

**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 284

Held at :

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

Thursday, October 9, 2008

Tenue à:

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

Jeudi, le 9 octobre 2008

ERRATA
October 7th, 2008
Volume 282

Appearance List

Mr. David Rose	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections

Should have read:

<u>Mr. Neil Kozloff</u>	Ontario Provincial Police
<u>Mr. David Rose</u>	Ontario Ministry of Community and Correctional Services and Adult Community Corrections

Appearances/Comparutions

Ms. Brigitte Beaulne	Registrar
M ^e Pierre R. Dumais	Commission Counsel
Mr. Mark Crane	Cornwall Community Police Service and Cornwall Police Service Board
Ms. Gina Saccoccio Brannan, Q.C.	Ontario Provincial Police
M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Leslie Anderson	Attorney General for Ontario
Mr. Peter Chisholm Ms. Michele R.J. Allinotte	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims' Group
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Coalition for Action
Mr. A. Lawrence Filion	Mr. Bryan Keough
Mr. Bryan Keough	Witness

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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.

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Thank you.

10 Good morning, Monsieur Dumais.

11 **MR. DUMAIS:** Good morning. If we can call
12 back Mr. Bryan Keough please.

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

14 **MR. KEOUGH:** Good morning.

15 **BRYAN KEOUGH, Resumed/Sous le même serment:**

16 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.
17 DUMAIS (cont'd/suite):

18 **MR. DUMAIS:** So, Bryan, we had left off
19 yesterday, we were looking at -- into the Cieslewicz foster
20 file and more specifically we were -- I was asking you
21 questions about Bates page 407 front ---

22 **THE COMMISSIONER:** I'm sorry. What exhibit?

23 **MR. DUMAIS:** Exhibit 2227.

24 **(SHORT PAUSE/COURTE PAUSE)**

25 **MR. DUMAIS:** So, Bryan, we had left off

1 about mid-page. You had made a recommendation that the
2 home remain open. And if you look right in the middle,
3 right before the heading "Home finder, M. Gratton," on top
4 of there, it's written:

5 "Please refer to reassessment of foster
6 homes form covering this period of
7 time."

8 And then the matter appears to be
9 transferred or directed to Mrs. Gratton for a reassessment.
10 Do you see that?

11 MR. KEOUGH: Yes, I'm there.

12 MR. DUMAIS: And perhaps you can just have a
13 quick read of the -- of that paragraph, her reassessment.

14 MR. KEOUGH: Of Mrs. Gratton?

15 MR. DUMAIS: Yes.

16 MR. KEOUGH: Okay. Do you want me to read
17 it?

18 MR. DUMAIS: I mean just ---

19 MR. KEOUGH: Oh, okay.

20 MR. DUMAIS: You don't need to read it out
21 loud.

22 (SHORT PAUSE/COURTE PAUSE)

23 MR. KEOUGH: Yes, I've read it.

24 MR. DUMAIS: So you agree with me that
25 apparently Mrs. Gratton would have done a reassessment of

1 this home, but certainly she appears to have been dealing
2 with financial issues and clothing for the foster children
3 there and does not appear to have taken into consideration
4 any of the allegations that had just been made. Do you
5 agree with me with that?

6 **MR. KEOUGH:** That's correct, yeah.

7 **MR. DUMAIS:** All right.

8 Do you know whether or not she was made
9 aware of the previous allegations?

10 **MR. KEOUGH:** I don't know if she was. I
11 would think she had, yes. She was the foster home finder.
12 She would have -- actually, this file, if it's a foster
13 home file, would have been her responsibility.

14 **MR. DUMAIS:** All right.

15 **MR. KEOUGH:** It would have been in her
16 office.

17 **MR. DUMAIS:** Do you remember having a
18 conversation with her and making her aware of what you
19 knew?

20 **MR. KEOUGH:** I don't remember a
21 conversation, but I've no doubt such conversations took
22 place, I would think.

23 **MR. DUMAIS:** All right.

24 And certainly at the end of her reassessment
25 or assessment of the home -- I'm looking at the last two

1 lines -- she indicates:

2 "Mrs. Cieslewicz is now able to
3 accommodate six to eight children in
4 the home on a temporary basis."

5 **MR. KEOUGH:** Yes, I read that.

6 **MR. DUMAIS:** Now, Mr. Commissioner, just
7 before I get to my next line of questions, I think we
8 should give a moniker to all of the girls that were in this
9 foster home. We've given a moniker to one which is C-76.
10 I think it's just going to get too confusing.

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

12 **MR. DUMAIS:** So I've advised the parties and
13 Madam Clerk as well. If you look at the bottom paragraph
14 on Bates page 407 front, the name on the second line ---

15 **THE COMMISSIONER:** Where is that now again?

16 **MR. DUMAIS:** Bottom paragraph, second line -
17 --

18 **THE COMMISSIONER:** Yes.

19 **MR. DUMAIS:** --- should be C-77.

20 **THE COMMISSIONER:** All right.

21 **MR. DUMAIS:** And there's a further name on
22 the sixth line of that same paragraph.

23 **THE COMMISSIONER:** Yes, so that ---

24 **MR. DUMAIS:** So it should be C-78.

25 **THE COMMISSIONER:** Yes.

1 **MR. DUMAIS:** And if we can just flip the
2 page, so 407 back, there's a name on the fourth line.

3 **THE COMMISSIONER:** Age 15?

4 **MR. DUMAIS:** Page 10.

5 **THE COMMISSIONER:** Fourth line of what?

6 **MR. DUMAIS:** Should be -- line four, the
7 name there should be C-79.

8 **THE COMMISSIONER:** Right. And it's followed
9 by age 15, just to ---

10 **MR. DUMAIS:** Correct.

11 **THE COMMISSIONER:** All right.

12 **MR. DUMAIS:** And the argument has already
13 been made, Mr. Commissioner, as I indicated yesterday about
14 the necessity for a publication ban. But what I suggest is
15 that at 1:45, we go into an in camera hearing before we
16 start the afternoon session and I'll identify those names.

17 **THE COMMISSIONER:** Fine.

18 **MR. DUMAIS:** All right.

19 So the next entry, Bryan, is on September
20 22nd, 1978 and these are entries that appear to have been
21 made by Mrs. Fran Lepage who had the responsibility of some
22 of the children in this home.

23 And if we can just go through the paragraph,
24 the first line reads as follows:

25 "Allegations of a sexual nature made

1 against Mr. Cieslewicz by several
2 teenagers who spent some time in his
3 home: C-77 born..."

4 And there is the date of birth and then:

5 "...(placed in the home on October 19th,
6 '73 and removed November 15th, 1973)."

7 So if you recall yesterday, Bryan, I had
8 talked to you about an incident, and that's found at Bates
9 page 405 back. And that was the first time that Mrs.
10 Cieslewicz would have left the home with the girls. Do you
11 recall that?

12 **MR. KEOUGH:** I remember speaking about that
13 yesterday, yes.

14 **MR. DUMAIS:** And you recall as well that in
15 that same incident, Mr. Cieslewicz would have gone to where
16 Mrs. Cieslewicz was and brought the girls back into the
17 home?

18 **MR. KEOUGH:** That's what it said, yes.

19 **MR. DUMAIS:** And so it appears from this
20 that following this incident, so on November 15th, 1973,
21 that C-77 was removed from the home. Is that correct?

22 **MR. KEOUGH:** Yes.

23 **MR. DUMAIS:** Is that your recollection as
24 well?

25 **MR. KEOUGH:** I have no independent

1 recollection of that.

2 **MR. DUMAIS:** And then if we keep going, Ms.
3 Lepage sort of provides an explanation. So:

4 "Complained..."

5 Of course she is talking about C-77:

6 "...to this worker that Mr. C. had
7 taken her on his knee and had fondled
8 her breasts."

9 Then:

10 "The complaint was not investigated
11 because C-77 was known to lie
12 frequently."

13 And if you recall, when we were looking at
14 the section yesterday, the initial entry back in time, the
15 explanation had not been provided for her leaving the home.
16 Do you remember that?

17 **MR. KEOUGH:** No, I'm sorry.

18 **MR. DUMAIS:** Am I confusing you? Sorry.
19 If we look back at Bates page 405 ---

20 **MR. KEOUGH:** Yes.

21 **MR. DUMAIS:** --- that's the first time that
22 -- that's the incident back on October 27th, 1973 and the
23 entry is at the factual data paragraph. Do you see that?

24 **MR. KEOUGH:** Okay. Yes.

25 **MR. DUMAIS:** So when we were looking at it

1 yesterday, we could tell that she had left the home, but
2 there was no explanation.

3 **MR. KEOUGH:** Okay. Yeah.

4 **MR. DUMAIS:** All right.

5 So we find this -- the explanation here, and
6 that's entered on September 27th, 1978 by Ms. Lepage.

7 So my question to you is whether or not you
8 would have had any discussion with Ms. Lepage about this
9 previous incident?

10 **MR. KEOUGH:** I can't remember any, no.

11 **MR. DUMAIS:** Okay. And then she goes on to
12 summarize the second incident which we looked at yesterday,
13 so -- and I'll just read on, "The complaint was not
14 investigated" -- sorry. So it starts with C-78, with the
15 date of birth, placed on February 23rd, 1976 and removed
16 March 26, 1976.

17 So, clearly, despite the fact -- and what we
18 had looked at yesterday was apparently that one of the
19 girls had recanted, but certainly it appears from that that
20 C-78 had been removed from the home as well. Is that your
21 recollection?

22 **MR. KEOUGH:** It appears that way, yes.

23 **MR. DUMAIS:** Okay, but you don't remember
24 that, Bryan?

25 **MR. KEOUGH:** As I said yesterday, trying to

1 remember what happened in this home in terms of the sexual
2 allegations ---

3 **MR. DUMAIS:** Yes.

4 **MR. KEOUGH:** --- all that I remember is
5 meeting with Mr. and Mrs. C. in the interview room at the
6 office one night, and that was to deal with the
7 allegations.

8 And the reason -- I think one of the reasons
9 why I remember that is because I didn't have a clue what I
10 was doing. I felt totally unsure of myself. I didn't know
11 how to proceed. There was no kind of laid-out format to
12 follow, and I even remember the first question I asked Mr.
13 C., and it was -- and I think my first question to him was,
14 "Let's pretend that you did this", and he just looked at me
15 in the face and said, "We're not pretending anything; I
16 didn't do it".

17 **MR. DUMAIS:** M'hm.

18 **MR. KEOUGH:** And I just felt totally and
19 completely inept. And, you know, this is not a cop-out,
20 it's just a reality. In the seventies we had no training.
21 I didn't. I tried my best, but I was totally over my head
22 in this stuff and I sought counsel whenever I could, and
23 the next meeting was with Mr. -- was with Mrs. C. I had
24 made an appointment to meet with her daughter out around
25 Apple Hill some place ---

1 **MR. DUMAIS:** Yes.

2 **MR. KEOUGH:** --- and when I arrived there,
3 Mrs. C. was there also, and the intent of that interview
4 was to ask the daughter some questions about her dad.

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

6 **MR. KEOUGH:** And that's -- and concerning
7 this whole affair, those are the things that are in my
8 mind. The rest is on file, yes, but I don't remember
9 anything else other than that. It was -- if I could, I
10 would.

11 **MR. DUMAIS:** Yeah, okay.

12 And I think I asked you this yesterday, and
13 in hindsight perhaps the matter should have been
14 transferred to a police service or referred to a police
15 service for investigation?

16 **MR. KEOUGH:** If this had come up in the
17 eighties after we had got the training, it would not have
18 been handled this way. But I did -- we all did the best
19 that we could.

20 **MR. DUMAIS:** Okay.

21 And, Bryan, do you recall whether or not at
22 the time you were discussing this with your supervisors,
23 trying to get guidance from them, or were they telling you
24 anything, or were you on your own here?

25 **MR. KEOUGH:** Well, undoubtedly I would

1 speak -- I'd be speaking to Mr. Towndale and asking him
2 questions and asking him for counsel and direction, and I'm
3 not -- I can't remember any specific stuff he would have
4 said but he was always available.

5 MR. DUMAIS: All right.

6 MR. KEOUGH: And I'm positive we had many
7 conversations because, like I said, I felt totally out on
8 my own.

9 MR. DUMAIS: All right.

10 And while you were conducting this interview
11 of Mr. and Mrs. Cieslewicz and their daughter, do you
12 recall whether or not Mrs. Fran Lepage was with you?

13 MR. KEOUGH: No, I was ---

14 MR. DUMAIS: You were alone?

15 MR. KEOUGH: I was on my own.

16 MR. DUMAIS: Okay. So perhaps just one last
17 question on this page. I'm just looking at the last three
18 lines:

19 "C-78 was removed from the home but it
20 should be noted that had we not removed
21 her the foster mother would have
22 requested removal because of
23 misbehaviour."

24 Do you recall that this was Mrs. Cieslewicz'
25 position, that she ---

1 **MR. KEOUGH:** I have no doubt that's
2 accurate.

3 **MR. DUMAIS:** Okay.

4 And at that period of time, while these
5 events were happening and you were speaking to Mr. and Mrs.
6 Cieslewicz, did you interview C-76 and ask her whether or
7 not she had had any difficulties with the foster father?

8 **MR. KEOUGH:** I would think I would have,
9 yes.

10 **MR. DUMAIS:** Okay. But you have no
11 recollection?

12 **MR. KEOUGH:** No.

13 **MR. DUMAIS:** All right.

14 If I can just then take you to Bates pages
15 407 Back, so that's page 10, and if we can just look at the
16 second paragraph, and that's the allegation that had been
17 made by C-79, and I believe C-79 was -- the child care
18 worker for C-79 was Mr. Copeland, so Cam Copeland, and Mr.
19 Copeland as well, back in 1973 had been the child
20 protection worker for C-77, so on the initial incident.

21 And then -- so the incident is described as
22 follows, and perhaps I'll just start from the beginning, so
23 the second paragraph:

24 "C-79, who is aged 15, was a ward of
25 the Province of Quebec. She had run

1 away from a group home in St. Hyacinthe
2 P.Q.; was picked up by a 24-hour duty
3 worker, Bernard Lamarche, and placed in
4 the Cieslewicz's home on Sept 16th, 1978
5 and was discharged on September 18th."

6 So spent two days there. And, I'm

7 continuing:

8 "C-79 told this worker and Mr. Copeland
9 that Mr. C. had come to her bedroom on
10 both nights that she was in the C.
11 home. On the first night Mr. Cieslewicz
12 entered her bedroom, touched her
13 breasts, but did nothing else once she
14 indicated that she would not cooperate.
15 On the second night Mr. C. came to her
16 bed to lie at her side. He indicated
17 that he wanted to have sexual
18 intercourse with her. She refused.
19 She then practised oral sex on him for
20 a short time. He masturbated and
21 ejaculated on her abdomen. She wiped
22 the semen from her abdomen with the
23 sleeve of her blouse, which was beside
24 the bed."

25 Then it says:

1 "The workers at the interview did
2 observe that a certain substance had
3 appeared dried on her sleeve."

4 So the mention of "the workers" here, did
5 that include you, Mr. Keough?

6 **MR. KEOUGH:** I'm not sure. The next
7 paragraph includes me in terms of discussing C-76.

8 **MR. DUMAIS:** Yes.

9 **MR. KEOUGH:** But I don't remember this.

10 **MR. DUMAIS:** You don't recall that ---

11 **MR. KEOUGH:** No.

12 **MR. DUMAIS:** --- C-79?

13 **MR. KEOUGH:** No.

14 **MR. DUMAIS:** Or that -- you guys meeting
15 with her while she was telling the story?

16 **MR. KEOUGH:** No. I don't -- my assumption
17 is I wasn't at that meeting because it wasn't my charge.

18 **MR. DUMAIS:** And I guess -- yeah, you
19 referred -- the next paragraph deals with your
20 involvement ---

21 **MR. KEOUGH:** Yes.

22 **MR. DUMAIS:** --- and so it reads as follows:

23 "At the time previous allegations were
24 reviewed and Mr. Keough said that C-76,
25 currently in the home, had initially

1 supported C-78's allegations but had
2 later withdrawn her statement."

3 Do you recall whether or not after learning
4 of this incident, and we're in -- I believe in September of
5 1978 -- whether at that point-in-time you were considering
6 removing C-76 from the home?

7 **MR. KEOUGH:** No.

8 **MR. DUMAIS:** And the conclusion, of course,
9 is found in the last two lines, and reads as follows:

10 "So in the future, should another
11 allegation of a sexual nature against
12 Mr. C come to our attention, the matter
13 should be given serious consideration."

14 So it's clear by that conclusion, Bryan,
15 that at that period of time, neither you or Mr. Copeland or
16 Mrs. Lepage felt that there was enough concern there that
17 this home should be closed?

18 **MR. KEOUGH:** That's right.

19 **MR. DUMAIS:** And you recall yesterday I had
20 asked you some questions about receiving homes and what
21 that entailed and whether or not these were specialized
22 homes?

23 And if you look at the next entries, that's
24 an entry by Bernard Lamarche, October 5th, 1978. And I'm
25 looking here at the fifth paragraph. There's only two

1 lines -- well, actually the paragraph is split up, but the
2 last two lines of that bullet:

3 "It is very seldom that Mr. C.
4 participates in the running of the
5 receiving home."

6 So certainly it appears by that time that
7 the Cieslewicz home had acquired the designation of being a
8 receiving home?

9 **MR. KEOUGH:** Yes, they had.

10 **MR. DUMAIS:** Yeah. And I guess it sort of
11 makes sense and would explain why C-79 had been there for
12 such a short period of time. Would that make sense?

13 **MR. KEOUGH:** Yes, it would.

14 **MR. DUMAIS:** All right.

15 So then if we look at the following page, so
16 408 front, and this is a closing summary that's prepared by
17 Ms. Lepage and refers to the fact that C-76 had been placed
18 in this home since July 26, 1973. And I'm looking at the
19 third paragraph here which starts with the word "Over". So
20 it reads as follows:

21 "Over the years we have received four
22 complaints of a sexual nature against
23 Mr. C. Please refer to previous
24 recordings dated September 2nd, '78.
25 While we question the credibility of

1 the fourth complaint, we felt at this
2 point that further investigation was
3 warranted. A meeting of all social
4 workers involved in this home was
5 called and the outcome was the
6 Cieslewicz home be closed as a
7 receiving home."

8 And it goes on to describe the positive
9 aspects of the home and the negative aspects of the home.

10 And if we look on the following page, so
11 after the enumeration, it starts with:

12 "On October 16th, C-76 confided to Mr.
13 Keough that Mr. Cieslewicz had been
14 involved sexually with her (not sexual
15 intercourse) for some time."

16 So I take it, Bryan, at one point in time
17 you would have had a conversation with her and she would
18 have disclosed this to you?

19 **MR. KEOUGH:** Yes.

20 **MR. DUMAIS:** And this was a -- this was
21 finally what closed this foster home. Is that correct?

22 **MR. KEOUGH:** Yes.

23 **MR. DUMAIS:** All right.

24 So essentially, this allegation would have
25 been the fifth one; correct?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** All right.

3 And so you recall some of the details of
4 what C-76 had told you? And by that I mean it's indicated
5 there that there was no sexual intercourse, but how long
6 this had been ongoing? Do you recall?

7 **MR. KEOUGH:** C-76 had said that it had been
8 going on for some time, that it usually happened when she
9 would go to the barn and help Mr. C to do chores, and it
10 involved fondling.

11 **MR. DUMAIS:** All right.

12 Now, if I look at the entry on October 26th,
13 it reads as follows:

14 "October 26, '78, a home visit by Mr.
15 Keough to provide support and
16 counselling to the family."

17 Do you know if support and counselling had
18 been provided to C-76 as well?

19 **MR. KEOUGH:** Yes.

20 **MR. DUMAIS:** All right.

21 And I take it that you would have advised
22 them that the home was closed at that time?

23 **MR. KEOUGH:** Either me or Mrs. Lepage,
24 someone would have.

25 **MR. DUMAIS:** And following that, a report

1 had been filed by the Child -- with the Child Welfare
2 Branch? Is that correct?

3 MR. KEOUGH: Yeah. The agency would do
4 that, yes.

5 MR. DUMAIS: That would be what's commonly
6 known as a Serious Occurrence Report?

7 MR. KEOUGH: Yes.

8 MR. DUMAIS: Okay. And my understanding is
9 that the Crown Attorney's office had been -- well, what's
10 in there, the last couple of lines:

11 "On same date..."

12 So October 31st, '78.

13 "...Crown Attorney was informed of this
14 situation."

15 MR. KEOUGH: Yes, I'm reading that.

16 MR. DUMAIS: Okay. And do you recall being
17 involved in that meeting, Bryan?

18 MR. KEOUGH: I believe I was at a meeting.
19 I don't remember it, but there's reference to me being at a
20 meeting, yes.

21 MR. DUMAIS: Okay. So if we can just -- if
22 I can just then take you to Exhibit 2337?

23 Now, Bryan, this is a letter that is dated
24 October 31st, 1978 that is signed by Thomas O'Brien,
25 Executive Director, that gives an accounting of the events

1 in the Cieslewicz home.

2 I guess the first question I have for you is
3 do you remember back in time, so when this report was
4 prepared and sent to the Director of Child Welfare, Child
5 Welfare Branch in 1978, if you would have reviewed this
6 report before it was sent out?

7 MR. KEOUGH: This report here?

8 MR. DUMAIS: Yes.

9 MR. KEOUGH: Probably not.

10 MR. DUMAIS: And do you know where Mr.
11 O'Brien would have obtained some of the facts with respect
12 to the occurrences in this foster home?

13 MR. KEOUGH: Probably as a result of meeting
14 with the supervisor and the workers.

15 MR. DUMAIS: Okay.

16 MR. KEOUGH: I would think.

17 MR. DUMAIS: Do you -- would you recall
18 having met with Mr. O'Brien specifically?

19 MR. KEOUGH: No.

20 MR. DUMAIS: No? You don't remember or you
21 know that you don't -- you didn't?

22 MR. KEOUGH: No, I don't remember. I would
23 think we did.

24 MR. DUMAIS: Okay.

25 MR. KEOUGH: But I don't remember any such

1 meeting.

2 MR. DUMAIS: And did you -- in preparation
3 for the evidence, did you go through this report, Bryan?

4 MR. KEOUGH: This one here?

5 MR. DUMAIS: Yes.

6 MR. KEOUGH: I may have. I've tried to read
7 everything.

8 MR. DUMAIS: Okay. Perhaps you can just
9 have a quick look at it then. And I guess what I want to
10 ask you is whether or not you agree with the factual
11 characterization with -- of the occurrences by Mr. O'Brien?

12 MR. KEOUGH: It seems to be an accurate
13 summary of the notes in the files, yes.

14 MR. DUMAIS: But certainly you would agree
15 with me, Bryan, that Mr. O'Brien appears to be downplaying
16 some of these allegations?

17 MR. KEOUGH: Again, I can't speak for Mr.
18 O'Brien. We took as far -- we never made light of
19 allegations.

20 MR. DUMAIS: M'hm.

21 MR. KEOUGH: And it was never our intention
22 that the children not be protected. Again, we were doing
23 the best that we could at that time.

24 MR. DUMAIS: All right.

25 THE COMMISSIONER: Was there any thought

1 given that there were 43 children that had gone through
2 that home of, you know, contacting the 43 children and
3 finding out if any of them, other than what you knew about,
4 had been abused?

5 MR. KEOUGH: I never -- I don't remember any
6 conversations along that line, no.

7 MR. DUMAIS: Now, if I can just take you to
8 Document Number 2338.

9 THE COMMISSIONER: It's the very next one.

10 MR. KEOUGH: Yes.

11 MR. DUMAIS: And that's a letter that Mr.
12 O'Brien would have sent to Barry Dalby, the Director of
13 Child Welfare ---

14 MR. KEOUGH: Yes.

15 MR. DUMAIS: --- with the Ministry and I am
16 just going to read you the two first paragraphs:

17 "After sending our letter to you
18 yesterday regarding the above-named
19 home, I had a meeting with the Crown
20 Attorney, Mr. Don Johnston. Present at
21 the meeting between Mr. Johnston,
22 myself, were the Assistant Crown
23 Attorney, Mr. Guy Demarco and Mr.
24 Angelo Towndale, supervisor with this
25 agency, as well as Mr. Bryan Keough,

1 who is the social worker for C-76.
2 After considering the facts which we
3 presented to him, Mr. Johnston was of
4 the opinion that there was insufficient
5 evidence to proceed with any charges
6 against Mr. Cieslewicz."

7 So do you recall, Bryan, that you were the
8 person describing these occurrences for the Crown Attorney
9 and the Assistant Crown Attorney?

10 **MR. KEOUGH:** I was present at the meeting,
11 yes.

12 **MR. DUMAIS:** Do you recall whether or not
13 you were doing the talking or whether or not Mr. O'Brien
14 was?

15 **MR. KEOUGH:** I don't. I would think Mr.
16 O'Brien was.

17 **MR. DUMAIS:** Do you recall whether or not
18 you had the file with you, whether or not you were
19 providing them with any documents?

20 **MR. KEOUGH:** No, I don't.

21 **MR. DUMAIS:** Do you recall them making a
22 decision that no charges be laid?

23 **MR. KEOUGH:** No.

24 **MR. DUMAIS:** You don't recall that they had
25 made that decision?

1 **MR. KEOUGH:** No, I don't.

2 **MR. DUMAIS:** If I asked you to think back in
3 October of 1978, Bryan, was there any doubt in your mind
4 that this should be further investigated?

5 **MR. KEOUGH:** After I did the investigation
6 for C-76, I had doubts. I had concerns, yeah.

7 **MR. DUMAIS:** But, certainly, at the end and
8 even in 1978, the matter was never referred to police. Is
9 that ---

10 **MR. KEOUGH:** No, not to my knowledge. No.

11 **MR. DUMAIS:** And as far as you know, Bryan,
12 this home was never reopened?

13 **MR. KEOUGH:** As far as I know, it was never
14 reopened, no.

15 **MR. DUMAIS:** As far as you know; all right.
16 Bryan, if I can then ask you some questions
17 on your involvement with C-14.

18 Perhaps Madam Clerk can -- and I am going to
19 ask Madam Clerk to bring you Exhibit 538, which are the
20 case notes for the C-14 file.

21 **THE COMMISSIONER:** Sorry, what exhibit
22 again?

23 **MR. DUMAIS:** It's 538.

24 **THE COMMISSIONER:** Five-three-eight (538),
25 okay. What page?

1 **MR. DUMAIS:** It's 603, Commissioner.

2 **THE COMMISSIONER:** Okay.

3 **MR. DUMAIS:** So just to give us a bit of
4 context, Bryan, my understanding is that C-14 was born in
5 1962. He was admitted into care -- and I'm looking at the
6 first page of the file -- on June 15th, 1972, so when he was
7 approximately 10 years old.

8 And my understanding is at that time it was
9 Mr. Wylie that was his case worker and that if you look at
10 the entry under "Placement", there appears that he had been
11 placed on that date in the Barber foster home?

12 **MR. KEOUGH:** Yes.

13 **MR. DUMAIS:** And do you recall C-74, Bryan -
14 - C-14, sorry?

15 **MR. KEOUGH:** Sorry, yeah; vaguely.

16 **MR. DUMAIS:** Do you recall him?

17 **MR. KEOUGH:** Yes, vaguely.

18 **MR. DUMAIS:** Now, and I'm just looking at a
19 bit of the background here and I'm at Bates page 606 Front,
20 and some of these details were prepared by you in your
21 annual summary, and you are summarising the events between
22 September 6th, 1974 and March 1st, 1976.

23 And some of the things that you had noted --
24 and I'm at 606 Front, I'm looking at paragraph 6 -- and you
25 are essentially noting some of the problems with C-14, but

1 I think you are characterizing the difficulties as
2 "problems being minor". And I'm just looking at the fourth
3 line of that paragraph.

4 **MR. KEOUGH:** Yes, I have it.

5 **MR. DUMAIS:** Do you see this?

6 **MR. KEOUGH:** Yes.

7 **MR. DUMAIS:** All right. And then if we look
8 at the following paragraph:

9 "C-14 had established good
10 relationships in this home. I am
11 confident that he feels secure and
12 loved with Mr. and Mrs. Barber."

13 And then, again, if we look at the following paragraph, end
14 of the first line:

15 "I can see C-14 as being a good
16 candidate for university."

17 Certainly, it appears at that time that the
18 placement in this home was very positive. Is that correct?

19 **MR. KEOUGH:** Yes. Yes, it does.

20 **MR. DUMAIS:** So then if you can look at the
21 following page, which is 606 Back, and this is a transfer
22 recording which I guess immediately follows your annual
23 summary because it appears to relate to events occurring
24 between March 1st, 1976 and March 8th, 1976, and that's at
25 the bottom of that page 8.

1 Do you see that transfer recording?

2 **MR. KEOUGH:** Yes, I have. Yes.

3 **MR. DUMAIS:** So then -- and, of course, you
4 are the worker for C-14, and I'm looking at the entry under
5 the heading "Replacement" and I'm just going to read it out
6 to you:

7 "On August 29th, 1977, C-14 was moved
8 from the Barber foster home to that of
9 the Huberts."

10 And then there's a description of that home, and the entry
11 right underneath:

12 "March 8th, 1978, C-14 was moved from
13 the Hubert foster home to the group
14 home of Edith (sic) and Alice
15 Lapensée."

16 And then the paragraph underneath that, first line:

17 "Move from the Barber foster home was a
18 very anxious one for C-14 and all
19 concerned because of the resulting
20 foster home investigation."

21 **MR. KEOUGH:** Yes, I have that.

22 **MR. DUMAIS:** Right. So if we can just start
23 then with C-14's transfer out of the Barber home.

24 Do you recall what occurred to prompt this
25 transfer?

1 **MR. KEOUGH:** I believe he had had a visit by
2 a sibling, his brother maybe, or someone from the family,
3 and I think the Barbers may have gotten back during that
4 visit or something like that, and there was a big
5 confrontation between the Barbers and C-14 ---

6 **THE COMMISSIONER:** That's C ---

7 **MR. KEOUGH:** I'm sorry, C-14. Sorry.

8 There was a big confrontation between C-14
9 and the foster parents and the sibling. I forget if it was
10 a brother or ---

11 **MR. DUMAIS:** Do you recall what the
12 confrontation was about?

13 **MR. KEOUGH:** I don't believe they had
14 permission to visit without the foster parents present.
15 I'm not so sure whether this visit was the reason for his
16 move, or this confrontation, or it was just the straw that
17 broke the camel's back type of thing. If I remember, there
18 had been a number of things that had been happening around
19 that time where it seemed that there was an unending series
20 of confrontations that weren't successfully resolved.

21 **MR. DUMAIS:** Because if we have a look at
22 your Annual Summary, which goes right to March 1st, 1976,
23 your recordings appear to be fairly positive.

24 **MR. KEOUGH:** Yes.

25 **MR. DUMAIS:** Would you agree?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** I guess my question is was this
3 confrontation severe enough to warrant a transfer into a
4 new foster home or whether or not you had received a
5 specific request, either from the foster parents or C-14?

6 **MR. KEOUGH:** No. I believe this
7 confrontation wasn't serious enough to require a move, but
8 from my recollection with the home, it wasn't ever anything
9 -- how can I put it -- major. It was minors that were
10 unending, and the accumulation of those minors, Mrs. Barber
11 especially had real difficulty coping with.

12 **MR. DUMAIS:** All right.

13 And do you think that the decision to change
14 C-14, to remove him from this home, was yours?

15 **MR. KEOUGH:** I believe it was, yes.

16 **MR. DUMAIS:** Okay. Because clearly at that
17 time, it appears from the recording that you had not begun
18 your -- an investigation; correct?

19 **MR. KEOUGH:** Yes.

20 **MR. DUMAIS:** Now, if we can then just look
21 at your Annual Summary, which starts again on March 1st,
22 1976 and goes right through December 1977, and am I
23 correct, Bryan, that these are your initials there?

24 **MR. KEOUGH:** Yes, they are.

25 **MR. DUMAIS:** Okay. And so you're preparing

1 this -- you prepared this summary on December 13th, 1977;
2 correct?

3 **MR. KEOUGH:** It was typed on that day, yes.

4 **MR. DUMAIS:** And the first paragraph makes
5 reference again about the day he was taken out of this
6 home, and that would have been on August 29th, 1977. And I
7 think the indication here in your Annual Summary is that
8 this would have been at the foster parents' request. Is
9 that correct?

10 **MR. KEOUGH:** Yes. Yes, it seems that way.

11 **MR. DUMAIS:** And then you go through some of
12 the facts, some of the difficulties in the home, and I
13 think one of the explanations is found at the last four
14 lines, some of the problem areas that C-14 was experiencing
15 with the Barbers were -- their breaking point was very low
16 in that they could tolerate so much and that was it. "With
17 C-14 one needs to be very tolerant."

18 Do you recall what you meant by that, Bryan?

19 **MR. KEOUGH:** My recollection is that C-14
20 was very good at pushing buttons, getting people to react,
21 and my focus with the Barbers was not to react, not to
22 reinforce those behaviours. That's what I was working on
23 at that time, I gather.

24 **MR. DUMAIS:** Do you recall whether or not,
25 at least at that point in time, corporal punishment had

1 been discussed with the barbers, or the use of corporal
2 punishment?

3 **MR. KEOUGH:** I don't recall. It may have
4 been, yeah.

5 **MR. DUMAIS:** Okay. Because when I read it,
6 and I'm looking at your summary here and you're indicating
7 that their breaking point was very low, and I'm trying to
8 understand what you're thinking here, whether or not you're
9 making reference to them becoming exasperated with C-14 and
10 then whether or not this would result in corporal
11 punishment, and whether or not that was the issue?

12 **MR. KEOUGH:** I don't know.

13 **MR. DUMAIS:** All right.

14 And so you keep going with your conclusions,
15 and if we just look at (c):

16 "During our session Ms. Barber would
17 give C-14 little opportunity to give
18 his side of the story, constantly
19 interrupting him and assuming the prime
20 role."

21 So do you recall whether or not that was
22 coming from C-14 or is that information you were getting
23 elsewhere?

24 **MR. KEOUGH:** I think that was from personal
25 information. That was my observation.

1 **MR. DUMAIS:** What you were observing?

2 **MR. KEOUGH:** Yes.

3 **MR. DUMAIS:** Okay. And then you note at
4 paragraph (d) punishment sometimes being too harsh for the
5 crime committed. Is that correct?

6 **MR. KEOUGH:** Yes.

7 **MR. DUMAIS:** Now, if you can look at the
8 next page, and that's 607 back.

9 **MR. KEOUGH:** Six ---

10 **THE COMMISSIONER:** Six zero seven (607)?

11 **MR. DUMAIS:** It's 607 back.

12 **THE COMMISSIONER:** Yes.

13 **MR. DUMAIS:** So page 10.

14 I'm looking at the fourth paragraph here,
15 the entry that you make on November 1977. So it reads as
16 follows:

17 "I visited the foster home in early
18 afternoon as the children had no
19 school. The foster parents reported
20 experiencing a few problems with C-
21 14..."

22 And you're making reference here to the
23 Lapensée home; correct?

24 **MR. KEOUGH:** No, I think that's the Hubert
25 home.

1 **MR. DUMAIS:** That's in the Hubert home?

2 **MR. KEOUGH:** Yes.

3 **THE COMMISSIONER:** Mr. Dumais, when you're
4 reading you might want to make sure that you don't mention
5 any names.

6 **MR. DUMAIS:** Pardon me? I apologize,
7 Commissioner; I didn't understand your comment.

8 **THE COMMISSIONER:** Well, read that last
9 sentence to yourself:

10 "The foster parents reported
11 experiencing a few problems with..."

12 **MR. DUMAIS:** With C-14.

13 **THE COMMISSIONER:** M'hm. Can the record be
14 amended to show that please? Thank you.

15 **MR. DUMAIS:** So you're right, Bryan. So
16 this would have been a session that you would have had
17 prior to the transfer; correct?

18 **MR. KEOUGH:** Prior to what transfer? To the
19 Lapensée home?

20 **MR. DUMAIS:** Yes.

21 **MR. KEOUGH:** Yes.

22 **MR. DUMAIS:** All right.

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** And you're indicating here:

25 "We had two long sessions that

1 afternoon of close to one and a half
2 hours each. They were quite upsetting
3 to myself especially as C-14 was
4 extremely aggressive towards and very
5 accusing of his former foster parents,
6 the Barbers."

7 So do you recall that meeting?

8 **MR. KEOUGH:** Yes, I recall that meeting.

9 **MR. DUMAIS:** And perhaps let me go back; so
10 he, C-14, was transferred out of the Barber home on August
11 29th, 1977?

12 **MR. KEOUGH:** Yes.

13 **MR. DUMAIS:** And he is placed in the
14 Lapensee home; correct?

15 **MR. KEOUGH:** Hubert home.

16 **MR. DUMAIS:** Sorry, in the Hubert home.

17 **MR. KEOUGH:** Yes.

18 **MR. DUMAIS:** And this is on November 22nd,
19 1977 and what he's discussing here with you was past events
20 ---

21 **MR. KEOUGH:** In the Barber home.

22 **MR. DUMAIS:** In the Barber home, okay.

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** So do you recall that meeting,
25 the November meeting?

1 **MR. KEOUGH:** I remember those two meetings
2 were very emotional, very upsetting.

3 **MR. DUMAIS:** Can you just give us an idea of
4 what you recall?

5 **MR. KEOUGH:** I remember C-14 -- as outlined
6 on page 10, my observations of his accusations where he
7 outlined what he alleged was systematic abuse for years
8 prior. He was very upset that I hadn't picked up on it,
9 and very angry. Yeah, it was very difficult.

10 **MR. DUMAIS:** And at those meetings as well
11 he was requesting a new social worker. Is that correct?

12 **MR. KEOUGH:** Yes, he was; at the first
13 meeting.

14 **MR. DUMAIS:** Right.

15 Throughout your supervision of C-14 is it
16 your position that this was the first time that you had
17 been made aware of this?

18 **MR. KEOUGH:** Yes.

19 **MR. DUMAIS:** So C-14 had never mentioned
20 anything to you throughout the years?

21 **MR. KEOUGH:** About being abused by the
22 Barbers?

23 **MR. DUMAIS:** Yes.

24 **MR. KEOUGH:** No.

25 **MR. DUMAIS:** And you had never made any such

1 observation yourself either?

2 **MR. KEOUGH:** I had concerns, that I'd noted
3 prior, that some of the discipline was reactive, but he
4 never spoke to me of these things that he spoke to me that
5 day.

6 **MR. DUMAIS:** And you made reference earlier
7 on -- and I'm looking at the last paragraph on that page,
8 so 607 back:

9 "I informed C-14 that if in fact what
10 he had informed me of was true, that
11 indeed he was fully justified in
12 requesting an investigation and a new
13 worker, as I had failed him."

14 So were these your thoughts at that time,
15 Bryan?

16 **MR. KEOUGH:** Yes, it was.

17 **MR. DUMAIS:** Right.

18 And at one point in time, C-14 would have
19 advised you that your supervisors were already aware of
20 this. Is that correct?

21 **MR. KEOUGH:** Yes, he did, I believe that day
22 during that first meeting.

23 **MR. DUMAIS:** And was this something that
24 surprised you?

25 **MR. KEOUGH:** Yes.

1 **MR. DUMAIS:** And you were not aware of that?

2 **MR. KEOUGH:** I was not.

3 **MR. DUMAIS:** All right, and you had not --
4 and your supervisor at that time was Mr. Towndale; correct?

5 **MR. KEOUGH:** Yes, it was.

6 **MR. DUMAIS:** Had C-14 advised you in what
7 context he had given the information to Mr. Towndale?

8 **MR. KEOUGH:** I think that was around the
9 same time that Mr. Towndale had sent out a letter to, I
10 believe, all of our foster parents or all of our foster
11 children, asking them for feedback -- their personal
12 feedback of their foster parents and their foster parent
13 experience, and this type of thing.

14 I don't remember the format itself but
15 something like that was sent out by Mr. Towndale, and I
16 think this is one of the things that -- or the thing that
17 gave C-14 the avenue to approach the agency; at least Mr.
18 Towndale.

19 **MR. DUMAIS:** All right.

20 So when you go back to the office, do you
21 have a discussion with Mr. Towndale with respect to this?

22 **MR. KEOUGH:** I don't recall a discussion.

23 **MR. DUMAIS:** So you never approached him
24 with that information?

25 **MR. KEOUGH:** I don't recall.

1 **MR. DUMAIS:** Do you recall what your
2 feelings were about not being advised of this by
3 Mr. Towndale?

4 **MR. KEOUGH:** I was upset.

5 **MR. DUMAIS:** Right.

6 **MR. KEOUGH:** I was upset because if I had
7 known, I feel I would have been better prepared for that
8 first session with C-14.

9 **MR. DUMAIS:** All right.

10 And so my understanding then is that you
11 would have conducted an investigation into these
12 allegations, Bryan?

13 **MR. KEOUGH:** I did, yes.

14 **MR. DUMAIS:** And in this investigation, you
15 would have interviewed a number of people, including other
16 child protection workers as well as other children that had
17 been placed in the home while C-14 was there?

18 **MR. KEOUGH:** I did, yes.

19 **MR. DUMAIS:** And if we can just look -- and
20 perhaps if I can just try to summarize some of the
21 interviews that you conducted, and I'm looking at the
22 bottom of Bates pages 608 front, and this is an interview
23 with Rod Rabey and he essentially had children there from
24 August 1972 to January 1973, and essentially he is rating
25 this home as one of the agency's top homes. Correct?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** And as well you spoke to
3 Mr. Wylie, who was in the home or who had children in the
4 home for a period of time of May 5th, 1971 to February 1972.
5 And he essentially is describing the foster parents as
6 being cooperative and efficient.

7 And then you have both Mr. Rabey's comments
8 and Mr. Wylie's comments on C-14. Essentially, the
9 conclusion that Mr. Wylie makes at paragraph number 4,
10 Bates pages 608 back, is that "C-14 is a very immature and
11 manipulative boy."

12 And then there's an indication that you
13 would have spoken -- by a gentleman by the name of Dick
14 Mulligan.

15 **MR. KEOUGH:** Yes.

16 **MR. DUMAIS:** Do you recall who that
17 gentleman was?

18 **MR. KEOUGH:** I believe Mr. Mulligan was a
19 protection worker.

20 **MR. DUMAIS:** Okay. And do you think that he
21 was the protection worker of -- I'm not going to ask you
22 that question.

23 Then my understanding is that you would have
24 spoken to a child that had been placed in the home at
25 approximately the same time as C-14 was?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** And that summary of that
3 interview is your entry at November 24th, 1977?

4 **MR. KEOUGH:** That's right.

5 **MR. DUMAIS:** And essentially that foster
6 child was essentially stating that there is a lot of
7 expectation from the foster parents; and number 2, that
8 they took good physical care of the children. And at
9 number 3, and I think I'll read it out in its entirety:

10 "Although most of the punishment C-14
11 brought on by own wrongdoings, she felt
12 that he was often punished too severely
13 with beatings, at which time Mrs.
14 Barber would lose control and hit him
15 with everything she could get her hands
16 on and wherever she could hit; example,
17 back, legs, arm. There were oftentimes
18 bruises."

19 **MR. KEOUGH:** Yes.

20 **MR. DUMAIS:** So you don't recall, Bryan,
21 ever observing any bruising on C-14?

22 **MR. KEOUGH:** No, I don't.

23 **MR. DUMAIS:** And then, if we look at the
24 entry on November 29th, 1977, I believe C-14 asked that you
25 remain as his child protection worker; correct?

1 **MR. KEOUGH:** His child care worker, yes.

2 **MR. DUMAIS:** Child care worker, sorry.

3 And then you also conducted an interview on
4 December 5th, 1977 and that's the following page at Bates
5 page 609 Front, and these are -- you see the name ---

6 **MR. KEOUGH:** Yes.

7 **MR. DUMAIS:** --- that's referenced there and
8 it's -- you're identifying him as a former TW. What does
9 that mean, "TW"?

10 **MR. KEOUGH:** Temporary Ward.

11 **MR. DUMAIS:** Okay. And, again, he's
12 indicating that -- and that's item 2 there in your
13 recording:

14 "That the foster parents were sometimes
15 too hard ..."

16 and there's a description there:

17 "... physically on C-14 when punishing.
18 However, the lad would drive them to
19 it."

20 **MR. KEOUGH:** Yes, I read that.

21 **MR. DUMAIS:** So you would agree with me,
22 Bryan, that the observations that the children are making
23 are completely opposed to what the observations that the
24 child protection worker are making too?

25 **MR. KEOUGH:** Yes.

1 **MR. DUMAIS:** And then we find your
2 conclusions at mid-page, so I'm still looking at Bates page
3 609 Front, and perhaps I'll read them:

4 "There's a lot that one must give and
5 take from C-14's accusations, however,
6 I can prove that C-14 did at times
7 receive treatment that was far too
8 harsh and could be labelled a beating.
9 I further believe that at such times,
10 C-14 had driven the foster parents to a
11 point where they lost control and later
12 would regret their actions. I say this
13 because there did appear to be an
14 emotional attachment to the lad at
15 least from their point. As the foster
16 parents did not to the day of C-14's
17 departure from the home come to grips
18 with this problem, I would recommend
19 that we place no more children in their
20 home. This would be quite simple as
21 the Barbers requested from me once C-14
22 left that their home be closed."

23 And then finally:

24 "The above is the result of a week-long
25 investigation. I therefore leave the

1 above assessment and recommendation
2 with Mr. Towndale, supervisor, and Ms.
3 Gratton, home finder, as it would
4 appear they have been involved from the
5 outset."

6 And you're making reference here to C-14
7 speaking to Mr. Towndale; correct?

8 **MR. KEOUGH:** Yes.

9 **MR. DUMAIS:** And so your recommendation was
10 that this home be closed and certainly -- but certainly,
11 you left that in the hands of Ms. Gratton and Mr. Towndale?

12 **MR. KEOUGH:** I did, yes.

13 **MR. DUMAIS:** All right. And I think we
14 spoke about this a bit yesterday.

15 Am I understanding this correctly, that a
16 child protection worker would essentially make a
17 recommendation, for example, a closure of a home, but the
18 ultimate decision would be -- would rest with the
19 supervisor and/or Ms. Gratton?

20 **MR. KEOUGH:** Yes, both of them -- both of
21 those people.

22 **MR. DUMAIS:** All right.

23 So if we look at the closing summary which
24 was prepared by Mrs. Gratton, from the second paragraph,
25 and I'm just going to start at the second line. It's

1 indicated:

2 "No doubt there was some harsh
3 treatment given to this child. There
4 was also concern and acceptance of
5 him."

6 And then if you turn on the following page,
7 609 Back:

8 "One wonders if C-14's accusations may
9 have been greatly exaggerated. In any
10 case, it is just as well that Mrs.
11 Barber has decided that she would no
12 longer take foster children into her
13 home, as there would have to be a very
14 thorough investigation of their methods
15 of correcting misbehaviour and their
16 general attitude towards fostering."

17 So certainly Ms. Gratton seems to be
18 doubting the credibility here in the findings of your
19 investigation. Do you agree with me?

20 **MR. KEOUGH:** I don't know. I think she's
21 making reference to C-14's tendency to exaggerate at times.

22 **THE COMMISSIONER:** Would Ms. Gratton have
23 had hands-on contact with C-14 or is this just her reading
24 a report and coming to that conclusion?

25 **MR. KEOUGH:** I'm not sure, Your Honour,

1 because when Mr. Towndale sent out that piece of paper for
2 the foster parents to -- or the foster children to fill
3 out, according to C-14 there was contact with Mr. Towndale
4 and Mrs. Gratton.

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

6 **MR. KEOUGH:** And I'm not sure what that
7 contact involved. I think it was only telephone
8 conversations, but I think Mrs. Gratton spoke to C-14 at
9 least once, if not more often, on the phone.

10 **THE COMMISSIONER:** Right. But all I'm
11 saying is when I'm reading this report, right, one of the
12 things that I look for is who had the most contact?
13 Obviously, you had more contact ---

14 **MR. KEOUGH:** Yes.

15 **THE COMMISSIONER:** --- with C-14 and so that
16 you would be in a better position to assess the veracity of
17 his comments and things like that?

18 **MR. KEOUGH:** M'hm, yes.

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

20 **MR. DUMAIS:** And my understanding, Bryan, is
21 that you would have stayed on as C-14's child protection
22 worker for a certain period of time until his file was
23 transferred on May 16th, 1978 to Mr. McLean. Is that
24 correct?

25 **MR. KEOUGH:** That was with C-14's consent.

1 **MR. DUMAIS:** Okay. Was it -- do you recall
2 whether or not he was requesting that at that time or did -
3 --

4 **MR. KEOUGH:** I recall him changing his mind
5 and allowing me to continue to be his worker.

6 **MR. DUMAIS:** Okay. And would that then have
7 been the last of your involvement in this file?

8 **MR. KEOUGH:** Yes.

9 **MR. DUMAIS:** All right.
10 If I can just take you to Exhibit 528 for a
11 second.

12 **THE COMMISSIONER:** Five-two-eight (528).

13 **MR. DUMAIS:** So at one point-in-time, C-14
14 made allegations of sexual abuse he would have suffered in
15 foster homes. This is not -- is this something that you
16 would have been made aware of?

17 **MR. KEOUGH:** No.

18 **MR. DUMAIS:** And we're looking here at case
19 notes that were prepared by Lorenzo Murphy and I just --
20 they were prepared in 1991.

21 If you can just have a look at the fifth and
22 sixth paragraphs? So I believe these are -- this is Mr.
23 Murphy summarizing what he's been told by C-14. So it
24 reads as follows:

25 "He feels that Bryan Keough knew some

1 of what was going on. Once came and
2 saw C-14 when he had blood running from
3 his mouth from a beating. Felt all
4 that Bryan did was to side with the
5 foster parents telling C-14 to shut my
6 mouth, do what I was told, would sit
7 down always in front of foster parents
8 to discuss the latest issue, meaning
9 problems he was causing. C-14 feels
10 that his behaviour and his growing
11 problems should have been a dead
12 giveaway. C-14 claims that he had it
13 out with Bryan for three hours the day
14 he left; could never trust Bryan
15 Keough."

16 So these are the notes that Mr. Murphy is
17 taking. Do you recall that, you getting there on one day
18 and he had blood coming from his mouth? Do you recall any
19 ---

20 **MR. KEOUGH:** No, I don't.

21 **MR. DUMAIS:** --- any such incident?

22 **MR. KEOUGH:** No.

23 **MR. DUMAIS:** And what about his
24 characterization of your involvement in the file when you
25 would visit and how he is describing the discussion with

1 issues with the foster parents?

2 **MR. KEOUGH:** There were many discussions we
3 had at the -- I believe it was the kitchen table, where
4 Mrs. Barber would be on one end of the table, I would be on
5 the other, and C-14 would be in the middle, and we would
6 discuss those issues, those -- where he was pushing
7 buttons ---

8 **MR. DUMAIS:** M'hm?

9 **MR. KEOUGH:** --- and they were very
10 emotional. C-14 would begin to say something and
11 Mrs. Barber would cut him off, so the discussion was very
12 difficult to direct.

13 And that was one of the things I was working
14 on with Mrs. Barber, was to give C-14 avenue to voice his
15 feelings, and even though she may have disagreed with him,
16 to listen and to allow him to speak. They were difficult
17 meetings for C-14.

18 **MR. DUMAIS:** And did some of those meetings
19 include as well meetings with just C-14, without the foster
20 parents present?

21 **MR. KEOUGH:** My pattern with C-14 was like
22 with the other children. I would meet with the foster
23 mother, then the foster child, and then the parents
24 together, you know.

25 **THE COMMISSIONER:** I think he's saying that

1 that wasn't done. He's saying that he never had a chance
2 to speak with you alone.

3 **MR. KEOUGH:** He did.

4 **MR. DUMAIS:** He did?

5 **MR. KEOUGH:** Yes. And it's recorded in my
6 notes that I did see him alone.

7 **MR. DUMAIS:** And at that period of time,
8 Bryan, these allegations -- or these incidents, would not
9 have been -- you would not have advised a police service to
10 investigate these matters?

11 **MR. KEOUGH:** At what time are we talking
12 about now?

13 **MR. DUMAIS:** At the -- in 1977, '78.

14 **MR. KEOUGH:** After my investigation?

15 **MR. DUMAIS:** Yes.

16 **MR. KEOUGH:** I left that with Mr. Towndale
17 and Mrs. Gratton.

18 **MR. DUMAIS:** Okay. But, certainly, at one
19 point-in-time someone would have communicated with you who
20 was conducting the investigation? Do you recall that?

21 **MR. KEOUGH:** I had no communication on this
22 after ---

23 **MR. DUMAIS:** All right.

24 **MR. KEOUGH:** --- that I can remember.

25 **MR. DUMAIS:** Okay. Well, perhaps I can just

1 take you to one last document, so that's Exhibit 541.

2 THE COMMISSIONER: These are police
3 officer's notes ---

4 MR. DUMAIS: Yes.

5 THE COMMISSIONER: --- of Ralko and they
6 were taken in the month of December, 2000.

7 MR. DUMAIS: Do they trigger your memory
8 now, Bryan?

9 MR. KEOUGH: Yes, I did get a call from a
10 police officer, yes.

11 MR. DUMAIS: And I think the call is
12 summarized at Bates page 912.

13 So there's a date, top right-hand corner,
14 Friday, 16th day of February, 2001, and the entry at 10:36,
15 and your name and address is provided there.

16 Now, it starts out -- it appears to be
17 asking you a question about the Barber residence and it's
18 indicated, "vaguely come to mind", and then he appears to
19 be indicating:

20 "He doesn't remember C-14 as client.
21 Reviewed some of files with him re. C-
22 14 complaint about his removal from
23 Barber home to..."

24 And I can't read that:

25 "...the closing of Barber home on

1 consent. Q states he cannot
2 independently recollect case, but if he
3 felt that at..."

4 **THE COMMISSIONER:** "Least":
5 "...that at least to some degree that
6 the home should be closed and he must
7 have had some good reasons as he did
8 not take closing a home lightly."

9 **MR. DUMAIS:** So do you recall that
10 discussion now with ---

11 **MR. KEOUGH:** Yes, I remember the phone call,
12 yes.

13 **MR. DUMAIS:** Okay. And do you recall what
14 he was investigating, specifically?

15 **MR. KEOUGH:** The fact that C-14 had been
16 abused in the home.

17 **MR. DUMAIS:** Okay. Do you recall whether or
18 not Detective Ralko was investigating the allegations of
19 sexual abuse or physical abuse?

20 **MR. KEOUGH:** I believe it was physical.

21 **MR. DUMAIS:** You believe it was physical?

22 **MR. KEOUGH:** Yes.

23 **MR. DUMAIS:** All right.

24 And prior to this phone call from Detective
25 Ralko, had you received a call from the agency advising you

1 that the police were looking into this matter?

2 **MR. KEOUGH:** I don't remember one, no.

3 **MR. DUMAIS:** Okay. And did you have
4 possession of any materials? Did you have any notes on
5 your past files at the agency with you?

6 **MR. KEOUGH:** At the time?

7 **MR. DUMAIS:** Yes, at the time.

8 **MR. KEOUGH:** No, I never took any notes from
9 the files.

10 **MR. DUMAIS:** So everything stayed with the
11 agency?

12 **MR. KEOUGH:** Oh, yes.

13 **MR. DUMAIS:** It was left in the file?

14 **MR. KEOUGH:** Definitely.

15 **MR. DUMAIS:** All right. And do you recall
16 any further involvement with a police service regarding C-
17 14?

18 **MR. KEOUGH:** No, I don't.

19 **MR. DUMAIS:** Okay.

20 **THE COMMISSIONER:** Do you want to take a
21 break?

22 **MR. DUMAIS:** Yes, perhaps that's an
23 appropriate time.

24 **THE COMMISSIONER:** Yes.

25 **MR. DUMAIS:** I'm starting a new matter.

1 **THE COMMISSIONER:** Thank you.

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

4 This hearing will resume at 11:05 a.m.

5 --- Upon recessing at 10:50 a.m.

6 L'audience est suspendue à 10h50

7 --- Upon resuming at 11:12 a.m.

8 L'audience est reprise à 11h12

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

11 This hearing is now resumed. Please be
12 seated. Veuillez vous asseoir.

13 **BRYAN KEOUGH:** Resumed/Sous le même serment

14 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR

15 **MR. DUMAIS (cont'd/suite):**

16 **THE COMMISSIONER:** Thank you. Mr. Keough?

17 **MR. DUMAIS:** So, Bryan, I'm just going to
18 ask you some questions now on your involvement with
19 Jeannette Antoine, who did testify here at the Inquiry, and
20 my understanding is that you first became involved with
21 Jeannette as her child care worker? Is that correct?

22 **MR. KEOUGH:** Yes, I did.

23 **MR. DUMAIS:** And that would have been around
24 1972. Is that correct?

25 **MR. KEOUGH:** I believe so, yes.

1 **MR. DUMAIS:** And when you first became
2 involved, Bryan, my understanding is that she had been in
3 care for a certain period of time. Is that correct?

4 **MR. KEOUGH:** Yes.

5 **MR. DUMAIS:** And she had been assigned a
6 number of caseworkers previous to your involvement?

7 **MR. KEOUGH:** Yes.

8 **MR. DUMAIS:** And when you became involved,
9 she was residing at the Reynen foster home? Is that
10 correct?

11 **MR. KEOUGH:** Yes.

12 **MR. DUMAIS:** And if we just put a document
13 to you, which is the child care file, and it's Document
14 Number 738903.

15 **THE COMMISSIONER:** Thank you.

16 Exhibit Number 2356 is the child care file
17 of Jeannette Antoine.

18 **---EXHIBIT NO./PIÈCE NO. P-2356:**

19 (738903) Child Care Fact Sheet re Jeannette
20 Antoine

21 **MR. DUMAIS:** And that document, I ---

22 **THE COMMISSIONER:** It might be best read on
23 the screen.

24 **MR. DUMAIS:** Yes. It's very difficult to
25 read.

1 **THE COMMISSIONER:** So what page do you want
2 to refer to?

3 **MR. DUMAIS:** So if we look at the first page
4 of that file, it indicates that Jeannette would have been
5 born in 1960, and when you first became involved then she
6 would have been around 12 years of age? Is that correct?

7 **MR. KEOUGH:** Yes.

8 **MR. DUMAIS:** And when you took the file over,
9 Bryan, do you recall reviewing this file, reviewing what
10 Jeannette was about and how long she had been with the
11 agency and what the problems or difficulties with her
12 were?

13 **MR. KEOUGH:** I don't recall reviewing it but
14 I would have.

15 **MR. DUMAIS:** Okay.

16 If I can then just take you to Bates pages
17 110, and these are all entries that were made prior to
18 your involvement but I just want to take you to some of
19 the recordings.

20 The first one is -- and that's Bates page
21 110 or page 38 of the file -- the entry on July 2nd, 1968.

22 **THE COMMISSIONER:** Okay, we'll have to wait
23 now for the Clerk to come up with the exact page because I
24 can't read this document. So where are we?

25 **MR. DUMAIS:** One-ten (110)?

1 **THE COMMISSIONER:** Seven one seven five one
2 one zero (7175110).

3 All right, here we go.

4 **MR. DUMAIS:** So the entry is on the July
5 12th, 1968 entry. Sorry, 2nd. Thank you.

6 **MR. KEOUGH:** Yes, I have it.

7 **MR. DUMAIS:** Okay. So I'll just read it out
8 perhaps:

9 "Third visit was made. Today both
10 parents were present and obviously
11 upset. Serious problems have arisen
12 with Jeannette and they have decided
13 they can no longer keep her. However,
14 they do wish to keep Lorraine if we can
15 decide to separate the girls.
16 Jeannette has been indulging in sexual
17 play with..."

18 A name of another children in the foster
19 home.

20 "...at every opportunity. They were
21 first discovered by Mrs. H. Jeannette
22 had taken down..."

23 The other foster child's.

24 "...panties and would fondle him and
25 encourage him to do the same."

1 Then a little further on, "Further to the
2 sexual play," and that's continued on page 39, or Bates
3 page 111:

4 "Further to the sexual play with the
5 other foster child, Jeannette enjoys
6 exposing her naked body at every chance
7 to the teenage hired men and has
8 stripped off all her clothes when they
9 took her to the beach. They are of the
10 opinion that her sexuality far
11 surpasses the normal curiosity of the
12 average child."

13 This is a recording in 1968, so she would
14 have been around eight years old at that time:

15 "They have observed her as well
16 stimulating the dog sexually and then
17 getting onto her hands and knees and
18 encouraging the dog to jump her."

19 Do you recall, when you first took the file,
20 Bryan, making note of the fact of this recording back in
21 1968?

22 **MR. KEOUGH:** No, I don't.

23 **MR. DUMAIS:** So to the best of your
24 recollection, do you know whether or not you would have --
25 that would have been on her mind, that this might be an

1 issue with this foster child? Or you just don't remember
2 anything about it?

3 MR. KEOUGH: Would have been an issue when I
4 became involved?

5 MR. DUMAIS: Yes. Whether or not you're
6 reading these recordings ---

7 MR. KEOUGH: I would have read this.

8 MR. DUMAIS: You would have read this?

9 MR. KEOUGH: Yes, I'm pretty sure I would
10 have read this.

11 MR. DUMAIS: Do you know whether or not you,
12 when you first became involved with Jeannette, considered
13 therapy or counselling or some sort of an assessment?

14 MR. KEOUGH: Based on this?

15 MR. DUMAIS: Based on this.

16 MR. KEOUGH: Well, my ---

17 MR. DUMAIS: Specifically I guess her sexual
18 behaviour at the time, what would have been noted in 1968.

19 MR. KEOUGH: My recordings don't indicate
20 such.

21 MR. DUMAIS: Okay.

22 And at Bates pages 111, that's on the July
23 3rd, 1968, there appears to have been a case conference
24 which was held concerning the problem -- the problems
25 Jeannette was exhibiting -- and the director at the time,

1 Mr. O'Brien, is listed as having been present at that
2 meeting.

3 So do you recall, when you first took over
4 the file, whether or not you had been made aware, either
5 by Mr. O'Brien or a previous child protection worker for
6 Jeannette of this issue and whether or not it had been
7 dealt with?

8 MR. KEOUGH: No.

9 MR. DUMAIS: So you don't have any
10 recollection of any discussions with anyone?

11 MR. KEOUGH: No. And if I would have, I
12 would have probably made note of it my initial recording.

13 MR. DUMAIS: All right.

14 And when the file would have been
15 transferred to you in 1972 would there have been a
16 transfer conference at that time, Bryan?

17 MR. KEOUGH: Probably, yes, with the
18 supervisor, foster home finder and/or worker.

19 MR. DUMAIS: And you don't recall any of the
20 specifics of this conference?

21 MR. KEOUGH: No, I don't. Those conferences
22 -- that meeting would probably have taken place at my
23 supervision meeting.

24 MR. DUMAIS: Sorry?

25 MR. KEOUGH: That -- like a meeting between

1 myself, my supervisor and foster home finder and/or worker
2 would have probably taken place at a supervision meeting -
3 --

4 **MR. DUMAIS:** All right

5 **MR. KEOUGH:** --- where I was being assigned
6 the file during supervision, and the foster home finder
7 would have come in, or something like that.

8 **MR. DUMAIS:** All right.

9 But if I can ask you this, Bryan. If you
10 had been the child protection worker in 1968 and had noted
11 these issues with -- that Jeannette was exhibiting, and if
12 you were transferring the file to a new child protection
13 worker, is that something that would be discussed at a
14 transfer meeting? Is that where you discuss these things?

15 **MR. KEOUGH:** Yes.

16 **MR. DUMAIS:** All right.

17 Because you would want to make sure that the
18 new worker would be made aware of any previous problems
19 and how they had been dealt with?

20 **MR. KEOUGH:** Yes.

21 **MR. DUMAIS:** That's fair?

22 **MR. KEOUGH:** Yes.

23 **MR. DUMAIS:** Okay.

24 Now, I understand at one point in time you
25 would have received a phone call from Mr. Reynen, who was

1 the foster father at the time. So that's in March -- in
2 November, sorry, of 1972, and if I can just take you to
3 Bates pages 124.

4 **THE COMMISSIONER:** What part, sir?

5 **MR. DUMAIS:** It's the entry on November 7th,
6 '72. Perhaps I can just -- I can read it here.

7 **THE COMMISSIONER:** No, no, no, I'd like to
8 follow along as well, so if you can tell us where it is
9 and then the Clerk can bring it up.

10 **MR. DUMAIS:** See, Mr. Commissioner, on
11 November 2nd, November 7th? That's the entry here.

12 So November 7th, 1972 -- actually it's a call
13 from Mrs. Reynen:

14 "Telephoned worker at the office. She
15 stated that she was experiencing a hard
16 time controlling the girls. Jeannette
17 was constantly lying and stealing from
18 the home."

19 And then a little further down, next
20 paragraph:

21 "It appears as if the situation became
22 so tense in the foster home that, as a
23 result of this, Mrs. Reynen had to be
24 admitted to the Cornwall General
25 Hospital on November 22nd. '72, due to a

1 nervous breakdown. She underwent six
2 shock treatments and was released on
3 December 21st, 1972."

4 So do you recall that, that the foster
5 mother had to be -- was taken out of the home shortly
6 after you became involved with this file?

7 **MR. KEOUGH:** I remember the foster mother
8 had some depression problems, yes.

9 **MR. DUMAIS:** Okay.

10 And when she required to be hospitalised,
11 was it Mr. Reynen that was left supervising the foster
12 children?

13 **MR. KEOUGH:** I would think so, yes.

14 **MR. DUMAIS:** Okay.

15 And Jeannette was not placed in that home by
16 herself. She was also placed in the home with her sister.
17 Is that correct?

18 **MR. KEOUGH:** Yes.

19 **MR. DUMAIS:** And were you also the child
20 care worker for her sister?

21 **MR. KEOUGH:** I was, yes.

22 **MR. DUMAIS:** You were? All right.

23 Now, I understand that shortly afterwards,
24 about a couple a months afterwards -- and that's the entry
25 on March 15th, 1972, couple of paragraphs down, still at

1 the same page. So it says here:

2 "March 15th, 1972 but I'm assuming
3 that's 1973 -- it follows the November
4 ---"

5 MR. KEOUGH: Yes. Yes.

6 MR. DUMAIS: Yes. So in March of 1973, Mr.
7 Reynen would have met with you and he was essentially
8 requesting that the children be taken out of the home. Is
9 that correct?

10 MR. KEOUGH: Yes.

11 MR. DUMAIS: And he was asking that this
12 occur at the end of the school year. Is that correct?

13 MR. KEOUGH: Yes.

14 MR. DUMAIS: All right.

15 And if we look then at Bates page 126, so
16 it's the entry for June '73 under "Progress Report". So
17 sometime at the end of this school year, you would have
18 obtained a progress report from the school essentially
19 indicating that Jeannette was doing well?

20 MR. KEOUGH: Yes.

21 MR. DUMAIS: And as a result thereof, you
22 would have met with someone from the school?

23 MR. KEOUGH: Yes.

24 MR. DUMAIS: And my understanding is you
25 would have spoken to the principal of the school at that

1 time, and that the principal would have disclosed to you
2 some of the problems the school was having with Jeannette
3 was that she was lying and stealing from the school. Is
4 that correct?

5 MR. KEOUGH: I don't remember that, but
6 that's what the notes say. Yes.

7 MR. DUMAIS: Okay.

8 Do you recall, Bryan, whether or not
9 Jeannette and/or her sister was in counselling or in
10 therapy at that time or whether or not she had been
11 assessed?

12 MR. KEOUGH: I don't believe so, no.

13 MR. DUMAIS: You don't believe so.

14 Because if we look -- and is it fair to say
15 that at that time, so in June and July of 1973, that there
16 were still ongoing problems within the foster home itself?

17 MR. KEOUGH: Yes.

18 MR. DUMAIS: And, as a matter of fact, you
19 had spoken to at one point-in-time, with Pierre Landry
20 about some of the difficulties within the home. Do you
21 recall that?

22 MR. KEOUGH: Yes.

23 THE COMMISSIONER: Do you recall it?

24 MR. KEOUGH: No, I recall reading it in the
25 notes.

1 **THE COMMISSIONER:** Okay, well, your evidence

2 ---

3 **MR. KEOUGH:** Oh, I'm sorry. No, I read it
4 in the notes, yes.

5 **MR. DUMAIS:** But do you recall after you
6 read it, do you recall -- do you have a recollection of ---

7 **MR. KEOUGH:** No.

8 **MR. DUMAIS:** --- meeting with Pierre Landry?

9 **MR. KEOUGH:** No.

10 **MR. DUMAIS:** You don't recall having any
11 type of discussion with him?

12 **MR. KEOUGH:** No.

13 **MR. DUMAIS:** But certainly your notes appear
14 to be indicating that you met?

15 **MR. KEOUGH:** We met.

16 **MR. DUMAIS:** But you weren't discussing
17 Jeannette or her sister. You were specifically discussing
18 the problem that the foster parents were having?

19 **MR. KEOUGH:** That's what the notes indicate,
20 yes.

21 **MR. DUMAIS:** Okay.

22 And if we look at Bates page 127; and you're
23 noting there some of the difficulties -- well, one that Mr.
24 Landry was relating to you. And you are also noting here
25 that the foster mother had a number of nervous breakdowns.

1 Is that correct?

2 MR. KEOUGH: Yes.

3 MR. DUMAIS: And despite the difficulties
4 that the foster home was experiencing, you did not at that
5 time remove the children from the home. Is that correct?

6 MR. KEOUGH: That's right.

7 MR. DUMAIS: So do you have any recollection
8 of what you were thinking, whether or not you had been
9 swayed by the fact that they were doing well in school or
10 whether or not the children wanted to remain or whether
11 there was no other home available. Do you recall anything?

12 MR. KEOUGH: I don't recall anything, but I
13 think my reasoning would have been the foster mother was
14 having some personal struggles; the kids had been there for
15 a good while. They seemed to be doing relatively well and
16 that our focus would be to resolve the -- help Mrs. Reynen
17 resolve the issues and continue on.

18 MR. DUMAIS: All right.

19 Now, if we can just flip the page and go to
20 Bates page 128. It's an entry on July 19th, 1973.

21 So you are indicating here that you would
22 have received a call from Mr. Reynen, who said that
23 Lorraine be moved as soon as possible but they had not yet
24 made up their minds about Jeannette?

25 MR. KEOUGH: M'hm.

1 **MR. DUMAIS:** So they are suggesting here
2 that Lorraine be taken out of the home, but they haven't
3 made up their mind about Jeannette?

4 **MR. KEOUGH:** That's right.

5 **MR. DUMAIS:** Do you recall that? Do you
6 recall that, that there was some discussions of taking one
7 of the two children out of the home?

8 **MR. KEOUGH:** No.

9 **MR. DUMAIS:** And my understanding -- or you
10 would have noted then that you would have visited the home
11 and it was agreed that Lorraine would be moved but they
12 wished to keep Jeannette. Is that correct?

13 **MR. KEOUGH:** That's right.

14 **MR. DUMAIS:** All right.

15 Now, if I can just take you to Tab 12 --
16 sorry, Document Number 739043. I am not sure if that's an
17 exhibit.

18 Yes, it is. It's Exhibit 2210.

19 **THE COMMISSIONER:** Two-two-one-zero (2210).
20 I don't have it; 2210, and what page?

21 **MR. DUMAIS:** Bates page is 329.

22 **THE COMMISSIONER:** So Bates page 329, sir.
23 Again, that's the number on the left-hand side on top,
24 7175329.

25 **MR. DUMAIS:** Now, just to put you in

1 context, Bryan, this is the Crown brief that was prepared
2 by Officer Shawn White when he was investigating
3 allegations that had been made against you. And during the
4 course of his investigation, he would have interviewed a
5 number of people, one of them being Jeannette's sister.

6 And this is a supplementary occurrence
7 report, so he's summarising his interview with the sister
8 and if I can just take you -- it's a little higher than
9 mid-page, and she's recounting when she was in care and you
10 were her social worker.

11 So the sentence begins with, "At that time,
12 Bryan Keough was their social worker"?

13 **MR. KEOUGH:** Yes, I have it.

14 **MR. DUMAIS:** You have that? So I'll just
15 read out:

16 "At that time, Bryan Keough was their
17 social worker. While Keough was
18 Lorraine's social worker, she found him
19 to be most helpful. Ms. Robert claims
20 that she was being sexually abused by
21 her foster father in a home in Long
22 Sault. She indicated that she could
23 not bring herself to tell anyone from
24 the Children's Aid about the abuse.
25 She says that part of the reason

1 stemmed from the fact that whenever she
2 had told her CAS worker that there was
3 a problem, the worker would call her a
4 liar. She said that by nature she does
5 not express her feelings to others
6 easily. However, Bryan Keough
7 approached her and tried to inquire
8 what was wrong. She claims that
9 although she never told him that she
10 was being sexually abused in her foster
11 home, that he suspected that there
12 might be a problem and, as a result, he
13 had her taken out of the home."

14 So was that your motivation for taking
15 Jeannette's sister out of the home, Bryan?

16 **MR. KEOUGH:** Suspected abuse?

17 **MR. DUMAIS:** Yes.

18 **MR. KEOUGH:** Sexual abuse, no.

19 **MR. DUMAIS:** So you're saying that she's
20 clearly mistaken about that?

21 **MR. KEOUGH:** I'm saying I had no indication
22 at that time, when I removed her, that she was being
23 sexually abused.

24 **MR. DUMAIS:** All right.

25 Do you remember whether or not this was ever

1 taken up with the children? Did you ever interview the
2 children and ask them whether or not there was any
3 particular problems with respect to that?

4 MR. KEOUGH: With respect to sexual abuse?

5 MR. DUMAIS: Yes.

6 MR. KEOUGH: No. Lorraine was -- well,
7 maybe I shouldn't say -- can I say something?

8 MR. DUMAIS: Yeah. That information has
9 come out already.

10 MR. KEOUGH: Okay. I was just going to say
11 that Lorraine was -- I was Lorraine's worker until she --
12 not only when her wardship was terminated, but I followed
13 Lorraine following that.

14 MR. DUMAIS: Yes.

15 MR. KEOUGH: And at no time did she ever
16 disclose to me that she had been sexually abused in the
17 Reynen foster home.

18 MR. DUMAIS: And were you involved -- you
19 were no longer involved with Lorraine after you left the
20 agency. Is that right?

21 MR. KEOUGH: No.

22 MR. DUMAIS: All right.

23 If I can just then take you back to the
24 child care file at Bates pages 128?

25 THE COMMISSIONER: I'm sorry, what exhibit?

1 **MR. DUMAIS:** Pardon me?

2 **THE COMMISSIONER:** What exhibit?

3 **MR. DUMAIS:** I thought I would get away with
4 not having the exhibit. It's the last document I filed.

5 **THE COMMISSIONER:** Two three five six
6 (2356).

7 **MR. DUMAIS:** Thank you.

8 **THE COMMISSIONER:** What page?

9 **MR. DUMAIS:** One two eight (128).

10 **THE COMMISSIONER:** What part of the
11 document?

12 **MR. DUMAIS:** It's the entry on -- under
13 "Long-Term Prognosis", so a little more than halfway down.
14 You're noting here, Bryan:

15 "Worker believes that eventually the
16 child will have to be moved as the
17 foster parents have not to this date
18 resolved their own marital problems.
19 Ms. Reynen remains an extremely
20 paranoid woman, which makes case work
21 extremely difficult in this [case]."

22 **THE COMMISSIONER:** "In this home."

23 **MR. DUMAIS:** "In this home," sorry.

24 So am I correct that at that period of time
25 Jeannette's sister had been taken out of the home, but

1 Jeannette remained there? Is that correct?

2 MR. KEOUGH: Yes, it appears so.

3 MR. DUMAIS: And do you recall whether or
4 not removing the sister from the home was your personal
5 decision or whether or not there had been a placement
6 committee meeting, or whether or not the instructions came
7 from your supervisor?

8 MR. KEOUGH: I would have discussed that
9 decision with my supervisor, definitely.

10 MR. DUMAIS: Because would it not be unusual
11 to split up sisters here, place the sisters in two
12 different ---

13 MR. KEOUGH: Yes.

14 MR. DUMAIS: Now, if I can then just take
15 you to the next Bates page, which is 129, which is an entry
16 on June 3rd, 1974.

17 Now, my understanding is that you would have
18 met with your supervisor, who was Mr. Towndale, to discuss
19 Jeannette's placement in the Reynen foster home; is that
20 correct?

21 MR. KEOUGH: Yes.

22 MR. DUMAIS: And that meeting essentially
23 occurred a year after you had noted in the long-term
24 prognosis that Jeannette would need to be moved from this
25 home. Is that correct?

1 MR. KEOUGH: Yes.

2 MR. DUMAIS: And there is discussion here
3 that Jeannette would be assigned a new child care worker.

4 MR. KEOUGH: Yes.

5 MR. DUMAIS: Do you recall that?

6 MR. KEOUGH: Yes.

7 MR. DUMAIS: Do you recall whether or not
8 there was a specific reason for that, Bryan?

9 MR. KEOUGH: My opinion is that when I
10 separated Jeannette from her sister Lorraine, that she
11 blamed me for that separation. Working with Jeannette
12 following that was very difficult. That's my opinion.

13 MR. DUMAIS: Would that recommendation to
14 have her transfer to another protection worker have been
15 the recommendation of Mr. Towndale?

16 MR. KEOUGH: I believe that was my
17 recommendation ---

18 MR. DUMAIS: Okay.

19 MR. KEOUGH: --- that she be transferred to
20 a female worker.

21 MR. DUMAIS: So following that meeting, my
22 understanding is that the file had been transferred to
23 Françoise Lepage?

24 MR. KEOUGH: Yes.

25 MR. DUMAIS: And as per the protocol, you

1 would have prepared a transfer summary?

2 MR. KEOUGH: I believe so.

3 MR. DUMAIS: And in your transfer summary
4 you make reference to the previous transfer summary
5 reports, so the one -- I don't think we need to go to it,
6 but there's one that's found -- the first one is found at
7 Bates page 103, and that's a transfer summary dated January
8 6, 1967, and the other transfer summary, which is found at
9 Bates page 121, which is the one dated June 28, 1971.

10 So in one of those transfer summaries it
11 makes reference to the fact that there had been three
12 adoption breakdowns with respect to Lorraine and Jeannette.
13 Do you recall those?

14 MR. KEOUGH: Yes.

15 MR. DUMAIS: And do you know whether -- I
16 know that these are transfer summaries about recordings
17 that were made prior to your involvement, but do you know
18 what occurred, why the adoption broke down?

19 MR. KEOUGH: I don't remember specifically,
20 no.

21 MR. DUMAIS: All right.

22 And when the file was transferred to Fran
23 Lepage, do you recall having any discussion with her or
24 being present at a transfer meeting, making her aware of
25 what the difficulties were with this file?

1 **MR. KEOUGH:** I don't remember a meeting, but
2 undoubtedly one took place.

3 **MR. DUMAIS:** Okay. So my understanding is
4 then that the actual transfer would have occurred on April
5 20th, 1975?

6 **MR. KEOUGH:** It would be ---

7 **MR. DUMAIS:** I'm looking at Bates page 131,
8 the entry on April 20th. I think that reads "Jeannette
9 entered group home."

10 **MR. KEOUGH:** Okay. Yes.

11 **MR. DUMAIS:** So does that make sense?

12 **MR. KEOUGH:** Yes.

13 **MR. DUMAIS:** All right.

14 And the group home that Jeannette would have
15 entered would be the Second Street Group Home. Is that
16 correct?

17 **MR. KEOUGH:** I believe it was, yes.

18 **MR. DUMAIS:** And at that time, you were not
19 involved with the Second Street Group Home. Is that
20 correct?

21 **MR. KEOUGH:** I was not, no.

22 **MR. DUMAIS:** All right.

23 So she is being transferred to the group
24 home and Mrs. Lepage is her childcare worker at that period
25 of time?

1 MR. KEOUGH: Yes.

2 MR. DUMAIS: All right.

3 And until such time as you are -- you become
4 involved with the group home, you have no further dealings
5 with Jeannette. Is that fair?

6 MR. KEOUGH: No, I don't.

7 MR. DUMAIS: All right.

8 So then if we look at what your involvement
9 at the Second Street Group Home was, Bryan, do you recall
10 when you were first assigned to the group home?

11 MR. KEOUGH: It would have been after Derry
12 Tenger became the director or manager of the home.

13 MR. DUMAIS: All right.

14 So my understanding is that initially one of
15 your fellow childcare workers, Rod Rabey, was the director
16 of that group home.

17 MR. KEOUGH: Yes.

18 MR. DUMAIS: And my understanding is that he
19 would have been the director until the time that he passed
20 away?

21 MR. KEOUGH: That's right.

22 MR. DUMAIS: And after he passed away, Mr.
23 Tenger would have been named the director of the group
24 home. Is that correct?

25 MR. KEOUGH: Yes.

1 **MR. DUMAIS:** All right.

2 So is it at about the same time that you
3 would have become involved with the Second Street Group
4 Home?

5 **MR. KEOUGH:** It would have been following
6 him being named as the director, yeah.

7 **MR. DUMAIS:** Okay. Do you recall whether or
8 not you were involved with the group home during the period
9 of time that Mr. Rabey was sick and in the hospital?

10 **MR. KEOUGH:** No, I don't.

11 **THE COMMISSIONER:** No, you don't what?
12 Remember?

13 **MR. KEOUGH:** Well, I wasn't involved while
14 Mr. Rabey was in ---

15 **THE COMMISSIONER:** You were not?

16 **MR. KEOUGH:** No.

17 **THE COMMISSIONER:** Okay.

18 **MR. KEOUGH:** I wasn't. While he was the
19 director of the home, I was not involved in the home.

20 **MR. DUMAIS:** Okay. And do you recall during
21 that period of time, so before your official involvement,
22 if I can put it that way, whether or not you had any
23 children in the group home, whether or not you were going
24 there to see -- to check up on their progress?

25 **MR. KEOUGH:** No.

1 **MR. DUMAIS:** Okay. And how did your
2 involvement with the group home come about? Did someone
3 ask you whether or not you wanted to be transferred there?
4 Did you make that request yourself?

5 **MR. KEOUGH:** Well, I wasn't transferred
6 there because ---

7 **MR. DUMAIS:** Assigned?

8 **MR. KEOUGH:** Well, I continued to hold a
9 full caseload at the agency during -- through the duration
10 of this group home. Following Mr. Tenger becoming director
11 of the home, at some point after he became director he
12 approached the agency for me to become what was called the
13 liaison officer between the home and the agency. And
14 basically my responsibilities entailed if a worker from the
15 agency had a child that they thought might be -- might
16 qualify for the home, they would approach me and I would
17 tell them if there were any openings or not.

18 And then I would schedule the meetings. I
19 would arrange for the meetings to take place between that
20 worker and Mr. Tenger or with the staff of the home. I
21 would drop by the home two or three times a week, either on
22 the way to work or from work, to see whether any meetings
23 needed to be scheduled or anything needed to be
24 communicated with the office. And basically, that was the
25 extent of my responsibilities.

1 **MR. DUMAIS:** All right.

2 So if Mr. Tenger, for example, was
3 experiencing any problems with the home, he would not
4 report the matters directly to the administration at the
5 agency; he would go through you. Is that ---

6 **MR. KEOUGH:** He did both.

7 **MR. DUMAIS:** He did both?

8 **MR. KEOUGH:** Yeah. If he was busy, he would
9 contact me and say, you know "Can you get them together?"
10 this type of stuff. But he did both.

11 **MR. DUMAIS:** All right.

12 And if we're talking about who you were
13 reporting to specifically at the agency, do you recall who
14 that was at that time?

15 **MR. KEOUGH:** I believe it was Mr. Towndale
16 because he continued to be my supervisor. Like, I wasn't
17 assigned any other supervisor. Mr. Towndale continued to
18 be my supervisor and overseeing everything I did.

19 **MR. DUMAIS:** And my understanding is that at
20 one point in time in your involvement in this group home,
21 Mr. Towndale became the acting director. Is that ---

22 **MR. KEOUGH:** Yes, Mr. O'Brien went on sick
23 leave and Mr. Towndale became acting director also.

24 **MR. DUMAIS:** All right.

25 So you believe that you're reporting any

1 matters that involve the group home to Mr. Towndale
2 essentially because he is your supervisor. Is that right?

3 **MR. KEOUGH:** Yes.

4 **MR. DUMAIS:** Okay. And what about your
5 direct involvement in the group home? Would you at any
6 point in time work there, actually do some shift work
7 there?

8 **MR. KEOUGH:** I think I took two or three
9 shifts in the home. I took one overnight shift because Mr.
10 Tenger wanted to go home. And there were different times,
11 and not often -- I can remember maybe two or three times
12 where he would phone during the day and if I was at the
13 office and they had to go do groceries or something like
14 that and there was not enough staff, I would go and pitch
15 in at the home.

16 **MR. DUMAIS:** Because this being a group
17 home, the children there would have to be under supervision
18 24 hours a day essentially?

19 **MR. KEOUGH:** Yes.

20 **MR. DUMAIS:** And do you recall, when you
21 first became involved, who was working there? Who was the
22 staff?

23 **MR. KEOUGH:** My brother Michael was already
24 there. Mr. Rabey had hired him. He's my younger brother.
25 Who else Mr. Rabey had with him, I can't remember. When

1 Mr. Tenger took over, my brother remained. He hired his
2 daughter Heather; a woman, I think she was a cook, but I
3 don't remember her name; and a man by the name of Gerry
4 from Dunvegan.

5 **THE COMMISSIONER:** I'm sorry, from?

6 **MR. KEOUGH:** From Dunvegan. That was where
7 Mr. Tenger was from. He knew this man. I think he was a
8 friend of his.

9 **MR. DUMAIS:** Okay. So you are, during that
10 period of time, a childcare worker with the agency?

11 **MR. KEOUGH:** Yes, I am.

12 **MR. DUMAIS:** Mr. Tenger is a -- is he a
13 childcare worker with the agency as well?

14 **MR. KEOUGH:** He was before he went to the
15 group home. He was a childcare worker of the agency when I
16 arrived in '71.

17 **MR. DUMAIS:** Okay. And so when he goes to
18 the group home, does his status change? Does he ---

19 **MR. KEOUGH:** When he became director of the
20 group home, from my understanding, he no longer had a
21 caseload at the agency. That was his total responsibility,
22 was the group home.

23 **MR. DUMAIS:** Okay. And what about your
24 brother?

25 **MR. KEOUGH:** Michael, yes.

1 **MR. DUMAIS:** Michael, is he employed by the
2 agency or is he employed by the group home?

3 **MR. KEOUGH:** I would think it was the
4 agency. I think his paycheque came from the agency. Like,
5 it wasn't a separate -- I don't believe it was a separate
6 financial thing. It was all agency.

7 **MR. DUMAIS:** What about the hiring and the
8 firing, did that responsibility rest with Mr. Tenger or
9 yourself or ---

10 **MR. KEOUGH:** Not me. I think it was Mr.
11 Tenger's responsibility to hire.

12 **MR. DUMAIS:** Okay. So he's hiring whoever
13 he wants or whoever he chooses.

14 **MR. KEOUGH:** Yes, as Mr. Rabey did. I think
15 it was Mr. Rabey that hired my brother; it wasn't -- I
16 don't -- he hired my brother on behalf of the agency, but I
17 think that was his responsibility.

18 **MR. DUMAIS:** Okay. And all these other
19 workers are exclusively assigned to the group homes, so --
20 -

21 **MR. KEOUGH:** Yes.

22 **MR. DUMAIS:** --- they're not involved with
23 any foster children. Is that correct?

24 **MR. KEOUGH:** No, they were strictly group
25 home.

1 **MR. DUMAIS:** And so if -- am I understanding
2 that correctly that then, essentially, if a child is placed
3 in this group home, Mr. Tenger becomes that child's care
4 worker?

5 **MR. KEOUGH:** No, I believe the worker that
6 had that child at the agency remained the worker.

7 **MR. DUMAIS:** Okay. And that worker would
8 continue to attend at the group home in the same fashion
9 that they would visit a foster home at that time?

10 **MR. KEOUGH:** The worker would continue to be
11 responsible for that child, yes.

12 **MR. DUMAIS:** Okay. So continues to be
13 responsible for that child but would the worker then
14 continued to visit the child in the group home?

15 **MR. KEOUGH:** Yes. Yes.

16 **MR. DUMAIS:** Yeah, okay. That includes
17 visiting then?

18 **MR. KEOUGH:** Yes.

19 **MR. DUMAIS:** All right

20 Now, we are going to talk about the corporal
21 punishment policy because it becomes relevant at one point-
22 in-time.

23 And do you recall whether or not the agency,
24 when you first became involved with the group home, had a
25 policy on corporal punishment?

1 **MR. KEOUGH:** No, they did not.

2 **MR. DUMAIS:** And do you recall that that
3 became a point of contention as to what corporal punishment
4 was being used in this particular group home?

5 **MR. KEOUGH:** It did.

6 **MR. DUMAIS:** All right. And if we can just
7 start, Bryan, by if you can indicate to us what you
8 observed yourself or the personal knowledge that you have
9 of what corporal punishment was being used in this group
10 home?

11 **MR. KEOUGH:** I observed corporal punishment
12 being used once actually, and that was with a girl I had
13 brought to the home.

14 **MR. DUMAIS:** Yes, in your -- that would be
15 C-75.

16 **MR. KEOUGH:** Oh, is it? Okay.

17 **MR. DUMAIS:** Perhaps we can just show you
18 the name just to make sure I have ---

19 **(SHORT PAUSE/COURTE PAUSE)**

20 **MR. KEOUGH:** Yes, C-75.

21 **MR. DUMAIS:** All right. And we will get to
22 those circumstances a bit later, but so this is something
23 that you had observed yourself?

24 **MR. KEOUGH:** Yes.

25 **MR. DUMAIS:** And what had you observed then?

1 **MR. KEOUGH:** She was given the strap on her
2 buttocks.

3 **MR. DUMAIS:** All right. So do you recall
4 who was administering the corporal punishment then?

5 **MR. KEOUGH:** I believe it was a man by the
6 name of Gerry. I believe it was him.

7 **MR. DUMAIS:** Okay. And do you recall who
8 had sanctioned that punishment?

9 **MR. KEOUGH:** Mr. Tenger.

10 **MR. DUMAIS:** Okay. Mr. Tenger you said?

11 **MR. KEOUGH:** Yes.

12 **MR. DUMAIS:** All right. And was that on
13 your recommendation, Bryan?

14 **MR. KEOUGH:** No.

15 **MR. DUMAIS:** So this is just that he had
16 looked at the facts, or you had just come in with that
17 child. Is that correct?

18 **MR. KEOUGH:** Yes, I had.

19 **MR. DUMAIS:** And we'll go through some of
20 the facts a little later on, but following that, he would
21 have decided that corporal punishment should be
22 administered?

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** All right. And do you recall
25 anything else, any other form of punishment being

1 administered to C-75 that night?

2 MR. KEOUGH: No, I left after.

3 MR. DUMAIS: Okay. So after you witnessed
4 the strapping, you would have left?

5 MR. KEOUGH: Yes, I did.

6 MR. DUMAIS: All right. And the strapping
7 on the buttocks, do you recall how many times she was
8 strapped?

9 MR. KEOUGH: Four, five, I didn't ---

10 MR. DUMAIS: Okay. And do you recall
11 whether or not that was strapping over the clothing or
12 under her clothing?

13 MR. KEOUGH: It was over.

14 MR. DUMAIS: It was over?

15 MR. KEOUGH: Yes.

16 MR. DUMAIS: All right.

17 And what was your personal view on that,
18 Bryan, at that time? Did you feel that this was
19 appropriate?

20 MR. KEOUGH: That night?

21 MR. DUMAIS: Yes.

22 MR. KEOUGH: Oh, at that time, I also
23 believed in corporal punishment.

24 MR. DUMAIS: Yes.

25 MR. KEOUGH: Under certain conditions. I

1 was bothered by the corporal punishment that night for two
2 reasons.

3 One, this girl that I brought was a new
4 placement and she was given the strap for things she had
5 done prior to entering the home, and I had always been of
6 the opinion that when you entered a foster home or a group
7 home or any home, you always entered with a clean slate.
8 No matter what had happened prior to that, you started from
9 a clean slate.

10 Yet the strap was administered because of
11 supposedly two boys she had been with that weekend.

12 **MR. DUMAIS:** M'hm.

13 **MR. KEOUGH:** The other thing that bothered
14 me was that Mr. Tenger was very angry that night when he
15 required the strap to be given, and his voice was very
16 loud, his complexion was red, and I've always believed that
17 if you administer corporal punishment, you never do it out
18 of anger. And I remember those two things.

19 **MR. DUMAIS:** All right. So was it your view
20 that Mr. Tenger would have lost control? Is that a fair
21 way of describing it?

22 **MR. KEOUGH:** Yes.

23 **MR. DUMAIS:** All right.

24 So this one thing that -- one particular
25 incident that you would have noticed. Generally speaking,

1 were you aware of any other form of corporal punishment
2 that was being used in the home?

3 **MR. KEOUGH:** Of corporal punishment?

4 **MR. DUMAIS:** Yes.

5 **MR. KEOUGH:** No. I'm aware of other means
6 of punishment that they used but not corporal punishment.

7 **MR. DUMAIS:** Okay. So what were the other
8 means of punishment?

9 **MR. KEOUGH:** It was -- we are in the winter
10 months, I think it was February, March. They had a pile of
11 snow in the backyard and whenever the kids would get too
12 difficult to handle, they would go out and have to shovel
13 snow, and it was kind of shovel one snow to a pile and then
14 shovel it back; this type of thing. It wasn't clearing the
15 driveway. It was a pile that was moved.

16 Mr. Tenger also believed that -- to give the
17 kids what he called "brainless activity" where they were
18 asked to wash some tiles with a toothbrush. His reasoning
19 for that was that while they were doing a brainless
20 activity, they could think about what -- the reason for
21 them doing that; think of the action that caused them being
22 disciplined.

23 If they didn't eat what was put in front of
24 them, it was reheated at the next meal.

25 They were given things to write. I forget

1 what those things were, but they had to write things like
2 "I will not do this again" or whatever. I'm not sure, but
3 they had to write stuff.

4 There was quiet time where they were sent to
5 their room; stand in a corner; withholding of privileges;
6 that type of stuff.

7 **MR. DUMAIS:** Okay. So these are the things
8 that you understood were being used in the group home as
9 punishment, right?

10 **MR. KEOUGH:** Yes.

11 **MR. DUMAIS:** And, I mean, we'll get into
12 some of the specifics when we review events at the
13 meetings.

14 And you've just described to us what Mr.
15 Tenger's philosophy was on corporal punishment or
16 punishment at large. Were you having these discussions
17 with him? Was there an exchange of ideas or when did this
18 come out?

19 **MR. KEOUGH:** Well, we would have coffees
20 together and, you know, he'd be at the agency and he would
21 talk about the home and this type of stuff. It was -- he
22 often talked about -- Mr. Tenger was from England and he
23 often talked about those means of discipline being used in
24 England and how effective they were, and this type of
25 stuff.

1 **MR. DUMAIS:** And were you convinced by his
2 arguments -- with his arguments?

3 **MR. KEOUGH:** Convinced that they were
4 effective?

5 **MR. DUMAIS:** Did you agree with what he's
6 doing?

7 **MR. KEOUGH:** I had no serious issue with
8 what he was doing.

9 **MR. DUMAIS:** No issues serious enough at
10 that time that you would report the matter back to the
11 agency and express your concern about the form of corporal
12 punishment being used at the home?

13 **MR. KEOUGH:** That's right. Like I was using
14 -- well, not the same things, but I was using similar means
15 of punishment with my kids. Like if they -- you know, if
16 they needed a spanking, I'd give them a spanking. They
17 stood in the corner. I withheld privileges at different
18 times; this type of stuff.

19 **MR. DUMAIS:** All right. And we are going to
20 get to some of the meetings that happened at the agency in
21 March of 1976, but prior to them, generally, was there just
22 general discussions on corporal punishment and what was
23 acceptable and what was not at the agency?

24 **MR. KEOUGH:** Yes, there was.

25 **MR. DUMAIS:** And, well, can you just explain

1 to us whether or not everyone was in agreement and if not,
2 what were the different sides?

3 MR. KEOUGH: Not everyone was in agreement,
4 and different views were from yes to no to in between. It
5 was all over the scale. There was no policy, so it was all
6 left to personal opinion, personal views, yeah.

7 MR. DUMAIS: You indicated, Bryan, at one
8 point in time, that -- or just earlier on, that Mr.
9 Towndale had been -- remained your supervisor during that
10 period of time. Do you know what his position was on
11 corporal punishment?

12 MR. KEOUGH: He was against it.

13 MR. DUMAIS: He was against it? All right.

14 MR. KEOUGH: Yes.

15 MR. DUMAIS: And did you -- would you ever,
16 Bryan, have observed any children placed in the group home
17 being made to strip down to their underwear?

18 MR. KEOUGH: No.

19 MR. DUMAIS: You never observed that?

20 MR. KEOUGH: No.

21 MR. DUMAIS: All right.

22 And did you ever observe or were you ever
23 made aware -- and I'm talking about prior to March 1976 --
24 that some of these children's pants were being pulled down
25 ---

1 MR. KEOUGH: No.

2 MR. DUMAIS: --- to administer the strap?

3 MR. KEOUGH: No.

4 MR. DUMAIS: And did -- and do you recall
5 yourself, Bryan, ever administering any corporal punishment
6 in the group home?

7 MR. KEOUGH: I did, once.

8 MR. DUMAIS: And can you just tell us about
9 that, just briefly?

10 MR. KEOUGH: It was a young boy, [REDACTED], I
11 believe his name was. Oh, I shouldn't have mentioned the
12 name. Sorry.

13 MR. DUMAIS: Yeah.

14 MR. KEOUGH: Okay. I apologize.

15 A young boy. I forget what the incident was. I gave him
16 three or four straps.

17 MR. DUMAIS: And again, with that, would the
18 strapping have occurred on the buttocks?

19 MR. KEOUGH: Yeah.

20 MR. DUMAIS: And would his pants have been
21 pulled down?

22 MR. KEOUGH: No.

23 MR. DUMAIS: All right.

24 MR. KEOUGH: No.

25 MR. DUMAIS: Now, if I can then just take

1 you to Exhibit 2212?

2 **THE COMMISSIONER:** Two-two-one-two (2212)?

3 **MR. DUMAIS:** So this is a report of the
4 Personnel Committee, Bryan, that was prepared by apparently
5 a Ms. Follon. Her name is typed up at the end of the
6 report. And it's sort of a timeline and a chronology of
7 the different events that occurred with respect to the
8 Second Street Group Home in the month of March 1976.

9 And I think the first thing that the report
10 discloses -- and I'm just looking at the first line of the
11 page -- that Mr. Towndale appears to be the Acting Director
12 at that time. Is that your recollection as well?

13 **MR. KEOUGH:** Yes.

14 **MR. DUMAIS:** And this appears to be --
15 perhaps I'll just read the first paragraph:

16 "On March 5th, Acting Director Angelo
17 Towndale, Supervisor Dave Devlin, and
18 Board members Canon Irwin, met with
19 Derry Tenger, Director of the group
20 home, and Mike Keough and Bryan Keough,
21 staff of the group home."

22 You note here, Bryan, that in this report it
23 appears that they're describing you or identifying you as
24 one of the staff members of the group home.

25 **MR. KEOUGH:** They do at this place and then

1 they don't at other places.

2 **MR. DUMAIS:** All right.

3 **MR. KEOUGH:** I never was a staff there.

4 **MR. DUMAIS:** Okay. And I'm just -- I'll
5 just keep going on the same paragraph:

6 "The purpose of that meeting was to
7 discuss the use of physical punishment
8 at the group home. Mr. Towndale, Mr.
9 Devlin were very much opposed to
10 corporal punishment, but Mr. Tenger
11 felt it was a very important part of
12 his program and was reluctant to give
13 it up. Mr. Tenger was told to be
14 extremely careful in the use of
15 corporal punishment until a policy was
16 developed by the Personnel Committee of
17 the Board."

18 So the use -- the specific use of corporal
19 punishment at the group home was an issue being discussed
20 by the Personnel Committee prior to the events where -- and
21 by that I mean where the kids ran away from the group home
22 and were eventually interviewed. Is that correct?

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** All right.

25 And is it fair to say that after that March

1 5th meeting, that people taking part in that meeting
2 disagreed?

3 MR. KEOUGH: Disagreed with?

4 MR. DUMAIS: On the use of corporal
5 punishment in the group home?

6 MR. KEOUGH: Some did, yes.

7 MR. DUMAIS: Okay. Do you recall that
8 meeting?

9 MR. KEOUGH: No.

10 MR. DUMAIS: So then the next entry is on
11 Sunday, March 7th where three girls would have run away from
12 the group home and been picked up by the police, and they
13 would have made a complaint at that time about strapping at
14 the group home. So do you recall those three girls running
15 away from the group home?

16 MR. KEOUGH: I recall them running. I
17 wasn't involved in it.

18 MR. DUMAIS: So you weren't involved, then,
19 in bringing the girls back to the group home?

20 MR. KEOUGH: No, I wasn't.

21 MR. DUMAIS: And if I ask you which three
22 girls would have run away, would you remember that today?

23 MR. KEOUGH: I believe Jeannette was one of
24 them.

25 MR. DUMAIS: All right.

1 Now, my understanding is then, if we look at
2 the next entry on March 8th of that same year, that as a
3 result of these three girls running away, permission would
4 have been sought and denied by the Personnel Committee to
5 strap the three girls as a form of punishment. Were you
6 aware of that at that time? Did you participate in those
7 discussions?

8 **MR. KEOUGH:** No, I don't remember any such
9 discussions.

10 **MR. DUMAIS:** All right.

11 Now, my understanding is that then Mr.
12 Towndale would have become concerned about the corporal
13 punishment that was being administered at the group home
14 and a decision had been made to meet with the children that
15 were residing there. And that's the entry on -- at Monday
16 evening. So my understanding is that there's two sets of
17 interviews being conducted and that the children were being
18 interviewed individually with Mr. Towndale and Ms. Gratton
19 interviewing the boys and then Sister Quesnelle and Ms.
20 Follon interviewing the girls.

21 **MR. KEOUGH:** Yeah, I see that.

22 **MR. DUMAIS:** So were you there at the --
23 were you present when these interviews were being
24 conducted?

25 **MR. KEOUGH:** No.

1 **MR. DUMAIS:** Were you made aware that these
2 interviews were being conducted?

3 **MR. KEOUGH:** We were aware the following day
4 when we came into the office and the staff were talking
5 about some interviews taking place the night before and
6 this type of stuff. Like, that was kind of just scuttle
7 talk around the office.

8 **MR. DUMAIS:** Okay. And so my understanding
9 is that the next section in the report is a summary of what
10 -- some of the things that the children would have told
11 whoever was interviewing them. And I'm just going to take
12 you through some of the recordings that the Personnel
13 Committee was making.

14 So my first question, if we look at the
15 first paragraph, and that has to do with C-75. And perhaps
16 what I'll do is I'll read the paragraph, but was that the
17 incident that you referred to earlier where after this
18 incident you had taken C-75 to the group home and the
19 strapping would have been administered?

20 **MR. KEOUGH:** Where are you now?

21 **MR. DUMAIS:** I'm still at the first page of
22 that report.

23 **MR. KEOUGH:** Oh, okay. Sorry.

24 **MR. DUMAIS:** So you see C-75's name?

25 **MR. KEOUGH:** Yes. Oh, okay. I have it.

1 **MR. DUMAIS:** So let me just read out firstly
2 what the recording was:

3 "Picked up at OPP Long Sault by Bryan
4 Keough. Brought to Mrs. Matte's
5 receiving home. Was sent to room and
6 told to strip but refused. Scuffle
7 with Bryan in the bedroom. He bodily
8 took off slacks, jersey, bra. She was
9 given a housecoat and she removed her
10 own underpants. Hands and feet were
11 bound with nylon and door locked. She
12 got out of bindings and Bryan tied
13 tighter. Left from 2:00 in the
14 afternoon to 8:00 at night. Said hands
15 were sore and swollen. When Bryan
16 left, Mrs. Matte came to the room. [C-
17 75] asked to be untied. Mrs. Matte
18 said she could not asked to be untied.
19 Mrs. Matte said she could not. Mrs.
20 Matte gave C-75 her meal. At 8 o'clock
21 she would have been brought to the
22 group home."

23 **MR. KEOUGH:** That would have been February
24 the 28th.

25 **MR. DUMAIS:** So do you recall this -- I

1 don't know if you can call it an apprehension, but do you
2 recall this involvement with C-75?

3 **MR. KEOUGH:** Yes, not outlined as she does,
4 but I recall it, yes.

5 **MR. DUMAIS:** All right.

6 So what parts do you agree with and what
7 parts do you not agree with there, Bryan?

8 **MR. KEOUGH:** It was Saturday afternoon. I
9 got a call from the OPP in Long Sault to pick up a teenage
10 girl that was a runaway. I went to the OPP station. She
11 was there. I took her from the station and put her in the
12 car.

13 When we left the OPP station a car started
14 to follow us, and I know that because C-75 kept looking
15 back at the car. C-75 was very agitated, very aggressive.
16 On several occasions she tried to unstrap her seatbelt and
17 open up the door.

18 I proceeded to Cornwall and lost the car
19 that was following us in town. I then went to Mrs. Matte's
20 place, brought C-75 into the home; did indeed take her to
21 the room, asked her to disrobe and put a housecoat on, and
22 I did tie her to the bed. I left the home. When I left
23 the home I was sure I seen C-75 in the doorway as I was
24 leaving.

25 I later phoned Mr. Devlin, my supervisor,

1 told him what I had done. He immediately reprimanded me on
2 the phone, something which I expected because after I left
3 the home I realized just how big an error in judgment I had
4 made.

5 I then documented that in the 24-hour duty
6 roster and later that night picked C-75 up to take her to
7 the group home.

8 I apologized to her for my actions earlier
9 that day and told her that I had been inappropriate, and
10 that what I had done I should not have done, and then I
11 took her to the home.

12 **MR. DUMAIS:** And we know, Bryan, that she
13 was strapped there when she got there; correct?

14 **MR. KEOUGH:** Yes.

15 **MR. DUMAIS:** And when you called Mr. Devlin
16 you knew at that time, Bryan, that your actions had been
17 inappropriate?

18 **MR. KEOUGH:** When I drove away from the
19 house it -- you know, you do something totally stupid and
20 all of a sudden you realize, "Why did I do something that
21 stupid?" It was that kind of -- yeah, he needed to
22 reprimand me because it was totally inappropriate.

23 **MR. DUMAIS:** And C-75, Bryan, was she a --
24 one of your -- a foster child that you have care of her
25 file?

1 **MR. KEOUGH:** I had never seen her before
2 that day.

3 **MR. DUMAIS:** All right. And after she was
4 brought to the group home, did you have any further
5 dealings with her?

6 **MR. KEOUGH:** No.

7 **MR. DUMAIS:** All right.

8 Now, if I -- looking at the report of the
9 Personnel Committee, and I'm just looking at the last two
10 entries on that top page, and I'm assuming this is how --
11 this is C-75 explaining the events that followed that
12 night. So the second-last bullet indicates:

13 "Forced to do housework all night in
14 bra and panties in front of staff.
15 Staff took turns watching over her."

16 Were you aware that -- whether or not this
17 happened in the group home?

18 **MR. KEOUGH:** I was aware of that following
19 day when talk went around the office. I think it was --
20 well, it couldn't be the following day. It was Saturday,
21 so there's Sunday -- it would have been the following week
22 when kind of everything blew up, you know, and then I found
23 out, yeah.

24 **MR. DUMAIS:** Okay.

25 Did you know, Bryan, about this specific

1 detail prior to the meeting with the Personnel Committee?
2 I guess what I'm asking is whether or not you would have
3 heard this from staff members of the group home; they would
4 have told you this ---

5 MR. KEOUGH: I can't remember that. I don't
6 remember.

7 MR. DUMAIS: And then the last entry is,
8 "Had to take cold shower every hour during the night", and
9 again do you find that out just at the Personnel Committee
10 meeting?

11 MR. KEOUGH: I wasn't aware of that.

12 MR. DUMAIS: All right.

13 If you can just simply turn at the following
14 page, so Bates page 762 - number 2; page number 2 of the
15 report. It's the third bullet there.

16 So it reads as follows:

17 "Sister Theresa and Ms. Follon examined
18 bruises still remaining on C-75's
19 buttocks after one week."

20 MR. KEOUGH: I don't know where you are,
21 sorry.

22 MR. DUMAIS: Oh sorry. Bates page 762, so
23 page number 2.

24 MR. KEOUGH: Okay. Yes.

25 MR. DUMAIS: The third bullet from the top.

1 **MR. KEOUGH:** Oh yes, got you. Okay.

2 **MR. DUMAIS:** So you see that, that they --
3 this. And as you indicated, this would have been in --
4 your involvement with C-75 would have been at the end of
5 February 1976, and the examination would have been in March
6 of 1976.

7 And this is an observation the Sister and
8 Ms. Follon were making and they're indicating there that
9 they could still observe bruising on her buttocks?

10 **MR. KEOUGH:** Yeah.

11 **MR. DUMAIS:** Now, they go on to summarize
12 some of the other allegations that the children were making
13 when they were interviewed, so one of them being:

14 "Made to wash the hardwood floors with
15 a toothbrush".

16 You already indicated that you were aware of
17 that.

18 "Shovelling the huge pile of snow from
19 one side of the yard to another for
20 hours."

21 I think the only detail here is that they
22 were made to get up at 5:00 -- I'm assuming it's 5:00 in
23 the morning -- to do that.

24 One of the other allegations, that's the
25 following bullet:

1 "To kneel for hours in a corner on a
2 pile of beans."

3 If I just keep going down those bullets, so
4 it's the seventh bullet in that summary:

5 "One boy was strapped every night for a
6 week because he was jumping on the bed
7 and making noise at night."

8 And then following that:

9 "One girl was strapped by the staff
10 member she liked best."

11 Then there was some grounding, which you
12 alluded to before, and then it's:

13 "A boy was too afraid to ask for
14 glasses."

15 Then:

16 "Sometimes the children were strapped
17 in front of everyone."

18 So, essentially, they're summarizing here
19 every allegation that has been made by the children, and my
20 understanding -- and this was on March 8th -- then on the
21 following day, so on the Tuesday, March 9th, there would
22 have been a further meeting of the Personnel Committee, and
23 there's a list of people that had been involved there.

24 So Mrs. Labekovski, Mr. Crites, Ms. Follon,
25 Mr. Leblanc, all members of the Personnel Committee, along

1 with Ms. Stiles, Mr. Canon Irwin, as well as Mr. Towndale,
2 Mr. Devlin, Ms. Gratton and Sister Theresa.

3 And if we look on the following page, there
4 would have been some sort of a summary of the interviews
5 that had been made. There was some sort of presentation by
6 John McKee, who was the Director of Laurencrest.

7 And -- sorry, if I can just take you at the
8 top of that page, I'll just read out:

9 "A report of the children's interview
10 was read to the committee and the
11 committee was cautioned that we should
12 hear the staff side of the story before
13 any judgments were made."

14 And my understanding then is that the people
15 involved with the group home would have been brought in to
16 the meeting. Is that correct?

17 **MR. KEOUGH:** Yes.

18 **MR. DUMAIS:** And you were present there?

19 **MR. KEOUGH:** Yes, I was.

20 **MR. DUMAIS:** You were present with
21 Mr. Tenger; present with Mr. Keough; and yourself. Is that
22 correct?

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** All right.

25 And if I can just read you the summary of

1 the position of the staff, so that's the third bullet on
2 that page.

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

4 **MR. DUMAIS:** So it's:

5 "Mr. Tenger, Michael Keough and Bryan
6 Keough then joined the meeting to
7 discuss their views on physical
8 punishment as well as other forms of
9 discipline used at the home. They felt
10 that their actions were justified and,
11 in their opinions, the behaviour of the
12 children had greatly improved both at
13 the home and at school. When
14 questioned by the committee, the staff
15 verified that the statements of the
16 children were true. This was a very
17 emotional meeting with widely different
18 views being voiced."

19 **MR. KEOUGH:** Yes.

20 **MR. DUMAIS:** So my understanding of this is
21 that the summary of the interviews that we have just gone
22 through on the previous page would have been put to Mr.
23 Tenger, your brother and yourself and that you would have
24 confirmed that they were truthful. Is that correct?

25 **MR. KEOUGH:** I don't remember. I remember

1 that meeting. I remember talking and being asked about
2 corporal punishment and our views on corporal punishment.
3 I remember it being a very heated meeting in terms of
4 voicing one's views, but I don't remember any specific
5 allegations being discussed.

6 I remember the meeting solely focused on
7 corporal punishment.

8 **MR. DUMAIS:** All right.

9 **MR. KEOUGH:** Not the abuse of corporal
10 punishment.

11 **MR. DUMAIS:** But certainly you'll agree with
12 me that that paragraph towards the end indicates that the
13 staff would have verified that the statements of the
14 children were true. Do you see that?

15 **MR. KEOUGH:** Yes, and what I remember from
16 that is not the degree. Do you know what I mean?

17 **THE COMMISSIONER:** Mr. ---

18 **MR. CHISHOLM:** Just for a point of
19 clarification, Mr. Keough has stated he was not a member of
20 the staff, so perhaps Mr. Dumais wants to explore that.

21 **THE COMMISSIONER:** How much longer do you
22 think you have with this witness, sir?

23 **MR. DUMAIS:** About 35-40 minutes,
24 Mr. Commissioner.

25 **THE COMMISSIONER:** All right. Well, let's

1 finish off this section here.

2 MR. DUMAIS: Okay.

3 THE COMMISSIONER: Well, not this section;
4 just where you -- the meeting that night and then we'll
5 stop and we'll go for the ---

6 MR. DUMAIS: All right. Bryan, you don't
7 recall the specifics of the statements being provided to
8 you at that meeting?

9 MR. KEOUGH: Yes.

10 MR. DUMAIS: And ---

11 MR. KEOUGH: Like I don't remember being
12 faced at that meeting with, "One boy was strapped every
13 night for a week because he was jumping on the bed and
14 making noise at night." I don't remember ever saying,
15 "Yes, that's okay."

16 MR. DUMAIS: M'hm.

17 MR. KEOUGH: You know? I remember voicing
18 my view on corporal punishment within certain parameters
19 but not ever saying, "Yes, this is good. It's helping the
20 boy."

21 I remember the discussion being, like I
22 said, a heated one and an emotional one centring around the
23 use of corporal punishment, and it going all over the
24 board; even at the meeting going all over the board.

25 MR. DUMAIS: And do you recall what

1 Mr. Tenger's position was at that meeting?

2 MR. KEOUGH: Mr. Tenger's position would
3 have been that everything that they were doing was the
4 right thing.

5 MR. KEOUGH: And do you recall whether or
6 not your brother was of the same view?

7 MR. KEOUGH: My brother would have backed up
8 Mr. Tenger. He was very -- what's the word I'm looking
9 for? He was very committed to Mr. Tenger, as were all the
10 staff.

11 MR. DUMAIS: Okay. And what about yourself,
12 Bryan; what were your views?

13 MR. KEOUGH: Well, when I started at the
14 agency Mr. Tenger was my -- became my coach, so to speak.

15 MR. DUMAIS: Yes.

16 MR. KEOUGH: And we had become over time
17 good friends. That ended with the group home.

18 MR. DUMAIS: Perhaps that's a good place to
19 stop, Mr. Commissioner.

20 THE COMMISSIONER: Okay. So you can come
21 back at 2:00, sir.

22 At 1:45, we will be doing an in-camera
23 session just to clear up some monikers and things.

24 MR. KEOUGH: Thank you.

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

1 veuillez vous lever.

2 This hearing will resume at 1:45 for an in-
3 camera session.

4 --- Upon recessing in public at 12:31 p.m. to resume in
5 camera/

6 L'audience est suspendue en public à 12h31 pour
7 reprendre à huis clos

8 --- Upon resuming in public at 2:02 p.m./

9 L'audience est reprise en public à 14h02

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

12 This hearing is now resumed. Please be
13 seated.

14 Veuillez vous asseoir.

15 **BRYAN KEOUGH, Resumed/Sous le même serment:**

16 **THE COMMISSIONER:** Good afternoon, sir. How
17 was lunch?

18 **MR. KEOUGH:** I didn't eat.

19 **THE COMMISSIONER:** I can understand. All
20 right; Mr. Dumais?

21 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR MR.**
22 **DUMAIS (Cont'd/Suite):**

23 **MR. DUMAIS:** All right, Bryan, before we
24 left off right before the lunch, we were looking through
25 the report of the personnel committee dated April 1st, 1976,

1 and we had just gone -- finished going through the meeting
2 of March 9th, 1976. And before we started looking through
3 what had happened at that meeting, I provided you with a
4 list, or I had listed a number of people that had attended
5 one of those meetings, that particular meeting, some of
6 them being employees of the Children's Aid Society; some of
7 them being directors of the Board.

8 There was one particular gentleman by the
9 name of Canon Irwin that's identified there. Do you know
10 this gentleman?

11 **MR. KEOUGH:** He was Mr. Tenger's pastor.

12 **MR. DUMAIS:** Pardon me?

13 **MR. KEOUGH:** He was Mr. Tenger's pastor.

14 **MR. DUMAIS:** Okay. And was he also on the
15 Board of Directors of the Children's Aid Society?

16 **MR. KEOUGH:** Yes, he was.

17 **MR. DUMAIS:** And you actually recall him
18 being there at that particular meeting, March 9th?

19 **MR. KEOUGH:** No, I don't, but he was on the
20 Board.

21 **MR. DUMAIS:** Okay. If I can just ask you to
22 look at Exhibit 2210 which is the Crown brief that Officer
23 White prepared in 1995. And if you can have a look at
24 Bates page 450.

25 My understanding is that Officer White would

1 have, at one point-in-time, interviewed Mr. Sidney Irwin,
2 and that's the same gentleman that's also referred to as
3 Canon Irwin. Is that correct?

4 MR. KEOUGH: Yes.

5 MR. DUMAIS: And so he would have given this
6 statement in the course of Officer White's investigation.

7 And if I can bring your attention to about
8 mid-page, the sentence that starts with, "I was aware".

9 MR. KEOUGH: Yes, I have it.

10 MR. DUMAIS: "I was aware that this
11 particular group home was under the
12 direction of Derry Tenger and Bryan
13 Keough."

14 So he appears to characterize the fact that
15 both you and Mr. Tenger were the directors. Would you
16 agree with that characterization?

17 MR. KEOUGH: No.

18 MR. DUMAIS: And as you've indicated this
19 morning, in the -- not the next paragraph but the one
20 following, he does confirm as well that he would have met
21 you through Mr. Tenger and indicates that:

22 "The two would have spent a lot of time
23 together."

24 And I think you've indicated previously that
25 you guys were friends?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** If you can then turn to the
3 next page? I'm reading from the top paragraph:

4 "I remember Derry Tenger and Bryan
5 Keough showing up at my cottage in
6 Barrie, Ontario. They wanted me to go
7 to the CAS Board and plead their case
8 because I think they were afraid that
9 they were going to lose their jobs
10 because of the way that they ran the
11 group home."

12 So do you recall that, travelling to Mr.
13 Irwin's cottage and having that discussion with him?

14 **MR. KEOUGH:** No, I don't.

15 **MR. DUMAIS:** You don't?

16 **MR. KEOUGH:** No.

17 **MR. DUMAIS:** No recollection at all?

18 **MR. KEOUGH:** No. It may have happened but I
19 don't remember. I don't remember it.

20 **MR. DUMAIS:** Okay.

21 And do you know whether or not Mr. Irwin,
22 Mr. Tenger had any type of relationship? Were they
23 friends?

24 **MR. KEOUGH:** They appeared to be close, yes.

25 **MR. DUMAIS:** All right.

1 **MR. KEOUGH:** Mr. Tenger was the Choirmaster
2 at the church, so he was involved in ministry at the -- I
3 believe it was the Anglican church.

4 **MR. DUMAIS:** All right.

5 And do you remember if at this March 9th
6 meeting whether or not Mr. Irwin was supportive of the
7 position that the Second Street Group Home staff took on
8 discipline?

9 **MR. KEOUGH:** I thought he was.

10 **MR. DUMAIS:** Do you remember him voicing his
11 opinion?

12 **MR. KEOUGH:** No, I don't.

13 **MR. DUMAIS:** All right. So just one last
14 point in the statement.

15 So it's the third paragraph from the bottom,
16 first line. So it reads as follows:

17 "I was of the opinion that Derry Tenger
18 was almost sadistic in nature, that
19 someone of his character might be
20 inclined to be too harsh in his handing
21 out discipline."

22 **MR. KEOUGH:** I never had that opinion. I
23 never thought that Canon Irwin had that opinion of Derry
24 Tenger.

25 **MR. DUMAIS:** Do you recall whether or not

1 Mr. Irwin would have voiced this opinion of Mr. Tenger at
2 that March 9th meeting?

3 MR. KEOUGH: I was of the opinion that he
4 was one of the ones that supported corporal punishment.

5 MR. DUMAIS: All right.

6 If I can just take you back to the Personnel
7 Committee report, so Exhibit 2212.

8 So following March 9th, 1976, Bryan, were you
9 still acting as a liaison between the agency and the group
10 home?

11 MR. KEOUGH: It gets all confusing near the
12 end because a lot of things were happening, a lot of
13 meetings were taking place. I don't believe I was. But it
14 was all, like, it happened quickly and a lot of things
15 happened at the same time. No new children went into the
16 home ---

17 MR. DUMAIS: Pardon me?

18 MR. KEOUGH: --- I don't believe any other
19 children were being admitted to the home. I don't remember
20 from kind of this point on being involved in any
21 discussions in terms of whether a child should go to that
22 home or whether anything was being looked into in terms of
23 another placement or anything like that, but ---

24 MR. DUMAIS: Sorry.

25 MR. KEOUGH: And that was basically my

1 mandate as a liaison person between the home and the
2 agency.

3 **MR. DUMAIS:** But certainly if children, new
4 children, were not being admitted to the home, the ones
5 that had been interviewed at that point-in-time still
6 remained within the home. Is that correct?

7 **MR. KEOUGH:** I believe so, yeah. I'm not
8 sure of the dates at the moment, but ---

9 **MR. DUMAIS:** And I guess the only reason why
10 I believe that is, if you look at the entry on Wednesday,
11 March 10, there appears to have been five children who
12 would have run away on that date, so a number of the kids
13 are identified here. And after they ran away, it's
14 indicated here that they would have returned to the
15 Children's Aid Society and asked to speak to Sister Theresa
16 and Mrs. Follon.

17 **MR. KEOUGH:** Yes.

18 **MR. DUMAIS:** You see that?

19 **MR. KEOUGH:** Yes, I see it.

20 I would say from that point, around -- at
21 least around that point, I no longer was the liaison
22 officer because all discussions and meetings were organized
23 directly by Mr. Tenger and the agency because of the -- the
24 crisis that we were involved in.

25 **MR. DUMAIS:** But do you -- do you remember

1 specifically if your supervisor or the Board or someone
2 else from the agency would have come and seen you and ---

3 **MR. KEOUGH:** No, no, I don't remember that.

4 **MR. DUMAIS:** Now, if we look, if you flip
5 the page and look at Bates page 764, so the entry on March
6 11th.

7 So the first sentence:

8 "Mr. Towndale felt that the situation
9 at the group home had deteriorated to
10 such an extent that he decided to
11 remove Mr. Tenger from his position as
12 director of the group home, effective
13 immediately."

14 So were you made aware of that at one point-
15 in-time, or do you ---

16 **MR. KEOUGH:** Yes I was.

17 **MR. DUMAIS:** All right.

18 And my understanding is that shortly
19 afterwards they would have met with the staff of the group
20 home to discuss their position on the punishment that was
21 being administered at the group home.

22 And if you look at the following page, Bates
23 page 765, it appears that they would have requested that
24 the following people -- Heather Tenger, Mike Keough, Jerry
25 McGillis, Ann Jaeger -- submit their resignation?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** So is that your understanding?
3 That essentially all of the staff of the group home were
4 asked to submit their resignation?

5 **MR. KEOUGH:** Yes.

6 **MR. DUMAIS:** And does the name Ann Jaeger
7 mean anything to you or is that ---

8 **MR. KEOUGH:** I think she was the cook I was
9 referring to a little while ago. I'm not sure but I think
10 she was the cook.

11 **MR. DUMAIS:** And it appears that she was
12 also requested to submit her resignation. Is that correct?

13 **MR. KEOUGH:** Yes.

14 **MR. DUMAIS:** And are you aware that she
15 would have any other duties other than being the cook in
16 this group home?

17 **MR. KEOUGH:** No.

18 **MR. DUMAIS:** All right.

19 **MR. KEOUGH:** It may not be her that I'm
20 referring to as the cook, but I thought, you know.

21 **MR. DUMAIS:** And following these events, no
22 one met with you, Bryan, indicating whether or not you
23 wanted to take over or become the director of the group
24 home?

25 **MR. KEOUGH:** No.

1 **MR. DUMAIS:** Did you have any dealing
2 whatsoever concerning your part in these events? Did
3 anyone ever meet with you afterwards?

4 **MR. KEOUGH:** Mr. Towndale did.

5 **MR. DUMAIS:** Okay. And so he met with you
6 shortly afterwards?

7 **MR. KEOUGH:** Yes.

8 **MR. DUMAIS:** And what was the conversation
9 about?

10 **MR. KEOUGH:** He voiced his opinion that he
11 was greatly disappointed in me as a worker and that a
12 reprimand would go in my file, and that he hoped for
13 better. It was stuff along that line.

14 **MR. DUMAIS:** All right.

15 **THE COMMISSIONER:** And how was that received
16 by you, sir?

17 **MR. KEOUGH:** He was right.

18 **THE COMMISSIONER:** Did you agree with him
19 or -- it seems that when you were meeting with the
20 Personnel Committee, that -- and it's difficult to
21 understand in here who was voicing what -- but it seemed
22 that at that point, a few days before that, I suppose, you
23 were still very much defending the actions of the group
24 home.

25 **MR. KEOUGH:** I didn't see myself so much as

1 defending the actions of the group home as maintaining a
2 position I had on corporal punishment ---

3 **THE COMMISSIONER:** All right.

4 **MR. KEOUGH:** --- as just a means of
5 disciplining children.

6 **THE COMMISSIONER:** Right.

7 **MR. KEOUGH:** I don't know if his
8 disappointment was in that. I'm sure it was part of that.
9 I think a lot of it, maybe most of it, centred around C-75
10 and how I handled that situation ---

11 **THE COMMISSIONER:** Okay.

12 **MR. KEOUGH:** --- because it was all around
13 the same time.

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

15 **MR. DUMAIS:** All right.

16 If I can just take you to Exhibit 2213,
17 Bryan? So you just mentioned the name of C-75. Do you
18 recall, Bryan, if during all these events and your
19 involvement with C-75, whether or not she had a court
20 appearance?

21 **MR. KEOUGH:** She did.

22 **MR. DUMAIS:** And do you recall what that
23 court appearance was for?

24 **MR. KEOUGH:** Well, soon after she was
25 admitted to the group home, I think she had been scheduled

1 for a court appearance even prior to admission to the group
2 home, and I'm not sure why. I think, possibly, her term of
3 temporary wardship was coming up for renewal or something
4 like that. So I think within a week or a few days, anyway,
5 from admission to the group home, she had been already
6 scheduled to go to court.

7 **MR. DUMAIS:** Okay. And perhaps you can just
8 have a quick look at Bates page 043 of this Document 2213?

9 **MR. KEOUGH:** Yes, I'm there.

10 **MR. DUMAIS:** And this is the file of C-75.

11 If we look at the top of the page, it appears that the
12 child's worker was Blaine Grundy, and I think there's a
13 reference here to her court appearance.

14 Now, do you recall whether or not the fact
15 that she had an upcoming court appearance was a concern for
16 the agency?

17 **MR. KEOUGH:** I don't know if it was a
18 concern for the agency. I know it did become a concern for
19 the agency.

20 **MR. DUMAIS:** And what was the concern?

21 **MR. KEOUGH:** In my understanding, C-75 said
22 to somebody that her experience with me, she was going to
23 tell the judge and disclose to the judge her experiences in
24 the group home.

25 **MR. DUMAIS:** All right.

1 And if we just have a look at the bottom
2 paragraph of that page, the entry on March 17th, '76, which
3 is a date that coincides closely with the events of the
4 Second Street Group Home, reads as follows:

5 "This child appeared in Juvenile Court
6 on March 10th, 1976, charged under the
7 Education Act. She was found guilty
8 and returned home, subject to a period
9 of probation with the court probation
10 officer. The parents now have a plan
11 for this child and, in fact, the child
12 had been returned to them. The parents
13 are in agreement with the application
14 being made today and so is the Society.
15 The Court feels it is in the best
16 interest of the child that this order
17 be made."

18 Does that make sense that this would have
19 been the court appearance?

20 **MR. KEOUGH:** Yes, it could very well have
21 been, yes.

22 **MR. DUMAIS:** And do you recall that the
23 agency was concerned that she would mention something to
24 the judge and that I believe it was Mr. Towndale would have
25 spoken to her?

1 **MR. KEOUGH:** I believe Mr. Towndale spoke
2 with the father, too, prior to court.

3 **MR. DUMAIS:** And following this
4 conversation, the occurrence was not mentioned in court.
5 Is my understanding of that correct?

6 **MR. KEOUGH:** I'm not aware.

7 **MR. DUMAIS:** You don't know?

8 **MR. KEOUGH:** I'm not aware if it was or not.

9 **MR. DUMAIS:** So Mr. Towndale would not have
10 discussed this with you when he met with you afterwards?

11 **MR. KEOUGH:** No.

12 **MR. DUMAIS:** All right.

13 Now, my understanding is that the group home
14 would have either remained open or reopened under the
15 supervision of Mr. McLean shortly after these events?

16 **MR. KEOUGH:** I believe there was someone
17 else between Mr. Tenger and Mr. McLean.

18 **MR. DUMAIS:** Okay.

19 **MR. KEOUGH:** Maybe Dick Mulligan for an
20 interim period? I'm not sure.

21 **MR. DUMAIS:** Okay. But certainly the group
22 home reopened?

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** And you're aware that children
25 were being placed in that group home afterwards?

1 **MR. KEOUGH:** Yes.

2 **MR. DUMAIS:** And did it remain open for a
3 short period of time, a long period of time?

4 **MR. KEOUGH:** I don't remember how long. I
5 don't think it was any significant length of time.

6 **MR. DUMAIS:** Okay. Do you remember ever
7 going back to the group home after March, 1976?

8 **MR. KEOUGH:** No.

9 **MR. DUMAIS:** Okay. If I can take you to
10 Document Number -- well, it's actually an exhibit already,
11 Exhibit 1505.

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **MR. DUMAIS:** So, Bryan, I'm going to skip
14 ahead a bit. We're looking at the year 1989-1990 and some
15 of the events that would have occurred during that period
16 of time, and my understanding is that at one point in time
17 you would have been advised by the Executive Director, Mr.
18 O'Brien, of allegations being made by Jeannette Antoine
19 against you?

20 **MR. KEOUGH:** Yes.

21 **MR. DUMAIS:** And if you can just have a look
22 at Bates page 237 of that document.

23 **MR. FILION:** Sir, I'm wondering if we can
24 just have a little background as to what this document is?

25 **MR. DUMAIS:** Absolutely.

1 **THE COMMISSIONER:** Sure.

2 **MR. DUMAIS:** So this appears, Bryan, to be
3 the typewritten notes that would have been made by Thomas
4 O'Brien?

5 **MR. KEOUGH:** Yes.

6 **MR. DUMAIS:** And they appear to be all
7 related to these allegations and what his involvement had
8 been in 1989. So do you have that page number, 237?

9 **MR. KEOUGH:** Two-three-seven (237); I'm
10 there, yes.

11 **MR. DUMAIS:** So there's an entry here on
12 February 13, 1990 and I'll just read it out to you:

13 "I met with Bryan today and advised him
14 of all the events since last August and
15 also told him that Suzie Robinson, Greg
16 Bell, Bob Smith, Ian McLean, Angelo
17 Towndale and Rick Abell, as well as
18 Bill Carriere, had some details of the
19 present affairs."

20 And presumably he would have provided you
21 with some of the details of the allegations that
22 Mrs. Antoine was making?

23 **MR. KEOUGH:** He did not.

24 **MR. DUMAIS:** He did not provide any of the
25 details?

1 **MR. KEOUGH:** He told me that she was
2 accusing me of sexual misconduct and that he couldn't show
3 me the letter.

4 **MR. DUMAIS:** All right. And did he have a
5 document in his hand? Did he have something?

6 **MR. KEOUGH:** No, he said he had it in his
7 file.

8 **MR. DUMAIS:** Okay. But he would not provide
9 you with any more details?

10 **MR. KEOUGH:** No.

11 **MR. DUMAIS:** So I guess two things from that
12 meeting.

13 The first one, if we look at all of these
14 notes, Mr. O'Brien appears to have been made aware of this
15 sometime in August of 1989 and would have had dealings with
16 this throughout the month of August, September, October,
17 November, December, January and February.

18 Is this the first time that you had been
19 made aware of any of these allegations?

20 **MR. KEOUGH:** Yes, it was.

21 **MR. DUMAIS:** All right. And certainly in
22 his note he appears to list quite a number of people who
23 apparently were aware of these allegations?

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

25 **MR. DUMAIS:** And there's one name there that

1 I don't recognize. It's a name of a Bob Smith.

2 MR. KEOUGH: He was a supervisor at the
3 agency.

4 MR. DUMAIS: Okay, so he was a worker at the
5 agency.

6 MR. KEOUGH: A supervisor, yes.

7 MR. DUMAIS: All right.

8 So if I can just ask you what were your
9 first thoughts with respect to, not necessarily the
10 allegations, but how your agency was informing you of this
11 and what they had done in the last six or seven months?

12 MR. KEOUGH: I don't think at the time I was
13 aware that they were aware of these allegations for six
14 months.

15 MR. DUMAIS: Okay.

16 MR. KEOUGH: The meeting with Mr. O'Brien is
17 one that I requested and the reason why I requested it is
18 because my wife and I had made application to adopt a boy
19 and that application was in process, and I had been at the
20 agency long enough to know, like, the timeframes for
21 processing applications for adoption and what the steps
22 were and stuff like that.

23 MR. DUMAIS: Yes.

24 MR. KEOUGH: And at one point, just prior to
25 me meeting with Mr. O'Brien, maybe two or three weeks

1 before, everything seemed to come to a standstill, like
2 nothing was happening. I would talk to the worker and say,
3 you know, "What's the next step? How are we proceeding in
4 the adoption?" and all this, and I was getting no answers,
5 so I became concerned.

6 I finally faced the worker and she said,
7 "You've got to speak to Mr. O'Brien about this. I can't
8 say anything else." So I asked to have a meeting with him,
9 and it was at this meeting that he told me what was going
10 on.

11 **MR. DUMAIS:** All right. So he did not set
12 up this meeting with you to inform you of the allegations?
13 He was just providing an explanation as to why the adoption
14 application had stalled?

15 **MR. KEOUGH:** Yeah, and it all came out at
16 the meeting.

17 **MR. DUMAIS:** All right. Did he inform you
18 at that time what would happen or whether or not he was
19 waiting for something?

20 **MR. KEOUGH:** Oh, I'm sorry. I thought this
21 was off. That's my cell. I apologize.

22 He informed me I was under investigation, it
23 was in the hands of the police, and that I was just going
24 to have to wait to see what happens.

25 **MR. DUMAIS:** All right. And by that time,

1 certainly, you hadn't heard anything from the police
2 services. Is that correct?

3 **MR. KEOUGH:** That's right.

4 **MR. DUMAIS:** All right.

5 **MR. KEOUGH:** Nor did I following.

6 **MR. DUMAIS:** So you never had any
7 discussions with them?

8 **MR. KEOUGH:** No.

9 **MR. DUMAIS:** Now, I'm looking at the next
10 entry, which has the date February 13 to 16, 1990 and I'll
11 just read out the paragraph:

12 "Bryan met with me a couple of times
13 and advised me that he had divulged
14 fully everything he knew about what had
15 taken place so far, to the people at
16 the seminary in Regina, to his own
17 family and to the foster parents who
18 had the child he is intending to adopt.
19 He told me that he would not be
20 proceeding with the adoption and would
21 be resigning from the agency whether or
22 not he went to the theological
23 college."

24 So if I can ask, firstly, at that point-in-
25 time had you already decided to attend the college and

1 leave the agency?

2 MR. KEOUGH: I had already been accepted ---

3 MR. DUMAIS: Okay.

4 MR. KEOUGH: --- at the seminary.

5 MR. DUMAIS: And in your mind, had a final
6 decision been made?

7 MR. KEOUGH: No. About this case? About
8 the allegations?

9 MR. DUMAIS: About leaving the agency and
10 attending the college.

11 MR. KEOUGH: In my mind, yes. I had been
12 accepted; I was leaving.

13 MR. DUMAIS: Okay, so it was just a question
14 of time?

15 MR. KEOUGH: Pardon?

16 MR. DUMAIS: I guess my question is whether
17 or not these events and allegations precipitated your
18 leaving the agency or whether or not you had made that
19 decision prior to that date?

20 MR. KEOUGH: The application to the
21 seminary, and I believe the approval to the seminary, came
22 prior to me meeting with Mr. O'Brien.

23 MR. DUMAIS: Okay.

24 MR. KEOUGH: The process was already under
25 way for me to leave.

1 **MR. DUMAIS:** All right.

2 And what about your decision not to proceed
3 with the adoption? Is that correct? Is that noted
4 correctly?

5 **MR. KEOUGH:** I had been at the agency long
6 enough to know that we no longer had a chance to adopt.

7 **MR. DUMAIS:** Okay.

8 **MR. KEOUGH:** Not with this hanging over our
9 head.

10 **MR. DUMAIS:** And did the agency suspend you
11 at that time or did they discipline you in any fashion?

12 **MR. KEOUGH:** Like in terms of the time I'm
13 talking to Mr. O'Brien here and these allegations?

14 **MR. DUMAIS:** Right.

15 **MR. KEOUGH:** No.

16 **MR. DUMAIS:** And would there have been any
17 discussion coming from Mr. O'Brien suggesting that you
18 should resign?

19 **MR. KEOUGH:** No.

20 **MR. DUMAIS:** And he was not implying that
21 either?

22 **MR. KEOUGH:** No. He never implied that at
23 any time, that I should resign. Mr. O'Brien was, I
24 believe, supportive. Like I felt -- oh, what's the word
25 I'm looking for? -- compassion, I guess, from him during

1 this time.

2 MR. DUMAIS: And, as a matter of fact, he
3 would have assisted and written a letter in favour of your
4 application. Is that correct?

5 MR. KEOUGH: When I asked the seminary to
6 reconsider my application, my approval in the light of
7 these allegations, I asked Mr. O'Brien if he'd be willing
8 to speak with the registrar, and I believe I signed a
9 disclosure of personal information and I told the registrar
10 that whatever Mr. O'Brien said they were to believe. But I
11 was never aware until these pages came to my attention what
12 he put in that letter.

13 MR. DUMAIS: Okay.

14 MR. KEOUGH: I was never privy to it.

15 MR. DUMAIS: So then if I can just take you
16 to Document Number 741081.

17 THE COMMISSIONER: No, that's a new one,
18 sir.

19 MR. KEOUGH: Oh, okay.

20 THE COMMISSIONER: Exhibit 2357 is a letter
21 to the Admission's Office of the Canadian Theological
22 Seminary dated February 21st, 1990 signed by Thomas O'Brien.

23 --- EXHIBIT NO./PIÈCE No P-2357:

24 (741081) Letter from Thomas O'Brien to Ron
25 Baker dated February 21, 1990

1 **MR. DUMAIS:** Is that the letter that you
2 think ---

3 **MR. KEOUGH:** Yes.

4 **MR. DUMAIS:** All right.

5 And having not seen the letter, you're
6 essentially relying on the date of ---

7 **MR. KEOUGH:** Yes.

8 **MR. DUMAIS:** Which appears to have been
9 approximately a week after he had met with you?

10 **MR. KEOUGH:** Yes.

11 **MR. DUMAIS:** All right.

12 Now, my understanding is that Mr. Towndale
13 had previously written a letter of support as well.

14 **MR. KEOUGH:** Yes, he had.

15 **MR. DUMAIS:** And this was prior to this
16 meeting in this letter; correct?

17 **MR. KEOUGH:** Yes.

18 **MR. DUMAIS:** All right.

19 Now, if I can then just take you to Document
20 Number 741083. It might already be an exhibit. It's not an
21 exhibit? All right. Thank you.

22 **THE COMMISSIONER:** Exhibit 2358 is a letter
23 to Mr. Richard Abell -- I don't see a date -- from Mr.
24 Bryan Keough.

25 --- **EXHIBIT NO./PIÈCE No P-2358:**

1 (741083) Letter from Bryan Keough to Richard
2 Abell - undated

3 **MR. DUMAIS:** So do you recognize that
4 letter, Bryan?

5 **MR. KEOUGH:** I wrote it.

6 **MR. DUMAIS:** And do you recall what the
7 purpose of you writing that letter for, what you were
8 saying in this letter?

9 **MR. KEOUGH:** I don't remember writing it,
10 but I -- yes, it's my letter.

11 **MR. DUMAIS:** All right.

12 Well, I mean, let me take you through it
13 then.

14 So if we look at the first three lines, it
15 says:

16 "Further to my letter to Tom O'Brien of
17 a few weeks ago informing the Agency of
18 my upcoming move to Regina, please be
19 informed that my last day at the office
20 will be Thursday, June 21st, 1990."

21 So I understand that you would have
22 submitted your resignation at the agency; is that correct?

23 **MR. KEOUGH:** Yes.

24 **MR. DUMAIS:** And am I correct, Bryan, that
25 as a result thereof, you would not have received a

1 severance package of any sort?

2 **MR. KEOUGH:** Not as of yet, I believe.

3 **MR. DUMAIS:** Pardon me?

4 **MR. KEOUGH:** Because they mention something
5 about finances in the back.

6 **MR. DUMAIS:** Okay. So if we look at the
7 second paragraph then, I'm looking at the last five lines,
8 and if I can read it out to you:

9 "It's unfortunate and I guess even
10 tragic, but the integrity that you
11 spoke of yesterday has been, at least
12 from my perspective, non-existent for
13 some time at the agency."

14 Can you talk to us about your meeting with
15 Mr. Abell and what you were referring to here?

16 **MR. KEOUGH:** I think the integrity that I am
17 referring to refers to a meeting that he had with all
18 staff.

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

20 **MR. KEOUGH:** He was the new director coming
21 in, and he had a meeting with all staff outlining his
22 philosophy of -- I was going to say philosophy of ministry,
23 but not -- his philosophy of being the director and working
24 with staff, and this type of stuff. And he talked about,
25 you know -- I remember one of the things he said was, "At

1 this agency, I expect you to make mistakes. And if you
2 don't, then we are probably going to be meeting because to
3 grow you have to make mistakes." And a lot of what he said
4 resonated within me. Yet at the same time, at that point
5 anyway, I believed that I wasn't being treated fairly.

6 So it wasn't as a result of a meeting he had
7 with me; it was the meeting he had with all staff, and I
8 was just referencing that.

9 **MR. DUMAIS:** But is your comment there a
10 true reflection of what you felt when you left the agency?
11 You felt the agency did not have any integrity?

12 **MR. KEOUGH:** It was a personal reaction from
13 me in terms of what I was going through, having lost the
14 adoption and everything else. I felt as if, not that it
15 was anyone's intention or purpose, but after so many years
16 of service, I was just kind of dangling on my own and I
17 felt, I guess betrayed would be the word. Yet no one -- I
18 can't say anyone did anything to do that to me. You know
19 what I mean? It was just something I was feeling.

20 **MR. DUMAIS:** All right.

21 So my understanding is that you then left
22 the agency. You entered the college out West and you were
23 doing that for a number of years. I believe you spent four
24 years there. Is that ---

25 **MR. KEOUGH:** Yes.

1 **MR. DUMAIS:** And so then towards the end of
2 your last year, you would have heard about this matter once
3 again. Is that correct?

4 **MR. KEOUGH:** Yes, I did.

5 **MR. DUMAIS:** And my understanding is that a
6 police officer from the Cornwall Police Services contacted
7 you and advised you that he wanted to take a statement from
8 you. Is that correct?

9 **MR. KEOUGH:** Constable Shawn White, yes.

10 **MR. DUMAIS:** My understanding is that you
11 came back to Cornwall to give that statement. Is that
12 correct?

13 **MR. KEOUGH:** I actually flew to Ottawa and
14 he met me at my parents' place in Plantagenet.

15 **MR. DUMAIS:** And can you explain to us why
16 it is that you came back here to give your statement? Was
17 there some sort of arrangement or discussion between the
18 two of you?

19 **MR. KEOUGH:** As I recollect, he was willing
20 to do it on the phone and I wasn't. I just had a need to
21 look at someone in the eye while we talked about this.

22 **MR. DUMAIS:** And was Shawn White's contact
23 with you the first that you have heard about this since
24 having a discussion with Tom O'Brien in 1990?

25 **MR. KEOUGH:** I believe so. Oh yeah, it was.

1 **MR. DUMAIS:** And do I understand as well --
2 am I correct in understanding that the agency would not
3 have communicated with you regarding this matter between
4 1990 and 1994 prior to Mr. White's telephone call?

5 **MR. KEOUGH:** I think there may have been a
6 phone call, and I don't know if it was before or after. It
7 may have been before by Angelo Towndale asking for my
8 address or something, telephone number or something like
9 that. I'm not sure.

10 **MR. DUMAIS:** Do you recall him advising you
11 that he required the address because it had been requested
12 by the Police Service or anything of that sort?

13 **MR. KEOUGH:** I can't recall.

14 **THE COMMISSIONER:** So when you left -- I
15 don't know where this came from. I think maybe I read it
16 in the notes that someone was saying that you left with two
17 years' salary.

18 **MR. KEOUGH:** Two years' salary?

19 **THE COMMISSIONER:** Yeah.

20 **MR. KEOUGH:** Don't I wish. No.

21 **THE COMMISSIONER:** No?

22 **MR. KEOUGH:** No, I left with ---

23 **THE COMMISSIONER:** With what you would
24 normally get for an employee who resigns and goes on?

25 **MR. KEOUGH:** Yes.

1 **THE COMMISSIONER:** Okay.

2 **MR. KEOUGH:** Yeah, it was actually -- if
3 anything, I lost when I left because the fund that we
4 belonged to OMERS, if you leave early, you lose 50 percent
5 of that fund. And I remember being in the bookkeeper's
6 office and him looking at me and saying "Do you realize
7 what you're doing? You're losing all this money." You
8 know, so, no.

9 **MR. DUMAIS:** All right.

10 So I'm just looking at Exhibit 2210, which
11 is the Crown brief at Bates pages 395.

12 So I'm just looking and this is the witness
13 statement that you would have given, and I'm just putting
14 the reference to you just as your last inquiry. So I'm
15 looking about half/mid-page. So there is a sentence that
16 starts, "In June of 1990".

17 **MR. KEOUGH:** And that's page number?

18 **MR. DUMAIS:** It's 395.

19 **MR. KEOUGH:** Oh, sorry. Yes, I'm there.

20 **MR. DUMAIS:** So about mid-page, it starts --
21 a sentence that starts with "In June". So I'll just read
22 it out:

23 "In June of 1990..."

24 **THE COMMISSIONER:** Whoa, whoa, just a
25 second. Can you put it on the screen, Madam Clerk?

1 **MR. DUMAIS:** Three-nine-five (395).

2 **THE COMMISSIONER:** I don't have it on my
3 screen.

4 **MR. DUMAIS:** Exhibit 2210.

5 **THE COMMISSIONER:** Yeah. Okay.

6 **MR. DUMAIS:** So at mid-page:

7 "In June of 1990, we moved to Regina,
8 Saskatchewan and I began my studies
9 that July. Nothing more was heard
10 about this matter until a few months
11 ago when I graduated from the seminary.
12 Angelo Towndale from the CAS contacted
13 me by telephone and requested
14 permission to release my address to the
15 Cornwall Police Services."

16 Was that what you were referring to?

17 **MR. KEOUGH:** Yeah.

18 **MR. DUMAIS:** All right. And then he goes on
19 -- do you want to indicate:

20 "He informed me at that time that a
21 second investigation was underway and
22 that I would probably be contacted at
23 some time in the future."

24 **MR. KEOUGH:** Yes, that's it.

25 **MR. DUMAIS:** And at one point-in-time, we

1 know that the Crown brief was sent to the Crown's office
2 and they indicated that there was no reasonable prospect of
3 conviction on these charges.

4 Were you made aware that they weren't
5 pursuing charges in this matter?

6 **MR. KEOUGH:** I received a telephone call
7 from Constable White at some point after that. I forget
8 what month or what date, but he informed me at that time
9 that they were -- that the Crown or whoever was not going
10 to be proceeding and he told me to move on with my life.

11 **MR. DUMAIS:** And did that end your
12 involvement with the Cornwall Police Services then?

13 **MR. KEOUGH:** Yes, it did.

14 **MR. DUMAIS:** And you never had any
15 involvement with the Ministry of the Attorney General at
16 any point-in-time during this investigation?

17 **MR. KEOUGH:** No, I didn't.

18 **MR. DUMAIS:** And same excerpt for the
19 telephone conversation regarding your address with Mr.
20 Towndale, you did not have any other contact with the
21 agency?

22 **MR. KEOUGH:** No, I didn't.

23 **MR. DUMAIS:** And at any point-in-time, were
24 you made aware of the contents of any of the statements
25 that were taken in this investigation?

1 **MR. KEOUGH:** Constable White laid out some
2 allegations from Jeannette which we discussed during the
3 interview and that was it.

4 **MR. DUMAIS:** Okay. You did not discuss any
5 of the other allegations by other children that had been in
6 the group home?

7 **MR. KEOUGH:** No.

8 **MR. DUMAIS:** All right.

9 **MR. KEOUGH:** Not that I can remember. It
10 was all Jeannette.

11 **MR. DUMAIS:** Okay. All right, Bryan. These
12 are the questions I had for you.

13 Before I turn the matter over to my friends,
14 I did indicate to you and your counsel that you would be
15 provided with the opportunity to make comments on the
16 effects, or recommendations that you may have for the
17 Commissioner to consider.

18 If you wish to say anything, you may do so
19 at this time.

20 **MR. KEOUGH:** Can I read something?

21 **THE COMMISSIONER:** Sure.

22 **MR. KEOUGH:** This is an excerpt from an
23 email I sent my lawyer months ago.

24 In 1999, when I applied and was accepted to
25 the Canadian Theological Seminary, Carol (phonetic) and I

1 were in the process of adopting a young boy by the name of
2 Patrick. In the midst of this, Mr. O'Brien, my director,
3 calls me into his office to inform me that I am under
4 investigation as a result of Jeannette Lapointe's accusing
5 me of being sexually inappropriate with her.

6 He had the letter, although I was never
7 allowed to see it. He informed me that the matter was in
8 the hands of the Cornwall Police Department as to whether
9 charges would be laid or not. As a result of this, three
10 traumatic things happened not only to me but my family.

11 I had to contact the registrar of the
12 seminary and inform him of the above and ask that they
13 reconsider my application in light of these new
14 circumstances.

15 I had to take my three children aside and
16 explain to them that there was a possibility that Daddy
17 would be charged and that they could be interviewed by a
18 police officer or a worker from the Children's Aid Society.

19 I had to, in some way, in the midst of this,
20 reassure them that all would be okay and that they were to
21 always tell the truth no matter who they were speaking to.

22 We lost the adoption. It became apparent
23 that I was no longer -- that we no longer had any chance of
24 adopting Patrick and I was forced to withdraw our
25 application.

1 We moved to Regina in 1990 as the seminary
2 accepted my application into the M.Div. Program. Within
3 the first year, I had a nervous breakdown and struggled
4 with suicidal ideation. The predominant cause was the
5 allegations against me as they were still left in the air.

6 I had to withdraw from my classes and
7 undergo professional counselling.

8 In 1994, I graduated from the Canadian
9 Theological Seminary with an M.Div. degree and was
10 preparing for ministry when I got a call from Constable
11 White from Cornwall that I was under criminal investigation
12 of allegations of sexual abuse from Jeannette Lapointe.

13 I flew to Ontario and met with the officer
14 to respond to these accusations. I was informed by the
15 officer that the investigation could take a while and that
16 it would be put into the hands of the Crown Attorney as to
17 whether charges would be laid or not.

18 Now, a second time, my life comes to a
19 complete halt. I again have to talk to my kids.

20 I couldn't go into ministry because when
21 asked to consider a church placement as I was, I felt
22 compelled to inform them that the investigation was
23 underway. To accept a position in a church and not inform
24 them in advance of the above matter I felt was not right.

25 So for approximately one year, my life

1 stopped again. But it wasn't a holiday. Here I am at the
2 age of 44 with an M.Div. degree in my hand and no one wants
3 to hire me either in the church or outside of it.

4 I sought work at places like Future Shop, et
5 cetera, because I still had a wife and family to support
6 and after four years of seminary, we had exhausted all our
7 savings. I did not find a job. I ended up on a work help
8 program on the Scarth Street Mall in Regina operating a
9 jackhammer.

10 The investigation was completed and I was
11 informed that the Crown was not going to proceed and I
12 could go on with my life and leave this behind, which I
13 did.

14 Now a third time, 13 years later, the whole
15 matter explodes in my face, but this time, it's public.
16 And my name is smeared across the internet airways and the
17 papers. I did a Google search on Bryan Keough and the
18 results drove me to tears. I haven't spent my life
19 building such a legacy to leave my kids and grandkids.

20 Yet that is what's happening and I am
21 powerless to change it. I am so angry and it wounds me
22 deeply that I live in a country that does not protect all
23 victims of abuse; a country that is selective in its
24 protection of victims.

25 Yes, I too am a victim of abuse; abuse that

1 has spanned 19 years; abuse that has cost me a son; abuse
2 that has taken years from my life; and abuse that at times
3 robbed me of health and peace. Abuse that can tarnish the
4 reputation of the Church and the people I still love.

5 I made mistakes in 1970 -- in the seventies.
6 I never sought to hide those mistakes. And I spent all of
7 the 1980s not only ensuring that I did not repeat those
8 mistakes, but that the foster parents I trained and others
9 not make those mistakes.

10 I'm not saying -- I'm not using the 1970s as
11 an excuse, but the reality was most of the time we were
12 flying by the seat of our pants. And I regret the mistakes
13 I made those years.

14 I have nothing else.

15 **MR. DUMAIS:** Thank you for answering my
16 questions.

17 **THE COMMISSIONER:** All right. Let's take a
18 short break.

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

21 This hearing will resume at 3:10 p.m.

22 --- Upon recessing at 2:55 p.m./

23 L'audience est suspendue à 14h55

24 --- Upon resuming at 3:31 p.m./

25 L'audience est reprise à 15h31

1 **THE REGISTRAR:** Order. All rise.

2 À l'ordre. Veuillez vous lever.

3 This hearing is now resumed. Please be
4 seated. Veuillez vous asseoir.

5 **BRYAN KEOUGH, Resumed/Sous le même serment:**

6 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

7 **DALEY:**

8 **THE COMMISSIONER:** Do we think we are going
9 to finish Mr. Keough today?

10 **MS. DALEY:** I think it's very unlikely, sir.

11 **THE COMMISSIONER:** All right. Good. Thank
12 you.

13 **MS. DALEY:** Mr. Keough, my name is Helen
14 Daley. I am counsel to a local group in Cornwall called
15 the Citizens for Community Renewal, and that organization's
16 prime mandate is institutional reform towards the better
17 protection of children.

18 I have a number of questions for you about
19 your testimony and your involvement in childcare in this
20 community, and I want to start by asking you about the
21 Second Street Group Home, if I may. All right?

22 If I've understood correctly, your role was
23 a liaison officer between that group home and the Agency,
24 correct?

25 **MR. KEOUGH:** Yes.

1 **MS. DALEY:** And in order to do that job, I
2 would imagine you had to inform yourself about exactly what
3 was occurring at the group home, in terms of the treatment
4 philosophy and the treatment that was being provided to
5 children at that home.

6 Is that fair, sir?

7 **MR. KEOUGH:** No.

8 **MS. DALEY:** Well, I understood you to tell
9 us that it was part of your role to consider placements of
10 children in the Second Street home, correct, when other
11 workers had children?

12 **MR. KEOUGH:** To arrange meetings with the
13 director of the home, yes.

14 **MS. DALEY:** All right, but did you not
15 consider it part of your responsibility to inform yourself
16 about how children in the home were being treated by the
17 director and the staff?

18 **MR. KEOUGH:** That wasn't part of my mandate.

19 **MS. DALEY:** I see. Was that not relevant to
20 you in liaising between other workers and their children in
21 the home?

22 **MR. KEOUGH:** Well, each child in the home
23 had their own worker.

24 **MS. DALEY:** Yes?

25 **MR. KEOUGH:** So that was their

1 responsibility, not mine.

2 MS. DALEY: Was it the workers'
3 responsibility to determine what was occurring in the home
4 and whether it would be an appropriate place for their
5 child to be placed?

6 MR. KEOUGH: That would be part of their
7 mandate, yeah.

8 MS. DALEY: All right. And how were they to
9 go about doing that, sir?

10 MR. KEOUGH: Visiting.

11 MS. DALEY: They were to visit? And I take
12 it those would be arranged visits?

13 MR. KEOUGH: I would think ---

14 MS. DALEY: Arranged through your auspices?

15 MR. KEOUGH: No, they would call Mr. Tenger
16 and make an arrangement to go visit, I would think.

17 MS. DALEY: So they'd go to the home having
18 pre-arranged that with Mr. Tenger?

19 MR. KEOUGH: I would think so, yes.

20 MS. DALEY: And they would observe what was
21 occurring in the home?

22 MR. KEOUGH: They would -- however they
23 handled it, it was their responsibility.

24 MS. DALEY: All right, but you can't speak
25 to that? That's not something you have knowledge of?

1 MR. KEOUGH: No I don't.

2 MS. DALEY: Did you ever -- were you ever
3 called upon to answer questions of workers about the home?
4 In other words, if a worker was considering a placement,
5 would they come to you with questions about whether it
6 would be suitable for their child?

7 MR. KEOUGH: No, it was -- the questions
8 were more centered around 'is there an opening'?

9 MS. DALEY: All right. And was this home
10 meant to treat children with specific issues or problems?

11 MR. KEOUGH: I think the home was meant to
12 treat children that were difficult to handle.

13 MS. DALEY: These would be children with
14 behavioural problems?

15 MR. KEOUGH: Yes.

16 MS. DALEY: And these, I take it, would be
17 children with, in some instances, fairly extreme
18 behavioural problems?

19 MR. KEOUGH: I would think so. Yes.

20 MS. DALEY: These were children that
21 couldn't be handled in foster homes appropriately?

22 MR. KEOUGH: Yeah. I would say these would
23 be children where it would be difficult to find a foster
24 home placement for them.

25 MS. DALEY: All right. So the Second Street

1 home was almost -- I don't mean this in a negative way, but
2 a last resort for children who couldn't be placed in foster
3 homes?

4 MR. KEOUGH: Yes.

5 MS. DALEY: So I infer from that, that the
6 children in the Second Street home, on a spectrum of
7 behavioural problems, would have the most extreme type of
8 problems.

9 MR. KEOUGH: Yes.

10 MS. DALEY: Is that fair?

11 MR. KEOUGH: Yes.

12 MS. DALEY: And in your experience as a
13 social worker, it's -- there's a connection often between
14 the behavioural problems that the children have and the
15 abuse that they may have sustained in their own families
16 that require them to become wards. Is that not fair?

17 MR. KEOUGH: Yes.

18 MS. DALEY: In fact, oftentimes the more
19 difficult a child's behaviour was, the more the worker
20 would be able to deduce that he or she must have had some
21 very bad experiences in their earlier childhood before they
22 came into care. Fair?

23 MR. KEOUGH: Well, we deduce that now. We
24 never had any training to that effect then.

25 MS. DALEY: Apart from training, was it a

1 matter of common sense? Did you understand, just by your
2 life experience, that those behavioural problems were
3 likely connected to abuse at an earlier time in their
4 lives?

5 MR. KEOUGH: No.

6 MS. DALEY: Now, in terms of your role as
7 liaison, I'm just wondering whether you did any of these
8 things in order to fulfill that role?

9 I take it you would obviously talk to the
10 Director, Mr. Tenger, frequently about how the home was
11 operating?

12 MR. KEOUGH: If the talks -- if we had
13 frequent talks in terms of how it was operating, it would
14 be in terms of whether there's any openings or whether he
15 had meetings he wanted to arrange or something like that.

16 MS. DALEY: Right. So essentially what
17 you're telling us is your discussions with him were
18 confined to availability of spaces?

19 MR. KEOUGH: Basically that, yeah.

20 MS. DALEY: All right.

21 MR. KEOUGH: And arranging meetings.

22 MS. DALEY: And in the course of your work
23 as liaison, did you ever talk directly to group home
24 residents about how they were experiencing life in the
25 home?

1 **MR. KEOUGH:** No, other than the times I
2 would have been there either to relieve, you know, the
3 staff or something like that. It would be on a day-to-day
4 thing.

5 **MS. DALEY:** When you were there on a day-to-
6 day basis to relieve a staff, did you take it upon yourself
7 to ask residents how they felt about living there?

8 **MR. KEOUGH:** No.

9 **MS. DALEY:** Was there a reason why not?

10 **MR. KEOUGH:** Because I was just filling in
11 for a staff member of the home, and each child had their
12 own worker. And to begin asking those children questions
13 like that would be to be stepping over into another
14 worker's responsibility. It's not something that -- it's
15 not something that we did.

16 **MS. DALEY:** All right.

17 **MR. KEOUGH:** You know, it wasn't my
18 responsibility and if another worker started talking to one
19 of my children in a foster home without talking to me
20 first, I would have been a little upset.

21 **MS. DALEY:** Does it make a difference if
22 this was a group home as opposed to a foster home?

23 **MR. KEOUGH:** No, because in this case, all
24 the kids in that home still had their own respective
25 workers.

1 **MS. DALEY:** So as you saw it, if children
2 had difficulties, it was incumbent on them to discuss that
3 with their worker, not with people working in the home?

4 **MR. KEOUGH:** Well both I guess, but
5 primarily their own worker, yes.

6 **MS. DALEY:** All right.

7 So apart from -- you've made it clear you
8 didn't initiate any conversation with residents, but did
9 any residents ever initiate conversation with you and say,
10 "Mr. Keough, things aren't good here."

11 **MR. KEOUGH:** No.

12 **MS. DALEY:** Again, in terms of fulfilling
13 your liaison role, did you ever -- did you take it upon
14 yourself, when you were in the home, to read the logs of --
15 the logs prepared by the workers ---

16 **MR. KEOUGH:** No.

17 **MS. DALEY:** --- as to how they were treating
18 the children?

19 **MR. KEOUGH:** No.

20 **MS. DALEY:** And was there a requirement that
21 a daily log be completed on each shift, for each child?

22 **MR. KEOUGH:** Yes.

23 **MS. DALEY:** And was it a requirement that
24 any punishment of any sort administered to that child be
25 reflected in the log?

1 **MR. KEOUGH:** Yes.

2 **MS. DALEY:** All right. Now let me ask you
3 for some -- see if you can help me with some details about
4 -- we've discussed punishments at the Second Street group
5 home. That's primarily what we're interested in here, and
6 I want to see if you can help me with some other evidence
7 we've heard about that.

8 Now, you said in your testimony in-chief
9 that you understood that children were made to stand in the
10 corner. We have been told by other sources that, in fact,
11 what happened is that they were told to kneel in the corner
12 on a pan of hard beans. Did you know that?

13 **MR. KEOUGH:** I've never seen that.

14 **MS. DALEY:** You never saw that?

15 **MR. KEOUGH:** No.

16 **MS. DALEY:** Did you ever hear anyone report
17 that that's what happened?

18 **MR. KEOUGH:** I heard about it after
19 everything kind of blew up that that was part of the
20 allegations, but I had never seen that in the home myself.

21 **MS. DALEY:** But after it blew up, as you put
22 it, did Mr. Tenger acknowledge to you that, in fact, that
23 was part of his ---

24 **MR. KEOUGH:** I don't remember him doing
25 that.

1 MS. DALEY: --- his punishment technique?

2 MR. KEOUGH: I don't remember him doing
3 that.

4 MS. DALEY: Have you ever heard of that
5 happening in a residence, apart from the Second Street one?

6 MR. KEOUGH: No.

7 MS. DALEY: Or a foster home?

8 MR. KEOUGH: No.

9 MS. DALEY: Would you consider that to be a
10 cruel thing to do to a child?

11 MR. KEOUGH: It's not something that I would
12 do, no.

13 MS. DALEY: And is that because it's very
14 painful?

15 MR. KEOUGH: I would think so.

16 MS. DALEY: Help me with this, because I
17 think you did give some evidence that referred to this.

18 You did come to learn that part of Mr.
19 Tenger's approach to disciplining children involved having
20 adolescent girls in their underwear cleaning the floors
21 with a toothbrush. Did you know that?

22 MR. KEOUGH: I heard about them cleaning
23 tiles with a toothbrush, but never in their underwear.

24 MS. DALEY: Did Mr. Tenger not, in fact,
25 acknowledge that that was what was happening?

1 MR. KEOUGH: I don't know.

2 MS. DALEY: Not as far as you're aware?

3 MR. KEOUGH: Yeah.

4 MS. DALEY: We've also heard suggestions
5 here that girls, because they were thought to be a runaway
6 risk, were required to keep the door open when they
7 showered. Did you know about that?

8 MR. KEOUGH: Never heard of that. Never
9 seen it either.

10 MS. DALEY: Did you know whether or not, at
11 the Second Street home, bedroom doors were required to be
12 open at all times?

13 MR. KEOUGH: No.

14 MS. DALEY: Were there doors on the bedrooms
15 or had they been removed?

16 MR. KEOUGH: I would think there were doors
17 on the bedrooms.

18 MS. DALEY: Do you remember ---

19 MR. KEOUGH: No.

20 MS. DALEY: --- one way or the other?

21 MR. KEOUGH: I remember there was a
22 discussion once or some talk about the kids slamming the
23 doors.

24 MS. DALEY: Yes.

25 MR. KEOUGH: And the discussion as to

1 whether the doors should be removed so they not get
2 slammed, but apart from that ---

3 **MS. DALEY:** What was the outcome of that
4 discussion?

5 **MR. KEOUGH:** I don't know, and I'm not so
6 sure it was a discussion between Mr. Tenger and I or it was
7 just talk around the office.

8 **MS. DALEY:** The CAS office?

9 **MR. KEOUGH:** Yes.

10 **MS. DALEY:** Did you ever bring back
11 information or concerns about the Second Street Group Home
12 to your supervisor at the CAS office?

13 **MR. KEOUGH:** No, I didn't.

14 **MS. DALEY:** Was that because you had none?

15 **MR. KEOUGH:** Yes.

16 **MS. DALEY:** All right.

17 Now, you've talked about corporal
18 punishment, and I think what you mean by that is the strap.
19 Is that correct?

20 **MR. KEOUGH:** Yes.

21 **MS. DALEY:** And what was the strap made of?

22 **MR. KEOUGH:** It was your belt.

23 **MS. DALEY:** I'm sorry?

24 **MR. KEOUGH:** It was your belt.

25 **MS. DALEY:** So it was a -- a worker would

1 take off his belt and use that to hit the child with?

2 MR. KEOUGH: M'hm.

3 MS. DALEY: With the buckle end?

4 MR. KEOUGH: Pardon?

5 MS. DALEY: With the buckle end?

6 MR. KEOUGH: Well, I would hope not.

7 MS. DALEY: Did you see -- do you know?

8 MR. KEOUGH: No, I don't.

9 MS. DALEY: Did you know that the strapping
10 was done in front of other children?

11 MR. KEOUGH: I observed it once. Well, not
12 in front of other children, in front of me.

13 MS. DALEY: All right.

14 And that's the strapping of C-75 you told us
15 about?

16 MR. KEOUGH: Yes.

17 MS. DALEY: Did you apart from -- and that's
18 the only one you actually observed with your own eyes?

19 MR. KEOUGH: Yes.

20 MS. DALEY: Did you learn that there were
21 other strappings that were done of a child in front of the
22 other children?

23 MR. KEOUGH: During the investigation that
24 followed, yes.

25 MS. DALEY: All right.

1 So you knew that that was factual, that that
2 happened?

3 **MR. KEOUGH:** Yes.

4 **MS. DALEY:** And did you learn that the
5 strapping was done in a specific room of the house?

6 **MR. KEOUGH:** They had a room that the
7 children were brought to, yes, the same room that C-75 was
8 in.

9 **MS. DALEY:** So when a child was to be
10 strapped he or she was brought to a specific room?

11 **MR. KEOUGH:** It was an office type of room.

12 **MS. DALEY:** All right.

13 Did you hear the kids call it "the beating
14 room"?

15 **MR. KEOUGH:** No.

16 **MS. DALEY:** Just a few questions about
17 Mr. Tenger and how the staff generally conducted
18 themselves.

19 We've heard here that Mr. Tenger made it a
20 habit to dress all in black. Is that correct?

21 **MR. KEOUGH:** He wore black from the day I
22 met him when I started.

23 **MS. DALEY:** All right.

24 And did you notice that the other staff
25 adopted his dress code; they all wore black too?

1 **MR. KEOUGH:** I didn't notice any dress code.

2 **MS. DALEY:** Did you notice that they were
3 all wearing black?

4 **MR. KEOUGH:** My brother wore black, but he
5 always wore black too. But as to whether they all wore
6 black, no.

7 **MS. DALEY:** But you and Mr. -- sorry, your
8 brother and Mr. Tenger, they dressed in black?

9 **MR. KEOUGH:** Yeah, and I've always known
10 both of them to be black.

11 **MS. DALEY:** Did Mr. Tenger carry a cane or a
12 stick with him?

13 **MR. KEOUGH:** No.

14 **MS. DALEY:** Did he carry a Bible with him?

15 **MR. KEOUGH:** I've never seen him walk with a
16 Bible, but he had a Bible, yes.

17 **MS. DALEY:** All right.
18 Did you ever see him use a Bible in the
19 group home?

20 **MR. KEOUGH:** I think they said grace before
21 meals.

22 **MS. DALEY:** All right.

23 **MR. KEOUGH:** And they may have read from the
24 Bible for that. I'm not sure.

25 **MS. DALEY:** From your observation, did the

1 black attire look intimidating to people?

2 **MR. KEOUGH:** Well, Mr. Tenger himself was an
3 intimidating man. Whether black was added to that, I don't
4 know. He was a good-sized man. His voice was deep and was
5 loud. He could be intimidating, yes.

6 **MS. DALEY:** Did he have an intimidating
7 demeanour?

8 **MR. KEOUGH:** I don't know how to answer
9 that. In terms of if I seen him walking down the street
10 would I be intimidated by him?

11 **MS. DALEY:** Would a child be intimidated by
12 him, do you think, sir?

13 **MR. KEOUGH:** I think a child could be
14 intimidated by him. I think many were not.

15 **MS. DALEY:** Did you ever observe that the
16 children at the Second Street home were intimidated by him?

17 **MR. KEOUGH:** No. Well, intimidated ---

18 **MS. DALEY:** Did you have any observation
19 that would suggest they might have been intimidated and
20 scared of him?

21 **MR. KEOUGH:** No.

22 **MS. DALEY:** What about the fact they ran
23 away several times?

24 **MR. KEOUGH:** I had foster kids run away from
25 my foster homes. It doesn't mean I was intimidating them.

1 **THE COMMISSIONER:** Mr. Chisholm?

2 **MR. CHISHOLM:** Good afternoon, sir.

3 I'm not sure that this witness can speak to
4 whether or not a child was intimidated by Mr. Tenger's
5 appearance. He can speak to his own observations, but I
6 don't know how he can put himself in the mind of a child.

7 **THE COMMISSIONER:** No. You're right, except
8 that, you know, if he observed in a group home that when
9 Mr. Tenger walked in everybody squirreled into a corner
10 shivering, that might be an indication. But I think ---

11 **MR. CHISHOLM:** Sir, he may be able to speak
12 of his observations, but I'm not sure he can explain to us
13 why the children were doing any specific action.

14 **THE COMMISSIONER:** The other thing,
15 Ms. Daley, I think when you started your cross-examination
16 you -- I don't know if I missed a question, but you were
17 talking about, well, if a child is acting out when he's in
18 care, it's an indication of abuse before they came in.

19 **MS. DALEY:** Potentially.

20 **THE COMMISSIONER:** Well, abuse is one.

21 **MS. DALEY:** Yes.

22 **THE COMMISSIONER:** It could be because of
23 neglect, whether intentional by the parents or not. It
24 could be because of poverty. It could be because they're
25 orphans. It could be because the child is under a

1 disability or has behavioural problems.

2 So I don't want people to start thinking
3 that this Inquiry is simply saying that if anything is
4 wrong with a child it's because they've been abused.

5 **MS. DALEY:** Let's make sure we're clear on
6 that with the witness, sir.

7 **THE COMMISSIONER:** Okay.

8 **MS. DALEY:** I didn't intend to limit that
9 conversation to one specific past problem. I quite
10 appreciate, as I'm sure you do too, that children are in
11 care for many, many reasons including neglect and other
12 problems, and those problems can manifest themselves in
13 behavioural problems once they are in care.

14 Are we agreed about that?

15 **MR. KEOUGH:** Yes.

16 **MS. DALEY:** All right.

17 And in terms of Mr. Tenger's appearance and
18 how the children responded, I'm looking only for your
19 observations. I don't want you to speculate but did
20 anything you observed in the home suggest to you that these
21 children were potentially frightened by Mr. Tenger?

22 **MR. KEOUGH:** No.

23 **MS. DALEY:** I suggested to you, well, they
24 ran away on several occasions. Did you infer from that
25 that they were afraid of Mr. Tenger?

1 **MR. KEOUGH:** No, I didn't.

2 **MS. DALEY:** What did you infer from that?

3 **MR. KEOUGH:** That they wanted out of the
4 home and they were running.

5 **MS. DALEY:** You didn't connect the fact they
6 wanted out of the home to circumstances existing inside the
7 home?

8 **MR. KEOUGH:** That could be one possible
9 reason. There could be many more. I dealt with runaways
10 all the time and it wasn't always because of circumstances
11 in the home.

12 **MS. DALEY:** But I guess what I'm asking you,
13 sir, is this. In relation to the Second Street Group Home,
14 before it was terminated, before Mr. Tenger left, you've
15 testified you were aware the children en masse leave the
16 home on two occasions. Now -- and you did know about that;
17 correct, sir?

18 **MR. KEOUGH:** Yes.

19 **MS. DALEY:** Did you not at all consider that
20 perhaps they were doing that as a result of circumstances
21 in the home?

22 **MR. KEOUGH:** I did not.

23 **MS. DALEY:** All right.

24 Now, I want to come back to the corporal
25 punishment proper, if I can use that term, and that means

1 strapping as opposed to some of the other things we've
2 talked about.

3 You did tell us that as far as you were
4 aware that occurred over the kids' clothes?

5 MR. KEOUGH: Yes.

6 MS. DALEY: And the one instance you saw was
7 C-75?

8 MR. KEOUGH: Yes.

9 MS. DALEY: What was she wearing?

10 MR. KEOUGH: I believe it was jeans.

11 MS. DALEY: Now, sir, Mr. Dumais put to you
12 an exhibit that was the Personnel Committee Report of the
13 Board, and I'm happy to have you turn that up if you need
14 to consult it. I think it's Exhibit 2212, just if you want
15 to have it handy.

16 But it was put to you that two female CAS
17 directors -- that was Mrs. Follon and I believe Sister
18 Quesnelle -- saw bruises on C-75's buttocks one week after
19 the strap.

20 MR. KEOUGH: Yes.

21 MS. DALEY: Now, do you have any doubt in
22 your mind, sir, that that's a correct record of what they
23 saw, that they saw those bruises one week later?

24 MR. KEOUGH: No.

25 MS. DALEY: And does it follow that for the

1 bruises to be visible one week later, if it was
2 administered over a pair of jeans, it must have been a very
3 hard -- hard hits that she received and many of them;
4 correct?

5 **MR. CHISHOLM:** Sir, objection before that
6 question gets answered.

7 I don't believe this witness is qualified as
8 an expert in bruise patterns, and I'm not sure how he is in
9 a position to answer that question.

10 **THE COMMISSIONER:** It's not a trial. He's a
11 social worker for many years. It might go to weight. Let
12 it go to weight.

13 **MR. CHISHOLM:** Thank you, sir.

14 **MS. DALEY:** You were there and saw it
15 happen. You testified about that, right, sir?

16 **MR. KEOUGH:** Yes.

17 **MS. DALEY:** And you said Mr. Tenger was very
18 angry and red in the face?

19 **THE COMMISSIONER:** Oh, he's not the one who
20 administered the strapping though.

21 **MR. KEOUGH:** No, he wasn't.

22 **MS. DALEY:** I'm sorry?

23 **THE COMMISSIONER:** He's not the one who
24 administered the strapping.

25 **MS. DALEY:** I know that.

1 **THE COMMISSIONER:** Oh, okay.

2 **MS. DALEY:** You told us that Mr. Tenger, who
3 did administer the strapping, was very angry and red in the
4 face when he did that; correct?

5 **MR. KEOUGH:** He didn't administer the
6 strapping.

7 **THE COMMISSIONER:** Yes.

8 **MS. DALEY:** I'm sorry. I'm sorry.

9 **THE COMMISSIONER:** Yeah, Mr. Tenger did not
10 -- he ordered somebody else to do it.

11 **MS. DALEY:** I'm sorry. I misunderstood. It
12 was Mr. Maguire (sic). Was that right?

13 **MR. KEOUGH:** I don't know what his last name
14 was.

15 **MS. DALEY:** Fellow named Jerry? The worker
16 named Jerry?

17 **MR. KEOUGH:** Jerry, yes.

18 **MS. DALEY:** All right. Sorry, help me.

19 I've misunderstood what you said then. Was
20 it Jerry who was angry and red in the face?

21 **MR. KEOUGH:** No, it was Mr. Tenger.

22 **MS. DALEY:** So let me understand what's
23 happening.

24 Jerry is administering a punishment to C-75.
25 Mr. Tenger and yourself are also present and you're

1 observing. Is there anyone else observing?

2 **MR. KEOUGH:** I believe the other staff were
3 there.

4 **MS. DALEY:** Do you know who? Was your
5 brother there?

6 **MR. KEOUGH:** I believe so.

7 **MS. DALEY:** And Mr. Tenger's daughter?

8 **MR. KEOUGH:** Heather, I believe so. Yeah.

9 **MS. DALEY:** The cook?

10 **MR. KEOUGH:** No. I don't remember. I
11 remember -- I believe those two others were there, yes.

12 **MS. DALEY:** Where was C-75? Was she lying
13 on the ground? Where was she?

14 **MR. KEOUGH:** I believe she was bending over.

15 **MS. DALEY:** Over what?

16 **MR. KEOUGH:** There may have been a chair,
17 I'm not sure.

18 **MS. DALEY:** All right. So the worker named
19 Jerry took his belt off and he hit her on the buttocks. Is
20 that what you saw?

21 **MR. KEOUGH:** I don't remember him taking his
22 belt off but he had a belt, yes.

23 **MS. DALEY:** All right.

24 So I guess my question to you, sir, about
25 the fact that the bruising still exists within a week and

1 is observable, right, would you describe what you saw as a
2 beating?

3 **MR. KEOUGH:** No, and from my recollection in
4 reading through the notes, there was a record made that
5 following my departure that night and the day after, she
6 got some more strappings. And if that's the case, that
7 could be attributed to the bruising but there was
8 definitely not -- it was definitely not -- the bruising was
9 definitely not the result of that night.

10 **MS. DALEY:** How do you know that?

11 **MR. KEOUGH:** Because I watched it, and the
12 strap wasn't, in my opinion, severe enough to cause any
13 bruising.

14 **THE COMMISSIONER:** Would you agree, sir,
15 that regardless as to when the strapping was, that if the
16 strapping is severe enough to leave bruises, that it's
17 excessive?

18 **MR. KEOUGH:** Yes. Yes.

19 **THE COMMISSIONER:** Okay.

20 **MS. DALEY:** Can you help us understand at
21 all then if Mr. Tenger wasn't administering the strapping
22 but he was there, he was red-faced, he was very angry, he
23 was saying things I assume. Is that correct?

24 **MR. KEOUGH:** Yes, he -- I think he said to
25 her something to the effect you are being punished for

1 being with the two boys or something like that.

2 MS. DALEY: Was it yelling?

3 MR. KEOUGH: His voice was raised.

4 MS. DALEY: Do you recall anything else he
5 said?

6 MR. KEOUGH: No.

7 MS. DALEY: Did he call her names?

8 MR. KEOUGH: No.

9 MS. DALEY: Are you sure?

10 MR. KEOUGH: No, I'm not sure, but I don't
11 remember him calling her names.

12 MS. DALEY: Did he call her any names for
13 the fact that she had been with two boys?

14 MR. KEOUGH: I don't remember him calling
15 her a name.

16 MS. DALEY: All right.

17 Now, you did testify here that you
18 considered that occurrence to be inappropriate?

19 MR. KEOUGH: Yes.

20 MS. DALEY: And you explained why.

21 MR. KEOUGH: Yes.

22 MS. DALEY: But you did not intervene did
23 you?

24 MR. KEOUGH: No.

25 MS. DALEY: And I take it, sir, after having

1 witnessed this strapping, did you leave the home?

2 MR. KEOUGH: Yes.

3 MS. DALEY: I take it you did not call Mr.
4 Devlin to inform him of what you'd seen?

5 MR. KEOUGH: No.

6 MS. DALEY: Did it occur to you that in your
7 role as a liaison between the agency and the group home,
8 perhaps you'd just witnessed a problem of which the agency
9 should be aware?

10 MR. KEOUGH: I remember after that night
11 saying to myself that I needed to do -- to talk to Mr.
12 Tenger about what I saw and what my concerns were. And
13 then that following week, everything just looped, so it all
14 came out.

15 MS. DALEY: So you say you formed the
16 intention to talk to Mr. Tenger?

17 MR. KEOUGH: Yes.

18 MS. DALEY: But you didn't ---

19 MR. KEOUGH: No.

20 MS. DALEY: --- act on that before other
21 matters transpired?

22 MR. KEOUGH: That's right.

23 THE COMMISSIONER: What was it that you
24 wanted to talk to him about?

25 MR. KEOUGH: About his anger and about

1 punishing a child coming into the home for something they
2 did while outside of that home prior to coming into the
3 home. I wanted to talk to him about that.

4 **MS. DALEY:** Do you have any perception as to
5 what it was about what C-75 had done that made Mr. Tenger
6 so angry he was red in the face?

7 **MR. KEOUGH:** No.

8 **MS. DALEY:** Was it her sexuality? Why would
9 he be angry about that? I just don't understand.

10 **MR. KEOUGH:** I don't either.

11 **MS. DALEY:** All right.

12 **THE COMMISSIONER:** Mr. Chisholm?

13 **MR. CHISHOLM:** I am not sure how this
14 witness can speak why someone else was angry.

15 **THE COMMISSIONER:** Well, maybe he told him.

16 **MR. CHISHOLM:** Perhaps that could be a
17 proper question but for him to read the mind of Mr. Tenger.

18 **THE COMMISSIONER:** Yes.

19 **MS. DALEY:** I take it he didn't tell you why
20 he was angry and you don't understand the reason for it?

21 **MR. KEOUGH:** No.

22 **MS. DALEY:** Now, that event was immediately
23 preceded -- or was preceded that same day, I assume, by the
24 occurrence at the Matte receiving home. Is that correct?

25 **MR. KEOUGH:** Yes.

1 **MS. DALEY:** And the occurrence at the Matte
2 receiving home happened at about 2:00 p.m. that day?

3 **MR. KEOUGH:** I believe it was shortly after
4 lunch, yes.

5 **MS. DALEY:** All right.

6 And you took C-75 to the Matte receiving
7 home and she was tied to a bed; correct?

8 **MR. KEOUGH:** Yes.

9 **MS. DALEY:** And her clothes were removed and
10 she was in nightclothes?

11 **MR. KEOUGH:** She was in a housecoat.

12 **MS. DALEY:** And that was so she couldn't run
13 away again because it was cold outside and without clothes
14 or shoes, she wouldn't do that, right?

15 **MR. KEOUGH:** That's right.

16 **MS. DALEY:** And that's also the reason she
17 is tied to the bed. She's physically restrained. She
18 can't move. She can't run away?

19 **MR. KEOUGH:** No.

20 **MS. DALEY:** Now, you gave evidence that on
21 that very day you contacted Mr. Devlin?

22 **MR. KEOUGH:** Yes.

23 **MS. DALEY:** To tell him what had happened?

24 **MR. KEOUGH:** Yes.

25 **MS. DALEY:** And when did that happen, do you

1 know, sir?

2 MR. KEOUGH: It would have probably been
3 after I got home from Mrs. Matte's.

4 MS. DALEY: So that would be at some point,
5 say, mid-afternoon on that day?

6 MR. KEOUGH: Mid to later afternoon, I would
7 think, yes. It would be in the 24-hour duty book.

8 MS. DALEY: I missed the last part of what
9 you said.

10 MR. KEOUGH: There was a 24-hour duty book
11 we needed to keep if we were on call all week.

12 MS. DALEY: Yes, yes.

13 MR. KEOUGH: And in that book we had to
14 record the time the phone calls came in, the time we left,
15 and the time we got back and if we had to take any action,
16 what that action was. So all of the times were logged in
17 that book.

18 MS. DALEY: Okay, so the fact that you
19 picked her up at the OPP, taken her to Matte and then
20 returned to the office, you logged in and out the times you
21 did those things?

22 MR. KEOUGH: I would have, yes.

23 MS. DALEY: All right. And what did you say
24 to Mr. Devlin?

25 MR. KEOUGH: Exactly what I said here today

1 and what I had done; the actions I had taken.

2 MS. DALEY: What did he say to you?

3 MR. KEOUGH: I forget his exact words but,
4 basically, his response was that it was totally
5 inappropriate and unacceptable.

6 MS. DALEY: What was unacceptable about it?

7 MR. KEOUGH: Asking her to disrobe, tying
8 her to the bed.

9 MS. DALEY: Did he expect that you would
10 have known that already?

11 MR. KEOUGH: I don't know what he expected.

12 MS. DALEY: Did he say, "Mr. Keough, you
13 should know we don't do those things here"?

14 MR. KEOUGH: It was something like that,
15 yeah.

16 MS. DALEY: So there was a standard there,
17 and you didn't know about it evidently.

18 MR. KEOUGH: I don't know if he was
19 referring to a standard. He definitely made it plain that
20 my actions were not acceptable.

21 MS. DALEY: And you indicate here you felt
22 that yourself even before you called him?

23 MR. KEOUGH: Pardon?

24 MS. DALEY: I thought what your -- the gist
25 of your testimony here was that you were expecting him to

1 say that to you because you, yourself, thought that what
2 had happened was wrong?

3 MR. KEOUGH: That's right.

4 MS. DALEY: And I thought that you were
5 offering us that evidence as a way of saying that you felt
6 instant regret about what had occurred?

7 MR. KEOUGH: Yeah, both.

8 MS. DALEY: Is this the first time you had
9 ever had occasion to pick up a runaway girl?

10 MR. KEOUGH: I can't recollect any others.
11 This one, I haven't forgotten.

12 THE COMMISSIONER: No, but generally
13 speaking, have you in your career picked up runaway girls?

14 MR. KEOUGH: Yes.

15 THE COMMISSIONER: And do you know if you
16 had picked any up before then?

17 MR. KEOUGH: I can't remember, Your Honour.

18 THE COMMISSIONER: Okay.

19 MS. DALEY: All right.

20 Just a very, very few details about C-75. I
21 don't know if you know these details, sir, but we've heard
22 evidence about her and we have seen other CAS documents, so
23 perhaps you know this yourself.

24 I gather at the time of the occurrence she
25 was probably about 15 years of age?

1 **MR. KEOUGH:** I think so, yes.

2 **MS. DALEY:** And that she was a physically
3 well-developed young woman?

4 **MR. KEOUGH:** Yes.

5 **MS. DALEY:** And she was sexually mature and
6 sexually active?

7 **MR. KEOUGH:** Yes.

8 **MS. DALEY:** And she was mentally slow? Did
9 you perceive that?

10 **MR. KEOUGH:** No.

11 **MS. DALEY:** Just one second, sir.

12 **THE COMMISSIONER:** While we're there, while
13 there's a break, I suppose, where did you come up with the
14 idea of asking her to take off her clothes and tying her to
15 a bed? Is that something that you had done before?

16 **MR. KEOUGH:** No. No.

17 **THE COMMISSIONER:** Is it something that you
18 had seen done before?

19 **MR. KEOUGH:** No. I think after the ride
20 from -- I don't know -- after the ride from Long Sault and
21 all the trouble we had in the car, and then getting rid of
22 that other car, and she appeared as if she was on
23 something -- I wasn't sure.

24 I just -- what I should have done was taken
25 her straight to the hospital and had her examined, Third

1 South, Cornwall General. I could have gone to the police
2 station in Regina and said, "Look it, I can't handle this."

3 **THE COMMISSIONER:** Not in Regina, but ---

4 **MR. KEOUGH:** Oh, sorry. Sorry.

5 **THE COMMISSIONER:** No, no, it's all right.
6 It's Cornwall.

7 **MR. KEOUGH:** Cornwall. There were a number
8 of far better options I could have chosen.

9 **MS. DALEY:** What about the option of taking
10 her to the Second Street Group Home directly?

11 **MR. KEOUGH:** Oh, she wasn't a runaway from
12 the Second Street Group Home. I know that's at different
13 places in the files, but if she has been a runaway from the
14 Second Street Group Home, I would have taken her there
15 directly, and I didn't.

16 **MS. DALEY:** But she was taken there directly
17 from the Matte receiving home, so presumably that was
18 because there was a vacancy and they could take her at the
19 Second Street home?

20 **MR. KEOUGH:** I presume so, yes.

21 **MS. DALEY:** All right.

22 If you want to have a look at 2212, the
23 first page?

24 And, Madam Clerk, I'm going to need to see
25 that on the screen, because unfortunately I don't have a

1 hard copy with me. That's where the incident is reflected
2 in the Personnel Committee minutes. You need to go a bit
3 further down, Madam Clerk, where it says ---

4 **THE COMMISSIONER:** Where it says ---

5 **MS. DALEY:** Sorry, C-75. You looked at this
6 passage of the report in your testimony in-chief, sir. Do
7 you recall that?

8 **MR. KEOUGH:** Yes, I do.

9 **MS. DALEY:** Now, I had understood -- and
10 I've understood this from Mr. Towndale's evidence, not
11 yours, but maybe he's mistaken; maybe you are.

12 I had understood from Towndale's evidence
13 that, in essence, you acknowledged that the description of
14 the occurrence with respect to C-75 as reflected in this
15 minute was accurate.

16 **MR. KEOUGH:** I did not -- let me see
17 here -- I did not wrestle her clothes off.

18 **THE COMMISSIONER:** Did you take her clothes
19 off?

20 **MR. KEOUGH:** No, I didn't.

21 **MS. DALEY:** All right.

22 Is there anything else about how it's
23 recorded in this report that you say is incorrect?

24 **MR. KEOUGH:** The door was not locked. That
25 originally was my first option. There was no lock on the

1 door. The first time I tied her up she did get loose right
2 away because I didn't know how to tie her. The second
3 time, again, I struggled with how do you tie someone
4 without bruising them?

5 **MS. DALEY:** But I take it because she'd got
6 out of the first bindings, you did tie her again and you
7 tried to do it more tightly?

8 **MR. KEOUGH:** I did, yes, I tried.

9 **MS. DALEY:** All right.

10 Is there anything else there then that is
11 incorrect?

12 **MR. KEOUGH:** When I left, I believe I seen
13 her at the door, as I was driving out the driveway, and
14 that's what I told Constable White in '94, I believe it
15 was.

16 **MS. DALEY:** Are you sure about that?

17 **MR. KEOUGH:** Am I sure about that? I
18 believe I seen her ---

19 **MS. DALEY:** Okay. Let's take ---

20 **MR. KEOUGH:** --- at the door.

21 **MS. DALEY:** Sorry, I don't want to cut you
22 off. Are you sure you saw her at the door?

23 **MR. KEOUGH:** I believe I saw her at the
24 door. Whether she was there or not -- I believe I did.

25 **MS. DALEY:** You agree with me that if that

1 were the case, then it couldn't be correct that she had
2 asked to be untied by Mrs. Matte, and refused, and that
3 Mrs. Matte fed her?

4 **MR. KEOUGH:** Yes, I agree.

5 **MS. DALEY:** You agree that that can't be
6 right, if what ---

7 **MR. KEOUGH:** That's right.

8 **MS. DALEY:** --- you say you think you saw is
9 right?

10 **MR. KEOUGH:** That's right.

11 **MS. DALEY:** I need you to look at something
12 for me, just for a second, sir, on the other statement
13 you've just made. If you turn up Exhibit 2210, I'm going
14 to ask you -- at Bates 379 and 380.

15 And, sir, according to the content of the
16 document, this is a document prepared by Officer White
17 after his interview of you. It's not identical to the
18 statement, but this is how he reflected your interview,
19 sir?

20 **MR. KEOUGH:** Yes.

21 **MS. DALEY:** And just let me back up for a
22 second. As you made clear, you volunteered to talk to him,
23 did you not, sir?

24 **MR. KEOUGH:** I volunteered to come down and
25 talk to him.

1 **MS. DALEY:** Yes.

2 **MR. KEOUGH:** I think he was willing to do it
3 on the phone; I was not.

4 **MS. DALEY:** Taking a step back from that,
5 you knew that you were under investigation. You didn't
6 have to speak to him if you chose not to?

7 **MR. KEOUGH:** That's right.

8 **MS. DALEY:** He gave you every opportunity
9 not to, but you, in fact, insisted on telling him your
10 version; correct?

11 **MR. KEOUGH:** No.

12 **MS. DALEY:** No?

13 **MR. KEOUGH:** I was under the impression that
14 I had to talk to him, that my choice was whether by phone
15 or face-to-face, but I don't believe I was ever given the
16 option not to talk to him.

17 **MS. DALEY:** Well, the page I've turned you
18 to, sir, if you'd just look at the first several
19 paragraphs? It says:

20 "Mr. Keough was advised that he was
21 under no obligation to grant this
22 interview. He had the right to seek
23 legal counsel..."

24 Et cetera. Do you ---

25 **MR. KEOUGH:** Yes.

1 MS. DALEY: --- see that, sir?

2 MR. KEOUGH: Yes.

3 MS. DALEY: "Mr. Keough indicated that he
4 understood these rights and was looking
5 forward to hearing what exactly the
6 allegations are against him and respond
7 to them."

8 MR. KEOUGH: Okay.

9 MS. DALEY: So I inferred from that ---

10 MR. KEOUGH: Yes.

11 MS. DALEY: --- that you understood you were
12 a potential accused, that you were waiving any rights to
13 stay silent, and you wanted to tell Officer White what had
14 happened.

15 MR. KEOUGH: Okay.

16 MS. DALEY: Was that your frame of mind,
17 sir?

18 MR. KEOUGH: Yes, that's what's there.

19 MS. DALEY: All right.

20 So I took it from that that it would be very
21 important to you to elaborate to him as many details as you
22 could about these occurrences, because you wanted to make
23 it clear to him that you'd done nothing wrong?

24 MR. KEOUGH: I wanted to respond to the
25 allegations, yes.

1 **MS. DALEY:** Correct.

2 And your position is you've done nothing
3 wrong, so you're hoping to satisfy him of that?

4 **MR. KEOUGH:** I don't remember if that was my
5 position. I just -- I wanted to talk to the one who said
6 those accusations against me.

7 **MS. DALEY:** All right. Fair enough, sir.

8 Now, I want you to look at, I guess, the
9 last three lines from the bottom of the first page. That's
10 Bates 379, and then just continue reading over to 380,
11 where the topic continues.

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **MR. KEOUGH:** Yes, I've read that.

14 **MS. DALEY:** Have you read that, sir?

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

16 **MS. DALEY:** So this is a reference to C-75?

17 **MR. KEOUGH:** It's -- yes, it is.

18 **MS. DALEY:** And what you say about this
19 incident is that you demand that she remove her clothing to
20 make it more difficult to run away. When she refused to do
21 that -- I'm skipping, I'm not reading every word -- but you
22 say you began to unbutton her blouse, but she put on her
23 gown by herself. You admitted to tying her to her bed
24 overnight to prevent her from running away, and that you
25 were subsequently reprimanded for those errors in judgment.

1 Do you see that, sir?

2 MR. KEOUGH: Yes.

3 MS. DALEY: Is that a fair reflection of
4 what you said to Officer White on that subject?

5 MR. KEOUGH: Well, I didn't tie her to the
6 bed overnight because I picked her up that evening at eight
7 o'clock.

8 MS. DALEY: I appreciate that that's your
9 testimony, sir. My question simply was, can you attest
10 that this is an accurate reflection of what you said to
11 Officer White in August of 1994?

12 MR. KEOUGH: Yes.

13 MS. DALEY: So you don't say he's got it
14 wrong. You would acknowledge that this is what you told
15 him at that time?

16 MR. KEOUGH: Yes.

17 MS. DALEY: About the C-75 ---

18 MR. KEOUGH: Yes ---

19 MS. DALEY: --- incident?

20 MR. KEOUGH: --- that seems to be right.

21 MS. DALEY: All right.

22 And you agree with me, sir, that nowhere
23 there do you say that you saw her in the window as you were
24 leaving?

25 MR. KEOUGH: No, but I believe I had told

1 him that then.

2 MS. DALEY: All right. As I read this
3 statement or his notes of what you've said here, sir, you
4 tied her overnight to prevent her from running -- I mean
5 that would be inconsistent with the notion that you
6 subsequently saw her in the window, would it not?

7 MR. KEOUGH: Yes, it would be.

8 MS. DALEY: All right.

9 THE COMMISSIONER: When you went back to
10 pick her up, where was she?

11 MR. KEOUGH: She was in the kitchen.

12 THE COMMISSIONER: So she was untied?

13 MR. KEOUGH: Yes.

14 MS. DALEY: Did you untie her?

15 MR. KEOUGH: No.

16 MS. DALEY: What was she wearing when you
17 saw her again?

18 MR. KEOUGH: I think the clothes that I
19 brought her in.

20 MS. DALEY: See any marks on her wrists?

21 MR. KEOUGH: No, I didn't.

22 MS. DALEY: Was it roughly about 8 o'clock
23 that you went back to get her, or do you know?

24 MR. KEOUGH: I believe that's the time I
25 noted.

1 **THE COMMISSIONER:** That was pursuant to a
2 discussion you had with Mr. Devlin?

3 **MR. KEOUGH:** Yes.

4 **MS. DALEY:** Are we agreed also, sir, that in
5 this passage from Officer White's notes of your
6 conversation no reference is made to the fact that you
7 self-reported this to Mr. Devlin and received chastisement?

8 **MR. KEOUGH:** No, there's no reference there.

9 **THE COMMISSIONER:** Whoa, whoa, whoa. Sorry.

10 **MS. DALEY:** He says he was subsequently
11 reprimanded by the agency.

12 Was that not a reference to the reprimand
13 you received from Mr. Towndale that you told us about?

14 **MR. KEOUGH:** I don't know which you're
15 referring to now.

16 **MS. DALEY:** Well, in that page we were on of
17 the White notes, sir ---

18 **THE COMMISSIONER:** Three eight zero (380).

19 **MS. DALEY:** Three eight zero (380).

20 **THE COMMISSIONER:** No, no, I'm sorry,
21 Exhibit ---

22 **MR. KEOUGH:** Oh, okay, right to where I am
23 here.

24 **THE COMMISSIONER:** Exhibit 2210.

25 **MR. KEOUGH:** Yes.

1 **THE COMMISSIONER:** There you tell Officer
2 White that you were subsequently reprimanded by the agency
3 for these errors in judgements and that this was the only
4 such time that you did anything of this nature.

5 **MR. KEOUGH:** That would be ---

6 **THE COMMISSIONER:** For tying her up.

7 **MR. KEOUGH:** I would think that would be the
8 Mr. Devlin conversation.

9 **MS. DALEY:** As opposed to the Towndale
10 reprimand that ---

11 **MR. KEOUGH:** Yes.

12 **MS. DALEY:** --- you told us about.

13 **MR. KEOUGH:** Yes.

14 **MS. DALEY:** But you described the Towndale
15 occurrence as a reprimand that went on your file.

16 **MR. KEOUGH:** It was supposed to go on my
17 file, yes.

18 **MS. DALEY:** All right. Some questions for
19 you, sir, about Jeannette Antoine at the Second Street
20 group home, if I could ask you about that.

21 Obviously Jeannette was a resident of that
22 home from the time you became associated with it; correct?

23 **MR. KEOUGH:** Yes.

24 **MS. DALEY:** And you had contact with her in
25 the home when you attended the home?

1 **MR. KEOUGH:** It would have been casual
2 contact, yes.

3 **MS. DALEY:** You had some interactions with
4 her?

5 **MR. KEOUGH:** Nothing of a meaningful nature.

6 **MS. DALEY:** What does that mean?

7 **MR. KEOUGH:** Well, nothing involving her
8 care or her treatment or anything along that line.

9 **MS. DALEY:** Did you ever see her being
10 disciplined in the home in any manner?

11 **MR. KEOUGH:** No.

12 **MS. DALEY:** Never?

13 **MR. KEOUGH:** No.

14 **MS. DALEY:** Did you observe other workers
15 interacting with Jeannette in the home?

16 **MR. KEOUGH:** Yes.

17 **MS. DALEY:** Did you observe Mr. Tenger, for
18 example, interacting with Jeannette?

19 **MR. KEOUGH:** I must have, yes.

20 **MS. DALEY:** Did you ever observe Mr. Tenger
21 being harsh with Jeannette verbally?

22 **MR. KEOUGH:** Not that I can remember.

23 **MS. DALEY:** Did you have any observation of
24 how Mr. Tenger got along with Jeannette?

25 **MR. KEOUGH:** No.

1 **MS. DALEY:** Did it appear to you -- did you
2 ever talk to Mr. Tenger about Jeannette?

3 **MR. KEOUGH:** No.

4 **MS. DALEY:** Considering that you'd been her
5 worker on a prior occasion, you didn't share that
6 information with him?

7 **MR. KEOUGH:** He would have access to the
8 file and he would have read it, and there was no case
9 conference between Mr. Tenger and I and any of the children
10 in the home.

11 **MS. DALEY:** Apart from a case conference,
12 just -- he was a good friend of yours; fair enough, sir?

13 **MR. KEOUGH:** Yeah.

14 **MS. DALEY:** Did you ever just, you know, as
15 co-worker to co-worker talk to him about your experience of
16 Jeannette when she was your child?

17 **MR. KEOUGH:** Not that I can remember.

18 **MS. DALEY:** Did you see any other -- apart
19 from Mr. Tenger, did you see any other workers being
20 verbally harsh with Jeannette?

21 **MR. KEOUGH:** No.

22 **MS. DALEY:** Did you ever observe any
23 encounters between Jeannette and workers around eating
24 meals? Ever see any difficulty with Jeannette being made
25 to eat food that she refused to eat?

1 **MR. KEOUGH:** No. I think I was there a
2 couple of times at meal time because I was on my way past
3 the home but I don't remember -- I don't remember any dish
4 being put in front of Jeannette and Jeannette being told,
5 "You didn't eat this this morning; you need to eat it now,"
6 type of thing.

7 **MS. DALEY:** I take it you never saw
8 Jeannette being made to kneel in a corner?

9 **MR. KEOUGH:** No.

10 **MS. DALEY:** Some questions about Mr. Rabey
11 and the circumstances of his death.

12 Firstly, did you ever have an understanding
13 that Jeannette felt close to Mr. Rabey?

14 **MR. KEOUGH:** I believe she was close to him,
15 yes.

16 **MS. DALEY:** How did you learn about that?

17 **MR. KEOUGH:** Well, from reading all the
18 papers here. It's made note of several times that she was
19 close to him.

20 **MS. DALEY:** Before he died did you ever talk
21 to Mr. Rabey about Jeannette?

22 **MR. KEOUGH:** No.

23 **MS. DALEY:** I had the impression from the
24 evidence we've heard that he died very suddenly of a heart
25 attack.

1 **MR. KEOUGH:** I believe it was a heart
2 attack. It was quick. He was -- well, it was quite
3 sudden.

4 **MS. DALEY:** Yeah. Do you know whether or
5 not he had the heart attack in the home in the presence of
6 the children?

7 **MR. KEOUGH:** I don't know. I don't
8 remember.

9 **MS. DALEY:** Did you announce his death at
10 the home?

11 **MR. KEOUGH:** No.

12 **MS. DALEY:** Was that Mr. Tenger?

13 **MR. KEOUGH:** I don't know who ---

14 **MS. DALEY:** You don't know?

15 **MR. KEOUGH:** I don't know who announced it.

16 **MS. DALEY:** You attended his funeral,
17 obviously. Did you speak with Jeannette at his funeral?

18 **MR. KEOUGH:** I don't remember attending his
19 funeral but undoubtedly I was there because he was a staff
20 member. I don't remember speaking to Jeannette at the
21 funeral, no.

22 **MS. DALEY:** Do you remember seeing her
23 there?

24 **MR. KEOUGH:** No.

25 **MS. DALEY:** All right. So do you remember

1 the first time you entered the home after his death? Was
2 it immediately after, or can you help us with that?

3 MR. KEOUGH: I have no recollection in terms
4 of my first time at the home.

5 MS. DALEY: All right. Did you have an
6 encounter with Jeannette the first time you came into the
7 home after the death?

8 MR. KEOUGH: Not that I remember.

9 MS. DALEY: All right. In terms of your
10 working with Jeannette at the earlier points in time, well,
11 you were the worker for both herself and her sister?

12 MR. KEOUGH: Yes.

13 MS. DALEY: During the Reynens' placement.
14 And I do intend to take you to some documents, not
15 necessarily at the moment, but maybe I'll just you the
16 general questions and see what your response is.

17 I take it you considered Jeannette to be a
18 bit of a troublemaker in that home?

19 MR. KEOUGH: Yes.

20 MS. DALEY: In other words, if you compare
21 Lorraine to Jeannette, it was Jeannette who you considered
22 to be the source of problems; not Lorraine?

23 MR. KEOUGH: Yes.

24 MS. DALEY: And, sir, you have like a visual
25 memory of Jeannette when she was a child in Reynens' home?

1 MR. KEOUGH: No.

2 MS. DALEY: Can you see her in your mind?

3 MR. KEOUGH: No.

4 MS. DALEY: Or Lorraine for that matter?

5 MR. KEOUGH: Lorraine more so, because I
6 worked with her so much from those years, yes.

7 MS. DALEY: Now, what we've heard here and
8 what we've seen in the documents is that Jeannette was very
9 overweight. Does that accord with your memory?

10 MR. KEOUGH: Yes, yes.

11 MS. DALEY: I'm assuming Lorraine was not.
12 I mean she was a ---

13 MR. KEOUGH: No, she wasn't.

14 MS. DALEY: --- more normal weight?

15 MR. KEOUGH: Yes.

16 MS. DALEY: An attractive looking child?

17 MR. KEOUGH: Yes.

18 MS. DALEY: And in your experience at least,
19 a much better-behaved child than Jeannette?

20 MR. KEOUGH: She had her problems but much -
21 - yes, you're right.

22 MS. DALEY: All right. The problems that
23 you attribute to Jeannette, the lying and the stealing, for
24 example, Lorraine didn't exhibit that behaviour?

25 MR. KEOUGH: I can't remember whether she

1 did or not but it would be in her file if she did.

2 MS. DALEY: All right. But your
3 recollection would suggest she wasn't as much of a problem
4 child?

5 MR. KEOUGH: My recollection was she wasn't
6 an instigator, and I've seen Jeannette more of an
7 investigator.

8 MS. DALEY: I take it Lorraine was more on
9 the quiet side?

10 MR. KEOUGH: Well, she could be quite
11 outspoken at times too.

12 MS. DALEY: Okay. All right. But in terms
13 of initiating mischief, it was Jeannette and not her
14 sister?

15 MR. KEOUGH: It seemed to be, yes.

16 MS. DALEY: Did you like Jeannette?

17 MR. KEOUGH: I didn't dislike her.

18 MS. DALEY: Did you like her sister?

19 MR. KEOUGH: I didn't dislike her either.

20 MS. DALEY: But you don't go farther than
21 that in either case?

22 MR. KEOUGH: No.

23 MS. DALEY: Is it important that a worker
24 just have some basic liking for the child that they're
25 responsible for?

1 **MR. KEOUGH:** Yes.

2 **MS. DALEY:** But you just felt neutral about
3 both of these girls?

4 **MR. KEOUGH:** I didn't say "neutral". I
5 guess I'm responding to what I believe is behind your
6 question, that I may have liked Lorraine more than
7 Jeannette.

8 **MS. DALEY:** I don't have any big trick or
9 trap. I just ---

10 **MR. KEOUGH:** Okay.

11 **MS. DALEY:** --- am just asking for your
12 feeling about her as a person.

13 **MR. KEOUGH:** Well, I liked both children.

14 **MS. DALEY:** Did you like them equally?

15 **MR. KEOUGH:** I would think so.

16 **MS. DALEY:** You weren't asked about this
17 occurrence in your testimony in-chief, but I do want to ask
18 you about some evidence you gave in 1996.

19 You remember you testified at the trial of
20 Jeannette's father, her natural father?

21 **MR. KEOUGH:** I remember being called there,
22 yes.

23 **MS. DALEY:** Do you have an understanding as
24 to what that trial was meant to deal with?

25 **MR. KEOUGH:** Jeannette's allegations against

1 her dad, Mr. Lapointe. Is it Mr. Lapointe?

2 MS. DALEY: I believe that's correct, sir.

3 MR. KEOUGH: In terms of sexual allegations.

4 MS. DALEY: All right.

5 And you recall giving sworn testimony at
6 either the trial or the preliminary inquiry of Jeannette's
7 father, Mr. Lapointe?

8 MR. KEOUGH: Yes.

9 MS. DALEY: You were asked questions about
10 your interactions with Jeannette?

11 MR. KEOUGH: Yes.

12 Madam Clerk, if you could show Mr. Keough
13 Document 130135? It should be an extract of trial
14 proceedings.

15 THE COMMISSIONER: Thank you.

16 Exhibit 2359 is a transcript of an extract
17 from a proceeding at trial, Her Majesty The Queen and
18 Ernest Lapointe -- will be Exhibit 2359.

19 --- EXHIBIT NO./PIÈCE NO. P-2359:

20 (130135) Transcript *R. v. Ernest Lapointe*
21 dated January 18, 1996

22 MS. DALEY: Thank you.

23 Mr. Keough, in preparation for your
24 testimony here have you had a chance to look at this
25 document recently?

1 **MR. KEOUGH:** In the last couple of weeks,
2 yes.

3 **MS. DALEY:** All right.

4 So just to put us all in the picture here,
5 this is an extract -- or this is your examination in-chief
6 by Ms. Kruge, who was appearing for the defence. So you
7 were called as a witness by Mr. Lapointe's counsel. Does
8 that accord with your recollection?

9 **MR. KEOUGH:** Yes.

10 **MS. DALEY:** And at page -- I'm going to take
11 you to page 3 and page 4 of the transcript, sir. I'll take
12 you to a specific passage but let me just ask you this.

13 I assume you were interviewed before your
14 evidence was called. You were contacted by Mr. Lapointe's
15 lawyer and she asked you some questions?

16 **MR. KEOUGH:** Yes.

17 **MS. DALEY:** So you went into this exercise
18 knowing the type of subject matter you were going to be
19 asked about. Is that more or less fair?

20 **MR. KEOUGH:** Yes.

21 **MS. DALEY:** All right.

22 So at page 3 -- take your time with this,
23 sir -- but at page 3 you're being asked in a general sense
24 your involvement with Jeannette. That's the first
25 question. And you outline that.

1 "In the foster home in Long Sault..." -
2 - obviously that's the Reynens' home that we've heard
3 about; correct, sir?

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

5 **MS. DALEY:** And you're talking about the
6 event you testified to here, where you separate the two of
7 them.

8 You're asked, "Why did you separate them?"
9 and then you give an answer at line 10, and you say:

10 "The home that they were in when that
11 placement broke down, it was my feeling
12 it broke down as a result of
13 Jeannette's misbehaviour and not
14 Lorraine's."

15 And, again, that's a reference to Reynens',
16 is it, sir?

17 **MR. KEOUGH:** I believe it is, yes.

18 **MS. DALEY:** All right.

19 And just stopping there, that reflects your
20 genuine belief that the problem at Reynens' was Jeannette
21 and not Lorraine. Is that correct?

22 **MR. KEOUGH:** Yes.

23 **MS. DALEY:** And then you're -- you then talk
24 about separating them. Here's the question that interests
25 me:

1 "And did you thereafter have contact
2 with Jeannette?"

3 And your testimony is:

4 "She left my care. When she went into
5 treatment care she left my
6 supervision."

7 So that's your response to the question about
8 contact.

9 Now, if you look with me, please, at page 4 of the
10 transcript, sir, and I'd like you to look at line 16
11 through to about 24 because Ms. Kruge comes back to the
12 subject of when you last had any direct involvement with
13 Jeannette. And you say it's soon after you separated them,
14 and of course you can't necessarily recall the year, but
15 they were young teens.

16 And that, again, is a reference to the fact
17 that one of them left the Reynens' home and they were
18 separated; correct?

19 **MR. KEOUGH:** Yes.

20 **MS. DALEY:** And, again, you gave us that
21 testimony here, and that happened in 1973?

22 **MR. KEOUGH:** Yes.

23 **MS. DALEY:** The evidence you've given there
24 suggests that you had no further contact or involvement
25 with Jeannette after that point; correct, sir?

1 **MR. KEOUGH:** Yes.

2 **MS. DALEY:** You say nothing here about your
3 contact with Jeannette in the Second Street Group Home in
4 1976?

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

6 **MS. DALEY:** So the impression you've given
7 the court in this instance is you had no further
8 involvement with her whatsoever, and the Second Street
9 Group Home contact is not referred to?

10 **MR. KEOUGH:** I'm referring to the fact that
11 I was never her worker.

12 **MS. DALEY:** You were asked about contact and
13 involvement, sir.

14 **MR. KEOUGH:** Yes, I know. I realize that
15 but ---

16 **MS. DALEY:** Were you concerned not to make
17 mention of the Second Street incidents at this time?

18 **MR. KEOUGH:** It never came to my mind.

19 **MS. DALEY:** All right.

20 But we are agreed that you had contact with
21 Jeannette and some involvement with her following the
22 separation from Reynens' in 1976?

23 **MR. KEOUGH:** Yes.

24 **THE COMMISSIONER:** Sorry. In cross-
25 examination, there's mention of a group home.

1 **MS. DALEY:** I'm sorry, sir?

2 **THE COMMISSIONER:** In cross-examination,
3 there's mention of the group home in the nineties.

4 **MS. DALEY:** Is it cross-examination by the
5 Crown?

6 **THE COMMISSIONER:** Yes. Page 18. It might
7 be -- I may be wrong. I'm just trying to ---

8 **MS. DALEY:** No, no, no. I appreciate that,
9 sir.

10 **THE COMMISSIONER:** It says:

11 "Now, the group home you've heard us
12 talk about..."

13 -- and I'm on page 18, the middle of the -- between
14 question -- line 12, I guess.

15 "Now, the group home you've heard us
16 talk about on Second Street, there was
17 a complaint by Jeannette and others
18 that -- about the group home, and there
19 was a police investigation as far as
20 you're aware."

21 So, I mean, it did come out there.

22 **MS. DALEY:** The subject comes up. I agree
23 with you, sir. You're right about that.

24 Sir, when you gave your testimony initially
25 about that subject -- and I think you've answered my

1 question. I don't want to belabour you, but did you want
2 to avoid conversation about the Second Street Group Home?

3 **MR. KEOUGH:** No.

4 **MS. DALEY:** In other words, did you want to
5 avoid the topic coming up?

6 **MR. KEOUGH:** No.

7 **MS. DALEY:** All right.

8 **MR. KEOUGH:** In fact, I think the lawyer,
9 the lady, I think we had a discussion. There was some
10 talk, even prior to me taking the stand, about the Second
11 Street Group Home and there was some discussion as to
12 whether that would be admissible or not, for some reason.

13 **MS. DALEY:** Let me ask you a few other
14 questions, sir, because -- and these questions derive from
15 other testimony we've heard here, so I'd like your
16 evidence.

17 You're aware that Jeannette was placed in a
18 home in Minden after the Second Street Group Home was dealt
19 with by the Board?

20 **MR. KEOUGH:** That was the Anson home, I
21 believe.

22 **MS. DALEY:** Correct. You knew about that?

23 **MR. KEOUGH:** Yes.

24 **MS. DALEY:** You weren't her worker though?

25 **MR. KEOUGH:** No, I wasn't.

1 **MS. DALEY:** But did you take her to that
2 home?

3 **MR. KEOUGH:** Not that I can remember, and I
4 doubt very much that it would have been me.

5 **THE COMMISSIONER:** Why is that?

6 **MR. KEOUGH:** Well, I would think that would
7 have been a female worker and a male worker going, and I
8 wasn't her male -- I wasn't her worker, period.

9 And given the circumstances in the home and
10 my position at the agency at that time in terms of being
11 reprimanded, I would doubt very much I would have been the
12 person to drive her. I can't see the agency saying, you
13 know, "Bryan, would you like to drive Jeannette to Anson
14 home?"

15 I don't remember driving her. If I'm the
16 one who drove her with another worker, I -- there would be
17 a record there some place.

18 **MS. DALEY:** Do you recall ever being at the
19 Anson home for any purpose at all?

20 **MR. KEOUGH:** Not for Jeannette.

21 **MS. DALEY:** Do you have a memory of the
22 home?

23 Not for Jeannette?

24 **MR. KEOUGH:** Not for Jeannette at all, and I
25 don't know if I was ever there with another -- for another

1 child, but the Anson home was used by the agency over a
2 period of years. I may have been there as an OPI worker at
3 some time later, but I ---

4 **THE COMMISSIONER:** OPI?

5 **MR. KEOUGH:** Pardon?

6 **THE COMMISSIONER:** What's an OPI?

7 **MR. KEOUGH:** Outside paid institution
8 worker, but I don't remember any specific time being there.

9 **MS. DALEY:** Did you transport Jeannette to
10 the wedding of her sister in Cornwall?

11 **MR. KEOUGH:** No, I did not.

12 **MS. DALEY:** You're positive about that?

13 **MR. KEOUGH:** Well, if I did my wife was with
14 me, and I don't remember that.

15 **MS. DALEY:** Do you remember Lorraine's
16 wedding?

17 **MR. KEOUGH:** Yes, I do.

18 **MS. DALEY:** Do you remember Jeannette being
19 present at her wedding?

20 **MR. KEOUGH:** I remember seeing Jeannette
21 there. It was in Maxville.

22 **MS. DALEY:** Did you have any encounters or
23 conversations with Jeannette at that wedding?

24 **MR. KEOUGH:** Not at all.

25 **MS. DALEY:** Her father was there. Do you

1 remember that, sir? Her natural father.

2 MR. KEOUGH: Yes. I believe he was there,
3 yeah. He may have walked her down the aisle, I think. I'm
4 not sure.

5 MS. DALEY: We've been told that by other
6 witnesses.

7 MR. KEOUGH: Okay.

8 MS. DALEY: So that would be consistent with
9 what we've been told.

10 Did you ever have occasion to have to
11 restrain Jeannette in the trunk of your car?

12 MR. KEOUGH: No. Sorry, I wasn't making fun
13 of that. No.

14 MS. DALEY: You're sure that didn't happen?

15 MR. KEOUGH: I am positive that didn't
16 happen.

17 MS. DALEY: Did you ever hear of any other
18 worker who had to do that with Jeannette?

19 MR. KEOUGH: No.

20 MS. DALEY: All right, sir. Give me just a
21 second here to change gears.

22 (SHORT PAUSE/COURTE PAUSE)

23 MS. DALEY: Now, in terms of the Reynen's
24 home placement that the Lapointe sisters had, I want to ask
25 you just a few questions about that. Give me one second,

1 and I'll take you to the exhibit that we marked this
2 morning, that was the childcare log for Jeannette. Just
3 give me a second.

4 It's that very hard-to-read Exhibit 2356.

5 **THE COMMISSIONER:** Two-three-five-six
6 (2356).

7 **MS. DALEY:** And just to help you, sir, it's
8 a difficult document, but if I've understood it correctly,
9 your first recordings concerning Jeannette start at -- it's
10 page 31 of the document. The Bates number is 123.

11 I simply want to take you through some of
12 the chronology of what happened here and see what you can
13 tell me about it.

14 And by all means, feel free to ask for help
15 with the screen or whatever helps you read this. I am
16 actually able to read my copy. I want to see if I can get
17 your evidence without taking you to specific points, but if
18 I need to take you to specific points, I will.

19 But as I've understood it and as you
20 testified this morning, one of the first events of
21 significance, of course, was a nervous breakdown and the
22 hospitalization that Mrs. Reynen has experienced, and that
23 was in November of '72.

24 **MR. KEOUGH:** Okay.

25 **MS. DALEY:** Is that fair, sir?

1 **MR. KEOUGH:** If that's what's recorded, yes.

2 **MS. DALEY:** Yeah, okay. And initially, sir,
3 that was attributed to the misbehaviour of the girls. Is
4 that fair?

5 **MR. KEOUGH:** I can't recollect, but if
6 that's what's made note of, yes.

7 **MS. DALEY:** I take that from page 52 of the
8 document.

9 **MR. KEOUGH:** I think that's where Mr. Reynen
10 says it was the girls that ---

11 **MS. DALEY:** I think this is even before your
12 private conversation with Mr. Reynen.

13 If you look, sir, at the -- I guess it's the
14 third full paragraph. It says:

15 "On November 7th, '72..."

16 It's page 52. If you can expand that, Madam
17 Clerk, it might help the witness.

18 That might be more helpful to you, sir.

19 I'm sorry. This is -- there's a typo here.

20 Is it Mr. Reynen who's made the telephone call? It says
21 'Mrs' but it must mean Mister, or is it her?

22 "She's experiencing a hard time
23 controlling the girls."

24 **THE COMMISSIONER:** It depends. No, no. It
25 says:

1 "She stated that she --- "

2 **MS. DALEY:** You're right, sir.

3 So she is saying that the girls are giving
4 her a very hard time, Jeannette especially, and then you
5 note:

6 "It appears as if the situation became
7 so tense in the foster home that, as a
8 result of this, Mrs. R. had to be
9 admitted to Cornwall on November 26th
10 due to a nervous breakdown."

11 So initially, sir, am I right that you
12 thought that her nervous breakdown was, in fact, caused by
13 misbehaviour by the wards?

14 **MR. KEOUGH:** Yes.

15 **MS. DALEY:** And as between the two wards,
16 Lorraine and Jeannette, I take it, consistent with what you
17 told me a short time ago, it was Jeannette who was the
18 instigator and the prime culprit?

19 **MR. KEOUGH:** I don't recollect whether that
20 was my determination then. I put ---

21 **MS. DALEY:** All right. Okay.

22 **MR. KEOUGH:** --- and that's not -- I didn't
23 ---

24 **MS. DALEY:** Maybe you didn't have that
25 impression until later?

1 MR. KEOUGH: I'm not sure.

2 MS. DALEY: All right. Was it reflected to
3 the children that Mrs. R.'s hospitalization occurred
4 because they were misbehaving?

5 MR. KEOUGH: I don't believe that was. I
6 don't remember ever saying it.

7 MS. DALEY: You would have been the person
8 to talk to them about what was happening?

9 MR. KEOUGH: Well, I would have not said to
10 them, "You're responsible for Mrs. R. being in the
11 hospital." I don't think so.

12 MS. DALEY: All right. Now, I want to take
13 you then to the visit that you make to Mr. R., and that's
14 at the bottom of the same page.

15 And again, there's a bit of a typo. We know
16 this is happening March of 1973, and Mr. R. wants to have a
17 private one-on-one conversation with you; correct?

18 MR. KEOUGH: Yes.

19 MS. DALEY: And the gist of what he's
20 telling you is that he wants both girls out of the home?

21 MR. KEOUGH: Yes.

22 MS. DALEY: Because he is attributing his
23 wife's nervous breakdowns to them as well; right?

24 MR. KEOUGH: Yes.

25 MS. DALEY: And as a result of learning

1 this, initially you agree to a plan that would have
2 Jeannette, I guess, and Lorraine both moved at the end of
3 that school year?

4 **MR. KEOUGH:** Yes.

5 **MS. DALEY:** And that's over on page 53. Is
6 that correct, sir?

7 **MR. KEOUGH:** I haven't got page 53 with me
8 right now.

9 **THE COMMISSIONER:** It's coming now. Madam
10 Clerk?

11 **MS. DALEY:** Do you need to see -- can you
12 show him 53, please, Madam Clerk?

13 And just if you can expand the section that
14 says:

15 "Short Term Immediate Recommendation.
16 Jeannette will have to be moved with
17 her sister, Lorraine, at end of school
18 year."

19 **MR. KEOUGH:** Yes. I see that.

20 **MS. DALEY:** That was your thought at the
21 time; right?

22 **MR. KEOUGH:** Yes. I see that.

23 **MS. DALEY:** And that was what Mr. R. wanted
24 to happen?

25 **MR. KEOUGH:** Yes.

1 **MS. DALEY:** In fact, though, that's not what
2 happened; correct, sir?

3 **MR. KEOUGH:** That's correct, yes.

4 **MS. DALEY:** And what happened instead is
5 that Lorraine alone got moved. Is that right, sir?

6 **MR. KEOUGH:** That's right.

7 **MS. DALEY:** And just bear with me one
8 second, I am going to show you another passage.

9 I suppose the -- Madam Clerk, if you can
10 show the witness page 54 at the very bottom, under "Factual
11 Developments and Relationships." If you can expand that.

12 Sir, that's where we deal with the fact that
13 it's Lorraine alone who has moved and now you're giving
14 further information here about why that's happened; what
15 has led up to it.

16 So just let me paraphrase the steps, and you
17 tell me if you agree.

18 And, Madam Clerk, just to warn you, he's
19 going to need to move over to the top of page 55 as well.

20 Now, sir, let me just start by asking was
21 the move of Lorraine in your mind connected with the
22 marital problems that the Reynens were having?

23 **MR. KEOUGH:** I don't remember but, yes, it
24 could have been.

25 **MS. DALEY:** All right. And at page 55, sir,

1 this is where the -- you remember you gave evidence this
2 morning about Mr. Landry is a social worker, and he's
3 giving you information about Mrs. Reynen's problems. You
4 recall when you talked about that?

5 **MR. KEOUGH:** Yes.

6 **MS. DALEY:** And that her problems are very
7 deep seated, but the first of the problems he mentions is:

8 "Affairs with other women that her
9 husband is having, heavy drinking", et
10 cetera.

11 So it's very clear that the prime cause of
12 her nervous breakdowns, amongst other things I guess, the
13 prime factual cause is problems in her relationship with
14 her husband; right?

15 **MR. KEOUGH:** He made note of that, yes.

16 **MS. DALEY:** This is the first time you've
17 been told that, I'm assuming.

18 **MR. KEOUGH:** I believe so, yeah.

19 **MS. DALEY:** Prior to that, you were
20 believing what the Reynens were telling you, which is she's
21 having these nervous breakdowns because the kids are too
22 hard to control. Is that right?

23 **MR. KEOUGH:** That's what he was saying, yes.

24 **MS. DALEY:** And you had no other
25 information. So I assume you believed what he said?

1 **MR. KEOUGH:** I can't remember, but I would
2 assume, yeah.

3 **MS. DALEY:** But now you're being told
4 something different, and that is that the nervous
5 breakdowns come from the fact that he's had affairs and
6 heavy drinking; right?

7 **MR. KEOUGH:** Yes.

8 **MS. DALEY:** And in fact, there had been, I
9 think, three episodes of nervous breakdowns that go back to
10 the late '60s; right?

11 **MR. KEOUGH:** That's what he makes note of,
12 yes.

13 **MS. DALEY:** And I'm assuming you weren't
14 aware of that either prior to this time?

15 **MR. KEOUGH:** Not that I can remember, no.

16 **MS. DALEY:** Nor would your home finder have
17 been?

18 **MR. KEOUGH:** I don't remember seeing it on
19 the foster home file.

20 **MS. DALEY:** All right. So this is the first
21 time this information is being made available to anyone?

22 **MR. KEOUGH:** It appears that way, yes.

23 **MS. DALEY:** All right. Now -- and clearly
24 that changes the picture in terms of what's happening in
25 the Reynen's home. Does it not, sir?

1 **MR. KEOUGH:** It changes the picture ---
2 concerning Mrs. Reynen definitely, yes.

3 **MS. DALEY:** And what next happens is you
4 develop a treatment plan, actually, to help this family and
5 you're proposing family therapy in an open session in the
6 home with the Reynens and with Lorraine and Jeannette. Do
7 you recall that, sir? That's referred to on page 56.

8 **MR. KEOUGH:** I don't recall it, but it's
9 there in the notes, yes.

10 **MS. DALEY:** Let me just help you find that
11 on 56. It's at the very top of 56. You've met with
12 Mr. Reynen on June 19th, '73 and you laid the following
13 suggestions before him. So just take a moment and look at
14 that, sir.

15 **(SHORT PAUSE/COURTE PAUSE)**

16 **MR. KEOUGH:** Yes, I've read it.

17 **MS. DALEY:** So if I've understood this
18 correctly, your recommendation -- and he agrees to it,
19 right? He agrees with what you propose?

20 **MR. KEOUGH:** I think the next paragraph says
21 that he was informed that if he refused I could see no
22 other alternative than for him to inform the children of
23 their move and he take responsibility for it.

24 **MS. DALEY:** And then it says:

25 "Mr. Reynen agreed with worker and was

1 to inform his wife that night as to
2 what has occurred between himself and
3 this agency. There's also to be a
4 cooling-off period of three weeks."

5 Okay. I'm sorry; maybe I misunderstood. I
6 thought he was agreeing with your treatment recommendation,
7 but that's not what happened?

8 **MR. KEOUGH:** No. He was ---

9 **MS. DALEY:** All right.

10 **MR. KEOUGH:** Yeah.

11 **MS. DALEY:** Okay. So he has decided, "No, I
12 want both girls out."

13 **MR. KEOUGH:** I don't know if it says that
14 either.

15 **MS. DALEY:** Sorry, I shouldn't put words to
16 it. Do you have a recollection of what his frame of mind
17 was of what he was prepared to do or not?

18 **MR. KEOUGH:** No.

19 **MS. DALEY:** And the next thing that happens
20 then is your note of July 1973, so that's a little more
21 than a month later, and he informs you that Lorraine would
22 have to be moved as soon as possible. They're not sure
23 about Jeannette yet, but then they decide that Jeannette
24 can stay.

25 **MR. KEOUGH:** Yes.

1 **MS. DALEY:** Do you remember that, sir?

2 **MR. KEOUGH:** It's there on file. I don't
3 remember it, but it's there on file, yes.

4 **MS. DALEY:** All right.

5 So I have a number of questions for you
6 about that.

7 You note in your recordings, and it's also
8 on page 56, sir, that the Reynens have not actually been
9 honest about their marital problems. I'll just find that
10 for you, sir. It's the paragraph that's right underneath
11 the one I pointed you to, "Since that time".

12 **MR. KEOUGH:** Yes.

13 **MS. DALEY:** All right.

14 So an ongoing issue here is that there's
15 been a little bit of a lack of honesty on their part about
16 the problems they're having; right?

17 **MR. KEOUGH:** Yes.

18 **MS. DALEY:** And I'm assuming as Jeannette's
19 worker that would be of some concern to you in terms of her
20 placement?

21 **MR. KEOUGH:** Yes.

22 **MS. DALEY:** The fact that they wanted
23 Lorraine out and not Jeannette, did you wonder about that?

24 **MR. KEOUGH:** No.

25 **THE COMMISSIONER:** "They"?

1 **MS. DALEY:** Being Mr. -- I guess it's
2 Mr. Reynen. The fact that Mr. Reynen comes to you and
3 says, "I want Lorraine moved right away. We're going to
4 keep Jeannette with us," did that puzzle you at all?

5 **MR. KEOUGH:** I can't remember whether it
6 puzzled me or not.

7 **MS. DALEY:** The reason I'm suggesting that
8 it might have done is that up to this point, it's been
9 Jeannette who's been the primary problem and the discussion
10 has been about removing both, but now suddenly there's a
11 need for Lorraine to leave, but Jeannette can stay. So
12 they're being very -- or at least Mr. R. is being quite
13 inconsistent with what is being reflected to you.

14 **MR. KEOUGH:** Yeah.

15 **MS. DALEY:** Did that concern you at all?

16 **MR. KEOUGH:** Well, up until this point when
17 you say that Jeannette was the primary problem, it doesn't
18 mean that Lorraine wasn't, because Lorraine went from this
19 home into one of my best foster homes in Berwick, and it
20 was a foster home that was very good with difficult-to-
21 handle teenagers. So Lorraine, to go into that home and
22 for me to consider that home, Lorraine had to have her fair
23 share of problems also.

24 **THE COMMISSIONER:** No, but I guess reading
25 through all of this now, you know, as a stranger to the

1 thing, you're led down the path that it's Jeannette that's
2 causing -- and I read through this and there's no mention
3 of the sister causing big problems. It's always Jeannette,
4 Jeannette, Jeannette, Jeannette. And then comes the axe-
5 fall.

6 MR. KEOUGH: Yes.

7 THE COMMISSIONER: So, you know, if you were
8 a stranger reading this now, in hindsight, would you not
9 agree that it's a little weird?

10 MR. KEOUGH: Yes. I guess, yes.

11 THE COMMISSIONER: No, you don't have to --
12 -

13 MR. KEOUGH: See, I'm not reading it as a
14 stranger though.

15 THE COMMISSIONER: Okay.

16 MR. KEOUGH: I'm reading it as trying to
17 remember ---

18 THE COMMISSIONER: Right.

19 MR. KEOUGH: --- not only what happened and
20 knowing that even though I may not have made specific
21 mention on Jeannette's file about Lorraine, I think if we
22 went to -- and I'm not sure what's on Lorraine's file, but
23 I think if we went to Lorraine's file prior to this move, I
24 would have probably made note of the fact of why I chose
25 this home in Berwick for her.

1 **THE COMMISSIONER:** Right.

2 **MR. KEOUGH:** Because it was a difficult home
3 -- it was a home for difficult teenagers. So I'm just kind
4 of processing that.

5 **MS. DALEY:** That's fair enough.

6 Let me just put another piece of the puzzle
7 to you, just so you understand why the Commissioner and I
8 are asking these questions.

9 Obviously the background context here is
10 severe marital problems causing nervous breakdowns relative
11 to affairs; right? You put that into the hopper and
12 suddenly it's Lorraine that Mr. R. wants out right away.
13 But that didn't puzzle you?

14 **MR. KEOUGH:** Oh, I don't know where you're
15 going. I didn't ---

16 **MS. DALEY:** Did it ever occur to you there
17 might have been something sexual that had occurred between
18 Lorraine and Mr. R.?

19 **MR. KEOUGH:** Not at all.

20 **MS. DALEY:** Did it ever occur to you to ask
21 Lorraine about that after he had requested that she be
22 moved?

23 **MR. KEOUGH:** No.

24 **MS. DALEY:** How old was she then? This is
25 1973, so she is 14 roughly?

1 **MR. KEOUGH:** Yeah.

2 **MS. DALEY:** As her worker -- and I had the
3 impression you had a fairly close bond with Lorraine as a
4 worker.

5 **MR. KEOUGH:** We developed one, yeah, because
6 she -- like I said, she remained at the agency. She
7 remained in that same home in Berwick until, I believe, the
8 age of 18. Then she married and I followed up with her
9 after marriage, and I think I even apprehended her son for
10 a short period of time.

11 **THE COMMISSIONER:** We don't need to know
12 that part.

13 **MR. KEOUGH:** Okay. So I had an extended
14 relationship.

15 **MS. DALEY:** I understand that.

16 During the time you were her primary worker,
17 ever have any conversations with her about sexuality, about
18 whether was any sexual touching going on in her placements?

19 **MR. KEOUGH:** No.

20 **MS. DALEY:** Or anything of that nature?

21 **MR. KEOUGH:** No.

22 **MS. DALEY:** You didn't initiate any
23 conversations with her on that subject, I take it?

24 **MR. KEOUGH:** No, I did not.

25 **MS. DALEY:** Now, you were taken to ---

1 **THE COMMISSIONER:** Just a note, Ms. Daley,
2 that we are going to finish at 5:00. I understand the
3 Children's Aid Society is ---

4 **MS. DALEY:** Oh, of course. Of course.
5 That's fine with me. I'll be able to, I think, finish a
6 discrete topic by five o'clock.

7 If I could ask you to look at 2210 again,
8 sir? And you'll recall this page. I'm going to ask you to
9 look at Bates 329. You were taken here by Maître Dumais
10 earlier today, and this is a statement that Lorraine is
11 giving in 1994.

12 **MR. KEOUGH:** What page is that, please?

13 **MS. DALEY:** The Bates number is 329.

14 **MR. KEOUGH:** I'm there.

15 **MS. DALEY:** And she starts talking about her
16 placement in Long Sault, which is the Reynens placement,
17 about a third of the way down. She mentions your name. So
18 if you just pick up and read down from there, just to
19 refresh your mind about what she said.

20 **MR. KEOUGH:** Yes.

21 **MS. DALEY:** Now, was there ever an occasion
22 when Lorraine raised a problem with you about a foster
23 placement and you accused her of being untruthful about it?
24 Did that ever happen?

25 **MR. KEOUGH:** While she was in the Berwick

1 foster home we had some issues with Lorraine.

2 MS. DALEY: Pre Berwick -- was there ever a
3 time on an earlier placement prior to Berwick where she
4 talked to you about a problem in a placement and you said,
5 "I don't believe you."

6 MR. KEOUGH: I don't remember that. I don't
7 remember any conversation like that, no.

8 THE COMMISSIONER: No. Well, if you read
9 this, she -- that paragraph does not say -- attribute to
10 him ---

11 MS. DALEY: I know that, sir.

12 THE COMMISSIONER: Okay.

13 MS. DALEY: So did you ever learn from any
14 of her prior workers that she had raised a problem about a
15 placement and they had disbelieved her?

16 MR. KEOUGH: No.

17 MS. DALEY: When you read her file -- we
18 don't have it in front of us to look at ---

19 MR. KEOUGH: Yes.

20 MS. DALEY: --- but obviously there was a
21 file that accompanied her throughout her placements.

22 Do you ever recall reading any prior
23 workers' noting that she was expressing problems that they
24 thought were not truthful?

25 MR. KEOUGH: I don't remember any such

1 recordings, no.

2 MS. DALEY: All right.

3 Now, in terms of what she says directly
4 about you, and you did testify about this this morning, she
5 felt that you approached her, you tried to inquire what was
6 wrong, and I'm assuming that this is at about the time that
7 she's leaving Reynens, but I take it you don't remember
8 that, sir?

9 MR. KEOUGH: No.

10 MS. DALEY: And she actually mistakenly
11 thought that -- indeed, you did have some suspicion that
12 she was being sexually abused, as she says here she was, by
13 Mr. R.?

14 MR. KEOUGH: Yes.

15 MS. DALEY: And, I take it, that was a false
16 attribution; you say you had no such suspicion?

17 MR. KEOUGH: Not only did I have no such
18 suspicion, but in all the time I worked with her following
19 that, it was -- she never mentioned it to me once.

20 MS. DALEY: Were you aware she had shock
21 treatments at age 16?

22 MR. KEOUGH: That Lorraine had shock
23 treatments at age 16?

24 MS. DALEY: Yes.

25 MR. KEOUGH: I don't remember that.

1 **MS. DALEY:** Let me just point something out
2 to you. If you go over one page to 330?

3 **MR. KEOUGH:** Yes.

4 **MS. DALEY:** About eight lines down, she's
5 saying her memories of childhood are few which she feels
6 are as a result of shock treatment when she was 16. You
7 wouldn't have known that as her ---

8 **MR. KEOUGH:** Is that Lorraine or Jeannette
9 talking?

10 **MS. DALEY:** "Lorraine stated that her
11 memories" -- do you see that, sir?

12 **MR. KEOUGH:** How many lines down? Okay.

13 **MS. DALEY:** Do you see that?

14 **MR. KEOUGH:** No.

15 **THE COMMISSIONER:** One, two, three, four,
16 five, six -- six. Seven.

17 **MR. KEOUGH:** Okay, I have it.

18 I don't remember any shock treatments at the
19 age of 16. She would have been -- she would have been in
20 my home in Berwick then? I have absolutely no recollection
21 of that at all.

22 **MS. DALEY:** Do you have any recollection of
23 any psychiatric treatment she was receiving at that time?

24 **THE COMMISSIONER:** Just a minute, just a
25 minute, just a minute.

1 MS. DALEY: Sorry.

2 THE COMMISSIONER: Just a minute.

3 Jeannette Antoine testified here.

4 MS. DALEY: Yes.

5 THE COMMISSIONER: We have some privacy
6 interests here to protect ---

7 MS. DALEY: Fair enough, sir.

8 THE COMMISSIONER: --- and it's ---

9 MS. DALEY: Fair enough.

10 The reason I even took you there, sir, is
11 that you made a point of saying that you stayed in contact
12 with her, right, for a long period. She never talked about
13 this to you?

14 MR. KEOUGH: I don't ---

15 MS. DALEY: That being the abuse that she
16 says ---

17 MR. KEOUGH: Okay.

18 MS. DALEY: --- from Mr. Reynen?

19 MR. KEOUGH: No, she never talked to me
20 about it.

21 MR. KEOUGH: I take it you never noticed any
22 memory problems that she was having?

23 MR. KEOUGH: Lorraine was always -- school
24 was difficult. She had to work hard at school ---

25 MS. DALEY: Yes.

1 **MR. KEOUGH:** --- but I don't remember
2 any -- discussing any blanks in her memory or stuff like
3 that.

4 **THE COMMISSIONER:** Can we just refer to her
5 as "a sister"?

6 **MS. DALEY:** Absolutely. Absolutely, and I'm
7 not going to refer to her further.

8 **THE COMMISSIONER:** All right.

9 **MS. DALEY:** There is one other piece of
10 information that the sister gives in this document, sir, I
11 want you ask you about before we stop, and that is if you
12 keep -- just keep reading down from where we were.

13 "When questioned, the sister thinks
14 that her sister..."

15 That is now Jeannette:

16 "...did have a broken arm, however,
17 she's not sure when and by what means
18 Jeannette sustained the injury. She
19 thinks it might have been just before
20 Jeannette left the group home to go to
21 a new home in Minden, Ontario."

22 So this is Jeannette's sister recalling a
23 broken arm.

24 Now, sir, do you recall a broken arm or a
25 broken wrist suffered by Jeannette?

1 **MR. KEOUGH:** No, I don't.

2 **MS. DALEY:** All right. Do you recall any
3 injuries of that sort sustained by any children in the
4 Second Street Group Home while you were ---

5 **MR. KEOUGH:** No.

6 **MS. DALEY:** --- attached to it?

7 **MR. KEOUGH:** No, I don't.

8 **MS. DALEY:** Let me stop for the day.

9 **THE COMMISSIONER:** All right. Let's have a
10 chat about where we're going tomorrow.

11 How much time do you think you'll need to
12 complete your cross?

13 **MS. DALEY:** Very little.

14 **THE COMMISSIONER:** Okay. What does "very
15 little" mean?

16 **MS. DALEY:** Fifteen (15).

17 **THE COMMISSIONER:** All right.

18 Mr. Horn?

19 **MR. HORN:** Not that long, maybe half-an-hour
20 or 45 minutes.

21 **THE COMMISSIONER:** All right.

22 Mr. Lee?

23 **Mr. LEE:** Likely 45 minutes.

24 **THE COMMISSIONER:** Who else is here?

25 Mr. Rouleau?

1 **MR. ROULEAU:** Nothing so far, sir.

2 **THE COMMISSIONER:** Yes. And Ms. Anderson?

3 Nothing.

4 Mr. Crane?

5 **MR. CRANE:** Nothing so far.

6 **THE COMMISSIONER:** Yes. OPP?

7 **MS. SACCOCCIO BRANNAN:** Nothing so far, sir.

8 **THE COMMISSIONER:** Thank you.

9 I take it it's the same for Mr. Carroll, so
10 that leaves us with Mr. Chisholm.

11 **MR. CHISHOLM:** Forty-five (45), sir.

12 **THE COMMISSIONER:** Forty-five (45), 45, 45,
13 okay. And Mr. Filion?

14 **Mr. FILION:** Nothing at this time.

15 **THE COMMISSIONER:** Yes. Okay, because if we
16 get that done, if there's any more time we can do what -- I
17 don't know if there will be any more time, but ---

18 **MR. DUMAIS:** We can call back this
19 Ms. Fitzpatrick to finish her cross.

20 **THE COMMISSIONER:** Okay. So that's where
21 we're going to be.

22 **MR. DUMAIS:** And, my understanding,
23 Mr. Commissioner, there's your outstanding decision that we
24 could deal with as well, and if there's any time, we make
25 sure that the McDougald ODE was ready to go when -- so the

1 documents are ready, and we could do that as well ---

2 **THE COMMISSIONER:** Okay.

3 **MR. DUMAIS:** --- if time permits.

4 **THE COMMISSIONER:** All right, thank you.

5 So we know what we've got going for
6 tomorrow. We'll see you tomorrow morning at 9:30, sir?

7 **MR. KEOUGH:** Yes.

8 **THE COMMISSIONER:** Thank you.

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

11 This hearing is adjourned until tomorrow
12 morning at 9:30 a.m.

13 --- Upon adjourning at 4:57 p.m. /

14 L'audience est ajournée à 16h57

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C E R T I F I C A T I O N

I, Dale Waterman 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, Dale Waterman, 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.



Dale Waterman, CVR-CM