

**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 62**

**Held at :**

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

Tuesday October 31, 2006

**Tenue à:**

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

Mardi, le 31 octobre 2006

**Appearances/Comparutions**

Mr. Peter Engelmann	Lead Commission Counsel
M <sup>e</sup> Simon Ruel	Commission Counsel
Ms. Louise Mongeon	Registrar
Mr. Peter Manderville	Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Actg.Det.Supt.Colleen McQuade	
Dect.Staff Sgt.Colin Groskopf	
M <sup>e</sup> Claude Rouleau	Ontario Ministry of Community
Mr. Mike Lawless	and Correctional Services and
	Adult Community Corrections
Mr. Stephen Scharbach	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of
	the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. William Carroll	Ontario Provincial Police
	Association
Ms. Nadya Tymochenko	Upper Canada District School
Ms. Nicola Simmons	Board

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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 presiding.

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning, all. Good  
10 morning, Mr. Engelmann.

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

13 This morning we have Dawn Raymond as our  
14 next witness. If the witness could be sworn, Madam Clerk?

15 **THE COMMISSIONER:** Thank you.

16 **DAWN RAYMOND, SWORN/ASSERMENTÉE:**

17 **THE COMMISSIONER:** Good morning, Mrs.  
18 Raymond.

19 **MS. RAYMOND:** Good morning.

20 **THE COMMISSIONER:** We have seen you here on  
21 a number of days, and so I apologize if we delayed a little  
22 bit. You can never tell how long the witness is going to  
23 be and that kind of thing.

24 **MS. RAYMOND:** I know.

25 **THE COMMISSIONER:** So like anyone else, I

1 would ask you to keep your voice up and answer the  
2 questions as best you can.

3 MS. RAYMOND: M'hm.

4 THE COMMISSIONER: If there's something you  
5 don't understand, that's why I'm here; just look at me and  
6 tell me you don't understand something.

7 We've heard and you will be asked questions  
8 on issues that happened a long time ago. If you're not  
9 clear, if we're going too fast, let us know.

10 MS. RAYMOND: M'hm.

11 THE COMMISSIONER: If ever you need a break  
12 or there's something you don't understand, let me know.

13 MS. RAYMOND: Okay. Thank you.

14 THE COMMISSIONER: All right?

15 MS. RAYMOND: M'hm.

16 THE COMMISSIONER: Thank you.

17 Mr. Engelmann.

18 MR. ENGELMANN: Thank you.

19 --- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN CHEF PAR MR.  
20 ENGELMANN:

21 MR. ENGELMANN: Thank you for coming, Ms.  
22 Raymond.

23 MS. RAYMOND: You're welcome.

24 MR. ENGELMANN: I just wanted to remind you,  
25 as I have some witnesses, that if you have trouble hearing

1 me, you have a speaker just to your right and there is a  
2 volume control on that.

3 MS. RAYMOND: M'hm.

4 MR. ENGELMANN: You may be shown some  
5 documents as well, and we have hard copies available for  
6 you, as well as the screen.

7 MS. RAYMOND: M'hm.

8 MR. ENGELMANN: So if you have any trouble  
9 following, the clerk will be of assistance with the  
10 documents.

11 MS. RAYMOND: Okay.

12 MR. ENGELMANN: Now, Ms. Raymond, you have  
13 been here for some of the evidence over the last few days?

14 MS. RAYMOND: Yes.

15 MR. ENGELMANN: And you were here for the  
16 evidence of Scott Burgess?

17 MS. RAYMOND: Yes.

18 MR. ENGELMANN: And I believe you were here  
19 yesterday when Jason Tyo was examined?

20 MS. RAYMOND: Yes.

21 MR. ENGELMANN: You were aware, Ms. Raymond,  
22 of what the Inquiry is doing?

23 MS. RAYMOND: Yes, I am.

24 MR. ENGELMANN: And that we're looking at  
25 the institutional response of allegations of sexual abuse

1 against young people here in the Cornwall area?

2 MS. RAYMOND: Yes.

3 MR. ENGELMANN: And I understand that some  
4 time ago, approximately 20 years ago, you had some direct  
5 contact with both Scott Burgess and Jason Tyo?

6 MS. RAYMOND: Yes, I did.

7 MR. ENGELMANN: And you became involved,  
8 because of your knowledge of them and your acquaintanceship  
9 of them and your friendship of them, with issues  
10 surrounding criminal allegations against Jean-Luc Leblanc?

11 MS. RAYMOND: Yes.

12 MR. ENGELMANN: And as part of those  
13 criminal allegations, you would have had some direct  
14 contact with officials or employees of some public  
15 institutions?

16 MS. RAYMOND: Yes, I did.

17 MR. ENGELMANN: Okay. For example, you  
18 would have had some contact with people in the school and  
19 in the School Board?

20 MS. RAYMOND: Yes.

21 MR. ENGELMANN: Would you have also had some  
22 contact with people from the Children's Aid Society?

23 MS. RAYMOND: Yes, I did.

24 MR. ENGELMANN: Would you have also had some  
25 contact with people from the Cornwall Police Service?

1 MS. RAYMOND: Yes.

2 MR. ENGELMANN: And did you have any  
3 contact, either direct or indirect, with a Crown prosecutor  
4 or anybody from the Crown Prosecutor's Office?

5 MS. RAYMOND: No, I didn't.

6 MR. ENGELMANN: I just want to ask you a few  
7 questions, if I can, about your background before I ask you  
8 some questions about what happened.

9 MS. RAYMOND: Okay.

10 MR. ENGELMANN: I understand that you're  
11 currently married?

12 MS. RAYMOND: Yes.

13 MR. ENGELMANN: You have been for many  
14 years?

15 MS. RAYMOND: Yes.

16 MR. ENGELMANN: I don't think I have ever  
17 asked you how long, but ---

18 MS. RAYMOND: About 42.

19 MR. ENGELMANN: Okay. And I also understand  
20 that you're currently retired?

21 MS. RAYMOND: Yes.

22 MR. ENGELMANN: And we'll get into some of  
23 your work background in a moment.

24 MS. RAYMOND: M'hm.

25 MR. ENGELMANN: Can you tell us whether you

1 have had any children, either biological or adopted?

2 MS. RAYMOND: I lost one child in 1966, and  
3 Scott became my *de facto* child, Scott Burgess, in 1987.

4 MR. ENGELMANN: And we'll come to this a bit  
5 later, but he was your *de facto* child for how long?

6 MS. RAYMOND: You mean how long was he with  
7 us? About four years.

8 MR. ENGELMANN: And he would have been  
9 approximately 14 or 15 when that started?

10 MS. RAYMOND: He was 15, turning 16 a couple  
11 of months later.

12 MR. ENGELMANN: Okay. And I understand you  
13 have also had children from abroad in your home from time  
14 to time?

15 MS. RAYMOND: Yes, I have.

16 MR. ENGELMANN: But those have been short-  
17 term situations?

18 MS. RAYMOND: One year.

19 MR. ENGELMANN: Okay.

20 MS. RAYMOND: They were learning English.  
21 They were studying English and we were helping them.

22 MR. ENGELMANN: So you were a host family?

23 MS. RAYMOND: Yes.

24 MR. ENGELMANN: Okay. Can you give us a  
25 sense of what portion of your life you spent living here in

1 the Cornwall area?

2 MS. RAYMOND: Quite a bit of it. I was born  
3 in Cornwall.

4 MR. ENGELMANN: Yes.

5 MS. RAYMOND: Then we left in 1988 when  
6 Pfizer, where my husband worked, closed. And so we had to  
7 move to southwestern Ontario.

8 MR. ENGELMANN: All right.

9 And at that time, Scott Burgess was living  
10 with you?

11 MS. RAYMOND: Yes, he was.

12 MR. ENGELMANN: And did you return to the  
13 Cornwall area to live after you left in 1988?

14 MS. RAYMOND: Yes, we came back in 1996  
15 after we retired and moved to South Lancaster.

16 MR. ENGELMANN: And is that where you reside  
17 today?

18 MS. RAYMOND: That's where we are now.

19 MR. ENGELMANN: And both you and your  
20 husband are currently retired?

21 MS. RAYMOND: Yes.

22 MR. ENGELMANN: Now, before you retired, I  
23 understand you were a schoolteacher?

24 MS. RAYMOND: Yes.

25 MR. ENGELMANN: And can you tell us

1 approximately when you started teaching?

2 MS. RAYMOND: I started in 1960.

3 MR. ENGELMANN: And would that have been  
4 here in the Cornwall area?

5 MS. RAYMOND: Yes, it was.

6 MR. ENGELMANN: And do you recall where you  
7 taught and for how long?

8 MS. RAYMOND: I was at Vincent Massey and  
9 Gladstone School until 1988, when we moved, and then I  
10 taught up there in Mitchell area.

11 MR. ENGELMANN: All right.

12 So you taught in the Cornwall area for 28 or  
13 29 years?

14 MS. RAYMOND: Yes.

15 MR. ENGELMANN: And then you continued to  
16 teach in Mitchell which is southwestern Ontario.

17 MS. RAYMOND: Yes.

18 MR. ENGELMANN: And when did you move from  
19 Vincent Massey School to Gladstone School?

20 MS. RAYMOND: In 1966.

21 MR. ENGELMANN: And Gladstone School is just  
22 up here on McConnell Street, right?

23 MS. RAYMOND: Yes. M'hm.

24 MR. ENGELMANN: And when you were teaching  
25 at Gladstone School, give us a sense as to whether that's

1 an elementary, middle school or high school?

2 MS. RAYMOND: It's J-K to 6. It's not that  
3 now, but it was when I was there.

4 MR. ENGELMANN: And what grades did you  
5 teach when you were there from 1966 on?

6 MS. RAYMOND: I taught 1 and 2 and I taught  
7 Special Ed. for two years.

8 MR. ENGELMANN: And when did you teach  
9 Special Education?

10 MS. RAYMOND: I think it was 1983 to '85.

11 MR. ENGELMANN: And had you taught that  
12 before?

13 MS. RAYMOND: No.

14 MR. ENGELMANN: Can you just give us a sense  
15 as to -- well, one, did you have some training to teach  
16 this Special Ed.?

17 MS. RAYMOND: Yes, you have to have special  
18 courses for it. A lot of the kids are slower learners.  
19 You have a smaller class and you stay with them more than  
20 one year. So you really get involved and get to know them  
21 really well.

22 MR. ENGELMANN: And I understand that those  
23 two years that you spent teaching Special Education, you  
24 had both Scott Burgess and Jason Tyo in your class?

25 MS. RAYMOND: Yes, I did.

1                   **MR. ENGELMANN:** Approximately how many  
2 students would you have had?

3                   **MS. RAYMOND:** Maybe about 10 or 11.

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

5 So you got to know all of them fairly well?

6                   **MS. RAYMOND:** Yes.

7                   **MR. ENGELMANN:** When, if at all, Ms.

8 Raymond, did you start to see both Jason and Scott outside  
9 of school as well as at school?

10                   **MS. RAYMOND:** I think it was 1985, when they  
11 had left my school and I told them to come and visit me  
12 sometime if they wanted to.

13                   **MR. ENGELMANN:** Okay. And approximately how  
14 old would they have been there, at that time?

15                   **MS. RAYMOND:** You mean when they left my  
16 school?

17                   **MR. ENGELMANN:** Yes.

18                   **MS. RAYMOND:** About 11 or 12, 13, somewhere  
19 in there.

20                   **MR. ENGELMANN:** Okay. You were teaching  
21 them grades 5 and 6 approximately?

22                   **MS. RAYMOND:** Yes, it's called Junior  
23 Special Ed at that time. I don't know what they call it  
24 now.

25                   **MR. ENGELMANN:** So in the fall of 1985, they

1 started at a new school; correct?

2 MS. RAYMOND: Yes.

3 MR. ENGELMANN: And you were no longer their  
4 teacher?

5 MS. RAYMOND: No.

6 MR. ENGELMANN: And what school was that?

7 MS. RAYMOND: Central Public.

8 MR. ENGELMANN: And to your knowledge, did  
9 they continue with Special Education?

10 MS. RAYMOND: Yes, they did.

11 MR. ENGELMANN: All right.

12 And they were both in need of Special Ed?

13 MS. RAYMOND: Yes.

14 MR. ENGELMANN: So that summer, the summer  
15 of 1985, you would have seen both Scott and Jason socially?

16 MS. RAYMOND: Yes. I think Scott a little  
17 more.

18 MR. ENGELMANN: All right.

19 And can you just describe for us how that  
20 would happen and what you would do with the boys, what you  
21 and your husband might do with the boys?

22 MS. RAYMOND: Well, usually we would go to  
23 their house and get them because we were in the area, and  
24 we lived on the river. Scott loved to fish, so Scott  
25 always went fishing. We had a little boat and they would

1 sometimes take the boat out.

2 MR. ENGELMANN: Okay. And do you recall how  
3 often you would have them over to the house that summer?

4 MS. RAYMOND: Well, it depended. In the  
5 summer they would come a little more, but sometimes you  
6 never saw them for two or three, four weeks.

7 MR. ENGELMANN: So how would you describe  
8 your relationship with them at that time?

9 MS. RAYMOND: A friend, sometimes almost  
10 like a mother. I guess they trusted me and liked my  
11 husband very much.

12 MR. ENGELMANN: Now, I understand that at  
13 some point during that summer, the summer of 1985, one or  
14 both of these boys would call you on occasion?

15 MS. RAYMOND: Yes.

16 MR. ENGELMANN: Was that primarily one or  
17 the other?

18 MS. RAYMOND: Mostly Scott.

19 MR. ENGELMANN: All right.

20 And would Scott ever mention to you the name  
21 Jean-Luc?

22 MS. RAYMOND: Yes.

23 MR. ENGELMANN: That's supposed to be off  
24 and not supposed to be here. I guess I didn't do it right.

25 THE COMMISSIONER: Commission counsel.

1 (LAUGHTER/RIRES)

2 MR. ENGELMANN: It will never come back.

3 I apologize, Ms. Raymond.

4 MS. RAYMOND: It's okay. Modern technology,  
5 right?

6 MR. ENGELMANN: I have two of them and  
7 sometimes I forget one is in my pocket.

8 THE COMMISSIONER: It's not the only place  
9 you forget them.

10 MS. RAYMOND: No.

11 (LAUGHTER/RIRES)

12 MS. RAYMOND: And he's young.

13 THE COMMISSIONER: No, but he's in a lot of  
14 trouble now. He's lost a couple already.

15 MS. RAYMOND: Oh really?

16 MR. ENGELMANN: Oh boy!

17 MS. RAYMOND: It's okay.

18 MR. ENGELMANN: I'll stick to the lawyering.  
19 Ms. Raymond, you would receive some phone  
20 calls that summer?

21 MS. RAYMOND: Yes.

22 MR. ENGELMANN: Did he ever mention Jean-Luc  
23 to you?

24 MS. RAYMOND: Yes, he did.

25 MR. ENGELMANN: And do you recall how he

1 would describe him?

2 MS. RAYMOND: Well, at first, before the  
3 phone calls at school, he said he's like a big brother.

4 MR. ENGELMANN: Yes.

5 MS. RAYMOND: So at first I thought he was a  
6 sibling.

7 MR. ENGELMANN: Okay.

8 MS. RAYMOND: But it was a French name and  
9 whatever, but when I looked in school records I saw he  
10 didn't have a Jean-Luc. So then he just said he was like a  
11 big brother. So I was thinking like the Big Brothers'  
12 Organization or something, somebody that helped him a lot.

13 MR. ENGELMANN: Okay. Did you ever meet  
14 Jean-Luc Leblanc that summer?

15 MS. RAYMOND: No.

16 MR. ENGELMANN: Do you recall when you first  
17 met him?

18 MS. RAYMOND: I met him when he was taking  
19 our van to the airport on December 21<sup>st</sup> or 22<sup>nd</sup>, 19 -- is  
20 that '85?

21 MR. ENGELMANN: You were off for a two-week  
22 trip to Mexico?

23 MS. RAYMOND: Yes, it was Christmas  
24 vacation.

25 MR. ENGELMANN: Ms. Raymond, we're going to

1           come to this a bit later in the story, but you gave a  
2           statement to the police in or around January of 1986  
3           concerning this matter; correct?

4                       **MS. RAYMOND:** Yes.

5                       **MR. ENGELMANN:** And in fact, you wrote out a  
6           statement, as I understand it?

7                       **MS. RAYMOND:** Right.

8                       **MR. ENGELMANN:** We don't have a copy of that  
9           statement to show you, but you have been shown something  
10          called a "will state"; is that correct?

11                      **MS. RAYMOND:** Yes.

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

13                      I'm wondering if the witness could have  
14          Exhibit C-98? This is counsel screen only, I understand.

15                      Now, Ms. Raymond, this is not your  
16          statement. It's what someone has written as a summary.

17                      **MS. RAYMOND:** Okay.

18                      **MR. ENGELMANN:** Do you understand that?

19                      **MS. RAYMOND:** Yes.

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

21                      And there is a reference, I believe, if  
22          you'll see on that first page.

23                                "I had talked to Jean-Luc on the  
24                                telephone a few times, but never met  
25                                him until December 21st, 1985."

1 Do you see that?

2 MS. RAYMOND: M'hm.

3 MR. ENGELMANN: It is about two-thirds of  
4 the way down the page, Madam Clerk.

5 MS. RAYMOND: I don't think I have it.

6 Now, I see it. M'hm, yes.

7 MR. ENGELMANN: So do you recall actually  
8 having spoken to him on occasion?

9 MS. RAYMOND: I spoke on the phone to him.

10 MR. ENGELMANN: Yes.

11 MS. RAYMOND: And I hadn't seen him face to  
12 face. I was surprised that he was as old as he was.

13 MR. ENGELMANN: All right.

14 MS. RAYMOND: I was expecting like a younger  
15 person.

16 MR. ENGELMANN: All right.

17 Do you recall if, during that summer, he  
18 would receive calls from -- you mentioned that he received  
19 some calls from Scott and now and then he would mention  
20 being with Jean-Luc?

21 MS. RAYMOND: Yes.

22 MR. ENGELMANN: All right. Do you recall if  
23 he would have told you about visiting his house or his  
24 cottage or things of that nature?

25 MS. RAYMOND: Yes.

1                   **MR. ENGELMANN:** You had some knowledge that  
2 this was a friend of Scott's?

3                   **MS. RAYMOND:** M'hm. I thought like a big  
4 brother.

5                   **MR. ENGELMANN:** Now, did you know what, if  
6 any, relationship Jean-Luc Leblanc had with the Burgess  
7 and/or the Tyo families? By that I mean really the  
8 parents.

9                   **MS. RAYMOND:** No, I didn't.

10                  **MR. ENGELMANN:** Okay.

11                  **MR. ENGELMANN:** At the time, did you have  
12 any concerns -- just, I'm talking about when you were  
13 getting these phone calls, about them being with this man?

14                  **MS. RAYMOND:** No because I wasn't Scott's  
15 mother and if it was okay with his mother, there's nothing  
16 I had to worry about I didn't think.

17                  **MR. ENGELMANN:** When you spoke to him on the  
18 telephone, can you just describe that for us? Do you  
19 recall it at all?

20                  **MS. RAYMOND:** Not really.

21                  **MR. ENGELMANN:** Okay. That's fine.

22                                 Let's just go back then to the circumstances  
23 surrounding your meeting of Mr. Leblanc. I think you told  
24 us it was -- he drove you and your husband to the airport?

25                  **MS. RAYMOND:** And my brother and my sister-

1 in-law.

2 MR. ENGELMANN: Okay. And that was in a  
3 van?

4 MS. RAYMOND: Yes.

5 MR. ENGELMANN: Was either Scott or Jason  
6 with him?

7 MS. RAYMOND: Going, it was Scott was with  
8 him.

9 MR. ENGELMANN: Yes, okay.  
10 And coming back?

11 MS. RAYMOND: When they met us at the  
12 airport, Jason was also with Scott and Jean-Luc.

13 THE COMMISSIONER: Sorry. Was this your  
14 van?

15 MS. RAYMOND: Yes.

16 THE COMMISSIONER: So you loaned them the  
17 van?

18 MS. RAYMOND: No, it's just that we were  
19 trying to save money for parking at the airport, and this  
20 guy had offered and I thought he was like a big brother;  
21 okay, sure we'll save some money and that's when I met him.

22 THE COMMISSIONER: I see.

23 MR. ENGELMANN: So he drove your van?

24 MS. RAYMOND: We drove our van down. He  
25 took it back. Then when we were coming home, he came and

1 picked us up and my husband drove it back.

2 MR. ENGELMANN: All right. And your first  
3 impression of him, he was older than you thought?

4 MS. RAYMOND: Yes, but he was I thought very  
5 charismatic and likeable.

6 MR. ENGELMANN: You saw him on December  
7 21st; you then saw him again on January 5th or thereabouts?

8 MS. RAYMOND: Yes, somewhere around there.

9 MR. ENGELMANN: Because you were away for  
10 two weeks?

11 MS. RAYMOND: Yes.

12 MR. ENGELMANN: All right. And that would  
13 have been January of 1986?

14 MS. RAYMOND: Right.

15 MR. ENGELMANN: All right. And you've now  
16 met him; he is older than you thought. Any concerns at  
17 that time, around Christmas of 1985?

18 MS. RAYMOND: Well, actually yes. My  
19 brother said, "I wonder what this older man wants with this  
20 young boy, Scott." And I said, "Well, yes, I'm starting to  
21 wonder a bit myself."

22 And then when he let Scott call us in  
23 Acapulco, that's when I really started to get worried  
24 because that cost quite a bit for someone to call you in  
25 Acapulco, and Jean-Luc had let Scott call us.

1                   **MR. ENGELMANN:** Okay, and then he was there  
2 again when you came home of course.

3                   **MS. RAYMOND:** Yes. Yes, he brought our van  
4 back.

5                   **MR. ENGELMANN:** Had the boys, to your  
6 knowledge, talked to you about anything related to any form  
7 of sexual abuse that you can remember before December 21st  
8 1985?

9                   **MS. RAYMOND:** Not a word by either one of  
10 them.

11                   **MR. ENGELMANN:** What about after you came  
12 back from Mexico? Do you remember either of them talking  
13 to you about being sexually abused?

14                   **MS. RAYMOND:** Well, Jason came over to the  
15 school, the Gladstone school one night.

16                   **MR. ENGELMANN:** Now, in your will state,  
17 which is up on the screen.

18                   **MS. RAYMOND:** Yes.

19                   **MR. ENGELMANN:** It says that on Tuesday,  
20 January 7th, "Jason came over to the school and said he  
21 wanted to talk to me".

22                               Do you remember today whether that is the  
23 date or not that this would have happened?

24                   **MS. RAYMOND:** It seemed like it was a lot  
25 later in January than that, but if it says here January the

1 7th, it just seems it was more towards the middle of  
2 January or the 20th or something.

3 **MR. ENGELMANN:** All right. He did come to  
4 see you at the school?

5 **MS. RAYMOND:** He came at the Gladstone  
6 School. He said he wanted to talk to me.

7 **MR. ENGELMANN:** Did he come alone or did he  
8 come with someone else?

9 **MS. RAYMOND:** He came with one of my former  
10 students, not Scott though.

11 **MR. ENGELMANN:** All right. We don't have to  
12 know who that is. All right?

13 **MS. RAYMOND:** Okay.

14 **MR. ENGELMANN:** He came with another Special  
15 Ed student.

16 **MS. RAYMOND:** M'hm.

17 **MR. ENGELMANN:** And what happened?

18 **MS. RAYMOND:** He said he wanted to talk to  
19 me and I can still remember the exact words he said.

20 **MR. ENGELMANN:** What were they?

21 **MS. RAYMOND:** He said, "Jean-Luc is doing  
22 'that' to Scott." And I said -- it was after school and  
23 the school was going to close, and I thought I'd get them  
24 away from the school environment. And so I said, "Let's  
25 just go over to McDonald's and talk." And we did. And he

1 told me ---

2 MR. ENGELMANN: All right. So at the  
3 school, he tells you that Jean-Luc is doing "that" to  
4 Scott?

5 MS. RAYMOND: Right.

6 MR. ENGELMANN: That's what he tells you?

7 MS. RAYMOND: That's exactly what he said.  
8 Those words just stayed in my mind for a long -- forever I  
9 guess.

10 MR. ENGELMANN: All right. So you take the  
11 boys to McDonald's?

12 MS. RAYMOND: M'hm.

13 MR. ENGELMANN: Who is doing the talking and  
14 what are you being told?

15 MS. RAYMOND: Jason is doing all the  
16 talking. And I'm being told about some of the things that  
17 were going on.

18 I asked Jason if he was doing anything to  
19 him, and he said, "No". But the other boy told me he had  
20 been there a few times and didn't like it from what he saw  
21 and he never went back.

22 MR. ENGELMANN: Now, Jason talked to you  
23 about several things that Jean-Luc did to Scott?

24 MS. RAYMOND: M'hm, yes.

25 MR. ENGELMANN: Did he, that time that you

1 met with him, did he also tell you that he was being abused  
2 by Jean-Luc?

3 MS. RAYMOND: No, he didn't. I asked him  
4 specifically, and he said, "No".

5 MR. ENGELMANN: Did he tell you at some  
6 later time?

7 MS. RAYMOND: Yes.

8 MR. ENGELMANN: That he was being abused by  
9 Jean-Luc?

10 MS. RAYMOND: Yes, he did.

11 MR. ENGELMANN: All right. Some of the  
12 abuse that Jason described for you, would it be what we see  
13 at the bottom of the page?

14 MS. RAYMOND: Yes.

15 MR. ENGELMANN: All right. Without getting  
16 into any detail, this was more than oral sex?

17 MS. RAYMOND: Yes, it was.

18 MR. ENGELMANN: That was described to you,  
19 would you have described that to the police and others when  
20 you were passing on information?

21 MS. RAYMOND: Yes, I did. I think we told  
22 the CAS.

23 MR. ENGELMANN: Would you have written that  
24 out in a statement to the police when you wrote out a  
25 statement?

1 MS. RAYMOND: I'm not sure.

2 MR. ENGELMANN: Okay. You don't have the  
3 statement anymore?

4 MS. RAYMOND: No.

5 MR. ENGELMANN: So they described to you or  
6 Jason described to you sexual abuse.

7 MS. RAYMOND: Yes.

8 MR. ENGELMANN: Which included oral sex and  
9 other forms of sex?

10 MS. RAYMOND: Right.

11 MR. ENGELMANN: On one occasion or more? Do  
12 you recall?

13 MS. RAYMOND: Well, I don't know but Scott  
14 told me later that it was many times.

15 MR. ENGELMANN: All right. When Jason  
16 finally admitted to you that he was also abused, would he  
17 have talked about different types of sex and many times as  
18 well?

19 MS. RAYMOND: Yes, he did.

20 MR. ENGELMANN: Jason was not your student  
21 when he told you this?

22 MS. RAYMOND: No, he was not.

23 MR. ENGELMANN: Neither was the other boy?

24 MS. RAYMOND: No.

25 MR. ENGELMANN: And neither was Scott?

1 MS. RAYMOND: No. They had all graduated.

2 MR. ENGELMANN: All right. How did you feel  
3 when you were told this on that day? Can you think back to  
4 your emotions? Can you think back to how you felt when you  
5 were told this?

6 MS. RAYMOND: Well, I was horrified and I  
7 was feeling really sad about it, that this was happening to  
8 these kids, these nice kids.

9 MR. ENGELMANN: Did you give those kids any  
10 advice that day when they spoke to you?

11 MS. RAYMOND: I -- that same day that he was  
12 at my school?

13 MR. ENGELMANN: Jason.

14 MS. RAYMOND: Yes.

15 MR. ENGELMANN: And the other boy.

16 MS. RAYMOND: Yes, I said I would certainly  
17 look into it and try to stay away from Jean-Luc if you  
18 could, but I had, I wasn't really sure. I had to check it  
19 out or whatever.

20 MR. ENGELMANN: Okay. So you told them you  
21 would be following up?

22 MS. RAYMOND: Yes, and definitely.

23 MR. ENGELMANN: You told them to stay away  
24 from Jean-Luc Leblanc?

25 MS. RAYMOND: Jean-Luc, yes.

1                   **MR. ENGELMANN:** Can you remember when in  
2 relation to that meeting you would have next done  
3 something, spoken to them again or spoken to Scott?

4                   **MS. RAYMOND:** I think it was that weekend.  
5 I wanted to get Scott's opinion, see if he would -- that  
6 was just Jason telling me. I wanted to see if Scott would  
7 say it because it's hard to get Scott to talk about things.  
8 And at first, he denied it, but after I kept talking to  
9 him, he did say he was being abused.

10                  **MR. ENGELMANN:** Did he also tell you that  
11 Jason was being abused?

12                  **MS. RAYMOND:** Yes, he did.

13                  **MR. ENGELMANN:** Do you recall at that time  
14 or later if either of them, either Jason or Scott, talked  
15 about other people being abused by Jean-Luc Leblanc?

16                  **MS. RAYMOND:** Not at that time.

17                  **MR. ENGELMANN:** Do you know if that happened  
18 later to you personally?

19                  **MS. RAYMOND:** Later, when we got the CAS and  
20 all that involved, they started to tell me, yes?

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

22                  **MS. RAYMOND:** Just about one other person.

23                  **MR. ENGELMANN:** Okay and was that one of  
24 Scott's brothers?

25                  **MS. RAYMOND:** Yes.

1                   **MR. ENGELMANN:** That would have been Jody?

2                   **MS. RAYMOND:** Yes.

3                   **MR. ENGELMANN:** All right. And again, the  
4 type of abuse that was described to you, would that have  
5 been abuse over a lengthy period of time?

6                   **MS. RAYMOND:** For Scott it was, and I think  
7 Jody too.

8                   **MR. ENGELMANN:** And Jason?

9                   **MS. RAYMOND:** Not as long. Jason just  
10 started going not that long I guess.

11                   **MR. ENGELMANN:** And the type of abuse that  
12 was described, several different things?

13                   **MS. RAYMOND:** Yes.

14                   **MR. ENGELMANN:** Aside from following up with  
15 Scott and having another conversation with Jason, do you  
16 remember who the first person you might have spoken to  
17 about this was?

18                   **MS. RAYMOND:** It might have been my husband  
19 or it might have been my school principal.

20                   **MR. ENGELMANN:** I understand you're not sure  
21 when you spoke to your principal about this.

22                   **MS. RAYMOND:** No, I'm not sure because I'm  
23 not sure of those dates. They don't twig in with what I  
24 recollect but ---

25                   **MR. ENGELMANN:** But at some point, you spoke

1 to the principal?

2 MS. RAYMOND: Yes, I did.

3 MR. ENGELMANN: And at some point, you also  
4 spoke to your husband?

5 MS. RAYMOND: Yes, before I spoke to the  
6 principal.

7 MR. ENGELMANN: Had any child ever talked to  
8 you about being sexually abused before you had that  
9 conversation with Jason and the other boy?

10 MS. RAYMOND: No, I taught for 26 years at  
11 that point, and I had never had a sexual abuse case. We've  
12 had bruises and bangs and stuff and called in the CAS, but  
13 never a sexual abuse case.

14 MR. ENGELMANN: Had you had some training on  
15 those bumps and bruises and how to deal with that?

16 MS. RAYMOND: Yes, that's simple because you  
17 can see the evidence right there, but with sexual abuse,  
18 you can't see anything.

19 MR. ENGELMANN: Had you had any training on  
20 how to deal with sexual abuse?

21 MS. RAYMOND: No, I had not.

22 MR. ENGELMANN: Okay. Were you aware about  
23 procedure if there was one even? I don't know. Were you  
24 aware if there was a procedure in place for dealing with  
25 this?

1                   **MS. RAYMOND:** The only procedure I know is  
2                   you can talk to your principal and we can go from whatever  
3                   we decide.

4                   **MR. ENGELMANN:** Let's just -- I know you're  
5                   not sure on the dates, so let's look at the second page of  
6                   C-98.

7                   **THE COMMISSIONER:** It's not on here. There  
8                   we go. Page 2?

9                   **MR. ENGELMANN:** Yes.

10                   So the page starts by saying "I saw Scott  
11                   that Friday," then it also talks about the next day.

12                   **MS. RAYMOND:** Yes.

13                   **MR. ENGELMANN:** So I don't know if that can  
14                   situate you at all with when you might have followed it up  
15                   with either Scott or Jason after the first contact.

16                   **MS. RAYMOND:** M'hm.

17                   **MR. ENGELMANN:** Does that make some sense  
18                   that it was a few days later?

19                   **MS. RAYMOND:** Yes.

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

21                   **MS. RAYMOND:** Because that was a school day  
22                   that Jason came and I never see those kids on school days.

23                   **MR. ENGELMANN:** Okay. Because they are at a  
24                   different school?

25                   **MS. RAYMOND:** Yes.

1                   **MR. ENGELMANN:** You say in the next -- or  
2                   the author of your Will State says -- and this is, as I  
3                   understand it, a summary of what you would have said in  
4                   your statement.

5                   **MS. RAYMOND:** Yes.

6                   **MR. ENGELMANN:** "I later discussed this with  
7                   my school principal Ivan St. John." So you recall having  
8                   at least one conversation with your school principal?

9                   **MS. RAYMOND:** Yes.

10                  **MR. ENGELMANN:** Might you have had more than  
11                  one?

12                  **MS. RAYMOND:** I might have.

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

14                                 "He set up an appointment to meet and  
15                                 talk with Dave Hill, our special  
16                                 education consultant".

17                  **MS. RAYMOND:** Yes.

18                  **MR. ENGELMANN:** Okay. Do you remember if  
19                  you met with Dave Hill about this?

20                  **MS. RAYMOND:** I don't remember that.

21                  **MR. ENGELMANN:** Do you remember that name,  
22                  Dave Hill?

23                  **MS. RAYMOND:** Of course.

24                  **MR. ENGELMANN:** Okay. Who is Dave Hill or  
25                  who was Dave Hill?

1                   **MS. RAYMOND:** He was our Special Educational  
2 consultant and because I was teaching Special Ed, he was  
3 one of the ones I talked to with problems or whatever,  
4 very, very good Special Ed consultant.

5                   **MR. ENGELMANN:** Do you know why the  
6 principal might have set up an appointment for you to meet  
7 with him?

8                   **MS. RAYMOND:** Yes, because I was under his -  
9 - I was teaching Special Education.

10                  **MR. ENGELMANN:** Okay. And do you know if he  
11 had any special training in child sexual abuse or anything  
12 like that, thinking back?

13                  **MS. RAYMOND:** I don't know. He's has lots  
14 of training in dealing with Special Ed and whatever.

15                  **MR. ENGELMANN:** All right.  
16 So you're not sure if you met with him?

17                  **MS. RAYMOND:** I can't remember.

18                  **MR. ENGELMANN:** It says:

19                                 "He referred me to Lorne Lawson, our  
20   superintendent who then called the  
21   Children's Aid."

22                                 Do you remember who would have referred you  
23 to Lorne Lawson?

24                  **MS. RAYMOND:** Ivan St. John.

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

1                   And how did that happen, if you can  
2           remember?

3                   **MS. RAYMOND:** Okay. We talked to -- he  
4           talked to Lorne Lawson and he asked me to come up to the  
5           School Board that noon hour.

6                   **MR. ENGELMANN:** Who asked you?

7                   **MS. RAYMOND:** Lorne Lawson asked Ivan to  
8           send me to the School Board on Second Street.

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

10                  **MS. RAYMOND:** That Friday -- it was a  
11           Friday, I'll always remember -- at noon hour. So I went up  
12           to the School Board and Lorne Lawson made me tell the whole  
13           story again. And then he immediately called the Children's  
14           Aid and had a little conversation with them while I was  
15           right there in the room.

16                  **MR. ENGELMANN:** This was on a Friday  
17           afternoon?

18                  **MS. RAYMOND:** M'hm.

19                  **MR. ENGELMANN:** In January?

20                  **MS. RAYMOND:** In January. And I think they  
21           must have been asking if he thought it was authentic or not  
22           because he said "I'm pretty sure" because the teacher is  
23           right here now and I've talked to her.

24                  **MR. ENGELMANN:** Okay.

25                  **MS. RAYMOND:** So the Children's Aid

1           responded right away, I must say.

2                       **MR. ENGELMANN:** So what happened after you  
3 had the meeting with the superintendent and he called the  
4 Children's Aid?

5                       **MS. RAYMOND:** We stayed there and the  
6 Children's Aid came. Bruce Duncan came to the School  
7 Board.

8                       **MR. ENGELMANN:** All right.  
9 You met with Mr. Duncan. Were you in the  
10 presence of Mr. Lawson at that time?

11                      **MS. RAYMOND:** Yes, I was.

12                      **MR. ENGELMANN:** So the three of you had a  
13 discussion about it?

14                      **MS. RAYMOND:** Yes.

15                      **MR. ENGELMANN:** And then what happened?

16                      **MS. RAYMOND:** Then Bruce Duncan said that  
17 we'd better go to Central School and talk to Scott.

18                      **MR. ENGELMANN:** So was there any discussion  
19 about talking to Jason at that time or was the emphasis  
20 Scott.

21                      **MS. RAYMOND:** No, it was Scott.

22                      **MR. ENGELMANN:** All right.

23                      And did you go to Central School with Mr.  
24 Duncan?

25                      **MS. RAYMOND:** Yes, I did.

1                   **MR. ENGELMANN:** And did anyone else go with  
2                   you?

3                   **MS. RAYMOND:** No, it was Bruce Duncan and I.

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

5                   And what happened -- and this was that same  
6                   Friday afternoon?

7                   **MS. RAYMOND:** Yes, later in ---

8                   **MR. ENGELMANN:** And what happened?

9                   **MS. RAYMOND:** Well, they got Scott out of  
10                  class and sent him into this room with just the three of  
11                  us.

12                  **MR. ENGELMANN:** Yes.

13                  **MS. RAYMOND:** And we started questioning  
14                  him. And I thought Bruce Duncan had a good strategy  
15                  because he made me ask the questions to Scott because he  
16                  thought Scott would relate better to me. But he sat sort  
17                  of behind me taking notes, but he would slip me questions  
18                  that he wanted me to ask. And Scott was so pitiful. I  
19                  just remember, he kept putting his head down like that and  
20                  he was very reluctant, embarrassed and scared.

21                  **MR. ENGELMANN:** What was he scared about, do  
22                  you remember?

23                  **MS. RAYMOND:** I think he was scared about  
24                  telling. He didn't want Jean-Luc to find out because he  
25                  probably was threatened. Yes, he was threatened, he had

1 told me. And he was afraid of his mother finding out  
2 because I think he thought she'd be angry with him.

3 MR. ENGELMANN: Okay. So he was in pretty -  
4 --

5 MS. RAYMOND: He was in terrible shape. And  
6 I had to keep telling him it wasn't his fault because he  
7 kept thinking he was in trouble. I think that's the thing  
8 that stood out the most and I would just rub his arm, I  
9 remember, and say "It's not your fault" and that Bruce  
10 Duncan would just nod to me like to keep doing that sort of  
11 thing.

12 MR. ENGELMANN: Were you able to ask all the  
13 questions for Mr. Duncan?

14 MS. RAYMOND: No, there was one I couldn't  
15 ask. He asked -- do you want to know what it was?

16 MR. ENGELMANN: Sure.

17 MS. RAYMOND: He asked me "Ask Scott if he  
18 had anal sex?" and I just couldn't do it. So he asked him.

19 MR. ENGELMANN: All right.

20 And Scott then said he had?

21 MS. RAYMOND: Said "Yes".

22 MR. ENGELMANN: Do you have any idea about  
23 how long that would have taken, that meeting?

24 MS. RAYMOND: It took all afternoon. Like I  
25 was there at noon and right on until 5:00 or something. We

1           went to the Burgess' house.

2                       **MR. ENGELMANN:** All right.

3                       So why don't you describe the rest of that  
4           day, your meeting with Scott and Mr. Duncan at Central  
5           School?

6                       **MS. RAYMOND:** At Central Public.

7                       **MR. ENGELMANN:** Then what happened?

8                       **MS. RAYMOND:** And then Mr. Duncan said "We  
9           better go and tell Scott's mother and father". So we  
10          arrived at the Burgess home. I don't know if he called  
11          ahead. He must have.

12                      **MR. ENGELMANN:** Yes.

13                      **MS. RAYMOND:** And he also somewhere in there  
14          called the police. I don't know when or how. Because we  
15          got in there and then Detective Brian Paiement came with  
16          another officer.

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

18                      So there were two officers?

19                      **MS. RAYMOND:** I think there was a woman and  
20          Brian.

21                      **MR. ENGELMANN:** And you knew Brian?

22                      **MS. RAYMOND:** I knew Brian.

23                      **MR. ENGELMANN:** And how did you know him?

24                      **MS. RAYMOND:** Because he grew up right  
25          across the street from me.

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

2                   And he was a recognizable guy?

3                   **MS. RAYMOND:** And he is big, about 6'4 and  
4                   big.

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

6                   So Brian Paiement and another officer, you  
7                   think a woman ---

8                   **MS. RAYMOND:** I think it was.

9                   **MR. ENGELMANN:** --- from the Cornwall Police  
10                  Service?

11                  **MS. RAYMOND:** Yes.

12                  **MR. ENGELMANN:** And where they at the house  
13                  when you got there or did they come later?

14                  **MS. RAYMOND:** No, they came after.

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

16                  **MS. RAYMOND:** Right after though.

17                  **MR. ENGELMANN:** Okay. And this is all the  
18                  same day? This is a Friday afternoon?

19                  **MS. RAYMOND:** Yes.

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

21                  And this is sometime after the first  
22                  disclosure to you. You're just not sure how many days?

23                  **MS. RAYMOND:** Right.

24                  **MR. ENGELMANN:** All right.

25                  So do you know who interviews the boys at

1 the house or what happens at the house?

2 MS. RAYMOND: Well, we talked to Scott and I  
3 think Jody too, but they told me to go into the living room  
4 with Mr. and Mrs. Burgess and the CAS and the police were  
5 talking to the boys.

6 MR. ENGELMANN: All right.  
7 So when the CAS -- the CAS, that would be  
8 Mr. Duncan?

9 MS. RAYMOND: Yes.

10 MR. ENGELMANN: And do you know which of the  
11 police officers or both were talking to the boys?

12 MS. RAYMOND: Well, they both stayed in the  
13 kitchen and we were in the living room. So I'm not sure.

14 MR. ENGELMANN: All right.  
15 So the two police officers and Mr. Duncan  
16 were in the kitchen?

17 MS. RAYMOND: M'hm.

18 MR. ENGELMANN: You were in the living room  
19 with the Burgess -- with Scott's parents?

20 MS. RAYMOND: Yes.

21 MR. ENGELMANN: Do you know if a parent was  
22 involved in any of those interviews that the police or the  
23 CAS had with the kids?

24 MS. RAYMOND: Right then you mean?

25 MR. ENGELMANN: Yes.

1                   **MS. RAYMOND:** I think they talked to us a  
2 little at one point.

3                   **MR. ENGELMANN:** They came out and talked to  
4 you?

5                   **MS. RAYMOND:** Yes.

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

7                   You'd been actively involved in taking some  
8 information from Scott at the school.

9                   **MS. RAYMOND:** Yes.

10                  **MR. ENGELMANN:** But at the Burgess house,  
11 you weren't involved?

12                  **MS. RAYMOND:** No. I mean, I might have been  
13 there when we first walked in, but then they wanted to just  
14 talk to the boys, I guess, and see if the story was the  
15 same or whatever.

16                  **MR. ENGELMANN:** Now, do you have some sense  
17 on how long you might have been at the Burgess house?

18                  **MS. RAYMOND:** It was a while because when we  
19 went out -- well, it was in January though. It would have  
20 been dark early. I was going to say it was dark, but it  
21 was January. I am talking like Grade 1, I guess. It was  
22 dark out.

23                  **MR. ENGELMANN:** That's okay. I find it's  
24 dark out already when I go home.

25                  Ms. Raymond, did you stay at the Burgess'

1 home or did you go somewhere else?

2 MS. RAYMOND: We went somewhere else.

3 MR. ENGELMANN: And who went somewhere else?

4 MS. RAYMOND: Bruce Duncan, Brian Paiement,  
5 the other police woman and Scott and I.

6 MR. ENGELMANN: Yes. And do you remember  
7 where you went?

8 MS. RAYMOND: I think it was the Children's  
9 Aid.

10 MR. ENGELMANN: And what happened at the  
11 Children's Aid office?

12 MS. RAYMOND: Well, Brian wanted us to --  
13 Detective Paiement wanted us to make a -- to write out what  
14 we had just said and to put down everything. And by then  
15 it was probably around 7:00-7:30 and I was getting really  
16 hungry and so he ordered -- somebody ordered a pizza for  
17 us. I remember that. I think that Scott remembers that.  
18 And we had to write out our story.

19 MR. ENGELMANN: So you were asked to write  
20 out a statement that evening?

21 MS. RAYMOND: Yes.

22 MR. ENGELMANN: And were you asked questions  
23 about it or did you just write out a statement?

24 MS. RAYMOND: No, I just wrote it out, just  
25 everything that I could remember.

1                   **MR. ENGELMANN:** About your conversations  
2                   with the boys, about what they told you?

3                   **MS. RAYMOND:** Yes.

4                   **MR. ENGELMANN:** Things of that nature.

5                   **MS. RAYMOND:** M'hm.

6                   **MR. ENGELMANN:** When Scott first told you on  
7                   -- you know, a few days after Jason told you ---

8                   **MS. RAYMOND:** Yes.

9                   **MR. ENGELMANN:** --- did you give him some  
10                  advice at that time?

11                  **MS. RAYMOND:** Yes.

12                  **MR. ENGELMANN:** Do you remember what you  
13                  would have said to him?

14                  **MS. RAYMOND:** I probably would have said  
15                  "Well, stay away from him" for one thing and maybe "Talk to  
16                  your parents".

17                  **MR. ENGELMANN:** Only if you can remember.

18                  **MS. RAYMOND:** Yes, I don't know.

19                  **MR. ENGELMANN:** All right.

20                  Do you know if you said anything to him  
21                  about you following up with it?

22                  **MS. RAYMOND:** Yes, well, they were pretty  
23                  sure I would follow up. I guess that's why they came and  
24                  talked to me.

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

1                   **MS. RAYMOND:** As a teacher, I guess we are  
2 obliged to do that.

3                   **MR. ENGELMANN:** What did you know about that  
4 obligation at that time or can you remember?

5                   **MS. RAYMOND:** Well, I just know if we have  
6 abuse or can see it, we have to report it. But sexual  
7 abuse, I thought, was really different because I couldn't  
8 see any marks or it's hard to see the scars that are buried  
9 underneath. It's not like when a kid comes in with bruises  
10 or marks, then you really know he's been abused.

11                   **MR. ENGELMANN:** So what else can you  
12 remember about the night at the Children's Aid office? You  
13 wrote out a statement. Did one or more of the police  
14 officers or Mr. Duncan continue to interview Scott?

15                   **MS. RAYMOND:** I think Bruce Duncan did.

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

17                   And do you recall how late you were at the  
18 Children's Aid office that night?

19                   **MS. RAYMOND:** It seemed to be a while. It  
20 was a really long day. I know that.

21                   **MR. ENGELMANN:** And what happened at the end  
22 of that evening? Where did Scott go?

23                   **MS. RAYMOND:** Scott came home with me  
24 because before we left the house, Detective Paiement asked  
25 Mrs. Burgess if Scott could come home with me for that

1 evening.

2 **MR. ENGELMANN:** And do you remember why that  
3 was suggested?

4 **MS. RAYMOND:** Yes, because Jody was really  
5 angry at him for telling on their friend and he was afraid  
6 Jody would get Scott to change his story or hurt -- or hit  
7 him. And Mr. and Mrs. Burgess were upset, of course, but  
8 they weren't angry. They were, I think, glad that I had  
9 found out about it.

10 **MR. ENGELMANN:** Did you have a sense, at  
11 that time, whether Scott had a good relationship with his  
12 parents?

13 **MS. RAYMOND:** I don't know at that time.

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

15 Now, you had a number of meetings on the  
16 Friday afternoon with the Children's Aid Society, with the  
17 police and then back at the Children's Aid Society, and  
18 from documents we have it would appear that happened on  
19 Friday, January 24<sup>th</sup>, 1986.

20 **MS. RAYMOND:** M'hm.

21 **MR. ENGELMANN:** What I want to ask you next  
22 is sort of a follow-up from there. I want to get a sense  
23 from you as to your involvement in this case after that  
24 Friday afternoon and evening.

25 Can you tell us, for example, if Mr. Duncan

1 from the Children's Aid Society had further meetings with  
2 you after January 24, 1986, that you can remember?

3 **MS. RAYMOND:** Not that I remember. I mean I  
4 wasn't Scott's parent at the time, and he must have talked  
5 to Scott's parents. I don't know.

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

7 **MS. RAYMOND:** I never really heard.

8 **MR. ENGELMANN:** Okay. We've heard that Mr.  
9 Leblanc pleaded guilty to a few charges in the fall of  
10 1986. I'm wondering if, after January 24<sup>th</sup>, 1986 and until  
11 the time he pleaded guilty, whether there was any follow-up  
12 with you from the Children's Aid Society?

13 **MS. RAYMOND:** Not that I remember.

14 **MR. ENGELMANN:** Okay. Did you have some  
15 involvement with the Children's Aid Society the following  
16 year, with respect to Scott?

17 **MS. RAYMOND:** Yes, I did.

18 **MR. ENGELMANN:** And that has to do with the  
19 *de facto* parent relationship?

20 **MS. RAYMOND:** Yes.

21 **MR. ENGELMANN:** What about Detective or  
22 Constable Brian Paiement and/or the female officer that  
23 you've described? Do you recall if there was any follow-up  
24 from him or her?

25 **MS. RAYMOND:** Oh, Brian Paiement called me

1 quite a while after and at school, and I remember exactly  
2 what he said "It's over". And I said, "It's over? What's  
3 over?", and he said, "You don't have to go to court because  
4 Jean-Luc's pleaded guilty, so that you and the kids won't  
5 have to testify. And, for a minute, I was sort of relieved  
6 because I didn't have to go to court, but I was really  
7 upset about just getting probation.

8 MR. ENGELMANN: So he told you in that call  
9 ---

10 MS. RAYMOND: Yes.

11 MR. ENGELMANN: --- that Mr. Leblanc had  
12 received probation?

13 MS. RAYMOND: Yes, not how long or anything,  
14 maybe he didn't know; I don't know if he knew. He just  
15 said, "Probation", and he had told me he was going to ask  
16 for jail time.

17 MR. ENGELMANN: When had he told you that?  
18 Right at the beginning or at some other time?

19 MS. RAYMOND: The day that we were working  
20 with him, on the 24<sup>th</sup>.

21 MR. ENGELMANN: So after January 24<sup>th</sup>, the  
22 next time you heard from Detective Constable Paiement was  
23 after Mr. Leblanc pleaded guilty?

24 MS. RAYMOND: Yes.

25 MR. ENGELMANN: What about anybody else from

1 the Cornwall Police; do you know if anybody else tried to  
2 contact you or speak to you?

3 MS. RAYMOND: No, I got a subpoena; I don't  
4 know who brings that.

5 MR. ENGELMANN: To go to court?

6 MS. RAYMOND: Yes.

7 MR. ENGELMANN: But you never went to court?

8 MS. RAYMOND: No, we never went to court,  
9 because he pleaded guilty or plea-bargained or whatever.

10 MR. ENGELMANN: Now, you had involvement  
11 with Scott when the statement was taken and when he was  
12 being interviewed by the Children's Aid Society. What  
13 about Jason? Were you involved when he would have been  
14 interviewed by the Cornwall Police Service?

15 MS. RAYMOND: No, I was not.

16 MR. ENGELMANN: Okay. Were you involved  
17 with him in any follow-up with the Children's Aid Society?

18 MS. RAYMOND: No.

19 MR. ENGELMANN: Sorry, that's a "No"?

20 MS. RAYMOND: No.

21 MR. ENGELMANN: Yeah, that's okay.

22 MS. RAYMOND: My throat's going; stress!

23 MR. ENGELMANN: Now, do you --- I know it  
24 was a long time ago.

25 MS. RAYMOND: Yes.

1                   **MR. ENGELMANN:** In fact, over 20 years ago.  
2                   Do you have some memory of how long your statement was or  
3                   what you would have described in your statement, the one  
4                   you wrote out for the police the night of January 24<sup>th</sup>?

5                   **MS. RAYMOND:** No, I just would have told  
6                   what I just heard and what the kind -- some of the sex acts  
7                   that Jean-Luc had performed on him. I'm sure I would have  
8                   written some of that down.

9                   **MR. ENGELMANN:** Were you ever interviewed  
10                  after that about your statement?

11                  **MS. RAYMOND:** No.

12                  **MR. ENGELMANN:** Were you ever shown a copy  
13                  of Exhibit C98 before just when you met with us?

14                  **MS. RAYMOND:** No.

15                  **MR. ENGELMANN:** Were you told when Mr.  
16                  Leblanc was arrested? We understand he was arrested only  
17                  two or three days after the statement was taken on the 24<sup>th</sup>  
18                  of January. Do you remember being told about that?

19                  **MS. RAYMOND:** No, I was not.

20                  **MR. ENGELMANN:** All right. Did you have any  
21                  concerns about Mr. Leblanc after January 24<sup>th</sup>, 1986?

22                  **MS. RAYMOND:** Yes, because I was a little  
23                  afraid because I had, like you say, blown the whistle on  
24                  him, and I was afraid that he might come back or something;  
25                  I don't know. I had some fears.

1                   **MR. ENGELMANN:** Did you know if he was in  
2 custody or not?

3                   **MS. RAYMOND:** I didn't know.

4                   **MR. ENGELMANN:** All right. I think you told  
5 us this earlier; you had no discussions with anyone from  
6 the Crown Prosecutor's Office?

7                   **MS. RAYMOND:** No one at all.

8                   **MR. ENGELMANN:** Can you tell us just a  
9 little bit about how you came to care for Scott, in 1987?

10                   **MS. RAYMOND:** Well, Scott was having quite a  
11 few problems and, a couple of times, the Children's Aid  
12 called me in to talk to me and Mrs. Burgess was there, and  
13 I had a meeting, I think it was with -- I think it was Lynn  
14 LeBreton, but I'm not sure.

15                   **MR. ENGELMANN:** And she's who?

16                   **MS. RAYMOND:** She's a social worker at CAS.

17                   **MR. ENGELMANN:** Okay.

18                   **MS. RAYMOND:** And they had asked me that day  
19 to take -- if I would take Scott for the weekend, which I  
20 did. And then I had quite a few other calls from her, but  
21 we were all in agreement that I would try to help Scott.

22                   **MR. ENGELMANN:** Would this have been in  
23 1987?

24                   **MS. RAYMOND:** I think or it could have been  
25 in, starting in '86, I'm not sure, but I think it was '87;

1 maybe May or April, I don't have all those things  
2 documented.

3 **MR. ENGELMANN:** We heard from Scott and on  
4 May 29<sup>th</sup>, 1987, you became his *de facto* parent.

5 **MS. RAYMOND:** Right.

6 **MR. ENGELMANN:** So I'm assuming that before  
7 then, you would have had some dealings with either, a Court  
8 process or the Children's Aid Society?

9 **MS. RAYMOND:** Yeah, both. I was --- some  
10 dealings with the Children's Aid and we went to Court; I  
11 had a lawyer, and Scott was asked what he wanted to do; and  
12 Mr. and Mrs. Burgess were asked, and they all agreed that  
13 Scott would come with me and my husband until he was 18.

14 **MR. ENGELMANN:** All right. And after --- I  
15 just, I guess I want to ask you this. Were you aware of  
16 any counselling that might have been provided to Scott in  
17 1986 by Children's Aid Society or anybody else with respect  
18 to being a victim of child sexual abuse?

19 **MS. RAYMOND:** No, they didn't come to me; I  
20 wasn't his mother at that time or his parent; I don't know.

21 **MR. ENGELMANN:** Did he ever tell you about  
22 getting any counselling, that you know of?

23 **MS. RAYMOND:** No, he didn't tell me  
24 anything.

25 **MR. ENGELMANN:** Did you continue to have a

1 relationship with Scott through 1986?

2 MS. RAYMOND: Yeah, a little bit, not as  
3 much as before.

4 MR. ENGELMANN: And you continued obviously  
5 to have a relationship with him in 1987?

6 MS. RAYMOND: Yes.

7 MR. ENGELMANN: And, perhaps more of one ---

8 MS. RAYMOND: Yes, well I was called in more  
9 to help out. I didn't just go and take him or anything.

10 MR. ENGELMANN: Right, and were you aware if  
11 he was getting any counselling from Children's Aid or from  
12 a Court service or anything else, as a result of being a  
13 victim of child sexual abuse?

14 MS. RAYMOND: None that I knew of.

15 MR. ENGELMANN: All right. What about after  
16 you become his *de facto* parent, the end of May of 1987. Do  
17 you recall if there were any follow-ups after that, either  
18 with respect to the *de facto* parent issue or the child  
19 sexual abuse or both?

20 MS. RAYMOND: Yes, I think I took Scott to  
21 the Children's Aid in June and then I don't know if they  
22 didn't follow through or we didn't follow through, but we  
23 went on three-weeks vacation in July, and that might have  
24 just kind of -- we were just all trying to get adjusted to  
25 the new situation, and we all seemed pretty content and we

1           went on a vacation, which we thought was good for all of us  
2           at that time.

3                       **MR. ENGELMANN:** All of you being you, your  
4           husband and Scott?

5                       **MS. RAYMOND:** And two dogs and a cat.

6                       **MR. ENGELMANN:** Okay. And after you came  
7           back from that vacation in July of '87, do you recall any  
8           counselling or any other assistance that Children's Aid or  
9           anybody else might have provided to Scott?

10                      **MS. RAYMOND:** I can't remember, actually  
11           Scott didn't really want to go; and I guess you're told to  
12           encourage them but you can't force them. Scott wasn't that  
13           comfortable with it because he was still having a hard time  
14           talking about this sexual thing. As you can see, it goes  
15           on for a long time, and I don't remember, really. And then  
16           in October, he turned 16; so I don't know, like 20 years  
17           ago, if the Children's Aid kept on with 16-year olds or  
18           not.

19                      **MR. ENGELMANN:** That was October of what  
20           year?

21                      **MS. RAYMOND:** That he turned 16? Well, he  
22           was born in '71; math is not my good thing.

23                      **MR. ENGELMANN:** All right, so October of  
24           1987.

25                      **MS. RAYMOND:** Okay. He turned 16.

1                   **MR. ENGELMANN:** So he was 15 when he became  
2                   -- when you entered into this *de facto* parent situation.  
3                   All right. And then you moved away in 1988?

4                   **MS. RAYMOND:** Yes. In January 1988, my  
5                   husband came home and said Pfizer was closing and that he  
6                   would be out of a job. And at 49 years old, you can't quit  
7                   working then, so he got a job in South Western Ontario. He  
8                   left in April that year, and Scott and I had to stay back  
9                   and sell the house and finish school. So it just made  
10                  another upset. Like I didn't move away to get away from  
11                  everybody. We didn't have any choice because I would have  
12                  loved to stay where I was.

13                  **MR. ENGELMANN:** So aside from some  
14                  attendance, possibly for counselling, in June of 1987 ---

15                  **MS. RAYMOND:** M'hm.

16                  **MR. ENGELMANN:** --- was that once or twice  
17                  or do you remember?

18                  **MS. RAYMOND:** Once or twice, I don't really  
19                  remember. I don't have all that documented.

20                  **MR. ENGELMANN:** Okay. Do you recall any  
21                  other form of counselling that might have been provided to  
22                  Scott?

23                  **MS. RAYMOND:** We could talk at the school.  
24                  We have school counsellors and that's where I did a lot of  
25                  my talking to one of the people when Scott went to CCVS.

1       There was a teacher there, a Special Ed Teacher, who was  
2       the head of the Department, I used to go to.

3               **MR. ENGELMANN:** So that's something you  
4       followed up with and asked them to do?

5               **MR. RAYMOND:** Well yes; they will just talk  
6       to them if you kind of ask them. Scott didn't still want  
7       to talk, it was really bothering him. I think Scott is  
8       very quiet in the first place, and it was really bothering  
9       him to talk about it.

10              **MR. ENGELMANN:** So let's just talk a little  
11       bit then about your experience with the institutional  
12       response to what happened.

13              **MS. RAYMOND:** M'hm.

14              **MR. ENGELMANN:** Just with respect to the  
15       Children's Aid Society if we can for a minute. All right?  
16       Can you give us some thoughts on your involvement with them  
17       and your views on how they responded?

18              **MS. RAYMOND:** Well, when I went to my  
19       Principal and then to the Superintendent, they were  
20       excellent. They responded right away and came right that  
21       afternoon. And I thought Bruce Duncan was very good. He  
22       was caring; he had good strategy for talking to Scott  
23       because Scott still doesn't relate very well to men. And I  
24       guess he must have already realized that. I don't know.  
25       And then what followed after that, I don't know for Scott

1 because I wasn't his parent; so I don't know what they  
2 offered him.

3 **MR. ENGELMANN:** So you were happy with the  
4 response on January 24<sup>th</sup>, when you were directly involved?

5 **MS. RAYMOND:** Yes, I was. I thought they  
6 responded very quickly and they believed us.

7 **MR. ENGELMANN:** Okay. You can't really  
8 comment on the rest of the response because you weren't  
9 involved with that?

10 **MS. RAYMOND:** I wasn't involved with the  
11 rest.

12 **MR. ENGELMANN:** All right. What about the  
13 Cornwall Police Service?

14 **MS. RAYMOND:** Detective Paiement came right  
15 away, and he was very good too. I don't know all about the  
16 investigation, because I'm not just sure. I mean he talked  
17 to some of us and made us write out statements, but I don't  
18 know like how good his investigation was.

19 In my estimation it was okay, but I don't  
20 know what you're supposed to be asking and not asking.

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

22 And that was on January 24<sup>th</sup> again?

23 **MS. RAYMOND:** Right.

24 **MR. ENGELMANN:** So you were satisfied with -

25 --

1                   **MS. RAYMOND:** That day, the first day, I  
2 think the investigation was very good.

3                   **MR. ENGELMANN:** What about after that?

4                   **MS. RAYMOND:** After that I got nothing  
5 except the one call from Brian Paiement at school.

6                   **MR. ENGELMANN:** Do you have any comments on  
7 that and the follow-up?

8                   **MS. RAYMOND:** Well, I was angry that he got  
9 probation and that they were trying to stop us from having  
10 to testify.

11                   But now, as I've gotten older, I'm beginning  
12 to wonder about that because maybe some of us would have  
13 liked to have testified and maybe it would have all come  
14 out more then. I think a person who gets probation for  
15 what that man did and no restrictions, I was very nervous  
16 for myself and the children. I guess they're -- I don't  
17 know; I just felt that way, but I guess they say that  
18 pedophiles were often cowards, but I didn't know that. I  
19 hadn't had any experience with this kind of stuff before.

20                   **MR. ENGELMANN:** So you might have wanted to  
21 go to court or be told about when court was?

22                   **MS. RAYMOND:** I probably didn't want to go,  
23 but ---

24                   **MR. ENGELMANN:** Okay. That's fine.

25                   **MS. RAYMOND:** I think I felt relieved, but I

1 was really angry that he just got probation. I thought he  
2 should have got jail time and something else that I can't  
3 repeat in court.

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

5 So you can't comment on their actions after  
6 January 24<sup>th</sup> with respect to the investigation. Would you  
7 have expected a phone call or a meeting or not?

8 **MS. RAYMOND:** Well, I was hoping somebody  
9 would let us know what was going on. We need to have that  
10 information, especially with victims and myself, a semi-  
11 victim or whatever I am. I don't know. We have to know  
12 what's going on.

13 **MR. ENGELMANN:** What about the fact that you  
14 had no contact from the Crown Prosecutor's Office, no  
15 discussions?

16 **MS. RAYMOND:** See, I didn't know whether  
17 they were supposed to -- I don't know how it all works, to  
18 tell you the truth. Brian said they had plea-bargained and  
19 I'm still not quite sure what a plea bargain is all about.  
20 I know if they plead guilty, they get something lesser or  
21 something, but to tell you the truth, I don't really know  
22 the ins and outs of all of the justice system.

23 **MR. ENGELMANN:** All right.

24 **MS. RAYMOND:** So we were sort of at a loss.

25 **MR. ENGELMANN:** So you made the complaint to

1 the police. At the end of the day, the justice system gave  
2 this man probation and you were upset about that?

3 **MS. RAYMOND:** I think -- yes, the justice  
4 system, that's the one that failed.

5 **MR. ENGELMANN:** Now, you lived with and  
6 cared for Scott Burgess for a number of years after he was  
7 sexually abused?

8 **MS. RAYMOND:** Yes, until he was 20.

9 **MR. ENGELMANN:** Can you give us some sense  
10 as to how this affected him, this whole process, what  
11 happened?

12 **MS. RAYMOND:** Yes. Well, he's quite  
13 withdrawn, I find, but I don't know if he was like that  
14 before, but he still has a hard time talking about it. I  
15 think it's still bothering him a lot, but I just heard he  
16 got an appointment with a psychiatrist in London. So  
17 that's a help. And this afternoon I'm going to see a  
18 counselor. So that might help me too. So maybe something  
19 good has come out of this, because I didn't feel I had any  
20 help at all.

21 **MR. ENGELMANN:** I want to ask you briefly  
22 about the School Board and your contact with them. I guess  
23 you told us you weren't sure when you first spoke to the  
24 principal and/or whether you spoke to Dave Hill.

25 **MS. RAYMOND:** I can't remember, but I must

1 have. Dave is usually right in -- I don't know why; for  
2 some reason that section is blocked out of my mind.

3 **MR. ENGELMANN:** But Mr. Lawson and the  
4 response at that point, can you -- do you want to comment  
5 on that?

6 **MS. RAYMOND:** He called me right up at noon  
7 and I had gone to the principal either at noon or in the  
8 morning. He called me right up there immediately. I had  
9 to explain again all over to him and he immediately called  
10 the Children's Aid. They responded immediately.

11 So I thought all the response there was  
12 excellent.

13 **MR. ENGELMANN:** Now, you've told us that you  
14 weren't sure if there was a protocol or a procedure and you  
15 didn't have training at the time to deal with child sexual  
16 abuse.

17 **MS. RAYMOND:** No. I don't know. I never  
18 saw anything. All I ever know is you can go to your  
19 principal and discuss things and go from there.

20 Like I said before, sexual abuse is hard  
21 because you don't see any scars or anything. The scars of  
22 sexual abuse ---

23 **MR. ENGELMANN:** We've certainly heard in  
24 this Inquiry that there are some protocols in place now.

25 **MS. RAYMOND:** Well, were they in place 20

1 years ago? Good question, right?

2 **THE COMMISSIONER:** We'll find that out in  
3 due course.

4 **MS. RAYMOND:** I am.

5 **MR. ENGELMANN:** And I take it from what  
6 you've said you think that's important and you think  
7 training is important for teachers?

8 **MS. RAYMOND:** Oh yes. But when Scott went  
9 to see CBS, there was one teacher there that was very good.  
10 She used to help me a lot and talk to me. When we were  
11 moving I got a group of the teachers together, Dave Hill  
12 and the Vice-Principal and a few of the others to see what  
13 program they thought would be good for Scott because we had  
14 to move and I had a big discussion with about five or six  
15 of them and we laid out like a plan that we thought would  
16 be good for Scott.

17 **MR. ENGELMANN:** Ms. Raymond, I understand  
18 that you followed some of this Inquiry and you're aware  
19 that we've been asking witnesses who are involved if they  
20 have any recommendations for us. I understand you did a  
21 bit of work on that this weekend?

22 **MS. RAYMOND:** I did.

23 **MR. ENGELMANN:** And that you might want to  
24 give us some of your views about some of the  
25 recommendations?

1                   **MS. RAYMOND:** If it's okay if I sort of read  
2                   some of these?

3                   **THE COMMISSIONER:** Yes.

4                   **MR. ENGELMANN:** That would be just fine.

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

6                   **MS. RAYMOND:** Okay. Because I just said I'm  
7                   not pointing the finger at anyone because goodness knows  
8                   there's lots of blame to go around. We've all made some  
9                   mistakes here, I guess, but I have some suggestions.

10                               The one with regards to pedophiles, because  
11                   this never seems to be addressed, I'm saying why are we  
12                   letting pedophiles out on the street if they can't be cured  
13                   -- because lately I think they were saying that -- and put  
14                   them in jail and throw away the key, and definitely not  
15                   probation with no restrictions like Jean-Luc had. Because  
16                   if stiffer sentences are handed out, maybe more people  
17                   would come forward, because what's the use if nothing is  
18                   done?

19                               He got a slap on the wrist and Scott, Jason  
20                   and I got a slap in the face. We did all that work, we go  
21                   all through that agony and then it's just thrown out and  
22                   all the work of all the other organizations is thrown out  
23                   the window too in just a plea bargain and probation.

24                               A detective came and said he was asking for  
25                   jail time at that time, but he plea-bargained so that we

1 saved the victims from having to testify. And I'm not  
2 sure; he might have said that they weren't that reliable  
3 witnesses, but I'm not sure.

4 When he got probation with no restrictions,  
5 he was able to re-offend while he was on probation and he  
6 didn't even lose his job, which was at the Transport Canada  
7 School, it was called at that -- NAV Canada, a government  
8 building, of all things, where he had molested kids and he  
9 still kept that job. How does that happen?

10 And after probation, we returned back home  
11 and he got a pedophile's dream job, I said. He was driving  
12 a school bus. I mean, of all things!

13 **MR. ENGELMANN:** You found out about that  
14 somehow?

15 **MS. RAYMOND:** Just someone telling me. I  
16 didn't see him riding around on the bus, but it was in  
17 Newington. How did he get a school bus licence is what I  
18 would like to know? I was horrified. It's a parent's  
19 worst nightmare, I thought.

20 And the second thing, I think we needed more  
21 community -- more information, more involvement in the  
22 justice system. We have to be informed. We have to know  
23 what's going on, where this person is. We have to be kept  
24 in the loop, I said.

25 I didn't know how much probation he got --

1 three years -- until I read it in the newspaper and I  
2 didn't know where he was living or anything about him and I  
3 was nervous for myself and the children. He had threatened  
4 the children. I didn't know if he could do the same to me,  
5 although probably not. And I didn't know whether he was  
6 ordered to stay away from us or not. I didn't know any of  
7 the terms of the probation.

8 The CAS, I know they have certain protocols  
9 to follow, which they usually do, having dealt with them as  
10 a teacher also. Maybe you already do this, but maybe when  
11 offering counsel, to make sure the child is present and  
12 hears it when you're offering it to the parents.

13 **THE COMMISSIONER:** Offering counseling, you  
14 mean?

15 **MS. RAYMOND:** Pardon?

16 **THE COMMISSIONER:** Offering counseling?

17 **MS. RAYMOND:** Yes. The kids here have told  
18 me that it's offered to the parents and they don't know  
19 anything about it, but I don't know if that's -- it's just  
20 a suggestion.

21 And use more prevention and intervention  
22 instead of -- I don't know; maybe they do now.

23 For a lot of families, CAS is a threat, like  
24 I'm a bad parent or I'm a bad child, whereas for me, in my  
25 position, CAS is a saviour for children when needed. Some

1 children aren't comfortable with the CAS because there is a  
2 stigma attached to it. Now, I don't know if there's  
3 anything that can be done about that.

4 I don't know if I should tell you what Scott  
5 said after he talked to the CAS lawyer or not.

6 **THE COMMISSIONER:** Go ahead.

7 **MS. RAYMOND:** When Scott -- after Scott was  
8 done, he said when the CAS lawyer talked to him, he felt  
9 like he had done something wrong and he was very  
10 uncomfortable.

11 **MR. ENGELMANN:** You mean the cross-  
12 examination here?

13 **MS. RAYMOND:** Yes.

14 And I would like to say that we have to make  
15 sure that the CAS has the resources that they need to carry  
16 on the jobs. Protecting our children is very important.

17 Another one I said is we need awareness and  
18 exposure. So I'm telling the media, "Get right in there  
19 and keep it alive and don't get off anybody's back. Make  
20 people aware of what's happening." If enough people get  
21 angry, then more things will happen because sometimes it's  
22 just apathy or not knowing, and so people don't really get  
23 involved.

24 I was wondering why in all the articles in  
25 the Freeholder -- maybe I should be asking them -- they all

1 say he was a bus driver. When he abused these kids, he was  
2 working at Transport Canada, a federal building. So I was  
3 wondering why that has never been mentioned.

4 And education, the schools have to keep  
5 their programs going where we had them about sexual  
6 touching and we had some programs for the young kids. I  
7 think that's really important, because I said, "I'm ashamed  
8 of my own ignorance." Even though I've got psychology  
9 courses, sociology courses, I'm surprised at how long and  
10 deeply affected a sexual abuse child is, just from  
11 listening to this here, this Inquiry. I still didn't  
12 realize, even Scott, how much they were still hurting, to  
13 tell you the truth.

14 As far as protocol, I don't know if we have  
15 a protocol for the -- I didn't see one in the School Board.  
16 If we do have one, make sure it isn't just sitting on the  
17 shelf. Make sure people know these policies because I sure  
18 didn't know it. Now, I don't know if maybe that's my  
19 fault, but my best support was the head of the department  
20 at CCBS. She used to give me some advice and talk to me  
21 all the time.

22 And I said -- another thing I'd like to  
23 recommend, it's payback time for the victims. Hopefully  
24 some framework will be set up to help them now and some  
25 restitution of some kind.

1                   Then I would just like to say something to  
2                   the witness -- to the victims, as I am really here for the  
3                   victims. I hope I don't cry, but I just want the victims  
4                   who are here and those who are watching somewhere to know  
5                   that the abuse was not your fault. You did nothing wrong.  
6                   You are a good person. It took courage to come up here and  
7                   speak and those who aren't able to speak this time, we are  
8                   your voice. We are here for you. And above all, don't  
9                   despair and think of this. Tomorrow is full of hope and  
10                  promises. The best is yet to come.

11                  And that's all my recommendations.

12                  And I just want to say it isn't easy to  
13                  rescue a child or to be the person that steps in. It has  
14                  impacted our lives something terrible, my husband and I.  
15                  And some people hate you and some people love you. I see  
16                  how CAS feels. I think they get that same feeling when  
17                  they're trying to help. I had very little support and  
18                  cooperation in everything I have been trying to do and many  
19                  challenges, but it's worth it for the child. But I can see  
20                  why people don't come forward. It's very difficult.

21                  **MR. ENGELMANN:** Ms. Raymond, thank you very  
22                  much for coming forward. I think we will probably take our  
23                  break right now.

24                  **THE COMMISSIONER:** We will take our break  
25                  and then there will be some questions from other lawyers.

1                   **MS. RAYMOND:** Okay. We can't skip that  
2                   part?

3                   **THE COMMISSIONER:** No.

4                                   **(LAUGHTER/RIRES)**

5                   **THE COMMISSIONER:** Well, I'll think about  
6                   that.

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

9                                   The hearing will resume at 11:05 a.m.

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

11                                   L'audience est suspendue à 10h50

12                   --- Upon resuming at 11:09 a.m./

13                                   L'audience est reprise à 11h09

14                   **THE REGISTRAR:** This hearing of the Cornwall  
15                   Public Inquiry is now in session.

16                                   Please be seated. Veuillez vous asseoir.

17                   **DAWN RAYMOND, Resumed/Sous le même serment:**

18                   **THE COMMISSIONER:** All right.

19                                   So Mr. Wardle?

20                   **MR. WARDLE:** Mrs. Raymond, my name is Peter  
21                   Wardle. I am counsel for Citizens for Community Renewal.

22                                   I don't actually have any questions for you,  
23                   but I wanted to thank you on behalf of my client for coming  
24                   forward and for taking the time to give us your  
25                   recommendations.

1                   **MS. RAYMOND:** Thank you.

2                   **THE COMMISSIONER:** Thank you.

3                   Mr. Lee?

4                   **MR. LEE:** Mrs. Raymond, I don't have any  
5                   questions for you either, but as you know, I represent the  
6                   people who love you and not hate you, and on behalf of  
7                   them, I want to thank you for the past 20 years or so and  
8                   most especially for today.

9                   **MS. RAYMOND:** Thanks.

10                  **THE COMMISSIONER:** I can't think of anyone  
11                  who would hate you.

12                  So Mr. Chisholm.

13                  **MS. RAYMOND:** Oh, this is going to be bad.

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

15                  **CHISHOLM:**

16                  **MR. CHISHOLM:** Good morning, Mrs. Raymond.  
17                  My name is Peter Chisholm. As you may know, I am counsel  
18                  for the Children's Aid Society in the Counties of Stormont,  
19                  Dundas and Glengarry.

20                  I would just like to start this morning by  
21                  thanking you for coming back yet again. I have seen you in  
22                  the hearing room on a number of days now.

23                  **MS. RAYMOND:** M'hm.

24                  **MR. CHISHOLM:** And I know that you've spent  
25                  a great deal of time here.

1 I would also like to take this chance to  
2 thank you for the intervention that you made 20-some years  
3 ago with respect to stepping up to the plate and listening  
4 to these children and doing what had to be done to notify  
5 the authorities.

6 MS. RAYMOND: M'hm.

7 MR. CHISHOLM: And I'm wondering if you're  
8 speaking to Scott Burgess in the future, which I anticipate  
9 you may do at some point, if you could pass on my words to  
10 him that it was not my intention to make him feel ill at  
11 ease or a victim in any fashion. Lawyers sometimes have a  
12 hard job to do.

13 MS. RAYMOND: I know.

14 MR. CHISHOLM: But please let him know from  
15 me that that was not my intention when I cross-examined  
16 him. It was merely to try and bring some clarity ---

17 MS. RAYMOND: Yes, I know that.

18 MR. CHISHOLM: --- to a record some 20 years  
19 old.

20 MS. RAYMOND: You're a very good lawyer and  
21 very precise.

22 MR. CHISHOLM: Thank you. Well, I'm not  
23 sure if I'm precise all the time, but I won't argue with  
24 you today.

25 (LAUGHTER/RIRES)

1                   **THE COMMISSIONER:** Take the few compliments  
2 you can get, Mr. Chisholm, and run.

3                   **MR. CHISHOLM:** Mrs. Raymond, just a few  
4 questions going back to when the boys came forward to you  
5 back in January of 1986. And again, it was Jason Tyo that  
6 came forward to you first of all?

7                   **MS. RAYMOND:** Yes.

8                   **MR. CHISHOLM:** Can you tell me -- I'm  
9 interested in the impression that you were left with after  
10 you had had your discussions with Mr. Tyo and,  
11 specifically, do you have any recollection of Jason Tyo  
12 telling you that he had previously reported any type of  
13 abuse to the Children's Aid Society?

14                   **MS. RAYMOND:** No, I don't have any -- and I  
15 don't know that.

16                   **MR. CHISHOLM:** And looking at your Will Say  
17 Statement, you've had a chance to review. I don't know if  
18 we have to pull it up on the screen, but ---

19                   **MS. RAYMOND:** Yes.

20                   **THE COMMISSIONER:** Well, it's not really a  
21 Will Say statement because a statement implies other  
22 things. So it's just a Will Say.

23                   **MR. CHISHOLM:** A Will Say -- your will say  
24 -- there's no, and I appreciate the fact that you did not  
25 write that statement.

1 MS. RAYMOND: Yes.

2 MR. CHISHOLM: That someone else wrote it  
3 based upon presumably the statement that you had written  
4 out, that you mentioned earlier.

5 MS. RAYMOND: Yes. M'hm.

6 MR. CHISHOLM: There is no mention in the  
7 Will State that Mr. Tyo told you about any communication  
8 that he had with the Children's Aid Society?

9 MS. RAYMOND: No, there isn't.

10 MR. CHISHOLM: Would it be fair to conclude  
11 that you were of the impression back in January of 1996  
12 that you were the first person that Jason Tyo told, the  
13 first person that he disclosed any abuse to?

14 MS. RAYMOND: Yes.

15 MR. CHISHOLM: That was the impression you  
16 were under?

17 MS. RAYMOND: Yes.

18 MR. CHISHOLM: And with respect to the  
19 disclosure that was made to you by Mr. Tyo, would it be  
20 fair to say that there was only mention of Jean-Luc Leblanc  
21 in terms of sexually abusing the boys?

22 MS. RAYMOND: Yes.

23 MR. CHISHOLM: Was there any mention that  
24 you recall on the part of Mr. Tyo dealing with issues of  
25 abuse in his home?

1 MS. RAYMOND: No, there wasn't.

2 MR. CHISHOLM: You have no recollection of  
3 that?

4 MS. RAYMOND: He never said anything about  
5 that.

6 MR. CHISHOLM: And you're quite certain of  
7 that?

8 MS. RAYMOND: I'm certain.

9 MR. CHISHOLM: Mr. Engelmann asked you about  
10 follow up following the Friday, the 24th of January 1986.

11 MS. RAYMOND: Yes.

12 MR. CHISHOLM: That was the long day that  
13 you had?

14 MS. RAYMOND: Yes.

15 MR. CHISHOLM: First, presumably at your  
16 school?

17 MS. RAYMOND: Yes.

18 MR. CHISHOLM: Then the Board office on  
19 Second Street, then the Central Public School. Do you  
20 recall any follow up with the Children's Aid Society in the  
21 weeks following January 24th that you had?

22 MS. RAYMOND: To me?

23 MR. CHISHOLM: Yes?

24 MS. RAYMOND: No.

25 MR. CHISHOLM: You have no recollection of

1 attending the Children's Aid Society office on the 29th of  
2 January 1986 with Scott Burgess to meet Bruce Duncan?

3 **MS. RAYMOND:** Not that I can remember.

4 **MR. CHISHOLM:** That's fair.

5 You would agree with me your memory may be  
6 fading on some of these points you have been asked to talk  
7 about today?

8 **MS. RAYMOND:** Possibly.

9 **MR. CHISHOLM:** That's fair to say?

10 **MS. RAYMOND:** Yes.

11 **MR. CHISHOLM:** Is it possible that you would  
12 have met with Mr. Duncan?

13 **MS. RAYMOND:** It's possible, but not that I  
14 remember.

15 **MR. CHISHOLM:** Now, looking at the records  
16 that I reviewed in preparing for your testimony today and  
17 those of others, it seems to me that you were sometimes  
18 asked to come and -- you offered your services ---

19 **MS. RAYMOND:** Yes.

20 **MR. CHISHOLM:** --- to Scott Burgess and his  
21 family when there were stresses in the Burgess home. Is  
22 that fair to say?

23 **MS. RAYMOND:** Yes.

24 **MR. CHISHOLM:** Would I be correct in  
25 categorizing your involvement back then as coming forward

1 as offering a community resource to allow for cooling off  
2 periods when Scott was not doing well in his home, that he  
3 could go to your house for a few days?

4 MS. RAYMOND: Yes.

5 MR. CHISHOLM: And that happened with some  
6 degree of regularity. Is that fair to say?

7 MS. RAYMOND: Yes.

8 MR. CHISHOLM: Is it fair to say that at  
9 points in time you were of the view that Scott had to get  
10 out of his home, given the treatment he was receiving by  
11 his mother, for instance?

12 MS. RAYMOND: I think so.

13 MR. CHISHOLM: Do you agree with that?

14 MS. RAYMOND: Yes.

15 MR. CHISHOLM: In February of 1986, February  
16 3rd, do you recall Mr. Duncan, Bruce Duncan, attending at  
17 your residence?

18 MS. RAYMOND: My residence?

19 MR. CHISHOLM: Yes? And Glen Walter?

20 MS. RAYMOND: No.

21 MR. CHISHOLM: You don't recall that.  
22 Is it possible that may have happened?

23 MS. RAYMOND: It's possible.

24 MR. CHISHOLM: It's a long time ago.

25 MS. RAYMOND: I was working. If he came

1 during the day, I wouldn't be there.

2 MR. CHISHOLM: Unless you'd been off for a  
3 period of time. Do you recall being off ever in that  
4 timeframe?

5 MS. RAYMOND: In February?

6 MR. CHISHOLM: Yes?

7 MS. RAYMOND: No.

8 MR. CHISHOLM: The name Dr. David Kaufman.  
9 Does that name mean anything to you?

10 MS. RAYMOND: Yes.

11 MR. CHISHOLM: What do you know of Dr.  
12 Kaufman?

13 MS. RAYMOND: He was our psychometrist.

14 MR. CHISHOLM: Psychometrist employed by the  
15 public school ---

16 MS. RAYMOND: In the S, D and G County Board  
17 at that time.

18 MR. CHISHOLM: Okay. And do you have any  
19 knowledge of Scott being involved with Dr. Kaufman? Do you  
20 recall any involvement?

21 MS. RAYMOND: I don't know, really.

22 MR. CHISHOLM: You don't have any ---

23 MS. RAYMOND: It's a possibility for sure.

24 MR. CHISHOLM: Can you tell me -- you told  
25 us of you going to court to obtain custody of Scott. Is

1           that right?

2                       **MS. RAYMOND:** Yes.

3                       **MR. CHISHOLM:** Do you recall the precise  
4           date that you would have obtained that Custody Order?

5                       **MS. RAYMOND:** I think it was May 29th, 1987.

6                       **MR. CHISHOLM:** Today you were asked by Mr.  
7           Engelmann about treatment programs, about what, to your  
8           knowledge, was with respect to counselling that may have  
9           been offered to Scott, right?

10                      **MS. RAYMOND:** You mean after May 29th you're  
11           talking or just before?

12                      **MR. CHISHOLM:** Well, before the Custody  
13           Order that you obtained.

14                      **MS. RAYMOND:** I don't know what he was  
15           receiving or if he received anything.

16                      **MR. CHISHOLM:** You have no knowledge of  
17           that?

18                      **MS. RAYMOND:** No.

19                      **MR. CHISHOLM:** You are not saying that he  
20           didn't receive any treatment. You just have no knowledge.

21                      **MS. RAYMOND:** I don't know because I was not  
22           involved.

23                      **MR. CHISHOLM:** That's fair.

24                      Did Scott ever mention to you the Family  
25           Sexual Abuse Treatment Program? Do you have any

1 recollection of him mentioning that to you?

2 MS. RAYMOND: No.

3 MR. CHISHOLM: And you told us today, if I  
4 understand your evidence correctly, that Scott didn't  
5 really want to go to counselling. Is that fair to say?

6 MS. RAYMOND: You mean now?

7 MR. CHISHOLM: Well, I think if I understand  
8 your evidence correctly, you were speaking of back then,  
9 back in the ---

10 MS. RAYMOND: In the 80s.

11 MR. CHISHOLM: --- 80s.

12 MS. RAYMOND: He didn't want to go or he  
13 did?

14 MR. CHISHOLM: I understood you to say he --  
15 -

16 MS. RAYMOND: He was uncomfortable going.

17 MR. CHISHOLM: --- he was uncomfortable?

18 MS. RAYMOND: He didn't want to talk about  
19 it.

20 MR. CHISHOLM: And I understand your  
21 evidence today to be that you can't force someone to attend  
22 counselling if they are ---

23 MS. RAYMOND: No, you can encourage them  
24 with anything.

25 MR. CHISHOLM: Yes.

1                   **MS. RAYMOND:** But it's not a good idea to  
2                   force them because they won't get anything out of that.

3                   **MR. CHISHOLM:** You would be of the view that  
4                   it's not a good idea to force counselling?

5                   **MS. RAYMOND:** For sure. For sure.

6                   **MR. CHISHOLM:** Do you recall anyone at the  
7                   Children's Aid Society ever discussing with you the Family  
8                   Action Plan?

9                   **MS. RAYMOND:** No.

10                  **MR. CHISHOLM:** You don't know what the  
11                  Family Action Plan is, I would take it?

12                  **MS. RAYMOND:** No, I don't.

13                  **MR. CHISHOLM:** That would be a plan that  
14                  would allow adolescents and their parents to avoid troubles  
15                  in their home and in your case, not to suggest that there  
16                  were any troubles, but because Scott was entering into a  
17                  relationship with you and your husband ---

18                  **MS. RAYMOND:** M'hm.

19                  **MR. CHISHOLM:** --- does that ring any bells  
20                  with respect to the Family Action Program?

21                  **THE COMMISSIONER:** It's a plan.

22                  **MR. CHISHOLM:** I'm sorry, Mr. Commissioner?

23                  **THE COMMISSIONER:** It's not a program, is  
24                  it?

25                  **MR. CHISHOLM:** It's been described as a --

1 my understanding, Mr. Commissioner, is that yes, it's a --  
2 the title would be the Family Action Program.

3 **THE COMMISSIONER:** I was thinking more of  
4 the Family Action Plan that you file in CFSA proceedings or  
5 in any -- yes, in CFSA proceedings.

6 **MR. CHISHOLM:** This program, as I  
7 understand, Mr. Commissioner, was -- there was a wilderness  
8 component to it.

9 **THE COMMISSIONER:** Okay. Sorry.

10 **MR. CHISHOLM:** Does that ring any bells with  
11 you, Mrs. Raymond? It may not. It's a long time ago.

12 **MS. RAYMOND:** No. My mind is getting worse.

13 **MR. CHISHOLM:** That's fair, Mrs. Raymond.

14 With respect to the -- if I suggested to you  
15 that by your account back then in the 80s and the  
16 Children's Aid Society's account, things were going well  
17 when Scott entered your home, would you agree with me?

18 **MS. RAYMOND:** Yes.

19 **MR. CHISHOLM:** And if I suggested to you  
20 that you were of the view that such a program would not be  
21 required by you, would that be a possibility that you would  
22 have been of that view back then?

23 **MS. RAYMOND:** Yes, I would have been.

24 **MR. CHISHOLM:** Those are my questions for  
25 you, Mrs. Raymond. Thank you very much once again.

1 MS. RAYMOND: Okay.

2 MR. CHISHOLM: Good luck with your future.

3 MS. RAYMOND: Thank you.

4 THE COMMISSIONER: Thank you.

5 Monsieur Rouleau.

6 MR. ROULEAU: I don't have any questions,

7 Mr. Commissioner.

8 THE COMMISSIONER: Thank you.

9 Mr. Scharbach.

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

11 SCHARBACH:

12 MR. SCHARBACH: Good morning, Ms. Raymond.

13 MS. RAYMOND: Good morning.

14 MR. SCHARBACH: Good morning, Mr.

15 Commissioner.

16 THE COMMISSIONER: Good morning, sir.

17 MR. SCHARBACH: My name is Stephen  
18 Scharbach. I'm a lawyer for the Ministry of the Attorney  
19 General. I wish to thank you for your evidence that you  
20 provided us today and I have a couple of questions for you.

21 First of all though, I would like to preface  
22 my questions by saying that the events that you have  
23 described to us, occurred 20 years ago and I think the  
24 Commission has heard evidence and probably will hear more  
25 evidence to the effect that many of the policies and the

1 requirements that were in existence then, have been changed  
2 now. They have improved in many ways. It's not to say, of  
3 course, that they're not perfect and that they can't be  
4 improved further.

5 MS. RAYMOND: M'hm.

6 MR. SCHARBACH: But they have changed  
7 somewhat.

8 And I just wanted to ask you in that regard  
9 whether you were aware of the fact that there are  
10 requirements imposed on Crown Prosecutors now that require  
11 a greater degree of communication between the Crown  
12 Prosecutor's Office and especially victims and, in some  
13 cases, witnesses.

14 For example, were you aware that in cases  
15 involving sexual abuse, victims -- Crown Attorneys are  
16 required to meet with the victims at least once beforehand  
17 to discuss their evidence?

18 MS. RAYMOND: That's good. I didn't know  
19 that.

20 MR. SCHARBACH: And it's also a requirement  
21 that Crown Attorneys must ensure now that victims are made  
22 aware of their right to complete a Victim Impact Statement  
23 and given information about how to complete it and what the  
24 consequences are of completing it.

25 MS. RAYMOND: I didn't know that.

1                   **MR. SCHARBACH:** You weren't aware of that?

2                   **MS. RAYMOND:** No.

3                   **MR. SCHARBACH:** But to suggest to you that  
4 that, in a way, if I can use the word, institutionalizes a  
5 way in which the victim's input can be injected into the  
6 process at some point.

7                   **MS. RAYMOND:** That sounds better.

8                   **MR. SCHARBACH:** And there are also  
9 requirements on Crown Attorneys -- and I won't go through  
10 them all. I'm sure the Commission will become very  
11 familiar with them as time goes on, but there are also  
12 requirements that require Crown Attorneys to make the  
13 victims aware of significant developments in the case.

14                   **MS. RAYMOND:** That's good.

15                   **MR. SCHARBACH:** And I suggest to you that  
16 that may go some ways to addressing your concern that  
17 between the time that you provided your initial statement  
18 to the police officer and the time that you got a phone  
19 call from the police officer saying "It's all over", there  
20 was no contact.

21                   **MS. RAYMOND:** Right.

22                   **MR. SCHARBACH:** Changes have also been made  
23 in the law, and I wonder if you're aware that in many cases  
24 involving the sexual abuse of children, there are mandatory  
25 minimum sentences now.

1                   **MS. RAYMOND:** No. No, I don't know that.

2                   **MR. SCHARBACH:** Okay. And I heard your  
3 concern and I listened very carefully to your concern to  
4 the effect that the sentence imposed in this case was too  
5 lenient, was too soft.

6                   **MS. RAYMOND:** Yes, definitely.

7                   **MR. SCHARBACH:** And I frankly don't take  
8 issue with that. However, I wonder if you're aware or you  
9 were made aware by way of background information that, in  
10 this case, Mr. Leblanc's lawyer had him assessed and  
11 treated between the time he was charged and the time he was  
12 sentenced, by a doctor I should say?

13                   **MS. RAYMOND:** No, I didn't know that.

14                   **MR. SCHARBACH:** And I take it then you  
15 weren't aware that at the time of sentencing, a doctor's  
16 report -- the report of Dr. John Bradford -- was placed  
17 before the court in which the doctor detailed the doctor's  
18 assessment of the condition and the treatment of Mr.  
19 Leblanc between the time of arrest and the time of  
20 sentencing.

21                   You weren't aware of that, I take it?

22                   **MS. RAYMOND:** No. I didn't really realize  
23 there was a treatment that worked. I thought there wasn't  
24 anything that really worked for them.

25                   **MR. SCHARBACH:** And I take it as well that

1       you weren't aware then and you weren't aware since then  
2       that, in the doctor's report, he recommends to the court  
3       that Mr. Leblanc be given a non-custodial sentence with  
4       probation terms attached?

5                   **MS. RAYMOND:** I didn't know that. Nobody  
6       told us anything.

7                   **MR. SCHARBACH:** Right.

8                   **MS. RAYMOND:** I wouldn't know that.

9                   **MR. SCHARBACH:** And I tell you this, not so  
10      much to justify the sentence, but to let you know that the  
11      sentence -- there was some basis for the sentence. It  
12      wasn't simply ---

13                   **THE COMMISSIONER:** Wait a minute. Wait a  
14      minute. Enough is enough. Are you going to argue with her  
15      that the basis ---

16                   **MR. SCHARBACH:** No, sir.

17                   **THE COMMISSIONER:** I don't know where you're  
18      going with this.

19                   **MR. SCHARBACH:** No, sir. I'm just -- what  
20      I'm trying to discern from the witness is whether or not  
21      her opinion as to whether or not that sentence was  
22      appropriate was informed by some of the facts. That's all.

23                   **THE COMMISSIONER:** Well, now you're telling  
24      her that it was, and I don't know that that's your  
25      position. You should keep that for argument later on or in

1 the institutional response, but ---

2 MR. SCHARBACH: Right. Okay. Very well.

3 Thank you. Those are my questions. Thank  
4 you very much for your evidence, Ms. Raymond.

5 MS. RAYMOND: Okay.

6 THE COMMISSIONER: Thank you.

7 Mr. Manderville?

8 MR. MANDERVILLE: Good morning, Mr.  
9 Commissioner.

10 THE COMMISSIONER: Good morning, sir.

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

13 MR. MANDERVILLE: Good morning, Mrs.  
14 Raymond.

15 MS. RAYMOND: Good morning.

16 MR. MANDERVILLE: My name is Peter  
17 Manderville. I'm a lawyer for the Cornwall Police Service.

18 MS. RAYMOND: M'hm.

19 MR. MANDERVILLE: You taught Scott Burgess  
20 and Jason Tyo for a two-year period?

21 MS. RAYMOND: Yes.

22 MR. MANDERVILLE: And I take it you had no  
23 involvement professionally with Jody Burgess or their  
24 sister Cindy?

25 MS. RAYMOND: No.

1                   **MR. MANDERVILLE:** And did you know Jody back  
2                   in the '80s?

3                   **MS. RAYMOND:** No.

4                   **MR. MANDERVILLE:** Did you know Cindy?

5                   **MS. RAYMOND:** Not really.

6                   **MR. MANDERVILLE:** Mr. Engelmann, in the  
7                   course of examining you, took you to the document called  
8                   your Will State.

9                   **MS. RAYMOND:** Yes.

10                  **MR. MANDERVILLE:** And you mention in it  
11                  that, through the two-year period that you taught Scott and  
12                  subsequently became his friend and much more, as time went  
13                  on, he periodically would mention this fellow Jean-Luc,  
14                  right?

15                  **MS. RAYMOND:** Yes.

16                  **MR. MANDERVILLE:** And up until January of  
17                  '86, while he mentioned Jean-Luc, Scott never told you what  
18                  Jean-Luc was actually doing, did he?

19                  **MS. RAYMOND:** No.

20                  **MR. MANDERVILLE:** And neither did Jason up  
21                  until January 1986?

22                  **MS. RAYMOND:** No.

23                  **MR. MANDERVILLE:** And when Jason came to you  
24                  in January 1986, he initially told you about what Mr.  
25                  Leblanc was doing to Scott, didn't he?

1 MS. RAYMOND: Yes.

2 MR. MANDERVILLE: And Jason initially denied  
3 that Mr. Leblanc was doing anything to Jason?

4 MS. RAYMOND: Yes.

5 MR. MANDERVILLE: You must have been  
6 astounded.

7 MS. RAYMOND: I was.

8 MR. MANDERVILLE: You know, this Inquiry,  
9 these sorts of revelations appear commonplace almost  
10 nowadays, but 20 years ago, I take it you would agree with  
11 me that this sort of thing was seldom discussed?

12 MS. RAYMOND: Hardly ever. I taught for 26  
13 years and never heard of -- nobody came forward anyway.

14 MR. MANDERVILLE: We all tended to believe  
15 that this sort of thing happened very rarely didn't we?

16 MS. RAYMOND: M'hm.

17 MR. MANDERVILLE: Did you believe Jason at  
18 first?

19 MS. RAYMOND: I think I did, because he was  
20 -- yes, I think I believed him.

21 MR. MANDERVILLE: And according to your Will  
22 State, you saw Scott three days later. Just to set the  
23 timeline, it would appear from the documents that were  
24 created at the time, including your Will State, that Jason  
25 came to you on January 7 of '86, and that was a Tuesday,

1 and then you spoke to Scott on the Friday -- on Friday,  
2 January the 10<sup>th</sup>. And Scott initially denied any sexual  
3 activity between himself and Mr. Leblanc, didn't he?

4 MS. RAYMOND: Right.

5 MR. MANDERVILLE: And it was only after a  
6 period of time that he was willing to admit what had been  
7 happening?

8 MS. RAYMOND: Yes.

9 THE COMMISSIONER: Well, a period of time --  
10 that same day though?

11 MS. RAYMOND: No, not that same day.

12 THE COMMISSIONER: Oh no? I'm sorry. Then  
13 help me out again.

14 MS. RAYMOND: The next day.

15 THE COMMISSIONER: The next day, alright.

16 MR. MANDERVILLE: Now, as best you're able  
17 to recall, Mrs. Raymond -- and it was 20 years ago, almost  
18 21 years ago ---

19 MS. RAYMOND: Yes.

20 MR. MANDERVILLE: --- how much time elapsed  
21 between the time first Jason and then Scott told you about  
22 Mr. Leblanc and then the time when you went to your  
23 principal or the school principal?

24 MS. RAYMOND: Well, it would be a couple of  
25 weeks.

1                   **MR. MANDERVILLE:** And do you recall what  
2 your thinking was, during that two-week period about  
3 notifying the school or authorities?

4                   **MS. RAYMOND:** Well, I think I was trying to  
5 think what to do because you can't see this sexual abuse  
6 and I had never had any experience with it. So I was  
7 trying to decide what to do, I guess. I don't know if I  
8 talked to my principal then or whatever or I was trying to  
9 get more evidence or what. I don't know.

10                   **MR. MANDERVILLE:** Now, by January 1986,  
11 Jason and Scott had come to trust you, hadn't they?

12                   **MS. RAYMOND:** Yes.

13                   **MR. MANDERVILLE:** And they knew you cared  
14 about them and they viewed you as a friend, didn't they?

15                   **MS. RAYMOND:** Right.

16                   **MR. MANDERVILLE:** And in fact, Scott, last  
17 week, testified that he trusted you as much as anyone in  
18 this world.

19                   **MS. RAYMOND:** Yes.

20                   **MR. MANDERVILLE:** And Scott was very  
21 reluctant, despite that trust, very reluctant to tell you  
22 about the sexual abuse he had experienced at the hands of  
23 Mr. Leblanc, wasn't he?

24                   **MS. RAYMOND:** Yes.

25                   **MR. MANDERVILLE:** Sadly and wrongly, Scott

1 was embarrassed and ashamed of what had happened to him?

2 MS. RAYMOND: Yes.

3 MR. MANDERVILLE: And ---

4 MS. RAYMOND: And scared.

5 MR. MANDERVILLE: And he felt it was his  
6 fault, didn't he?

7 MS. RAYMOND: Yes, he did.

8 MR. MANDERVILLE: But because he trusted  
9 you, Scott told you about what had happened to him and he  
10 also told you about what had happened to Jason?

11 MS. RAYMOND: M'hm. Yes. Sorry.

12 MR. MANDERVILLE: And he also told you about  
13 the abuse his brother Jody had suffered at the hands of Mr.  
14 Leblanc, didn't he?

15 MS. RAYMOND: I found that out when I went  
16 to the Burgess house that day. I didn't know before then.

17 MR. MANDERVILLE: And you told us a little  
18 earlier that it's your recollection Jody was very angry  
19 with Scott ---

20 MS. RAYMOND: Yes.

21 MR. MANDERVILLE: --- about Scott's  
22 revelation of Jody's involvement?

23 MS. RAYMOND: Yes.

24 MR. MANDERVILLE: In fact, there was a  
25 concern that day that Jody might want to hit or beat up

1 Scott over the revelation, wasn't there?

2 MS. RAYMOND: Yes.

3 MR. MANDERVILLE: And another sad aspect of  
4 the many sad aspects associated with this, Scott was also  
5 very afraid to tell his parents, wasn't he?

6 MS. RAYMOND: Yes, he was.

7 MR. MANDERVILLE: He thought they would be  
8 angry with him?

9 MS. RAYMOND: M'hm. Yes.

10 MR. MANDERVILLE: He didn't want to tell his  
11 parents for fear that he would be in trouble with them;  
12 correct?

13 MS. RAYMOND: Yes.

14 MR. MANDERVILLE: And despite trusting you  
15 as much as anyone, Scott never told you anything about  
16 Cindy's involvement, did he?

17 MS. RAYMOND: Never, no.

18 MR. MANDERVILLE: And given his fear at the  
19 time of his parents' reaction and the anger shown to him by  
20 Jody when he told about Jody, I'm going to suggest to you,  
21 Scott was probably too scared to tell about anyone else at  
22 that time. Wouldn't you agree?

23 MS. RAYMOND: Yes.

24 MR. MANDERVILLE: Mrs. Raymond, the only  
25 other thing I want to add is that Scott and Jason were

1           terribly fortunate to have met you at that time.

2                           Thank you very much.

3           **MS. RAYMOND:** Thank you. Thank you.

4           **THE COMMISSIONER:** Mr. Kozloff?

5           **MR. KOZLOFF:** I have no questions.

6           **THE COMMISSIONER:** Thank you.

7                           Mr. Carroll?

8           **MR. CARROLL:** Nothing.

9           **THE COMMISSIONER:** Thank you.

10                          Ms. Tymochenko?

11           **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

12           **TYMOCHENKO:**

13                          **MS. TYMOCHENKO:** Good morning. My name is  
14           Nadya Tymochenko and I am legal counsel for the Upper  
15           Canada District School Board.

16                          I just firstly would like to say thank you  
17           very much for coming today and speaking with us. I just  
18           have a very few number of questions.

19                          You had indicated that, in your 26 years of  
20           teaching up until that point, you hadn't had a case of  
21           sexual child abuse come to your attention.

22                          **MS. RAYMOND:** Right.

23                          **MS. TYMOCHENKO:** However, you did have cases  
24           of physical abuse that had been reported to CAS?

25                          **MS. RAYMOND:** Right.

1                   **MS. TYMOCHENKO:** And you had also indicated  
2                   that it was, in your opinion, a difficult issue, the sexual  
3                   abuse, because it's not physically visible.

4                   **MS. RAYMOND:** Right.

5                   **MR. TYMOCHENKO:** So I take it that you would  
6                   have appreciated training from CAS regarding incidents to  
7                   look for, issues to spot, ways of reporting, perhaps as  
8                   well the impact of child sexual abuse?

9                   **MS. RAYMOND:** That would have helped a lot.

10                  **MR. TYMOCHENKO:** Okay. And I also take it  
11                  that you don't recall any specific protocol or training  
12                  that was provided with respect to sexual child abuse?

13                  **MS. RAYMOND:** No, I don't.

14                  **MR. TYMOCHENKO:** Okay. You had talked a  
15                  little bit about the fact that you received some support  
16                  through CCVS, the Secondary School?

17                  **MS. RAYMOND:** Yes.

18                  **MS. TYMOCHENKO:** For counselling I take it?

19                  **MS. RAYMOND:** Yes.

20                  **MR. TYMOCHENKO:** And you had also indicated  
21                  that that was available to Scott, but that he had had a  
22                  very difficult time talking about the abuse?

23                  **MS. RAYMOND:** Yes, he did.

24                  **MS. TYMOCHENKO:** Were you aware that Lorne  
25                  Lawson had offered support and to refer Scott and/or Jody,

1 if they so chose, to counselling?

2 MS. RAYMOND: No, I was not.

3 MR. TYMOCHENKO: And you had mentioned or  
4 you had been asked a question about the Board's  
5 psychometrist.

6 MS. RAYMOND: M'hm.

7 MS. TYMOCHENKO: I take it that you don't  
8 recall whether or not Scott had a psychological assessment  
9 following this incident.

10 MS. RAYMOND: I wouldn't know because Scott  
11 wasn't in my care at that time.

12 MR. TYMOCHENKO: And that didn't happen  
13 after your period of care?

14 MS. RAYMOND: No.

15 MR. TYMOCHENKO: Thank you. Those were my  
16 questions.

17 MS. RAYMOND: Thank you.

18 MR. COMMISSIONER: Thank you. Mr.  
19 Engelmann?

20 MR. ENGELMANN: I have nothing arising.  
21 Again, I want to thank you, Ms. Raymond, for coming and  
22 being a witness at this Inquiry.

23 THE COMMISSIONER: Ms. Raymond, I quite  
24 enjoyed your testimony and again, I applaud you for the  
25 help that you've given these young people, and I think you

1 are a model for this community as a person to help out.

2 **MS. RAYMOND:** Thank you.

3 **THE COMMISSIONER:** Thank you very much.

4 **MR. ENGELMANN:** Mr. Commissioner, I know  
5 it's earlier than we would normally break for lunch. I'm  
6 wondering though if we could perhaps take an early lunch  
7 and come back earlier. I know we have two matters for this  
8 afternoon. We have our next witness, Jody Burgess, and  
9 there's also directions that you wish to give us and I  
10 don't know what you wish to do first?

11 **THE COMMISSIONER:** We will deal with the  
12 witness first. I think it's important to get them done and  
13 on the way and then I can issue my reasons.

14 So what time would we come back then? We  
15 should come back ---

16 **MR. ENGELMANN:** Perhaps at a quarter after  
17 one?

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

19 **MR. ENGELMANN:** If that is acceptable.

20 **THE COMMISSIONER:** Fine, thank you.

21 So we will have an early lunch, come back at  
22 a quarter after one, please.

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

25 The hearing will resume at 1:15 p.m.

1 --- Upon recessing at 11:41 a.m./

2 L'audience est suspendue à 11h41

3 --- Upon resuming at 13:19 p.m. /

4 L'audience est reprise à 13h19

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

7 This hearing of the Cornwall Public Inquiry  
8 is now in session. Please be seated. Veuillez vous  
9 asseoir.

10 **THE COMMISSIONER:** Thank you. Good  
11 afternoon.

12 Mr. Engelmann.

13 **MR. ENGELMANN:** Good afternoon, Mr.  
14 Commissioner.

15 Before we broke, just before the lunch hour,  
16 you had mentioned proceeding with the witness first and  
17 then reading your directions, I am sorry to say I don't  
18 have a witness to start the afternoon session.

19 There was a witness who was told to be here  
20 today and that was communicated with him very directly.  
21 Unfortunately, I do not know his whereabouts. A couple of  
22 the Commission's investigators are investigating to find  
23 out if the witness is all right and if the witness will be  
24 available later.

25 What I'm going to suggest, with your

1 permission, Sir, is you proceed with your directions and we  
2 will continue to make inquiries this afternoon to see if we  
3 have the witness available for tomorrow. We have Cindy  
4 Burgess who will be testifying tomorrow.

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

6 **MR. ENGELMANN:** And the witness for this  
7 afternoon was to be her brother, Jody Burgess.

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

9 **MR. ENGELMANN:** So I'm hoping we'll still be  
10 able to have him come here either tomorrow or Thursday to  
11 finish his evidence.

12 **THE COMMISSIONER:** All right.

13 Mr. Lee, is he your client, Mr. Burgess and  
14 do you have any information that you can help us with?

15 **MR. LEE:** He is my client, Mr. Commissioner.  
16 We've -- I've been trying to contact him since yesterday.  
17 I have no information that he wasn't going to attend today,  
18 I just -- I was trying to follow up with him. I've had my  
19 assistant annoying Mr. Burgess' girlfriend, I believe  
20 today, ringing her phone off the hook trying to find him  
21 and I have no information for you. We're at least somewhat  
22 concerned and I would hope that this evening, I'll be able  
23 to track him down. We'll have something to tell you  
24 tomorrow but I have no information at this point

25 **THE COMMISSIONER:** Okay, well I hope all is

1 well and that the matter can be resolved quickly.

2 All right, so then I take it you all wish to  
3 hear from me with respect to the directions on process.

4 By way of background, a number of issues  
5 arose in the first weeks of evidence before the Inquiry in  
6 relation to privacy, confidentiality and publicity of the  
7 Commission's proceedings. In particular, questions were  
8 raised prior to the testimony of Madame Lise Brisson at the  
9 Inquiry on October 5<sup>th</sup>, 2006. In preliminary remarks,  
10 Commission counsel indicated that reference would be made  
11 to a transcript of the preliminary hearing of September 15,  
12 1996, in the case of *Regina v. Deslaurier*. In that case,  
13 the Honourable Justice Robert Paris of the Ontario Court of  
14 Justice had issued a publication ban on the name of all  
15 victims and identifiers under former Section 442(3) of the  
16 *Criminal Code* which later became Section 46 and then  
17 Section 46(4) of the *Criminal Code*.

18 I understand that this publication ban is  
19 still ongoing. Commission counsel sought the issue under  
20 its publication ban mirroring the one issued by Mr. Justice  
21 Paris.

22 I agreed to this request and issued a  
23 publication ban on the name of victims or any identifiers  
24 that would tend to identify the victims listed in the Order  
25 of Mr. Justice Paris.

1                   A question then arose as to whether the  
2 transcripts in question should be marked as a "P" or as a  
3 "C" exhibit. Rule 26 of the Commission's *Rules of Practice*  
4 *and Procedure* provide that "All evidence shall be  
5 characterized and marked 'P' for public sitting and, if  
6 necessary, 'C' for sittings in camera and/or under a  
7 publication ban".

8                   Under the rules, "C" or confidential  
9 exhibits are not made available to the public. Rule 30  
10 reads as follows: "Only those persons authorized by the  
11 Commission, in writing, shall have access to "C"  
12 transcripts and exhibits".

13                   Commission counsel proposed that the exhibit  
14 be marked as "P" with an indication on the exhibit itself  
15 that a publication ban attach to it. Counsel for the  
16 Ministry of Community Safety and Correctional Services  
17 objected and requested that, out of an abundance of  
18 caution, the exhibit be marked as "C".

19                   Counsel for the Ministry pointed out that  
20 one of the individuals mentioned in a transcript in  
21 question, as an alleged victim, had specifically indicated  
22 to him or his colleagues representing the Ministry that he  
23 did not want his or her name to be made public. Counsel  
24 for the Ministry expressed concerns that a publication ban  
25 on the name would not be sufficient and that the public

1           could seek access to exhibits and obtain the name of the  
2           person.

3                           I heard brief submissions from counsel for  
4           the parties who stressed the importance of the issue and  
5           the need for full submissions to be made. I then agreed  
6           that the document be marked as a "C" exhibit, in its  
7           entirety, on an interim basis, that a date be set for full  
8           submissions on the matter.

9                           Prior to the testimony of Madame Brisson,  
10          there were also discussions concerning another document  
11          originating from the Diocese of Alexandria, Cornwall and  
12          yet, of the Ad Hoc Committee report, and recommendations  
13          dated May 23rd, 1986, regarding Father Gilles Deslauriers.  
14          No previous publication ban applied to this document. This  
15          document also contains names of victims and alleged victims  
16          of Gilles Deslauriers. I had this document filed, on an  
17          interim basis, as a "C" exhibit for the same reasons.

18                          At some point during the course of the  
19          cross-examinations of Madame Brisson and Monsieur Benoit  
20          Brisson on October 11, 2006, counsel for the Victims Group  
21          in the Diocese of Alexandria, Cornwall wished to make  
22          specific references to another particular victim of Gilles  
23          Deslauriers named in the two documents mentioned above.

24                          I heard submissions in camera to determine  
25          how the person should be referred to publicly. I

1           determined that the witness should be identified publicly  
2           as C-1 in the course of the cross-examination.

3                       The issue of protection of the names of  
4           victims and alleged victims was subsequently raised on a  
5           number of other occasions. Out of an abundance of caution,  
6           I accepted that the exhibits identifying victims or alleged  
7           victims be marked as "C", on an interim basis, unless the  
8           person consented to the public disclosure of the  
9           information.

10                      I heard detailed submissions from counsel on  
11           October 12<sup>th</sup> and 16<sup>th</sup> of this year. In particular, I heard  
12           from counsel for the Citizens for Community Renewal, the  
13           Victims Group, the Ministry of Community Safety and  
14           Correctional Services, the Children's Aid Society, the  
15           Ministry of the Attorney General, Jacques Leduc, the  
16           Cornwall Community Police Service and Board, the Ontario  
17           Provincial Police and the Ontario Provincial Police  
18           Association. I also heard from Ms. Teri Saunders on behalf  
19           of the Standard Freeholder, and from Mr. Tony Wong for  
20           Radio Canada and the Canadian Broadcasting Corporation.

21                      In their submissions, counsel for the  
22           parties addressed broader issues relating to  
23           confidentiality and the publicity of Inquiry proceedings.

24                      I do not believe it is necessary or  
25           advisable to rule or to pronounce myself in advance on any

1 potential question that may arise out of this Inquiry. In  
2 the present directions, I am only establishing guiding  
3 principles for dealing with situations such as the ones  
4 described above.

5 Therefore, my comments would be applicable  
6 to the following scenarios: 1) Request for confidentiality  
7 made on behalf of victims or alleged victims who have  
8 specifically communicated that they did not want their  
9 identity to be made public. And, 2) the request for  
10 confidentiality on behalf of victims or alleged victims who  
11 have not communicated, whatever the reason, that they did  
12 not want their identity to be made public.

13 And with respect to the law and guiding  
14 principles, I refer back to my ruling on the motion for an  
15 Order to remove exhibits from the Cornwall Public Inquiry  
16 website on June 6, 2006. And in that regard, I quoted the  
17 Supreme Court in the case of *Vancouver Sun*, a Supreme Court  
18 of Canada decision where Justices stated that the open  
19 court principle was a hallmark of a democratic society and  
20 applied to all judicial proceedings.

21 Now in *Phillips v. Nova Scotia* which is the  
22 Westray Mine Inquiry, Justice Cory found that the open  
23 court principle applied to the proceedings of commissions  
24 and inquiry. He wrote at paragraph 117:

25 "Open hearings function as a means of

1 restoring the public confidence in the  
2 affected industry and in the  
3 regulations pertaining to it and their  
4 enforcement. As well, it can serve as  
5 a type of healing therapy for a  
6 community, shocked and angered by a  
7 tragedy. It can channel the natural  
8 desire to assign blame and exact  
9 retribution into a constructive  
10 exercise providing recommendations for  
11 reform and improvement".

12 Openness is particularly important in the  
13 context of this Inquiry which is expected to dispel rumours  
14 and innuendos and ascertain allegations of cover-up and  
15 conspiracy theories. Therefore, I believe there should be  
16 as few restrictions as possible to the publicity of the  
17 proceedings. The open court principle obviously applies to  
18 viva voce evidence. Whenever possible, members of the  
19 public should be able to attend the hearings of the Inquiry  
20 and follow the proceedings on the Commission's web cast and  
21 on Cogical which broadcasts the proceedings. The principle  
22 also means that the public must be allowed to consult the  
23 exhibits file before the Inquiry. Members of the public  
24 should also be able to obtain information about the  
25 proceedings in the Inquiry through the media.

1                   However, there will be situations where  
2                   important interests require special protection. Section 4  
3                   of the *Public Inquiries Act* specifically lists some of  
4                   those interests and subsection B indicates "intimate or  
5                   personal matters or other matters of such nature having  
6                   regard to the circumstances that the desirability of  
7                   avoiding disclosure thereof, in the interest of any person  
8                   affected or in the public interest, outweighs the  
9                   desirability of adhering to the principle that hearings are  
10                  opened to the public".

11                  Section 6 of the Order-in-Council also  
12                  speaks about privacy interests. Pursuant to Sections 3 and  
13                  4 of the *Public Inquiries Act* and Section 6 of the *Order-*  
14                  *in-Council*, I have a discretionary power to limit the  
15                  publicity of the proceedings. This power is subject to the  
16                  *Dagenais/Mentuck* test, which I feel necessary to outline  
17                  again and which is as follows:

18                         "Publication ban or other discretionary  
19                         order that limits freedom of expression  
20                         and freedom of the press in relation to  
21                         legal proceedings should be ordered  
22                         only when a) such an order is necessary  
23                         to prevent a serious risk to the proper  
24                         administration of justice or to an  
25                         important interest because reasonably

1 alternative measures will not prevent  
2 the risk; b) the salutary effects of  
3 the order outweigh the deleterious  
4 effects on the rights and interests of  
5 the parties and the public, including  
6 the effects on the right of free  
7 expression, the right of the accused to  
8 a fair and public trial and the  
9 efficacy of the administration of  
10 justice".

11 *Dagenais/Mentuck* test applies to all  
12 discretionary orders that limit the freedom of expression  
13 and freedom of the press in relation to legal proceedings  
14 and proceedings of commissions and inquiry.

15 For example, in the context of the  
16 proceedings of this Inquiry, the *Dagenais/Mentuck* test  
17 would apply to any confidentiality request such as a  
18 request for an in camera hearing, for the issuance of a  
19 publication ban, a request for an identity to be protected  
20 by way of non identifying initials and a request to limit  
21 public access to Inquiry exhibits or to edit portions of  
22 the exhibits for public access.

23 Now with respect to the specific issues in  
24 this matter, I'll speak of the burden. It is well  
25 established that the burden of displacing the general rule

1 of openness, lies on the person making the application. It  
2 follows that I will not issue blanket confidentiality  
3 orders and shall deal with each request on an individual  
4 basis.

5 In camera hearings: whenever possible,  
6 attempts should be made to deal with confidentiality  
7 requests in open court. I agree with counsel for Radio  
8 Canada and CBC that counsel should try to identify victims  
9 or alleged victims by reference to a document or a page  
10 number without naming the person when making a request for  
11 confidentiality. If that's not possible however, request  
12 for confidentiality may be heard in camera.

13 Pursuant to Rule 39 of the Commission's  
14 *Rules of Practice and Procedure*, media representatives may  
15 remain present in the course of in camera hearings. They  
16 may have unfettered access to all information available at  
17 such hearings including the names of victims and alleged  
18 victims, unless I decide otherwise.

19 With respect to evidentiary issues, applying  
20 the first branch of the *Dagenais/Mentuck* test, which is the  
21 serious or real and substantial risk to an important  
22 interest to be protected, the Supreme Court stated in the  
23 *Mentuck* case that the Judge must have a convincing  
24 evidentiary basis for issuing the confidentiality order.  
25 However, with respect to the scenarios we are dealing with,

1       it will not always be possible to have traditional evidence  
2       in support of an application for confidentiality. This  
3       does not mean that the privacy or other interests of  
4       victims or alleged victims should not be protected,  
5       particularly when their identity was never made public.

6               I believe it would be unfair and  
7       unacceptable to protect only those who would be in a  
8       position to provide viva voce or affidavit evidence because  
9       they had been able to communicate with Counsel. It is not  
10      difficult to imagine that a victim of child sexual abuse  
11      who has never revealed the matter to his or her family,  
12      friends and work colleagues, could suffer dire consequences  
13      if the matter were revealed to the world.

14             I've heard evidence from victims who have  
15      outlined the devastating experience of disclosing child  
16      sexual abuse after years of silence. I believe that there  
17      are flexible, innovative and sensitive ways to approach  
18      this matter.

19             In comparison, under Section 46(4) of the  
20      Criminal Code, in proceedings dealing with sexual offences,  
21      a Criminal Court judge may issue a publication ban on  
22      information that could satisfy, that could identify the  
23      complainant or a witness. If the complainant, the Crown or  
24      a witness under the age of 18 makes the request, the judge  
25      shall issue the order; such orders are routinely made in

1 criminal proceedings involving sexual offences. On such  
2 application made by a complainant or the Crown, no  
3 evidentiary support is required. In other cases, when  
4 evidentiary support would be required under Section 46(4)  
5 of the Criminal Code, evidence may be provided viva voce by  
6 affidavit or through submissions of Counsel. Traditional  
7 evidence would be preferable in support of confidentiality  
8 requests for victims or alleged victims. However, if not  
9 possible, I will accept submissions made by counsel on the  
10 first branch of the *Dagenais/Mentuck* text.

11 If a name is not to be referred to in the  
12 course of the hearings, Counsel who is seeking  
13 confidentiality could ask for the issuance of a publication  
14 ban, such as under 46(4) of the Criminal Code of Canada.  
15 If a name is to be referred to before the Inquiry, the  
16 issuance of a publication ban, as we know it, raises  
17 questions as to whether the Inquiry web cast, the broadcast  
18 by Cogical and the posting of transcripts of the  
19 proceedings on the Commission website constitute  
20 publication or broadcasting. If not, the airing or posting  
21 of the names of victims or alleged victims could defeat the  
22 purposes of confidentiality. On the other hand, shutting  
23 down the web cast for the portion of the evidence where the  
24 name of the person may be mentioned, and marking  
25 transcripts as confidential, may not minimally impair the

1 freedom of expression and freedom of the press.

2 I do not believe it is necessary to rule on  
3 this matter today, since there is an alternative solution.  
4 I believe that the method for allowing the most openness to  
5 the proceedings of the Inquiry, while at the same time  
6 protecting important and legitimate interests of victims  
7 and alleged victims, would be the use of monochords and  
8 non-identifying initials. If such an order is issued, the  
9 person would not be identified publicly or in the public  
10 records and transcripts, except by the monitor of non-  
11 identifying initials. The media would also be required to  
12 avoid references that might reveal the identity of the  
13 person. I see no reason to limit the applications of Rules  
14 40 to 45 of the Rules of Practice and Procedure of the  
15 Commission to the sole situation of a witness seeking  
16 confidentiality. In my view, Section 3 of the Public  
17 Inquiries Act and Section 6 of the Order-in-Council are  
18 broad enough to authorize similar orders applicable to  
19 persons other than witnesses.

20 As to access to exhibits, then there is the  
21 issue of whether, in addition to publication bans or orders  
22 for the use of monochords or non-identifying initials,  
23 orders should be made to prohibit or limit the public from  
24 seeking access to exhibits where the names of victims or  
25 alleged victims appear.

1                   Again, I will not make blanket orders of  
2                   such nature and each request shall be dealt with applying  
3                   the *Dagenais/Mentuck* text. If a publication ban or an  
4                   order for the use of monochords or non-identification  
5                   initials is issued, the media will be bound to uphold my  
6                   order and any prejudice to the person concerned should be  
7                   limited. However, there may be situations where legitimate  
8                   concerns may justify limiting public access to information  
9                   over and above a publication ban. For example, some of the  
10                  exhibits or portions thereof may need to be protected from  
11                  the public view. I emphasize that such concern should not  
12                  be expressed in a vacuum but should be supported by  
13                  evidence or by submissions of counsel. As a general, I do  
14                  not believe that an exhibit should be marked as "C", in its  
15                  entirety, if only a portion of such exhibit needs to be  
16                  protected. By acceding to a request to protect the name of  
17                  the victim or alleged victim, I believe the proper method  
18                  would be to mark the exhibit as "P", but to edit the name  
19                  of the person for the purpose of public consultation.  
20                  However, the name would still appear in the official  
21                  exhibit of the Inquiry.

22                                In conclusion therefore, I've issued  
23                                directions and guiding principles which I believe would  
24                                achieve a balance between the protection of the interests  
25                                of victims and alleged victims, while at the same time

1 allowing wide public and media access to the proceedings  
2 and exhibits. As indicated, I will deal with specific  
3 confidentiality requests on a case by case basis, applying  
4 the criteria set out in the jurisprudence.

5 In coming to these directions, I wish to  
6 thank Counsel for all parties and Ms. Saunders from the  
7 Standard Freeholder and Mr. Wong, counsel for Radio Canada  
8 and CBC who have made submissions on this issue, for their  
9 thoughtful assistance.

10 Accordingly, based on the principles that  
11 I've just indicated and the directions that I've given, I'm  
12 prepared to go back now and to deal with all of the  
13 exhibits that have been marked as "C" and we will be in a  
14 position to hear motions and determine what portions, if  
15 there are to be any, are to be deemed confidential and  
16 release those that are to be marked public as soon as  
17 possible.

18 I understand, Mr. Engelmann, that we should  
19 be doing that on Thursday?

20 **MR. ENGELMANN:** Yes, Commission counsel, my  
21 colleagues, Me Dumais and Me Duval, will be here Thursday  
22 morning to provide submissions on some of those exhibits.  
23 I have not had an opportunity to speak to Mr. Rose, but I'm  
24 hopeful that we can have a discussion with Mr. Rouleau this  
25 afternoon about that as well and would hope that -- I've

1 also spoken to Mr. Chisholm about a couple of temporary "C"  
2 exhibits as well; so I'm hoping that a number of counsel  
3 will be able to make some submissions on those issues on  
4 Thursday morning.

5 **THE COMMISSIONER:** All right. So what else  
6 can we do today?

7 **MR. ENGELMANN:** I think that may be it for  
8 today. We will be in a position to start tomorrow morning  
9 at 9:30 with Cindy Burgess and, in fact, if we have some  
10 news about today's witness before then, we will send an  
11 informal e-mail to all counsel. There's still a  
12 possibility we would start with Jody Burgess prior to Cindy  
13 Burgess.

14 **THE COMMISSIONER:** Okay, well we look  
15 forward to your report in the morning.

16 **MR. ENGELMANN:** Thank you.

17 **THE COMMISSIONER:** Any other comments or  
18 ideas of what we can do today, gentlemen, ladies? Discuss  
19 any recent Supreme Court of Canada decisions or anything  
20 like that?

21 Well, in that case, I'll go back and read  
22 them myself.

23 Thank you.

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

1                           The hearing is now adjourned. Notre séance  
2           est ajournée.

3           --- Upon adjourning at 1:41 p.m./

4           L'audience est ajournée à 13h41

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C E R T I F I C A T I O N

I, Sean Prouse a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Sean Prouse, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hauts sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



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Sean Prouse, CVR-CM