was asking you to do this to help him, you were prepared to
6 do that.

7 Correct?

8 MR. RENSRAW: He just asked me to help him
9 and I helped.

10 MR. WALLACE: Sure, and then you met with
11 Perry originally, very briefly, at your place ---

12 MR. RENSRAW: Yes.

13 MR. WALLACE: --- in Mildmay and then later
14 went to Newmarket and gave the information that you did.

15 MR. RENSRAW: Yes.

16 MR. WALLACE: And after you had dealt with
17 Perry, in Newmarket, on Valentine's Day of '97, you showed
18 your wife -- or you gave your wife the copy of the Affidavit
19 that you had received from Perry.

20 MR. RENSRAW: Yes.

21 MR. WALLACE: Okay.

22 Now ---

23 Ready to go?

24 MR. RENSRAW: Sure.

25 MR. WALLACE: Okay.

1 When you had started this, as you had told
2 us, the original motivation was to give your brother a hand.

3 I suspect that somewhere between starting the
4 very first time you met Perry, and the time you turned over
5 the statement or the Affidavit to your wife, you saw that
6 there was a benefit to yourself to the extent that this is
7 not something you wanted to keep inside any longer. It was
8 time for this to come out.

9 Is that a fair statement?

10 **MR. RENSRAW:** In my eyes, at the time, I was
11 put in a corner where I couldn't hide it any more.

12 **MR. WALLACE:** Yes.

13 **MR. RENSRAW:** It was at my doorstep.

14 **MR. WALLACE:** Sure.

15 And you saw that as being beneficial to
16 yourself and I'm not saying that you ---

17 **MR. RENSRAW:** Not at the present time, no.

18 **MR. WALLACE:** Oh! No, not today, but at the
19 time it was going to make you feel a little better if you
20 were able to share this thing that was inside with, say for
21 example, your wife?

22 **MR. RENSRAW:** With my wife, yes.

23 **MR. WALLACE:** Sure, and when you spoke to
24 Perry.

25 As I understand it, you felt that you were

1 speaking to a policeman who was conducting a criminal
2 investigation?

3 MR. RENSRAW: Yes.

4 MR. WALLACE: And in the lengthy statement
5 that you gave to Perry, it's pretty clear that the
6 intention here is to have Charlie charged criminally for
7 what he'd done.

8 MR. RENSRAW: Yes, sir.

9 MR. WALLACE: Okay.

10 And with that would come the knowledge --
11 you can't -- that, at some time in time, there was going to
12 be some public disclosure of what you're talking about
13 because that just goes with the territory if you have
14 somebody charged.

15 MR. RENSRAW: That's right.

16 MR. WALLACE: So you knew that, at some
17 point in the future, there would be some public airing of
18 these very personal matters?

19 MR. RENSRAW: Yes.

20 MR. WALLACE: But it was going to be in the
21 context of a criminal charge involving Charlie?

22 MR. RENSRAW: That's right.

23 MR. WALLACE: And you disclosed or provided
24 your wife with that information, and it was part of a
25 process where you were being able to feel more open with

1 her.

2 MR. RENSRAW: Yes.

3 MR. WALLACE: Okay.

4 Now when you finished dealing with Perry in
5 February-March of '97, it was your firm belief that you had
6 started the ball rolling as far as getting or having
7 Charlie charged.

8 Correct?

9 MR. RENSRAW: That's right. Yes.

10 MR. WALLACE: And, in fact, as I understood
11 your evidence, you thought that that's what signing the
12 Affidavit was going to do.

13 MR. RENSRAW: Yes.

14 MR. WALLACE: And it was -- this was step
15 one and now the charges could be laid or move forward or
16 something.

17 MR. RENSRAW: Yes.

18 MR. WALLACE: Okay.

19 And we know that there wasn't any contact,
20 at least as I understand it, between you and Perry, between
21 February or March, and the time you were contacted by the
22 OPP in November.

23 MR. RENSRAW: That's right.

24 MR. WALLACE: Now I don't think a whole lot
25 turns on it, but one thing that wasn't too clear.

1 When there was contact by the OPP to set up
2 the interview in November, was: did you ever speak to the
3 OPP yourself in terms of making arrangements or was it
4 always done with your wife?

5 That I did not understand.

6 **MR. RENSRAW:** I believe, at that time, my
7 wife handled it.

8 **MR. WALLACE:** Okay.

9 And the first thing was, when you went to
10 the OPP office in Walkerton, you knew why you were going in
11 the sense that you knew why these two police officers were
12 coming to Walkerton.

13 **MR. RENSRAW:** Yes.

14 **MR. WALLACE:** You were not -- they were not
15 coming to investigate you, they were coming to speak to you
16 as a potential witness.

17 **MR. RENSRAW:** Yes.

18 **MR. WALLACE:** And this, obviously, didn't
19 come as a surprise to you that you were being spoken to by
20 the police, given the fact that you'd given all that
21 information to Perry, and you were expecting that there was
22 going to be some action taken at some point.

23 **MR. RENSRAW:** Yes.

24 **MR. WALLACE:** Okay.

25 Now, I think one of the things that you told

1 us yesterday was that you were not aware that your brother
2 had been -- Gerry had been interviewed the same night in
3 Walkerton?

4 MR. RENSRAW: That's right.

5 MR. WALLACE: Okay.

6 You also heard of myself and Mr. Kozloff in
7 asking your wife some questions indicating to her that this
8 interview that took place with yourself, this was part of a
9 series of interviews that were taking place in that part of
10 the province that week, by the OPP.

11 MR. RENSRAW: Okay.

12 MR. WALLACE: And you heard that when ---

13 MR. RENSRAW: Yes.

14 MR. WALLACE: Yes.

15 MR. RENSRAW: I heard that yesterday.

16 MR. WALLACE: But you didn't know that at
17 the time or did you know that?

18 MR. RENSRAW: No, I didn't.

19 MR. WALLACE: Okay.

20 In any event, when you arrived at the
21 Walkerton Detachment, there was a conversation between
22 yourself and the two officers that took place before the
23 formal statement was taken.

24 MR. RENSRAW: Yes.

25 MR. WALLACE: Correct?

1 MR. RENSRAW: Yes.

2 MR. WALLACE: And that statement that you
3 gave, it was not only an audiotape statement, there was
4 actually a video made.

5 MR. RENSRAW: Yes.

6 MR. WALLACE: And you were told all that?

7 MR. RENSRAW: Yes.

8 MR. WALLACE: Yes. And, in fact, they had
9 to get your agreement to do that?

10 MR. RENSRAW: Oh! Yes.

11 MR. WALLACE: Okay.

12 And, in fact, what's one of the first things
13 -- you've read the statement I'm sure like tons of times,
14 the one that you gave to the OPP.

15 MR. RENSRAW: Yes.

16 MR. WALLACE: Yes. One of the first things
17 that you said in that statement is they asked for your
18 permission to do this statement.

19 MR. RENSRAW: Yes.

20 MR. WALLACE: Okay.

21 Now, they would have in the period of time
22 they spent with you, before they actually got into the
23 formal statement, they would have number one, giving you an
24 outline of why it is that they were there.

25 MR. RENSRAW: That's right.

1 **MR. WALLACE:** Okay.

2 And that is if they were involved in the
3 investigation of Father Charlie.

4 Correct?

5 **MR. RENSRAW:** That's right.

6 **MR. WALLACE:** Yes. And they would have
7 indicated that they had received some information through
8 Perry Dunlop that led them to believe that you had
9 information that may assist the investigation.

10 **MR. RENSRAW:** That's right.

11 **MR. WALLACE:** Okay.

12 And, at this point in time, you were not
13 only expecting a police officer to question you.

14 **MR. RENSRAW:** Yes.

15 **MR. WALLACE:** Okay.

16 And you saw as a necessary step in having
17 these charges move forward.

18 **MR. RENSRAW:** Yes.

19 **MR. WALLACE:** Okay.

20 And you were in agreement to speak to the
21 officers to help them in this investigation.

22 **MR. RENSRAW:** Yes.

23 **MR. WALLACE:** Correct?

24 **MR. RENSRAW:** Yes.

25 **MR. WALLACE:** And one of the things that

1 they would have done, I believe, is that they would have
2 provided you with either your statement or a copy of the
3 Affidavit to review it with you before you went into the
4 actual interview.

5 Is that correct?

6 **MR. RENSRAW:** Yes.

7 **MR. WALLACE:** Yes. And it was either read
8 to you or you read it yourself but, in any event, it was
9 really just to refresh your memory.

10 **MR. RENSRAW:** Yes.

11 **MR. WALLACE:** Okay.

12 Now when -- during the interview, you know
13 it was videoed?

14 **MR. RENSRAW:** Yes.

15 **MR. WALLACE:** And I've watched the video.
16 So I just want to see if you agree with what I'm going to
17 say to you. During the video, at all times, both officers
18 were very polite with you.

19 **MR. RENSRAW:** Okay.

20 **MR. WALLACE:** You'd agree with that?

21 **MR. RENSRAW:** Yes.

22 **MR. WALLACE:** Yes. And they were -- they
23 gave you as much time as you needed to answer the
24 questions; you weren't rushed along?

25 **MR. RENSRAW:** No.

1 MR. WALLACE: Okay.

2 And, in fact, it was -- it would never be
3 easy to talk about these things.

4 Correct?

5 MR. RENSRAW: No, no, it's not.

6 MR. WALLACE: And you were having some
7 difficulty emotionally during this time.

8 Correct?

9 MR. RENSRAW: Correct.

10 MR. WALLACE: And they were respectful of
11 that?

12 MR. RENSRAW: Yes.

13 MR. WALLACE: And when you were having some
14 difficulty, things just slowed down, and they let you
15 compose yourself, and then they moved on.

16 MR. RENSRAW: Yes.

17 MR. WALLACE: Okay.

18 And the questions all appeared to be quite
19 relevant to what it is that they were investigating.

20 MR. RENSRAW: Oh! Yes. Oh! Yes.

21 MR. WALLACE: And they never once challenged
22 you or suggested that you weren't telling the truth, did
23 they?

24 MR. RENSRAW: No.

25 MR. WALLACE: Yes. And, in fact, I'll get

1 to this in just a second, but as we heard, you had made a
2 mistake or at least you believed you'd made a mistake as
3 far as the date ---

4 MR. RENSRAW: Yes.

5 MR. WALLACE: --- and you contacted the OPP
6 a couple months later.

7 MR. RENSRAW: Yes.

8 MR. WALLACE: Okay.

9 And they asked you for your permission to do
10 the statement and, at the very end, they asked you if this
11 statement was done of your own free will.

12 MR. RENSRAW: That's right.

13 MR. WALLACE: Correct?

14 MR. RENSRAW: Yes.

15 MR. WALLACE: And it was.

16 MR. RENSRAW: Yes.

17 MR. WALLACE: You'd agree with me that
18 throughout the time that they questioned you, you've told
19 us that they were polite; they were courteous; they were
20 respectful of you.

21 MR. RENSRAW: Yes.

22 MR. WALLACE: Okay.

23 And they conducted themselves in a very
24 professional manner.

25 MR. RENSRAW: Yes.

1 **MR. WALLACE:** Okay.

2 After the statement was finished, you and
3 your wife left the detachment.

4 **MR. RENSRAW:** Yes.

5 **MR. WALLACE:** And you didn't have any
6 contact with them until a couple of months later when you
7 contacted the OPP to inform them that you thought that you
8 might be mixed up on the dates that this thing took place
9 with Father Charlie.

10 **MR. RENSRAW:** Okay.

11 **MR. WALLACE:** And, it's my understanding
12 that you spoke to Constable Seguin and explained the
13 problem.

14 Do you recall whether it was Seguin or
15 Dupuis?

16 **MR. RENSRAW:** I don't recall.

17 **MR. WALLACE:** Okay.

18 You spoke to one of the two of them.

19 **MR. RENSRAW:** Yes.

20 **MR. WALLACE:** Okay.

21 And you indicated that, as you told us here,
22 that the problem was you had put the date as being 1981
23 when you actually believed it was a date that was closer in
24 time to a hospitalization.

25 **MR. RENSRAW:** That's right.

1 **MR. WALLACE:** And Constable -- the officer
2 that you dealt with, he simply asked you the name of the
3 hospital that you'd been at.

4 Correct?

5 **MR. RENSRAW:** Yes.

6 **MR. WALLACE:** And he told you that he was
7 going to be sending you a release so that he could go to
8 the hospital to get the documents that would establish
9 clearly what the date was.

10 Correct?

11 **MR. RENSRAW:** Yes.

12 **MR. WALLACE:** And he did that within a
13 matter of days.

14 Correct?

15 **MR. RENSRAW:** Okay. Yes.

16 **MR. WALLACE:** Well, you were actually faxed
17 -- you had to go to the Walkerton OPP and sign a piece of
18 paper and then it was sent back too.

19 Do you recall that?

20 **MR. RENSRAW:** No, I don't, but I must have
21 signed it.

22 **MR. WALLACE:** Yes, because the hospital
23 isn't just going to ---

24 **MR. RENSRAW:** No.

25 **MR. WALLACE:** --- give out information.

1 **MR. RENSRAW:** No, they had their
2 information. So I must have signed it. Sure.

3 **MR. WALLACE:** And when you dealt with
4 officer and indicated that you had made a mistake on the
5 date, he simply accepted that, and just asked you to sign
6 that document, and then ---

7 **MR. RENSRAW:** Yes.

8 **MR. WALLACE:** --- "We'll get this all
9 straightened out."

10 **MR. RENSRAW:** Yes.

11 **MR. WALLACE:** Okay.

12 And he wasn't called -- he never suggested
13 that you were lying or anything like that.

14 **MR. RENSRAW:** No.

15 **MR. WALLACE:** He was actually quite
16 sympathetic to the fact that people make mistakes after
17 that long a time.

18 Correct?

19 **MR. RENSRAW:** Yes.

20 **MR. WALLACE:** Yes. And then over the next,
21 I guess, about five years, you had a number of contacts
22 with Constable Dupuis primarily because he was the lead
23 investigator.

24 Correct?

25 **MR. RENSRAW:** Yes.

1 **MR. WALLACE:** Yes. And, during that time,
2 there were arrangements made for your to be interviewed by
3 the Crown so that you'd be well prepared for when you went
4 into court.

5 **MR. RENSRAW:** Yes.

6 **MR. WALLACE:** And you heard your wife when
7 she testified earlier this week, she indicated that, in her
8 dealings with Constable Dupuis, she felt that he was
9 genuinely concerned, he was generally trying to help both
10 you and her.

11 **MR. RENSRAW:** Yes.

12 **MR. WALLACE:** You heard that?

13 **MR. RENSRAW:** Yes.

14 **MR. WALLACE:** You would agree with that
15 assessment?

16 **MR. RENSRAW:** Yes.

17 **MR. WALLACE:** Now, the last thing I wanted
18 to ask you concerned the last conversation that you had
19 with the -- Cosette Chafe, the woman from the
20 Victim/Witness Assistance Program.

21 **MR. RENSRAW:** Okay.

22 **MR. WALLACE:** At that time, this is a
23 conversation that you've been asked about as recently as
24 this morning. It concerns the 17th of November (sic), it
25 would be the last time that you would have spoken to her as

1 far as I am aware of. And that's where it's -- you are
2 being told that you can go to Quinte and receive
3 counselling.

4 Do you recall that?

5 **MR. RENSRAW:** No, I do not.

6 **MR. WALLACE:** Okay.

7 **THE COMMISSIONER:** I'm sorry?

8 **MR. WALLACE:** Oh! I am sorry.

9 It was the 17th of May, I believe I said
10 November.

11 But in any event, the Quinte was in the
12 Belleville area.

13 **MR. RENSRAW:** Yes.

14 **MR. WALLACE:** Correct?

15 And Quinte wasn't a realistic option for
16 you, was it?

17 **MR. RENSRAW:** No.

18 **MR. WALLACE:** Because of the distance ---

19 **MR. RENSRAW:** Yes.

20 **MR. WALLACE:** --- the travel and the expense
21 that was associated with the travel?

22 **MR. RENSRAW:** Yes.

23 **MR. WALLACE:** Okay.

24 Thank you, sir.

1 Those are all my questions and I want to
2 thank you.

3 **MR. RENSRAW:** Thank you.

4 **THE COMMISSIONER:** Thank you.

5 Mr. Rose.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**

8 **ROSE:**

9 **MR. ROSE:** Good afternoon Mr. Renshaw.

10 My name is David Rose. I am counsel for the
11 Ministry of Community Safety and Corrections Services which
12 is Probation and Parole Services.

13 Mr. Renshaw, you've given evidence yesterday
14 and today about being on probation.

15 You remember that -- giving that evidence?

16 **MR. RENSRAW:** Yes.

17 **MR. ROSE:** And I take it that in the
18 exchange, certainly this morning with Mr. Canto, you
19 weren't sure precisely when you were on probation.

20 **MR. RENSRAW:** No.

21 **MR. ROSE:** Okay. And that's because you
22 haven't looked at the documents that might tell you
23 specific dates.

24 **MR. RENSRAW:** Dates, yes.

25 **MR. ROSE:** Okay. Was it the case that

1 before you came to the Inquiry to testify that Commission
2 counsel gave you a number of documents to look at to
3 prepare yourself to testify?

4 MR. RENSRAW: They gave me some documents.
5 Yes.

6 MR. ROSE: Okay. But I take it that that
7 did not include your criminal record?

8 MR. RENSRAW: No.

9 MR. ROSE: Okay. So just to clarify, for
10 instance, when you would have been on probation during the
11 time you've been talking about, during your evidence over
12 the last couple of days I have your criminal record, and
13 would you agree with me for instance that you were on
14 probation from January 9, 1981 for nine months?

15 MR. RENSRAW: Okay.

16 MR. ROSE: Would that sound about right?

17 MR. RENSRAW: Yes.

18 MR. ROSE: You're not disagreeing with that?

19 MR. RENSRAW: No.

20 MR. ROSE: Rather than me having to put your
21 whole criminal record in, you'll agree with me that that's
22 the period you were on probation?

23 MR. RENSRAW: Sure.

24 MR. ROSE: Okay. And in terms of the
25 probation you've given evidence that you had to report to

1 Ken Seguin at the probation office.

2 MR. RENSCHAW: Yes.

3 MR. ROSE: You remember giving that
4 evidence?

5 MR. RENSCHAW: Yes.

6 MR. ROSE: And that was on Pitt Street. Is
7 that right?

8 MR. RENSCHAW: Yes.

9 MR. ROSE: Okay. And you've also given
10 evidence about a secretary who was in the office at the
11 time. Do you remember giving that evidence yesterday and
12 today?

13 MR. RENSCHAW: Yes.

14 MR. ROSE: Is it the case, Mr. Renschaw, that
15 in fact there was more than one secretary in the probation
16 office?

17 MR. RENSCHAW: Oh, yes, yes.

18 MR. ROSE: In fact, there were ---

19 MR. RENSCHAW: I think there was two of them
20 that were ---

21 MR. ROSE: Two of them.

22 MR. RENSCHAW: Yes, there was an older lady.
23 I don't know her name.

24 MR. ROSE: Well, was it the case that one of
25 them might have been named Lise?

1 MR. RENSCHAW: Could be.

2 Mr. ROSE: The other one ---

3 MR. RENSCHAW: That sounds familiar.

4 MR. ROSE: So it's possible that one was
5 Lise and one was Louise?

6 MR. RENSCHAW: Yes.

7 MR. ROSE: Pretty similar names.

8 MR. RENSCHAW: M'hm.

9 MR. ROSE: And in terms of the Louise that
10 you gave evidence about yesterday?

11 MR. RENSCHAW: M'hm.

12 MR. ROSE: I take it you're not taking issue
13 with her being, well what, a secretary.

14 MR. RENSCHAW: No. She was the secretary
15 there.

16 MR. ROSE: She might have also have
17 functioned in terms of being a receptionist.

18 MR. RENSCHAW: Okay, yes.

19 MR. ROSE: And so certainly there is no
20 question she's not a probation office?

21 MR. RENSCHAW: No, no, no.

22 MR. ROSE: So if you reported to the
23 probation office to see Mr. Seguin, she would be there
24 effectively ---

25 MR. RENSCHAW: Greeting you.

1 MR ROSE: --- to greet as a receptionist?

2 MR. RENSCHAW: Yes.

3 MR. ROSE: So in some sense you were
4 reporting to her, but not -- you're not really reporting
5 pursuant to your probation order?

6 MR. RENSCHAW: That's right.

7 MR. ROSE: Okay. So for instance if you see
8 her when you come into the office, the probation office,
9 that's the extent of you seeing her. Isn't that right?

10 MR. RENSCHAW: That's right.

11 MR. ROSE: Okay. So you saw her when you
12 came in. Did you see her, for instance, when you leave the
13 probation office?

14 MR. RENSCHAW: Oh, yes. You had to walk
15 right by her desk.

16 MR. ROSE: Okay. But just so that we are
17 clear, if you had meetings with Ken Seguin in that
18 probation office, she was not part of it?

19 MR. RENSCHAW: Oh, no; oh, no.

20 MR. ROSE: Okay. And in fact I take it that
21 you wouldn't have said too much to her.

22 MR. RENSCHAW: No.

23 MR. ROSE: Other than perhaps hello,
24 goodbye.

25 MR. RENSCHAW: That's about it.

1 **MR. ROSE:** Okay. And that's because she's
2 not a probation officer.

3 **MR. RENSRAW:** Well, that and I knew her
4 husband was a police officer, I do believe.

5 **MR. ROSE:** Okay.

6 **MR. RENSRAW:** So I just kind of stayed away
7 from that.

8 **MR. ROSE:** Okay. And yesterday you gave
9 evidence that you had this feeling that she knew. You
10 remember that evidence?

11 **MR. RENSRAW:** Yes.

12 **MR. ROSE:** And today when Mr. Canto was
13 asking you questions, you helped him out a bit and said
14 "You can't say for sure that she knew". I think that was
15 your evidence from this morning.

16 **MR. RENSRAW:** Yes.

17 **MR. ROSE:** So in other words, you can't say
18 for sure that she knew ---

19 **MR. RENSRAW:** Oh, no I can't.

20 **MR. ROSE:** --- what was going on.

21 **MR. RENSRAW:** No, I can't, no.

22 **MR. ROSE:** In other words, you can't say for
23 sure that she knew what was going on between yourself and
24 Mr. Seguin during these probation meetings.

25 **MR. RENSRAW:** No.

1 MR. ROSE: Okay.

2 MR. RENSCHAW: That's just a feeling or an
3 impression I got, or whatever you want to call it.

4 MR. ROSE: Right, okay.

5 And in terms of this secretary or
6 receptionist, Louise, you first disclosed this to Mr.
7 Dunlop in February of 1997?

8 MR. RENSCHAW: Okay.

9 MR. ROSE: Is that fair to say?

10 MR. RENSCHAW: Yes.

11 MR. ROSE: I'm going to ask you whether or
12 not you actually knew her name when you were talking to Mr.
13 Dunlop about it, in February of 1997. If we could have
14 please, that exhibit, and I believe it's Exhibit 348 at
15 Bates page 7059964?

16 That would be at the bottom if it's page 68
17 or 91. Do you have that in front of you?

18 MR. RENSCHAW: Yes, I do.

19 MR. ROSE: Okay. Because the sequence that
20 you were shown yesterday and the sequence of this
21 transcript says:

22 "Just after Stuart McDonald knew the
23 score, eh?"

24 You say:

25 "Yeah, that one secretary there."

1 And Perry Dunlop says:

2 "Louise."

3 You say:

4 "Yeah, she -- I'm positive".

5 And talk about this feeling. But in fact as
6 I read that interview it's Perry Dunlop that mentions the
7 name Louise, not you.

8 **MR. RENSRAW:** Yes.

9 **Mr. ROSE:** Is it possible because when you
10 were thinking about the secretary that gave you this look
11 you just knew her as that one secretary there, who was
12 married to a police officer; is that possible?

13 **MR. RENSRAW:** I just knew it was the younger
14 of the secretaries, you know that ---

15 **MR. ROSE:** Okay.

16 **MR. RENSRAW:** --- I always dealt with.

17 **MR. ROSE:** But not as Louise. That was
18 Perry Dunlop that put the name ---

19 **MR. RENSRAW:** I didn't know her name at the
20 time.

21 **MR. ROSE:** Okay. It was Perry Dunlop that
22 knew the name.

23 **MR. RENSRAW:** Yes.

24 **MR. ROSE:** Okay. And in fact at the bottom
25 of that page -- if we can just scroll down to the last line

1 there -- in fact, you say then:

2 "You know, her old man's a cop. What's
3 a -- you know".

4 As I read that, Mr. Renshaw, you didn't know
5 the name of her husband the cop, you just described him as
6 "what's a -- you know", just that her husband's a cop.

7 **MR. RENSRAW:** Well, I knew that her husband
8 was Quinn, Quinnie, or whatever his name his.

9 **MR. ROSE:** Whatever his name is?

10 **MR. RENSRAW:** I believe it's Quinn. Last
11 name is Quinn.

12 **MR. ROSE:** Because you just said to me that,
13 in fact, it was Mr. Dunlop that put the name Louise --

14 **MR. RENSRAW:** Yes, I didn't know her name.

15 **MR. ROSE:** Okay. And obviously, if Perry
16 Dunlop is a police officer with the Cornwall police ---

17 **MR. RENSRAW:** Yes.

18 **MR. ROSE:** You knew, at least at the time it
19 wasn't a largish police force. He's likely to know the
20 wives of his fellow officers.

21 **MR. RENSRAW:** Sure.

22 **MR. ROSE:** You knew that Louise was married
23 to a police officer, right?

24 **MR. RENSRAW:** Well, I knew she was married
25 to a police officer, yes.

1 MR. ROSE: And I take it at that time
2 you're thinking that Perry Dunlop must know that one of his
3 fellow officers is married to someone who works in the
4 probation office, right?

5 MR. RENSCHAW: M'hm.

6 MR. ROSE: Would that be going through your
7 mind at the time?

8 MR. RENSCHAW: I can't say whether yes or no.

9 MR. ROSE: Possible?

10 MR. RENSCHAW: Possible.

11 MR. ROSE: Okay. Because it is all in the
12 same building, isn't it?

13 MR. RENSCHAW: Yes.

14 MR. ROSE: In other words, Perry Dunlop and
15 this fellow officer would be working in the same ---

16 MR. RENSCHAW: Well, I believe at that time
17 they were on Fifth and Pitt.

18 MR. ROSE: In other words, in a different
19 office from the police station?

20 MR. RENSCHAW: Yes, yes. They weren't at the
21 police station. I don't think the office was open there
22 very long.

23 MR. ROSE: Okay.

24 MR. RENSCHAW: You know, by the time I went
25 through it.

1 MR. ROSE: Okay.

2 MR. RENSCHAW: It didn't seem that long that
3 the one at Fifth and Pitt opened up.

4 MR. ROSE: And if we can just carry on, in
5 terms of this conversation with Mr. Dunlop, about five
6 lines previous, getting away from the issue of the
7 identity, what you say is:

8 "Just from the look that she -- she'd
9 give you, you know like, do you need
10 help? Like that type of look, you
11 know."

12 Now, you're talking about this feeling that
13 you got, right?

14 MR. RENSCHAW: Right.

15 MR. ROSE: And Perry Dunlop says:

16 "'Cause she knew she felt helpless,
17 right?"

18 And you say:

19 "Yeah."

20 MR. RENSCHAW: That's good. I don't ---

21 MR. ROSE: You know what ---

22 MR. RENSCHAW: I don't know if I used the
23 exact same words.

24 MR. ROSE: You know what I'm going to ask
25 you?

1 MR. RENSCHAW: Sure.

2 MR. ROSE: In other words, it's Perry Dunlop
3 that says, "She felt helpless"? It wasn't you.

4 MR. RENSCHAW: That's the -- even before
5 Perry said it, that's the kind of impression that I got.

6 MR. ROSE: But ---

7 MR. RENSCHAW: She wanted to help me, but ---

8 MR. ROSE: You'll agree with me that as we
9 read that interview, all you say is:

10 "It's just the look...you need help.
11 Like that type of look."

12 MR. RENSCHAW: Yes.

13 MR. ROSE: Perry Dunlop starts saying:

14 "Well, she's feeling helpless."

15 MR. RENSCHAW: You'd have to ---

16 MR. ROSE: That's something that he injects
17 to the conversation. Isn't it?

18 MR. RENSCHAW: Yes.

19 MR. ROSE: You're not going to disagree with
20 me that Perry Dunlop was nowhere near the scene when you're
21 reporting in 1981 for probation, is he?

22 MR. RENSCHAW: No.

23 MR. ROSE: So he's not there, right?

24 MR. RENSCHAW: No.

25 MR. ROSE: He certainly didn't witness that

1 look that you saw?

2 MR. RENSCHAW: No.

3 MR. ROSE: And in fact, what Perry Dunlop is
4 doing is, he's effectively giving his impression of your
5 feeling. Isn't he?

6 MR. RENSCHAW: I don't -- maybe he was just
7 trying to help me express myself. I don't know. Like,
8 you'd have to ask Perry on his thinking.

9 MR. ROSE: If we get the chance.

10 MR. RENSCHAW: Well.

11 MR. ROSE: I'd like to move to a different
12 area, if we could please.

13 You had some difficulties with the law in
14 the '80s, and I don't want to get into any specifics of it,
15 but you had some difficulties up until about 1988.

16 MR. RENSCHAW: Yes.

17 MR. ROSE: Is that about fair?

18 MR. RENSCHAW: '86 was the last -- I was out
19 of incarceration, I believe, in '86.

20 MR. ROSE: Perhaps 1988, February.

21 MR. RENSCHAW: Might have been?

22 MR. ROSE: You're not going to disagree with
23 me about that?

24 MR. RENSCHAW: M'hm.

25 MR. ROSE: Again, I'm not interested

1 necessarily in the specifics, but ---

2 MR. RENSRAW: Okay.

3 MR. ROSE: You were out of the criminal
4 justice system for a long period of time.

5 MR. RENSRAW: Yes.

6 MR. ROSE: More recently, and I don't need to
7 get into the specifics of why, but you did fall back into
8 the criminal justice system a few years ago.

9 Would that be fair to say?

10 MR. RENSRAW: Yes.

11 MR. ROSE: Okay. And in fact you did find
12 yourself back on probation in 2002; would that be right?

13 MR. RENSRAW: I refused probation but, yes,
14 I was.

15 MR. ROSE: What happened was that you didn't
16 want to be on probation?

17 MR. RENSRAW: No, sir.

18 MR. ROSE: But the judge imposed it.

19 MR. RENSRAW: And I refused to go.

20 MR. ROSE: Well, I'm going to ask,
21 Commissioner, if we could please call up document 200120,
22 and if that document could be put in front of ---

23 THE COMMISSIONER: Where are we going?

24 MR. ROSE: Mr. Renshaw.

25 THE COMMISSIONER: Where are we going with

1 this?

2 **MR. ROSE:** This is institutional response.

3 **THE COMMISSIONER:** Institutional response?

4 **MR. ROSE:** Yes.

5 **THE COMMISSIONER:** After the fact?

6 **MR. ROSE:** What he's -- this deals
7 specifically with how we deal with allegations that he
8 makes during the course of his probation period recently.

9 **THE COMMISSIONER:** That he what?

10 **MR. ROSE:** This is how we deal with his
11 probation recently, given the fact that he's complaining as
12 someone who has had problems with a probation officer.

13 **THE COMMISSIONER:** Yes.

14 **MR. ROSE:** It very clearly deals with how we
15 calibrate our probation services based on someone who comes
16 forward as a complainant. And he is the best evidence.

17 And I just want to put this forward, Mr.
18 Renshaw, because I just want to suggest to you that, in
19 fact, when you did have this probation order imposed by the
20 judge, in fact, would you agree with me that the probation
21 officer that you met with was sympathetic to organizing the
22 probation to assist you?

23 **MR. RENSHAW:** Yes.

24 **MR. ROSE:** As a result of what happened
25 before.

1 MR. RENSCHAW: Yes.

2 MR. ROSE: Okay. And you see in front of
3 you a copy of the probation notes. In fact, your probation
4 officer was Karen Warren.

5 MR. RENSCHAW: Okay.

6 MR. ROSE: Do you remember that?

7 MR. RENSCHAW: Well, I know it was a lady,
8 but ---

9 MR. ROSE: Remember her as Karen?

10 MR. RENSCHAW: No.

11 MR. ROSE: Okay. And in fact what she notes
12 is that when you reported to her in December of 2002 you
13 were upset that you got probation, because you told your
14 lawyer that you would do time instead, but you got
15 probation.

16 MR. RENSCHAW: That's right.

17 MR. ROSE: And given what's happened, one
18 can understand why you certainly would not want any more
19 probation, right?

20 MR. RENSCHAW: Right.

21 MR. ROSE: That's the last thing you wanted.

22 MR. RENSCHAW: That's right.

23 MR. ROSE: But it was up to the judge at the
24 end of the day, and the judge had the final say.

25 MR. RENSCHAW: That's right.

1 **MR. ROSE:** Okay. So it's not as if
2 probation wanted you on probation.

3 **MR. RENSCHAW:** No.

4 **MR. ROSE:** It was the judge.

5 **MR. RENSCHAW:** That's right.

6 **MR. ROSE:** Okay. And in fact, am I correct
7 that you told your probation officer that you had a bad
8 experience with a probation officer in the past as a result
9 of -- and you were involved in a lawsuit with Project
10 Truth.

11 **MR. RENSCHAW:** Yes.

12 **MR. ROSE:** Do you remember telling that to
13 your probation officer?

14 **MR. RENSCHAW:** Yes.

15 **MR. ROSE:** Okay. And in fact, am I right
16 that your probation officer explained that you have to
17 comply with the term of probation, but if you want to talk
18 about what happened and seek assistance, then she told you
19 she'd help you.

20 **MR. RENSCHAW:** Okay.

21 **MR. ROSE:** Do you see that in the probation
22 -- the document in front of you just about halfway down?

23 **MR. RENSCHAW:** Okay.

24 **MR. ROSE:** Do you remember that your
25 probation officer there talked about how she could change

1 your probation from reporting to non-reporting because it
2 was the reporting that was causing you distress?

3 Do you remember that coming up in the
4 conversation?

5 **MR. RENSRAW:** The only conversation I
6 remember that I had with her was the very -- I think it was
7 the second meeting that I had with her and I told her that
8 I was not going to report again and if she wanted to breach
9 me, not a problem. But I would not be coming back.

10 **MR. ROSE:** Okay.

11 **MR. RENSRAW:** And that's when she spoke to
12 my wife.

13 **MR. ROSE:** Okay. Well, I just want to go
14 through what her recollection of the conversation with you
15 is.

16 **MR. RENSRAW:** Okay.

17 **MR. ROSE:** So that we can get your version
18 of it and, in fact, is it fair to say that you actually --
19 the lawsuit was bringing up your experiences of being
20 victimized? Do you recall discussing that with your
21 probation officer?

22 **MR. RENSRAW:** Probably could have. Yes.

23 **MR. ROSE:** Okay. And what she notes is at
24 the end of the conversation, I think that's the word, you
25 seemed to "relax somewhat after we talked about general

1 interest topics".

2 MR. ROSE: Do you recall discussing that
3 with your probation officer?

4 MR. RENSCHAW: Probably could have, yes.

5 MR. ROSE: Okay.

6 And what she notes is:

7 "At the end of the conversation"

8 I think that's the word -

9 "He seemed to relax somewhat after we
10 talked about general interest
11 topics."

12 Do you remember that?

13 MR. RENSCHAW: Okay.

14 MR. ROSE: It ---

15 MR. RENSCHAW: I do remember her, you know,
16 talking about this and talking about that, yes.

17 MR. ROSE: Was she trying to put you more
18 at ease?

19 MR. RENSCHAW: Yes.

20 MR. ROSE: Okay.

21 Was she succeeding, at least partially?

22 MR. RENSCHAW: No.

23 MR. ROSE: So from her perspective she's
24 succeeding, but you're still quite nervous.

25 MR. RENSCHAW: Yes.

1 MR. ROSE: Okay.

2 MR. RENSRAW: I'd already made up my mind by
3 that point.

4 MR. ROSE: Okay.

5 And I take it that the next time you
6 reported was January 8, just less than a month later.

7 This would be 2003.

8 MR. RENSRAW: Okay.

9 MR. ROSE: Is that fair to say?

10 MR. RENSRAW: Sure.

11 MR. ROSE: And in fact at that point, your
12 reporting probation, your reporting terms of probation
13 becomes non-reporting.

14 MR. RENSRAW: Okay.

15 MR. ROSE: Did she tell you that?

16 MR. RENSRAW: No.

17 MR. ROSE: Because, in terms the note of
18 that ---

19 MR. RENSRAW: No, she might have told me that
20 but at that meeting -- that second meeting I believe it is
21 that I had with her -- I don't think that I really gave her
22 much of a choice to speak or -- you know, I was pretty
23 upset that I was on probation you know, and I wasn't going
24 to report no more.

25 MR. ROSE: Okay.

1 Well, I just want to read to you what she
2 has recalled from that with -- from that interview. And
3 she says:

4 "Notes do not reflect it, but the
5 subject did report on January 8 and
6 after discussion with the area
7 manager [something wills] the subject
8 being placed on AD [which is
9 administered designation, non
10 reporting] was supported. Firstly
11 as probation order allows for this,
12 he only has condition not to
13 associate with the victim which can
14 be monitored by police. But the main
15 reason is the level of stress he
16 feels when reporting. This is
17 directly due to his having been
18 victimized by a probation officer in
19 the past, re Project Truth Cornwall.
20 He is working full-time, in a stable
21 relationship, and involved in ongoing
22 counselling for abuse. For these
23 reasons, he is recommended for AD,
24 which is Administered Designation
25 Status.

1 You never had a report after that, did you?

2 **MR. RENSRAW:** No.

3 **MR. ROSE:** And you were never breached?

4 **MR. RENSRAW:** No.

5 **MR. ROSE:** Thank you Mr. Commissioner.

6 Those are my questions.

7 **THE COMMISSIONER:** Thank you.

8 **MR. ROSE:** And I suppose that should be
9 marked as an exhibit.

10 **THE COMMISSIONER:** 357.

11 **--- EXHIBIT NO./PIÈCE No. P-357:**

12 (200120) - Probation case notes re
13 Robert Renshaw December 05, 2002

14 **MR. ROSE:** Thank you.

15 **THE COMMISSIONER:** Mr. Lee.

16 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**
17 **DALLAS LEE:**

18 **MR. LEE:** Good afternoon, Mr. Renshaw.

19 I just have a - are you smirking at me
20 calling you Mr. Renshaw?

21 I just have a couple of questions for you.

22 You've been asked a fair bit since you're
23 been here about - and your wife was, as well - about the
24 issue with the Dick Nadeau website.

25 **MR. RENSRAW:** Right.

1 **MR. LEE:** I'm not exactly sure I understood
2 your evidence earlier today. Was your statement - any
3 statement you had ever given, ever - on that website?

4 **MR. RENSRAW:** No. My statement was not.

5 **MR. LEE:** You said earlier today that your
6 name was on ---

7 **MR. RENSRAW:** My name was.

8 **MR. LEE:** --- the website.

9 Can you explain what context your name would
10 have been on there, if your statement wasn't?

11 **MR. RENSRAW:** I believe in that content
12 (sic) that my name was mentioned that, you know, this
13 person's seen me -- this one, this one, this one and this
14 one -- down at Ken Seguin's. That's what I believed it was
15 in content with.

16 **MR. LEE:** So if I understand, there was a
17 listing of persons seen at Ken Seguin's and ---

18 **MR. RENSRAW:** Yes.

19 **MR. LEE:** --- you were one of those persons.

20 **MR. RENSRAW:** Yes.

21 **MR. LEE:** Did it identify you as a victim of
22 abuse?

23 **MR. RENSRAW:** I can't remember that right
24 now. I was ---

25 **MR. LEE:** You're ---

1 **MR. RENSRAW:** --- I was more upset that
2 there was -- what do you call it -- somebody's transcript,
3 I guess you would call it -- was on there and I knew the
4 person who it was and they were in jail so I knew for a
5 fact he didn't get no permission.

6 **MR. LEE:** Obviously, don't name this person
7 here. I'm not interested in who it is but, do you remember
8 there being more than one statement? Were there several on
9 there?

10 **MR. RENSRAW:** I can't say for sure.

11 **MR. LEE:** You have somebody on your mind;
12 you have one person you recognized and that was your
13 concern, is that correct?

14 **MR. RENSRAW:** Yes.

15 **MR. LEE:** And you weren't concerned
16 necessarily about your name being on there.

17 **MR. RENSRAW:** I didn't care whether my name
18 was on it. I just thought at that time that maybe they
19 should have went to this person -- got his approval before
20 they put it on.

21 **MR. LEE:** Okay, thank you.

22 There's been, throughout your time here,
23 there's been some issue made of the fact that you -- as an
24 example -- you originally said an incident occurred in 1981
25 and later, in 1983. Is that correct?

1 MR. RENSCHAW: Yes.

2 MR. LEE: And you've had some other
3 inconsistencies pointed out ---

4 MR. RENSCHAW: Sure

5 MR. LEE: And would agree with me that it's
6 fair to say those were inconsistencies?

7 MR. RENSCHAW: Sure.

8 MR. LEE: You gave different answers at
9 different times?

10 MR. RENSCHAW: Yes.

11 MR. LEE: So, somebody looking at this --
12 one statement looking at another, had some legitimate
13 questions ---

14 MR. RENSCHAW: Sure they would.

15 MR. LEE: Can you explain to us why you
16 think you had so much trouble?

17 MR. RENSCHAW: In my mind, from '81 to almost
18 '83, was a total blank.

19 At the time, I was involved a lot in cocaine
20 -- as much chemicals that, you know, possibly somebody
21 could ingest -- I don't know what you know to say about it,
22 like.

23 MR. LEE: So you were doing a lot of drugs?

24 MR. RENSCHAW: Very much so.

25 MR. LEE: And you were drinking?

1 MR. RENSCHAW: Yes.

2 MR. LEE: Do you have any explanation for
3 why you were doing these things, these destructive things
4 to yourself?

5 MR. RENSCHAW: I was trying to forget.

6 MR. LEE: Forget about what?
7 Anything in particular?

8 MR. RENSCHAW: This - this mess with, you
9 know, Mr. Seguin and later on, Mr. Macdonald.

10 MR. LEE: So did your abuse have something
11 to do with the lifestyle you were living?

12 MR. RENSCHAW: I think very much so. I
13 don't think it helped. I was trying to get rid of the
14 boogeymans.

15 MR. LEE: Mr. Renschaw, part of what I'm
16 hoping comes out of this inquiry is for people - we'll
17 start with the commissioner -- people in this community to
18 understand the way that sexual abuse affects ---

19 MR. RENSCHAW: Okay.

20 MR. LEE: --- a victim.
21 Sexual abuse isn't like being physically
22 abused is it?

23 MR. RENSCHAW: No.

24 MR. LEE: It's not a broken leg, that heals?

25 MR. RENSCHAW: No, most people can handle

1 those.

2 MR. LEE: Can you explain to us how you feel
3 the abuse changed you, or changed the person you became?

4 MR. RENSRAW: I became mean.

5 MR. LEE: Sorry, did you say mean?

6 MR. RENSRAW: Mean. Yes, mean. And one
7 hell of a drug problem. That's what it gave me.

8 MR. LEE: Do you believe that it changed --
9 you would have ended up differently without the abuse?

10 MR. RENSRAW: Most definitely.

11 MR. LEE: You told Mr. Rose a few moments
12 ago -- the lawyer from probation and parole - in looking at
13 that document, that at one point in 2002, you instructed
14 your lawyer - that's how I understood it - your lawyer that
15 you would rather go to prison than go back onto parole.

16 MR. RENSRAW: Probation.

17 MR. LEE: Probation, I apologize.

18 MR. RENSRAW: Yes.

19 MR. LEE: When you're on probation, you're a
20 free man still, aren't you sir?

21 MR. RENSRAW: Yes.

22 MR. LEE: And you would have preferred prison
23 to that?

24 MR. RENSRAW: Yes.

25 MR. LEE: Do you believe that, given what

1 you've just told us -- that your history of being abused
2 and what came after that affected the way you were able to
3 tell your story, after the fact?

4 **MR. RENSRAW:** I think if I would have maybe
5 been better educated along the way, I could have got it out
6 more constructively, where people could understand me
7 better, I guess.

8 **MR. LEE:** Do you think that was a problem?

9 **MR. RENSRAW:** Yes.

10 **MR. LEE:** Trying to get your story out --
11 you didn't think you'd ---

12 **MR. RENSRAW:** Well ---

13 **MR. LEE:** --- express yourself clearly?

14 **MR. RENSRAW:** The only time I expressed
15 myself, was anger. That's how I expressed myself.

16 **MR. LEE:** And you had a hard time when you
17 tried to tell the story?

18 **MR. RENSRAW:** Yes.

19 **MR. LEE:** Mr. Renshaw, I want to thank you
20 for being here.

21 **MR. RENSRAW:** Thank you.

22 **THE COMMISSIONER:** Thank you.

23 Maître Dumais?

24 **MR DUMAIS:** I think Robert's answered enough
25 questions for this week. I have no more questions.

1 Thank you, Commissioner. Thank you, Robert.

2 **THE COMMISSIONER:** Mr. Renshaw, I want to
3 thank you very much for coming today. I know that when
4 your brother came knocking several years ago, you answered
5 the call, and you answered the call again here today and I
6 think you've done a great public service and I thank you
7 for it.

8 **MR. RENSRAW:** Thank you.

9 **THE COMMISSIONER:** Okay.

10 Thank you.

11 So I understand now we should get Mr.
12 Engelmann in to speak about alternative cross-examination.

13 **MR. LEE:** Correct.

14 Robert you -- you're excused.

15 **THE COMMISSIONER:** Yes, you can -- you can
16 go away.

17 Why don't we take five minutes and then
18 we'll come right back, all right?

19 **THE REGISTRAR:** Thank you.

20 Order all rise. This hearing will resume at
21 3:50 -- 2:50.

22 --- Upon recessing at 2:45 p.m./

23 L'audience est suspendue à 14h45

24 --- Upon resuming at 2:50 p.m./

25 L'audience est reprise à 14h50

1 **THE REGISTRAR:** This hearing is now
2 resumed. Please be seated.

3 **THE COMMISSIONER:** Thank you.
4 Mr. Engelmann?

5 --- DISCUSSION REGARDING MR. SILMSER'S EVIDENCE/DISCUSSION
6 CONCERNANT LE TÉMOIGNAGE DE M. SILMSER :

7 **MR. ENGELMANN:** Good afternoon, Mr.
8 Commissioner.

9 I'm just here to address the issue of Mr.
10 Silmser's evidence that we touched upon briefly this
11 morning. There are several counsel that are here to
12 address this issue, and after I speak, Mr. Rose for the
13 Ministry of Corrections, Mr. Kozloff for the O.P.P, Mr.
14 Wallace for the O.P.P.A. and Mr. Manderville for the
15 Cornwall Police Service, will address you briefly.

16 I just wanted to report that I'd spoke to
17 Ms. Birrell for the Catholic District School Board of
18 Eastern Ontario. She wrote to me on Monday and I spoke to
19 her this morning about her intentions with respect to the
20 dates in March that we talked about, the 27 and 28.

21 She indicated to me that if The Catholic
22 District School Board of Eastern Ontario prepared
23 submissions, they would be written submissions only; that
24 they would be brief, and that they would set out some of
25 the areas that they would have tried to cover with Mr.

1 Silmser and there would be some references to some exhibits
2 and / or potential exhibits.

3 She indicated to me she hadn't fully decided
4 whether she was going to be doing this or not, but that it
5 would be brief and as well that they did not intend to make
6 any oral submissions, but might ask Commission Council to
7 read brief submissions, if that was appropriate.

8 **THE COMMISSIONER:** All right.

9 **MR. ENGELMANN:** so that is what they wanted
10 to do.

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

12 **MR. ENGELMANN:** You have counsel here, as I
13 said, from the four other parties that have not had the
14 opportunity to cross-examine Mr. Silmser. And it would be
15 best for me to let them speak for themselves, as to their
16 proposed process for their alternative to cross-
17 examination.

18 **THE COMMISSIONER:** Okay.

19 Mr. Rose?

20 **MR. ROSE:** Thank you Mr. Commissioner.

21 Obviously Probation and Parole Services is
22 one of the parties that did not get to cross-examine Mr.
23 Silmser. And we're in the position of effectively, in my
24 mind, discussing alternative measures. It ---

25 **THE COMMISSIONER:** And that's something

1 that you're very good at -- Alternative Measures.

2 MR. ROSE: Well, that phrase has been used
3 in a variety of contexts. I think it ---

4 THE COMMISSIONER: I was thinking more in
5 YOA or YCGA terms, or whatever.

6 MR. ROSE: That had crossed my mind.

7 THE COMMISSIONER: there you go.

8 MR. ROSE: And so, here we are discussing
9 another form of alternative measures.

10 Certainly at the outset, we have to make
11 very clear on behalf of our client that there's just no
12 satisfactory substitution for cross-examination and, that's
13 the -- at the outset and we cannot be seen to resign or
14 abandon that position. This very much is something in the
15 form of alternate measures.

16 What we propose to do, Mr. Commissioner, is
17 set out effectively a narrative of the questions that we
18 would have put to Mr. Silmsler ---

19 THE COMMISSIONER: M'hm.

20 MR. ROSE: --- setting out the assertions
21 that we would have suggested to him, with references of
22 secondary materials -- whether they be transcripts, or
23 documents - setting forth the answers that we would have
24 expected based on the secondary material. And that's going
25 to take the form of an oral presentation with the

1 supporting documentation before you.

2 So in other words -- and we're available the
3 27, 28, 29 of March to do this, it's only going to take we
4 think about an hour, perhaps two. But it will be that
5 form, that format, and so that you will be provided with
6 documents that either have already been put into evidence,
7 or we would have, if the witness were here anyway.

8 That is the rough plan as to where we're
9 going to go. We've had some communication with Commission
10 Council about that.

11 Our position, as well -- and this is
12 another, I believe, important issue for the Ministry of
13 Community Safety and Correctional Services -- the issue of
14 notices of misconduct, under Section 52 of the Act, comes
15 up. And the question is, what to do with notices of
16 misconduct vis-à-vis Mr. Silmsers.

17 Our position would be, before you, that
18 there should be no Section 52 Notice against our client
19 based solely on the evidence of Mr. Silmsers because we
20 can't effectively cross-examine him. We've had some
21 discussions with Mr. Engelmann and I hope that in further
22 communications we can persuade him of our position so that
23 we have a joint position before you.

24 But that may be the subject of some
25 argument, I would think fairly brief, on the 27th or 28th or

1 29th. That deals with our presentation that we would have
2 done. This is the alternate measures.

3 It's my submission that the other issue
4 which arises for Mr. Silmsers is that if there is no
5 expungement, if this is how we proceed, the question will
6 become what to do with the evidence -- the viva voce
7 evidence that Mr. Silmsers has given thus far.

8 We have a letter from Mr. Silmsers's
9 physician, Dr. -- I believe it's Faruqui. Our position,
10 Mr. Commissioner, is that this letter is much less that we
11 would have expected and, in fact, this letter raises many
12 more questions than it answers. What most concerns us is
13 that there seems to be this assertion from Mr. Silmsers,
14 through his physician, that the questioning that he had
15 under cross-examination -- it's not specified which date
16 but she does talk about confusion and he may not have
17 provided complete responses to questioning.

18 So Mr. Commissioner, you are now left with
19 an evidentiary record of viva voce testimony and an
20 assertion that the answers are not complete and that he was
21 confused at the time.

22 The question is what to do with that and as
23 I've explained to Commission counsel, I believe that this
24 record, if we can call it that, is wanting. And I would
25 have hoped to get something more in terms of answers and

1 what to do with the evidence which is already before you
2 because the evidence that's before you is admissible, it's
3 trite to say against everyone and so the question is what
4 to do with that.

5 I don't have a very clear answer for you
6 because, in my respectful submission, the Commission -- all
7 parties, including you, have been put in this position by
8 Dr. Faruqui's letter.

9 **THE COMMISSIONER:** Well, a couple of things.
10 First of all, let's assume that Mr. Silmsler had not
11 testified and that Commission counsel would have gone the
12 way of -- what's the word there -- some kind of a summary,
13 all right, and you obviously have a right to respond to
14 that summary.

15 **MR. ROSE:** Yes.

16 **THE COMMISSIONER:** There are some witnesses
17 that won't be testifying and people -- and there will be
18 some anticipated evidence or some statement of facts or
19 whatever.

20 **MR. ROSE:** Yes.

21 **THE COMMISSIONER:** Okay. So you'll get to
22 comment and bring -- much in the same way as, I think,
23 we're doing with Mr. Silmsler's situation. So what happens
24 if in the documents themselves, all right, there's enough
25 there to issue a 5.2 Notice?

1 **MR. ROSE:** Well, when you refer to
2 documents, sir, you're referring to the secondary documents
3 which have been made exhibits?

4 **THE COMMISSIONER:** We're talking about
5 complaints. I mean, let's put it this way. Let's assume
6 that Mr. Silmser had not testified.

7 **MR. ROSE:** Yes.

8 **THE COMMISSIONER:** People would have filed a
9 summary of, you know, that on such and such a date, he
10 phoned -- he filed this complaint, he did this, he did
11 that, he did that, and based on that, on the sequence of
12 things, I were to find that the institutional response
13 merited a 5.2. All right. Well, that could be done
14 regardless of whether he testified or not.

15 **MR. ROSE:** Well, let me reiterate what my
16 position is.

17 There should be no section 5.2 notice solely
18 based on Mr. Silmser's viva voce testimony. I can hardly
19 question exhibits which have been put in which form an
20 overall record. And Mr. Commissioner, you're suggesting to
21 me that I'm seeking to effectively ignore all of the
22 evidence that's before you. I can't take that position. I
23 can't reasonably take that position.

24 **THE COMMISSIONER:** Okay.

25 **MR. ROSE:** It is solely based on Mr.

1 Silmser's testimony. However, coming back to the point
2 you've just raised with me, if I may, the problem with the
3 analogy or the metaphor of putting in a statement of facts
4 by Commission counsel is, what happens if that statement of
5 facts is put in but then later it's announced that it may
6 not be complete and it may be confused? Then we're still
7 left in the situation, well, how do we deal with that? I
8 mean how hard is this? Do we have wood under our feet or
9 sand? And it's my submission that Dr. Faruqui's letter has
10 put sand under our feet.

11 **THE COMMISSIONER:** Well, we can -- I didn't
12 think I was going to get that from you but that may well
13 have to be revisited.

14 **MR. ROSE:** Well, I think we agree about
15 that. Those are my submissions.

16 **THE COMMISSIONER:** Thank you.

17 So you understand though that you will be
18 giving counsel notice, appropriate notice, so they can
19 review the documents that you plan to pursue.

20 **MR. ROSE:** We've already provided a Rule 38
21 Notice with respect to Silmser and effectively what this
22 amounts to is a presentation before you ---

23 **THE COMMISSIONER:** Right.

24 **MR. ROSE:** --- without the witness in the
25 stand.

1 **THE COMMISSIONER:** All right.

2 **MR. ROSE:** And it would be my submission
3 that those parties who had the opportunity and the benefit
4 of cross-examining Mr. Silmsler provided Rule 38 Notices, as
5 we all did, didn't have to provide a draft of their
6 questions in cross-examination to Commission counsel, but
7 the same rules effectively apply.

8 **THE COMMISSIONER:** I know, but in this case,
9 you will have pretty well written up the questions.

10 **MR. ROSE:** As anyone would have in cross-
11 examining a live witness.

12 **THE COMMISSIONER:** Right. All right. So
13 what you're telling me is you're not prepared to submit the
14 questions.

15 **MR. ROSE:** What I can suggest -- what I can
16 say is this.

17 We will attempt and, as a courtesy, we will
18 try to provide Commission counsel with some form of road
19 map as to where we're going.

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

21 **MR. ROSE:** We will do our best. It is a
22 busy month, maybe not with the Commission but there are
23 other things as well. We're being forced to start
24 preparing for other factors or other aspects of the
25 Commission, of the Inquiry. So we will do our best. I

1 can't guarantee anything. I hope that we'll be able to
2 provide something, but I don't think that we should be in
3 any different position than people who have to cross-
4 examine. That's my bottom position.

5 **THE COMMISSIONER:** All right. You
6 understand you'll be at some peril in the sense that the
7 advantage of giving questions over is we can iron out or
8 you people can iron out the issue of relevance and that
9 kind of thing.

10 **MR. ROSE:** That would seem to apply to
11 people who are cross-examining witnesses live as well.

12 **THE COMMISSIONER:** Well, no, not really but
13 this is uncharted territory. I don't know of anybody who's
14 ever had to do this and all I'm saying is that it's not a
15 question of nailing somebody down as to what questions they
16 are going to be put but we're going to be -- we're going to
17 have to be very careful about what kind of questions and
18 how we go about that.

19 And so rather than having to submit, you
20 know, I thought maybe it would be a collaborative effort in
21 the sense of being able to tack everything down, come in
22 here and say, "Here we go, Your Honour. Commission counsel
23 has reviewed this and relevancy isn't an issue.
24 Confidentiality of documents aren't an issue." And things
25 would just roll.

1 MR. ROSE: Well, ---

2 THE COMMISSIONER: But if you don't want to
3 do that, that's fine. That's fine.

4 MR. ROSE: Mr. Commissioner, I can advise
5 you that certainly with respect to the last witness, that
6 process is already undertaken and I can tell you that I was
7 in contact with Mr. Dumais about certain areas and Mr. Lee
8 and so forth, and I do not expect that that procedure will
9 change.

10 THE COMMISSIONER: M'hm.

11 MR. ROSE: So I'm clear beyond that, Mr.
12 Commissioner, what is being asked of us.

13 THE COMMISSIONER: I'm simply asking you to
14 make sure that you attempt to streamline this whole thing
15 so that it works as smoothly as possible.

16 MR. ROSE: As we always will, Mr.
17 Commissioner.

18 THE COMMISSIONER: There you go.

19 MR. ROSE: Thank you.

20 THE COMMISSIONER: Thank you.

21 Mr. Kozloff?

22 MR. KOZLOFF: Good afternoon, sir.

23 THE COMMISSIONER: Yes, sir.

24 MR. KOZLOFF: I'm a little disappointed in
25 you, Mr. Commissioner.

1 **THE COMMISSIONER:** In me?

2 **MR. KOZLOFF:** You addressed the centre of
3 the universe, Sudbury. You addressed the Nation's Capital.
4 You did not mention Toronto. Some of us have to drive back
5 to Toronto.

6 **THE COMMISSIONER:** Well, you are going back
7 to Toronto.

8 **MR. KOZLOFF:** Apparently without any concern
9 from this Commission.

10 **THE COMMISSIONER:** That's not true, sir.

11 **(LAUGHTER/RIRES)**

12 **THE COMMISSIONER:** You have to deal with
13 facts in this Commission and one of the facts is when I
14 went out, I went onto the -- my trusted Blackberry and I
15 looked at weather warnings and one of the things I wanted
16 to warn you, folks, was to get home early tonight because
17 you're going to get freezing rain. And we know that us
18 Northerners are much more used to driving through 10 feet
19 of snow with bald tires and no heater than some
20 Torontonians are with respect to a little bit of freezing
21 rain.

22 **MR. KOZLOFF:** So I'm supposed to assume that
23 if I hadn't raised this now, you would have brought that to
24 our attention?

25 **(LAUGHTER/RIRES)**

1 **THE COMMISSIONER:** Well, I would have wished
2 you all a good trip home.

3 **MR. KOZLOFF:** Thank you. That's good
4 enough.

5 **THE COMMISSIONER:** That would have been for
6 true.

7 **MR. KOZLOFF:** Mr. Commissioner, ---

8 **MR. SHERRIFF-SCOTT:** Don't call out the
9 National Guard or anything.

10 **MR. KOZLOFF:** No, no, no. Ottawa heard
11 from. Thank you very much.

12 **(LAUGHTER/RIRES)**

13 **MR. KOZLOFF:** Mr. Commissioner, we're in
14 very much agreement with the comments made by Mr. Rose.

15 When this problem first arose, we sat down
16 with Mr. Engelmann, Mr. Neuberger, Mr. Wallace and Mr.
17 Manderville and attempted to address the issue and what Mr.
18 Rose is proposing is essentially what we were able to come
19 up with as a group.

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

21 **MR. KOZLOFF:** What I will propose to do in
22 the next two weeks is take what I had prepared as cross-
23 examination, convert it to a presentation which will
24 identify the evidence of Mr. Silmsers with which, on behalf
25 of my client, I take issue. The evidence will be evidence

1 that relates to your mandate and to my client's interests.
2 I have no -- for instance, I have no interest in addressing
3 anything Mr. Silmsers said about his allegations.

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

5 **MR. KOZLOFF:** I'm only interested in the
6 institutional response of my client.

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

8 **MR. KOZLOFF:** I will identify the evidence
9 by date and page of transcript and line. I will identify
10 the secondary evidence which I rely on to address that
11 evidence, whether it's to contradict it or to clarify it.

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

13 **MR. KOZLOFF:** And I will identify by
14 document number those documents which I propose to use and
15 I will provide that to Mr. Engelmann well in advance.
16 There may be some areas of dispute between Mr. Engelmann
17 and I. We will be communicating with him in relation to
18 one of those areas.

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

20 **MR. KOZLOFF:** And hopefully we can exchange
21 views so that at the very worst when we come back to
22 address this before you, there will be an efficient use of
23 time. That's essentially what I am proposing to do.

24 **THE COMMISSIONER:** And ballpark, can you
25 give me an estimate of time?

1 **MR. KOZLOFF:** Give or take two hours because
2 that's one of the issues. My sense is that if the video is
3 played, that's a minimum of two hours, plus probably one to
4 two hours.

5 **THE COMMISSIONER:** Okay. So the video
6 you're talking about ---

7 **MR. KOZLOFF:** Is the video interview of Mr.
8 Silmser on February the 22nd, 1994 by Detective Inspector
9 Smith.

10 **THE COMMISSIONER:** All right.

11 **MR. KOZLOFF:** And Detective Constable Fagan.

12 **THE COMMISSIONER:** All right. And the
13 purpose of that will be to show that it was a
14 professionally run ---

15 **MR. KOZLOFF:** Absolutely.

16 **THE COMMISSIONER:** Okay.

17 **MR. KOZLOFF:** In contradiction to his
18 evidence which he claims informed his entire relationship
19 with the OPP.

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

21 **MR. KOZLOFF:** Aside from that, sir, I am
22 very much in agreement with Mr. Rose about the concern I
23 have with the contents of the medical report and my concern
24 is, as a party to this Commission of Inquiry, I am
25 concerned for preserving and protecting the integrity of

1 your process.

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

3 **MR. KOZLOFF:** And it's on that basis, and
4 that basis alone, that I'm expressing my concern.

5 **THE COMMISSIONER:** All right.

6 **MR. KOZLOFF:** Thank you.

7 **THE COMMISSIONER:** Thank you.

8 Mr. Wallace?

9 **MR. WALLACE:** Mr. Commissioner, I had
10 identified at the time that Mr. Silmsler was testifying, and
11 I don't want to be held to this, but I think for very, very
12 discreet areas that I was interested in and I had obviously
13 prepared a form of cross-examination. I will, as the other
14 folks do, identify the areas that I am interested in.

15 I am not exactly sure that it's simply a
16 question, this isn't clear in my mind yet, if it's really
17 an issue or just sort of putting out what questions you
18 would have asked because that's a dynamic process and this
19 is not.

20 So it may be more suited to identifying the
21 areas; identify the documents that you would use and
22 perhaps identify why it is questions were being -- as
23 opposed to the actual specific questions because it does
24 not much matter when you're never going to get an answer.

25 So that's a process that I'll communicate

1 with Mr. Engelmann so that once I have it firm in my mind
2 because you have to sort of sit down and try and see how
3 this works. But the point is, is to identify the issues
4 and try and make the point of where it is you are going.
5 Why you're asking these questions.

6 **THE COMMISSIONER:** Yes.

7 **MR. WALLACE:** And this may require a re-
8 tooling of the notice because ---

9 **THE COMMISSIONER:** Of what notice?

10 **MR. WALLACE:** Of the original ---

11 **THE COMMISSIONER:** Thirty-eight two?

12 **MR. WALLACE:** Thirty-eight two notice
13 because with a live body, you may not actually have to
14 resort to the document but if you don't have the person
15 here. So it may require providing additional notice and I
16 discussed that with Mr. Engelmann this morning and we'll do
17 so and try and do it in a timely fashion to facilitate this
18 whole process going smoothly from a technical point of view
19 as well. Okay?

20 **THE COMMISSIONER:** How much time do you
21 think you'll need?

22 **MR. WALLACE:** I wouldn't thing any more than
23 an hour.

24 **THE COMMISSIONER:** Thank you.

25 **MR. MANDERVILLE:** Good afternoon Mr.

1 Commissioner. We would expect to be two hours.

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

3 **MR. MANDERVILLE:** It will take the form of
4 an oral presentation from Mr. Callaghan with reference to
5 the various documents which we contend would contradict or
6 clarify certain of Mr. Silmsers evidence.

7 We have given the Rule 38 notice but Mr.
8 Wallace's point is well taken and we fully intend to give
9 Mr. Engelmann a fairly precise list of what we are going to
10 refer to in the portion within the document if the document
11 is of any length that we would be referring to, so he knows
12 where we're going.

13 I would like to echo the concerns expressed
14 by Mr. Rose both in respect to the medical report and to a
15 degree with respect to the notion of misconduct in 5.2
16 notices but that's a discussion we can have another time if
17 we ever need to.

18 The only other point I would make is that I
19 am quite pleased Mr. Engelmann and I, among others, were
20 able to come to an agreement on how to proceed and to note
21 that what we've agreed to do is expressed here without
22 prejudice to the right to move at some future date if so
23 minded.

24 **THE COMMISSIONER:** After we have finished
25 all of this, all right, once we give this a try, I might

1 say I'm not happy with this.

2 MR. MANDERVILLE: Fair comment.

3 THE COMMISSIONER: You know it's open to
4 everybody. We're just trying to do the best we can with
5 what we have.

6 MR. MANDERVILLE: No, and I quite
7 understand.

8 THE COMMISSIONER: And I appreciate that.

9 MR. MANDERVILLE: Thank you.

10 THE COMMISSIONER: Thank you.

11 Mr. Sherriff-Scott, I thought maybe you were
12 hurt or something.

13 MR. SHERRIFF-SCOTT: Why, because I am so
14 quiet?

15 (LAUGHTER/RIRES)

16 THE COMMISSIONER: No, because you're not
17 walking all the way up here, I thought ---

18 MR. ENGELMANN: No, I just was about to
19 invite him up and also any others who had -- Mr. Chisholm
20 and-or others who might have had a concern about their
21 cross-examination.

22 THE COMMISSIONER: Right.

23 Well, it's fairly clear that the doctor
24 indicated that during the cross-examination part -- I think
25 there is a few days there -- two days where this gentleman

1 was on medication when he was here and if I read that
2 correctly that there is some ---

3 **MR. ENGELMANN:** Yes, if I ---

4 **THE COMMISSIONER:** --- question marks there.

5 **MR. ENGELMANN:** --- remember correctly, I
6 don't have the letter in front of me but if I remember
7 correctly, that started when he left the first time.

8 **THE COMMISSIONER:** Right.

9 **MR. ENGELMANN:** That would have been that
10 first weekend so those people who might have cross-examined
11 on the 5th and 6th of February ---

12 **THE COMMISSIONER:** The in-chief was not
13 while he was on medication.

14 **MR. ENGELMANN:** No, he -- according to the
15 letter, went after he left the first time, when Mr. Lamb
16 was cross-examining as well.

17 **THE COMMISSIONER:** Mr. Kozloff?

18 **MR. KOZLOFF:** I think we would be remiss,
19 sir, if we didn't give some credit to Mr. Sherriff-Scott.
20 I know it's calculated to perhaps send chills up the spine
21 of everybody in this room, but he was the one who mediated
22 the issue and we should give him credit for it.

23 **THE COMMISSIONER:** He gets the gold star.

24 **MR. KOZLOFF:** It's a frightening thought,
25 isn't it?

1 **MR. SHERRIFF-SCOTT:** My first one.

2 **(LAUGHTER/RIRES)**

3 **THE COMMISSIONER:** All right.

4 Mr. Sherriff-Scott?

5 **MR. SHERRIFF-SCOTT:** Things are looking up.

6 Did Mr. Kozloff say that Toronto was the
7 Nation's Capital or just the centre of the universe, I am
8 not sure?

9 **THE COMMISSIONER:** No, I think he was
10 referring to Sudbury.

11 **MR. SHERRIFF-SCOTT:** Oh I see, okay.

12 I discussed this with my friend, Mr.
13 Engelmann, and I may wish to make a brief presentation and
14 I would hope to give that in advance in writing. I find,
15 from my point of view, writing helps shorten my usual
16 tendency to babble, so that will help you too, if I am
17 permitted to do that.

18 I haven't really decided how I'm going to
19 handle it yet given the medical letter. I'm going to give
20 that some thought and I'll be discussing it over the days
21 that follow with my colleague if that's satisfactory?

22 **THE COMMISSIONER:** All right, yes. Yes,
23 yes.

24 I think anyone who cross-examined during
25 those two days may have well have a good point and so if

1 they wish to present something, I'll be open to that.

2 **MR. SHERRIFF-SCOTT:** Okay, and I just
3 express the -- for the record the cautions about my
4 participation being without prejudice to ultimately taking
5 some remedial relief and that's down the line. Thank you.

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

7 Yes sir?

8 **MR. CHISHOLM:** Good afternoon Mr.
9 Commissioner. The two days in question are, I believe,
10 February the 5th and February the 6th for the cross-
11 examination.

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

13 **MR. CHISHOLM:** To just advise you, I don't
14 intend to provide any further questions in terms of
15 interims of cross-examination but you're well aware of Dr.
16 Faruqui's letter and the point that she raises with respect
17 to the issues of concern with respect to his evidence.

18 **THE COMMISSIONER:** Yes.

19 **MR. CHISHOLM:** Thank you sir.

20 **THE COMMISSIONER:** Thank you.

21 Anyone else? Mr. Engelmann?

22 **MR. ENGELMANN:** I just want to thank my
23 fellow counsel for coming to the agreement we did so that
24 we could move this along and I echo Mr. Kozloff's comment
25 that Mr. Sherriff-Scott was particularly helpful. I just

1 wish Mr. Manson was here to give him that gold star
2 personally but so be it.

3 I did speak -- just a couple of points.
4 When I spoke to Mr. Wallace this morning, he had advised
5 about re-tooling and that may be necessary and I understand
6 that.

7 And I am hopeful that all counsel, given
8 that this will be part of a written and oral presentation,
9 will be able to give us the exact documents they'll be
10 relying on and in order and I anticipate that will happen.

11 I look forward to -- in exchange of
12 correspondence and/or meetings with Mr. Kozloff, so that we
13 can work out any disagreements we might have with respect
14 to his approach and as he said, narrow those issues or
15 perhaps resolve them all together. I think that this
16 should result in an orderly presentation.

17 I believe, and I indicated this to counsel
18 at our meeting, that if any of the other counsel have
19 concerns that ariseduring this process or would have put
20 questions to Mr. Silmsler or would have asked me to put
21 questions to Mr. Silmsler by way of re-examination, they'll
22 certainly have an opportunity to speak to Commission
23 counsel -- that will be me -- so they'll have the
24 opportunity to speak to me and I may have some great
25 submissions when my friends are done their submissions.

1 I just wanted to advise as well that we're
2 likely to have a witness prior to this presentation, Mr.
3 Silmsers evidence, so, we might be starting the afternoon
4 of the 27th if the witness does not finish on the 26th.

5 **THE COMMISSIONER:** All right.

6 **MR. ENGELMANN:** We had two witnesses that
7 were scheduled to go, so it will be one of those two that
8 we've talked about and I just can't remember if we were to
9 use names so I'm not going to use either names but counsel
10 know who I am talking about and I'll be in the room for a
11 few minutes afterwards to discuss that.

12 **THE COMMISSIONER:** Thank you.

13 So we're coming back Monday, the 26th of
14 March at 2:00 o'clock.

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

16 **THE COMMISSIONER:** All right.

17 I must tell you that this will be an
18 interesting time with respect to this material and I
19 appreciate everyone's assistance in preparing and assisting
20 me in this alternative measure to cross-examination. So
21 the only thing I can say is I'm a little disappointed that
22 the motion will not be going forward because I was -- now I
23 am short of reading material when I'll be in the western
24 Caribbean on that cruise. I won't have Mr. Manderville's
25 written submission on ---

1 **MR. MANDERVILLE:** I can bring an ex parte
2 with me.

3 **(LAUGHER/RIRES)**

4 **THE COMMISSIONER:** Thank you, I think I have
5 another ex parte than I can do that with. Anyway, have a
6 great March week and the rest. Thank you.

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

9 This hearing is adjourned until March 26, at
10 2:00 o'clock.

11 --- Upon recessing at 3:21 p.m. /

12 L'audience est suspendue à 15h21

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C E R T I F I C A T I O N

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Sean Prouse, CVR-CM