

**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 279

Held at :

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

Tenue à:

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

Wednesday, September 10, 2008

Mercredi, le 10 septembre 2008

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Brigitte Beaulne	Registrar
Ms. Suzanne Sinnamon	Commission Counsel
Mr. Mark Crane Mr. Peter Manderville	Cornwall Community Police Service and Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Mr. Joe Neuberger	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Vito Scavetta	Attorney General for Ontario
Mr. Peter Chisholm Ms. Michele R.J. Allinotte	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Ms. Allison Thiele-Callan	Victims' Group
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Ian Paul	Coalition for Action
Mr. William Carriere	CAS

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1 --- Upon commencing at 9:35 a.m./

2 L'audience débute à 9h35

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

5 This hearing of the Cornwall Public Inquiry
6 is now in session. The Honourable Mr. Justice Normand
7 Glaude, Commissioner, presiding.

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Thank you.

10 Good morning, Mr. Carriere.

11 **MR. CARRIERE:** Good morning, sir.

12 **THE COMMISSIONER:** How are you doing today?

13 **MR. CARRIERE:** I'm fine, thank you.

14 **THE COMMISSIONER:** Good.

15 Mr. Engelmann.

16 **MR. ENGELMANN:** Good morning, Mr.

17 Commissioner.

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

19 **WILLIAM CARRIERE, Resumed/Sous le même serment:**

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

21 **ENGELMANN (cont'd/suite):**

22 **MR. ENGELMANN:** Good morning, Mr. Carriere.

23 **MR. CARRIERE:** Good morning, Mr. Engelmann.

24 **MR. ENGELMANN:** Sir, I've been reviewing my
25 notes with the very able help that I have from Ms. Sinnamon

1 and Ms. Simms and it appears clear I'm going to be the full
2 day with Mr. Carriere.

3 There are some CAS witnesses we are not
4 calling and it's important, therefore, that I get some
5 evidence through Mr. Carriere the best I can ---

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

7 **MR. ENGELMANN:** --- in those circumstances.
8 So I anticipate I'll be the full day and I've advised Ms.
9 Daley, who starts with the cross, that it's unlikely we'll
10 get to her.

11 **THE COMMISSIONER:** Another day off, Ms.
12 Daley.

13 **MR. ENGELMANN:** Sir, when we left off
14 yesterday we were dealing with some matters involving Earl
15 Landry, Jr.

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And I want to just carry on
18 with that. There's five or six more documents I want to
19 take you to and then we'll get on to another individual.

20 But when we left off we had traced through
21 this third allegation that had come in to ---

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** --- one of your workers?

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** And we had looked at her

1 notes from '95 right up until May of '97, and we talked
2 about the fact that there had been some risk management
3 conference meetings during that timeframe.

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** And what I'd like to do now
6 is take you to one which is on May 6th, 1996. The Document
7 Number is 115690.

8 This would have been one of the late
9 notices, Madam Clerk.

10 **THE COMMISSIONER:** Thank you. Exhibit 2294
11 is a Risk Management Conference Minutes.

12 **MR. ENGELMANN:** And, sir, again, there's the
13 name of C-54.

14 **THE COMMISSIONER:** A publication ban. And
15 the date is May 6th, 1996.

16 **--- EXHIBIT NO./PIÈCE NO. P-2294:**

17 (115690) Risk Management Conference Minutes
18 dated May 6, 1996

19 **MR. ENGELMANN:** Mr. Abell (sic), you were
20 present at that -- Mr. Abell -- Mr. Carriere, you were
21 present with Mr. Abell, Ms. DeBellis and someone by the
22 name of Paula Sabourin?

23 **MR. CARRIERE:** I believe so, yes.

24 **MR. ENGELMANN:** Ms. Sabourin would be a
25 staff member at the CAS?

1 MR. CARRIERE: Actually, she's a secretary.

2 MR. ENGELMANN: All right.

3 MR. CARRIERE: Yes.

4 MR. ENGELMANN: Okay. So this particular
5 risk management conference has a reference under "Summary
6 of Facts Discussed":

7 "Last fall, we received a third
8 allegation against Earl Landry."

9 That would be the one we were looking at at
10 the end of the day yesterday, sir ---

11 MR. CARRIERE: Yes.

12 MR. ENGELMANN: --- with C-52?

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: All right.

15 And it does indicate the matter was
16 investigated by Carol Leblanc and there's a comment:

17 "In previous years, we have not
18 registered historical abuse cases. All
19 three individuals are now adults."

20 The reference to "registered" is referring
21 to the Child Abuse Register; is that correct?

22 MR. CARRIERE: Yes, that's correct.

23 MR. ENGELMANN: It doesn't mean you're not
24 going to look at the cases?

25 MR. CARRIERE: Oh no, no, no.

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

2 And there's a comment, sir, and we've looked
3 at this before:

4 "It was recommended at a previous RMC
5 that we should notify Earl Landry's
6 employer, the City of Cornwall, Parks,
7 Bob Turner."

8 Bob Turner being the name of the arena?

9 **MR. CARRIERE:** Yes, it is.

10 **MR. ENGELMANN:** "This has not been done to
11 date."

12 Correct?

13 **MR. CARRIERE:** That's correct.

14 **MR. ENGELMANN:** And there's again some
15 questions about whether you're going to do it:

16 "We would have been on shaky grounds to
17 go to the employer with two previous
18 allegations, but now with the third
19 disclosure, do we feel we have
20 sufficient grounds? Is the police
21 investigation still ongoing?"

22 So there's some questions about notifying
23 the employer, but it, again, has not been done?

24 **MR. CARRIERE:** That's correct.

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

1 And on the second page we have decisions
2 that were reached and we have the comment about a decision
3 that it will not be registered on the Child Abuse Registry;
4 correct?

5 **MR. CARRIERE:** That's correct.

6 **MR. ENGELMANN:** And there's a reference that
7 someone needs to follow up with the Cornwall Police Service
8 to see what they're doing?

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** And who would that have
11 been?

12 **MR. CARRIERE:** I believe that would have
13 been Pina DeBellis ---

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

15 **MR. CARRIERE:** --- who is the assigned
16 worker to the case.

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

18 And then you're going to be following up
19 with your internal counsel about notifying the employer?

20 **MR. CARRIERE:** Yes.

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

22 And do you know, sir, this reference to
23 shaky grounds?

24 **MR. CARRIERE:** Well, I think it goes back to
25 that thing that I was saying yesterday about having one

1 victim who could name the person, but we didn't have the
2 name of that victim and the other victim who could not name
3 Earl Landry, Jr. and us seeing that as being problematic.

4 **MR. ENGELMANN:** But of course, as you noted
5 yesterday, this was done in a similar case involving ---

6 **MR. CARRIERE:** Yes, that's correct.

7 **MR. ENGELMANN:** --- Bernie Campbell in 1985?

8 **MR. CARRIERE:** Yes, that's correct.

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

10 Now, it appears, the second decision about
11 contacting the Cornwall Police, there had been -- we looked
12 at Carol Leblanc's work yesterday. She had turned over her
13 audio-taped interview to a Constable Hanton ---

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** --- in January of '96?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** There doesn't appear to have
18 been any communication in the meantime. Is that fair?

19 **MR. CARRIERE:** Well, Mr. Engelmann, I wasn't
20 supervising Pina at that point.

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

22 **MR. CARRIERE:** Mr. Abell is her supervisor
23 from -- at this point on. So I'm not really familiar with
24 the case activity.

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

1 And do you have any idea, sir, why there's
2 no risk level listed here?

3 **MR. CARRIERE:** No, I don't, sir.

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

5 Then let's look at another risk management
6 conference, if we can. And this one is -- just one moment.

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

8 **MR. ENGELMANN:** It's Exhibit 1605. And this
9 is a Risk Management Conference Minutes from April 2nd,
10 1997.

11 Sir, do you have the document?

12 **MR. CARRIERE:** I do, yes.

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

14 So again, the same people appear to be
15 present as with the meeting 11 months previous?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And the reference right at
18 the beginning under "Summary of Facts" would indicate -- it
19 says:

20 "Carol Leblanc, intake worker, had
21 received another referral, alleged
22 victim."

23 So I just want to be clear here this is not
24 a fourth alleged victim; this is still referring to the
25 person who comes in in late 1995?

1 **MR. CARRIERE:** I believe so, yes.

2 **MR. ENGELMANN:** Yeah. Because a little
3 further down it says "three separate victims."

4 **MR. CARRIERE:** Yes, that's correct.

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

6 We know that Carol has spoken with the
7 police once in January of '96 and then there's been some
8 contact with a new police officer by the name of Snyder in
9 February of '97; correct?

10 **MR. CARRIERE:** Yes. M'hm.

11 **MR. ENGELMANN:** And the reference to "Police
12 are not certain whether third victim will press charges" is
13 presumably information coming from the CPS?

14 **MR. CARRIERE:** I would assume so, yes.

15 **MR. ENGELMANN:** And there's a notation:
16 "Allegations that Mr. Landry has
17 victimized three individuals through
18 his employment with Parks and
19 Recreation."

20 **MR. CARRIERE:** Yes.

21 **MR. ENGELMANN:** So again, the Children's Aid
22 Society is aware that these abuses have come as a result of
23 access through this fellow's employment?

24 **MR. CARRIERE:** Yes.

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

1 And there's a reference to the contact with
2 the Landry family and there still seems to be this issue
3 under "Summary of Facts," a decision whether or not to
4 contact Mr. Landry's employer; correct?

5 **MR. CARRIERE:** Yes, it's still there.

6 **MR. ENGELMANN:** Yeah. And there's still the
7 reference, at least under "Summary of Facts," a review with
8 Elizabeth MacLennan, CAS counsel?

9 **MR. CARRIERE:** M'hm.

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

11 When I look at this, sir, it almost looks
12 like nothing happened in 11 months.

13 **MR. CARRIERE:** I think that that's -- that
14 would -- that's fair.

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

16 **MR. CARRIERE:** Again, Mr. Engelmann, I'm not
17 -- I'm still not her supervisor at this point so I wouldn't
18 know what ---

19 **MR. ENGELMANN:** All right. But you're
20 present at both these meetings?

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** And it appears that the same
23 action items, the same issues ---

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** --- are still on the table

1 and haven't been done?

2 **MR. CARRIERE:** Yes, and I frankly don't
3 understand why we're having this risk management because
4 there doesn't seem to be new information frankly.

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

6 **MR. CARRIERE:** The only thing that seems
7 different, in terms of the decisions reached, is based on
8 third victim reinvestigate and I don't see the -- I don't
9 understand the point of that frankly.

10 **MR. ENGELMANN:** But, I mean, you still have
11 this fellow in the employment where he has allegedly abused
12 three children and we're still not contacting the employer
13 or even making decisions?

14 **MR. CARRIERE:** Yes. No, that's correct.

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

16 **MR. CARRIERE:** Although, sir, I don't know -
17 - as I had mentioned yesterday when I had met with them
18 some time before, we understood that he wasn't going back
19 to the employer, but I don't know whether there's new
20 information here that somebody else knew that he had gone
21 back to the employer.

22 **MR. ENGELMANN:** But, Mr. Carriere, when we
23 went there that was before the third allegation came in.

24 **MR. CARRIERE:** Yes, yes, that's correct.

25 **MR. ENGELMANN:** And with the third

1 allegation, it's suggested that he was back at work or he
2 was work?

3 MR. CARRIERE: Yes, that could be correct.
4 Although there wasn't a timeframe on that.

5 MR. ENGELMANN: It was just that the alleged
6 victim had seen him working.

7 MR. CARRIERE: Yes, but hadn't specified
8 when he had seen him.

9 MR. ENGELMANN: Fair enough.
10 But in any event, one, someone should have
11 found out whether he was still working there.

12 MR. CARRIERE: Yes, I'm not going to dispute
13 that, sir.

14 MR. ENGELMANN: And, two, contacted the
15 employer as it happened with Mr. Campbell.

16 MR. CARRIERE: Yes, I'm not going to dispute
17 that either.

18 MR. ENGELMANN: Because this is now some
19 three-and-a-half years after the allegation that comes in
20 in 1993?

21 MR. CARRIERE: Yes, I understand.

22 MR. ENGELMANN: All right. And if he's
23 still working there, he still has access to children?

24 MR. CARRIERE: Yes.

25 MR. ENGELMANN: Now, on the second page of

1 the document, it's saying:

2 "Based on third victim, reinvestigate,
3 file to be transferred."

4 And I'm just wondering about our timing
5 here.

6 You know, it's been a year-and-a-half since
7 that third victim has come forward. Why reinvestigate now?
8 Why transfer the file now? Is it because the CPS
9 investigation is taking so long or do you have some
10 explanation for why the CAS is deciding to do this now?

11 **MR. CARRIERE:** I actually don't know. I
12 know that it went from Pina DeBellis to Greg Bell.

13 **MR. ENGELMANN:** Yes.

14 **MR. CARRIERE:** And I don't know if it had
15 some circumstances related to Pina, whether she changed
16 positions. I just don't know, Mr. Engelmann.

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

18 And likewise would you have any knowledge
19 about why there would be a reference to begin liaison with
20 the CPS?

21 **MR. CARRIERE:** I'm afraid I don't know that
22 either.

23 **MR. ENGELMANN:** And, again, there's no
24 reference to a risk level?

25 **MR. CARRIERE:** No.

1 **MR. ENGELMANN:** Can't help us there?

2 **MR. CARRIERE:** No, I can't.

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

4 So this file is transferred from Pina
5 DeBellis to Greg Bell sometime later in 1997?

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** Is that your understanding?

8 **MR. CARRIERE:** Yes, that -- yes.

9 **MR. ENGELMANN:** And who would have been Mr.
10 Bell's supervisor?

11 **MR. CARRIERE:** A man by the name of Bernie
12 Lamarche.

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

14 And, sir, are you aware whether or not Mr.
15 Bell does any form of joint investigation with Brian Snyder
16 from the CPS or whether it's an exchange of information?

17 **MR. CARRIERE:** I would call it an exchange
18 of information rather than a joint investigation.

19 **MR. ENGELMANN:** And one of the things that
20 Mr. Bell would be doing presumably is assessing whether the
21 children in the Landry home were in need of protection?

22 **MR. CARRIERE:** Yes.

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

24 And I just want to take you to one of the
25 documents from Mr. Bell, and it is Exhibit 1619. It may

1 well be in the binder you have, sir.

2 THE COMMISSIONER: Sixteen ---

3 MR. ENGELMANN: Nineteen.

4 MR. CARRIERE: I think my binder ends at
5 1612, sir.

6 THE COMMISSIONER: Mr. Engelmann refers us
7 to the last exhibit on the last page of the last book.

8 MR. ENGELMANN: I just want to make sure
9 that your sedentary employment is ---

10 THE COMMISSIONER: Exactly. Sixteen ---

11 MR. ENGELMANN: --- somewhat energized.

12 THE COMMISSIONER: --- nineteen?

13 MR. ENGELMANN: Sixteen-nineteen (1619).

14 MR. CARRIERE: Thank you.

15 MR. ENGELMANN: Sir, I'm not sure if you
16 would have ever seen this document.

17 MR. CARRIERE: Only in ---

18 MR. ENGELMANN: Just recently?

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: All right. It does appear
21 from looking at it that, at least from the second page,
22 that Mr. Lamarche has signed off as Mr. Bell's supervisor?

23 MR. CARRIERE: Yes, that's right.

24 MR. ENGELMANN: All right. And this of
25 course -- it's interesting. The document is dated and

1 typed in September of '98 but it's only signed off in July
2 of 1999. Do you have any knowledge as to why that would
3 be?

4 **MR. CARRIERE:** I don't.

5 **MR. ENGELMANN:** All right. About three-
6 quarters of the way down the first page we've got:

7 "Earl, Jr. has admitted to sexually
8 abusing an individual who is C-54."

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** And of course this was a
11 concern before about C-54 having some allegations against
12 male relatives?

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** At this point-in-time now
15 the CAS is aware ---

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** --- through his admission,
18 and that he admitted to abusing him before C-54 lived with
19 them when he was a pre-teen?

20 **MR. CARRIERE:** Yes.

21 **MR. ENGELMANN:** All right. And would --
22 this was information that was only coming to light at about
23 this time as far as the CAS was concerned?

24 **MR. CARRIERE:** I wouldn't know the precise
25 time, sir, but it would seem to make sense.

1 **MR. ENGELMANN:** All right. And, again, it
2 appears from the second page that Mr. Bell is working with
3 Mrs. Landry with respect to risk issues with the children?

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** So clearly this RMC and --
6 sorry, this is not an RMC, but this note is in stark
7 contrast to earlier notes that talk about low risk?

8 **MR. CARRIERE:** Yes.

9 **MR. ENGELMANN:** Because they're
10 acknowledging that the children are at high risk if left
11 alone with Mr. Landry?

12 **THE COMMISSIONER:** Which is not surprising
13 given the fact that he's admitted to ---

14 **MR. ENGELMANN:** Yes.

15 **THE COMMISSIONER:** --- at this point to have
16 molested someone.

17 **MR. ENGELMANN:** Now, I just want to leave it
18 there, sir, but I want to ask you a couple of questions
19 about contacts you might have had with Sergeant Brian
20 Snyder in or around the year 2000.

21 We have heard Mr. Snyder's evidence. We
22 have some notes from him that outline some telephone calls
23 with you. And I'm just wondering if you have any
24 independent recollection of discussions with him during the
25 last few months of the year 2000?

1 **MR. CARRIERE:** I don't, sir.

2 **MR. ENGELMANN:** All right. Well, he was
3 doing a number of things with respect to the Earl Landry,
4 Jr. matters.

5 The first thing was working on investigating
6 charges against Earl Landry, Jr. and that would have
7 culminated with a conviction or a guilty plea sometime in
8 1999?

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** Were you aware, sir, that
11 Mr. Landry, Jr. did plead guilty to approximately five
12 counts?

13 **MR. CARRIERE:** Yes, I was.

14 **MR. ENGELMANN:** All right. And that he was
15 jailed for a year on each?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And after that, sir, there
18 was an administrative review that took place later in 1999
19 where the Cornwall Police Service looked at what they had
20 done in the past with respect to this investigation?

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** And actions and inactions,
23 and we heard from Staff Sergeant Derochie on that.

24 I don't know if you knew about it at the
25 time, sir, but you know about it from being here?

1 **MR. CARRIERE:** Yes, I do.

2 **MR. ENGELMANN:** All right. Did you have
3 knowledge of that at the time?

4 **MR. CARRIERE:** I don't believe I did, no.

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

6 And then after that, there was a civil
7 lawsuit and I believe it may have also involved the CAS,
8 but certainly the CPS, and this was brought by yet another
9 family, another alleged -- or a confirmed victim of Earl
10 Landry, Jr.

11 And then there was also a criminal
12 investigation that was started by the Cornwall Police
13 Service itself looking at some of the allegations in the
14 statement of claim?

15 **MR. CARRIERE:** Yes.

16 **MR. ENGELMANN:** And I guess what I want to
17 know, sir, is when -- you don't dispute the fact that you
18 were in contact with Sergeant Snyder in late 2000?

19 **MR. CARRIERE:** No, I don't dispute that.

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

21 And are you able to tell us -- do you have
22 any recollection at all whether he would have explained to
23 you whether he was calling you about a civil lawsuit or
24 criminal allegations?

25 **MR. CARRIERE:** I don't, sir.

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

2 **MR. CARRIERE:** Mr. Engelmann, what I -- the
3 only part that I can recall, and I actually probably
4 couldn't put Sergeant Snyder's name to it, but a request
5 coming from the Cornwall Police Service for some summary --
6 for a summary of contacts that we would have had with the
7 Cornwall Police Service. I'm not sure I knew at that time
8 what purpose that was going to serve and I can't recall who
9 made the request, frankly.

10 **MR. ENGELMANN:** Okay. Well, we'll come to
11 that. This is a letter you write back ---

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** --- providing information.

14 **MR. CARRIERE:** I remember doing that
15 actually.

16 **THE COMMISSIONER:** Before we leave this
17 exhibit, if you look at 1619 about halfway through, it
18 says:

19 "We became involved with this case out
20 of concern for his own children.
21 Otherwise this would have been a police
22 matter only."

23 Now, is that a shift in position?

24 **MR. CARRIERE:** It may be reflecting, sir,
25 the -- I don't know that it's a shift other -- I think at

1 this point in time, if it's a historical abuse and there
2 are no children at risk, then there isn't necessarily a
3 role for the Children's Aid Society. In this case
4 Mr. Landry had a child and also a brother-in-law but as
5 well, I think, there's also the children at the park.

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

7 **MR. CARRIERE:** So I'm not really sure that I
8 understand the statement that's been -- that's in this
9 particular recording.

10 **MR. ENGELMANN:** Because the statement would
11 seem to indicate that you were only really doing one
12 investigation in 1993, and we've looked at the
13 documentation in there too.

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** There was the provisional
16 foster home, which would have been consistent with this
17 statement.

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** And then there was the other
20 one, which was the allegation coming in from Dr. Nadler.

21 **MR. CARRIERE:** Yes, yes.

22 **MR. ENGELMANN:** And that was the concern
23 about a risk to children ---

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** --- at the park ---

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: --- and the arena.

3 MR. CARRIERE: Yes, I think that's fair, and
4 I think that ---

5 MR. ENGELMANN: So this wouldn't appear to
6 be accurate.

7 MR. CARRIERE: Pardon me?

8 MR. ENGELMANN: This statement would not be
9 accurate.

10 MR. CARRIERE: I don't see it as being
11 accurate, no. I don't fully -- it was attempting to try
12 and explain it but I don't know that I understand it,
13 actually, either, so ---

14 THE COMMISSIONER: But we're at the point
15 now where we've heard what the Cornwall Police has done
16 with respect to the 1985 matter.

17 MR. CARRIERE: M'hm.

18 THE COMMISSIONER: We know that you folks
19 had the letter from the doctor. We know all about the
20 other allegations. Some folks might be coming up and
21 saying, "Jeez, that Landry fellow got an easy pass for 10
22 years, 11 years."

23 MR. CARRIERE: Yes.

24 THE COMMISSIONER: So I guess the question
25 to you is was there at any time any action influenced by

1 the fact that this gentleman was the former police chief's
2 son?

3 **MR. CARRIERE:** Not at -- with respect to me,
4 sir, not at all.

5 **THE COMMISSIONER:** And did you hear anything
6 in your realm with the Children's Aid Society of anybody
7 giving this gentleman special allowance or turning a blind
8 eye, or whatever which way you want to talk about it,
9 because he was Earl Landry, Sr.'s son?

10 **MR. CARRIERE:** Never.

11 **THE COMMISSIONER:** Mr. Engelmann.

12 **MR. ENGELMANN:** Sir, I just want to very
13 briefly touch upon some of Sergeant Snyder's notes, just
14 for a couple of points, if I may, and I'm looking at
15 Exhibit 1622 and I'm hoping that's in the binder you have
16 in front of you.

17 **MR. CARRIERE:** It is.

18 **MR. ENGELMANN:** Okay. If you'll turn to the
19 second page of the notes, it's Bates page 254 and this is
20 apparently in September -- September 19th, 2000 -- and what
21 he's saying is that at 1435, "Spoke with Bill Carriere,
22 CAS."

23 **THE COMMISSIONER:** "He now has file."

24 **MR. ENGELMANN:** Yes. I'm not ---

25 **THE COMMISSIONER:** Okay, if you want, he ---

1 **MR. ENGELMANN:** Yeah. The part I want is --
2 this is about C-51.

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

4 **MR. ENGELMANN:** The allegation from '85.
5 And what's attributed to you is, "Will
6 require consent to release..."

7 **MR. CARRIERE:** I think that's probably, "any
8 info."

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

10 **MR. ENGELMANN:** Okay. We just have to put
11 it up on the screen for counsel.

12 I'm concerned about the comment:

13 "Will require consent to release
14 original or any information."

15 **MR. CARRIERE:** Yes, I ---

16 **MR. ENGELMANN:** Okay? That appears to have
17 been attributed to you, and I'm wondering who you required
18 consent from; what information?

19 **MR. CARRIERE:** Well, yeah, and I'm not
20 really sure that "consent" would be the correct word. If
21 he is referring to he wants to take documents, we would
22 likely require -- we would require a subpoena for him to
23 get those documents. If he wants to come and see the
24 documents, as he did in 1997 ---

25 **MR. ENGELMANN:** Right.

1 **MR. CARRIERE:** --- we're not going to object
2 to that at all.

3 **MR. ENGELMANN:** All right. So if he did
4 what he did back in February of '97, you would give access?

5 **MR. CARRIERE:** Yes.

6 **MR. ENGELMANN:** And in fact you gave an
7 audiotape ---

8 **MR. CARRIERE:** Yes, yes, yes.

9 **MR. ENGELMANN:** --- to his colleague,
10 Constable Hanton, the year before.

11 **MR. CARRIERE:** Yes, that's correct.

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

13 **THE COMMISSIONER:** So is the last -- the
14 middle sentence there, could that read, "States we advise
15 CAS of assault," on this person in 1985?

16 **MR. CARRIERE:** I think that may be a correct
17 reading of it, which would be correct.

18 **THE COMMISSIONER:** That they advised you of
19 that in 1985?

20 **MR. CARRIERE:** Yes.

21 **THE COMMISSIONER:** I thought it was the
22 other way around, that you would have advised them.

23 **MR. CARRIERE:** No. It was Sergeant Lefebvre
24 that ---

25 **MR. ENGELMANN:** He recalls ---

1 **MR. CARRIERE:** That was the meeting with
2 Jean Dupuis and myself.

3 **THE COMMISSIONER:** Oh yes. Yes, yes, yes.
4 That's okay.

5 **MR. ENGELMANN:** Or Sergeant Lefebvre -- this
6 is why the confusion yesterday. He mentions the name ---

7 **THE COMMISSIONER:** Right.

8 **MR. ENGELMANN:** --- to the CAS.

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

10 **MR. ENGELMANN:** And this is on July 8th or
11 9th. There was some confusion about that date.

12 All right, sir, then if we could look at a
13 letter and this is, I think, the letter you were referring
14 to, Mr. Carriere. It's a letter dated September 26th, 2000,
15 from Bill Carriere, or William Carriere, to Sergeant
16 Snyder; Brian Snyder.

17 It's Document Number 115778. This is one of
18 the late-notice documents.

19 **THE COMMISSIONER:** Thank you. Exhibit
20 Number 2295 is the letter to Chief Anthony Repa dated
21 September 26th, 2000, and it will need a stamp and it is
22 from William Carriere.

23 --- **EXHIBIT NO./PIÈCE NO. P-2295:**

24 (115778) Letter from William Carriere to
25 Anthony Repa dated 26 Sep 00

1 **MR. ENGELMANN:** I'm sorry, sir, I missed the
2 number.

3 **THE COMMISSIONER:** Two two nine five (2295).

4 **MR. ENGELMANN:** Mr. Carriere, this is the
5 letter you were referring to ---

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** --- where you're providing
8 information?

9 **MR. CARRIERE:** Yes, yes.

10 **MR. ENGELMANN:** And it's clear that at least
11 on September 19th, if we look at Sergeant Snyder's note,
12 he's asking you for some information, but this -- I'm not
13 sure if this relates to that or not. It says:

14 "Sorry for the delay in getting this
15 information to you. I've examined the
16 relevant files and extracted the
17 information that pertains to your
18 question about the time of Cornwall
19 Police Service's involvement with
20 C-51's family regarding Earl Landry,
21 Jr."

22 It seems to be a very specific request and
23 we don't seem to have a letter from them, at least on our
24 files, so presumably there was some kind of a phone call or
25 some kind of a request made to you or others at the CAS?

1 **MR. CARRIERE:** I don't recall the letter
2 being sent, but it's possible. But -- and I don't recall
3 the phone call either but obviously there was a request
4 that was made.

5 **MR. ENGELMANN:** All right. And so you can't
6 help us as to why the specificity in that request? Why
7 just the one alleged victim and why simply the timing of
8 the CPS involvement with that family?

9 **MR. CARRIERE:** No, I can't, sir.

10 **MR. ENGELMANN:** All right. I mentioned
11 earlier that there was a lawsuit.

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** That doesn't refresh your
14 memory at all about whether it was with respect to a
15 lawsuit or allegations arising from it?

16 **MR. CARRIERE:** I don't believe that it's
17 that because I'm not sure that I would have handled this
18 request in the same way if it would have been related to a
19 lawsuit. I likely would have involved the Executive
20 Director and I suspect we would have involved any legal
21 counsel that we would have had at the time, rather than me
22 communicating directly. So I suspect it's not related to a
23 lawsuit.

24 **MR. ENGELMANN:** Well ---

25 **MR. CARRIERE:** At least, I don't believe

1 that it's related to one.

2 MR. ENGELMANN: It may not be a lawsuit
3 specifically for the CAS ---

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: --- but information for a
6 lawsuit for the CPS.

7 MR. CARRIERE: I think if I heard the word
8 lawsuit, I likely would be working more directly with the
9 Director and with the lawyer but I'm -- that's not my
10 recollection, Mr. Engelmann.

11 MR. ENGELMANN: All right. But you're not
12 providing information regarding the CAS investigations into
13 allegations against Earl Landry, Jr.?

14 MR. CARRIERE: No.

15 MR. ENGELMANN: You're providing information
16 specific to a request?

17 MR. CARRIERE: That's what it -- it
18 certainly appears to be that.

19 MR. ENGELMANN: All right. And for example,
20 you're not being asked to turn over that letter that you
21 had from CHEO ---

22 MR. CARRIERE: That's right.

23 MR. ENGELMANN: --- back in 1985.

24 MR. CARRIERE: You're correct.

25 MR. ENGELMANN: All right. And it appears

1 you're simply giving a summary of what CPS officers told
2 CAS officials at various times.

3 **MR. CARRIERE:** That seems to be it.

4 **MR. ENGELMANN:** Okay. Just to confirm that,
5 in the last paragraph of your letter:

6 "I hope that this information is of
7 assistance to you."

8 I'm on Bates page 871:

9 "Please note that our files contain
10 case notes pertaining to other
11 interactions between your staff and
12 staff of our agency. But this
13 information has not been provided as it
14 did not appear to be relevant to this
15 specific issue."

16 So it's not even the interactions with
17 respect to C-54, C-52 or others. It's only the
18 interactions with respect to C-51 and that family that they
19 were looking for.

20 **MR. CARRIERE:** That certainly appears to be
21 the case.

22 **MR. ENGELMANN:** All right. And, sir, you
23 seem to set out, for example, three different conversations
24 that Pina DeBellis has with Ron Lefebvre and I'm looking at
25 870, a phone call on October 27th, '93, in the second

1 bullet; then another phone call, October 27th in the third
2 bullet; and then on page 871, a reference to two other
3 phone calls she has with Ron Lefebvre. Correct?

4 **MR. CARRIERE:** That's correct.

5 **MR. ENGELMANN:** And if we could go back to
6 Exhibit 1622 for a minute? I'm just going to find the
7 correct Bates pages. I'll just be a moment.

8 Sir, I want you to look at Bates page 268.

9 **MR. CARRIERE:** May I take the staple out of
10 this?

11 **THE COMMISSIONER:** Sure can, sir.

12 **MR. ENGELMANN:** Yes.

13 **MR. CARRIERE:** Okay.

14 **MR. ENGELMANN:** Madam Clerk, if you could
15 put that on the screen?

16 I was looking for some kind of follow-up to
17 your letter to Sergeant Snyder which is dated September
18 26th, 2000.

19 **THE COMMISSIONER:** You're better off doing
20 it from the back.

21 **MR. CARRIERE:** I did.

22 **THE COMMISSIONER:** Okay. And just start
23 loosening up the back first. Oh, you got it.

24 **MR. CARRIERE:** Okay. I think I have it at
25 this point. Thanks.

1 Sorry, what page?

2 **MR. ENGELMANN:** It's Bates page 268.

3 **MR. CARRIERE:** Okay. And what am I ---

4 **MR. ENGELMANN:** Sir, this is referencing --
5 the date is actually October 18th, it's not on that page but
6 it's the time reference 11:55.

7 **MR. CARRIERE:** Right.

8 **MR. ENGELMANN:** It says:

9 "Left message with Bill Carriere, CAS,
10 to call me re letter from Dr. Malcolm
11 Park."

12 **MR. CARRIERE:** Right.

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

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

15 **MR. ENGELMANN:** So this is no doubt a letter
16 that has been seen at some previous point but he's asking
17 you specifically about that. And if we turn to the next
18 page -- this, by the way, is the letter that was sent to
19 Jean Dupuis back in September of 1985.

20 **MR. CARRIERE:** Right.

21 **MR. ENGELMANN:** Correct?

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** Because there's only one of
24 these letters on your file.

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** Then on the next Bates page,
2 269, there's a reference at 8:45:

3 "Received a call from Bill Carriere,
4 CAS, stated at this time could not
5 provide me with letter from Doctor Park
6 of CHEO dated September '85..." ---

7 **MR. CARRIERE:** "Unless I get ---"

8 **MR. ENGELMANN:** --- "...unless I get
9 Written..." ---

10 **MR. CARRIERE:** Consent -- written authority.

11 **THE COMMISSIONER:** "Authorization."

12 **MR. ENGELMANN:** "From..."

13 **MR. CARRIERE:** Authorization, yes.

14 **MR. ENGELMANN:** --- "from C-51."

15 **MR. CARRIERE:** Yes. Yes.

16 **MR. ENGELMANN:** All right. And why is it,
17 sir, that you could not provide that letter?

18 **MR. CARRIERE:** I'd certainly could show him
19 the letter, he would already seen the letter, but ---

20 **MR. ENGELMANN:** Yes.

21 **MR. CARRIERE:** --- it's a medical record
22 about this individual. And without the consent, I don't
23 believe I can turn a copy over.

24 **MR. ENGELMANN:** All right. So it was
25 something that he would have seen. He would have reviewed,

1 asked for but you couldn't actually give him a copy?

2 MR. CARRIERE: That's correct.

3 MR. ENGELMANN: I'm just trying to follow-up
4 a couple of references here at Bates page 286. I'm just
5 not sure if this will refresh your memory in any way, but
6 it says, next to 13:00, and this is November 17th, 2000.

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: It says:

9 "I left message with Bill Carriere as
10 there was..."

11 I think ---

12 MR. CARRIERE: "A few things missing."

13 MR. ENGELMANN: "...a few things missing
14 from report."

15 I'm not sure if he is referring to the
16 September 26th letter or not but that was the correspondence
17 that you wrote.

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: You don't recall providing a
20 report of any sort other than this letter?

21 MR. CARRIERE: No, I don't.

22 MR. ENGELMANN: All right. There is another
23 reference to speaking with you that I really just can't
24 make out.

25 THE COMMISSIONER: I spoke with Bill -- this

1 at 13:53?

2 **MR. ENGELMANN:** Yes.

3 **THE COMMISSIONER:** "I spoke with Bill
4 Carriere and he said he must not have
5 seen those [whatever], I looked at and
6 copy them from..." ---

7 **MR. ENGELMANN:** Oh, I think I get it now.

8 It says:

9 "I then spoke with Staff Sergeant
10 Derochie..." ---

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

12 **MR. ENGELMANN:** --- "...and he said there
13 was also another letter from Doctor
14 Park dated July 23rd, 1985."

15 And I think we cleared that up with ---

16 **THE COMMISSIONER:** Yeah.

17 **MR. ENGELMANN:** --- Staff Sergeant Derochie
18 here.

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

20 **MR. ENGELMANN:** I think he was perhaps
21 mistaken about another letter and the letter from Doctor
22 Park refers to the fact that the children were seen on July
23 23rd.

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** It then says:

1 "I spoke with Bill Carriere and he said
2 he must have seen those..." ---

3 **THE COMMISSIONER:** "Must have seen those..."

4 ---

5 **MR. CHISHOLM:** "Would look it up and copy
6 them for me."

7 **MR. CARRIERE:** "For me"?

8 **MR. ENGELMANN:** Yeah.

9 **THE COMMISSIONER:** For me, okay.

10 **MR. ENGELMANN:** All right. Then sir, one
11 other reference if I may ---

12 **MR. CARRIERE:** Sir, I don't know if you
13 noted on the next page, it looks like he did pick up
14 something from me.

15 **MR. ENGELMANN:** It says he picked up ---

16 **MR. CARRIERE:** New info.

17 **MR. ENGELMANN:** Yeah.

18 **MR. CARRIERE:** Yeah. And I ---

19 **MR. ENGELMANN:** And you don't know what it
20 was?

21 **MR. CARRIERE:** I have no idea what it was.

22 **MR. ENGELMANN:** All right. And, sir, one
23 other reference, and this starts at page 308 and 309.
24 You'll see the reference December 19th, 2000, 9:45:

25 "At CAS Ottawa, meeting with Jean

1 Dupuis."

2 Was he working there then, sir, to your

3 knowledge?

4 **MR. CARRIERE:** Yes. Yes, he was.

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

6 "Very honest and straightforward with

7 [something]..."

8 **MR. CARRIERE:** "With answers" I think.

9 **MR. ENGELMANN:** Okay.

10 "I asked..." ---

11 **THE COMMISSIONER:** "...why there was no..."

12 ---

13 **MR. CARRIERE:** "...investigation into Earl

14 Landry, Jr. and he stated 'That's a

15 good question', he did not..." ---

16 **MR. ENGELMANN:** --- "...have an

17 explanation."

18 **MR. CARRIERE:** --- "...have an

19 explanation. He did say that it was

20 not..." ---

21 **MR. ENGELMANN:** --- "...that he was not

22 directed..." ---

23 **MR. CARRIERE:** --- "...directed by police

24 not to do the investigation. He did

25 not have a recollection as to whether

1 he gave the Cornwall police the letter
2 from Doctor Parks. He believed the
3 protocol between Cornwall police and
4 CAS may have..." ---

5 I don't know what that word is.

6 **THE COMMISSIONER:** "...may have started..."

7 **MR. CARRIERE:** --- "...started during this
8 investigation. He remembers Sergeant
9 Lefebvre being surprised to hear that
10 CAS would assist and do joint
11 investigations. He remembers C-..."
12 ---

13 **MR. ENGELMANN:** C-51.

14 **MR. CARRIERE:** --- "...C-51 having
15 difficulty..." --- ...

16 **THE COMMISSIONER:** "Describing".

17 **MR. CARRIERE:** "...describing any incident
18 and had to be led to give details. He
19 would not have been a very good
20 witness. The rules for CAS were not as
21 defined then as now, so perhaps that's
22 how come Landry was not investigated.
23 He also said that he heard rumours
24 about Earl Landry but nothing concrete
25 ever materialized. He agreed to

1 provide a written statement."

2 **MR. ENGELMANN:** Sir, there's a reference
3 there that seems somewhat surprising, and that is the
4 comment that -- remark Sergeant Lefebvre being surprised to
5 hear that CAS would assist and do joint investigation.
6 Isn't that exactly what happened on the Gary Seguin matter,
7 that this police officer and this particular staff member
8 worked together?

9 **MR. CARRIERE:** Yes, yes.

10 **MR. ENGELMANN:** And that was in 1985?

11 **MR. CARRIERE:** Yes. I think, as I was
12 saying, Mr. Engelmann, yesterday, when I became a
13 supervisor, I believe that I did break new ground in terms
14 of the kinds of cases that we would do joint investigations
15 on. Maybe this was one of the first ones with Sergeant
16 Lefebvre.

17 **MR. ENGELMANN:** Because that was in 1985?

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** When you became a
20 supervisor?

21 **MR. CARRIERE:** Yes. I think it was in March
22 or February of 1985.

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

24 Let's look at another individual who's a
25 confirmed perpetrator of child sexual abuse, and his name

1 is Jean-Luc Leblanc. And I understand that he first came
2 to the attention of the CAS through a referral from someone
3 at the board of education. And, again, this would have
4 been early on in your career as a supervisor.

5 Do you have some recollection of this, sir,
6 from 1986?

7 **MR. CARRIERE:** Do you mean -- I definitely
8 have recollection of the case, but I ---

9 **MR. ENGELMANN:** Okay.

10 **MR. CARRIERE:** Yeah.

11 **MR. ENGELMANN:** And that it was a referral
12 from a school official?

13 **MR. CARRIERE:** Yes.

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

15 So if we could have a look at Exhibit C-99?

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **MR. ENGELMANN:** I could probably part with
18 my copy.

19 **THE COMMISSIONER:** It's a "C" exhibit.

20 **MR. ENGELMANN:** I'll have a copy for the
21 witness in just a moment. Perhaps we could work on screen
22 and I'll have a copy in just a moment.

23 **THE COMMISSIONER:** Okay.

24 **MR. ENGELMANN:** Just counsel's screen only
25 perhaps?

1 I'm looking at Bates page 068. What I'm
2 going to try and do, Mr. Carriere, is, when I can, refer to
3 either summary or at least typed notes. It will be easier
4 for all of us, I think.

5 **THE COMMISSIONER:** So we're at the opening
6 of -- oh.

7 **MR. CARRIERE:** I have nothing on my screen.

8 **THE COMMISSIONER:** No, no, we're getting
9 there.

10 **MR. CARRIERE:** Okay.

11 **MR. ENGELMANN:** I just want to provide you
12 with some context.

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** And I think this will help.

15 **MR. CARRIERE:** M'hm.

16 **MR. ENGELMANN:** Madam Clerk, just go up just
17 a little. There.

18 So we appear to have a call from Lorne
19 Lawson, who was then the Superintendent of the County Board
20 of Education. He's requesting one of your workers to come
21 to his office to discuss a sexual abuse case. Do you see
22 that?

23 **MR. CARRIERE:** Yes, I do.

24 **MR. ENGELMANN:** And we have the contacts.
25 We have January 24th, '86 intake received by Bruce Duncan,

1 visit to school board offices, right?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: So that's the date when this
4 gets started and we see that Mr. Duncan does many things on
5 that first day ---

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: --- if we look at this
8 summary.

9 And were you his supervisor at that time,
10 sir?

11 MR. CARRIERE: Yes, I was.

12 MR. ENGELMANN: All right. And we see, for
13 example, if you look further down that page to the
14 reference on February 4th, there's a formal note that he
15 discusses the case with you then?

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: Now, he may well have
18 discussed it with you before then.

19 MR. CARRIERE: I believe he did.

20 MR. ENGELMANN: But certainly he's in touch
21 with you about this matter?

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: And all of these cases, sir,
24 sexual abuse particularly by people in positions of trust,
25 would be serious and your workers would come and see you

1 and speak with you, I presume, almost immediately about?

2 MR. CARRIERE: I would say that day
3 typically it would happen.

4 MR. ENGELMANN: Yes. All right.

5 MR. CARRIERE: There would be frequent
6 communication.

7 MR. ENGELMANN: Right.

8 Mr. Commissioner, there are a couple of
9 highlights, but there's nothing written on the document.

10 THE COMMISSIONER: Okay.

11 MR. CARRIERE: Thank you.

12 THE COMMISSIONER: You can insert that in
13 Number 99.

14 MR. CARRIERE: Okay.

15 MR. ENGELMANN: All right.

16 So if we look at ---

17 THE COMMISSIONER: It's okay; we'll do it on
18 a break.

19 MR. CARRIERE: All right.

20 THE COMMISSIONER: Thank you.

21 MR. ENGELMANN: If we look at Bates page 69,
22 Mr. Duncan has indicated in his reporting -- or recording
23 that the individual, the boy in question, revealed to his
24 teacher, Dawn Raymond, that he and his friend -- and
25 neither of these individuals have monikers. They both

1 testified here.

2 THE COMMISSIONER: M'hm.

3 MR. ENGELMANN: That is Scott and Jason,
4 that they were involved sexually with a 40 year-old man
5 named Jean-Luc Leblanc.

6 Do you see that?

7 MR. CARRIERE: Yes, I do.

8 MR. ENGELMANN: And when Mr. Duncan
9 interviewed Scott, he indicated that Jean-Luc Leblanc had
10 also abused his older brother, Jody?

11 MR. CARRIERE: Yes, that's correct.

12 MR. ENGELMANN: All right.

13 And it appears, sir, that Mr. Duncan first
14 interviewed Scott at the school on January 24th?

15 MR. CARRIERE: Yes.

16 MR. ENGELMANN: And then he went to the
17 Burgess home?

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: And there was another
20 interview then?

21 MR. CARRIERE: Yes.

22 MR. ENGELMANN: And following that there was
23 an office visit at the CAS involving the police, Scott and
24 the teacher, Dawn Raymond?

25 MR. CARRIERE: Yes.

1 **MR. ENGELMANN:** So there were three
2 interviews already that first day ---

3 **MR. CARRIERE:** Right.

4 **MR. ENGELMANN:** --- with Scott.

5 Was there at that time already a policy or
6 was there knowledge about not interviewing children or
7 victims of child sexual abuse too many times, or can you
8 recall?

9 **MR. CARRIERE:** I don't believe that there
10 would be a policy at that time.

11 **MR. ENGELMANN:** Because we've heard, and you
12 may recall this from some of our context experts, that it's
13 best to try and do this once or at least as few times as
14 possible because of the possibility of re-victimization?

15 **MR. CARRIERE:** Yes. And I support that
16 view. I think where victims -- and I don't know that
17 there's an age restriction on this -- I think what victims
18 particularly object to is being re-interviewed on the same
19 information over and over.

20 **MR. ENGELMANN:** Yes.

21 **MR. CARRIERE:** I think victims are less
22 distressed by -- it's always a stressful thing, but less
23 distressed by situations where additional information is
24 being sought, and sometimes that's required because new
25 information has come to the attention of the investigator.

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

2 So if we look a little further down on Bates
3 page 69, there's a paragraph that starts -- it says:

4 "Brian Paiement also got a statement
5 from Jason and from Jody."

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** And the report indicates at
8 Bates page 70, which is the next page, page 3, that the
9 Burgess family had seven children, three of whom had left
10 home?

11 **MR. CARRIERE:** Yes.

12 **MR. ENGELMANN:** So there were four in the
13 home on January 24th, 1986 ---

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** --- when this was reported,
16 when there was a visit, et cetera?

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** Now, it appears that only
19 two of the Burgess children were interviewed by the CAS and
20 CPS during their joint work on this file?

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** And do you know why, sir,
23 the other two were not interviewed?

24 **MR. CARRIERE:** They were not identified as
25 being victims of Jean-Luc Leblanc. When Scott was

1 interviewed and Jody was interviewed, they did not identify
2 anyone else in their family as victims, although they did
3 identify other children, other friends, who were victims,
4 and this being an extra-familial case, we had no
5 information to suggest that any other children in the
6 family had been harmed.

7 **MR. ENGELMANN:** Did you ever suggest to Mr.
8 Duncan that he or he and the Cornwall Police Service should
9 interview the other children?

10 **MR. CARRIERE:** I don't recall.

11 **MR. ENGELMANN:** Do you know ---

12 **THE COMMISSIONER:** Do you think it would
13 have been a good idea?

14 **MR. CARRIERE:** Well, it's -- you know,
15 knowing what I know now in terms of the sister, I can't say
16 it would be a bad idea. Extra-familial cases are different
17 that intra-familial cases.

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

19 **MR. CARRIERE:** I don't -- I obviously wasn't
20 there when Bruce conducted his investigation. He may have
21 asked specifically was anyone else in the family present or
22 harmed, and the answer -- a negative answer came back.

23 **THE COMMISSIONER:** Well, we don't know if
24 they did that.

25 **MR. CARRIERE:** No, we don't know, but there

1 must have been some question about who was involved in this
2 because otherwise we wouldn't have received the names of
3 other children that were followed up on.

4 **MR. ENGELMANN:** Well, sir ---

5 **THE COMMISSIONER:** She says on page 3:

6 "She's also concerned that x number of
7 her seven children, to her knowledge,
8 have now been victimized."

9 **MR. CARRIERE:** Yes.

10 **THE COMMISSIONER:** Did you follow up on
11 that?

12 **MR. CARRIERE:** Well, we found out, sir, that
13 those children ---

14 **THE COMMISSIONER:** Be careful with the
15 names.

16 **MR. CARRIERE:** Yes, yes, I won't -- I wasn't
17 going to use names.

18 We found out that those children had been
19 victimized by peers at school and that had been
20 investigated, and I believe those individuals who caused
21 the harm, who were children, I believe they may have been
22 on probation or some action was taken.

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

24 **MR. CARRIERE:** They weren't harmed by people
25 who were caregivers.

1 **THE COMMISSIONER:** Okay.

2 **MR. ENGELMANN:** Well, sir, we know from this
3 file that some of this abuse occurred at this man's
4 residence.

5 **MR. CARRIERE:** Yes.

6 **MR. ENGELMANN:** And it doesn't appear that
7 the parents and/or children were interviewed about whether
8 or not some of their siblings also would have attended at
9 his residence?

10 **MR. CARRIERE:** I don't know the answer to
11 that, sir. I don't know whether or not Mr. Duncan pursued
12 that line of questioning.

13 **MR. ENGELMANN:** Because presumably if that
14 had been asked and answered, that would have been followed
15 up if other members of that family had visited this man at
16 his residence?

17 **MR. CARRIERE:** I think that would be
18 speculating because it may have been asked and they may
19 have said no.

20 **THE COMMISSIONER:** Would your -- hindsight
21 is always a problem in these situations, but since we've
22 learned from the experts that abusers have a great -- may
23 have a great number of victims and that children are
24 reluctant to disclose ---

25 **MR. CARRIERE:** Yes.

1 **THE COMMISSIONER:** --- and that they may be
2 prompted if they're asked?

3 **MR. CARRIERE:** Yes.

4 **THE COMMISSIONER:** Given that circumstance,
5 do you think things would be different today?

6 **MR. CARRIERE:** They are different today,
7 sir. The current standard speaks to the requirement to
8 interview all of the children in the family and to note
9 when -- if you're not going to do that, you have to have an
10 explanation as to why you're not going to do it.

11 **THE COMMISSIONER:** All right.

12 **MR. CARRIERE:** I can assure you that if we
13 had had any hint that -- I think I can use her name, but
14 the sister ---

15 **MR. ENGELMANN:** Sure.

16 **MR. CARRIERE:** --- had been harmed ---

17 **MR. ENGELMANN:** She has testified.

18 **MR. CARRIERE:** --- we would have followed up
19 on that.

20 **MR. ENGELMANN:** You know she wasn't
21 interviewed then?

22 **MR. CARRIERE:** I do know that she wasn't
23 interviewed.

24 **MR. ENGELMANN:** And neither was the older
25 brother, Brian, who was there?

1 **MR. CARRIERE:** No, and he -- I understand
2 that he, I believe, was well outside of our age mandate.
3 Jody was as well, but because Jody had been mentioned as
4 being present, we interviewed him.

5 **MR. ENGELMANN:** But this was a joint
6 investigation, so even if there was an age issue,
7 presumably the Cornwall Police Service could have
8 interviewed the older children?

9 **MR. CARRIERE:** I think that was something
10 they would have to decide, but ---

11 **MR. ENGELMANN:** Right.

12 **MR. CARRIERE:** --- yes.

13 **MR. ENGELMANN:** Okay. So in any event,
14 these other two siblings were not interviewed then and, as
15 you know, one of them was a confirmed victim later?

16 **MR. CARRIERE:** Yes. I understand many,
17 many, many years later, when she was approached by the OPP
18 she had ---

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

20 Let's look at Exhibit C-105. Hopefully that
21 is in your book, sir.

22 **THE COMMISSIONER:** So in the book, 61 to
23 111. Did you take that away from the witness?

24 You'll get it back. So we're looking at C-
25 105. You had better make sure it's there.

1 No, I think we keep them separate, don't we?
2 We keep the "C" exhibits out of the witness' batch, I
3 think. We'd have to check on that, but they might be
4 somewhere in this ---

5 **MR. ENGELMANN:** I'll have our second copy
6 brought in.

7 **THE COMMISSIONER:** We should look into that,
8 Madam Clerk, at the break; find out where the "C" exhibits
9 are kept.

10 **MR. ENGELMANN:** Perhaps we could just have
11 it up on the screen, the counsel screen, 823. This, sir,
12 is -- we have the Burgess family and we have the Tyo
13 family?

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** This is the Tyo family file?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And we know, as a result of
18 the information that's gleaned on the first day, on January
19 24th, that there are victims from two different families?

20 **MR. CARRIERE:** Yes.

21 **MR. ENGELMANN:** And at the time, we have
22 interviews at the Burgess family. And I just want to ask
23 you a little bit about the other family.

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** If we could have Bates page

1 823? If we look at the contacts and dates, we have the
2 intake received by Bruce Duncan on a related case ---

3 MR. CARRIERE: Yes.

4 MR. ENGELMANN: --- January 24th?

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: And is it safe to assume
7 that when it says "February 3rd, '86 home visit, intake
8 written up by Bruce Duncan", that would be with respect to
9 the Tyo family?

10 MR. CARRIERE: I believe so, yes.

11 MR. ENGELMANN: All right.

12 And it says the case is assigned to him by
13 you on February 11th?

14 MR. CARRIERE: I think that's just a
15 technical thing.

16 MR. ENGELMANN: Yeah.

17 MR. CARRIERE: It's not a -- I mean, Bruce
18 was active on the case.

19 MR. ENGELMANN: All right.

20 MR. CARRIERE: I think it's just an
21 administrative piece.

22 MR. ENGELMANN: All right. So that --
23 there's no significance to that?

24 MR. CARRIERE: No.

25 MR. ENGELMANN: He was involved in this from

1 the get-go?

2 MR. CARRIERE: Yes, absolutely, yes.

3 MR. ENGELMANN: All right.

4 But it appears in any event, for one reason
5 or another, this family is not contacted until January 31st
6 by phone and then February 3rd, a home visit?

7 MR. CARRIERE: I believe that prior to that
8 -- I think as part of the joint investigation Brian
9 Paiement had interviewed the child.

10 MR. ENGELMANN: All right.

11 MR. CARRIERE: And I believe the family as
12 well.

13 MR. ENGELMANN: Okay.

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: I was just wondering why the
16 delay on the CAS part?

17 MR. CARRIERE: I don't know that there's a
18 specific reason.

19 MR. ENGELMANN: All right.

20 Now, this particular document, the "Opening
21 and Transfer Summary", is signed March 4th and then
22 transferred on April 2nd, if we look at the next page?

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: Bates page 824.

25 And you would have reviewed this with Bruce

1 Duncan before it was ---

2 MR. CARRIERE: Yes, yes.

3 MR. ENGELMANN: --- signed off?

4 MR. CARRIERE: Yes, I would have.

5 MR. ENGELMANN: All right.

6 And there's a reference -- and I'm not going
7 to read the paragraph, but I'll just find it if I can.

8 Yeah, it's the very first paragraph on the page.

9 THE COMMISSIONER: On which page?

10 MR. ENGELMANN: On Bates page 824.

11 THE COMMISSIONER: So the worker's
12 assessment of the situation?

13 MR. ENGELMANN: Right.

14 THE COMMISSIONER: M'hm.

15 MR. ENGELMANN: And if you could just read
16 that to yourself, sir.

17 MR. CARRIERE: Yes.

18 MR. ENGELMANN: And it ends with "sees no
19 need for such counselling".

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: Did you have a discussion
22 with Mr. Duncan about this issue?

23 MR. CARRIERE: I must have, but I don't have
24 a recollection of it.

25 MR. ENGELMANN: Because I'm looking then at

1 paragraph 4, and again I just want you to read it to
2 yourself.

3 MR. CARRIERE: Yes.

4 MR. ENGELMANN: Okay. There seems to be
5 concern, based on at least my reading of paragraph 1 and
6 paragraph 4, that there's a strong need for the individual
7 here to have some counselling because of concerns for what
8 might happen in the future?

9 MR. CARRIERE: Yes.

10 MR. ENGELMANN: Was counselling provided to
11 this individual?

12 MR. CARRIERE: Counselling was offered to
13 this individual and he declined it.

14 MR. ENGELMANN: Okay. Were there any steps
15 taken to somehow -- even though he declined it, to get him
16 into counselling?

17 MR. CARRIERE: Mr. Engelmann, after March 4th
18 I wouldn't have been the supervisor for this, so I'm not --
19 the plan that was developed was to pursue that line to try
20 to get him into counselling.

21 I believe that the subsequent worker did
22 have some discussions with him and he continued to be of
23 the view that he didn't need the counselling, but my
24 involvement and Mr. Duncan's involvement ended with really
25 the formulation of this particular plan, which spoke to

1 that issue.

2 **MR. ENGELMANN:** I was wondering why this
3 matter was transferred. I mean, it indicates on the next
4 Bates page, 825 -- it says under Current Situation:

5 "As worker was involved with Scott
6 Burgess, it was felt that a conflict
7 with this relationship would be
8 created."

9 And I'm wondering why that was?

10 **MR. CARRIERE:** That's the next worker, sir.
11 That's not Mr. Duncan.

12 **MR. ENGELMANN:** Okay.

13 **MR. CARRIERE:** It was transferred from
14 Mr. Duncan because he's an investigation worker, and the
15 investigation was finished. It would go to an ongoing
16 worker at that point.

17 **MR. ENGELMANN:** And that was Ms. DeBellis?

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** All right. And so who ends
20 up working on this file and who ends up working on the
21 Burgess file?

22 **MR. CARRIERE:** I believe that Ms. DeBellis
23 kept the Burgess file and Lynn LeBreton took on the Tyo
24 file.

25 **MR. ENGELMANN:** And did you have some say in

1 separating those?

2 MR. CARRIERE: No, no.

3 MR. ENGELMANN: All right, because I just
4 didn't understand why ---

5 MR. CARRIERE: No, I understand.

6 MR. ENGELMANN: --- it wouldn't have just
7 been better to have one worker who had knowledge of both
8 carry on?

9 MR. CARRIERE: I wasn't involved in the
10 decision.

11 MR. ENGELMANN: All right.

12 Now, the report indicates, on Bates page
13 824, that Jason should be interviewed. Do you see that?

14 MR. CARRIERE: On 824? Where is ---

15 MR. ENGELMANN: It's in that fourth
16 paragraph, the one I asked you to read to yourself.

17 MR. CARRIERE: Yes.

18 MR. ENGELMANN: Yet it appears there was
19 only one brief contact with him on February 3rd?

20 MR. CARRIERE: I think that is meant to be
21 the follow-up, sir.

22 MR. ENGELMANN: All right.

23 MR. CARRIERE: To continue to meet with
24 Jason.

25 MR. ENGELMANN: All right, because the next

1 reference to a meeting with him -- and you'll see there's
2 the transfer summary and then if we flip over, there's no
3 actual reference to a meeting with him until we look at
4 page 826 and there's a reference to May 7th, 1987, "Met with
5 Jason at office". Did you have anything to do with ---

6 **MR. CARRIERE:** Nothing.

7 **MR. ENGELMANN:** --- the follow-up on this?

8 **MR. CARRIERE:** No, not at all.

9 **MR. ENGELMANN:** All right, because it just
10 seems like there's a brief contact in February 3rd, '86 and
11 nothing for a long time?

12 **MR. CARRIERE:** I had no involvement with
13 this.

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

15 I just want to look at Mr. Duncan's notes
16 for a minute and if we could look at -- it's Document
17 Number 737505.

18 **THE COMMISSIONER:** Thank you.

19 Exhibit Number 2296 is notes of?

20 **MR. ENGELMANN:** Bruce Duncan.

21 **THE COMMISSIONER:** Bruce Duncan.

22 --- **EXHIBIT NO./PIÈCE NO. P-2296:**

23 (737505) Bruce Duncan Notes re: Tyo dated
24 January-February, 1986

25 **MR. ENGELMANN:** Sir, I just want to refer

1 you to something on this counselling issue again. If we
2 can look at the second page, it's Bates page 935.

3 And, sir, were you aware that this
4 individual initially denied that he had been sexually
5 abused by Mr. Leblanc; that being Jason?

6 **MR. CARRIERE:** I believe so, yes.

7 **MR. ENGELMANN:** And you'll see a reference
8 to that. This is the note of the home visit they had, and
9 you'll see it's referenced, "February 3rd, '86; 3:30, home
10 visit," and the reference to not having counselling is in
11 the same sentence with denying abuse happened?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** And then a little later,
14 "Mother feels no need for counselling". I'm wondering at
15 that time -- it may be difficult to situate yourself back
16 into 1986 -- but with respect to trying to ensure
17 counselling for an individual, if the parent didn't want
18 it, did that stop it or was there some effort on the
19 Society's part to push that forward?

20 **MR. CARRIERE:** Sir, I think she's referring
21 to counselling for herself.

22 **MR. ENGELMANN:** Oh, really?

23 **MR. CARRIERE:** Because the line before talks
24 about "Seeing the need for counselling for Jason but won't
25 force him".

1 **MR. ENGELMANN:** Okay. So the situation
2 involving the child, then, and counselling -- I mean, you
3 had some concerns?

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** We just looked at them. We
6 know what develops later on.

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** And I'm just wondering what
9 the Society's policy was at that time about ensuring
10 counselling when you're concerned about risk factors?

11 **MR. CARRIERE:** Well, it was certainly part
12 of the service plan that Bruce Duncan and I worked on.

13 Mr. Engelmann, in these situations,
14 particularly with a child Jason's age at that time who has
15 just experienced a situation where someone has either
16 forced them or coerced them or manipulated them into doing
17 something, a sexual act, I would be very concerned about
18 forcing them, manipulating them, into counselling because
19 it would strike me as being almost a second-stage
20 victimization of them.

21 I believe that efforts can be made to try to
22 encourage them, and I think that that's what the plan set
23 out, but the other thing is that when our Family Sexual
24 Abuse Treatment Program was operating, it was largely --
25 just the simple nature of how we -- the staffing we had and

1 how we could best serve people. We ran groups.

2 And having a teenage boy forced into
3 counselling through -- and the only way we could do it,
4 frankly, I think is through a court order. We would have
5 to go to court, find him in need of protection, and I don't
6 even know if we would have been successful with that.

7 And then if we were successful, have him
8 attend the group. I don't know what good it would have
9 done for him. It would have been damaging for the group.

10 The other thing I think that has to be
11 considered is that sometimes people need to be ready for
12 counselling, and if their first experience with it is where
13 they're forced to do it, they may decide that they'll never
14 do it again in their life, and that would be a tragedy.

15 **MR. ENGELMANN:** Okay. Well, given what
16 you've said then, I would assume that it would be important
17 to maintain some regular contact with this individual and
18 try and encourage him over a period of time to go to
19 counselling?

20 **MR. CARRIERE:** I wouldn't dispute that.

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

22 Let's look at Exhibit 1559. These are some
23 more of Mr. Duncan's notes.

24 **THE COMMISSIONER:** You might have that book,
25 sir.

1 MR. CARRIERE: Okay.

2 THE COMMISSIONER: So just look, it's 1526
3 to 1612.

4 MR. ENGELMANN: These are the actual
5 handwritten notes, Mr. Carriere.

6 MR. CARRIERE: I'm not sure which book I
7 should be looking at at this point.

8 THE COMMISSIONER: Fifteen-fifty-six (1556),
9 Mr. Engelmann?

10 MR. ENGELMANN: Fifteen-fifty-nine (1559).

11 THE COMMISSIONER: Fifty-nine.

12 MR. ENGELMANN: I'm hoping that's the same
13 binder.

14 MR. CARRIERE: Okay. Thank you.

15 MR. ENGELMANN: All right. So just to
16 orient; these are the case notes of Mr. Duncan with respect
17 to the Burgess file.

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: And on the very first day,
20 we have a number of case notes. One of them is the home
21 visit on June 24th. And you'll see that at Bates page 916.

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: So this is -- there's been a
24 meeting at the school and then there's the interview at the
25 home and then there's something at the office later; so the

1 second one. And we've got a reference here in the notes to
2 Bill McKinnon?

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** It says:

5 "Has abused a young [presumably]
6 child."

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** And it says:

9 "...molested [and] on Seymour..."

10 I'm assuming that's where he lives. Is that
11 a street?

12 **MR. CARRIERE:** It's a street.

13 **MR. ENGELMANN:** Yeah. Then a little later
14 down, it says:

15 "Again, Bill, a lot of little kids go
16 over, even Jason, and he tries things
17 with them."

18 And then it describes what Bill does to
19 Jason. Do you see that?

20 **MR. CARRIERE:** Yes.

21 **MR. ENGELMANN:** It's describing a sexual
22 act. And it also says:

23 "Bill has pictures of many little
24 kids."

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** And we've seen this
2 reference to "middle spot" as being a reference to a penis.

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** So there's some indication
5 there of sexual abuse by a man named Bill McKinnon.

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** All right. And that's
8 described to Mr. Duncan in that interview. There's also a
9 reference on the following page at the top of the page.

10 "Scott knows about Bill but doesn't
11 visit Bill that much. But Scott may
12 know more because he often visits with
13 Jason and gets drinks."

14 Okay?

15 **MR. CARRIERE:** M'hm.

16 **MR. ENGELMANN:** That's another reference.
17 And then at page 918, they talk about -- they're talking
18 about some of the grooming and the gifts from Jean-Luc
19 Leblanc and right after their reference to that right at
20 the top of the page.

21 "Bill has not done this to Scott."

22 I believe that's what it says? And then
23 there's a bit more.

24 **MR. CARRIERE:** I'm sorry sir, I'm just ---

25 **MR. ENGELMANN:** At Bates page 918.

1 MR. CARRIERE: Nine one eight (918), sorry.

2 MR. ENGELMANN: It's right on the top.

3 MR. CARRIERE: Yes, I see it. I got it.

4 MR. ENGELMANN: And then there was an issue
5 here because the older brother Jody was upset that Scott
6 and Jason were talking about Jean-Luc Leblanc who he
7 thought of as a friend at the time ---

8 MR. CARRIERE: Right.

9 MR. ENGELMANN: --- because of his personal
10 situation. You know that with abused victims that
11 sometimes there's some confusion at the beginning about
12 whether this person is a friend or an abuser.

13 MR. CARRIERE: Yes, m'hm.

14 MR. ENGELMANN: And Jody tells her Jason is
15 making up a whole lot of stories to blame it on Jean-Luc
16 when it's really Bill.

17 MR. CARRIERE: Yes.

18 MR. ENGELMANN: Do you see that?

19 MR. CARRIERE: Yes, I do.

20 MR. ENGELMANN: All right. And again,
21 there's a reference. So Jody's saying, "You know, it's
22 really Bill."

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: So there's a number of
25 references here to the fact that Bill McKinnon is an

1 alleged abuser of several children; that he has pictures of
2 children. So there's clearly -- and that this is happening
3 in his home.

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** All right. And again, he is
6 a stranger but they're at his home so we got that line
7 again.

8 **MR. CARRIERE:** Yes.

9 **MR. ENGELMANN:** Well, Mr. Carriere, we're --
10 -

11 **MR. CARRIERE:** Yes.

12 **MR. ENGELMANN:** --- not sure ---

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** --- whether this is your
15 mandate or not but it's happening in a home and there are
16 children.

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** So at Bates page 920, this
19 is, I believe, Mr. Duncan's speaking with Constable
20 Paiment.

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** Because at the top, it says:

23 "Called to CPD."

24 And it appears they're talking to one
25 another and Mr. Paiment's describing some things to the

1 worker, Mr. Duncan, and I'm not going to read them all.
2 But at one point, it says, about three-quarters of the way
3 down:

4 "Billy is so senile, we may not get
5 anywhere with him. He was very scared
6 and was told they [presumably the
7 Cornwall police] would watch his house.
8 Sex assaults on all three boys."

9 Okay?

10 **MR. CARRIERE:** Yes.

11 **MR. ENGELMANN:** And then there's another
12 reference a little further down. It's referring to Jason's
13 mother:

14 "Doesn't want Jason associating with
15 Burgess boys or Jean-Luc or Bill
16 McKinnon."

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** Okay. So it would appear
19 that Constable Paiement is telling your worker the fellow's
20 senile, we've warned him off and we say we're going to be
21 watching his house. He's sexually assaulted all three
22 boys. And it's reference to Jason's mother not wanting
23 Jason to be near him. It doesn't appear that this fellow
24 is then investigated at all.

25 **MR. CARRIERE:** I don't believe he was.

1 Well, no, I shouldn't say that; he wasn't.

2 MR. ENGELMANN: I'm wondering then sir if
3 Mr. Duncan would have come to you and said, "I've received
4 this information from the Cornwall police," and the two of
5 you then decide not to do anything or do you recall?

6 MR. CARRIERE: Mr. Engelmann, when I was --
7 I mentioned early in my testimony yesterday about not
8 reading case notes, and I frankly did not read these case
9 notes until preparing for this Inquiry.

10 MR. ENGELMANN: All right.

11 MR. CARRIERE: And I can tell you that when
12 I saw the name Bill McKinnon, I had no idea who that
13 individual was.

14 MR. ENGELMANN: All right.

15 MR. CARRIERE: I don't want to say that
16 Bruce didn't tell me but I can tell you that I was -- my
17 reaction is "Who is he?" when I got to that section of the
18 case notes.

19 MR. ENGELMANN: Would you agree with me,
20 sir, that this should have been followed up?

21 MR. CARRIERE: I would agree with you. I
22 think if the children were coming into his home, and it
23 sounds like there were exchanges where he was giving them
24 things -- he doesn't -- he to me would be the equivalent of
25 a Gary Seguin.

1 MR. ENGELMANN: M'hm.

2 MR. CARRIERE: I mean, these children are
3 not employed but the relationship is similar.

4 MR. ENGELMANN: Yes.

5 MR. CARRIERE: I think there's a
6 responsibility when people invite somebody into the home.
7 So yeah, I'm not going to dispute that.

8 MR. ENGELMANN: Whether someone is senile or
9 not, if they're abusing children, it's something that
10 should be looked into.

11 MR. CARRIERE: I think if they're senile and
12 abusing, the likelihood of them stopping is not very great.

13 MR. ENGELMANN: Yes.

14 All right. Let's look at a time much later
15 if we can. Because Jean-Luc Leblanc comes back to your
16 attention as a result of an initial intake report, a call
17 from a principal. Do you recall this, sir?

18 MR. CARRIERE: I don't.

19 MR. ENGELMANN: Okay. We may -- I'm just
20 trying to get to a document.

21 MR. CARRIERE: Yes.

22 MR. ENGELMANN: It is Document Number
23 130124.

24 So they should be stamped; publication ban.
25 And I will check and see if the individual has been

1 identified already. The initials are S.D. You'll see the
2 reference to the name.

3 **THE COMMISSIONER:** All right. Thank you.
4 Exhibit 2294 [sic] is an initial intake report dated the
5 24th -- 21/10/1994.

6 **---EXHIBIT NO./PIÈCE NO P-2297:**

7 (130124) - Initial Intake Notes of Frances
8 Lepage dated 21 Oct. 94

9 **MR. ENGELMANN:** Sir, just to understand,
10 this is, of course, one of these forms that's developed
11 after the Dawson review?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** Correct?

14 **MR. CARRIERE:** It is.

15 **MR. ENGELMANN:** And we have a worker by the
16 name of Françoise Lepage.

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** She is taking a call from a
19 principal of St. Mary's -- is that Secondary School, or St.
20 Mary's school in any event?

21 **MR. CARRIERE:** It's a separate school.

22 **MR. ENGELMANN:** Separate school, okay. And
23 this is one way you get information; correct?

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** Teachers or principals may

1 call with the concerns?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And did you have any
4 knowledge of this at that time? I'm talking about the fall
5 of '94.

6 MR. CARRIERE: I had no recollection of
7 this.

8 THE COMMISSIONER: I'm sorry, I said 2294
9 and it really is 2297.

10 MR. ENGELMANN: I'm sorry, sir, I missed
11 your answer.

12 Were you -- was Fran Lepage one of your
13 workers at that time?

14 MR. CARRIERE: Fran Lepage was a phone
15 intake worker, but I believe at this point-in-time there
16 may in fact be -- and she was likely assigned to me, but I
17 believe that there are two separate departments in terms of
18 intake -- not intake but where referrals would go. There
19 would be a city and there would be a county, and she would
20 actually report to -- in terms of moving referrals, she
21 would actually go to another supervisor.

22 MR. ENGELMANN: Okay. This is a school
23 outside of Cornwall?

24 MR. CARRIERE: It is.

25 MR. ENGELMANN: Excuse my ignorance.

1 **MR. CARRIERE:** No, that's fine. I think
2 it's in -- well, I'm not sure. I think it's in
3 Williamstown, but I could be wrong.

4 **MR. ENGELMANN:** All right. So in any event,
5 do you have some recollection of this being brought to your
6 attention at or about that time?

7 **MR. CARRIERE:** I don't, sir.

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

9 It appears there are two concerns the
10 principal has, as I've just briefly reviewed this note.

11 **MR. CARRIERE:** M'hm.

12 **MR. ENGELMANN:** She's concerned that there's
13 a Grade 4 student, the initials S.D., spending a lot of
14 time with a 54 year-old man who's buying him gifts and is
15 always around him. That's a concern?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And that would be a reason
18 for a professional to contact your agency?

19 **MR. CARRIERE:** If they have a reason to
20 suspect that a child is in need of protection, then they
21 have an obligation to report.

22 **MR. ENGELMANN:** Right.

23 **MR. CARRIERE:** And clearly she must feel
24 that way.

25 **MR. ENGELMANN:** Right. And knowing that

1 there's this 54-year old man that is unrelated to this
2 individual, they don't have any information about him, is
3 showering or buying gifts for a Grade 4 student, that could
4 spark a concern?

5 **MR. CARRIERE:** It could, yes.

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

7 There's also a concern at the bottom of the
8 page that this boy is engaging in inappropriate sexual
9 activity with a relation?

10 **MR. CARRIERE:** Yes.

11 **MR. ENGELMANN:** Correct?

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

13 **MR. ENGELMANN:** So there seems to be two
14 concerns that are being reported?

15 **MR. CARRIERE:** Yes.

16 **MR. ENGELMANN:** Now, at Bates page 85
17 there's a decision -- I think the second concern may not
18 simply be with the boy, may also be with the half sibling
19 as well. Is that -- I'm just turning back to the bottom of
20 page 81.

21 **MR. CARRIERE:** Yes, okay.

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

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** On page 85, Bates page 85,
25 there's a decision made under "Preliminary Inquiry Plan"

1 that:

2 "There are no grounds to pursue
3 further. It's not accepted for
4 service."

5 Do you see that?

6 **MR. CARRIERE:** On page 85?

7 **MR. ENGELMANN:** Bates page 85.

8 **MR. CARRIERE:** Yes, I see that.

9 **MR. ENGELMANN:** And it appears, if we look
10 above that, the reasons for that are that the child denied
11 the sexual incident with the step-sibling and the mother
12 assured the CAS that there was nothing to be concerned
13 about with her son's relationship with Jean-Luc Leblanc.

14 **MR. CARRIERE:** I don't know that they knew
15 that it was Jean-Luc Leblanc.

16 **THE COMMISSIONER:** Well ---

17 **MR. ENGELMANN:** Sorry, with the 54-year old
18 man.

19 **MR. CARRIERE:** Yes, right. Okay.

20 **MR. ENGELMANN:** Fair enough.

21 **THE COMMISSIONER:** Well, they got Jean-Luc
22 right.

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** They do know that the
25 fellow's name is Jean-Luc?

1 MR. CARRIERE: Yes, yes.

2 MR. ENGELMANN: Right.

3 And this is October of '94?

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: All right.

6 And there was an initial risk assessment of
7 low or nil; correct? Right at the top of the page.

8 MR. CARRIERE: Yes, yes, yes. I'm just --
9 yes.

10 MR. ENGELMANN: Yes. Do you know if there
11 was any effort made at that time by anybody at the CAS to
12 determine who Jean-Luc was?

13 MR. CARRIERE: Well, I wasn't the
14 supervisor, so I don't know.

15 MR. ENGELMANN: You can't help us?

16 MR. CARRIERE: No, I don't know.

17 MR. ENGELMANN: All right.

18 MR. CARRIERE: But it sounds like there is
19 some contact with the family, but I don't know the -- I
20 don't know what that consists of.

21 MR. ENGELMANN: Because Jean-Luc Leblanc
22 would be known to your Agency as a convicted sex offender?

23 MR. CARRIERE: Yes.

24 THE COMMISSIONER: And he would be in the
25 Child Abuse Registry? He was?

1 **MR. ENGELMANN:** From 1986.

2 **THE COMMISSIONER:** From 1986.

3 **MR. CHISHOLM:** I'm not sure that Mr.
4 Carriere would be in a position to lawfully answer that
5 question.

6 **THE COMMISSIONER:** Oh, okay.

7 **MR. ENGELMANN:** All right.

8 **THE COMMISSIONER:** Okay. Well, let's do
9 this generally then.

10 Is there a policy that when somebody comes
11 in and says, "I was abused by somebody", that you would
12 check with -- you check a registry or you check around to
13 see if there's a prior history for this person?

14 **MR. CARRIERE:** Yes, yes.

15 **THE COMMISSIONER:** All right. And so is
16 there a policy to do that?

17 **MR. CARRIERE:** Yes.

18 **THE COMMISSIONER:** Okay. So I guess the
19 idea is what attempts do you see here that were made to
20 find out his last name?

21 **MR. CARRIERE:** I don't know, sir.

22 **THE COMMISSIONER:** You don't know. All
23 right.

24 **MR. CARRIERE:** No, I don't know.

25 **THE COMMISSIONER:** Because I don't see

1 anything in here at all.

2 MR. CARRIERE: No, I agree.

3 THE COMMISSIONER: Okay.

4 MR. ENGELMANN: All right.

5 So despite the fact that there's a comment
6 that, "No grounds to pursue further. Not accepted for
7 service", and that's November 3rd, '94, I believe, right?

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: There are some more
10 documents on this, and if we could look at Document Number
11 130116?

12 THE COMMISSIONER: Thank you.

13 Exhibit Number 2298 is notes from Fran
14 Lepage. Is that it? The first date is 24/10/94.

15 --- EXHIBIT NO./PIÈCE NO. P-2298:

16 (130116) Notes of Frances Lepage dated
17 October 24, 1994

18 MR. ENGELMANN: So just to situate this in
19 time, 2297, the initial intake is October 21st. The signoff
20 on November 3rd, no further action.

21 Here on October 24th it appears, according to
22 Fran Lepage's notes, that she has a discussion with you?

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: That her regular supervisor
25 is someone else?

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: And it says:

3 "Discussed case with Bill Carriere,
4 supervisor of city intake in absence of
5 county supervisor, Bernard Lamarche."

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: All right. So you don't
8 have any reason to dispute this?

9 MR. CARRIERE: No, I don't have any.

10 MR. ENGELMANN: You just don't recall it?

11 MR. CARRIERE: I don't recall it.

12 MR. ENGELMANN: All right.

13 And you were involved, sir, with Bruce
14 Duncan on the Jean-Luc Leblanc matter ---

15 MR. CARRIERE: Yes.

16 MR. ENGELMANN: --- back in '86?

17 MR. CARRIERE: Yes.

18 MR. ENGELMANN: All right. And there's a
19 decision made:

20 "Can wait to discuss with Bernard
21 Lamarche upon his return."

22 And he then returns because there's a
23 discussion she has with him on the 27th?

24 MR. CARRIERE: Yes.

25 MR. ENGELMANN: Correct?

1 **MR. CARRIERE:** Yes.

2 **MR. ENGELMANN:** And there's a note earlier
3 on that:

4 "The goal is for this child not to be
5 abused and not to become an abuser."

6 Do you see that? It's halfway down the
7 page.

8 **MR. CARRIERE:** Yes, I see that, yes.

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

10 And it also indicates -- I'm just trying to
11 find the reference. I'll just be a minute. Yes, it's on
12 the following page, Bates page 62:

13 "With regard to relationship between
14 her son and 54 year-old Jean-Luc,
15 mother refused to give Jean-Luc's last
16 name since he was not accused."

17 Do you see that reference?

18 **MR. CARRIERE:** Yes, I do.

19 **MR. ENGELMANN:** All right. And, again, I
20 don't know if you would have had any involvement after that
21 initial intake.

22 I'm just wondering if you can comment on
23 whether that type of a refusal would cause concern to you
24 as a supervisor at the CAS, given the allegation made by
25 the principal, the concern expressed and now the mother

1 being very protective and not giving the last name of the
2 individual?

3 **MR. CARRIERE:** Well, given -- as you've
4 described it, it would be of some concern. I think each
5 case has to be assessed on its own.

6 **MR. ENGELMANN:** Sure.

7 **MR. CARRIERE:** But, you know, given some of
8 the information that we have here, I guess the refusal to
9 provide the name should cause ---

10 **MR. ENGELMANN:** All right. There's a
11 reference a little later where the mother is saying he has
12 lots of money, he gives gifts to many children, things like
13 that, and again, you know, strangers giving gifts to
14 children -- I'm just wondering if that's a red flag at all.

15 **MR. CARRIERE:** It can be. There are also
16 people in the community who are very generous and they
17 don't harm children but, you know, it's ---

18 **MR. ENGELMANN:** All right, and again when
19 this ---

20 **MR. CARRIERE:** It depends how they do that,
21 you know. I mean there are people who ---

22 **MR. ENGELMANN:** Sure.

23 **MR. CARRIERE:** --- are working through
24 parents who help families who are deprived. It depends on
25 a number of factors, I think.

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

2 **THE COMMISSIONER:** But you're in the
3 business of assuming the worst and looking for the best.

4 **MR. CARRIERE:** Yes, yes. Somebody giving
5 children gifts directly -- and yes, you mean -- yes.

6 **THE COMMISSIONER:** And I say that not out of
7 the sense of paranoia for the Children's Aid Society.

8 **MR. CARRIERE:** Yeah.

9 **THE COMMISSIONER:** But it's a case where you
10 have to assume the worst and go out and see the donor and
11 say, "Hey, you're giving kids a lot of gifts, that's
12 great," and get your impression of them and then say it's
13 legitimate and close the file.

14 **MR. CARRIERE:** Well, I don't know how that
15 would even be described -- I guess I'm thinking in terms of
16 the eligibility spectrum; how that would be reflected on
17 the eligibility spectrum.

18 **THE COMMISSIONER:** Well, he's been ---

19 **MR. CARRIERE:** Oh, if you had the name. I
20 mean if you had the full name of Jean-Luc Leblanc then it's
21 a very different circumstance, but ---

22 **MR. ENGELMANN:** Obviously when this was
23 discussed with you on the 24th of October you didn't put
24 Jean-Luc together with Jean-Luc Leblanc.

25 **MR. CARRIERE:** No, it would be like eight

1 years later, and I don't remember the discussion at all,
2 but no, that didn't ---

3 **MR. ENGELMANN:** So again, on Bates page 063
4 the file is therefore being closed. See that?

5 **MR. CARRIERE:** Yes, I see that.

6 **MR. ENGELMANN:** All right. Now, despite
7 that, of course, we have a persistent principal who calls
8 back. You'll see this is Document Number 130117.

9 **THE COMMISSIONER:** Could we do that after
10 the break, Mr. Engelmann?

11 **MR. ENGELMANN:** Yeah, absolutely. Sorry.

12 **THE COMMISSIONER:** Thank you.

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

15 The hearing will resume at 11:25 a.m.

16 --- Upon recessing at 11:07 a.m./

17 L'audience est suspendue à 11h07

18 --- Upon resuming at 11:28 a.m./

19 L'audience est reprise à 11h28

20 **THE REGISTRAR:** Order; all rise. À l'ordre;
21 veuillez vous lever. The hearing is now resumed. Please
22 be seated. Veuillez vous asseoir.

23 **WILLIAM CARRIERE, Resumed/Sous le même serment:**

24 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR**

25 **MR. ENGELMANN (cont'd/suite):**

1 **MR. ENGELMANN:** Just before the break, sir,
2 we were going to turn to Document Number 130117. If I
3 didn't mention it, sir, on the previous document involving
4 these notes it should have been stamped with a publication
5 ban as well -- the individual's name, the boy SD.

6 **THE COMMISSIONER:** All right, thank you.
7 Exhibit 2299. Should this one be stamped?

8 **MR. ENGELMANN:** Yes, sir.

9 **THE COMMISSIONER:** All right, and it is a
10 Case Documentation System Service Record. Fran Lepage is
11 the worker. First date is the 18th of the first month,
12 1995.

13 **--- EXHIBIT NO./PIÈCE NO. P-2299:**

14 (130117) Case Documentation System Service
15 Record of Frances Lepage dated 18 Jan 95

16 **MR. ENGELMANN:** Mr. Carriere, this is what I
17 -- when I mentioned earlier that the concerned principal is
18 getting back to the CAS worker, Fran Lepage.

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** This particular note doesn't
21 disclose any concern about sexual abuse or inappropriate
22 contact with an older man. It appears to be primarily
23 about a concern about possible neglect. Is that fair?
24 Sorry, you probably need a moment to look at it.

25 **MR. CARRIERE:** Yes, thanks.

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. CARRIERE: I've read it.

3 MR. ENGELMANN: Would you agree with that
4 summary? It's not expressing more concerns about the 54-
5 year-old man named Jean-Luc or ---

6 MR. CARRIERE: Right.

7 MR. ENGELMANN: --- inappropriate sexual
8 contact but possibly some issues of neglect.

9 MR. CARRIERE: Yes, yes.

10 MR. ENGELMANN: And then likewise, sir, if -
11 - Madam Clerk, if the witness could be shown -- it's
12 Document 130118. Again a publication ban stamp; same
13 reason, same family. These are case notes again; Fran
14 Lepage. First date, sir, is February 7th, '95.

15 THE COMMISSIONER: Exhibit 2300 are Case
16 Documentation System Service Record of Fran Lepage. First
17 date is the 7th, second month of 1995.

18 --- EXHIBIT NO./PIÈCE NO. P-2300:

19 (130118) Case Documentation System Service
20 Record of Frances Lepage dated 07 Feb 95

21 MR. ENGELMANN: Mr. Carriere, this would
22 appear to be some follow-up by the worker, based on the
23 previous exhibit where she's making some phone calls to
24 find out something about the family circumstances.

25 MR. CARRIERE: It certainly obviously comes

1 after, yes.

2 MR. ENGELMANN: And, for example, at the
3 bottom of the first page she's calling the principal and
4 following up with her.

5 MR. CARRIERE: Yes, yes.

6 MR. ENGELMANN: All right. And there are
7 concerns again about truancy issues and possible neglect
8 issues. Again we don't seem to have indications of
9 concerns about sexual abuse or this 54-year-old man.

10 MR. CARRIERE: I haven't had a chance to
11 read it all but I'll ---

12 MR. ENGELMANN: All right. Well, sir, if
13 you look at the bottom of page 067, for example, there's a
14 situation where you have a sole caregiver and there are
15 issues about perhaps alcohol abuse and things of that
16 nature, but not of a sexual abuse nature.

17 MR. CARRIERE: I don't see sexual abuse
18 there, no.

19 MR. ENGELMANN: All right. But this family
20 is at least on the radar screen and is being followed up
21 for issues about possible neglect at this stage and/or
22 concerns about perhaps the fitness of the caregiver.

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: Issues of that nature.

25 MR. CARRIERE: That's what this activity

1 would suggest, yes.

2 MR. ENGELMANN: All right.

3 Now, at or about this time there's another
4 call that comes in, and I'd like you to look at 115420.

5 THE COMMISSIONER: Exhibit 2301 are notes of
6 Fran Lepage, first date 9th of January, 1995.

7 --- EXHIBIT NO./PIÈCE NO. P-2301:

8 (130117) Case Documentation System Service
9 Record of Frances Lepage dated 09 Jan 95

10 MR. ENGELMANN: Now, sir ---

11 MR. CARRIERE: And I -- I'm sorry.

12 MR. ENGELMANN: Go ahead.

13 MR. CARRIERE: I said I'm familiar with
14 this.

15 MR. ENGELMANN: You have seen this one?

16 MR. CARRIERE: Yes, I have.

17 MR. ENGELMANN: All right. So then I'll get
18 right into it. This is happening right around the same
19 time. Correct? This is January of '95.

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: As these other calls are
22 coming in about the other family.

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: And we've had the reports
25 from the fall, from the principal: 54-year-old man, Jean-

1 Luc. And we've had some follow-up, the file was closed in
2 November but then we had these neglect issues in
3 January/February.

4 Here in January, the same worker, Fran
5 Lepage, is getting a phone call and it's -- the note says
6 this particular woman reports that convicted sex offender,
7 Jean-Luc, in his 50's, was seen by her at Valdi's store on
8 the 6th or 7th of January, '95 with an eight year-old boy.
9 Okay?

10 MR. CARRIERE: M'hm.

11 MR. ENGELMANN: And this caller is the --
12 presumably the sister of the two Burgess boys ---

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: --- or another sister.

15 MR. CARRIERE: Yes.

16 MR. ENGELMANN: And saying that they were
17 sexually abused by this man when they were about the same
18 age. All right?

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: And the worker, this Fran
21 Lepage, is asking the caller for Jean-Luc's surname and she
22 agrees to call back with the information.

23 And then you note on the 10th of January
24 she's calling back and saying that the alleged
25 perpetrator's surname is Leblanc, Jean-Luc Leblanc. All

1 right?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And the caller saying that
4 this man should not be around young boys. And now she's
5 saying she saw him with a young boy at Zellers not at
6 Valdi's which she had reported previously?

7 MR. CARRIERE: Right.

8 MR. ENGELMANN: All right. And she says
9 where he used to work. And this information is being
10 provided in 1995 -- in January of '95.

11 And it appears that there's a record search
12 done. You'll see that at the bottom of the page?

13 MR. CARRIERE: Yes. Yes.

14 MR. ENGELMANN: By the worker?

15 MR. CARRIERE: Yes.

16 MR. ENGELMANN: And she finds out -- she
17 makes a reference to him on the following page. She calls
18 Sergeant Brunet about nine days later and requests a record
19 search; correct?

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: And he gets back to her that
22 same afternoon advising that this person was convicted in
23 1986, received a suspended sentence for gross indecency, et
24 cetera.

25 All right. So at least by the 19th of

1 January, the worker certainly has information that people
2 are concerned that Jean-Luc Leblanc, convicted sex
3 offender, is being seen in public with children?

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** Young children. Young boys.
6 Now, do you know -- it's not a very detailed
7 note. Were you involved in this at all at this stage with
8 this particular worker?

9 **MR. CARRIERE:** I don't know, sir.

10 **MR. ENGELMANN:** All right. Because I'm just
11 wondering, and it doesn't appear to be clear, whether there
12 was any discussion with the Cornwall Police at this time
13 about them wanting to look into this? I just -- I don't
14 see that.

15 **THE COMMISSIONER:** There is a discussion on
16 the bottom of page 3 about what they're going to do with
17 the file.

18 **MR. ENGELMANN:** Oh, yes.

19 **THE COMMISSIONER:** No, sorry.

20 **MR. ENGELMANN:** There's a number of calls to
21 probations, et cetera, to try and get an address for this
22 fellow and then if we go right to January 25th, '95, there's
23 a reference to, "Discuss case with Bill Carriere"?

24 **MR. CARRIERE:** M'hm.

25 **MR. ENGELMANN:** And it says:

1 "Decide we cannot pursue because we do
2 not have whereabouts of Jean-Luc
3 Leblanc. We have no identifying
4 information on child allegedly he was
5 seen with. No allegations of harm to
6 child he was seen with."

7 All right?

8 **MR. CARRIERE:** Correct.

9 **MR. ENGELMANN:** So this is now a couple of
10 weeks after this call comes in and, sir, we've had
11 information from the fall as well from another family about
12 concerns about a 54 year-old man, Jean-Luc.

13 What I want to know is if either you or Fran
14 Lepage are linking these two pieces of information?

15 **MR. CARRIERE:** I didn't know that, sir,
16 until frankly today as you're doing this.

17 **MR. ENGELMANN:** Because ---

18 **MR. CARRIERE:** I had no discussions with
19 Fran about the events that -- from that other family and
20 this particular situation to my recollection at all.

21 **MR. ENGELMANN:** Because that's in October
22 and November of the previous year, '94 ---

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** --- and here we are, you
25 know, about 60 days later?

1 **MR. CARRIERE:** Yeah. Sir, I'm -- I would
2 say I'm certain of that, that there was no discussion of
3 the connection between these two.

4 **MR. ENGELMANN:** Because that would have been
5 a way to follow up, right?

6 **MR. CARRIERE:** Oh, absolutely. Yes, it
7 would have been.

8 **MR. ENGELMANN:** And that could have been
9 done?

10 **MR. CARRIERE:** It could have been, true.

11 **MR. ENGELMANN:** Through the other family?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** I'm just wondering if you
14 have any explanation for why the dots weren't linked?

15 **MR. CARRIERE:** Well, the only thing I can --
16 well, I think Fran Lepage is a very responsible worker, a
17 very -- somebody that I have a great deal of respect and
18 trust in. She also is someone who would have many, many --
19 as a phone intake person she would many cases referred to
20 her.

21 And Fran, I guess, didn't connect the dots
22 in this particular situation. You know, she -- I think she
23 was left with the Jean-Luc and the first one and then
24 obviously you have the Jean-Luc Leblanc in this one and she
25 just didn't make the connection between the two.

1 Possibly related to that is the fact that
2 the sighting of Jean-Luc Leblanc is in the city and the
3 other one is in a county location; that may have
4 contributed to it.

5 Those are the only things that I can think
6 of, Mr. Engelmann.

7 **MR. ENGELMANN:** All right. So she would be
8 doing intake for both city and county?

9 **MR. CARRIERE:** I believe so, yes.

10 **MR. ENGELMANN:** All right. And because
11 she's asking the first family for the surname.

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** She's asking this woman for
14 the surname.

15 **MR. CARRIERE:** Yes.

16 **MR. ENGELMANN:** This woman gets back to her.
17 She gets information that this guy is a convicted sex
18 offender, and clearly there could have been follow-up with
19 the first family and/or the principal to try and get
20 further information?

21 **MR. CARRIERE:** Yeah. I believe that Fran
22 just didn't connect the dots.

23 **MR. ENGELMANN:** All right. Well, what about
24 the decision that you and she then make? "We cannot pursue
25 because we do not have whereabouts of Jean-Luc Leblanc. We

1 have no identifying information on child", et cetera.

2 MR. CARRIERE: Right.

3 MR. ENGELMANN: Do you know if there was any
4 effort at that point to seek the assistance of the police?

5 MR. CARRIERE: Well, we -- I believe we were
6 contacting the police to see if they knew any information
7 about Jean-Luc Leblanc in terms of his whereabouts and
8 perhaps any police activity with respect to him and they
9 didn't have anything.

10 MR. ENGELMANN: I know there was -- as you
11 look at the notes here it's -- there are telephone calls to
12 Sergeant Brunet asking for an address. There are telephone
13 calls, Sergeant Brunet again, former address.

14 MR. CARRIERE: Yeah.

15 MR. ENGELMANN: I'm just wondering if there
16 was any effort to say, you're a police officer, you're
17 investigators. We have this concern. Can you try and find
18 this guy and look at it?

19 MR. CARRIERE: Yeah.

20 MR. ENGELMANN: Because it just appears from
21 the note that you're closing your file?

22 MR. CARRIERE: Yes.

23 THE COMMISSIONER: When -- there's something
24 I'm missing here.

25 They did call the Cornwall Police?

1 **MR. ENGELMANN:** Yes.

2 **THE COMMISSIONER:** And they did get the
3 information that he was a convicted sex offender?

4 **MR. ENGELMANN:** Yes.

5 **THE COMMISSIONER:** Okay.

6 **MR. ENGELMANN:** Absolutely. And called
7 probation looking for an address, called the police back
8 looking for an address and the police give them his address
9 from 1986.

10 **MR. CARRIERE:** We also called the court as
11 well.

12 **THE COMMISSIONER:** But you said that at the
13 time of the offence he was living in the counties?

14 **MR. CARRIERE:** I didn't know. I'm just
15 following up on Mr. Engelmann's trying to determine why
16 Fran Lepage wasn't able to put together the activity on the
17 other case with this referral.

18 And what I was saying is that one of the
19 reasons perhaps that Mrs. Lepage wasn't able to -- didn't
20 do that, is that the activity on the other case was taking
21 place in a county ---

22 **THE COMMISSIONER:** Right.

23 **MR. CARRIERE:** --- and his sighting here is
24 in the city.

25 **THE COMMISSIONER:** Right.

1 **MR. CARRIERE:** So he ---

2 **THE COMMISSIONER:** But I thought you had
3 said that when the offence had occurred the first time that
4 he was living out in the counties?

5 **MR. CARRIERE:** No, no.

6 **THE COMMISSIONER:** Oh, you said Cornwall
7 because the address is Cornwall.

8 **MR. CARRIERE:** Yes, it's Cornwall, sorry.

9 **THE COMMISSIONER:** Thank you.

10 **MR. ENGELMANN:** And we know that, sir, the
11 '86 charges he was in Cornwall. The later charges were
12 investigated by the OPP because he was living outside of
13 Cornwall in the mid- to late nineties. All right.

14 So in 1995, after the discussion with you,
15 the file is essentially closed?

16 **MR. CARRIERE:** Yes, because we couldn't find
17 -- we didn't believe that we could find him.

18 **MR. ENGELMANN:** Now the next reference we
19 have in our records to this is about three-and-a-half years
20 later, and this is September of '98.

21 And the Document Number is 115409.

22 **THE COMMISSIONER:** Thank you. Exhibit 2302
23 is a document called "Module 1 - People Profile" dated
24 September 11th, 1998.

25 --- **EXHIBIT NO./PIÈCE NO. P-2302:**

1 (115409) Module 1 - People Profile dated 11
2 Sept 98

3 **MR. ENGELMANN:** Can you tell us what that
4 means, Module 1, People Profile?

5 **MR. CARRIERE:** It's a new form of
6 documentation that was introduced across the province, and
7 this is just one particular component of that documentation
8 system. It just -- as it suggests, the people profile,
9 that's where you would put information in about people.

10 **MR. ENGELMANN:** All right.
11 There's a reference on the first page to the
12 name Leblanc?

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** And a case worker Lise
15 Stanley?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** Is that someone you would
18 have worked with, sir?

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** All right.
21 And she would have been reporting to you?

22 **MR. CARRIERE:** Yes.

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

24 And the date is September 11th, '98 on the
25 form.

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: It's not entered, I guess,
3 until January of '99, but the initial contact would have
4 been in September of '98?

5 MR. CARRIERE: Yes, yes.

6 MR. ENGELMANN: And what's happening here,
7 sir, and I don't know if you've had a chance to look at
8 this recently ---

9 MR. CARRIERE: I know this form.

10 MR. ENGELMANN: All right.

11 Your worker gets a call from Vivian Burgess?

12 MR. CARRIERE: Yes.

13 MR. ENGELMANN: Vivian Burgess having been -
14 - being the mother of the Burgess children who were
15 involved in the initial investigation back in '86?

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: All right.

18 And if you look at Bates page 133, we've got
19 -- if I understand the intake report, Vivian Burgess
20 contacts the Cornwall Police ---

21 MR. CARRIERE: Yes.

22 MR. ENGELMANN: --- because she sees Jean-
23 Luc Leblanc with young children, in the company of two
24 young boys at a local shopping centre as well as at the
25 Cornwall Motor Speedway?

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: All right.

3 So this is yet another report by a concerned
4 individual, another member of the Burgess family ---

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: --- calling three and a half
7 years later, this time calling the police first and the
8 police calling your agency?

9 MR. CARRIERE: Yes.

10 MR. ENGELMANN: Is that right?

11 MR. CARRIERE: Yes.

12 MR. ENGELMANN: All right.

13 And there's a reference to the fact that
14 this fellow now lives in the Newington area and therefore
15 the information has been passed on to the Long Sault OPP?

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: All right.

18 And again, presumably that information was
19 something that was obtained by the Cornwall Police?

20 MR. CARRIERE: What information are you
21 referring to?

22 MR. ENGELMANN: The information on his
23 address, that wasn't something that the CAS did?

24 MR. CARRIERE: No, that was information that
25 they had.

1 MR. ENGELMANN: All right.

2 And again, the family is very concerned that
3 children might be at risk from this individual?

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: And, sir, you're noted as
6 the supervisor who is consulted on this?

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: All right.

9 Now, at this time, is there some -- do you
10 recall what's happened in '95 as well, late '94, with
11 respect to this fellow?

12 MR. CARRIERE: I think ---

13 MR. ENGELMANN: Is that alive?

14 MR. CARRIERE: I think I did, yes.

15 MR. ENGELMANN: All right.

16 MR. CARRIERE: The one thing that I wasn't
17 sure of, I think, in this situation is whether some of the
18 information that was being reported in '98 was in fact
19 information from '95.

20 MR. ENGELMANN: All right.

21 MR. CARRIERE: Yeah.

22 MR. ENGELMANN: All right.

23 Now, as a result of this, as I understand
24 it, there's reports that are issued now and then and
25 there's a 21-day report ---

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: --- after this?

3 MR. CARRIERE: Yes.

4 MR. ENGELMANN: And it's Document Number
5 115410. It's in the cross documents, Madam Clerk. It's
6 called a 21-day report, Mr. Commissioner. The social
7 worker's name is Lise Stanley. The date of the recording
8 is October 2nd, 1998.

9 THE COMMISSIONER: Thank you. Two three
10 zero three (2303) is the exhibit number for the 21-day
11 report of October 2nd, 1998.

12 --- EXHIBIT NO./PIÈCE NO. P-2303:

13 (115410) Documentation System 21 Day Report
14 dated 2 Oct 98

15 MR. ENGELMANN: All right.

16 And there's again, I think, some explanation
17 about what's happened in September?

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: It says:

20 "The CPS has contacted our agency to
21 pass on the following information
22 regarding Jean-Luc Leblanc who a few
23 years ago had pled guilty on three
24 counts of sexual indecency. States
25 they've received information from the

1 family of former victims that Jean-Luc
2 Leblanc has, in the past few months,
3 been seen with young boys in various
4 public places."

5 So some of these sightings appear to have
6 been recent; fair enough, Mr. Carriere?

7 **MR. CARRIERE:** Yes, that's fair.

8 **MR. ENGELMANN:** Not from '95?

9 **MR. CARRIERE:** No, that's fair.

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

11 And:

12 "The main source of referral has been
13 the concern since the children that Mr.
14 Leblanc has been seen with are
15 basically the same age as were the
16 victims."

17 The previous victims.

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** It says:

20 "Matter has been discussed in
21 supervision with Supervisor Bill
22 Carriere on September 11th in order to
23 review this situation and to determine
24 how we plan to proceed. Our agency has
25 decided we will contact Mr. Leblanc and

1 offer that he come into the agency to
2 discuss the concerns that we have
3 regarding him associating with young
4 children."

5 All right?

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** Was that essentially what
8 was decided should be done on September 11th, 1998, that you
9 had some kind of a supervision session?

10 **MR. CARRIERE:** I'd have to go back to the
11 previous document and look at the plan, but it does look
12 like what the worker is to do is to review the CAS record
13 check, review file, invite client -- she's got clients in
14 to discuss reported information, discussion supervision and
15 plan accordingly to above.

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

17 **MR. CARRIERE:** Did you want me to go
18 further?

19 **MR. ENGELMANN:** No.

20 **MR. CARRIERE:** No? Okay.

21 **MR. ENGELMANN:** So that's essentially what
22 would have happened in September?

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** So at some point, whether
25 it's October 2nd or earlier, you also decide that this

1 fellow should be brought in and spoken to?

2 **MR. CARRIERE:** Yes.

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

4 Do you know if that was ever done?

5 **MR. CARRIERE:** No, it wasn't.

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

7 And do you remember why that would have
8 been?

9 **MR. CARRIERE:** I think it was -- it likely
10 came down to workload issues with this particular worker.

11 **MR. ENGELMANN:** Okay. Do you know when the
12 OPP would have been actively investigating?

13 **MR. CARRIERE:** I think we heard from the OPP
14 in December of that year. I don't know when they began
15 their investigation.

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

17 Well, let's then look at the next -- sorry,
18 just on 2303, it says:

19 "Worker would also like to follow up
20 further with the main source of
21 referral as well as the Ontario
22 Provincial Police who may be able to
23 provide us with further information."

24 **MR. CARRIERE:** M'hm.

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

1 So workload issues. She's not having the
2 fellow in.

3 **MR. CARRIERE:** Yeah.

4 **MR. ENGELMANN:** Do you know offhand whether
5 she's speaking to the OPP?

6 **MR. CARRIERE:** I don't think she does.

7 **MR. ENGELMANN:** All right.

8 We'll take a look at another report.
9 There's a 60-day report. It is Document Number 115411.

10 **THE COMMISSIONER:** Okay. Exhibit 2304 is
11 the 60-day report dated November 10th, 1998.

12 **--- EXHIBIT NO./PIÈCE NO. P-2304:**

13 (115411) Documentation System 60 Day Report
14 dated 10 Nov 98

15 **MR. ENGELMANN:** I think you're right, Mr.
16 Carriere, it indicates, as a follow-up to the previous
17 recording, a 21-day report:

18 "Worker had planned to contact police
19 to obtain further information, if any,
20 on Jean-Luc Leblanc."

21 **MR. CARRIERE:** Yes, m'hm.

22 **MR. ENGELMANN:** "Further plans included
23 also to invite Leblanc to the agency in
24 order to review the reported concerns."

25 And then it says:

1 "No action has been taken on this case
2 as of yet."

3 Then it says:

4 "No action has been taken on this
5 case as of yet."

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** All right. Now, clearly
8 this guy is a concern to the agency. He's a convicted sex
9 offender. You've had reports in '94 - well, maybe you
10 didn't know it was him in '94, at the end of '94, but
11 certainly in '95 and now in 1998 it doesn't seem that this
12 is getting a lot of priority.

13 **MR. CARRIERE:** No. I think that's correct.
14 In hindsight in this case -- and by hindsight I don't mean
15 just from the Inquiry, I mean well before this, this case
16 should not have been left with Lise Stanley. The idea --
17 one of the things that came out of the Dawson Review was
18 his thinking that we didn't use our own offices enough and
19 that we were spending too much time out of the office, too
20 much time travelling, and we should try to make better use
21 of our offices. So one of the things that we did try to do
22 is, where possible, have people come in.

23 In this situation with Mr. Leblanc we're
24 talking about, when the first referral came in it was nine
25 years after the incident with him. We were aware at the

1 time that one of the conditions of his sentence was that he
2 get counselling. We hadn't received any reports that he
3 had harmed anyone, and when we followed with the various
4 professionals they knew nothing of him.

5 Our plan to have him in was really to find
6 out whether or not the circumstances in his life changed.
7 The eligibility spectrum speaks to whether or not you can
8 have people who are offenders but if they've received
9 treatment and that treatment has been successful, then they
10 may not pose the same risk. So our plan was, with Mr.
11 Leblanc, to have him in to determine what treatment he had
12 received and to verify that that treatment had taken place,
13 and then plan accordingly.

14 Lise Stanley, being a phone intake worker,
15 is, in hindsight, too busy to do these tasks. She is
16 receiving referrals every day as a phone intake person. In
17 hindsight, what I should have done with this case is
18 assigned it to an investigator and said, you know, "You
19 need to meet with Mr. Leblanc promptly," and do that.

20 **MR. ENGELMANN:** We do know ---

21 **MR. CARRIERE:** And contacting the OPP
22 because the Cornwall Police said that they were going to be
23 referring it to the OPP. We should have contacted the OPP
24 at an early stage to find out what, if anything, they were
25 going to do; have a discussion with them. That's how this

1 should have been handled.

2 MR. ENGELMANN: Because there was a
3 reference even to the OPP officer that it was going to be
4 referred to -- Constable Millar.

5 MR. CARRIERE: Yes, yes, yes. Well, I don't
6 know that we knew the name of ---

7 MR. ENGELMANN: It's ---

8 MR. CARRIERE: Is it in ---

9 MR. ENGELMANN: It's right in your ---

10 MR. CARRIERE: There is a name Millar? Oh,
11 yes, I'm sorry. You're correct, yes. So, in hindsight,
12 that's what I should have done.

13 MR. ENGELMANN: Because as we know, sir,
14 this fellow started abusing again almost immediately after
15 he was sentenced ---

16 MR. CARRIERE: Yes, I understand that now.

17 MR. ENGELMANN: --- the first time.

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: All right.

20 Let's then look at Document Number 115424.

21 And, Mr. Commissioner, these are notes of Pina DeBellis,
22 Case Document System Service Record. They start with a
23 record. First note is on January 14th, '99. This will need
24 a stamp.

25 THE COMMISSIONER: Thank you. Publication

1 stamp will issue and the Exhibit number is 2305.

2 --- EXHIBIT NO./PIÈCE NO. P-2305:

3 (115424) Case Documentation System Service

4 Record of Pina DeBellis dated 14 Jan 99

5 MR. ENGELMANN: Just to situate you,

6 Mr. Carriere, this is the same family ---

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: --- where the principal

9 calls about concerns in the fall of 1994.

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: And then we looked at a

12 couple of those concerns, and then we had some neglect

13 concerns in '95.

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: Now, at page 157 we have, in

16 the first half-page, we have the boy's name and his date of

17 birth. So by this point he's either 14 or 15. He

18 obviously would have been, you know, four years earlier or

19 five years earlier, nine or 10 ---

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: --- as the alleged victim.

22 It says, "At the time the Society" and then it says,

23 "Unfounded. Mrs. Francoise Lepage, case worker." So it's

24 the note from your worker suggesting that the allegation

25 that was made, or the concern that was expressed back then,

1 was unfounded. Do you have any idea why that choice of
2 words would have been used?

3 **MR. CARRIERE:** No, and I don't even know
4 whether it's referring to the concerns about the risk that
5 Jean-Luc might have posed or the neglect.

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

7 **MR. CARRIERE:** I don't know.

8 **MR. ENGELMANN:** All right. And there's a
9 reference back, "Requesting teacher's name who referred
10 matter to CAS, any potential witnesses." And this comes
11 about because your agency is contacted by the OPP.

12 **MR. CARRIERE:** Right.

13 **MR. ENGELMANN:** And one of their officers, a
14 Constable Dupuis with Project Truth, is investigating Jean-
15 Luc Leblanc.

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** All right. And she does
18 speak to you. There's a note at the bottom:

19 "Please forward file so as to address
20 request from Constable Dupuis."

21 There's a note on the following page:

22 "File is with Mr. William Carriere to
23 review information."

24 So do I understand correctly, sir, that the
25 OPP is asking for some contact information from the

1 referral you'd had many years before?

2 MR. CARRIERE: It would appear that that's
3 the case.

4 MR. ENGELMANN: All right, and you're
5 reviewing the file to perhaps provide that information?

6 MR. CARRIERE: I don't have a recollection
7 of it but that would make sense.

8 MR. ENGELMANN: All right. And it would
9 appear that they're concerned and they're investigating
10 this child as a new alleged victim of Jean-Luc Leblanc. I
11 think to help with that, if you want to look at Bates page
12 159.

13 MR. CARRIERE: Yes. Yes, I see that.

14 MR. ENGELMANN: Yeah, and there's some
15 reference to a number of alleged victims?

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: At the bottom of 159 and
18 then on to the following page?

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: And there's concerns about a
21 particular boy or boys running to Jean-Luc's residence when
22 they're running from a foster home.

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: All right. And at this
25 point in time it appears, in January of '99, that he's been

1 charged -- I'm looking at the middle of 159 back -- and
2 that one of the conditions of his release is no contact
3 with children under 18.

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: Unless it's supervised.

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: All right. So they're
8 looking for information from you from this referral from
9 late '94.

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: All right.

12 MR. CARRIERE: I can add a piece,

13 Mr. Engelmann ---

14 MR. ENGELMANN: Yes.

15 MR. CARRIERE: --- from another one of the -
16 - on Bates page 159 right at the bottom, the list of
17 alleged victims. The first -- I won't say his name. The
18 first victim that's listed there.

19 MR. ENGELMANN: Yes.

20 MR. CARRIERE: The 14-year -- and then
21 there's a 70098. That's the foster child. I did have some
22 phone conversation with Tim Millar and I think -- Tim
23 Smith, sorry, and another police officer from the OPP and
24 helped them link up with that particular child, and he was
25 subsequently interviewed by the OPP. He in fact had been

1 running from the foster home and going to Mr. Leblanc's
2 place.

3 MR. ENGELMANN: And is it the person that's
4 been talked about at the top of 159 back?

5 MR. CARRIERE: Yes. Yes, that is the same
6 one.

7 MR. ENGELMANN: The same one?

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: All right.

10 Now, as I understood it -- and help me out
11 here -- CAS records were not set up to identify CAS
12 interventions by alleged offender. Correct?

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: It was by the victim?

15 MR. CARRIERE: That's right.

16 MR. ENGELMANN: So in the ---

17 THE COMMISSIONER: I'm sorry, say that
18 again.

19 MR. ENGELMANN: The records weren't set up
20 to identify CAS interventions by alleged offender but by
21 alleged victim or victim.

22 THE COMMISSIONER: Okay, but did you not
23 have the card system or the Sex Abuse Registry?

24 MR. CARRIERE: Yeah, we had the card system
25 but we didn't have those -- we didn't have cards for

1 abusers. We didn't list a separate card for abusers but we
2 did have another list of verified or suspected abusers.

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

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

5 **THE COMMISSIONER:** So that's in conflict
6 with what you just said. What's written there I mean, is
7 it not?

8 **MR. CARRIERE:** No, no. Well, maybe I didn't
9 explain it all.

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

11 **MR. CARRIERE:** I think the ---

12 **MR. ENGELMANN:** When ---

13 **MR. CARRIERE:** Yeah.

14 **MR. ENGELMANN:** When this matter first came
15 in in the fall of '94 ---

16 **MR. CARRIERE:** Right.

17 **MR. ENGELMANN:** --- you were looking for an
18 address?

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** Sorry, fall of '94 and then
21 again in January of '95, and in early '95 you decided you
22 weren't going to take any further action because you had no
23 ---

24 **MR. CARRIERE:** Address.

25 **MR. ENGELMANN:** --- way of finding Jean-Luc

1 Leblanc, you had no address?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And it appears that the
4 Cornwall Police Service are giving you the address they had
5 for him from '86?

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: Would it be fair to say that
8 you didn't have identifying information about him in early
9 '95? I don't know if you had an alleged offender card or
10 not, but presumably you had no address?

11 MR. CARRIERE: We had no address, no.

12 MR. ENGELMANN: At all?

13 MR. CARRIERE: Well, we probably had his
14 address from '86, but we didn't have a current address for
15 him in '95.

16 MR. ENGELMANN: Well, the reason why I was
17 suggesting that you might not have it is because the
18 Cornwall Police give you the '86 address?

19 MR. CARRIERE: Well, it's possible they gave
20 us his '86 address and we didn't have it or it was the same
21 address that we had in ---

22 MR. ENGELMANN: All right.

23 MR. CARRIERE: --- back in ---

24 MR. ENGELMANN: So when they're seeking
25 information from you in '99, what information -- let's

1 start from this premise -- what information did you have
2 about this particular convicted sex offender?

3 MR. CARRIERE: We would have had the -- we
4 would have known something that I don't know that I can
5 say.

6 MR. ENGELMANN: Okay.

7 MR. CARRIERE: We would have had records,
8 okay, on individuals who were his victims in '86.

9 MR. ENGELMANN: So you would have had access
10 to the Child Abuse Register?

11 MR. CARRIERE: We would have had access to
12 the -- yes, you can always check the Child Abuse Register.

13 MR. ENGELMANN: And you might as well have
14 had an alleged offender card or an offender card?

15 MR. CARRIERE: I don't believe that we did
16 then but we had, as I was saying, that binder that had
17 suspected or verified offenders.

18 MR. ENGELMANN: All right.

19 And the police are seeking, presumably,
20 information from you about some of the new alleged victims
21 and what you know about them?

22 MR. CARRIERE: Yeah. And we -- if they had
23 given -- and I know that we would be able to do this -- if
24 they'd give us the list of these children ---

25 MR. ENGELMANN: Right.

1 **MR. CARRIERE:** --- we would have been able
2 to check if we had any files on those children.

3 Now, where it becomes a struggle is if you
4 don't -- if they don't know the parents' names but they
5 undoubtedly would have known the parents' name. So we
6 could check whether or not there's a file on each of these
7 people.

8 I'm not sure that I totally understand what
9 Pina's note, frankly, is about.

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

11 **MR. CARRIERE:** But you know I can ---

12 **MR. ENGELMANN:** All right. Well, at the end
13 of the note, and this is on Bates page 161, this is a bit
14 later in January of '99 ---

15 **MR. CARRIERE:** M'hm.

16 **MR. ENGELMANN:** --- about 10 or 12 days
17 after. It says:

18 "Contact with Jean-Luc Leblanc by the
19 children in home."

20 There's a couple of them listed and one of
21 them is the boy ---

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** --- from back in '94.

24 "No allegations of abuse by children.
25 File closed September '98."

1 So this is -- is this referring back to some
2 of Lise Stanley's work or I just -- I don't know where that
3 comes from "File closed September 1998"?

4 **MR. CARRIERE:** Well, what I -- and I don't
5 know either Mr. Engelmann.

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

7 **MR. CARRIERE:** I don't know whether it
8 relates to -- there's a name with file number 9501 -- I
9 don't know whether it relates to that file.

10 **MR. ENGELMANN:** So I presume you'd agree,
11 sir, that as early as 1995, looking back, the CAS should
12 have been investigating some of these allegations about
13 Jean-Luc Leblanc?

14 **MR. CARRIERE:** There were definitely
15 concerns about Jean-Luc Leblanc. Yes, there were
16 definitely concerns about Jean-Luc Leblanc.

17 **MR. ENGELMANN:** Now, we've talked about some
18 concerns about the investigation and follow-up on Earl
19 Landry, Jr. as well. And you've been here and heard
20 evidence from the Cornwall Police Service about
21 administrative reviews that they had done by Staff Sergeant
22 Derochie ---

23 **MR. CARRIERE:** M'hm.

24 **MR. ENGELMANN:** --- in cases where they
25 looked at things and determined that perhaps they could

1 have done things better in the past.

2 MR. CARRIERE: M'hm.

3 MR. ENGELMANN: So they had Staff Sergeant
4 Derochie, who was head of Professional Standards, go back
5 and do administrative reviews for the purpose of looking at
6 what went wrong and trying to change some systems that were
7 internal.

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: I'm wondering, sir, if
10 you're aware if the CAS ever made a decision like that or
11 ever thought of doing that in either the Landry case or the
12 case of Jean-Luc Leblanc?

13 MR. CARRIERE: No. No, it wasn't
14 considered, sir.

15 MR. ENGELMANN: All right.

16 Let's move on to a different area if we can.
17 And I'd like to talk to you about someone who came and gave
18 evidence here and her name is Jeannette Antoine.

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: And she was a ward of the
21 CAS in the 1960s. This was before you came here in '73.

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: I understand, sir, that in
24 approximately August of '89, Greg Bell was assigned to
25 investigate allegations that Ms. Antoine might have abused

1 her own children. Do you have some knowledge of that?

2 MR. CARRIERE: I have some knowledge of it,
3 yes.

4 MR. ENGELMANN: Okay. And when he met with
5 Ms. Antoine -- and those allegations were investigated and
6 as I understand it, there were no concerns ---

7 MR. CARRIERE: That's right.

8 MR. ENGELMANN: --- after an investigation?

9 MR. CARRIERE: That's right.

10 MR. ENGELMANN: When he met with her though,
11 she provided some information regarding alleged abuse that
12 she suffered while in care of the Children's Aid Society?

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: And would you have been Mr.
15 Bell's supervisor at that time?

16 MR. CARRIERE: No.

17 MR. ENGELMANN: All right.

18 I'm not sure if you will be able to help us
19 much, but I'm going to just ask you a few questions about
20 this if I may?

21 MR. CARRIERE: Sure.

22 MR. ENGELMANN: The document number is
23 Document Number 739304 and I understand these are notes of
24 Greg Bell's dated August 15th, 1989.

25 You've seen his handwriting before so maybe

1 you can help me with that.

2 **THE COMMISSIONER:** Thank you.

3 Exhibit Number 2306.

4 **---EXHIBIT NO./PIÈCE NO. P-2306:**

5 (739304) - Greg Bell, handwritten notes
6 dated August 15, 1989

7 **MR. ENGELMANN:** Now, on Bates page 203,
8 these are -- is Greg Bell's writing to your knowledge, sir?

9 **MR. CARRIERE:** Yes, it is.

10 **MR. ENGELMANN:** Yeah. And on Bates page
11 203, there's a reference to "Check with CPD" at the top of
12 the page?

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** So it appears that there's
15 some contact and there's some constables mentioned,
16 O'Reilly and Malley (sic), some contact between your Agency
17 and the Cornwall Police Service on that date?

18 **THE COMMISSIONER:** I think it's Malloy.

19 **MR. ENGELMANN:** Oh, I'm sorry, Malloy, yes.

20 **MR. CARRIERE:** I see the names and ---

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

22 And if we follow-up, sir, on to Bates page
23 204, there's references to meetings he has with Bob Smith
24 and Suzie Robinson?

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** Was Bob Smith a supervisor
2 from time-to-time?

3 **MR. CARRIERE:** Yes, he would be a
4 supervisor.

5 **MR. ENGELMANN:** And Suzie Robinson?

6 **MR. CARRIERE:** Suzie Robinson was a
7 colleague of Greg's.

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

9 And, again, on Bates page 205, meetings with
10 Bob Smith, Don Jackson and Suzie Robinson?

11 **MR. CARRIERE:** Yes. Don Jackson would have
12 been Greg Bell's supervisor at the time.

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

14 So you're not involved in this matter at all
15 in August of 1989?

16 **MR. CARRIERE:** My only involvement -- and I
17 don't know. I would -- and I don't know when it begins. I
18 think it's actually in September is when the matter is
19 brought to Tom O'Brien's attention.

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

21 Well, there is a reference to this being
22 brought to Mr. O'Brien's attention in a separate document
23 so maybe I'll go right there if I can, and that's Exhibit
24 1505.

25 **(SHORT PAUSE/COURTE PAUSE)**

1 **MR. ENGELMANN:** Sir, just by way of
2 background, I believe these are notes to file by Mr.
3 O'Brien?

4 **MR. CARRIERE:** Yes.

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

6 And ---

7 **MR. CARRIERE:** What do you mean by notes to
8 file?

9 **MR. ENGELMANN:** Well, these are just notes
10 of ---

11 **MR. CARRIERE:** I don't know where these
12 notes were located.

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

14 **MR. CARRIERE:** I don't think they were in
15 the actual case file but ---

16 **MR. ENGELMANN:** These are notes of Mr.
17 O'Brien?

18 **MR. CARRIERE:** Oh, they're -- I believe
19 they're definitely Mr. O'Brien's notes.

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

21 So they weren't in an Antoine file, for
22 example?

23 **MR. CARRIERE:** I don't think they were ---

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

25 **MR. CARRIERE:** --- but I don't know where

1 they were.

2 **MR. ENGELMANN:** All right. Well, in any
3 event these notes are about Jeannette Antoine ---

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** --- who was also known by
6 the name Lapointe at one time?

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** And it starts with a
9 reference to Don Jackson (sic) and Bob Smith coming to see
10 him on August 21st in a quandary as to what to do, and this
11 is with Antoine coming forward about concerns of things
12 that took place when she was in the CAS care?

13 **MR. CARRIERE:** Yes.

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

15 And Don, as you say, was the supervisor of
16 Greg Bell?

17 **MR. CARRIERE:** Yes.

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

19 And then on Bates page 233 there's a
20 reference on September 8th, 1989, at least in Tom O'Brien's
21 notes:

22 "Today I met with Angelo Towndale and
23 Bill Carriere to discuss what action we
24 ought to take in view of Jeannette's
25 accusations and concerns."

1 Do you see that?

2 MR. CARRIERE: Yes, I do.

3 MR. ENGELMANN: And would that have been
4 your first involvement in this matter as far as you can
5 recall?

6 MR. CARRIERE: As far as I can recall, yes.

7 MR. ENGELMANN: Do you have any independent
8 recollection of this at all or just refreshed ---

9 MR. CARRIERE: I have a -- I couldn't tell
10 you the conversation, but I do have a recollection of
11 standing in Tom's office or being in Tom's office and this
12 discussion -- a discussion about this taking place.

13 MR. ENGELMANN: All right.

14 And certainly this would have been a concern
15 to the CAS ---

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: --- an allegation that one
18 of your wards was either physically or sexually abused by
19 either a worker -- a CAS worker or others in a group home?

20 MR. CARRIERE: Yes, yes.

21 MR. ENGELMANN: And was Mr. O'Brien
22 essentially seeking advice from you and Mr. Towndale about
23 how to proceed?

24 MR. CARRIERE: Yeah, seeking advice or
25 putting our brains together.

1 **MR. ENGELMANN:** Fair enough.

2 **MR. CARRIERE:** I think that's correct.

3 **MR. ENGELMANN:** And there's a reference to
4 wanting to alert the Board.

5 **MR. CARRIERE:** Yes.

6 **MR. ENGELMANN:** A committee of the Board
7 should be alerted about the case.

8 **MR. CARRIERE:** Yes.

9 **MR. ENGELMANN:** And checking with other
10 CAS's.

11 **MR. CARRIERE:** We hadn't, certainly in my
12 experience at the Agency up to this point in time, ever had
13 anything like this and I'd be fairly certain that's why
14 there's the reference to checking with other Children's Aid
15 Societies because it's just completely new territory for
16 us.

17 **MR. ENGELMANN:** So you wanted -- you didn't
18 have a policy or protocol in place at the time as to what
19 to do if one of your own staff was an alleged abuser?

20 **MR. CARRIERE:** I don't think we did, no.

21 **MR. ENGELMANN:** So you were seeking advice

22 ---

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** --- from sister agencies?

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** The other thing that was
2 discussed was to discuss the matter with Lenore Jones?

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** And she was someone at the
5 Ministry ---

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** --- that you would report
8 to?

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** And then we see at least a
11 couple of weeks later there's a meeting with the Crown
12 Attorney and the city police.

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** And that was discussed at
15 your meeting on the 8th as well, was it not?

16 **MR. CARRIERE:** Yes, and that's the part of
17 the meeting -- one part of the meeting that I do remember.
18 I remember saying to Tom that this matter really does need
19 to be discussed with the police.

20 **MR. ENGELMANN:** And why was that important,
21 Mr. Carriere?

22 **MR. CARRIERE:** Well, serious allegations
23 were being made about -- that a child -- well, that a now
24 adult, former child, who had been in our care had been
25 harmed by people, staff and group home staff.

1 **MR. ENGELMANN:** But you clearly thought --
2 three of you clearly thought it was important not to keep
3 this inside but to go to a third party ---

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** --- to have it looked at?

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** Why was that?

8 **MR. CARRIERE:** Well, so that someone who
9 would, I guess I'll use the word unbiased, would be looking
10 at this to determine -- and investigating it to determine
11 what happened.

12 **MR. ENGELMANN:** Now, sir, there's another
13 meeting that you're described as being at, a couple of
14 them, and if you look at the next Bates page, September
15 28th, 1989 ---

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

17 **MR. ENGELMANN:** --- you are present at a
18 meeting with Mr. O'Brien again ---

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** --- with Angelo Towndale,
21 Greg Bell, and Suzie Robinson.

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** And were Greg Bell and Suzie
24 Robinson both involved in investigating this matter?

25 **MR. CARRIERE:** I believe that they were

1 still involved in the investigation of the allegations made
2 against the mother ---

3 MR. ENGELMANN: All right.

4 MR. CARRIERE: --- and I ---

5 MR. ENGELMANN: Do you know if they were
6 doing any investigation of her allegations per se?

7 MR. CARRIERE: Not that I recall.

8 MR. ENGELMANN: Now, there seems to be some
9 reference -- and I'm not sure who's having this discussion,
10 but concerns that while there was some truth in what she
11 was saying some of it was untrue and other allegations were
12 exaggerated?

13 MR. CARRIERE: Yeah, I see that there and I
14 understand that to mean that Mr. O'Brien -- I think in the
15 allegations that Ms. Antoine was making she referred to Mr.
16 O'Brien being present at the time of the incidents in the
17 group home and we knew that Mr. O'Brien was off on sick
18 leave. So I think that that's where the -- you know, the
19 untrue part comes. I don't know what the exaggerated part
20 refers to.

21 MR. ENGELMANN: Well, it would seem that
22 either there had been some form of internal investigation
23 by that point, because these types of opinions are being
24 proffered, or if not they're being proffered without having
25 looked at it.

1 **MR. CARRIERE:** I don't know that there would
2 have been an investigation. I mean, if somebody made an
3 allegation that said Tom O'Brien was present in 1976 when
4 these events happened in the group home, if Tom was at a
5 meeting he'd say, "I wasn't because I was off on sick
6 leave."

7 **MR. ENGELMANN:** Yes.

8 **MR. CARRIERE:** That wouldn't mean there was
9 an investigation.

10 **MR. ENGELMANN:** But, sir, there's a comment
11 that other allegations -- there's some truth, other
12 allegations were exaggerated.

13 **MR. CARRIERE:** Oh, I see. Okay.

14 **MR. ENGELMANN:** It appears someone is doing
15 some kind of judging on ---

16 **MR. CARRIERE:** Yes. Oh, I think that that's
17 correct.

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

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** And there was a concern, at
21 least on Ms. Antoine's part, that she thought that the
22 particular worker in question, Mr. Keough, should have been
23 fired.

24 **MR. CARRIERE:** Yes, I see that.

25 **MR. ENGELMANN:** Now, by this time, '89, had

1 Mr. Keough left the Agency?

2 MR. CARRIERE: No.

3 MR. ENGELMANN: He was still an employee?

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: All right.

6 Now, again you were involved in a meeting on
7 the following day ---

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: --- September 29th. And
10 there's a comment that:

11 "We should very quickly contact the
12 police again."

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: And there has been a meeting
15 already with the police on the 25th.

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: And you're going to give
18 them copies of Jeannette's notes, Suzie's notes, and the
19 minutes of different meetings.

20 MR. CARRIERE: That appears to be the case,
21 yes.

22 MR. ENGELMANN: Right. And you say the main
23 reason for going -- or the note says:

24 "The main reason for going back to the
25 police would not be because of the

1 issue of corporal punishment but rather
2 because of the information contained in
3 Suzie Robinson's notes which suggest
4 inappropriate sexual behaviour by our
5 staff when the group home was in
6 operation."

7 Do you see that?

8 **MR. CARRIERE:** Yes, I do.

9 **MR. ENGELMANN:** So it would appear that
10 Suzie Robinson, whether she was investigating or not, she
11 was clearly getting some information from Jeannette Antoine
12 with respect to her concerns?

13 **MR. CARRIERE:** I think that -- and perhaps
14 Mr. O'Brien can answer this question better than I can --
15 that the information -- I don't think Suzie Robinson is
16 continuing to do any investigation. I think this
17 information about the sexual abuse is actually in the
18 original notes, and for some reason, as far as I understand
19 it, Mr. O'Brien hadn't noted that the first time that he
20 met with the police, and I'm assuming that when he came
21 back and discussed with, I guess, myself and Angelo and
22 Greg and Suzie, that somehow that emerged and we then said,
23 "Well, you know, the police obviously need to know that".

24 **MR. ENGELMANN:** Yes.

25 **MR. CARRIERE:** And so, yeah, I don't think

1 it's Suzie gathering more information, I think it's there
2 from the beginning.

3 **MR. ENGELMANN:** Okay, so when Ms. Antoine
4 first talks about what happened to her, she talks about
5 both physical and sexual abuse, but perhaps only physical
6 was related to the police on the 25th and that's why it's
7 being raised again on the 29th?

8 **MR. CARRIERE:** That's my understanding,
9 Mr. Engelmann.

10 **MR. ENGELMANN:** All right. Now, did you
11 have any role at all, sir, in contacting the police or
12 discussing this matter with the police?

13 **MR. CARRIERE:** None whatsoever.

14 **MR. ENGELMANN:** All right. And did you have
15 any further involvement in the matter after September 29th,
16 1989?

17 **MR. CARRIERE:** I don't have any recollection
18 of that. I don't know whether or not -- well, things were
19 evolving with this -- whether Mr. O'Brien spoke to me. I
20 don't have any recollection of that whatsoever.

21 **MR. ENGELMANN:** All right. Now, you do have
22 some contact with this matter a couple of years later when
23 there's a request for some disclosure, though. Is that
24 correct?

25 **MR. CARRIERE:** Likely, yes. Yes.

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

2 But in between that time, were you aware if
3 any disciplinary action was taken against Mr. Keough or
4 anyone else during that time frame ---

5 **MR. CARRIERE:** No, no.

6 **MR. ENGELMANN:** --- by the CAS?

7 **MR. CARRIERE:** No, I'm not aware of any.

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

9 If we could look at Document Number 739311
10 and then I'll finish up after this document, sir, if I may.

11 **THE COMMISSIONER:** Sure, sure. Thank you.

12 Exhibit Number 2307 is Greg Bell's notes and
13 the first date is October 7th, 1991.

14 --- **EXHIBIT NO./PIÈCE NO. P-2307:**

15 (739311) Greg Bell's notes re Jeannette
16 Antoine dated October 7, 1991

17 **MR. ENGELMANN:** Sir, it appears that -- is
18 Deborah Clarey a worker as well?

19 **MR. CARRIERE:** Yes, she is. She would be a
20 worker in the ongoing department; a worker who would
21 receive the case after it was completed in investigations.

22 **MR. ENGELMANN:** Now, at that particular
23 time, 1991, would she have had some involvement in case
24 disclosure or file disclosure to former wards?

25 **MR. CARRIERE:** When cases -- yes, she could

1 have. When cases are opened with workers -- our normal
2 practice is when someone contacts the agency and they're
3 not an active file and they want records disclosure, I
4 believe in 1991 we would hand those matters over to our
5 phone intake people.

6 If the case was an active case with a
7 protection worker, then they would be responsible for --
8 that assigned worker would be responsible for records
9 disclosure.

10 **MR. ENGELMANN:** So it appears that
11 Ms. Antoine calls, speaks to Greg Bell October 7th, 1991,
12 indicating she wants to see the file pertaining to her and
13 her and her family or siblings ---

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** --- when she was in the care
16 of the CAS?

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** Right, and she indicates all
19 sorts of reasons why she wants this, if we look at these
20 notes.

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** She's looking for the truth
23 about why she and her three sisters were removed from their
24 parents' care, et cetera.

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** All right? And apparently
2 later that day, at 3:30 in the afternoon, if we look at the
3 next page, 247, there's a discussion with you about this?

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** All right. Do you have some
6 recollection of this?

7 **MR. CARRIERE:** None whatsoever.

8 **MR. ENGELMANN:** All right. Well,
9 "Supervision with Bill Carriere" would mean that one of
10 these workers, presumably Debbie Clarey, would have spoken
11 to you about the file disclosure?

12 **MR. CARRIERE:** I think it's Greg Bell
13 speaking to me.

14 **MR. ENGELMANN:** All right. And there's an
15 action suggested after the meeting with you:

16 "Write up as case notes. Give case
17 notes copy to Cam Copeland. If
18 Jeannette has problems dealing with Cam
19 on this issue she can request dealing
20 with Bernie Lamarche."

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** So if I understand that
23 correctly, a decision's made not to give her full access to
24 her files but to write up a summary of what's in the files?

25 **MR. CARRIERE:** No.

1 **MR. ENGELMANN:** What does that mean?

2 **MR. CARRIERE:** What it means is that the
3 discussion that Greg Bell has had with Jeannette about her
4 request, Greg is to write that up as case notes ---

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

6 **MR. CARRIERE:** --- and present that to
7 Deborah Clarey.

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

9 **MR. CARRIERE:** And Cam Copeland is Deborah
10 Clarey's supervisor.

11 **MR. ENGELMANN:** All right.

12 So then on the following page, 248, there's
13 another supervision with you that's referenced?

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** And, again, there's a
16 decision about who's going to be dealing with this?

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** And that's Debbie Clarey?

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** And then there's a call to
21 Jeannette Antoine later that day?

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** And she's -- what exactly is
24 she being told here? She's been given some information
25 about the number of placements? There are a great number

1 of placements she's had.

2 **MR. CARRIERE:** I think she's being told what
3 action will follow; that Greg has passed this on to her
4 worker and -- or her worker's supervisor. I think Greg is
5 trying to say to her, if there are specific things that
6 you're looking for, given what Jeannette might be looking
7 for, if she can kind of organize her thinking and that
8 might help the worker with the task of -- and it sounds
9 like Jeannette is giving information back to Greg and he's
10 just making note of this.

11 I suspect, Mr. Engelmann, that this is in
12 fact a case note that was given to Deborah Clarey.

13 **MR. ENGELMANN:** All right. Well, it looks
14 like, at least on October 8th, Jeannette Antoine is
15 concerned about having file access?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And she's saying
18 essentially, "If I don't get this within the next of couple
19 weeks you'll be hearing from my lawyer"?

20 **MR. CARRIERE:** Yes, I see that. Yes.

21 **MR. ENGELMANN:** All right. And I want to
22 know from you, sir, do you follow up on this in any way or
23 is it someone else that then deals with this file
24 disclosure?

25 **MR. CARRIERE:** I don't think I have any

1 involvement beyond this.

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

3 If that would be an appropriate time, Mr.
4 Commissioner?

5 **THE COMMISSIONER:** Certainly. Let's have
6 lunch and come back at 2:00.

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

9 The hearing will resume at 2:00 p.m.

10 --- Upon recessing at 12:33 p.m./

11 L'audience est suspendue à 12h33

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

13 L'audience est reprise à 14h04

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

16 The hearing is now resumed. Please be
17 seated. Veuillez vous asseoir.

18 **THE COMMISSIONER:** Mr. Engelmann?

19 **WILLIAM CARRIERE, Resumed/Sous le même serment:**

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

21 **ENGELMANN (Cont'd/suite):**

22 **MR. ENGELMANN:** Good afternoon, Mr.
23 Commissioner.

24 **THE COMMISSIONER:** Good afternoon.

25 **MR. ENGELMANN:** Good afternoon, Mr.

1 Carriere.

2 MR. CARRIERE: Good afternoon.

3 MR. ENGELMANN: Sir, when we left off, I
4 wanted to ask you about another individual who's testified
5 here who was a ward of the CAS. He has a moniker and the
6 moniker is C-14. Do you know who it is that ---

7 MR. CARRIERE: Yes, I do.

8 MR. ENGELMANN: --- I'll be referring to?

9 MR. CARRIERE: Yes, I do.

10 MR. ENGELMANN: Okay.

11 And, sir, he, like others, made a request
12 for information about his past; his life while a ward of
13 the CAS.

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: And I understand in his
16 case, the initial request for information came through the
17 Ottawa Children's Aid Society. And I just want to show you
18 a document to that effect if I may. And if we could look
19 at -- it's Document Number 115404.

20 It appears to be a memo from an individual
21 working in the intake department, last name of -- I'm not
22 sure if I'm pronouncing it correctly -- Garrahan?

23 MR. CARRIERE: Garrahan.

24 THE COMMISSIONER: So Exhibit 2308 is a memo
25 from the intake department dated April 26, 1991.

1 **---EXHIBIT NO./PIÈCE NO P-2308:**

2 (115404) - Notes of P. Garrahan re C-14
3 dated 26 Apr 91

4 **MR. ENGELMANN:** Now sir just looking at the
5 document, it's dated April 26th, 1991, that's just on the
6 counsel screen perhaps? This is -- the subject is C-14,
7 and it indicates that an individual from the Ottawa CAS is
8 calling requesting information about him.

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** And you're copied on it.

11 **MR. CARRIERE:** Yes.

12 **MR. ENGELMANN:** Now, was that the practice
13 at the time if there was a request made for file
14 disclosure; 1991?

15 **MR. CARRIERE:** No, not necessarily.

16 **MR. ENGELMANN:** Okay.

17 What was the process then, sir? This comes
18 in and it's copied to you. Can you explain to us why that
19 would be?

20 **MR. CARRIERE:** I'm trying to think back in
21 terms of -- Patricia Garrahan did adoption disclosure. And
22 the call may have come to her and she forwarded it to the
23 intake department who normally did the records disclosure
24 for non-adoption situations. And because I supervised the
25 intake department, she copied me in. And she's provided

1 the information to the intake department to follow-up with
2 respect to C-14 with the Ottawa worker.

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

4 And so, that would have been then passed on
5 to you and you would have assigned someone to respond?

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** All right.

8 And would that have been Lise Stanley?

9 **MR. CARRIERE:** Yes.

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

11 And sir, I'd just like to have you look at
12 one other document. It's Document Number 115349. And it's
13 an initial intake report, the name in the case is C-14's
14 name.

15 **THE COMMISSIONER:** Thank you.

16 Exhibit 2309 is an initial intake report.

17 **---EXHIBIT NO./PIÈCE NO P-2309:**

18 (115349) - Initial Intake Report of C-14
19 dated 17 Jun 91

20 **MR. ENGELMANN:** Now, this would appear to
21 indicate that on June 17th, so a couple months later, Lise
22 Stanley is signing at least this initial intake report.
23 I'm looking at the last page.

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** Can you tell us -- sir, it

1 indicates that there's been a request for information. It
2 doesn't reference what -- it does reference the fact on
3 Bates page 036 that there has been some information sent to
4 the Ottawa CAS.

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: And can you give us a sense,
7 sir, as to -- do you have any recollection as to the extent
8 of information that would have been passed on at that time?

9 MR. CARRIERE: I'm only aware of it, sir, in
10 terms of preparing for the Inquiry.

11 MR. ENGELMANN: All right. So you weren't
12 aware at the time?

13 MR. CARRIERE: My signature doesn't -- I'm
14 not sure if you're going to be presenting me with other
15 documents ---

16 MR. ENGELMANN: Yes.

17 MR. CARRIERE: --- and the report.

18 MR. ENGELMANN: Okay.

19 MR. CARRIERE: And maybe I can comment then
20 when I see them or I can do it ---

21 MR. ENGELMANN: Sure.

22 MR. CARRIERE: --- now if you wish.

23 MR. ENGELMANN: Well, if you know it.

24 MR. CARRIERE: Well, I'm fairly certain that
25 I assigned this task to Lise but the part that I don't know

1 is whether I was involved after that. And the reason I'm
2 saying that is my signature is not on the report to C-14.
3 And also in the covering letter that went to the Ottawa
4 CAS, my name is there but my signature is not on it.

5 And I have no independent recollection of
6 this matter. So I'm at a loss as to whether or not I saw
7 the report or I didn't see the report. I simply don't
8 know.

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

10 So do you know why something is not going
11 until mid to late June? Report comes in and request comes
12 in in April 26th?

13 **MR. CARRIERE:** Well, again, as I may have
14 said earlier -- on my first day of testimony ---

15 **MR. ENGELMANN:** Yes.

16 **MR. CARRIERE:** --- our practice was to have
17 the phone intake people do records disclosure and you know,
18 along with receiving referrals, they try to fit in the
19 records disclosure and you know, it's a workload issue.

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

21 So if we could just take a look at another
22 document and maybe that would help; it's 115403. And
23 again, it appears to be written by P. Garrahan. It's dated
24 June 21st, '91.

25 **THE COMMISSIONER:** Thank you.

1 Exhibit 2310. And of course, all of these
2 documents, I should -- publication ban on 09, 08 and 10.

3 **MR. ENGELMANN:** Yes, thank you.

4 **---EXHIBIT NO./PIÈCE NO P-2310:**

5 (115403) - Notes of P. Garrahan re C-14
6 dated 21 Jun 91

7 **MR. ENGELMANN:** All right.

8 So it appears there's contact again from the
9 Ottawa CAS.

10 **MR. CARRIERE:** Yes.

11 **MR. ENGELMANN:** There's a reference to a
12 note. Do you know whose note that is sir, June 24th, '91?

13 **MR. CARRIERE:** I'm going to -- I don't know.

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

15 **MR. CARRIERE:** I can speculate but I
16 shouldn't.

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

18 Well, it says, "Colleen called here."

19 **MR. CARRIERE:** I can recognize Patricia
20 Garrahan's handwriting ---

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

22 **MR. CARRIERE:** --- down to, you know, the
23 PG.

24 **MR. ENGELMANN:** Right.

25 **MR. CARRIERE:** The handwriting below that, I

1 believe that it may be Kathy Gignac, the person that the
2 memo is addressed to.

3 MR. ENGELMANN: All right.

4 MR. CARRIERE: But I don't have certainty of
5 that.

6 MR. ENGELMANN: All right.

7 MR. CARRIERE: I recognize -- I would
8 recognize the handwriting of the other phone intake people
9 and that's -- it's not their handwriting.

10 MR. ENGELMANN: All right.

11 So it appears that this other individual who
12 writes the note is writing a note about a discussion with
13 the woman from Ottawa.

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: And she's advising her that,
16 "C-14's history is completed and that the history is not
17 positive so to" -- is that "to approach"?

18 MR. CARRIERE: Approach, I believe, yes.

19 MR. ENGELMANN: "...with caution. She
20 agreed. I sent material off to her."

21 So there's this report that's going off
22 at/or about June 21st. Clearly, it's not a positive report.

23 MR. CARRIERE: Right. Well, that's what
24 this says.

25 MR. ENGELMANN: Yeah. And do you -- so

1 you're just not sure, sir, whether you actually would have
2 reviewed that report before it was sent?

3 **MR. CARRIERE:** I have no idea.

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

5 **MR. CARRIERE:** It would be very unusual for
6 me -- normally what would happen is that when reports were
7 sent off, they would be sent to me with the covering letter
8 and I would review the report and the covering letter, and
9 if I agreed with it, I would sign the covering letter. And
10 the fact that the covering letter that was sent to Ottawa
11 has my name but not my signature leads me to believe that I
12 may not have seen it.

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

14 And that covering letter, if we could just
15 look at Document 115385? That's a letter from Lise Stanley
16 and yourself.

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

18 **MR. ENGELMANN:** At least your signature --
19 not your signature, but your name appears -- to Colleen
20 Anderson, Adoption Disclosure in Ottawa -- sorry, in
21 Toronto.

22 **THE COMMISSIONER:** Thank you. Exhibit 2311
23 is a letter dated June 24th, 1991 to the Adoption
24 Information Unit from Lise Stanley.

25 **MR. ENGELMANN:** Again, it should have a

1 stamp.

2 THE COMMISSIONER: Yes, sure.

3 --- EXHIBIT NO./PIÈCE NO. P-2311:

4 (115385) Letter to the Adoption Information
5 Unit from Lise Stanley dated 24 June 91

6 MR. ENGELMANN: All right.

7 So that's the letter you're referring to,
8 sir?

9 MR. CARRIERE: Yes, it is.

10 MR. ENGELMANN: June 24th, enclosing the
11 report?

12 MR. CARRIERE: Yes.

13 MR. ENGELMANN: And the report itself is
14 Exhibit 526. I'm just wondering if the witness could be
15 provided that exhibit?

16 Just before we locate it, Mr. Carriere, you
17 had indicated, I think yesterday, that one of the concerns
18 about releasing information was what to do about the "ugly"
19 information, I think is the term you used.

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: And the approach here seemed
22 to be, when we looked at it earlier:

23 "Advised her history is not positive,
24 so approach with caution."

25 This was advice that one of your workers was

1 giving to a worker in Ottawa?

2 **MR. CARRIERE:** Yes. Yes, it would seem like
3 it.

4 **MR. ENGELMANN:** And so one of the reasons
5 why you wouldn't just give full disclosure is because of
6 some of the negative things that you might find in the
7 file?

8 **MR. CARRIERE:** I think that that's an issue
9 that's come up various times at the agency in terms of
10 pieces of information that are perceived to be harmful to
11 someone or could be perceived to be very harmful to them.

12 **MR. ENGELMANN:** And you also talked about
13 third-party information?

14 **MR. CARRIERE:** Yes, third-party information,
15 yes.

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

17 So this is now the background social history
18 for C-14. It's Exhibit ---

19 **MR. CARRIERE:** Oh, I'm sorry.

20 The other thing that I -- if I could just go
21 back, Mr. Engelmann, on the top of the letter there's a
22 reference to Rick's office and then there's a file number.
23 I have no idea when that went on this letter that would
24 have been sent to Ottawa.

25 **MR. ENGELMANN:** That's obviously an internal

1 marking?

2 MR. CARRIERE: Sorry, the Rick's office
3 number?

4 MR. ENGELMANN: Yes.

5 MR. CARRIERE: Yeah.

6 MR. ENGELMANN: That wouldn't have gone on
7 the letter to Ottawa?

8 MR. CARRIERE: No, it wouldn't have, but it
9 made me wonder whether or not the file would have been with
10 Richard Abell and whether or not he would have had some
11 involvement in it going out, but I think we probably have
12 seen with other correspondence he would sign for me. So
13 again, I can't explain why my signature is not with my
14 typed name in the bottom.

15 MR. ENGELMANN: All right.

16 MR. CARRIERE: I'm just bringing it to your
17 attention about Rick's office.

18 MR. ENGELMANN: Now, the background social
19 history that we see at Exhibit 526, do I take it from your
20 evidence you're not sure if this is something you would
21 have reviewed before it went out?

22 MR. CARRIERE: I don't know, sir.

23 MR. ENGELMANN: All right.

24 MR. CARRIERE: I'm not saying that I didn't,
25 but I don't -- I actually don't know.

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

2 Well, you'd agree with me that it would be
3 important to accurately summarize a file if you're only
4 providing a summary?

5 **MR. CARRIERE:** Yes.

6 **MR. ENGELMANN:** And that would be
7 particularly true when you have someone who's a ward for
8 many, many years?

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** And you're only giving a
11 short synopsis?

12 **MR. CARRIERE:** Yes.

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

14 And I'm not sure -- you're not sure if you
15 reviewed it then, but you've reviewed it since?

16 **MR. CARRIERE:** I have, yes.

17 **MR. ENGELMANN:** And you'd agree with me,
18 sir, that it's not a pretty picture?

19 **MR. CARRIERE:** I would agree with that.

20 **MR. ENGELMANN:** In fact, there's almost
21 nothing about it that's positive?

22 **MR. CARRIERE:** Well, unless I read it over
23 now, I don't -- I didn't have a sense that when I read it
24 recently that there is -- it comes across -- it does not
25 come across as a positive.

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

2 **MR. CARRIERE:** Nor is the file a positive
3 file either.

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

5 Well, I guess what I'm saying is if you're
6 concerned about being -- all right. So if the file is
7 completely negative, then you would expect a negative
8 summary, but if the file has both negative and positive
9 attributes about it, you'd also expect that in the summary.
10 Is that fair?

11 **MR. CARRIERE:** I think so. It would be nice
12 to think that there would be a balance, if you could find
13 some positives that the person could say, "Well, there were
14 periods in my life where things -- there were some nice
15 things that happened," I would say that would be a good
16 thing to include.

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

18 Sir, I'm wondering, after this summary would
19 have gone out in June of '91, whether or not you would have
20 had some involvement with the file after that?

21 **MR. CARRIERE:** I don't believe I did, sir.

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

23 And do you have any knowledge as to why if
24 the summary was prepared on May 30th, '91, why it would not
25 have gone out by letter until June 24th?

1 **MR. CARRIERE:** I can't explain that.

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

3 And ---

4 **MR. CARRIERE:** Sir, the only thing I could
5 possibly add to that is this is pre staff having computers.
6 It likely would have been passed on to the secretarial pool
7 and it's a little early for most of the staff to take
8 summer vacations, but it just may have gone into a
9 secretarial pool.

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

11 There was some correspondence in 1996, and I
12 think it involved a lawyer and trying to get information
13 from the Children's Aid Society, more information than had
14 been provided here.

15 **MR. CARRIERE:** Yes.

16 **MR. ENGELMANN:** Were you involved with that
17 at all?

18 **MR. CARRIERE:** Not that I recall, sir.

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

20 There was some further correspondence in the
21 year 2000, and I just -- I want to take you to that, if I
22 can. It's an email exchange between you and Richard Abell,
23 actually.

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** Just give me a moment and

1 I'll -- yes, it's Document Number 114700. It's a cross
2 document, I believe.

3 **THE COMMISSIONER:** Thank you. Exhibit 2312
4 is a note from Bill Carriere to Richard Abell, 3/14/2000.

5 **MR. ENGELMANN:** And, sir, if it could have a
6 stamp? It's regarding C-14.

7 **THE COMMISSIONER:** Yes, yes, there will be a
8 publication ban.

9 **--- EXHIBIT NO./PIÈCE NO. P-2312:**

10 (114700) Email from Bill Carriere to Richard
11 Abell re C-14 dated 14 Mar 14 00

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

13 So this is an email from yourself to Richard
14 Abell about C-14 and it says:

15 "I need to pick up the ball on this
16 one. As you know, I met with
17 resistance on their part, got nowhere
18 with the Royal Ottawa Hospital. I will
19 send a letter to Ottawa Police."

20 Sir, do you have any recollection of sending
21 this email?

22 **MR. CARRIERE:** Not sending the email, but I
23 have a recollection of the issue ---

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

25 **MR. CARRIERE:** --- concerning ---

1 **MR. ENGELMANN:** Can you give us some of the
2 context there?

3 **MR. CARRIERE:** Yes. Patricia Garrahan
4 received a phone call one day from, I believe it was a
5 social worker with the Royal Ottawa Hospital, and she was
6 indicating that C-14 had been in to see her at the Royal
7 Ottawa Hospital and had made threats -- I believe threats
8 to bomb the Children's Aid Society if he didn't get -- I
9 believe it was if he didn't get his records.

10 Subsequently, Patricia Garrahan brought that
11 information to me and I discussed the situation with
12 Richard Abell. We had spoken. Because of the serious
13 nature of the threat to our building obviously and our
14 staff in the building we felt that it was appropriate to
15 bring it to the attention of the Ottawa police. And I did
16 do that -- or Richard did that. I can't recall who
17 performed that task.

18 Part of the difficulty that emerged was that
19 the worker for the Royal Ottawa Hospital was reluctant to
20 provide information to the police with respect to what had
21 been said. So we determined that we should send something
22 off to the Ottawa police, given the serious nature of the
23 threat that was made.

24 **MR. ENGELMANN:** So what is referred to by "I
25 need to pick up the ball on this one"?

1 **MR. CARRIERE:** Well, my guess is that some
2 time has probably elapsed and nothing has happened.

3 **MR. ENGELMANN:** Nothing has happened with
4 respect to what?

5 **MR. CARRIERE:** The police doing anything or
6 -- well, we don't know what's going on with it.

7 **MR. ENGELMANN:** All right.

8 **MR. CARRIERE:** Like it's -- you know, we've
9 initiated some activity with the Royal -- sorry -- with the
10 Ottawa police but we haven't heard anything back, and so
11 it's to try to get up to speed with them in terms of
12 anything happening rather than ignoring what we had
13 presented to them.

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

15 Well, would it be fair to say that as at the
16 year 2000, someone is concerned here about access to
17 records, and still concerned?

18 **MR. CARRIERE:** I believe that's -- my
19 recollection is that that's what the issue was.

20 **MR. ENGELMANN:** Right. So we'd had a
21 summary that was provided in 1991; we have further requests
22 and involvement with lawyers I believe in the mid-90's and
23 you said you weren't involved at that time?

24 **MR. CARRIERE:** No.

25 **MR. ENGELMANN:** And then in the year 2000

1 there's still a concern on C-14's part that he's not
2 getting full access.

3 **MR. CARRIERE:** I believe that was the issue,
4 Mr. Engelmann.

5 Sir, just one other thing that I might
6 interject; I'm not sure -- it's my understanding that at
7 some point in time C-14 was suing the Children's Aid
8 Society. It's possible that that was -- and I'm not sure
9 when that was actually. I'm not sure whether that was the
10 issue or if he didn't win the lawsuit or the record. So I
11 just wanted to put that out just in case.

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

13 I'm going to ask you about another
14 individual who's come forward and testified. Her name is
15 Roberta Archambault.

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And I just want to refer you
18 to a couple of documents, if I may. The first one is
19 Exhibit 126.

20 **(SHORT PAUSE/COURTE PAUSE)**

21 **MR. ENGELMANN:** Now, this is an excerpt of a
22 larger document but on the first page, which is Bates page
23 614, you'll see there's a request for information, and the
24 recorder is Francoise Lepage.

25 **MR. CARRIERE:** I'm sorry, sir, what ---

1 **MR. ENGELMANN:** It's Exhibit ---

2 **MR. CARRIERE:** --- tab?

3 **THE COMMISSIONER:** One twenty-seven (127).

4 **MR. CARRIERE:** One twenty-seven (127). Oh,
5 I'm sorry.

6 **MR. ENGELMANN:** Oh, is it Exhibit 127? I
7 thought it was 126.

8 **THE COMMISSIONER:** Oh, I'm sorry. No, no,
9 you're right. It is 126.

10 **MR. ENGELMANN:** I'm looking at Bates page
11 614, the first page.

12 **MR. CARRIERE:** I'm not sure where I'm
13 supposed to be. I don't see a Bates page 614.

14 **THE COMMISSIONER:** There are letters.
15 Exhibit 126. And there's a letter there from Mr. Breslow
16 to Francoise Lepage.

17 **MR. CARRIERE:** Yes, I have that. Is that
18 the one? Because I have Bates page 2809.

19 **THE COMMISSIONER:** I don't know.
20 What do you want to look at?

21 **MR. ENGELMANN:** Perhaps if I could just look
22 at the document.

23 **MR. CARRIERE:** The one that I have is the
24 letter to Mr. Breslow.

25 **THE COMMISSIONER:** Yes, that's right.

1 MR. CARRIERE: Okay. Dated May 25th, 1994?

2 THE COMMISSIONER: M'hm.

3 MR. CARRIERE: Okay.

4 (SHORT PAUSE/COURTE PAUSE)

5 MR. ENGELMANN: Sir, I have other pages of
6 the document that are not in the -- this is the issue that
7 came up yesterday.

8 THE COMMISSIONER: Right.

9 MR. ENGELMANN: If you could just give me
10 one moment.

11 THE COMMISSIONER: Certainly.

12 MR. ENGELMANN: Madam Clerk, are we able to
13 do this by Bates page possibly?

14 THE REGISTRAR: Yes.

15 MR. ENGELMANN: If you could pull up Bates
16 page 7172614.

17 We're going to have to do this on the
18 screen, Mr. Carriere.

19 MR. CARRIERE: That's fine.

20 MR. ENGELMANN: I won't have a lot ---

21 THE COMMISSIONER: Just a second now. I'm a
22 little reluctant to do as yesterday is just replace *holus*
23 *bolus* and throw something back in when we've made an
24 exhibit. So why don't we make this a separate exhibit.

25 MR. ENGELMANN: That's fine, sir.

1 **THE COMMISSIONER:** All right.

2 So what number would that be, Madam Clerk?

3 **THE REGISTRAR:** Twenty-three thirteen

4 (2313).

5 **THE COMMISSIONER:** Twenty-three thirteen

6 (2313) is a case request for information release or sharing

7 and the intake date is 09/09 of '92.

8 **--- EXHIBIT NO./PIÈCE NO. P-2313:**

9 (738545 - 7172614) - Case Documentation

10 System of Frances Lepage dated 09 Sep 92

11 **MR. ENGELMANN:** So we're dealing with Bates

12 page 7172614.

13 It would appear from the note that Francoise

14 Lepage is the recorder.

15 **MR. CARRIERE:** Yes.

16 **MR. ENGELMANN:** And there's a request from

17 Roberta Archambault to see her file.

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** And in particular she's

20 interested in what her various workers have had to say

21 about her throughout her time as a ward.

22 **MR. CARRIERE:** Right.

23 **MR. ENGELMANN:** And again this is a person

24 who was a ward of the Children's Aid Society for many

25 years?

1 **MR. CARRIERE:** Yes.

2 **MR. ENGELMANN:** And there's a reference to
3 the fact that she wants information for her lawyer by
4 October 6th ---

5 **MR. CARRIERE:** Yes.

6 **MR. ENGELMANN:** --- and that's approximately
7 four weeks after the call comes in.

8 And there's a note:

9 "Advise to send written request and two
10 pieces of I.D."

11 Right?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** So first of all let me start
14 by asking, were you supervising Fran Lepage at this time?

15 **MR. CARRIERE:** Yes, I believe I was, yes.

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

17 Was there a policy at that time with respect
18 to how these requests had to be made?

19 **MR. CARRIERE:** I don't believe that there
20 was a policy but there was a practice in terms of asking
21 that someone put it in writing or -- and send us two pieces
22 of I.D. so that we could be sure that the person that was
23 making the request was in fact the person that we would
24 give information to.

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

1 **MR. CARRIERE:** I don't think we would, for
2 instance, hold -- I mean, if somebody came into the office
3 and had two pieces of ID, then we wouldn't say, "Well, you
4 have to write this".

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

6 And I think if we can now turn to Exhibit
7 126. I'm just looking at the Bates pages. It would be
8 Bates page 812. Do you have a letter from yourself and
9 Françoise Lepage to Ms. Archambault?

10 **MR. CARRIERE:** Yes. Yes, I do have that.

11 **MR. ENGELMANN:** So it would appear that as
12 at the 22nd of October, '92 you are sending some information
13 after that request on September 9th?

14 **MR. CARRIERE:** Yes. It's approximately six
15 weeks later, I believe.

16 **MR. ENGELMANN:** Yes. And is that a report
17 that you would have reviewed, sir?

18 **MR. CARRIERE:** I'm assuming that I did,
19 Mr. Engelmann. I don't have a recollection of that but my
20 signature is on it and I have no reason to believe that I
21 didn't see the report.

22 **MR. ENGELMANN:** All right. And I believe
23 the report may be set out in Exhibit 127.

24 **THE COMMISSIONER:** It is.

25 **MR. ENGELMANN:** I'm looking at Bates page

1 778 and it runs through to 782.

2 MR. CARRIERE: Right.

3 MR. ENGELMANN: Again, just by looking at
4 that, are you able to tell us whether that's something that
5 you might have seen at that time, or would that have just
6 been in your preparation for this hearing?

7 MR. CARRIERE: I don't have a recollection
8 of it but I'm going to assume that this is the report that
9 I saw.

10 MR. ENGELMANN: Now, she had asked
11 specifically for workers' recordings about her?

12 MR. CARRIERE: Yes.

13 MR. ENGELMANN: And were you satisfied that
14 that was what she was given in this report, sir?

15 MR. CARRIERE: I think the fact that it was
16 sent off would have to indicate that I was satisfied. I
17 don't believe -- it wasn't my practice, Mr. Engelmann, to
18 have the file with me and to look at the report and make
19 sure. That would be a duplication of it and I had
20 confidence in Fran Lepage and her judgment.

21 So, I mean, the fact that I put my signature
22 on it must have -- to me would indicate that I would be
23 satisfied that this would be sent, that this could be sent
24 out, and that it would reflect what was in the file.

25 MR. ENGELMANN: It would appear to have been

1 prepared by Fran Lepage and dated September 24th, '92?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: Do you know why it's only
4 sent to Ms. Archambault on October 22nd?

5 MR. CARRIERE: I don't have any idea.

6 MR. ENGELMANN: All right.

7 And the document itself deals with her
8 admittance into care in September of 1970, right through to
9 late 1984, so some 14 to 15 years?

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: And we have a document
12 that's about five pages long.

13 Were you aware, sir, at the time whether Ms.
14 Archambault was satisfied with the information that she
15 received?

16 MR. CARRIERE: I can't recall, sir.

17 MR. ENGELMANN: All right.

18 MR. CARRIERE: I know that she subsequently
19 requested information through a lawyer, so I -- I don't
20 recall, sir.

21 MR. ENGELMANN: All right. Well, if that
22 was the case, she probably was not satisfied with ---

23 MR. CARRIERE: That would be my conclusion,
24 yes.

25 MR. ENGELMANN: Right.

1 Now, again -- and I'm not sure whether this
2 is an exhibit. I think it's Exhibit 126, Bates page 810.

3 You've indicated a letter from a lawyer.
4 Would this be the letter that would have been written, sir,
5 May 11th, 1994 where a lawyer is writing to the Children's
6 Aid Society on her behalf, saying she'd like to receive the
7 entire contents of her file, and a consent is enclosed?

8 **MR. CARRIERE:** Yes, I think that would be
9 the letter.

10 **MR. ENGELMANN:** All right. So it would
11 appear a couple of years later that she felt it important
12 enough to hire a lawyer and to try and get some help in
13 getting this file?

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** You would have responded to
16 that letter at Bates page 809, and what was it that you
17 provided, sir? It says:

18 "Enclosed please find a copy of
19 background information on your above-
20 named client. We regret to inform you
21 that although we cannot provide the
22 entire contents of her file, we are
23 prepared to consider whether we can
24 answer her specific questions."

25 Did you simply provide the document that

1 we've already referred to, to the lawyer?

2 **MR. CARRIERE:** My recollection -- and it's
3 not my recollection from in the past, it's from most recent
4 reading of the file -- is that Ms. Archambault may have
5 misplaced or not had, or perhaps her lawyer didn't have a
6 copy of what was sent to her previously, and so that is
7 sent again. And it seems to me that I saw that some place
8 in the case notes but I could be wrong with that.

9 **MR. ENGELMANN:** All right. So in any event
10 the background information is re-sent?

11 **MR. CARRIERE:** Yes.

12 **MR. ENGELMANN:** Correct? And no further
13 information is given at that time?

14 **MR. CARRIERE:** At some point-in-time Richard
15 Abell provides more information, and I'm not sure of the
16 timeframe of that.

17 **MR. ENGELMANN:** Okay, and I was just
18 referring to then.

19 **MR. CARRIERE:** Yes, yes.

20 **MR. ENGELMANN:** At that point there's
21 nothing further that's ---

22 **MR. CARRIERE:** Yeah, and I'm not -- no, I'm
23 not aware of anything.

24 **MR. ENGELMANN:** All right. And there's a
25 comment that "the CAS is prepared to consider whether we

1 can answer specific questions"?

2 **MR. CARRIERE:** Yes.

3 **MR. ENGELMANN:** Correct? And it almost
4 appears to be saying, "Provide us some specific questions
5 and we'll try and answer them"?

6 **MR. CARRIERE:** Yes. And I think that is
7 actually what's happening, sir.

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

9 And why would that have been, sir, at that
10 time? Did you not have sufficient staff to deal with this
11 or was it that you just didn't want to give fuller
12 disclosure? What was going on?

13 **MR. CARRIERE:** It's completely related to
14 the resources that we have.

15 Fran Lepage, as I've mentioned, is a phone
16 intake person dealing with receiving referrals and trying
17 to do -- being assigned this to do, and I hate to say in
18 her spare time, but whenever she found some free time from
19 being on the phone and dealing with referrals, she would
20 work on records disclosure.

21 My guess is that the completion of this
22 records disclosure probably happened over a series of days
23 because she would not have -- I would find it really hard
24 to imagine that she would have a block of time that she
25 could do this all at once.

1 So, you know, we're trying -- we're
2 performing a task with people who have -- whose job it is -
3 - this isn't their primary function, and so we're trying to
4 -- and we also have at that point-in-time, I'm very
5 confident, like a backlog of you know maybe in the two
6 hundreds, but I don't have precise numbers -- certainly
7 probably in the hundreds and high hundreds -- of people
8 wanting requests, and we're trying to get information out
9 to people and hoping that by -- if they're looking for
10 something specific, we can get that to them faster.

11 **MR. ENGELMANN:** Would you agree with me
12 though, sir, that sometimes individuals who are trying to
13 look back and discover their past and discover what
14 happened might have difficulty coming up with specific
15 questions about it?

16 **MR. CARRIERE:** Certainly with some
17 individuals that's true, sir, and other individuals looking
18 back want specific pieces of information.

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

20 **MR. CARRIERE:** So it's fair enough that some
21 people want the whole picture. There's no doubt about that
22 in my mind.

23 **MR. ENGELMANN:** So we have a bit of a
24 chicken and the egg?

25 **MR. CARRIERE:** Yeah.

1 **MR. ENGELMANN:** If they don't know the
2 information, they don't know what questions to ask.

3 **MR. CARRIERE:** That can happen, sir, for
4 sure.

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

6 And you believe that your colleague, Mr.
7 Abell, dealt with this after that as well?

8 **MR. CARRIERE:** I believe that Mr. Abell may
9 have gone through the file himself and added -- was able to
10 find additional information to provide to Mrs. Archambault.

11 **MR. ENGELMANN:** All right.

12 **MR. CARRIERE:** Ms. Archambault.

13 **MR. ENGELMANN:** We'll certainly have some
14 questions for him on that.

15 Sir, then I want to ask you a few questions
16 about Cathy Sutherland.

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** Who was another person who's
19 testified here. I'll just be a moment.

20 And she made a request, an initial request,
21 Catherine Sutherland, for information about her file in
22 early April of 1987.

23 And if we could have a look at Document
24 Number 738633.

25 **THE COMMISSIONER:** Thank you.

1 Exhibit 2314 is a letter dated March 26th,
2 1987 to the Children's Aid Society of Stormont Dundas and
3 Glengarry from Vincent Murphy, Psychologist.

4 **--- EXHIBIT NO./PIECE NO. P-2314:**

5 (738633) Letter from Vincent Murphy to
6 CAS dated March 26, 1987

7 **MR. ENGELMANN:** So we have this request
8 coming in with a consent signed?

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** And the request is because a
11 psychologist is trying to complete a family assessment for
12 Mrs. Sutherland; correct?

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** So asking for medical
15 information from her file?

16 **MR. CARRIERE:** Yes. M'hm.

17 **MR. ENGELMANN:** And I think we talked about
18 this when you talked about the general requests and that
19 requests of this nature should be given a priority?

20 **MR. CARRIERE:** Yes.

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

22 And, sir, the response to this I believe is
23 Document Number 738575. If that could be shown to the
24 witness. And it says -- it's entitled "Record of Inquiry,
25 May 22, 1987".

1 **THE COMMISSIONER:** Thank you.

2 Exhibit 2315 is a Record of Inquiry, first
3 date -- well, no, it's dated at the bottom, May 22nd, '87.

4 **MR. ENGELMANN:** Sorry, that's 2315?

5 **THE COMMISSIONER:** Two-three-one-five
6 (2315), yes.

7 **MR. ENGELMANN:** Yeah.

8 **--- EXHIBIT NO./PIECE NO. P-2315:**

9 (738575) Record of Inquiry re Cathy
10 Sutherland dated April, 1987

11 **MR. ENGELMANN:** All right. So this is the
12 response that was prepared by Cindy Hart?

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** And she's a worker at the
15 CAS?

16 **MR. CARRIERE:** She was a phone-in type
17 person at the time.

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

19 **MR. CARRIERE:** Staff member.

20 **MR. ENGELMANN:** And who has signed it off
21 next to her?

22 **MR. CARRIERE:** That's me.

23 **MR. ENGELMANN:** All right. And would you
24 have been her supervisor or notionally her supervisor?

25 **MR. CARRIERE:** Yes, I was her supervisor at

1 the time.

2 MR. ENGELMANN: All right. So would she
3 have spoken to you about this request or asked you for some
4 involvement in preparing it?

5 MR. CARRIERE: Well, I would have assigned
6 it to her and I certainly signed it -- signed off at the
7 end. It's a fairly straightforward request, so we would
8 have had some discussion about what she needed to do and I
9 have no recollection of it, though, sir.

10 MR. ENGELMANN: All right. So this is some
11 six or seven weeks after the request came in?

12 MR. CARRIERE: No, I think what may have
13 happened, it -- the -- particularly with records
14 disclosure, sometimes the actual paperwork is done at a
15 later time.

16 She would have had -- she obviously had this
17 material before because she's working on it. You can see
18 that she's performing some of the tasks in April.

19 MR. ENGELMANN: Yes, okay, so that's when
20 it's closed?

21 MR. CARRIERE: Yeah.

22 MR. ENGELMANN: All right. And I'm looking
23 at the contact dates and it appears that she spoke with the
24 psychologist on April 27th, 1987.

25 MR. CARRIERE: Yes. M'hm.

1 **MR. ENGELMANN:** I just want to understand
2 what's being said here. Am I correct in saying that ---

3 **THE COMMISSIONER:** They don't have a file.

4 **MR. CARRIERE:** Yeah, that's exactly what --
5 we didn't find the file and I have no explanation for that.

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

7 **MR. CARRIERE:** When I look at the actual
8 intake form, the covering -- there would be the cover for
9 this -- I'm aware that a woman by the name of Fern Emmerton
10 who was the -- a secretary and would do -- who would look
11 for files.

12 I don't know that you could find a better
13 person in terms of finding files, so I have no idea why we
14 didn't find this file.

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

16 **MR. CARRIERE:** I also -- when I look at this
17 recording, I -- Cindy Hart contacted the Brockville
18 Children's Aid, I guess wondering whether or not they might
19 have something, Brockville being the jurisdiction beside
20 us. And nothing emerged there so ---

21 **MR. ENGELMANN:** So the psychologist would
22 have been informed essentially that the Agency is not nor
23 have we ever been involved with this family and therefore
24 we're unable to assist?

25 **MR. CARRIERE:** That's right.

1 **MR. ENGELMANN:** And that was a complete
2 error?

3 **MR. CARRIERE:** It definitely was a complete
4 error.

5 **MR. ENGELMANN:** All right. Do you know if
6 there was any follow-up at that time about this?

7 **MR. CARRIERE:** No.

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

9 **MR. CARRIERE:** I think there wasn't.

10 **MR. ENGELMANN:** So let's look at Exhibit 451
11 if we may? I'll just be a moment, sir.

12 **(SHORT PAUSE/COURTE PAUSE)**

13 **MR. ENGELMANN:** And this is a letter dated
14 April 8th, 1995 from Catherine Sutherland to your Agency,
15 sir.

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** So it would appear this is
18 about eight years after the last request?

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** She's writing to the CAS,
21 this time on her own behalf?

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** And she's asking for
24 information regarding the time she was in care?

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** And she's giving some other
2 names that might be relevant so that this information could
3 be provided?

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

5 **MR. ENGELMANN:** She also says -- well, she's
6 seeking access is what she's seeking, right?

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** She's not actually seeking
9 the hard copy. She wants to see her file?

10 **MR. CARRIERE:** Yes, that's right.

11 **MR. ENGELMANN:** And she says:

12 "I'm aware of the complexity of this
13 request if nothing more than for the
14 logistics of having the file
15 temporarily relocated to this area for
16 my perusal. In addition, I realize and
17 I've therefore looked into obtaining a
18 third party who will take on the
19 responsibility of ensuring the
20 safekeeping. Thanking you in advance
21 for your consideration."

22 All right?

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** So this comes in in mid-
25 April of '95 and it's responded to -- you can just have a

1 moment -- in Exhibit 452.

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: Lise Stanley would have
4 phoned her a day after receiving the correspondence.

5 MR. ENGELMANN: And -- yeah, so there was a
6 phone call from the worker ---

7 MR. CARRIERE: M'hm.

8 MR. ENGELMANN: --- and then there's another
9 letter from Ms. Sutherland almost immediately?

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: And she's enclosing a copy
12 of two pieces of identification. And she's pointing out
13 this problem that I talked about earlier ---

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: --- where she's saying:

16 "You've asked me to highlight the
17 information that I was looking for. As
18 I pointed out in our conversation, I've
19 had a great deal of difficulty
20 remembering certain aspects of my
21 childhood and it is therefore difficult
22 to pinpoint specific times and
23 episodes. In essence, that is why I'm
24 trying to obtain the file."

25 MR. CARRIERE: Yes.

1 **MR. ENGELMANN:** So, again, underscores the
2 problems?

3 **MR. CARRIERE:** Yes. Not knowing what you
4 don't know.

5 **MR. ENGELMANN:** Right. But she does
6 indicate a specific period of time that she's quite
7 interested in?

8 **MR. CARRIERE:** Yes.

9 **MR. ENGELMANN:** All right.
10 And again, were you Ms. Stanley's supervisor
11 at that time?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** And would you have been made
14 aware of the initial request, the phone call, the follow-up
15 request, et cetera?

16 **MR. CARRIERE:** Likely some contact, yes.

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

18 And, sir, I understand that in June of that
19 year there's a further exchange between Ms. Stanley and Ms.
20 Sutherland, and if you have Exhibit 453 ---

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** --- that might set that out.
23 It's again Ms. Sutherland writing and they've had another
24 phone call and it says:

25 "You've advised me that I should

1 indicate in writing that I was seeking
2 all available medical information that
3 is contained in my files."

4 And she says:

5 "As I've already vocalized, I have been
6 on long-term disability for quite some
7 time and would therefore be extremely
8 interested in learning anything about
9 my prior health."

10 All right?

11 **MR. CARRIERE:** M'hm.

12 **MR. ENGELMANN:** She says:

13 "This further elaboration does not in
14 any way negate requests outlined in my
15 previous letters."

16 **MR. CARRIERE:** Right.

17 **MR. ENGELMANN:** So "I'm not giving up my
18 request to have access to my whole file, but I want this
19 information specifically."

20 **MR. CARRIERE:** Yes.

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

22 And again, this is one of these areas where
23 when people have concerns about medical issues, they're
24 given some form of priority?

25 **MR. CARRIERE:** Yes.

1 MR. ENGELMANN: All right.

2 MR. CARRIERE: I'm not sure -- excuse me.

3 MR. ENGELMANN: Sorry.

4 MR. CARRIERE: I'm not sure when it
5 occurred, but I know that at some point she wanted some
6 information about a specific health condition, and I
7 believe that Mrs. Stanley provided that within a day or
8 two.

9 MR. ENGELMANN: All right.

10 Well, in this -- we're going to track
11 through these if we can.

12 MR. CARRIERE: Okay.

13 MR. ENGELMANN: Hopefully I won't miss them,
14 and if I do, I'm sure that my friends just to my right will
15 come up with the other ones.

16 MR. CARRIERE: Okay.

17 MR. ENGELMANN: But this request was made in
18 June, late June?

19 MR. CARRIERE: M'hm.

20 MR. ENGELMANN: And my understanding is the
21 response would have been at Exhibit 454. Is that correct,
22 sir?

23 MR. CARRIERE: The more complete response in
24 terms of the work that Mark Boisvenue did, yes, but I could
25 be mistaken, Mr. Engelmann. But I thought that Lise

1 Stanley had talked to her on the phone about a specific
2 medical condition and confirmed that, yes, there was
3 something in her file before Mark Boisvenue became
4 involved.

5 MR. ENGELMANN: All right.

6 In this letter that we just looked at,
7 Exhibit 453, she's asking for medical information
8 generally?

9 MR. CARRIERE: Yes.

10 MR. ENGELMANN: And my understanding is what
11 is provided with the letter on August 22nd, 1995 is a
12 medical history.

13 MR. CARRIERE: Yes, but I think there's --
14 what I'm trying to say is that there's something more
15 specific that she was interested in that I -- you know,
16 again, without the file in front of me, I can't ---

17 MR. ENGELMANN: All right.

18 MR. CARRIERE: --- tell you whether or not
19 it was before Mark Boisvenue or after Mark Boisvenue, but
20 my recollection was that it was before Mark Boisvenue.

21 MR. ENGELMANN: All right.

22 Well, the medical history that is set out is
23 Bates page 295.

24 MR. CARRIERE: Yes.

25 MR. ENGELMANN: Correct?

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: That's what she would have
3 been provided?

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: There's some social history
6 as well, but the medical history is what we see there?

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: All right.

9 And, sir, although your name is on the
10 letter, it appears that Mr. Abell would have signed it for
11 you?

12 MR. CARRIERE: Yes.

13 MR. ENGELMANN: Were you the supervisor of
14 Mark Boisvenue?

15 MR. CARRIERE: I believe I was at the time,
16 yes.

17 MR. ENGELMANN: And again, would you have
18 had any role in approving what went out?

19 MR. CARRIERE: Again, I don't know whether I
20 saw it or not, Mr. Engelmann. Again, you know, the
21 practice normally would be that the covering letter would
22 come with the report, and I don't recall.

23 MR. ENGELMANN: All right.

24 So this is a woman who was, as a child, in
25 CAS care for about 16 years?

1 **MR. CARRIERE:** Yes.

2 **MR. ENGELMANN:** And the extent of what she
3 provided is a page on her medical history and a couple
4 pages on her social history?

5 **MR. CARRIERE:** Yes.

6 **MR. ENGELMANN:** And again, she wasn't
7 satisfied with that as sufficient disclosure?

8 **MR. CARRIERE:** No, she wasn't.

9 **MR. ENGELMANN:** All right.
10 And that's probably hardly surprising for
11 that period of time?

12 **MR. CARRIERE:** No, it's not surprising. I
13 can say, sir, that one of the things that we did was Mark
14 Boisvenue normally does investigations, and I know that
15 this matter was moved to -- this referral was moved to Mark
16 and he was tasked with trying to get this information to
17 Ms. Sutherland quicker than it would likely have happened
18 if it had remained with phone intake.

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

20 Let's look at a couple of other things and
21 this may refer back to something you've already said.

22 **MR. CARRIERE:** Okay.

23 **MR. ENGELMANN:** If we could look at -- it's
24 Document Number 738578.

25 **THE COMMISSIONER:** Thank you. Exhibit 2316

1 is a documentation system document dated September 5th, 199
2 -- is that '95 or '98?

3 **MR. ENGELMANN:** Ninety-five ('95), sir.

4 **MR. CARRIERE:** I think it's '95.

5 **MR. ENGELMANN:** This is just after the
6 letter we've seen which was provided.

7 --- **EXHIBIT NO./PIÈCE NO. P-2316:**

8 (738578) Documentation System of CAS re
9 Cathy Sutherland dated 5 Sept 95

10 **MR. ENGELMANN:** So again, sir, this appears
11 to be noting that information has been sent, but she
12 appears to have some specific questions that are arising.

13 **MR. CARRIERE:** Yes, I think that was based
14 on a telephone conversation that took place between Mark
15 Boisvenue and her.

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

17 And I'm wondering, sir, this would have been
18 just after she was provided with the medical and social
19 history that we just looked at?

20 **MR. CARRIERE:** I think it was before. I
21 think what happened was that Mark phoned her up and asked
22 her if there was anything specific that she should be
23 looking for and ---

24 **MR. ENGELMANN:** Well, the only reason I ask
25 that, sir, is this is September 5th, '95 and the history was

1 sent out in August.

2 MR. CARRIERE: Yes, but I think this is a
3 completion thing, Mr. Engelmann. I think Mark is -- this
4 is kind of a closing ---

5 MR. ENGELMANN: All right.

6 MR. CARRIERE: --- that he is giving me
7 after the -- after the tasks have been done.

8 MR. ENGELMANN: And he's indicating in it
9 that there was no information to indicate a disclosure that
10 she was seeking?

11 MR. CARRIERE: Yes.

12 MR. ENGELMANN: Nor any indication of an
13 investigation of that issue?

14 MR. CARRIERE: That's right.

15 MR. ENGELMANN: All right.

16 Then, sir, in addition, she writes again the
17 following spring, and if we could look at Exhibit 487?

18 MR. CARRIERE: Do I have that?

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

20 MR. ENGELMANN: Four eighty-seven (487),
21 sir.

22 THE COMMISSIONER: Right. It's in the same
23 book, sir.

24 MR. CARRIERE: Oh yes, okay.

25 MR. ENGELMANN: It's a rather lengthy

1 letter. I just want to refer you to a couple of portions
2 of it, if I may.

3 MR. CARRIERE: Yes.

4 MR. ENGELMANN: Would this have been brought
5 to your attention, sir? Do you know if you were still
6 supervising Mr. Boisvenue?

7 MR. CARRIERE: I don't know ---

8 MR. ENGELMANN: All right.

9 MR. CARRIERE: --- at this point if I'm
10 still supervising him.

11 MR. ENGELMANN: Well, she starts by thanking
12 him for providing that summary we looked at in August.

13 MR. CARRIERE: Yes, yes.

14 MR. ENGELMANN: But she's saying that she's
15 left with many questions but more of a specific nature?

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: And she does indicate at
18 Bates page 978, she says -- and I'm looking at the second-
19 last paragraph which starts:

20 "When I look back at my childhood, it
21 is nothing more than a series of
22 disjointed snapshots and I have no
23 access to pictures, report cards, baby
24 books, toys or anything else that would
25 enhance such a connection."

1 And it goes on, and at the end of that
2 paragraph she says:

3 "Good, bad, or indifferent, I need the
4 facts if I'm to ever really know who I
5 am, and it is with that starving need
6 for knowledge that I beg your continued
7 support and assistance."

8 So it appears, sir, that she's given a lot
9 of thought to this. She's reflected upon it and it's a
10 very clear articulation of why it's important to her to
11 have more information from the Children's Aid Society about
12 her childhood.

13 **MR. CARRIERE:** M'hm.

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

15 **MR. CARRIERE:** Yes, that's accurate.

16 **MR. ENGELMANN:** And so obviously this is a
17 request for further information and I'm assuming that you
18 or another supervisor would have instructed Mr. Boisvenue
19 to respond?

20 **MR. CARRIERE:** Yes.

21 **MR. ENGELMANN:** And ---

22 **MR. CARRIERE:** This response came
23 approximately seven months after Mr. Boisvenue had sent the
24 letter.

25 **MR. ENGELMANN:** Yes.

1 **MR. CARRIERE:** There may have been -- no, I
2 believe the file was till with him. I think that's why it
3 ultimately went back in.

4 Sorry, I was going to say that there might
5 have been some consideration in terms of giving it back to
6 phone intake, who would normally do it, if Mark had closed
7 things off. But I don't think that ever happened so that's
8 why it returned to Mark.

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

10 So then if we can look at Exhibit 456 if you
11 still have that other binder.

12 **THE COMMISSIONER:** Four?

13 **MR. ENGELMANN:** Five six (56).

14 **THE COMMISSIONER:** It's in the same binder.
15 Then we'll take a break, Mr. Engelmann.

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

17 It's just a very brief letter ---

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** --- Mr. Carriere. It
20 appears she has not received any response to her letter ---

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** --- that she wrote in March,
23 and so she's writing again to request even an
24 acknowledgment of the previous correspondence.

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** And again saying that this
2 is of importance to her.

3 **MR. CARRIERE:** That's right.

4 **MR. ENGELMANN:** Fair enough?

5 **MR. CARRIERE:** Yes, that's correct.

6 **MR. ENGELMANN:** All right, perhaps we should
7 take the afternoon break.

8 **THE COMMISSIONER:** Thank you.

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

11 The hearing will resume at 3:20 p.m.

12 --- Upon recessing at 3:06 p.m. /

13 L'audience est suspendue à 15h06

14 --- Upon resuming at 3:33 p.m. /

15 L'audience est reprise à 15h33

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

18 The hearing is now resumed. Please be
19 seated. Veuillez vous asseoir.

20 **WILLIAM CARRIERE:** Resumed/Sous le même serment

21 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
22 **ENGELMANN (Cont'd/suite):**

23 **THE COMMISSIONER:** All right. Mr.
24 Engelmann?

25 **MR. ENGELMANN:** Just a couple of

1 housekeeping matters, if I may, Mr. Commissioner?

2 THE COMMISSIONER: Yes.

3 MR. ENGELMANN: We've been talking about how
4 to finish the evidence of Angelo Towndale.

5 THE COMMISSIONER: M'hm.

6 MR. ENGELMANN: And obviously trying to do
7 it before the end of this week.

8 THE COMMISSIONER: Right.

9 MR. ENGELMANN: And we've been balancing
10 some competing interests: Mr. Lee still being ill; the
11 witness wanting very much to finish his cross and not have
12 to wait four weeks for that to end, and indicated to
13 counsel for the Victims Group that we wanted to finish his
14 evidence this week.

15 THE COMMISSIONER: M'hm.

16 MR. ENGELMANN: So Ms. Thiele-Callan is here
17 and we'll do the cross on Friday.

18 THE COMMISSIONER: All right.

19 MR. ENGELMANN: What I propose is that we
20 have Mr. Towndale come back first thing Friday morning and
21 we just get him done. That will be interposing -- I'm not
22 sure whether that will be interposing Mr. Carriere or the
23 next witness, Ms. Fitzpatrick.

24 THE COMMISSIONER: M'hm.

25 MR. ENGELMANN: I have indicated to counsel

1 for the Victims Group that -- and to the parties that we
2 will not force them on with the cross-examination of Mr.
3 Carriere this week.

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

5 **MR. ENGELMANN:** So unfortunately,
6 Mr. Carriere, you will have to come back to be cross-
7 examined by at least a couple of lawyers; one anyway.

8 And that's the plan for now, sir.

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

10 **MR. ENGELMANN:** If it is possible, if we
11 could start at 9:00 on Friday morning, if that was
12 possible, and we can make sure that Mr. Towndale is
13 available at that time.

14 **THE COMMISSIONER:** Fine.

15 **MR. ENGELMANN:** Secondly, sir, if we might
16 sit a little later than usual this evening?

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

18 **MR. ENGELMANN:** That would be helpful. I'm
19 not as far along as I'd like to be. I understand that you
20 might be available till around 5:15 or so?

21 **THE COMMISSIONER:** Yes. Yes.

22 **MR. ENGELMANN:** Okay. That is satisfactory,
23 sir?

24 **MR. CARRIERE:** Yes, it is.

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

1 Mr. Carriere, we were looking at some
2 correspondence and some disclosure issues that Catherine
3 Sutherland had with the Society.

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** And I wanted to turn you to
6 Exhibit 457.

7 And we've looked at a couple of previous
8 exhibits. She's written on March 28th, 1996; she's also
9 written on -- in June of 1996; and he is now responding on
10 October 1st.

11 **MR. CARRIERE:** Yes.

12 **MR. ENGELMANN:** Correct?

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** And again at this point it
15 appears that you are not his supervisor; that that is
16 someone by the name of Bernard Lamarche?

17 **MR. CARRIERE:** Yes, that's correct.

18 **MR. ENGELMANN:** And he's apologizing for the
19 delay in getting back to her?

20 **MR. CARRIERE:** Yes.

21 **MR. ENGELMANN:** And saying that a reply to
22 specific questions will be forthcoming?

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** And he's then talking, in
25 the second paragraph, about a new procedure that -- I

1 believe it's a new procedure, that a second reviewer is
2 going to be checking the file before the response?

3 **MR. CARRIERE:** Yes. I think that there was
4 a decision that would have been made that Patricia
5 Garrahan, who did adoption disclosure, would assist in
6 looking at the file.

7 I would say without any doubt that Patricia
8 Garrahan would be the most knowledgeable and most skilled
9 person to review the file within the agency, given her
10 experience in adoption disclosure. So I believe that's the
11 arrangement that's being discussed.

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

13 So she and Mark Boisvenue will be getting
14 together to work on the response.

15 **MR. CARRIERE:** That's my understanding, yes.

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

17 And he's saying that, in the last paragraph:

18 "Because of this added procedure, I'm
19 unable at this time to provide a
20 specific time frame for our reply. I
21 will do my best, however, to expedite
22 this matter and respond as soon as
23 possible."

24 **MR. CARRIERE:** Yes.

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

1 Now, we then have correspondence in the new
2 year. There is a memo from you to Bernie Lamarche. And
3 this is Document Number 738624, if that could be the next
4 exhibit, sir.

5 **THE COMMISSIONER:** Yes, sir. Thank you.
6 Exhibit 2317 is a memo to Bernie Lamarche,
7 is that?

8 **MR. CARRIERE:** That's correct.

9 **THE COMMISSIONER:** From Bill Carriere dated
10 January 2nd, 1997.

11 **---EXHIBIT NO./PIÈCE NO P-2317:**

12 (738624) Memo from William Carriere to
13 Bernie Lamarche dated 02 Jan 97

14 **MR. ENGELMANN:** Sir, it appears that,
15 whether you're the supervisor or not, you get pulled back
16 into this.

17 **MR. CARRIERE:** I believe that I'm either the
18 Clinical Director or Director of Client Services at this
19 point.

20 **MR. ENGELMANN:** All right. And you're
21 receiving a call from a woman by the name of Wenda Hodsdon?

22 **MR. CARRIERE:** Yes, she's the Program
23 Supervisor for the Ministry.

24 **MR. ENGELMANN:** For the Ministry?

25 **MR. CARRIERE:** Yes, for the Ministry.

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

2 So it would appear that, given the delays,
3 Ms. Sutherland has contacted someone at the Ministry.

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** And as a consequence, you're
6 now getting in touch with the supervisor of the two workers
7 on the file, Mr. Lamarche, to find out what's going on?

8 **MR. CARRIERE:** That's right.

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

10 And you've reviewed the file. You've
11 reviewed the requests that were made the previous year?

12 **MR. CARRIERE:** I wouldn't have done that at
13 this time, I don't think, sir. I just would have found out
14 sort of the status of things, I believe, in terms of
15 speaking with Mark Boisvenue.

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

17 "I spoke with Mark Boisvenue, who was
18 able to explain the most recent
19 developments on this case. I read the
20 letter that was sent to Ms. Sutherland;
21 also located the photocopies in your
22 office. Bernie, the trail ended for me
23 at this point."

24 **MR. CARRIERE:** Yes. I guess I was
25 clarifying that I wouldn't have read the whole file.

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

2 **MR. CARRIERE:** Yes.

3 **MR. ENGELMANN:** And you said you called
4 Wenda back and I guess Bernie was not available or away.
5 And you indicate you would be following up with this memo.

6 "And Wenda asked if the Society had a
7 specific policy regarding time frames
8 for responses to request for
9 information. Indicated that we did
10 not. Said nothing more. I was
11 inclined to remind her our staff needs
12 to deal with actual protection matters
13 but I did not."

14 So I take it from that, sir, that you were
15 concerned about not having sufficient staff ---

16 **MR. CARRIERE:** Yes, that's correct.

17 **MR. ENGELMANN:** --- to deal with protection
18 matters, let alone disclosure of information.

19 **MR. CARRIERE:** Absolutely.

20 **MR. ENGELMANN:** In any event, sir, there
21 have been many months that have gone by since this most
22 latest request of Catherine Sutherland.

23 This is not being done in a timely fashion.

24 **MR. CARRIERE:** Right.

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

1 **MR. CARRIERE:** That's fair.

2 **MR. ENGELMANN:** So it's hardly surprising
3 that someone might be frustrated and contact the Ministry.

4 **MR. CARRIERE:** I think that that's
5 understandable.

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

7 **THE COMMISSIONER:** It's been going on now
8 since 1994 and we're into '97.

9 **MR. CARRIERE:** Yes, yes, and she may have
10 been aware of the request in 1987 as well, sir.

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

12 **MR. CARRIERE:** In fact she would be because
13 she signed a consent.

14 **THE COMMISSIONER:** Yeah.

15 **MR. ENGELMANN:** Now, sir, it appears after
16 this that Mr. Abell gets involved ---

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** --- in this matter.

19 **MR. CARRIERE:** Yes, I had cc'd him in this.

20 **MR. ENGELMANN:** Yes. He was cc'd on Exhibit
21 2317 that we just looked at. Right?

22 **MR. CARRIERE:** Yes. Yes, that's what I
23 meant. Yes.

24 **MR. ENGELMANN:** And so I'll have some
25 questions for him at the time about his own involvement.

1 I understand that in the fall of 1997 the
2 OPP requested information about Ms. Sutherland's file, I'm
3 wondering if you had any involvement in that matter at that
4 time.

5 **MR. CARRIERE:** I think I may have but you'd
6 probably need to bring me to some documents to refresh my
7 memory on that.

8 **MR. ENGELMANN:** Let's take a look at
9 Document Number 738583. It's a cross document.

10 **THE COMMISSIONER:** Thank you. Exhibit 2318
11 are notes of Mark Boisvenue. The date is the 25th of the
12 ninth month of '97.

13 **--- EXHIBIT NO./PIÈCE NO. P-2318:**

14 (738583) Case Documentation System Service
15 Record re Cathy Sutherland dated 25 Sep 97

16 **MR. ENGELMANN:** All right, so we have a
17 telephone call from an OPP officer by the name of Ralko.

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** On September 25th, 1997 to
20 Mark Boisvenue and it's regarding Ms. Sutherland, and
21 they're investigating a complaint lodged by her regarding
22 historical child abuse, and he's requesting a significant
23 amount of information from you, from the agency. Correct?

24 **MR. CARRIERE:** Yes, that's correct.

25 **MR. ENGELMANN:** And, sir, at this point in

1 time were you involved at all in supervision of Mr.
2 Boisvenue?

3 **MR. CARRIERE:** I don't believe that I would
4 be at this point in time.

5 **MR. ENGELMANN:** All right. So did you have
6 anything to do with these requests, sir?

7 **MR. CARRIERE:** It seems to me that what
8 happens -- and I don't quite understand this where it says
9 right at the bottom:

10 "This file is not open to me. I
11 believe it should be referred to intake
12 for follow-up."

13 This is -- again trying to put this in a
14 time frame, this probably is after Mr. Abell has responded
15 and Patricia Garrahan has met with Ms. Sutherland, and the
16 file may have been closed off then so it would go back to
17 intake, so I probably am involved if it goes back to
18 intake.

19 **MR. ENGELMANN:** All right, so there are
20 ongoing issues about disclosure of information to
21 Ms. Sutherland.

22 **MR. CARRIERE:** Right.

23 **MR. ENGELMANN:** And just as a follow-up to
24 this, sir, if we could have a look at Document Number
25 738585, and this is in the cross documents as well.

1 **THE COMMISSIONER:** Exhibit 2319 is a Request
2 for Information Release or Sharing dated May 11th, 1998.

3 **--- EXHIBIT NO./PIÈCE NO. P-2319:**

4 (738585) Request for Information Release or
5 Sharing re Cathy Sutherland dated 11 May 98

6 **MR. ENGELMANN:** So, sir, without getting
7 into some of the correspondence in between, we know that in
8 September of '97 an OPP officer by the name of Ralko was
9 seeking some information. I believe, sir, it's a further
10 request in October of '97 and here we are, there's a
11 request in March of '98 and this is being written up on May
12 11th and it says -- and this is Carole Leblanc is the
13 recorder.

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

15 **MR. ENGELMANN:** Are you involved in her
16 supervision at that point, sir?

17 **MR. CARRIERE:** Yes, I am.

18 **MR. ENGELMANN:** All right, and she's
19 indicating on March 4th, '98:

20 "Constable John Ralko requested some
21 further information with regards to
22 Cathy Sutherland. Constable Ralko is
23 investigating allegations from
24 Catherine Sutherland..."

25 Et cetera, and he's requesting certain

1 information, and you've signed off on this, sir, in June of
2 '98. Correct?

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** So was information being
5 provided to the OPP from time to time?

6 **MR. CARRIERE:** Yes. I believe before this,
7 and I stand to be corrected, that information had been
8 provided as well by a gentleman by the name of Gilles
9 Groulx, an intake worker.

10 **MR. ENGELMANN:** But you're aware, at least,
11 that the OPP was seeking information in the fall and spring
12 of '97 or '98?

13 **MR. CARRIERE:** Yes. I think what happened,
14 sir, is that when Mark Boisvenue talked about the matter
15 being sent to intake ---

16 **MR. ENGELMANN:** Yes.

17 **MR. CARRIERE:** --- I believe it goes to
18 Gilles Groulx, and Gilles Groulx photocopies -- it may be
19 an entire file or I think a large quantity of material and
20 it's given to the OPP. And I think that's why, when you
21 look at this particular request, May 11th, '98 it says:

22 "Constable John Ralko requesting some
23 further information."

24 **MR. ENGELMANN:** Yes.

25 **MR. CARRIERE:** That he had been given some

1 already by Mr. Groulx.

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

3 Now, we looked at letters from
4 Ms. Sutherland in March and June of '86, a response from
5 Mr. Boisvenue in October, then your memo in January of '97.

6 **MR. CARRIERE:** Right.

7 **MR. ENGELMANN:** Of course we still hadn't
8 had a response to her. I understand that in March of '97
9 she's permitted to review some of her files.

10 **MR. CARRIERE:** Yes, the worker, Patricia
11 Garrahan, travels to Hamilton, I think makes arrangements
12 with one of the Children's Aid Societies in Hamilton for
13 the use of an office, and allows Ms. Sutherland to review
14 the file with sections of it blacked out.

15 **MR. ENGELMANN:** The reason I say this is if
16 you look at Exhibit 489, which is dated November 27th, 1998
17 ---

18 **MR. CARRIERE:** Four eighty-nine (489), yes.

19 **MR. ENGELMANN:** --- there is correspondence
20 from yourself ---

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** --- to a doctor in Hamilton.

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** And in your letter you're
25 referring to the fact that he has responded -- sorry, he

1 has requested certain information in the past.

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And as a consequence, on
4 March 10th, '97 Mrs. Sutherland was permitted to dictate an
5 audiotape of the 38 pages of file recording -- sorry, I
6 don't know if this makes sense. The 38 pages of file
7 recording that she was legally allowed to access from her
8 files?

9 MR. CARRIERE: Yes.

10 MR. ENGELMANN: So she was allowed to look
11 at 38 pages of her file?

12 MR. CARRIERE: Yes.

13 THE COMMISSIONER: Well, she was able to
14 look at them, dictate the exact documents into the thing,
15 and I guess get them typed up, which means that a photocopy
16 would have been just as good.

17 MR. CARRIERE: It would have.

18 MR. ENGELMANN: Would have been a lot less
19 work.

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: And wouldn't have required
22 you to ship these things down to Hamilton.

23 MR. CARRIERE: And the worker.

24 MR. ENGELMANN: And the worker. Do you know
25 why that was done?

1 **MR. CARRIERE:** I don't know, sir.

2 **THE COMMISSIONER:** The same reason, in years
3 gone by, those who do criminal law would sit on the other
4 side of the desk of the Crown Attorney and he or she would
5 read to you the disclosure. Does anybody remember that or
6 am I that old? There we go. You see. Times have changed.

7 **(LAUGHTER/RIRES)**

8 **MR. ENGELMANN:** Test your shorthand.

9 **MR. CHISHOLM:** I suspect Mr. Kozloff might
10 as well, sir.

11 **THE COMMISSIONER:** I'm sorry?

12 **MR. CHISHOLM:** I suspect Mr. Kozloff might
13 as well, if he didn't own up.

14 **THE COMMISSIONER:** Well, he didn't own up.

15 **MR. ENGELMANN:** He's a youthful man.

16 **THE COMMISSIONER:** There we go.

17 **(LAUGHTER/RIRES)**

18 **MR. CARRIERE:** Mr. Engelmann, if I could
19 just correct one thing. I don't think Dr. Cornfield had
20 requested information beforehand.

21 **THE COMMISSIONER:** No, he's a ---

22 **MR. CARRIERE:** This is the first time he's
23 written to us.

24 **MR. ENGELMANN:** Okay, yeah.

25 **THE COMMISSIONER:** It was the psychologist.

1 **MR. CARRIERE:** It was Dr. Murphy that had
2 written to us in '87.

3 **MR. ENGELMANN:** Right. Right. All right,
4 and what you're doing is you're suggesting that he might
5 look at what she dictated from the file?

6 **MR. CARRIERE:** Yes, yes.

7 **MR. ENGELMANN:** All right. All right.

8 **THE COMMISSIONER:** Can we say that it isn't
9 your agency's finest hour as far as disclosure of
10 documents?

11 **MR. CARRIERE:** I think that would be a fair
12 statement.

13 **MR. ENGELMANN:** All right, so you're
14 essentially asking him to get the information from her or
15 go to the hospital for information?

16 **MR. CARRIERE:** Yes, for their material, yes.

17 **MR. ENGELMANN:** All right, and were you
18 aware of why he was requesting the information, sir, at
19 that time?

20 **MR. CARRIERE:** I believe that he was working
21 with her.

22 **MR. ENGELMANN:** Sir, I don't mean to beat a
23 dead horse but there are a couple more letters here that I
24 think we should just put to the witness. He has
25 acknowledged that this wasn't a good effort but if we could

1 look at -- it's Exhibit 470. And this is now a letter
2 coming from Jeanette Scrimshaw to Ms. Sutherland. And this
3 is now June of '99 and it's referring to a letter from her.
4 It says:

5 "I see from your letter that you have
6 dealt successfully with Mr. Abell, our
7 Executive Director, in the past. I
8 have spoken to Mr. Abell. We have
9 agreed to move this matter directly to
10 the Coordinator of Services level. Mr.
11 Carriere will be asked to respond to
12 your letter and a complaint
13 subcommittee of the Board will then be
14 available to you if you should so
15 wish."

16 What is this about, sir?

17 **MR. CARRIERE:** She -- sorry, excuse me. Ms.
18 Sutherland has written to the Board of Directors,
19 complaining about her experience with the agency with
20 respect to receiving access to her file. That matter has
21 gone from the President of the Board -- the President of
22 the Board is responding to her, indicating that our
23 complaints procedure is such that the first level -- I
24 think the first appropriate level that the matter be taken
25 to would be with me because of the position that I occupied

1 at the time, and that I would be responding to her
2 complaint. If she's not satisfied with my response then
3 she could have access to the Services Committee at the
4 Board.

5 **MR. ENGELMANN:** All right. And then, as a
6 consequence to that letter and that response, we could take
7 a look at Document number 738593, which is a 21-Day -- is
8 the title -- Documentation System, and it's prepared by
9 Patricia Garrahan, July 26th, 1999.

10 **THE COMMISSIONER:** Exhibit 2320 is a 21-Day
11 Report dated -- date recorded July 26th, '99.

12 **--- EXHIBIT NO./PIÈCE NO. P-2320:**

13 (738593) Documentation System re Catherine
14 Sutherland dated 26 Jul 99

15 **MR. ENGELMANN:** Okay. So this is setting
16 out some of the work that's been done on this since the
17 complaint letter is sent in?

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** And she's talking about the
20 fact that -- in the second paragraph -- this matter was
21 discussed with you. That same day the worker met with
22 Richard Abell and William Carriere; arrange a case
23 conference. You want the lawyer to be present as well, Ms.
24 McLellan. And it says:

25 "On July 13th this worker completed the

1 photocopy of the client's file as per
2 her period of time in the Society's
3 care. Third party names and
4 information about third parties were
5 blacked out..."

6 And there's awaiting consultation with your
7 internal lawyer, right?

8 **MR. CARRIERE:** That's correct.

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

10 **MR. CARRIERE:** This is not the traditional
11 response to a client complaint. There must have been some
12 meeting involving Mr. Abell and perhaps our lawyer and
13 Patricia Garrahan in terms of how we would respond to this.
14 There must have been a decision made that we would attempt
15 to provide as much information as we could, rather than me
16 probe -- pursuing with Ms. Sutherland what her issues were,
17 because I think it probably was fairly clear at that point
18 in time what her issues were.

19 **MR. ENGELMANN:** I would have thought so,
20 yes.

21 **MR. CARRIERE:** Yeah.

22 **MR. ENGELMANN:** Okay.

23 Sir, if we could then go to -- and it should
24 be close to you -- Exhibit 471.

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** This is a letter then that's
2 written to her, providing information ---

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** --- and it says that it's
5 from yourself and Patricia Garrahan:

6 "We have carefully reviewed your file.
7 We are enclosing all of the information
8 that we believe you are legally
9 entitled to. You will note there is a
10 number beside or near each of the
11 blacked-out portions."

12 And you explain what the coding is. (1) is
13 blacking out of an identity of a third party, (2) is the
14 address of a third party and (3) is information about a
15 third party. Okay, and you would have -- there would have
16 been an attachment, which was the report itself.

17 **MR. CARRIERE:** I believe so. I don't
18 believe, sir, that I was necessarily involved with this.
19 This is signed by Lorenzo Murphy. And the fact that this
20 letter goes out in August -- traditionally I would take my
21 vacation in August, so I don't recall this at all. I'm
22 assuming that, you know, as the letter spells out, that
23 there's an attachment.

24 **MR. ENGELMANN:** Right, and I'll pull that up
25 in a moment if I can.

1 This is now 12 years after the initial
2 request ---

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** --- for disclosure and there
5 have been several in the meantime. And you'd agree this is
6 an inordinate amount of time to provide the information?

7 **MR. CARRIERE:** Yes, I would agree.

8 **MR. ENGELMANN:** And if we could just take a
9 look, briefly, at the -- at I believe what was sent. It is
10 Document number 739887. This is my understanding, sir,
11 this is the package that was sent with the August 12th
12 letter.

13 **THE COMMISSIONER:** Thank you.

14 Exhibit number 2321 are the documents sent
15 to Ms. Sutherland, and I don't see that there's a date. So
16 it's Document number 739887.

17 --- **EXHIBIT NO./PIÈCE NO. P-2321:**

18 (739887) Case Notes Donnelly from CAS

19 **MR. ENGELMANN:** I don't intend to take you
20 to the content of the document, sir, but you'd agree with
21 me that there are tremendous portions of this document that
22 are blacked out?

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** In fact there are sometimes
25 full pages that are blacked out. Everything is blacked

1 out, or everything is blacked out except the date.

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And I'm assuming if you
4 yourself received the document like this it might raise
5 some questions for you about what you're not seeing.

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: Were you involved at all,
8 sir, in deciding how much of this document would be edited?

9 MR. CARRIERE: My understanding,
10 Mr. Engelmann, from reading the recording of Patricia
11 Garrahan, that she would have reviewed it with our legal
12 counsel. I don't recall being involved in reviewing it but
13 I -- I just simply don't recall.

14 MR. ENGELMANN: All right.

15 MR. CARRIERE: My thinking is that if it
16 went out in August -- like if she did not receive a
17 response until August then there's a reasonably good chance
18 that I did not see it, because I typically took the entire
19 month off.

20 MR. ENGELMANN: But there are, as I said,
21 two concerns that have been expressed here about
22 information provided. One was the timeliness issue, and
23 this illustrates perhaps the worst case of that; and
24 secondly, not getting full information. And again, just a
25 cursory review of this document suggests that there's a

1 whole lot of information that Cathy Sutherland was not
2 getting.

3 MR. CARRIERE: Yes. I have no idea what
4 that information is and whether or not she was entitled to
5 some of it.

6 MR. ENGELMANN: All right.

7 THE COMMISSIONER: Is there someplace that
8 we have an unedited part of the file? It must exist.

9 MR. CARRIERE: It would exist, yes.

10 MR. ENGELMANN: We'll see if we can find
11 that, sir. I noted, and Mr. Chisholm has as well, that the
12 numbers that are supposed to be on the document aren't on
13 this one.

14 THE COMMISSIONER: I'm sorry?

15 MR. ENGELMANN: You'll recall in the cover
16 letter ---

17 THE COMMISSIONER: Yes.

18 MR. ENGELMANN: --- or what I thought to be
19 the cover letter to this document, it indicates that three
20 numbers should appear and there's reasons for each number,
21 number 1 being the identity of a third party; number 2, the
22 address of a third party.

23 THE COMMISSIONER: Right.

24 MR. ENGELMANN: Number 3, information about
25 a third party?

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

2 **MR. ENGELMANN:** We don't see numbers 1, 2
3 and 3 on this document.

4 **THE COMMISSIONER:** Right.

5 **MR. ENGELMANN:** Well, obviously the document
6 is about Cathy Sutherland.

7 **THE COMMISSIONER:** Yes.

8 **MR. ENGELMANN:** So we'll follow that up with
9 the Children's Aid Society and find out if there is another
10 document.

11 **THE COMMISSIONER:** What I'm going to want to
12 do is have an unedited copy ---

13 **MR. ENGELMANN:** Yes.

14 **THE COMMISSIONER:** --- so that I can review
15 it to look at the quality of the disclosure and that kind
16 of thing.

17 **MR. ENGELMANN:** We'll make sure we get that.

18 **THE COMMISSIONER:** Thank you.

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

20 Perhaps we can turn to another matter.

21 **THE COMMISSIONER:** Yes, she might be right.

22 CAS ---

23 **MR. ENGELMANN:** Ms. Daley is ---

24 **THE COMMISSIONER:** Ms. Daley is. So that's
25 the CAS family file. Is that the same thing -- yeah. So

1 we have it.

2 MR. ENGELMANN: Yes, we do.

3 THE COMMISSIONER: Good, good. Thank you.

4 MR. ENGELMANN: I can't remember if it's a
5 red star or a gold star that Mr. Manson used to talk about,
6 but I think Ms. Daley deserves one.

7 THE COMMISSIONER: She can claim it from Mr.
8 Manson at your leisure.

9 MR. ENGELMANN: Sir, I'd like to ask you a
10 couple of questions. I'd like to go back to a fellow we
11 talked about yesterday for a moment, and that's Nelson
12 Barque.

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: We talked about him briefly
15 being involved in the -- a committee, a Subcommittee ---

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: --- of Child Abuse
18 Prevention Council.

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: And that council was set up
21 in either, I think, '86 ---

22 MR. CARRIERE: The idea of it started in '85
23 and I think meetings actually began in '86.

24 MR. ENGELMANN: All right.

25 And then you had subcommittees of the

1 council?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And we understood he was
4 involved in a public awareness subcommittee?

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: And that would have been
7 either in '86 or '87?

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: All right.

10 And at the time, you indicated that you
11 didn't know about some of the past that has come up here?

12 MR. CARRIERE: Sorry, he wouldn't have been
13 involved in '87 because I think he had left in '86.

14 MR. ENGELMANN: In '86, okay.

15 MR. CARRIERE: Yes.

16 MR. ENGELMANN: And I just -- so just to --
17 I wanted to ask you a couple of questions about him and go
18 to a couple of exhibits, if I may. One of those is Exhibit
19 1468, and this was -- this was an initial intake report and
20 it's -- the recorder is Fran Lepage.

21 And, sir, I believe at this time you were
22 her supervisor?

23 MR. CARRIERE: Yes.

24 MR. ENGELMANN: And I say that because I'm
25 looking at Bates page 171, and it appears you're signing

1 off on this report as her supervisor?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: Do you have some
4 recollection of this?

5 MR. CARRIERE: I don't.

6 MR. ENGELMANN: All right.

7 The details that were reported, this is
8 concerning a -- this is a victim who testified here by the
9 name of Albert Roy.

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: And he makes a statement to
12 the Cornwall Police on November 23rd, 1994 that he was
13 abused by -- sexually abused by Mr. Barque when he was on
14 probation to him at the age of 16.

15 MR. CARRIERE: Yes.

16 MR. ENGELMANN: And it goes on to say that
17 he would have reported this to another probation officer,
18 who in turn would have sexually abused him, and I believe
19 he's testified here that that was Mr. Seguin.

20 Near the end of this, Sergeant Brunet says
21 that Nelson Barque is doing supply teaching for the
22 Separate School Board, and that's the reason for the
23 referral to the CAS. Do you see that?

24 MR. CARRIERE: Yes, I do.

25 MR. ENGELMANN: All right.

1 And that would be obviously a prudent thing
2 to do. If you have information about an allegation of this
3 nature, whether current or historical, if the person is a
4 teacher in any capacity with access to children, should
5 report to the CAS?

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** All right.

8 And, sir, do you know what the CAS response
9 was with respect to this particular allegation?

10 **MR. CARRIERE:** If we can go just a little
11 bit further on that same page, Mr. Engelmann, it's -- he
12 says:

13 "Fran notes criminal investigation is
14 beginning. He does not think CAS
15 involvement is required at this time."

16 I don't recall this matter and when I look
17 at the -- I know that there are a series of case notes and
18 you may want to bring me to those case notes that I typed
19 out. I can reconstruct something from that, but I can't --
20 I don't recall this matter.

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

22 But presumably whether a police officer
23 thinks you should be involved or not, that is a decision
24 for the CAS to make?

25 **MR. CARRIERE:** It is, but as I look at the

1 discussion that I've noted with Sergeant Brunet, it appears
2 to me that there's some understanding that the police will
3 be in touch with the school. So it may have been left like
4 that.

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

6 **MR. CARRIERE:** But I -- you know, I have no
7 independent recollection of this whatsoever, and I have to
8 say that that's a reconstruction from my case notes.

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

10 And just -- there's a note on Bates page
11 171:

12 "We have no current allegation against
13 a child."

14 **MR. CARRIERE:** Yes.

15 "The matter addressed by the police is
16 of a historical nature. Cornwall
17 Police Services/OPP are proceeding with
18 investigation and are not requesting or
19 expecting CAS involvement at this time.
20 Police will advise Society of any
21 information indicating that child may
22 be in need of protection as per CFSA."

23 **MR. ENGELMANN:** So I would think aside from
24 having that reassurance, that someone from your agency
25 would want to ensure that this individual didn't have

1 access to children at that time?

2 MR. CARRIERE: Well, again, I'm
3 reconstructing in terms of thinking that the police are
4 going to get in touch with the School Board and arrange for
5 that to happen.

6 MR. ENGELMANN: All right.

7 THE COMMISSIONER: No, but there's a whole
8 other -- he may be in charge of a choir. He may be ---

9 MR. CARRIERE: Yes, that's true.

10 THE COMMISSIONER: --- going camping this
11 very weekend with some children.

12 MR. CARRIERE: Yes, yes, that's true. I
13 can't dispute that.

14 MR. ENGELMANN: At the very least, you'd
15 expect some follow-up on this to see what in fact ---

16 MR. CARRIERE: In retrospect there should be
17 more on this. We either should have intervened along with
18 the police or I should have followed up or had Fran follow
19 up with the police to say, "How did it go with the School
20 Board?" or the two of us, both the -- as we did with the
21 Bernie Campbell situation, the two of us go to the School
22 Board and inform him.

23 MR. ENGELMANN: All right.

24 So you don't know if anybody from the CAS
25 spoke to anybody at the School Board?

1 **MR. CARRIERE:** I don't believe anyone did.

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

3 And I just want to -- there is a case note,
4 sir, and I'm going to just find it. You've mentioned it.
5 Just give me a moment. It's Exhibit 891.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **MR. ENGELMANN:** This appears to be, sir, a
8 case note that you prepared ---

9 **MR. CARRIERE:** Yes.

10 **MR. ENGELMANN:** --- of a call that you had
11 with Staff Sergeant Luc Brunet on November 28th, 1994.

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** And it's signed off on
14 November 30th.

15 **MR. CARRIERE:** Yes. And you're calling him
16 back to advise Staff Sergeant Brunet that we had some
17 information on record relating to Nelson Barque:

18 "Advised Staff Sergeant Brunet that we
19 had information on record indicating
20 that in 1986 a mother of a sexual abuse
21 victim had indicated to us that she
22 would not allow Nelson Barque, who was
23 at the time working for L'Equipe
24 Psycho-Sociale, counsel her son as
25 she'd heard rumours that Mr. Barque had

1 molested a child."

2 And then:

3 "I advised Staff Sergeant Brunet that
4 we had met with L'Equipe Psycho-Sociale
5 clinical director, Mario Sarda
6 concerning Mr. Barque's recent
7 departure from L'Equipe Psycho-Sociale
8 and had been advised by Mr. Sarda that
9 Mr. Barque's departure was not related
10 to any reports that he had sexually
11 molested a child under the age of 16."

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** A couple of things arising.
14 First of all, so that was the information that your agency
15 was getting from L'Equipe Psycho-Sociale.

16 **MR. CARRIERE:** Yes, yes.

17 **MR. ENGELMANN:** That his departure had
18 nothing to do with ---

19 **MR. CARRIERE:** That's -- yes.

20 **MR. ENGELMANN:** --- allegations of child
21 sexual abuse.

22 **MR. CARRIERE:** Yes, and I recall that.

23 **MR. ENGELMANN:** All right. And it's also
24 saying though that this mother of a sexual abuse victim
25 indicated that she'd heard rumours that Mr. Barque had

1 molested a child.

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: All right. In addition,
4 sir, you say:

5 "I further indicated that I had
6 previously heard rumours that while
7 Nelson Barque was employed at Probation
8 Services he had quit on the suggestion
9 of Probation Services that if he did
10 not leave they would be pursuing an
11 investigation that he had sexually
12 molested an older adolescent that was
13 on probation to him."

14 And you're advising that you'd been told
15 that Barque left Probation Services, he apparently left
16 behind incriminating information in his desk.

17 MR. CARRIERE: Yes.

18 MR. ENGELMANN: Okay? So just a couple of
19 things arising; there was clearly some kind of a report to
20 the CAS in 1986.

21 And yesterday you told us that when he was
22 on this sub-committee with you you didn't know anything
23 about his background.

24 MR. CARRIERE: Yes.

25 MR. ENGELMANN: Is that still accurate?

1 **MR. CARRIERE:** Yes, it's still accurate.

2 All of this -- both of these pieces of information come
3 very shortly after his departure from L'Equipe.

4 **MR. ENGELMANN:** Okay.

5 **MR. CARRIERE:** We are involved with a client
6 and I can't recall the nature but she says when her son had
7 been at L'Equipe she didn't want Nelson to be the
8 counsellor because she had heard something.

9 She doesn't tell us that until after Nelson
10 has left L'Equipe. And I believe it's Greg Bell that
11 actually phones up, meets with L'Equipe and is told that
12 no, there's nothing to that.

13 Around the same time -- I think they were
14 probably rumours and people are wondering why Nelson has
15 left L'Equipe. I don't recall who told me about the
16 Probation situation. I don't think it's somebody who was
17 necessarily in the know, but I just don't remember who that
18 person is.

19 What I'm told -- and I don't know that I've
20 accurately reflected it here because I used the word
21 sexually molested and I may have thought that in 1994, but
22 my recollection was that what I was told was that Nelson
23 became involved with somewhat an older adolescent, and that
24 there had been a relationship with him and that that
25 relationship included some sexual involvement.

1 And my recollection was that the
2 incriminating information was photographs or pictures but
3 I'm not sure about that. And again that's told to me after
4 Nelson is no longer with L'Equipe.

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

6 **MR. CARRIERE:** And he's obviously no longer
7 part of the Child Abuse Prevention Council.

8 **MR. ENGELMANN:** No matter what the age of
9 the adolescent, sir, if this is someone who's on probation
10 ---

11 **MR. CARRIERE:** Oh, and that's probably why I
12 wrote, "sexually molested."

13 **MR. ENGELMANN:** Fair enough.

14 **MR. CARRIERE:** Yeah.

15 **MR. ENGELMANN:** You understood that that
16 could not be a consensual relationship.

17 **MR. CARRIERE:** Oh, and that's -- as I said I
18 think that's why I wrote, "sexually molested."

19 **MR. ENGELMANN:** I'll just be a moment. Sir,
20 I'd like to ask you some questions about some other work
21 that you were doing in the fall of 1993.

22 You told us already about some of the work
23 on Landry and how you said it wasn't an excuse but it was
24 an explanation ---

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** --- that you had workers
2 tied up on not just that matter but also on a matter
3 involving Father Charles MacDonald.

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** And this was the formation
6 of something that becomes known as Project Blue.

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** And I understand, sir, that
9 the Children's Aid Society first became involved in the
10 David Silmsen complaint in late September 1993 when Richard
11 Abell received some information and then a copy of a
12 statement of a fellow by the name of David Silmsen, and
13 that this he received from Constable Perry Dunlop.

14 **MR. CARRIERE:** Yes.

15 **MR. ENGELMANN:** And were you at all
16 acquainted with Mr. Dunlop? Because we've heard Mr. Abell
17 was.

18 **MR. CARRIERE:** Oh, in terms of friendship or
19 anything like that?

20 **MR. ENGELMANN:** Yes.

21 **MR. CARRIERE:** No, nothing like that.

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

23 **MR. CARRIERE:** No, I'm trying to think of
24 whether or not I had any encounters with Mr. Dunlop as an
25 officer and -- I may have but I don't have any recollection

1 of that.

2 **THE COMMISSIONER:** You don't have to admit
3 speeding tickets, sir.

4 **MR. CARRIERE:** Oh, no. Nothing like that
5 from him. A few from the OPP though.

6 **THE COMMISSIONER:** M'hm. Well, we will be -
7 - they will have to respond.

8 **MR. CARRIERE:** I hope so.

9 **MR. ENGELMANN:** Did you know Constable
10 Dunlop to be a friend of Mr. Abell's?

11 **MR. CARRIERE:** I don't think I did until
12 this matter came out.

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

14 **MR. CARRIERE:** But I could be wrong. I
15 don't think I did, no.

16 **MR. ENGELMANN:** All right. So I'm going to
17 ask you from time to time to refer to some notes of his;
18 Mr. Abell's that is.

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** Would it be fair to say that
21 during the course of that investigation that became known
22 as Project Blue that he would have taken many more notes
23 than you would have?

24 **MR. CARRIERE:** That's quite true.

25 **MR. ENGELMANN:** All right. Was that just

1 his style as opposed to yours or ---

2 MR. CARRIERE: I think that's a good way to
3 describe it.

4 MR. ENGELMANN: All right. And I'd like the
5 witness to be shown Document 721638.

6 Sir, there are excerpts of this document
7 that are exhibits. I would like to use the document
8 itself. It may be easier.

9 THE COMMISSIONER: Sure. We'll file it all
10 then.

11 MR. ENGELMANN: And this is -- I'm going to
12 have Mr. Carriere tell us exactly what it is because these
13 aren't just the notes of one person.

14 THE COMMISSIONER: Thank you. Well, Exhibit
15 2322 are case notes called Project Blue. Is that what
16 we've got?

17 MR. CARRIERE: Excuse me, sir. Yes, I think
18 you might want to say case notes of others because I think
19 there might be another package called case notes.

20 MR. ENGELMANN: Case notes of others.
21 Project Blue.

22 And, sir, can you tell us what is meant by
23 case notes of others?

24 MR. CARRIERE: It's -- that's written by --
25 this front thing is written by Greg Bell, and what he's

1 talking about is case notes that other people other than
2 himself have written and he's included with the material
3 related to Project Blue.

4 MR. ENGELMANN: And the notes that we find
5 within the case notes of others, Exhibit 2322, they would
6 include notes from Mr. Abell?

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: Predominantly notes from Mr.
9 Abell?

10 MR. CARRIERE: That's my recollection.
11 There might be some from Elizabeth MacLennan and there
12 might be some from Pina, but ---

13 MR. ENGELMANN: So for example, if we look
14 at ---

15 MR. CARRIERE: And some from me.

16 MR. ENGELMANN: Well, if we look at page --
17 Bates page 089, those would be notes from Elizabeth
18 MacLennan; is that correct?

19 MR. CARRIERE: That's correct.

20 MR. ENGELMANN: And if we look at 091,
21 that's the same?

22 MR. CARRIERE: That's her handwriting.

23 MR. ENGELMANN: And if we look at 103 and
24 104, would those be your notes, sir?

25 MR. CARRIERE: Those are mine.

1 **MR. ENGELMANN:** And likewise at 106?
2 **MR. CARRIERE:** Those are mine.
3 **MR. ENGELMANN:** One zero seven (107)?
4 **MR. CARRIERE:** Yes, those are mine.
5 **MR. ENGELMANN:** And is 108 you or is that
6 Lorenzo Murphy?
7 **MR. CARRIERE:** That would be Lorenzo.
8 **MR. ENGELMANN:** All right.
9 So we have notes of others ---
10 **MR. CARRIERE:** Yes.
11 **MR. ENGELMANN:** --- that Greg Bell would
12 have had?
13 **MR. CARRIERE:** Yes.
14 **MR. ENGELMANN:** All right.
15 And in those notes, right near the
16 beginning, we have information from Mr. Abell about first
17 becoming aware of the Silmsers complaint on September 25th,
18 1993 during a discussion with Perry Dunlop; correct?
19 **MR. CARRIERE:** Yes.
20 **MR. ENGELMANN:** And we also have a note that
21 on September 30th, he picks up a copy of a statement from
22 Perry Dunlop at his home?
23 **MR. CARRIERE:** Yes.
24 **MR. ENGELMANN:** And you know this to be the
25 David Silmsers statement, sir?

1 **MR. CARRIERE:** Yes, I believe it is.

2 **MR. ENGELMANN:** And he notes on that same
3 page that he has a meeting with you and Mr. Towndale?

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** And he gives a brief outline
6 of the situation and asks you to read the Silmsen
7 statement?

8 **MR. CARRIERE:** Yes.

9 **MR. ENGELMANN:** And do you have any
10 recollection of that meeting, sir?

11 **MR. CARRIERE:** No.

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

13 Now, I think when Mr. Towndale was here he
14 thought that that initial meeting was just with himself and
15 Mr. Abell. Do you know -- are you able to help us on that,
16 whether you would have been present or not?

17 **MR. CARRIERE:** No, I can't help you at all.

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

19 And did you know from working -- you'd
20 worked with Mr. Abell three or four years at this point?

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** Did you have some sense as
23 to whether he took complete and accurate notes or not?

24 **MR. CARRIERE:** I think my experience would
25 be that his notes were pretty detailed and accurate.

1 **MR. ENGELMANN:** All right. They're
2 certainly legible, as notes go.

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** Well, as some notes go.

5 **MR. CARRIERE:** Compared to mine, yes.

6 **MR. ENGELMANN:** And do you know whether he
7 would complete them in a fairly timely manner or not?

8 **MR. CARRIERE:** I think it was -- I think it
9 was his practice to write them, generally speaking, right
10 after he had the interaction or phone call, or quite soon
11 after anyway.

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

13 Now, it says on Bates page 068 that on
14 September 30th he's meeting with you and Mr. Towndale and he
15 says:

16 "Gives them a brief outline of the
17 situation."

18 You can't tell us, sir, can you, what that
19 was?

20 **MR. CARRIERE:** I can't, sir.

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

22 Well, at or about that time, late September,
23 early October of 1993, would that have been the first time
24 you would have heard of allegations by Mr. David Silmsler?

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** And was that the first time
2 that you heard of allegations made against Father Charles
3 MacDonald?

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** And what about Ken Seguin?

6 **MR. CARRIERE:** Yes.

7 **MR. ENGELMANN:** Did you know either of those
8 individuals at that time, sir?

9 **MR. CARRIERE:** I didn't know Father Charles.
10 I had never met him and I've never met him to this day. I
11 knew that Ken Seguin was a probation officer.

12 **MR. ENGELMANN:** How did you know that?

13 **MR. CARRIERE:** I think it was just knowledge
14 from being a frontline worker.

15 **MR. ENGELMANN:** Right.

16 **MR. CARRIERE:** I cannot think of -- I'm
17 trying to think of -- I can think of situations where Ken
18 Seguin and I would pass each other on the street, and I
19 can't recall whether or not we would even acknowledge each
20 other. If we did, it would be no more than a nod. I would
21 definitely not stop and talk to him and he would definitely
22 not stop and talk to me, but we may -- I certainly knew who
23 he was and I could recognize him. I always had the feeling
24 that he didn't know who I was, so I'm not sure whether or
25 not, when I talk about that acknowledging each other on the

1 street -- I can only think of one time I ever spoke to the
2 man, and that is with him phoning me and it was a strange
3 phone call.

4 **MR. ENGELMANN:** Did it have anything to do
5 with the issues before this Inquiry?

6 **MR. CARRIERE:** It would be related to it and
7 I can tell you about it, and I can't tell you exactly when
8 it was, but it was certainly well before this. He phoned
9 me up one day, and I think I'm probably a supervisor at
10 that point, and he -- and I can't recall whether he called
11 me Mr. Carriere or Bill, and he said to me, was I aware of
12 an individual that had been registered on the Child Abuse
13 Register had committed suicide -- and this person was in
14 jail as well -- and I said, "No, I didn't know that," and
15 essentially, that was the phone call and it was like out of
16 the blue. I remember at the time thinking this seems
17 peculiar.

18 Now, maybe he was just being totally
19 professional and it could be that he was the probation
20 officer for this person. This was a piece of information
21 that would be useful for us for our files, but I remember
22 at the time it just seemed peculiar, and then obviously in
23 the post David Silmsen era I thought is there something
24 more to that; was there something more to that? I just
25 remember thinking that it was a peculiar phone call.

1 **MR. ENGELMANN:** Did you know at the time
2 whether probation officers had access to the Child Abuse
3 Register?

4 **MR. CARRIERE:** Oh, I know that they wouldn't
5 have. I think he was telling me that this person whom he
6 knew to be in jail ---

7 **MR. ENGELMANN:** All right.

8 **MR. CARRIERE:** --- had committed suicide.
9 And I think the person had committed suicide in jail.

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

11 **MR. CARRIERE:** But I could be wrong with
12 that.

13 **MR. ENGELMANN:** Okay. There's a reference -
14 - and I'm going back to Bates page 68 of Exhibit 2322, and
15 it's that same meeting. It says:

16 "Called Elizabeth MacLennan. I asked
17 her to join us."

18 And it says:

19 "The three of them..."

20 And this is presumably you, Angelo and her.

21 "...each agree it presents as a highly
22 creditable statement, very likely that
23 there was other abuse of Silmsler not
24 mentioned in the statement, likely
25 other victims, good possibility of

1 present abuse of children by Charlie
2 MacDonald. Elizabeth: Anyone reading
3 the statement has a duty to report
4 under CFSA."

5 Does that refresh your memory at all about
6 what might have been discussed?

7 **MR. CARRIERE:** It doesn't, sir.

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

9 **MR. CARRIERE:** I don't dispute any of this
10 because it all makes sense. It just doesn't bring back any
11 memory of a discussion.

12 **MR. ENGELMANN:** All right. Did you have
13 some sense early on that the people involved thought
14 Silmsen was credible or his statement was credible?

15 **MR. CARRIERE:** You mean the CAS people?

16 **MR. ENGELMANN:** Yes.

17 **MR. CARRIERE:** I certainly thought that
18 Richard Abell did and I certainly thought that Elizabeth
19 did, yes.

20 **MR. ENGELMANN:** Did you share that view at
21 that time?

22 **MR. CARRIERE:** In reading most of it -- in
23 reading the statement, overall my sense was that there were
24 elements of credibility in that statement.

25 **MR. ENGELMANN:** And ---

1 **THE COMMISSIONER:** And you had taken courses
2 about ---

3 **MR. CARRIERE:** Statement validity analysis?

4 **THE COMMISSIONER:** Exactly.

5 **MR. CARRIERE:** Yes, I have, yes.

6 **MR. ENGELMANN:** And were you ---

7 **MR. CARRIERE:** But I don't consider myself
8 to be an expert, sir.

9 **THE COMMISSIONER:** Oh no, no, no. I know.
10 But you read it with the knowledge that you acquired in
11 those courses?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** There was a reference to:
14 "...like the other victims and a concern
15 about present abuse."

16 That's listed there.

17 **MR. CARRIERE:** Yes.

18 **MR. ENGELMANN:** And I know you don't recall
19 the meeting itself, but do you recall having those concerns
20 at that time, or your colleagues having those concerns
21 early on in this investigation?

22 **MR. CARRIERE:** We must have. I mean, I
23 don't have the recollection then but we must have.

24 **MR. ENGELMANN:** I just note under that in
25 the note:

1 "...strong consensus we have duty to open
2 an investigation based on concern for
3 present abuse of children."

4 Do you know, sir, if that was the reason why
5 you started the investigation because of the concern about
6 present abuse or possibility of it?

7 **MR. CARRIERE:** Yes.

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

9 Now, at page 69 in the notes there's a
10 discussion about how to set this up. Do you see that?

11 **MR. CARRIERE:** Yes.

12 **MR. ENGELMANN:** And it says:

13 "Selection of best staff; male/female
14 team; other assignments, et cetera.

15 Who do we approach first?"

16 All this kind of thing.

17 Again, you don't have a recollection of the
18 meeting, but do you have some recollection of some planning
19 that went into setting up this project and this
20 investigation?

21 **MR. CARRIERE:** Yes, I do, vaguely.

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

23 **THE COMMISSIONER:** Tell me, was the CAS in
24 the habit of creating projects like the Project Blue or ---

25 **MR. CARRIERE:** That's the first one.

1 **THE COMMISSIONER:** The first one?

2 **MR. CARRIERE:** Yes.

3 **THE COMMISSIONER:** Okay. Ever done any
4 after that?

5 **MR. CARRIERE:** Not that I can think of. No,
6 I can't think of anything during my period of time that we
7 called it a project.

8 **MR. ENGELMANN:** Sir, it ended up being
9 called Project Blue. Is there any significance to that
10 term "blue"?

11 **MR. CARRIERE:** Yes, it was happening during
12 the World Series and the Blue Jays were participating in
13 the World Series, so we picked blue.

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

15 We have Project Truth. I was wondering why
16 we had Project Blue?

17 **MR. CARRIERE:** Yes. No, there was nothing
18 more significant.

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

20 I'd like to just show you a document that
21 I've given late notice on. It's an excerpt of Document
22 721630, and the Bates page is 7080943. It's entitled
23 "Investigation Strategy".

24 **THE COMMISSIONER:** Thank you.

25 This document will be Exhibit 2322.

1 --- EXHIBIT NO./PIÈCE NO. P-2322:

2 (721638) - Case Notes of Others for Project
3 Blue

4 **MR. ENGELMANN:** Sir, if you could have a
5 look at that for a moment.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **THE COMMISSIONER:** Do we have a date for
8 this?

9 **MR. CARRIERE:** I think, sir, it's the 14th of
10 October, '93, at the top in handwriting.

11 **THE COMMISSIONER:** Okay. Yes.

12 **MR. ENGELMANN:** Sir, does this look familiar
13 to you?

14 **MR. CARRIERE:** Yes, I believe that I wrote
15 this out with Greg Bell.

16 **MR. ENGELMANN:** All right. And this would
17 have been done early on in the process?

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** And it would have indicated
20 some of what you thought was important to do during the
21 course of this investigation?

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** And some of the material
24 that you thought you needed to have to do the
25 investigation?

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: All right.

3 And so it would have involved, among other
4 things, contacting the OPP?

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: And advising them of what
7 you're doing and coordinating?

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: It would have involved
10 obtaining any and all information from the Cornwall Police
11 Service related to Father MacDonald, Ken Seguin, concerning
12 Mr. Silmsler and other identified possible victims?

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: And it would have involved
15 obtaining any and all information from the Diocese related
16 to Father MacDonald concerning David Silmsler and any other
17 identified possible victims?

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: And you would contact the
20 Ottawa Diocese and a Monsignor Schonenbach is listed there.

21 MR. CARRIERE: Yes.

22 MR. ENGELMANN: There are record checks that
23 are indicated and you're talking about if possible
24 interviewing Mr. Silmsler?

25 MR. CARRIERE: Yes.

1 **MR. ENGELMANN:** And if possible contacting
2 and interviewing other possible victims?

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** And you're also -- and I
5 presume this is dealing with your issue of present abuse or
6 potential present abuse -- identifying all current altar
7 boys and altar girls in St. Andrews?

8 **MR. CARRIERE:** Yes.

9 **MR. ENGELMANN:** You're also identifying
10 other children who may have had some direct contact at that
11 time with Father MacDonald?

12 **MR. CARRIERE:** Yes.

13 **MR. ENGELMANN:** And you've got some
14 supervision plans and you've got weekly meetings planned.

15 And at the bottom of the page you're going
16 to be seeking an assurance from the Diocese that there's to
17 be no contact. Father MacDonald is not to have contact
18 with children through his role as a parish priest?

19 **MR. CARRIERE:** Right.

20 **MR. ENGELMANN:** And you say this is
21 currently in place for a period of two weeks.

22 "As assured by Bishop Larocque, this is
23 to be reviewed with Bishop prior to end
24 of two-week period, October 26th.

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** So apparently there was an
2 agreement as of October 12th that he would be relieved from
3 his duties for a couple of weeks?

4 **MR. CARRIERE:** I think that's perhaps based
5 on our meeting with the Bishop.

6 **MR. ENGELMANN:** Yes.

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** Let me just come to that in
9 a moment if we can.

10 **MR. CARRIERE:** Yes.

11 **MR. ENGELMANN:** And then you've got some
12 other plans on the second page?

13 **MR. CARRIERE:** M'hm.

14 **MR. ENGELMANN:** And at the very bottom you
15 have:

16 "Interview Father MacDonald as per
17 protocol."

18 **MR. CARRIERE:** Yes.

19 **MR. ENGELMANN:** "Possible interview of Ken
20 Seguin as per protocol; plan and act
21 accordingly pending results."

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** And do you know what
24 protocol you're referring to there, sir?

25 **MR. CARRIERE:** Well, it would be the

1 protocol that we -- at that point-in-time the protocol, the
2 child sexual abuse protocol that had finally been
3 completed.

4 **MR. ENGELMANN:** The 1992 protocol?

5 **MR. CARRIERE:** Yes. And with respect to
6 interviewing of alleged offenders, generally speaking,
7 that's a decision that's always discussed with the police
8 and those interviews are normally done by the police.

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

10 Now, as I indicated to you, I'm going to be
11 asking you about a few references in -- it's these case
12 notes of others ---

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** --- and primarily some of
15 Mr. Abell's notes?

16 **MR. CARRIERE:** Yes.

17 **MR. ENGELMANN:** And that's Exhibit 2322.

18 To start with, as is contemplated on Bates
19 page 1669, there are going to be some, interviews possibly
20 with the Crown, Chief Shaver, the Bishop and others.

21 And, sir, we've heard some evidence that you
22 were not involved in the two interviews with Chief Shaver
23 on October 1st and October 8th, 1993?

24 **MR. CARRIERE:** No, I wasn't.

25 **MR. ENGELMANN:** And the individuals involved

1 from the CAS were Mr. Abell and Mr. Towndale?

2 MR. CARRIERE: That's what I understand,
3 yes.

4 MR. ENGELMANN: We've also heard that there
5 was a meeting with then Bishop Eugene Larocque?

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: And that Mr. Abell, Mr.
8 Towndale and you were all present at that meeting?

9 MR. CARRIERE: Yes.

10 MR. ENGELMANN: And that meeting is
11 described in Mr. Abell's notes starting at Bates page 78.
12 And I'm not going to go into a lot of detail about the
13 meeting. He has three pages of notes ---

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: --- on that meeting, Bates
16 pages 78, 79 and 80, and these are also found in other
17 exhibits where they're maybe somewhat clearer.

18 I do want to ask you a couple of questions.
19 Have you reviewed these notes recently?

20 MR. CARRIERE: Recently, yes.

21 MR. ENGELMANN: All right.

22 MR. CARRIERE: Within the last week I think
23 I would have read them.

24 MR. ENGELMANN: All right. And you did --
25 did you have any notes of your own with respect to this

1 meeting?

2 MR. CARRIERE: No.

3 MR. ENGELMANN: All right.

4 MR. CARRIERE: Was it Mr. Abell who took the
5 notes from ---

6 MR. CARRIERE: Yes.

7 MR. ENGELMANN: --- the CAS side of things?

8 MR. CARRIERE: Yes, he did.

9 MR. ENGELMANN: And I'm wondering if when
10 you reviewed these notes, if you were able to discover or
11 uncover whether there was anything that was incorrect about
12 them?

13 MR. CARRIERE: There's nothing when I read
14 them recently that jumped out at me as being that didn't
15 happen or that couldn't have happened.

16 MR. ENGELMANN: All right. And, of course,
17 these weren't court reporter notes. They weren't verbatim
18 notes.

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: So no doubt there were more
21 things said.

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: Is there anything that jumps
24 out at you as a glaring omission?

25 MR. CARRIERE: Again, nothing that jumped

1 out.

2 **MR. ENGELMANN:** Well, let me just ask you
3 this. Do you have some independent recollection of
4 actually attending the Bishop's office at 2:30 in the
5 afternoon on that day?

6 **MR. CARRIERE:** I have some recollection of
7 it, yes.

8 **MR. ENGELMANN:** All right. Well, can you
9 give us a sense as to what you do recall on your own?

10 **MR. CARRIERE:** What I recall, and I can
11 appreciate why he appeared to be feeling that way, was that
12 the Bishop presented as being very distressed with respect
13 to this matter. My recollection as well is that -- and
14 again I can fully appreciate why he might feel this way,
15 kind of wishing like this hadn't happened to him and it
16 would go away. A certain degree of -- but not -- I would
17 not say excessive kind of -- what I would say, pushing us
18 to maybe not proceed on this and creating -- you know,
19 saying, "I'll give you a couple of weeks and, you know,
20 this isn't about kids," and, you know, "Why would you be
21 involved?" Sort of statements and questions like that.

22 But again, you know, I'm not talking about
23 an angry man, just somebody who is -- I guess I just
24 describe it as pushing, him seeing whether or not in fact
25 we would retreat. That was my sense of it.

1 **MR. ENGELMANN:** All right. So you got the
2 sense that -- this may be an understatement but he wasn't
3 enthusiastic about your commencing this investigation?

4 **MR. CARRIERE:** No, he wasn't enthusiastic.

5 **MR. ENGELMANN:** All right. He didn't
6 attempt to tell you you couldn't do it?

7 **MR. CARRIERE:** No, he didn't tell -- no, he
8 didn't do that.

9 **MR. ENGELMANN:** But if -- did he discourage
10 it in any way?

11 **MR. CARRIERE:** Well, I think it's a -- you
12 know, I think his questions like, "Why? This isn't about
13 children" -- I mean I think could be interpreted as that.
14 You know, I think he was questioning the basis of us doing
15 this and, you know, if -- anyway, yes.

16 **THE COMMISSIONER:** Did you know the Bishop
17 before this?

18 **MR. CARRIERE:** I knew who the Bishop was but
19 I'm not sure that I ever had any meetings with him before.
20 I'd be very doubtful that I had any meetings with him
21 before.

22 **THE COMMISSIONER:** But on a personal level
23 you weren't ---

24 **MR. CARRIERE:** No, no.

25 **THE COMMISSIONER:** --- acquaintances or

1 anything like that?

2 MR. CARRIERE: Oh no, I -- definitely not.

3 MR. ENGELMANN: What about ---

4 MR. CARRIERE: No, I never -- no, I didn't
5 mean it that way, sir. I just hadn't -- I'm not even sure
6 I ever met the man before.

7 THE COMMISSIONER: Okay, that's fine.

8 That's fine.

9 MR. ENGELMANN: What about your colleagues,
10 Mr. Abell and Mr. Towndale; did they have a relationship
11 with him?

12 MR. CARRIERE: I'm not sure whether I knew
13 that before. I mean I subsequently know that they did know
14 him.

15 MR. ENGELMANN: They did or ---

16 MR. CARRIERE: Well, whether or not they,
17 you know, knew him before we became involved with this
18 matter. I'm not sure when I knew that, you know.

19 MR. ENGELMANN: All right, so you have some
20 independent recollection of his general comfort level about
21 your being there?

22 MR. CARRIERE: Yeah, this was -- he was
23 distressed.

24 MR. ENGELMANN: All right, and the attitude
25 was not that you can't do it but do you need to do it, and

1 for a number of reasons?

2 **MR. CARRIERE:** Yeah, "Why are you doing it
3 and is this necessary?"

4 **MR. ENGELMANN:** Would you describe him as
5 cooperative?

6 **MR. CARRIERE:** I would say he was
7 cooperative, you know. I mean I didn't -- he wasn't
8 uncooperative. I mean we didn't feel like these impossible
9 roadblocks were being thrown in front of us and -- yeah,
10 you know, he -- there was a reluctance but I wouldn't
11 describe him as uncooperative.

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

13 There's a reference to the letter from
14 Monsignor Schonenbach and that's at the bottom of Bates
15 page 78. It says Silmsler spoke to someone in Ottawa
16 originally and I think this is a description of what the
17 Bishop is saying:

18 "Matter was referred on to this Bishop.
19 I ask for the report. Bill and I read
20 the letter. It is essentially same
21 statement as given the Cornwall Police.
22 Writer ends by saying he found Silmsler
23 creditable. I ask for a copy. Bishop
24 says, 'It's confidential.'"

25 Do you recall having any difficulty about

1 getting this letter from Monsignor Schonenbach?

2 **MR. CARRIERE:** I don't recall it actually.

3 I don't recall that interaction where that would have taken
4 place.

5 **MR. ENGELMANN:** All right. At the bottom of
6 the page he's indicating -- he says:

7 "They have two letters of reference,
8 one from a man who lived with Charlie
9 for a year in Green Valley, now a
10 Mountie, saying no hint of
11 homosexual/abusive behaviour."

12 Do you know if letters of that nature were
13 shared with you at that time?

14 **MR. CARRIERE:** I don't believe so.

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

16 **MR. CARRIERE:** I'm pretty certain that they
17 weren't.

18 **MR. ENGELMANN:** All right. Then it says:

19 "Bishop saying Charlie strongly denying
20 Silmsen allegation. Admitting to being
21 a homosexual, not while he was
22 teaching, not for last four years, only
23 with teens/adults. Comments to Bishop
24 from Charlie that the partners
25 sometimes initiate. We jump on that

1 and deal with responsibilities."

2 Right?

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** Do you recall any of that
5 discussion, any portion of the part that I just read?

6 **MR. CARRIERE:** I recall. Not vividly, but I
7 recall that section where he made the utterance about the
8 teens and the adults, and then I think he very quickly
9 says, "I don't mean kids. I mean like older teens." And
10 that's pretty much the limit of my recollection of it.

11 **MR. ENGELMANN:** Do you recall if you asked
12 any questions about the age of the teenagers or whether
13 they were altar boys or parishioners?

14 **MR. CARRIERE:** I don't recall,
15 Mr. Engelmann. I don't. I just don't recall.

16 **MR. ENGELMANN:** Do you recall him saying
17 something like they weren't children, they were teenagers?

18 **MR. CARRIERE:** Yes, I recall him, you know,
19 qualifying that fairly quickly after -- and I don't know
20 whether or not he qualifies it because we ask him questions
21 or whether or not he just qualifies it because he realizes
22 that he said "teens". I just don't remember the exchange.

23 **MR. ENGELMANN:** That would have been
24 important information for the CAS to get though, the age of
25 the teens that he was ---

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: --- allegedly having sex
3 with.

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: Given your 16-year mandate.

6 MR. CARRIERE: It would have been.

7 MR. ENGELMANN: And you just can't remember
8 whether that was discussed?

9 MR. CARRIERE: I can't remember.

10 MR. ENGELMANN: And ---

11 MR. CARRIERE: Well, sir, just to respond to
12 that, I think he makes it pretty clear to us that these
13 teens are over 16; they're not under 16.

14 MR. ENGELMANN: And that would have come up
15 with questions?

16 MR. CARRIERE: That's what I'm not certain
17 of, is whether or not he -- after he says something about
18 teens and adults he qualifies it and says, "Well, you know,
19 like they're older teens. They're not -- like over 16," or
20 whether or not we see to them, "Are you talking about teens
21 like with" -- and I don't think we'd use the word "within
22 our mandate" but we're trying to probe that in terms of
23 their age.

24 I know that he qualifies it. I just don't
25 know how it ---

1 **MR. ENGELMANN:** All right. Well, certainly
2 with the allegation that you were primarily involved with
3 there with Mr. Silmser ---

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** --- the allegation was that
6 he was under 16 at the time.

7 **MR. CARRIERE:** Yes, yes.

8 **MR. ENGELMANN:** Now -- all right. At the
9 bottom there's a reference on Bates page 80 to Jacques
10 Leduc and he says:

11 "I asked him..."

12 So this is probably Rick Abell.

13 "...to allow Jacques Leduc to speak
14 openly to me about his role. I tell
15 him he's representing us. No answer."

16 Do you recall any discussion about Jacques
17 Leduc and what his role would be during the course of your
18 investigation, at this time?

19 **MR. CARRIERE:** I don't recall.

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

21 Now, sir, I understand that, on October 14th,
22 Greg Bell gets assigned to be the primary investigator for
23 Project Blue?

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** And he has other help too;

1 does he not?

2 **MR. CARRIERE:** Yes, he's told that Pina
3 DeBellis can join him for assistance as required.

4 **MR. ENGELMANN:** And would you have assigned
5 him to that role, sir, or was that something Mr. Abell
6 would have done?

7 **MR. CARRIERE:** No, I assigned Greg.

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

9 And why did you choose him and Ms. DeBellis
10 for that task?

11 **MR. CARRIERE:** Greg had handled other
12 investigations. I'm thinking of one particular
13 investigation involving a school teacher which was not a
14 sexual abuse investigation. It was a physical abuse
15 investigation and involved a number of children. And Greg
16 did, in my opinion, did a good job in that.

17 Greg is very organized; he's very detailed;
18 he's very systematic; thorough. At this point, he's
19 experienced as well. He seemed to be, in my mind, the
20 ideal person to carry this investigation.

21 Pina DeBellis is similarly -- has similar
22 qualities. We wanted to have a female component to this as
23 well. She obviously filled that. She writes many case
24 notes; she thorough; she's conscientious; sensitive.

25 Both of these people work well with

1 children.

2 MR. ENGELMANN: All right.

3 And they were both workers that you were
4 supervising?

5 MR. CARRIERE: Yes, they were.

6 MR. ENGELMANN: Sir, I understand that Mr.
7 Bell took extensive notes ---

8 MR. CARRIERE: He did.

9 MR. ENGELMANN: --- in the course of his
10 investigation.

11 MR. CARRIERE: He did.

12 MR. ENGELMANN: And I'd just like you to
13 look at what is Document Number 721672.

14 THE COMMISSIONER: Thank you.

15 Exhibit Number 2324 is the notes of Greg
16 Bell, Project Blue.

17 ---EXHIBIT NO./PIÈCE NO P-2324:

18 (721672) - Case Notes Package from Greg Bell
19 dated 14 Oct 93

20 MR. ENGELMANN: Sir, this document does
21 contain names.

22 THE COMMISSIONER: So there'll be a public -
23 - a stamp put on.

24 MR. ENGELMANN: I will speak to this in
25 camera with respect to the names of the individuals

1 involved.

2 THE COMMISSIONER: M'hm.

3 MR. ENGELMANN: There are some new names in
4 this document. There are some we've seen before.

5 THE COMMISSIONER: M'hm.

6 MR. ENGELMANN: Sir, the initial meeting
7 appears to take place on October 14th? We've just looked at
8 a briefed typed investigation plan. If you turn to Bates
9 page 855, there's a reference in his notes near the top:

10 "Supervision with W. Carriere. Case
11 assigned to me. Developed an
12 investigation plan."

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: And we've looked at that;
15 correct?

16 MR. CARRIERE: Yes.

17 MR. ENGELMANN: And it appears that he
18 starts on this process and then on October 22nd, Ms.
19 DeBellis is brought in as well.

20 MR. CARRIERE: Yes.

21 MR. ENGELMANN: Does that seem accurate,
22 sir?

23 MR. CARRIERE: That would make sense, yes.

24 MR. ENGELMANN: All right.

25 THE COMMISSIONER: So one thing I've noticed

1 sir. When you prepared the Exhibit 2323 which is the
2 investigation strategy ---

3 ---EXHIBIT NO./PIÈCE NO P-2323:

4 (721630-7080943) - Investigation
5 Summary of CAS dated 14 Oct 93

6 MR. CARRIERE: M'hm.

7 THE COMMISSIONER: --- it seems you have a
8 part in there reserved for Mr. Seguin.

9 MR. CARRIERE: Yes.

10 THE COMMISSIONER: And then when I look at
11 this case notes' package which I've just received; there's
12 no mention of, you know, in the notes at the beginning of
13 the contacts, who they are, things like that; there's
14 nothing about him.

15 And then when we look at page 7081852, we've
16 got the alleged offender; we have Charles MacDonald and
17 there's nothing in the other box there for alleged offender
18 number two.

19 MR. CARRIERE: I'm sorry, sir, what page are
20 you?

21 THE COMMISSIONER: One eight five two
22 (1852).

23 MR. CARRIERE: No, you're correct, it's not
24 there.

25 THE COMMISSIONER: So are you -- and I'm

1 sorry, you've probably got that covered somewhere but was
2 there a change at some point and was it something that was
3 articulated as to whether or not to go and investigate?

4 **MR. CARRIERE:** Well, certainly, when we
5 developed the plan on the 14th of October, Ken Seguin was to
6 be considered. I'm not -- this investigation service log
7 that Greg has completed; I'm not sure when he did it, sir.

8 **THE COMMISSIONER:** Okay.

9 **MR. CARRIERE:** This is something that would
10 go during the course of the investigation and I wouldn't
11 know when.

12 **THE COMMISSIONER:** Okay.

13 **MR. CARRIERE:** And it's something that's
14 filled in as you go along.

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

16 I mean the only dates that are on that
17 portion of it are the date of referral and the date of
18 assignment.

19 **MR. CARRIERE:** Yes.

20 **MR. ENGELMANN:** So we're not really helped
21 by ---

22 **MR. CARRIERE:** Yes.

23 **MR. ENGELMANN:** --- any other date.

24 **MR. CARRIERE:** That's right.

25 **MR. ENGELMANN:** And I don't know if you were

1 aware of it already at this point, that the Cornwall Police
2 Service didn't investigate the allegation against Ken
3 Seguin; just the allegations against Father Charles
4 MacDonald.

5 **MR. CARRIERE:** I'm not sure the date of the
6 meeting that we had with the Cornwall Police Services. I
7 think, at that meeting, we found out that they had not
8 proceeded on an investigation with Ken Seguin.

9 **MR. ENGELMANN:** I think Chief Shaver said
10 that in either or both of the meetings in early October.

11 **MR. CARRIERE:** He could very well have, yes.

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

13 **MR. CARRIERE:** Mr. Engelmann, I think it's -
14 - my recollection is that Heidi Sebalj said that as well
15 when we met with her.

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

17 **THE COMMISSIONER:** I'm sorry. Said what?

18 **MR. CARRIERE:** Heidi Sebalj said as well
19 that they hadn't pursued the Ken Seguin investigation.

20 **MR. ENGELMANN:** Now, just so we're clear,
21 Mr. Bell would have carried this through from start to
22 finish?

23 **MR. CARRIERE:** He did.

24 **MR. ENGELMANN:** And during that whole period
25 of time, you would have remained his supervisor?

1 MR. CARRIERE: I did.

2 MR. ENGELMANN: And it's my understanding
3 that on a regular basis you would meet to discuss what he
4 was doing?

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: And you would provide
7 guidance and direction from time to time?

8 MR. CARRIERE: Yes.

9 MR. ENGELMANN: And his notes -- and I don't
10 want to take you to all of them, but there are repeated
11 references to making you aware of things or asking you for
12 advice.

13 MR. CARRIERE: Yes.

14 MR. ENGELMANN: Is that fair?

15 MR. CARRIERE: That's correct.

16 MR. ENGELMANN: And it appears that he'd
17 often meet with you immediately after or shortly after some
18 significant communications he would have with others.

19 MR. CARRIERE: Yes.

20 MR. ENGELMANN: So he was keeping you in the
21 know.

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: And, sir, my understanding
24 is that you, maybe not always, but you were a regular
25 attender at team conference meetings ---

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: --- during the whole
3 project?

4 MR. CARRIERE: Yes, that's correct.

5 MR. ENGELMANN: And those meetings were
6 attended by Rick Abell as well?

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: And who else was in
9 attendance at those meetings generally?

10 MR. CARRIERE: Normally, the group consisted
11 of Greg, Richard Abell, myself, Pina DeBellis and Elizabeth
12 McLennan.

13 MR. ENGELMANN: All right.

14 So there were five regular attenders?

15 MR. CARRIERE: Yes. Pina most of the time,
16 I think, maybe not -- of the five of us, she might have
17 been the one that might have not been always there.

18 MR. ENGELMANN: All right.

19 And my understanding was that Mr. Abell was
20 the note taker?

21 MR. CARRIERE: He was.

22 MR. ENGELMANN: And sir, I understand that
23 one of the first steps taken by Mr. Bell was that he met
24 with yourself and an OPP officer, Constable Ron Wilson, on
25 October 14th, 1993?

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: And I don't know if you have
3 a recollection of that meeting?

4 MR. CARRIERE: I have a vague recollection
5 of the meeting, yes.

6 MR. ENGELMANN: All right.

7 And that's set out at Bates page 856. And
8 as I understand it, he was an OPP officer stationed in Long
9 Sault?

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: And it said:

12 "Advised OPP of situation. Bill gave
13 details."

14 MR. CARRIERE: Yes.

15 MR. ENGELMANN: And:

16 "Bill fully described case with CPS
17 connection."

18 MR. CARRIERE: Yes.

19 MR. ENGELMANN: All right.

20 He agreed to do CPIC check on Father
21 MacDonald"?

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: And I'm just -- "he will
24 consult," I think, "with OPP people," and I'm not sure of
25 the rest of this.

1 **MR. CARRIERE:** "And see what role he can
2 play..."

3 **MR. ENGELMANN:** "In this investigation."

4 **MR. CARRIERE:** "...in the investigation" and
5 ---

6 **MR. ENGELMANN:** "At this stage, if any"?

7 **MR. CARRIERE:** "At this stage, if any," yes.

8 **MR. ENGELMANN:** All right. So again, this
9 wasn't going to be a joint investigation. You were doing
10 it but you were consulting?

11 **MR. CARRIERE:** I think we went there to
12 determine whether or not the OPP would become involved in
13 the investigation; to let them know that Father Charles
14 MacDonald was in the St. Andrew's area and that we were
15 going to proceed with an investigation, and see whether or
16 not they wanted to be part of that.

17 **MR. ENGELMANN:** All right. And do you
18 recall if Constable Wilson was going to get back to you on
19 that, or do you know how that was left?

20 **MR. CARRIERE:** My recollection is that he
21 told us -- and I think it's reflected in Greg's notes as
22 well that he told us at the time that without a complainant
23 they wouldn't proceed. But I think he said, you know, that
24 he was going to be checking with the -- probably with his
25 superiors in terms of whether that was going to be the

1 case.

2 MR. ENGELMANN: All right, and it appears
3 from the bottom of that page that he was given a copy of
4 the Silmsler statement.

5 MR. CARRIERE: I don't recall that but I
6 don't dispute what Greg has written.

7 MR. ENGELMANN: All right. The following
8 day Bell is noting a supervision session with you where
9 you're discussing the next steps, which include contacting
10 Monsignor McDougald at the Diocese and contacting Staff
11 Sergeant Brunet at the Cornwall Police Service. And would
12 it be fair, sir, that you might have discussed with him
13 what was to be discussed or asked of each of these
14 individuals?

15 MR. CARRIERE: That would likely be the
16 case, yes.

17 MR. ENGELMANN: All right. And it appears
18 that Mr. Bell called Monsignor McDougald, obtained some
19 information and set up a meeting which is then described --
20 that meeting is set up for October 18th.

21 I'll just be a moment.

22 Again I'm just trying to read the notes,
23 sir, but I believe at Bates page 862 there's a call that
24 comes in -- I'm looking at the middle of the page -- from
25 Jacques Leduc, who's counsel for the Diocese.

1 **MR. CARRIERE:** Eight six two (862).

2 **MR. ENGELMANN:** Bates page 862.

3 **MR. CARRIERE:** Yes. M'hm.

4 **MR. ENGELMANN:** It appears that Mr. Leduc
5 calls Mr. Abell and indicates that he wants the CAS to deal
6 with the Diocese through him.

7 **MR. CARRIERE:** Yes.

8 **MR. ENGELMANN:** And he's going to meet with
9 Monsignor McDougald directly. He indicated, however, the
10 Diocese wants to give full cooperation but they want
11 everything going through him ---

12 **MR. CARRIERE:** Yeah.

13 **MR. ENGELMANN:** --- setting things up. Were
14 you aware of that, sir, that he was to be their point
15 person, so to speak?

16 **MR. CARRIERE:** You know, I don't have a
17 recollection of that. I'm not disputing it but I just --
18 I'm afraid it's not in my brain any more.

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

20 Now, one of the things that was asked for
21 fairly early on was -- and this is referenced on Bates page
22 858 -- was a lot of information from the Cornwall Police
23 Service.

24 **MR. CARRIERE:** Yes.

25 **MR. ENGELMANN:** And that was consistent with

1 you investigation plan?

2 **MR. CARRIERE:** Yes.

3 **MR. ENGELMANN:** We'll see that at the top of
4 the page there with everything that was being asked for.
5 Correct?

6 **MR. CARRIERE:** Yes, that's right. Yes.

7 **MR. ENGELMANN:** And, sir, do you recall if
8 there was an issue involving the release of names from the
9 Cornwall Police Service of two other alleged victims?

10 **MR. CARRIERE:** I'm sorry, I'm struggling
11 with whether or not I remembered it back then or I remember
12 it ---

13 **MR. ENGELMANN:** Okay.

14 **MR. CARRIERE:** --- since reading -- sorry,
15 since reading it.

16 **MR. ENGELMANN:** All right, the reason ---

17 **MR. CARRIERE:** I only -- sorry, I -- the
18 piece that I do remember is that we were allowed to look at
19 -- when we actually met, we were allowed to read some
20 statements from the -- from a couple of the victims. I
21 can't remember whether or not -- I'm pretty sure that the
22 names were blacked out but we were allowed to read the
23 statements. I'm pretty sure at the time we weren't told
24 the names. I didn't know the names until, frankly, the
25 Inquiry.

1 **MR. ENGELMANN:** At some point, sir, you were
2 allowed -- you and Mr. Bell ---

3 **MR. CARRIERE:** Yes.

4 **MR. ENGELMANN:** --- were allowed to look at
5 the statements that -- or the notes that Heidi Sebalj had
6 made.

7 **MR. CARRIERE:** Yes, yes.

8 **MR. ENGELMANN:** And, sorry, just looking at
9 Bates page 858, and there's a reference that any and all
10 information with respect to allegations against Father
11 MacDonald, "including the two or three other alleged
12 victims."

13 **MR. CARRIERE:** Yes.

14 **MR. ENGELMANN:** So you'd been advised that
15 were other alleged victims, and that's what I was asking
16 about; whether you were provided with those names so that
17 you could contact them.

18 **MR. CARRIERE:** We weren't provided with the
19 names.

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

21 **MR. CARRIERE:** No.

22 **MR. ENGELMANN:** Sir, just as one example of
23 Mr. Leduc working as the point person, if you look at Bates
24 page 886 near the bottom.

25 **MR. CARRIERE:** Yes.

1 **MR. ENGELMANN:** There's a meeting with
2 Jacques Leduc, Diocesan counsel, and you're there and your
3 own counsel is there as well.

4 **MR. CARRIERE:** Yes.

5 **MR. ENGELMANN:** Do you have any independent
6 recollection of that meeting?

7 **MR. CARRIERE:** No, I don't.

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

9 **MR. CARRIERE:** I remember -- the only thing
10 I remember about Jacques Leduc is standing outside in a
11 hallway at the Children's Aid Society, the former office of
12 the Children's Aid Society. I think we're outside
13 Elizabeth McLennan's office and we're about to go in the
14 office but I couldn't situate what meeting it would be or
15 what was discussed.

16 **MR. ENGELMANN:** Did you, just from your
17 recollection, have a sense that he was present at meetings?

18 **MR. CARRIERE:** I have no reason to dispute
19 what Greg has here.

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

21 **MR. CARRIERE:** Yes.

22 **MR. ENGELMANN:** Okay. Now, the purpose of
23 the meeting, I believe, was that the CAS wanted to discuss
24 with the Diocese information and assistance it might wish
25 during the course of your investigation, and it appears, at

1 least from 866, at the bottom -- it says:

2 "Information was shared by William
3 Carriere about the Society's position
4 and concerns as they relate to
5 protecting children."

6 So you would have given some background as
7 to why you were doing this?

8 **MR. CARRIERE:** Yes, I think -- it would
9 appear so.

10 **MR. ENGELMANN:** All right. And then on the
11 next page it appears that Mr. Leduc is pointing out -- I
12 think it says "the cause of events."

13 **MR. CARRIERE:** "Course of events."

14 **MR. ENGELMANN:** "Course of events," and he
15 sets out a number of points there, information about the
16 Silmsers complaint, and part of it is including that there
17 was some financial compensation of about \$30,000 from the
18 Diocese. Do you see that in the middle of the page, number
19 4?

20 **MR. CARRIERE:** Yes, I do.

21 **MR. ENGELMANN:** And it says, "though Father
22 MacDonald denied sexual impropriety."

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** It's talking about payment
25 and it's also saying that Mr. Silmsers signed an agreement

1 indicating he would make no further civil claims. Do you
2 see that?

3 **MR. CARRIERE:** Yes, I do.

4 **MR. ENGELMANN:** Now, it appears just after
5 that that you indicate that the Bishop told you, Angelo and
6 Rick Abell that Father MacDonald admitted to being a
7 homosexual and to having being sexually involved with teens
8 and adults. You see that?

9 **MR. CARRIERE:** Yes, I do.

10 **MR. ENGELMANN:** And it appeared, at least
11 from the description to you, that Mr. Leduc seemed to have
12 some knowledge about the terms of a settlement that Mr.
13 Silmsler would have entered into with the Diocese?

14 **MR. CARRIERE:** Based on these notes it would
15 certainly appear that.

16 **MR. ENGELMANN:** Yes. Now, did he ever
17 advise you then or at any time to your knowledge that he
18 didn't review those settlement documents?

19 **MR. CARRIERE:** I have no recollection of any
20 discussions with Mr. Leduc.

21 **MR. ENGELMANN:** Were you aware at this
22 point-in-time, sir, and you may not know when this happened
23 again, but that Mr. Silmsler had withdrawn a criminal
24 complaint, asked that the police not proceed?

25 **MR. CARRIERE:** I don't think I did but I

1 can't be certain of that.

2 **MR. ENGELMANN:** Do you -- sorry.

3 **MR. CARRIERE:** Well, again, I think what my
4 recollection is -- again, I'm tying this to the meeting
5 with Heidi Sebalj at the Cornwall Police Service -- I think
6 she says that he had withdrawn the complaint and didn't
7 want to proceed.

8 **MR. ENGELMANN:** All right. Do you recall,
9 sir -- and I've read it to you -- when you explained to
10 Jacques Leduc what the Bishop had told you about Father
11 MacDonald and being sexually involved with teens and
12 adults, do you recall that discussion at all and any
13 reaction you might have received?

14 **MR. CARRIERE:** No, I don't recall that. I
15 don't recall any interactions with Jacques Leduc. They
16 clearly must have happened and I don't -- but I don't
17 recall any situations with Jacques Leduc that stand out
18 where he was aggressive or defensive or, you know, kind of
19 a push-back kind of attitude with us. That doesn't stand
20 out.

21 And I think if that kind of thing would have
22 happened, I would have -- I probably would have had a
23 better recollection of the interactions.

24 **MR. ENGELMANN:** Now, it says at the top of
25 the next page:

1 "We indicated that Bishop LaRocque
2 indicated we were guaranteed only two
3 weeks with Father MacDonald out of the
4 Parish and that this was not acceptable
5 to us as children would be at risk were
6 he to return."

7 And then it says:

8 "Jacques Leduc agreed to the following:
9 Try to persuade Bishop LaRocque not to
10 put Father MacDonald back in a parish.
11 Make efforts to persuade David Silmser
12 to speak with CAS and to indicate..."

13 **MR. CARRIERE:** "The role this could play
14 in protecting children."

15 **MR. ENGELMANN:** Right.

16 "And to try to get us a copy of the
17 Schonenbach letter."

18 Right?

19 **MR. CARRIERE:** Yes.

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

21 And at this point-in-time neither you nor
22 anybody on the team had spoken with Mr. Silmser?

23 **MR. CARRIERE:** No, correct.

24 **MR. ENGELMANN:** And we note as well on that
25 same day more conversations Mr. Bell's having with Sergeant

1 Brunet?

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: And there's some question --
4 and I'm on the next page, Bates page 869.

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: This is about whether or not
7 they can provide you the names of the other alleged
8 victims. And he says at point 4:

9 "He will not be able to provide..."

10 MR. CARRIERE: "...the report as such, as
11 it identifies the two alleged victims
12 who want anonymity but will check with
13 Chief Shaver about extracting all other
14 information."

15 MR. ENGELMANN: All right. So he's
16 describing some of what it is that they're going to provide
17 you in the course of the investigation?

18 THE COMMISSIONER: Yes.

19 MR. ENGELMANN: And at October 21st, 1993,
20 Bates page 872, there's a meeting noted with Staff Sergeant
21 Brunet and Heidi Sebalj?

22 MR. CARRIERE: Yes.

23 MR. ENGELMANN: And at this meeting there's
24 a reference to the fact that you can look at material but
25 not copy it?

1 **MR. CARRIERE:** Yes.

2 **MR. ENGELMANN:** There's also a reference to
3 the fact, at the bottom of the page, that no investigation
4 has been done by CPS regarding Ken Seguin?

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

6 **MR. ENGELMANN:** Again, another meeting with
7 Jacques Leduc is noted on October 22nd. Again, you're noted
8 as being present with Elizabeth MacLennan, and it appears
9 you're getting some copies of material from him.

10 The Schonenbach letter, a letter from -- to
11 Monsignor McDougald from Malcolm MacDonaldnd a couple of
12 letters which were written to Heidi Sebalj by individuals
13 in support of Father MacDonald. Do you see that?

14 **MR. CARRIERE:** Yes, I see that, yes.

15 **MR. ENGELMANN:** All right. So you're
16 getting information early from these two institutions?

17 **MR. CARRIERE:** We are, yes.

18 **MR. ENGELMANN:** Now, sir, some of the
19 information you received from the CAS that you're allowed
20 to review ---

21 **MR. CARRIERE:** They mean the CPS?

22 **MR. ENGELMANN:** CPS, I apologize.

23 **MR. CARRIERE:** Yes.

24 **MR. ENGELMANN:** Yes. Do you have some sense
25 as to the documents you would have looked at? Do you

1 recall actually going ---

2 MR. CARRIERE: Yes.

3 MR. ENGELMANN: --- and looking at some
4 documents?

5 MR. CARRIERE: Yes.

6 MR. ENGELMANN: And ---

7 MR. CARRIERE: Yes, I do.

8 MR. ENGELMANN: Did the information that you
9 looked at when you went raise any concerns for you?

10 MR. CARRIERE: Concerns in what sense?

11 MR. ENGELMANN: Was there information -- did
12 you learn anything new about allegations or other
13 allegations from reviewing those materials?

14 MR. CARRIERE: My recollection is that I
15 remember seeing one statement that had information that
16 indicated that, what I would say, indicated that Father
17 Charles MacDonald had sexually assaulted a young person.

18 I think how it ended up working is that we
19 weren't allowed to take copies and I think we started off
20 and we were going to write it out and I believe Luc Brunet
21 was quite helpful in terms of it. He went and got tape
22 recorders for us and that allowed us to dictate the
23 letters.

24 That's my understanding of what happened.

25 MR. ENGELMANN: So it's a bit like ---

1 MR. CARRIERE: Yes.

2 MR. ENGELMANN: --- the situation we spoke
3 of earlier ---

4 MR. CARRIERE: Yes.

5 MR. ENGELMANN: --- with Cathy Sutherland --
6 -

7 MR. CARRIERE: Yes.

8 MR. ENGELMANN: --- you're not allowed to
9 take copies but you're allowed to look at things?

10 MR. CARRIERE: Yes.

11 MR. ENGELMANN: And in this case perhaps
12 dictate some notes?

13 MR. CARRIERE: Yes, that's what I recall,
14 but I may be mistaken with that.

15 MR. ENGELMANN: All right.

16 So you remember getting an opportunity to
17 review some of the notes that she would have taken after
18 speaking to some former altar boys for example?

19 MR. CARRIERE: I don't recall it.

20 MR. ENGELMANN: All right.

21 Sir, I note it's twenty after five. I
22 apologize. I think you had indicated you wanted to stop at
23 5:15.

24 THE COMMISSIONER: Yeah. So we'll quit
25 here?

1 **MR. ENGELMANN:** That's fine.

2 **THE COMMISSIONER:** So this, gentlemen, we're
3 seeing tomorrow morning at 9:30?

4 **MR. ENGELMANN:** Yes.

5 **THE COMMISSIONER:** All right.

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

8 This hearing is adjourned until tomorrow
9 morning at 9:30 a.m.

10 --- Upon adjourning at 5:20 p.m. /

11 L'audience est ajournée à 17h20

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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CVR-CM