

**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 139

Held at :

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

Tuesday, September 18, 2007

Tenue à:

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

Mardi, le 18 septembre 2007

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Ms. Raija Pulkkinen	Commission Counsel
Ms. Mary Simms	
Mr. John E. Callaghan	Cornwall Police Service Board
Mr. Mark Crane	
Mr. Peter Manderville	
Mr. Neil Kozloff	Ontario Provincial Police
Ms. Suzanne Costom	
Ms. Diane Lahaie	
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
M ^e Claude Rouleau	
Mr. Christopher Thompson	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Steven Canto	
Mr. Dallas Lee	Victims Group
Mr. David Bennett	The Men's Project
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Father Charles MacDonald
Mr. Giuseppe Cipriano	
Ms. Marie Henein	Mr. Jacques Leduc
M ^e Danielle Robitaille	
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Mr. Carson Chisholm
Mr. Ian Paul	

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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:** Good morning, all.

10 Mr. Engelmann. Good morning.

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

12 Commissioner.

13 Just before we get going this morning, there
14 is a housekeeping matter I would like to deal with.

15 **THE COMMISSIONER:** Right.

16 **MR. ENGELMANN:** You may recall, sir, that
17 back in June ---

18 **THE COMMISSIONER:** Yes.

19 **MR. ENGELMANN:** --- the Commission intended
20 to lead some evidence from an alleged victim of sexual
21 assault, a 16-year old female. And she and her mother have
22 been identified by monikers in this proceeding as C-12 and
23 C-13. The OPP and some other public institutions at the
24 Inquiry brought an application to the Divisional Court for
25 the Commission to stay the case and to argue that that

1 evidence should not be heard by this Inquiry. For among
2 other reasons, they argued that historical abuse of young
3 persons meant that the Commission could only hear cases
4 where alleged victims of sexual abuse or sexual assault
5 reported well after the fact years later. In other words,
6 are adult survivors coming forward, et cetera and could not
7 hear from victims or alleged victims if they reported to
8 authorities shortly after the alleged abuse.

9 This matter was heard in the Divisional
10 Court on August 17th. I received the decision at 5:00 p.m.
11 last night and I have copies available for the parties
12 and/or the public if they are interested.

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

14 **MR. ENGELMANN:** The Divisional Court, sir,
15 upheld your decision not to stay the case in a majority
16 decision. We will talk about the process later but we
17 intend to call C-12 and C-13 when we get back to hearing
18 the final week of evidence for the victims and alleged
19 victims in this stage of the Inquiry.

20 **THE COMMISSIONER:** Okay.

21 **MR. ENGELMANN:** So I just wanted to advise
22 you and the public of that decision that I received late
23 last night.

24 Sir, as you'll recall, yesterday, both Perry
25 and Helen Dunlop were called as witnesses. They refused to

1 answer some questions I put. There was a dialogue between
2 both the witnesses after they were affirmed and yourself
3 and some interaction with me. And they were asked to
4 reflect upon their decision and to return this morning at
5 9:30.

6 The Dunlops are here and therefore I would
7 ask Helen Dunlop if she could take the witness stand.

8 **THE COMMISSIONER:** Thank you.

9 **HELEN DUNLOP, Resumed/Sous le même serment:**

10 **THE COMMISSIONER:** Good morning, Ms. Dunlop.

11 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
12 **PETER ENGELMANN(cont'd/suite):**

13 **MR. ENGELMANN:** Ms. Dunlop, do you
14 acknowledge you are still under oath?

15 **MS. DUNLOP:** Yes.

16 **MR. ENGELMANN:** Thank you.

17 Are you prepared to answer questions from me
18 this morning?

19 **MS. DUNLOP:** That depends, Mr. Engelmann.

20 **MR. ENGELMANN:** All right. Have you advised
21 your husband not to answer our questions?

22 **MS. DUNLOP:** He has his own free will.

23 **MR. ENGELMANN:** All right. Do you wish to
24 stand while I ask the questions?

25 **MS. DUNLOP:** I'll decide as I'm going.

1 MR. ENGELMANN: All right.

2 Let's start with your background. Were you
3 born here in the City of Cornwall?

4 MS. DUNLOP: Yes.

5 MR. ENGELMANN: And how old are you?

6 MS. DUNLOP: Fifty-one (51).

7 MR. ENGELMANN: Is your maiden name
8 Chisholm?

9 MS. DUNLOP: Yes.

10 MR. ENGELMANN: When were you married to
11 Perry Dunlop?

12 MS. DUNLOP: May 20th, 1989.

13 MR. ENGELMANN: Where were you married?

14 MS. DUNLOP: St. Andrews Church, St. Andrews
15 West, Ontario.

16 MR. ENGELMANN: Who married you?

17 MS. DUNLOP: Charles MacDonald.

18 MR. ENGELMANN: Ms. Dunlop, I have a number
19 of questions I would like to ask you about your knowledge
20 and your involvement with allegations made by David
21 Silmsler. Is that name familiar to you?

22 MS. DUNLOP: Does this have to do with
23 institutional response?

24 MR. ENGELMANN: Everything I'm going to ask
25 you has to do with institutional response.

1 MS. DUNLOP: Well, I just like to be sure.

2 MR. ENGELMANN: Well, I can assure you of
3 that.

4 MS. DUNLOP: Well ---

5 MR. ENGELMANN: And if it doesn't, the judge
6 will tell me that or someone else may object.

7 MS. DUNLOP: Well, I have my own misgivings,
8 Mr. Engelmann.

9 MR. ENGELMANN: Are you prepared to answer
10 questions about your knowledge of the Silmsers allegations
11 and how they came to life?

12 MS. DUNLOP: To the best of my knowledge,
13 Mr. Engelmann.

14 MR. ENGELMANN: All right. And you became
15 aware of the allegations that Mr. Silmsers had made through
16 discussions with your husband?

17 MS. DUNLOP: How do you mean?

18 MR. ENGELMANN: How did you become aware of
19 allegations that David Silmsers had made against a priest
20 and a probation officer?

21 MS. DUNLOP: In a statement.

22 MR. ENGELMANN: Okay. How did you become
23 aware of the statement?

24 MS. DUNLOP: I read it.

25 MR. ENGELMANN: Who gave you the statement?

1 **MS. DUNLOP:** Perry showed it to me.

2 **MR. ENGELMANN:** Okay. And do you recall
3 when that was Ms. Dunlop?

4 **MS. DUNLOP:** September 23rd, 1993.

5 **MR. ENGELMANN:** And did he tell you where he
6 obtained the statement?

7 **MS. DUNLOP:** At the Cornwall police station.

8 **MR. ENGELMANN:** Ms. Dunlop, after your
9 husband brought this -- were you aware that your husband
10 discussed this statement with some senior officers at the
11 Cornwall Police Service?

12 **MS. DUNLOP:** To some extent, yes.

13 **MR. ENGELMANN:** All right. And were you
14 aware that at some point in 1994, there were police service
15 charges filed against your husband?

16 **MS. DUNLOP:** Yes, we lived that nightmare.

17 **MR. ENGELMANN:** Okay. And that sometime
18 after those charges were filed, your husband went off on
19 leave?

20 **MS. DUNLOP:** He went off on stress leave,
21 yes.

22 **MR. ENGELMANN:** And he was off on leave for
23 about two-and-a-half years. Is that correct?

24 **MS. DUNLOP:** Between two-and-a-half and
25 three years, yes.

1 **MR. ENGELMANN:** All right. And during the
2 time he was on leave, did he, from time to time, get sought
3 out by victims or alleged victims of child sexual abuse?

4 **MS. DUNLOP:** Yes.

5 **MR. ENGELMANN:** And to your knowledge did he
6 take some steps to investigate their allegations of sexual
7 abuse?

8 **MS. DUNLOP:** Describe investigation, Mr.
9 Engelmann.

10 **MR. ENGELMANN:** Did he meet with victims to
11 interview them?

12 **MS. DUNLOP:** He met with victims, spoke to
13 them.

14 **MR. ENGELMANN:** All right. Did he take
15 statements or affidavits from them, to your knowledge?

16 **MS. DUNLOP:** I wasn't there all the time,
17 Mr. Engelmann.

18 **MR. ENGELMANN:** I said "to your knowledge".

19 **MS. DUNLOP:** To my knowledge, I am not sure.

20 **MR. ENGELMANN:** All right. Did he ever
21 speak to you about wanting to investigate them and bring
22 these charges to light?

23 **MS. DUNLOP:** Did who ever?

24 **MR. ENGELMANN:** Your husband.

25 **MS. DUNLOP:** Want to bring --- explain your

1 question again, please?

2 **MR. ENGELMANN:** All right. I was asking you
3 if you had knowledge of his investigating of allegations of
4 child sexual abuse. I am talking about the period of time
5 he was not an active member of the Cornwall Police Service,
6 when he was off. And you've acknowledge that there were
7 victims or alleged victims who sought him out and asked for
8 his assistance. Is that fair?

9 **MS. DUNLOP:** Yes.

10 **MR. ENGELMANN:** All right. And as a result
11 of that, were you aware that he would have interviewed and
12 taken statements from a number of people?

13 **MS. DUNLOP:** He would have spoken to them.

14 **MR. ENGELMANN:** Yes. And were you ever
15 involved in the investigation that he was conducting?

16 **MS. DUNLOP:** No.

17 **MR. ENGELMANN:** Did you ever meet these
18 people in his presence?

19 **MS. DUNLOP:** Yes.

20 **MR. ENGELMANN:** Why were you involved if you
21 weren't helping?

22 **MS. DUNLOP:** They were at my house.

23 **MR. ENGELMANN:** So did you take part in
24 those discussions?

25 **MS. DUNLOP:** I usually listened.

1 **MR. ENGELMANN:** All right. And did you from
2 time-to-time have contact with the Cornwall Police Service
3 about your husband and about what was happening in his
4 life? And I'm thinking of the period 1993, 1994 and 1995.

5 **MS. DUNLOP:** Concerning what?

6 **MR. ENGELMANN:** Well, would you have had
7 meetings with senior officers of the Cornwall police
8 concerning the police service's charges that were then laid
9 against your husband?

10 **MS. DUNLOP:** I would have had a visit from
11 Gary Durocher who came to our door late one afternoon with
12 the senior member of the Cornwall -- I don't -- union rep.

13 **MR. ENGELMANN:** Mr. Lortie, Claude Lortie?

14 **MS. DUNLOP:** No. O'Reilly.

15 **MR. ENGELMANN:** I'm sorry?

16 **MS. DUNLOP:** O'Reilly.

17 **MR. ENGELMANN:** O'Reilly?

18 **MS. DUNLOP:** Yes, when he came to our front
19 door.

20 **MR. ENGELMANN:** Do you recall having a
21 meeting with the Chief, Claude Shaver, about your husband?

22 **MS. DUNLOP:** I'd like to finish off about
23 Mr. Durocher coming to our front door.

24 **MR. ENGELMANN:** Oh, certainly. I thought
25 you were finished.

1 MS. DUNLOP: No.

2 MR. ENGELMANN: Go ahead.

3 MS. DUNLOP: You wanted to hear how we felt,
4 how we were treated?

5 MR. ENGELMANN: Do you recall when that was?

6 MS. DUNLOP: Do I recall when that was? It
7 was in the afternoon shortly after Perry had taken the
8 statement to CAS.

9 MR. ENGELMANN: All right. So this would
10 have been in late September of 1993?

11 MS. DUNLOP: It was in the fall.

12 MR. ENGELMANN: All right. So just describe
13 that for me again. Mr. Durocher came to your house ---

14 MS. DUNLOP: Yes.

15 MR. ENGELMANN: --- or Sergeant Durocher
16 with a colleague?

17 MS. DUNLOP: He didn't call beforehand. He
18 just came by.

19 MR. ENGELMANN: No, no, sorry, with a
20 colleague?

21 MS. DUNLOP: With a colleague? Yes, with a
22 junior officer.

23 MR. ENGELMANN: Were they both in uniform?

24 MS. DUNLOP: I don't believe Mr. Durocher
25 was. I can't remember whether Mr. Riley was.

1 MR. ENGELMANN: Were they both known to you?

2 MS. DUNLOP: Yes.

3 MR. ENGELMANN: All right. And was your
4 husband home when they came to the house?

5 MS. DUNLOP: Yes.

6 MR. ENGELMANN: All right. And what was
7 discussed when they came?

8 MS. DUNLOP: Mr. Durocher -- Sergeant
9 Durocher, just smirked, looked at Perry and said, "You're
10 served. It's nothing personal".

11 MR. ENGELMANN: "You're served. It's
12 nothing personal"?

13 MS. DUNLOP: Right.

14 MR. ENGELMANN: And do you recall what it
15 was your husband was served with?

16 MS. DUNLOP: Papers stating misconduct,
17 conduct unbecoming -- I can't remember it all. I'd have to
18 pull it up. There were three charges.

19 THE COMMISSIONER: But those are the *Police*
20 *Act* charges?

21 MS. DUNLOP: Yes.

22 THE COMMISSIONER: Okay.

23 MS. DUNLOP: From what I remember they were
24 the *Police Act* charges.

25 MR. ENGELMANN: All right. I just want --

1 and this isn't a memory test, Ms. Dunlop, but there were
2 three charges that arose as a result of a complaint that
3 was filed by David Silmser and that complaint was filed in
4 January of 1994.

5 In or around May of 1994, there were three
6 charges that were pursued against your husband. Is that
7 what you're talking about? Those three charges?

8 **MS. DUNLOP:** Well, there was a flurry of
9 charges. It's hard to keep them all straight. We were
10 being nailed pretty steady.

11 **MR. ENGELMANN:** Okay, but you just described
12 for me a meeting that you think took place in the fall of
13 '93 shortly after your husband went to the Children's Aid
14 with a statement?

15 **MS. DUNLOP:** It wasn't a meeting. They just
16 came to the house.

17 **MR. ENGELMANN:** No, no, I understand that.
18 Sorry. It's my description.

19 What I would like to know is, do you recall
20 your husband being served with charges in the following
21 year as a result of ---

22 **MS. DUNLOP:** I believe more paperwork came.

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

24 **MS. DUNLOP:** It came at all hours. Eleven
25 o'clock at night; four in the afternoon.

1 **MR. ENGELMANN:** Well, who would come to the
2 house? You mentioned that ---

3 **MS. DUNLOP:** Police officers.

4 **MR. ENGELMANN:** And were they always police
5 officers from the Cornwall Police?

6 **MS. DUNLOP:** That I can recall at that
7 stage, yes.

8 **MR. ENGELMANN:** All right. So would it be
9 fair to say that your husband -- well, you would have had
10 contact or you would have had knowledge of the Cornwall
11 Police coming to your house, as you say, on several
12 occasions dealing with police services charges or other
13 issues involving your husband?

14 **MS. DUNLOP:** Yes.

15 **MR. ENGELMANN:** And they would have come in
16 the afternoon or evening?

17 **MS. DUNLOP:** Morning, afternoon, night.

18 **MR. ENGELMANN:** And do you know whether he
19 was also getting this type of paperwork or charges at work
20 as well, or was this just something that was happening when
21 you were at home with him?

22 **MS. DUNLOP:** He was probably being served
23 papers at work, too.

24 **MR. ENGELMANN:** Now, throughout the time he
25 was off work, we understand he met with several dozen

1 victims or alleged victims of child sexual abuse. Were you
2 aware of the number of people he might have met with?

3 MS. DUNLOP: I didn't keep count.

4 MR. ENGELMANN: All right. And were you
5 present for some of those interviews, at least if the
6 interviews were held at your home?

7 MS. DUNLOP: Yes.

8 MR. ENGELMANN: Were you ever present at
9 interviews that were held elsewhere?

10 MS. DUNLOP: I might have been present but
11 not involved.

12 MR. ENGELMANN: So, for example, we have
13 heard there might have been interviews at a lawyer's office
14 in Newmarket, Ontario. Were you aware of that?

15 MS. DUNLOP: I might have been there
16 travelling with Perry, yes.

17 MR. ENGELMANN: Okay. Do you actually
18 remember being there?

19 MS. DUNLOP: We were up in Newmarket quite
20 often. Whether there was a victim in the room or not at
21 the time, I'm not sure of.

22 MR. ENGELMANN: All right. And that would
23 have been to meet with Mr. Bourgeois who was then his
24 lawyer?

25 MS. DUNLOP: At the time, yes.

1 **MR. ENGELMANN:** And was Mr. Bourgeois also
2 involved in this investigation or in compiling information
3 from victims and alleged victims?

4 **MS. DUNLOP:** You'd have to ask Mr.
5 Bourgeois.

6 **MR. ENGELMANN:** Okay. You didn't have any
7 personal knowledge of his involvement?

8 **MS. DUNLOP:** I cannot remember that.

9 **MR. ENGELMANN:** Were you aware that your
10 husband also met witnesses in Maine -- or a witness in
11 Maine?

12 **MS. DUNLOP:** Yes.

13 **MR. ENGELMANN:** All right. Did you attend
14 any of those interviews with him?

15 **MS. DUNLOP:** I went down to accompany Perry,
16 yes.

17 **MR. ENGELMANN:** On one occasion or more?

18 **MS. DUNLOP:** I cannot recall how many
19 occasions.

20 **MR. ENGELMANN:** Would that have been in the
21 fall of 1996 or would that have been in 1997, or do you
22 remember?

23 **MS. DUNLOP:** I can't recall.

24 **MR. ENGELMANN:** And if you accompanied him
25 were you actively involved in his investigation or were you

1 just an observer?

2 **MS. DUNLOP:** Sometimes I stayed at this
3 victim's house, spoke to his wife.

4 **MR. ENGELMANN:** So if we wanted to find out
5 about the interaction between your husband and the victim,
6 we would be better placed to ask him that?

7 **MS. DUNLOP:** Ask the victim.

8 **MR. ENGELMANN:** Well, if have we asked the
9 victim and if we want to find out about your husband's
10 interaction, he would know that better than you would?

11 **MS. DUNLOP:** Oh, he's probably written it in
12 his will state. He's probably testified to it several
13 times. You can probably rely on that.

14 **MR. ENGELMANN:** Mr. Commissioner, I have a
15 number of questions I want to ask about the investigation
16 and about the Silmsler allegations and how they came to
17 light, and my preference would be to stand down this
18 witness and ask her husband who has more direct knowledge
19 and then I'll come back to her because I would like to ask
20 Ms. Dunlop more questions about her involvement later on.

21 As you know, we have had some evidence
22 already here about telephone calls and meetings with Ms.
23 Dunlop by several of the witnesses --

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

25 **MR. ENGELMAN:** So with your permission, sir,

1 I would like to stand the witness down and call her husband
2 to the witness stand.

3 **THE COMMISSIONER:** Thank you.

4 Ms. Dunlop, if you could stand down?

5 **MS. DUNLOP:** May I ask a question?

6 **THE COMMISSIONER:** Certainly.

7 **MS. DUNLOP:** How long am I expected to be
8 here with these questions?

9 **MR. ENGELMANN:** During your husband's
10 questioning?

11 **MS. DUNLOP:** During our presence here at
12 this Inquiry.

13 **MR. ENGELMANN:** Sorry. What's the question?

14 **MS. DUNLOP:** How long am I expected to be
15 here at this Inquiry for these questions?

16 **MR. ENGELMANN:** Well, I don't think your
17 questioning will be that long. I have to ask some
18 questions of your husband which will take longer.

19 **MS. DUNLOP:** A day? A week? A month?

20 **MR. ENGELMANN:** Well, that depends. I'm
21 going to try to do this as quickly as possible.

22 **MS. DUNLOP:** Before Friday?

23 **MR. ENGELMANN:** I'm going to try.

24 **MS. DUNLOP:** Well, that's what you told me
25 was Friday. That was what I was led to believe.

1 **MR. ENGELMANN:** I told you that I wanted to
2 do this as efficiently as I could and I told you I would
3 make my best efforts.

4 **MS. DUNLOP:** By Friday.

5 **MR. ENGELMANN:** I told you I'd make my best
6 efforts, Ms. Dunlop.

7 **MS. DUNLOP:** You wrote by Friday.

8 **THE COMMISSIONER:** Okay. Hold on.

9 **MR. ENGELMANN:** You know what? The letter
10 is in evidence and there's no need to argue about it, is
11 there?

12 **MS. DUNLOP:** I just don't want to be here
13 any longer away from my family and children who are under a
14 great deal of stress, than I have to be.

15 **THE COMMISSIONER:** All right.

16 **MR. ENGELMANN:** Ms. Dunlop, that's why I
17 asked you ---

18 **THE COMMISSIONER:** Just, just ---

19 **MR. ENGELMANN:** Sir, if I may?

20 Ms. Dunlop, were you asked if Commission
21 counsel could meet with you last week in the province of
22 British Columbia to expedite this?

23 **THE COMMISSIONER:** Now, now, Mr. Engelmann -
24 --

25 **MR. ENGELMANN:** That's fine. I'll leave it,

1 I'll leave it.

2 **THE COMMISSIONER:** That's water under the
3 bridge right now.

4 You see, I don't know if you wanted to
5 answer questions or what we were going to do today.

6 If it's your intention to answer questions
7 and if it's your husband's intention to answer questions,
8 as I've indicated before, I'm prepared to sit late. I'm
9 prepared to do anything and everything to accommodate your
10 needs. That can't be a promise because I don't know how
11 long this is going to take, but I can tell you that I will
12 do everything in my power to accommodate your needs.

13 **MS. DUNLOP:** Well, I'm willing to answer
14 questions as long as I don't feel intimidated or bullied.

15 **THE COMMISSIONER:** Fine.

16 **MS. DUNLOP:** And the minute I feel
17 intimidated or bullied or harassed, I will stop speaking.

18 **THE COMMISSIONER:** The only thing to that is
19 that if you feel like that, I'd like to have a discussion
20 with you before we shut down.

21 **MS. DUNLOP:** Well, I offered you that
22 discussion yesterday, sir, and it's still open.

23 **THE COMMISSIONER:** Terrific. If you could
24 stand down, please?

25 **MS. DUNLOP:** No problem.

1 **THE COMMISSIONER:** Thank you.

2 Mr. Dunlop, could you come forward, please?

3 Sir, have a seat.

4 Are you prepared to answer questions today
5 with respect to your involvement in all of this?

6 **MR. DUNLOP:** No, I'm not, sir.

7 **THE COMMISSIONER:** Are you prepared to
8 answer any questions at all?

9 **MR. DUNLOP:** No, I'm not.

10 **THE COMMISSIONER:** All right.

11 Mr. Engelmann, do you have any questions to
12 ask him?

13 **MR. ENGELMANN:** I have dozens and dozens of
14 questions to ask Mr. Dunlop about matters of great import
15 to this Inquiry, but I don't think he's prepared to answer
16 them.

17 **THE COMMISSIONER:** All right.

18 **MR. ENGELMANN:** If I understood your answer
19 correctly, sir. You're not prepared to answer my
20 questions?

21 **MR. DUNLOP:** That's correct.

22 **THE COMMISSIONER:** And are you prepared to
23 give a reason at this time? Other than what you read
24 yesterday?

25 **MR. DUNLOP:** No, I'll stick with what I said

1 yesterday.

2 **THE COMMISSIONER:** Okay. All right.

3 So what I'll do then is -- have you had any
4 legal advice with respect to this, sir?

5 Never mind whether you had legal advice,
6 would you like to have some independent legal advice
7 arranged for you, sir?

8 **MR. DUNLOP:** I lost my first house through
9 legal advice and when I say that I don't want legal advice,
10 I have nothing to say.

11 **THE COMMISSIONER:** Okay. First of all,
12 you've indicated that cost might be an issue and what I'm
13 saying is that I'm prepared to recommend that the legal
14 fees that you incur with respect to seeking and obtaining
15 legal advice of a lawyer of your choice would be disbursed
16 through the Inquiry at no cost to you.

17 Do you understand that, sir?

18 **MR. DUNLOP:** Yes I do.

19 **THE COMMISSIONER:** All right.

20 Are you prepared to avail yourself of that
21 service, sir?

22 **MR. DUNLOP:** No, I don't want a lawyer.

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

24 Mr. Engelmann?

25 **MR. ENGELMANN:** Sir, obviously the principal

1 person that I want to ask questions of is Mr. Dunlop, given
2 his first-hand role in bringing to light the allegations
3 involving Mr. Silmser; his interactions with members of the
4 Cornwall Police Service; the whole issue involving the
5 police services charges; his principle role in with meeting
6 with victims and alleged victims during the time he was off
7 and his investigation; his involvement with Mr. Fantino and
8 then the Ministry of the Attorney General with respect to
9 his brief; his interactions with OPP officers; his
10 involvement in trials etc.

11 So the principal witness here -- I mean I'm
12 not saying that it's not important that we hear from Ms.
13 Dunlop, but hearing from her without hearing from her
14 husband makes little sense in the general scheme of things.

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

16 **MR. ENGELMANN:** So I'm wondering perhaps if
17 I could have a few minutes to determine where we're going.

18 **THE COMMISSIONER:** Okay.

19 **MR. ENGELMANN:** I was hopeful that the
20 Dunlops would reconsider and be prepared to proceed in the
21 normal course.

22 **THE COMMISSIONER:** Thank you. We'll take a
23 break.

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

1 The hearing will resume at 10:15.

2 --- Upon recessing at 9:59 a.m. /

3 L'audience est suspendue à 9h59

4 --- Upon resuming at 10:29 a.m. /

5 L'audience est reprise à 10h29

6 This hearing has now resumed. Please be
7 seated. Veuillez vous asseoir.

8 **THE COMMISSIONER:** Thank you.

9 Mr. Engelmann.

10 **MR. ENGELMANN:** Mr. Commissioner, I am
11 trying to change my road map so that we can deal with this
12 efficiently given the decision today of Mr. Dunlop to
13 continue to refuse at this time, and he's clearly the
14 principal witness that I wanted to lead evidence from this
15 week and for all sorts of reasons, including efficiency and
16 getting this done, wanted to go with him first.

17 Obviously, we want the best evidence before
18 the Inquiry as well so what I need to do, if I'm starting
19 with Ms. Dunlop, is reconfigure some questions. I need to
20 give some notice to my friends because of my public
21 interest obligation and dissect some of this evidence from
22 the evidence that I was going to get from Mr. Dunlop.

23 What I'd suggest is that we put this matter
24 over until two o'clock. I invite Ms. Dunlop to meet with
25 me. I have continually invited both the Dunlops to meet

1 with me in order to show them some documents so that when I
2 show them documents on the witness stand, they'll be aware
3 of what it is that I'm asking them questions about. They
4 will be better able to confirm dates and actions and
5 everything else and we will have better evidence.

6 I can't force Ms. Dunlop to meet with me but
7 I will ask her to. If she will, then I assume her evidence
8 will go more efficiently this afternoon.

9 What I propose doing is starting with her at
10 two o'clock.

11 **THE COMMISSIONER:** Okay. Just so I
12 understand then, what you're saying is that if you get to
13 meet with her you will be able to streamline her evidence
14 and get her off the stand quicker.

15 **MR. ENGELMANN:** Of course.

16 **THE COMMISSIONER:** Okay. Thank you.

17 **MR. ENGELMANN:** I don't know if any other
18 parties have any submissions to make on this proposal.

19 **THE COMMISSIONER:** All right.

20 **MR. ENGELMANN:** I don't know how else to
21 proceed at this stage given her husband's refusal to answer
22 my questions.

23 **THE COMMISSIONER:** All right. We'll deal
24 with that in due course.

25 Is anyone strenuously oppose to adjourning

1 the matter to two o'clock so that Mr. Engelmann can meet
2 with Ms. Dunlop to prepare and show her the documents he
3 intends to put to her?

4 That being the case, I'm going to adjourn
5 until two o'clock.

6 Thank you.

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 10:32 a.m. /

11 L'audience est suspendue à 10h32

12 --- Upon resuming at 2:07 p.m. /

13 L'audience est reprise à 14h07

14 This hearing has now resumed. Please be
15 seated. Veuillez vous asseoir.

16 **THE COMMISSIONER:** Thank you. Good
17 afternoon.

18 **MR. ENGELMANN:** Good afternoon, Mr.
19 Commissioner.

20 If Ms. Dunlop could take the witness stand.

21 **THE COMMISSIONER:** All right. Ms. Dunlop,
22 could you come forward, please?

23 **MR. ENGELMANN:** Mr. Commissioner, as you may
24 remember, Ms. Dunlop has a back ---

25 **THE COMMISSIONER:** Yes.

1 **MR. ENGELMANN:** --- problem, so she's
2 indicated to me that she may have stand most of the time.

3 **THE COMMISSIONER:** All right.

4 **MR. ENGELMANN:** Ms. Dunlop, if you push the
5 microphone almost straight up it will actually carry your
6 voice quite well.

7 **MS. DUNLOP:** Okay.

8 **THE COMMISSIONER:** So you don't have to bend
9 down all the time.

10 **MS. DUNLOP:** Okay.

11 **THE COMMISSIONER:** Ms. Dunlop, if there's
12 anything at any time, you need a break or anything like
13 that, just let me know. All right?

14 **MS. DUNLOP:** Thanks.

15 **HELEN DUNLOP, Resumed/Sous le même serment:**

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

18
19 **MR. ENGELMANN:** All right? Good afternoon.
20 Ms. Dunlop, first of all thank you for
21 meeting with me and I understand from our discussions you
22 were concerned about some comments that I made today and I
23 want to apologize if I offended you or if in any way I made
24 a mistake.

25 I did make a comment about the fact that

1 your husband had been charged under the *Police Services Act*
2 and I want to say in this very public forum, because this
3 is on the record, it's on a web-cast, that I know that he
4 was completely exonerated from those charges and we'll get
5 to that in the course of his evidence. All right?

6 **MS. DUNLOP:** Thank you.

7 **MR. ENGELMANN:** Ms. Dunlop, I'd like to
8 start by asking you -- I'd like you to think back to before
9 you become aware of the allegations of David Silmsner.

10 So before September 23rd, 1993.

11 you marry your husband in 1989; correct?

12 **MS. DUNLOP:** Yes, correct.

13 **MR. ENGELMANN:** And when you marry him, is
14 he already an officer working for the Cornwall Police
15 Service?

16 **MS. DUNLOP:** Yes.

17 **MR. ENGELMANN:** And you obviously knew him
18 for some period of time before you married him?

19 **MS. DUNLOP:** Eight hours.

20 **MR. ENGELMANN:** I'm just assuming that.
21 Most people do. Had it been a year or two, or more?

22 **MS. DUNLOP:** No.

23 **MR. ENGELMANN:** All right. But in any
24 event, when you first came to know him, he was already a
25 police officer?

1 **MS. DUNLOP:** Yes, that's correct.

2 **MR. ENGELMANN:** And can you just from your
3 own recollection give us a sense as to, would you see him
4 from time to time with colleagues from the police service?

5 **MS. DUNLOP:** Yes.

6 **MR. ENGELMANN:** And would that be on a
7 fairly regular basis?

8 **MS. DUNLOP:** Yes.

9 **MR. ENGELMANN:** All right. So I guess what
10 I'm getting at is, did he have a relationship with some of
11 his colleagues outside of the workplace?

12 **MS. DUNLOP:** Yes.

13 **MR. ENGELMANN:** And how would you describe
14 his work relationship with his colleagues outside of the
15 workplace, pre-September 23rd, 1993?

16 **MS. DUNLOP:** Mr. Happy. Perry loved being a
17 cop. He was good at it, everybody loved him, everybody
18 liked working with him. The neighbours looked forward --
19 he could hardly walk to work without people stopping him.
20 He was always donating his time to play music for senior
21 citizens' homes, the Legion, anybody that asked him. Chief
22 of Police would ask him to play for CAS functions, golfing
23 functions and Perry would have to take time off work to do
24 it. He'd work it around his hours. He was very giving of
25 his time for music and any volunteer activity that he did.

1 MR. ENGELMANN: All right. So aside from
2 his police work, he was involved in his community?

3 MS. DUNLOP: Very much so.

4 MR. ENGELMANN: And as part of that
5 involvement, he would see colleagues after work?

6 MS. DUNLOP: Oh, they'd have a beer or two.

7 MR. ENGELMANN: We've heard here at this --
8 at the Commission, that he was an accomplished -- or he is
9 an accomplished musician?

10 MS. DUNLOP: Yes, he is.

11 MR. ENGELMANN: And so you say that he would
12 play at functions for various police officers, or at the
13 request of the police chief at various agencies?

14 MS. DUNLOP: And he was in the police band,
15 yes.

16 MR. ENGELMANN: All right. So the Cornwall
17 Police Service had a police band as well?

18 MS. DUNLOP: Yes, they did.

19 MR. ENGELMANN: And you said his work was
20 important to him?

21 MS. DUNLOP: Very important.

22 MR. ENGELMANN: Did he like being a police
23 officer?

24 MS. DUNLOP: Lived for it.

25 MR. ENGELMANN: Had he really done anything

1 else in his life as far as full time work, that you know
2 of?

3 **MS. DUNLOP:** He told me that when he was
4 little, he used to emulate his uncle, Derryl, who was an
5 OPP officer -- Derryl Kellet in Kingston -- and that all he
6 ever wanted to do was be like his Uncle Derryl, be a police
7 officer.

8 **MR. ENGELMANN:** And I want to ask you a
9 little bit about his relationship with some particular
10 individuals.

11 You say he got along well with colleagues?

12 **MS. DUNLOP:** Yes.

13 **MR. ENGELMANN:** Do you know if there were
14 any colleagues that he didn't get along with? Again,
15 before September 23rd, 1993.

16 **MS. DUNLOP:** Perry's not the type of person
17 that made enemies. He didn't have enemies. If he had a
18 disagreement with somebody at the force, it was over, "You
19 didn't clean out the cruiser and I'm riding it next". "You
20 didn't gas it up."

21 I never heard him say a mean word about one
22 police officer that he ever worked with. In fact, he would
23 donate sick time out of his own bank to other officers if
24 they had run out of sick time. I think he was probably one
25 of the guys you wanted on your shift.

1 **MR. ENGELMANN:** Did he ever use his sick
2 time?

3 **MS. DUNLOP:** I don't think he had a sick day
4 in 15 years. I used to try to get him to call in sick.

5 **MR. ENGELMANN:** We'll talk about a time a
6 little later when he actually does go off on sick leave.

7 **MS. DUNLOP:** M'hm.

8 **MR. ENGELMANN:** In 1994; correct?

9 **MS. DUNLOP:** Yes.

10 **MR. ENGELMANN:** All right. Were there
11 particular colleagues that he would see on a regular basis
12 outside of work?

13 **MS. DUNLOP:** Yes.

14 **MR. ENGELMANN:** Can you tell us some of
15 their names?

16 **MS. DUNLOP:** Mike Quinn was a really good
17 friend of Perry's and is to this day. Bruce Cote used to
18 come over to our house, have a coffee on his breaks. Mark
19 Salinsky stop around.

20 Some of the guys in the police band, earlier
21 on in our marriage, would stop around.

22 **MR. ENGELMANN:** Did you have a relationship
23 with some of them? I mean were you on good terms with some
24 of these same colleagues of his?

25 **MS. DUNLOP:** I thought a lot of the guys

1 that Perry worked with, I thought they ---

2 MR. ENGELMANN: I'm sorry?

3 MS. DUNLOP: I thought a lot of them. I
4 used to do a lot of baking. Guys were working nights, I
5 know they're eating garbage food. I used to make batches
6 of chili, all kinds of buns, muffins, the guys -- I'd just
7 phone and say, "They're ready". Two in the morning,
8 cruiser would pull up. Come and grab them, take them back
9 to the station, or I'd bring food in myself.

10 MR. ENGELMANN: Did you do that on your own
11 or would you do that with your husband?

12 MS. DUNLOP: He doesn't cook.

13 MR. ENGELMANN: Okay.

14 (LAUGHTER/RIRES)

15 MR. ENGELMANN: What about the delivery?
16 Did he help with that?

17 MS. DUNLOP: It was whoever was -- I'd just
18 call a dispatcher and they'd beat the path to the door.

19 MR. ENGELMANN: Tell me about your family
20 circumstances and I'm thinking early '90s. Do you have
21 some children that are born already at that point?

22 MS. DUNLOP: M'hm. Yes.

23 MR. ENGELMANN: And you have three daughters
24 now?

25 MS. DUNLOP: Yes.

1 **MR. ENGELMANN:** And how old -- or, when were
2 they born?

3 **MS. DUNLOP:** Eighty nine ('89), '90, '92.

4 **MR. ENGELMANN:** So by the fall of '93,
5 you've got three young children?

6 **MS. DUNLOP:** Yes.

7 **MR. ENGELMANN:** Are you working outside of
8 the home at that time or are you at home?

9 **MS. DUNLOP:** I was working part-time as a
10 nurse at one of the local nursing homes.

11 **MR. ENGELMANN:** So would it be fair to say
12 that your husband was the main breadwinner at that time?

13 **MS. DUNLOP:** Yes.

14 **MR. ENGELMANN:** And did you own your own
15 home or were you renting a place here in Cornwall?

16 **MS. DUNLOP:** We were paying mortgage on a
17 home.

18 **MR. ENGELMANN:** Now, thinking back to that
19 time, do you recall if your husband would ever see a
20 constable Sebalj outside of work?

21 **MS. DUNLOP:** She came to our house a few
22 times. She was dating one of the other fellow officers.
23 We had them over for supper a couple of times where she
24 would -- a bunch of the cops would meet where Perry was
25 playing at different venues in town. So, yes, I did see

1 the guys out and around.

2 MR. ENGELMANN: Did he play music most
3 weekends?

4 MS. DUNLOP: One year, we played 70 shows in
5 52 weeks.

6 THE COMMISSIONER: Seven-zero (70)?

7 MS. DUNLOP: M'hm.

8 THE COMMISSIONER: Seventy (70)?

9 MR. ENGELMANN: Would that be mainly on
10 Fridays or Saturday nights?

11 MS. DUNLOP: Yes.

12 MR. ENGELMANN: All right. And when your
13 husband was playing, would some of his colleagues be there?

14 MS. DUNLOP: Oh, yes.

15 THE COMMISSIONER: I'm sorry. You said
16 "we". Do you play a musical instrument?

17 MS. DUNLOP: Oh, I can't match him, no.

18 THE COMMISSIONER: No, no. Did you play in
19 the band?

20 MS. DUNLOP: No, I'm the roadie.

21 THE COMMISSIONER: Okay. I know the
22 feeling.

23 MR. ENGELMANN: What about a Sergeant
24 Dupuis? Would he see you or your husband outside of work?

25 MS. DUNLOP: Darcy would come out to hear

1 Perry play. He could sing, he could play guitar, too. He
2 was in the police band.

3 **MR. ENGELMANN:** And aside from people within
4 the police force, were you friends with anybody who worked
5 at the Children's Aid Society?

6 **MS. DUNLOP:** We became friendly with Rick
7 Abell and his wife, Rosemary.

8 **MR. ENGELMANN:** Can you tell us how that
9 came about?

10 **MS. DUNLOP:** When Perry and I got married in
11 May of '89, Perry wasn't a Catholic. He decided to convert
12 to Catholicism and there were -- for lack of a better word
13 -- Catholic classes and Rosemary was Catholic and Rick was
14 not. And they were going through the same conversion time
15 as we were, so we met them there and we became friends.
16 They had young children and we had young children.

17 **MR. ENGELMANN:** And Rick is Rick Abell?

18 **MS. DUNLOP:** Yes.

19 **MR. ENGELMANN:** And was he already the
20 Executive Director of the Children's Aid Society then?

21 **MS. DUNLOP:** Yes.

22 **MR. ENGELMANN:** Or do you remember?

23 **MS. DUNLOP:** Yes.

24 **MR. ENGELMANN:** He was.

25 And how often would you see them, Ms.

1 Dunlop?

2 MS. DUNLOP: Pretty frequently. Always on
3 Sunday when we went to our religion classes and we'd go
4 back and forth to each place for supper and Rick would
5 usually stop in on his walk home from work probably on the
6 average three times a week.

7 MR. ENGELMANN: All right. Now you were
8 living in the City of Cornwall. Which parish or church
9 were you attending?

10 MS. DUNLOP: Well, I am from St. Andrews
11 originally, so I used to go to St. Andrews Church maybe one
12 Sunday and then go to St. Columban's Church another Sunday.

13 MR. ENGELMANN: And do you remember who the
14 priests were at those churches at that time?

15 MS. DUNLOP: At St. Andrews, it was Charlie
16 MacDonald. At St. Columban's, they have three or four
17 different priests.

18 MR. ENGELMANN: Now, I'd like you to think
19 back to a time in September of 1993 when you first became
20 aware of allegations that had been made by a David Silmser.
21 And let me just ask you this, did that name mean anything
22 to you before you became aware of his allegations?

23 MS. DUNLOP: No.

24 MR. ENGELMANN: Can you tell us how you
25 became aware of his allegations and just describe the

1 circumstances for us?

2 **MS. DUNLOP:** Well, Perry went to work that
3 morning, it's either September 23rd or 24th, he was working
4 days. I had the three kids at home and he came home about
5 two o'clock. I was there as the cruiser was pulling in
6 because they have really bad brakes and ---

7 **MR. ENGELMANN:** Two in the afternoon?

8 **MS. DUNLOP:** Yes, it was in the afternoon.

9 And he came in the house. I was in the
10 kitchen with the kids and he was really serious which he
11 isn't generally. And he said, "Helen, get the kids dressed
12 and send them across the road. I've got something to tell
13 you. I'll be back in 15 minutes." And I thought, you
14 know, wow, he must have witnessed a murder or something
15 really heavy duty because I could always put the girls
16 upstairs.

17 **MR. ENGELMANN:** So you actually took your
18 kids and took them over to a neighbour's?

19 **MS. DUNLOP:** Yes, my babysitter, Jill.

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

21 **MS. DUNLOP:** And I waited for him to come
22 back and I was standing in the kitchen doing dishes and he
23 came in and leaned against the counter and said, "I found
24 something out today and our lives are never going to be the
25 same".

1 **MR. ENGELMANN:** And what did he then
2 describe to you?

3 **MS. DUNLOP:** He said he had found out about
4 a case of sexual abuse that involved Father Charlie. And
5 he was trying to describe it and I just said, "Can I read
6 it?" He had a copy of the statement, so I read it.

7 **MR. ENGELMANN:** Let me just stop you for a
8 minute if I can.

9 Let me have Exhibit 262, either brought up
10 on the screen or a hard copy for Ms. Dunlop. It may
11 actually be easier to read on the screen because they can
12 blow it up a bit more but your choice.

13 **MS. DUNLOP:** No, this is good.

14 **MR. ENGELMANN:** What I want to ask you is if
15 you can recall whether or not that is the document you
16 might have been shown that afternoon?

17 **MS. DUNLOP:** Yes, this is the statement.

18 **MR. ENGELMANN:** All right. And you'll note
19 that most of it talks about allegations against Father
20 Charles MacDonald ---

21 **MS. DUNLOP:** Yes.

22 **MR. ENGELMANN:** --- plus there's also a
23 short section at the end about a probation officer by the
24 name of Ken Seguin?

25 **MS. DUNLOP:** Yes.

1 **MR. ENGELMANN:** So I am going to ask you
2 what you knew of them, but before I do that, you'll read
3 the statement, what's the dialogue; what's happening; you
4 and your husband?

5 **MS. DUNLOP:** Perry didn't say very much. I
6 was really nauseated. I know that Perry's got a sixth
7 sense for police work.

8 **THE COMMISSIONER:** I'm sorry, a sixth sense?

9 **MS. DUNLOP:** Yes.

10 **THE COMMISSIONER:** Okay.

11 **MS. DUNLOP:** And that he said he'd never
12 read anything that was more true and I felt the same way
13 when I read it. And the fact that the allegations were
14 against a priest I knew and man that I knew of sickened me
15 and scared me.

16 **MR. ENGELMANN:** Why did it scare you?

17 **MS. DUNLOP:** Because he was at my old family
18 parish where I had upwards of 40, 50 nieces and nephews
19 attending and lots of children's friends and potential
20 nephews going into the altar boy program.

21 **MR. ENGELMANN:** There was an altar program
22 for boy and girls at St. Andrews at that time?

23 **MS. DUNLOP:** Always has been to my
24 knowledge.

25 **MR. ENGELMANN:** And did you actually have

1 nephews or nieces in that program at that time?

2 MS. DUNLOP: At that time, Carson and Julie
3 were considering putting Luke in the program.

4 MR. ENGELMANN: Carson being Carson
5 Chisholm?

6 MS. DUNLOP: Yes.

7 MR. ENGELMANN: Your brother?

8 MS. DUNLOP: Yes.

9 MR. ENGELMANN: And you knew Father
10 MacDonald? You said he married you in fact.

11 MS. DUNLOP: Yes, he baptized our first
12 daughter.

13 MR. ENGELMANN: Did you know him well?

14 MS. DUNLOP: Just that he was the parish
15 priest at St. Andrews.

16 MR. ENGELMANN: What about the other person
17 that was named, Mr. Seguin?

18 MS. DUNLOP: My family were friends with the
19 Seguin family; the older members. My parents knew their
20 parents, their brothers and sisters. He was quite a bit
21 older than I was. I thought my older brothers knew him in
22 passing.

23 MR. ENGELMANN: Did you ---

24 MS. DUNLOP: He was from the area.

25 MR. ENGELMANN: He was not friend of yours?

1 MS. DUNLOP: Not a personal friend, no.

2 MR. ENGELMANN: Okay. Did you know him to
3 see him?

4 MS. DUNLOP: Would I have known him to see
5 him? No.

6 MR. ENGELMANN: You said your brothers --
7 your older brothers may have known him?

8 MS. DUNLOP: Yes.

9 MR. ENGELMANN: So what if any concerns did
10 you have after reading that statement?

11 MS. DUNLOP: Well, I was concerned the
12 children would be left at risk if nothing was done about
13 it. And Perry had told me that nothing was being done
14 about it.

15 MR. ENGELMANN: That's what he told you?

16 MS. DUNLOP: Yes.

17 MR. ENGELMANN: Did he tell you why he
18 thought that? Why he thought that nothing was being done
19 about it?

20 MS. DUNLOP: I can't remember exactly but
21 our thoughts were pretty much running along the same lines
22 as, this isn't your garden variety fellow. This is someone
23 with a position in the community and that maybe it could be
24 buried or hidden and nobody would be any the wiser, and
25 that concerned me.

1 And the fact that Mr. Seguin was a probation
2 officer, Perry did tell me that he had grave concerns about
3 sending children over to probation that he would arrest if
4 this, in fact, was true.

5 **MR. ENGELMANN:** Now, do you recall how long
6 you would have discussed this?

7 **MS. DUNLOP:** That day?

8 **MR. ENGELMANN:** That time, that day, yes?

9 **MS. DUNLOP:** Well, he had to get back to
10 work so it was only for about 15 or 20 minutes right at
11 that time. But then we talked about it when he got off
12 duty.

13 **MR. ENGELMANN:** All right. Did you husband
14 tell you that this was one of his cases or if it was
15 someone else's case. Do you recall?

16 **MS. DUNLOP:** He said that he had gone into
17 the undercover office to pick up a file. I think he was
18 working on an arson case he had to bring back upstairs and
19 then he came in and overheard two police officers talking
20 about the address of St. Columban's and about allegations
21 of sexual abuse against a priest and that it had all been
22 taken care of. And then Perry said, "What's the address?
23 What are you talking about?" And ---

24 **MR. ENGELMANN:** This is all what you heard
25 from him?

1 MS. DUNLOP: Yes.

2 MR. ENGELMANN: M,hm.

3 MS. DUNLOP: And that they told him, well,
4 if you want to know more about ask Heidi. She's taking
5 care of it.

6 MR. ENGELMANN: Heidi being Heidi Sebalj?

7 MS. DUNLOP: Yes.

8 MR. ENGELMANN: And did he tell you whether
9 or not he actually spoke to her about it?

10 MS. DUNLOP: Yes, he approached Heidi.

11 MR. ENGELMANN: And what if anything were
12 you were told about whether this case was being
13 investigated at that time?

14 MS. DUNLOP: I think Perry told me that
15 Heidi said it was taken care of, that it was in the filing
16 cabinet, that there wasn't much being done on it at the
17 time.

18 MR. ENGELMANN: Were you told anything at
19 all about whether there was a monetary settlement in this
20 case?

21 MS. DUNLOP: Yes, a \$32,000 payoff.

22 MR. ENGELMANN: Were you actually told at
23 that time about an amount of money, or just that there was
24 a payment, or do you remember?

25 MS. DUNLOP: I think I recall being told

1 there was a \$32,000 payoff.

2 **MR. ENGELMANN:** Did you and your husband
3 have views at that time about that kind of a payment?

4 **MS. DUNLOP:** Pardon me?

5 **MR. ENGELMANN:** Did you or your husband have
6 views at that time about that kind of a payment? Not the
7 amount, but a payment.

8 **THE COMMISSIONER:** Your views - what did you
9 think of that?

10 **MS. DUNLOP:** Oh, views. What did I think
11 about it?

12 **THE COMMISSIONER:** Yes.

13 **MS. DUNLOP:** Well, I don't have a degree in
14 law but I for sure know that you're not allowed to buy your
15 way out of crime and I think it's an obstruction of justice
16 charge.

17 **MR. ENGELMANN:** So you and your husband would
18 have some discussion about ---

19 **MS. DUNLOP:** Yes.

20 **MR. ENGELMANN:** --- that being wrong.

21 **MS. DUNLOP:** Yes, absolutely wrong.

22 Criminal.

23 **MR. ENGELMANN:** Did you talk about what, if
24 anything, you might do about it now that you knew?

25 **MS. DUNLOP:** We spent a lot of sleepless

1 hours thinking about what we should do, how it was going to
2 affect not only us but our children, but that there was
3 really no choice to be made.

4 Perry felt very strongly that children could
5 not be left at risk, and that he had to report this to his
6 superiors and under Section 72 of the *Child and Welfare*
7 *Family Act* at that time, that he had an obligation as a
8 police officer to report it to Children's Aid.

9 **MR. ENGELMANN:** So he told you he was going
10 to talk to some superiors?

11 **MS. DUNLOP:** Yes.

12 **MR. ENGELMANN:** And that he also had a duty
13 to report it to the Children's Aid?

14 **MS. DUNLOP:** Well, he first said he wanted
15 to talk to his superiors.

16 **THE COMMISSIONER:** Excuse me, at that time
17 was he talking about duty to disclose under the Children's
18 Aid Society?

19 **MR. ENGELMANN:** Or did that come up later?

20 **MS. DUNLOP:** He had always known that. He
21 used to talk about stuff he learned in training and the
22 very few times that you could kick a door in was if you
23 thought there was a child in need of protection and that
24 the *Child and Family Services Act* would supersede a lot of
25 the rules on the book.

1 **THE COMMISSIONER:** So you're saying that you
2 did talk about that rule?

3 **MS. DUNLOP:** He talked about that rule, yes.

4 **THE COMMISSIONER:** In the context of this
5 event?

6 **MS. DUNLOP:** Yes, that it had to be
7 reported.

8 **THE COMMISSIONER:** Okay. Thank you.

9 **MR. ENGELMANN:** Did he tell you who he might
10 speak to about this when he talked about going to his
11 superiors?

12 **MS. DUNLOP:** Well, his direct superior at
13 that time, I believe, was Luc Brunet. He also, I think,
14 wanted to talk to the Crown, Murray MacDonald, for some
15 advice.

16 **THE COMMISSIONER:** All right.

17 **MR. ENGELMANN:** Do you know, and did he tell
18 you who the officers were that were first talking about
19 this?

20 **MS. DUNLOP:** When he came into the ---

21 **MR. ENGELMANN:** Yes.

22 **MS. DUNLOP:** You see I -- if I'm not
23 mistaken it was Ronny Lefebvre, one of the Lefebvre boys,
24 and Claude Lortie.

25 **MR. ENGELMANN:** All right. Now did he tell

1 you whether or not he was going to have any further
2 discussions with Heidi Sebalj, or do you remember?

3 **MS. DUNLOP:** I don't remember at that time.

4 **MR. ENGELMANN:** So he was going to talk to
5 his superiors. Do you know if he spoke to Rick Abell about
6 this?

7 **MS. DUNLOP:** Yes.

8 **MR. ENGELMANN:** Do you know when that might
9 have first happened and under what circumstance?

10 **MS. DUNLOP:** I believe it was after he spoke
11 to Murray MacDonald and Luc Brunet.

12 **MR. ENGELMANN:** Let me ask you this. Do you
13 recall and I believe -- do you recall if you were present
14 at Quinn's Inn within a day or two or three of first
15 knowing about this allegation and whether or not you would
16 have met Mr. Abell there?

17 **MS. DUNLOP:** I'm not positive of the
18 timeline but I am positive of being in the parking lot with
19 Mr. Abell and Perry.

20 **MR. ENGELMANN:** At Quinn's Inn?

21 **MS. DUNLOP:** Yes.

22 **MR. ENGELMANN:** Now why would Mr. Abell and
23 your husband be in the parking lot at Quinn's Inn?

24 **MS. DUNLOP:** I think Perry was playing there
25 that night or it was just a convenient place for us to meet

1 to stop in and have a beer.

2 MR. ENGELMANN: All right. So if Perry was
3 playing at Quinn's Inn, you were there with him that night?

4 MS. DUNLOP: If he was playing, I was there.

5 MR. ENGELMANN: All right. And the Abells
6 were also there.

7 MS. DUNLOP: They'd often come out to hear
8 Perry play.

9 MR. ENGELMANN: Quinn's Inn. That's up in
10 St. Andrews?

11 MS. DUNLOP: Yes.

12 MR. ENGELMANN: And were you present when
13 your husband met with Rick Abell in the parking lot?

14 MS. DUNLOP: Yes.

15 MR. ENGELMANN: And did you overhear any of
16 that conversation or do you know what they were talking
17 about?

18 MS. DUNLOP: I didn't hear a lot of it. I
19 was talking with Rosemary, his wife, but I do know that
20 they were discussing it and ---

21 MR. ENGELMANN: Discussing what?

22 MS. DUNLOP: Discussing ---

23 MR. ENGELMANN: The Silmsler statement?

24 MS. DUNLOP: The statement, yes.

25 MR. ENGELMANN: Did your husband have a copy

1 with him that night do you know?

2 MS. DUNLOP: Well, he had a piece of paper,
3 I assume it was the statement. And Rick said, "You'll have
4 to show it to me in an official capacity or give it to me
5 in an official capacity" as far as I remember.

6 MR. ENGELMANN: Do you know if the Abells
7 were over at your home the following day?

8 MS. DUNLOP: Pardon me?

9 MR. ENGELMANN: Do you recall if the Abells
10 were over at your home the following day?

11 MS. DUNLOP: No, I don't recall that.

12 MR. ENGELMANN: When your husband first
13 mentioned this to you he had a copy of the statement with
14 him?

15 MS. DUNLOP: Yes, he did.

16 MR. ENGELMANN: Did he explain to you why he
17 had a copy of that statement? Why he made a copy of that
18 statement?

19 MS. DUNLOP: Yes, he did.

20 MR. ENGELMANN: What did he tell you?

21 MS. DUNLOP: That he thought it was going to
22 disappear.

23 MR. ENGELMANN: And did he tell you why he
24 thought that?

25 MS. DUNLOP: Because of the severity of the

1 statement, who the statement involved, and that it had been
2 so-called "taken care of".

3 **MR. ENGELMANN:** So let me try a question
4 again.

5 After the night at Quinn's Inn, do you know
6 if you and your husband went to the Abell's the following
7 day or that weekend?

8 **MS. DUNLOP:** It was shortly thereafter, yes.

9 **MR. ENGELMANN:** All right. And do you know
10 if there was any discussion when you were there about this
11 statement?

12 **MS. DUNLOP:** Yes.

13 **MR. ENGELMANN:** And how do you know that?

14 **MS. DUNLOP:** I was present.

15 **MR. ENGELMANN:** All right. Did your husband
16 give Mr. Abel a copy of that statement then or was it a few
17 days later?

18 **MS. DUNLOP:** I think he gave it to Rick to
19 take a look at.

20 **MR. ENGELMANN:** Yes.

21 **MS. DUNLOP:** But I was talking to Rosemary
22 so I didn't catch the whole conversation.

23 **MR. ENGELMANN:** Now, you mentioned that your
24 husband wanted to see a Crown attorney about this?

25 **MS. DUNLOP:** Well, he wanted some advice.

1 **MR. ENGELMANN:** All right. And do you know
2 if he, in fact, did see a Crown prosecutor about this?

3 **MS. DUNLOP:** He did go up and see Murray
4 MacDonald, yes.

5 **MR. ENGELMANN:** And you know this because he
6 told you this?

7 **MS. DUNLOP:** Yes.

8 **MR. ENGELMANN:** All right. And in relation
9 to when he first told you about this, are we talking a few
10 days later, are we talking a few weeks later. Do you
11 remember?

12 **MS. DUNLOP:** Within days.

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

14 **MS. DUNLOP:** He had phone Murray I believe
15 at night to arrange to meet him the next morning. His
16 office was upstairs from him in the police station. But
17 there was an office -- a Crown's office upstairs in the
18 police station.

19 **MR. ENGELMANN:** And, again, if he met with
20 Murray MacDonald and/or anybody else that day, you weren't
21 present. It's just what he related to you?

22 **MS. DUNLOP:** Just what he told me.

23 **MR. ENGELMANN:** All right. And did he tell
24 you whether or not he took a copy of the statement with
25 him?

1 **MS. DUNLOP:** He told me when he came home
2 that he had showed him a copy of the statement.

3 **MR. ENGELMANN:** And was he -- what did he
4 tell you about that meeting?

5 **MS. DUNLOP:** Well, Perry used to hunt with
6 Murray, so I think he considered him a trusted
7 acquaintance, a professional, and Perry had worked on
8 different cases with him. So I think Perry thought he was
9 going to get a square answer, an honest answer, about how
10 to proceed and it didn't go down as well as Perry thought.

11 **MR. ENGELMANN:** Did he express his
12 disappointment to you about that meeting?

13 **MS. DUNLOP:** Well, he said that when he went
14 ---

15 **THE COMMISSIONER:** Just a second. Are you
16 raising?

17 **MR. THOMPSON:** Yes, I am. It seems like we
18 are getting into the areas ---

19 **THE COMMISSIONER:** No, no. You have to come
20 up to the -- you're Mr. Thompson, yes, from the Attorney
21 General's office?

22 **MR. THOMPSON:** That's right.

23 **THE COMMISSIONER:** Yes?

24 **MR. THOMPSON:** It just seems that we're
25 getting into -- there is a pretty clear hearsay about what

1 had happened. Mr. Dunlop unfortunately has said that he is
2 not going to be in a position to testify. It sorts of
3 hampers any ability to question on those events.

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

5 **MR. THOMPSON:** And so I have some concerns
6 with the questioning of this -- of Ms. Dunlop about events
7 where she wasn't present.

8 **THE COMMISSIONER:** All right. But what we
9 want to know is what her husband told her, so it's
10 obviously not for the truth of the content but for what
11 kind of frame of mind both he and she were in.

12 And the second thing, I guess, is that it's
13 an Inquiry, it's not a trial. Can we not have some
14 hearsay?

15 **MR. THOMPSON:** Well, as long as it's clear
16 that it's going towards her understanding of what she --
17 what was her understanding.

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

19 **MR. THOMPSON:** Thank you.

20 **MR. ENGELMANN:** So what was his expression
21 to you as to the result of that meeting and where things
22 were going?

23 **MS. DUNLOP:** He said that when he went
24 upstairs to meet Murray because he had called Murray the
25 night before I believe and Murray had agreed to meet him.

1 And when he went upstairs, he found it odd that the lights
2 in the room were off. And when Perry started to speak to
3 him about David Silmsers letter, he wasn't too interested
4 in reading it or knowing its contents, and was aware of
5 what was in it though and suggested that Perry go down and
6 see Luc Brunet. That he was on top of this; that it would
7 be, you know, everything was taken care of.

8 **MR. ENGELMANN:** All right. Do you know what
9 Mr. Brunet's position was with the Cornwall police at that
10 time?

11 **MS. DUNLOP:** I believe he was a staff
12 sergeant.

13 **MR. ENGELMANN:** Okay. And did your husband
14 relate to you whether or not he went to meet with Mr.
15 Brunet?

16 **MS. DUNLOP:** He went directly from Murray's
17 office down the stairs and Luc Brunet was expecting him.

18 **MR. ENGELMANN:** That's what he told you?

19 **MS. DUNLOP:** That's what he told me.

20 **MR. ENGELMANN:** And did he tell you whether
21 or not they discussed the Silmsers statement in these
22 allegations?

23 **MS. DUNLOP:** Yes.

24 **MR. ENGELMANN:** And what, if anything, did
25 he relate to you about how that conversation went?

1 **MS. DUNLOP:** Well, Perry wanted to know why
2 nothing was being done on the file and why children were
3 being left at risk and whether, I believe, whether Charlie
4 or Kenny had even been questioned or brought in for
5 questioning.

6 The answer he got from Luc was to mind his
7 own business. That sometimes we know who the bad guys are
8 but we can't always catch them; that you have to dot your
9 "I"s and cross your "T"s and that you have to be part of
10 the team, or words to that effect. And we don't want to go
11 through what you went through in 1985, Perry. You've got a
12 wife and three children now. Leave it alone.

13 **THE COMMISSIONER:** Are you going to ask
14 about 1985?

15 **MR. ENGELMANN:** I am.

16 **THE COMMISSIONER:** Okay. Good.

17 **MR. ENGELMANN:** What's 1985?

18 **MS. DUNLOP:** It was before Perry and I met
19 but he did tell me about an incident in 1985 where he was
20 charged for failing to report damage to a cruiser, a decal
21 on a cruiser.

22 **MR. ENGELMANN:** An accident that he'd been
23 in?

24 **MS. DUNLOP:** He was attending emergency
25 department and came around a corner a little fast and

1 scratched the decal. I don't know if he forgot or didn't
2 get time to report the decal damage and it was grief.

3 **THE COMMISSIONER:** I am sorry, it was?

4 **MS. DUNLOP:** Grief.

5 **THE COMMISSIONER:** Grief.

6 **MS. DUNLOP:** It caused grief.

7 **THE COMMISSIONER:** It caused grief. Okay.

8 **MR. ENGELMANN:** He was either found guilty
9 or plead guilty to a charge involving that, did he not?

10 **MS. DUNLOP:** I'm not sure how that worked
11 out.

12 **MR. ENGELMANN:** That was before you time
13 together?

14 **MS. DUNLOP:** Yes. But that's what Mr.
15 Brunet was eluding to as that it caused Perry grief at the
16 time and we don't want to go there again. This is going to
17 cause you grief but now you have a wife and three kids.

18 **MR. ENGELMANN:** So when he came home and
19 related this to you, can you just sort of describe how he
20 acted at the time?

21 **MS. DUNLOP:** He was really upset, like you
22 would be if somebody threatened you about your wife and
23 three kids. He was scared for his career. I believe he
24 was scared for the innuendo that "you have a wife and three
25 kids" might bring and I think, quite honestly, he was

1 floored that a senior officer wouldn't take what he had to
2 say seriously.

3 **MR. ENGELMANN:** All right. So is he
4 relating this to you after his shift that same day ---

5 **MS. DUNLOP:** Yes.

6 **MR. ENGELMANN:** --- or is it a different
7 day?

8 **MS. DUNLOP:** No, when he came home he told
9 me.

10 **MR. ENGELMANN:** Now, Ms. Dunlop, did he tell
11 you anything about Staff Sergeant Brunet saying, "Tell your
12 wife that she shouldn't be involved in this", or anything
13 to that effect?

14 **MS. DUNLOP:** I do not remember that at that
15 time, no.

16 **MR. ENGELMANN:** Well, had you or had you not
17 gotten involved in this before then and I'll be specific.

18 Had you attempted to contact the complainant
19 in these allegations, Mr. Silmser?

20 **MS. DUNLOP:** Yes, I did.

21 **MR. ENGELMANN:** All right. And was it
22 before your husband came home and told you that he felt
23 threatened by this meeting with Mr. Brunet or Staff
24 Sergeant Brunet?

25 **MS. DUNLOP:** I honestly don't remember what

1 the timeframe was.

2 MR. ENGELMANN: Did you attempt to contact
3 David Silmser?

4 MS. DUNLOP: Yes, I did.

5 MR. ENGELMANN: And did you do that on
6 advice or instruction from your husband?

7 MS. DUNLOP: No, on my own.

8 MR. ENGELMANN: Did you tell him you were
9 doing it?

10 MS. DUNLOP: No, I didn't.

11 MR. ENGELMANN: Why did you do it?

12 MS. DUNLOP: Because I felt that the victim
13 was getting a raw deal; that obstruction of justice was
14 wrong; that leaving perpetrators in the community was
15 wrong; and that he had been sold down the tubes for
16 \$32,000.

17 THE COMMISSIONER: So you mean, raw deal, do
18 you mean financially he was settling for too low?

19 MS. DUNLOP: Emotionally and financially.

20 THE COMMISSIONER: Okay. Emotionally, how
21 was he getting a raw deal?

22 MS. DUNLOP: Well, because money can't buy
23 healing.

24 THE COMMISSIONER: Okay. And financially?

25 MS. DUNLOP: Well, what price do you put on

1 child abuse?

2 **THE COMMISSIONER:** No, no, no. I understand
3 that. But were you of the view that \$32,000 was an
4 absurdly low amount?

5 **MS. DUNLOP:** I was of the opinion that
6 \$320,000,000 wouldn't matter.

7 **THE COMMISSIONER:** Right, except -- okay.
8 I just want to try to understand when you
9 said he was "getting a raw deal". What do you mean by
10 that?

11 **MS. DUNLOP:** That he wasn't being treated
12 fairly by the police department.

13 **THE COMMISSIONER:** By the police department,
14 okay.

15 **MS. DUNLOP:** By the church. By anybody who
16 had their hand in this deal.

17 That this was a cover-up. Maybe he didn't
18 understand what obstruction of justice was. Maybe he
19 didn't know what his rights were.

20 **MR. ENGELMANN:** Did you in fact contact Mr.
21 Silmsen?

22 **MS. DUNLOP:** Yes, I did.

23 **MR. ENGELMANN:** In fact, he told us -- he
24 was testifying here, he told us that there was a woman
25 trying to get a hold of him. He might have actually used

1 the words "harassing" or words to that effect, if I
2 remember.

3 Can you describe for us what you did when
4 you tried to get a hold of him?

5 **MS. DUNLOP:** Well, I don't know who was
6 harassing him but I phone call -- gave him a phone call and
7 asked him if I could come back and see him ---

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

9 **MS. DUNLOP:** --- and he gave me his address
10 to where he lived.

11 **MR. ENGELMANN:** Right. Did you go there?

12 **MS. DUNLOP:** Yes, I did.

13 **MR. ENGELMANN:** And what happened when you
14 went there?

15 **MS. DUNLOP:** I knocked on his door, he came
16 to the door. I introduced myself. He said he couldn't
17 talk long because he was babysitting his children. And I
18 said, "I hope we can meet again, I'd like to talk to you
19 about what happened and that you don't have to stay quiet
20 just because they paid you off money. What they did was
21 wrong". And he agreed that we'd meet again.

22 **MR. ENGELMANN:** Do you recall if you did in
23 fact meet again or not?

24 **MS. DUNLOP:** I followed up with a phone
25 call, but he wasn't comfortable meeting again and I left it

1 at that.

2 **THE COMMISSIONER:** So in total, how many
3 phone calls or attempts would you have made to communicate
4 with him over the phone?

5 **MS. DUNLOP:** Two. One before, one after.

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

7 **MR. ENGELMANN:** Do you recall at any time
8 around this time period, late September, early October, if
9 your husband reported to you whether he found anything else
10 about this file other than this statement? Whether he had
11 other information about it?

12 **MS. DUNLOP:** Well, he had mentioned that he
13 had tried to find it. I think it's on OMPPAC or CPAC,
14 wherever they put sexual offence information in the police
15 system, and that it wasn't coming up or was coming up
16 delayed, overdue, overdue, overdue, for a very long time.

17 **MR. ENGELMANN:** So after he reports to you
18 about meetings with Mr. MacDonald, the Crown Prosecutor,
19 and Staff Sergeant Brunet, do you remember if he tells you
20 at some point whether he gives a copy of this statement to
21 Mr. Abell?

22 **MS. DUNLOP:** Yes. Rick said he would have
23 to give it to him in his official capacity.

24 **MR. ENGELMANN:** Did he explain to you why he
25 did that? Hadn't he already been told that maybe this

1 wasn't a good idea?

2 **MS. DUNLOP:** Pardon me?

3 **MR. ENGELMANN:** Did he explain to you why he
4 did that? Because I think ---

5 **THE COMMISSIONER:** Why who did that?

6 **MR. ENGELMANN:** Sorry. Did your husband
7 explain to you why he gave the document to Mr. Abell.
8 You've already told us he's told you that people are
9 telling him it's perhaps not a good idea to do this?

10 **MS. DUNLOP:** Well, because Perry knew that
11 it was statutory law under the *Child and Family Services*
12 *Act* and he felt that it wasn't being addressed at the
13 Cornwall police station and that he was going to deliver it
14 to Children's Aid Society as is dictated in the
15 legislature.

16 **MR. ENGELMANN:** So, he told you about the
17 legislation?

18 **MS. DUNLOP:** I read it myself.

19 **MR. ENGELMANN:** All right. But did he talk
20 to you about it or not?

21 **MS. DUNLOP:** He said he had to, yes. He had
22 a duty to report it.

23 **MR. ENGELMANN:** Now, do you recall at or
24 about this time, any of your husband's colleagues coming
25 over to the house to talk to him or to you about these

1 allegations?

2 **MS. DUNLOP:** Yes.

3 **MR. ENGELMANN:** Was that one person or more
4 than one person?

5 **MS. DUNLOP:** A couple here.

6 **MR. ENGELMANN:** Are you comfortable talking
7 about this, Ms. Dunlop?

8 **THE COMMISSIONER:** We furnish Kleenex.

9 **MS. DUNLOP:** Yes, we had a good friend come
10 over, talk to us.

11 **MR. ENGELMANN:** And he or she was a member
12 of the police force?

13 **MS. DUNLOP:** Yes.

14 **MR. ENGELMANN:** And were you present when he
15 or she was there?

16 **MS. DUNLOP:** Yes.

17 **MR. ENGELMANN:** Do you remember what was
18 said?

19 **MS. DUNLOP:** Yes. He had found out about
20 what was going on because it was common knowledge in the
21 station and he's a good friend of ours; a real good friend
22 of Perry's. Mike Quinn.

23 And he came one night to beg us not to do
24 anything about it because he said they were going to ruin
25 our lives. He was worried about the girls. He said they

1 had done something similar to him as a policeman and he
2 didn't want to see us go through it. He just wanted us to
3 leave it alone.

4 MR. ENGELMANN: Who is "they"?

5 MS. DUNLOP: The police force he was on at
6 the time.

7 MR. ENGELMANN: Was he also a member of the
8 Cornwall Police Service?

9 MS. DUNLOP: At that time, yes.

10 THE COMMISSIONER: I'm sorry, are you saying
11 that what had happened to Officer Quinn happened in the
12 Cornwall Police or at another detachment?

13 MS. DUNLOP: I think it was at another
14 detachment.

15 MR. ENGELMANN: So he suggested to your
16 husband to leave it alone?

17 MS. DUNLOP: He wanted us to just leave it
18 alone for our own good.

19 MR. ENGELMANN: Did your husband get any
20 other advice of that nature from colleagues?

21 MS. DUNLOP: Well, not good advice but, yes,
22 he got some advice.

23 One of the officers in the ---

24 MR. ENGELMANN: I'm sorry?

25 MS. DUNLOP: --- one of the officers that he

1 worked with in the change room, came up to him and said,
2 "If I were you, I'd just take my revolver and blow my head
3 off".

4 **MR. ENGELMANN:** This is something he related
5 to you?

6 **MS. DUNLOP:** Yes. We had another officer
7 who was a friend of Perry's at the time, who since moved
8 out, worked for another force, that came to the door and
9 said, "I understand everything you're doing and I agree
10 with you but I could never do it".

11 **THE COMMISSIONER:** Is this before or after
12 he -- this whole thing became public?

13 **MS. DUNLOP:** After.

14 **THE COMMISSIONER:** Okay.

15 Ms. Dunlop, normally we take the break at
16 three, three-fifteen. I understand your back problems so
17 whenever you want to take a break, if it's a little before
18 that let me know, all right?

19 **MS. DUNLOP:** Yes.

20 **THE COMMISSIONER:** And, also, after the
21 break, I understand that folks are standing up and I can
22 understand that, all I'm saying is you might want them --
23 invite them to have a seat at some point because it will
24 get a little long. All right?

25 **MS. DUNLOP:** Okay.

1 **MR. ENGELMANN:** Ms. Dunlop do you recall
2 finding out that your husband might be facing some kind of
3 discipline and the timeframe is in or around October '93,
4 two or three weeks after you become aware of this statement
5 and these allegations?

6 **MS. DUNLOP:** Yes. *Police Act* charges.

7 **THE COMMISSIONER:** I'm sorry, Mr. Engelmann,
8 you'll have to help me out here. Is this before or after
9 it becomes public?

10 **MR. ENGELMANN:** Public, public, is January
11 '94.

12 **THE COMMISSIONER:** All right.

13 **MR. ENGELMANN:** And Mr. Silmsen gave us that
14 evidence about CJOH; January 6th, 1994 newspaper reports a
15 day or two later.

16 **THE COMMISSIONER:** Okay.

17 **MR. ENGELMANN:** The statement -- that's when
18 it's really in the public domain. Is that fair, Ms.
19 Dunlop, from your recollection?

20 **MS. DUNLOP:** Yes, but it was pretty common
21 knowledge around the station before then.

22 **MR. ENGELMANN:** So public within the force
23 not outside?

24 **MS. DUNLOP:** Yes.

25 **MR. ENGELMANN:** As far as you knew?

1 MS. DUNLOP: M'hm, yes.

2 MR. ENGELMANN: Mr. Abell -- what about the
3 OPP at that time? Did your husband have relationships with
4 officers from local OPP detachments?

5 MS. DUNLOP: Yes. He was on a joint force
6 team.

7 MR. ENGELMANN: And who was he in a joint
8 force team with?

9 MS. DUNLOP: His partner at that time was
10 Randy Millar.

11 MR. ENGELMANN: We've heard that name
12 before. Is he OPP Lancaster?

13 MS. DUNLOP: He was then, yes.

14 MR. ENGELMANN: Do you know -- and if you
15 don't know that's fine -- but do you know if they were
16 aware of these allegations?

17 MS. DUNLOP: I believe the Lancaster OPP
18 investigated the death scene of Mr. Seguin.

19 MR. ENGELMANN: Okay. So that's a little
20 later. That's in late November of '93?

21 MS. DUNLOP: Oh, you're asking if they were
22 aware of David Silmser's statement?

23 MR. ENGELMANN: Yes.

24 MS. DUNLOP: I'm not sure how or if they
25 were aware.

1 **MR. ENGELMANN:** All right. That's fine.

2 So in October of '93, how do you become
3 aware that you're husband may be facing some charges?

4 **MS. DUNLOP:** They would have team meetings
5 once every few weeks, sort of a social and clear up some
6 issues that were at work. Sort of a recreational bitching
7 time, have a beer or two down at the police club, and Perry
8 went down after his shift and he was late coming home,
9 later than usual. When he came home he was crying.

10 **MR. ENGELMANN:** Was that unusual?

11 **MS. DUNLOP:** Yes.

12 **MR. ENGELMANN:** Had that every happened
13 before after a shift?

14 **MS. DUNLOP:** No. Perry is a really happy
15 guy.

16 **MR. ENGELMANN:** I assume you asked him why
17 he was crying?

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

19 **MR. ENGELMANN:** What did he tell you?

20 **MS. DUNLOP:** He said that Gary Durocher had
21 approached him before the meeting and said, "Just so you
22 don't hear it from anybody else, we're investigating you to
23 be charged under the *Police Services Act*".

24 **MR. ENGELMANN:** Do you remember if he told
25 you for what reason he was going to be investigated?

1 **MS. DUNLOP:** To be honest with you, I didn't
2 hear too much after that. It's guaranteed it had to do
3 with David Silmser's statement.

4 **MR. ENGELMANN:** I'm sorry?

5 **MS. DUNLOP:** But it's a guarantee it had to
6 do with David Silmser's statement.

7 **MR. ENGELMANN:** And who was Sergeant
8 Durocher? What was his relationship with your husband?

9 **MS. DUNLOP:** He was Perry's acting team
10 sergeant that had been with Perry and given him great
11 reviews and Perry respected him and worked hard for him,
12 and Perry found it really disheartening that the one guy he
13 thought the most of on the team would be the guy to come to
14 him and tell him the bad news when it could have been
15 another sergeant.

16 **MR. ENGELMANN:** Did you or he do anything
17 about that that evening or after the shift that day?

18 **MS. DUNLOP:** Perry was pretty devastated.

19 **MR. ENGELMANN:** Do you remember if he went
20 to see anybody about it?

21 **MS. DUNLOP:** I think that was the night --
22 that's why he was late -- I think that was the night he
23 went out to see Darcy Dupuis out in St. Andrews.

24 **MR. ENGELMANN:** Darcy Dupuis?

25 **MS. DUNLOP:** Yes.

1 MR. ENGELMANN: And who was he?

2 MS. DUNLOP: He was a friend of Perry's. He
3 was in our wedding party and he was a sergeant then or a
4 staff sergeant.

5 MR. ENGELMANN: With the Cornwall Police?

6 MS. DUNLOP: Yes.

7 MR. ENGELMANN: And this was after the
8 meeting with Sergeant Durocher?

9 MS. DUNLOP: I believe so, yes.

10 MR. ENGELMANN: Do you know why he went to
11 see Sergeant Dupuis?

12 MS. DUNLOP: He considered him a friend and
13 went there for some advice.

14 MR. ENGELMANN: Did he tell you that he went
15 there and got some advice?

16 MS. DUNLOP: Not much. He came home pretty
17 sad.

18 MR. ENGELMANN: And this is when you saw him
19 at the house crying?

20 MS. DUNLOP: Yes.

21 MR. ENGELMANN: So were you at that time
22 aware of why he was going to be charged?

23 MS. DUNLOP: Yes.

24 MR. ENGELMANN: And what was the reason? Do
25 you remember?

1 **MS. DUNLOP:** For taking a privileged or
2 confidential document outside of the station or words to
3 that effect. Conduct unbecoming or words to those effect.
4 There were three charges. I can't remember the third one.

5 **MR. ENGELMANN:** Well, there were -- maybe
6 I'm just jumping ahead a bit -- there were some charges the
7 following year as a the result of a police complaint, a
8 formal police complaint, filed by Mr. Silmser.

9 Do you remember what, if anything, he told
10 you about that conversation with Sergeant Durocher and what
11 he might be charged with in October of '93?

12 **MS. DUNLOP:** Just that he was going to be
13 investigated to be charged under the *Police Act*.

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

15 **THE COMMISSIONER:** Mr. Engelmann, might we
16 take the afternoon break at this point?

17 **MR. ENGELMANN:** Sure.

18 **THE COMMISSIONER:** Okay. We'll take fifteen
19 minutes.

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

22 The hearing will resume in 15 minutes.

23 --- Upon recessing at 3:06 p.m. /

24 L'audience est suspendue à 15h06

25 --- Upon resuming at 3:27 a.m. /

1 L'audience est reprise à 15h27

2 The hearing is now resumed. Please be
3 seated. Veuillez vous asseoir.

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

5 **MR. ENGELMANN:** Yes, thank you.

6 Ms. Dunlop, before the break you mentioned
7 some police officers who gave you and your husband some
8 advice.

9 You mentioned a fellow by the name of Mike
10 Quinn.

11 **MS. DUNLOP:** Yes.

12 **MR. ENGELMANN:** You mentioned a couple of
13 other incidents and one was perhaps unhelpful advice about
14 a gun in the locker room?

15 **MS. DUNLOP:** Yes.

16 **MR. ENGELMANN:** Who was that, if you don't
17 mind my asking?

18 **MS. DUNLOP:** It was Constable Guy
19 Leroux(ph).

20 **MR. ENGELMANN:** And there was a fellow who
21 also came buy the house and said words to the effect that
22 he agreed with what you were doing but that he wouldn't do
23 it. Who was that?

24 **MS. DUNLOP:** He said he couldn't do it.

25 **MR. ENGELMANN:** Couldn't do it. I'm sorry.

1 MS. DUNLOP: Constable Mark Salinsky.

2 MR. ENGELMANN: Okay.

3 So you talked to us about your husband
4 receiving the news from his supervisor, Staff Sergeant
5 Durocher. Did you do something about that a day or two
6 later?

7 MS. DUNLOP: Yes, I did.

8 MR. ENGELMANN: Do you remember actually the
9 date?

10 MS. DUNLOP: It was the day before my sister
11 Teresa's birthday.

12 MR. ENGELMANN: So what would that date be?

13 MS. DUNLOP: October 14th.

14 MR. ENGELMANN: October 14th, 1993 and what
15 did you do, Ms. Dunlop?

16 MS. DUNLOP: Well, I figure the orders that
17 come down the pipe always come from the top and I figured
18 that the order to have Perry investigated for charges could
19 only have come from one man, and that was the Chief, Claude
20 Shaver.

21 MR. ENGELMANN: So what did you do about
22 that?

23 MS. DUNLOP: I decided to pay him a visit.

24 MR. ENGELMANN: So you saw him on October
25 14th, 1993?

1 MS. DUNLOP: To the best of my recollection,
2 yes.

3 MR. ENGELMANN: All right. And where did
4 you see him?

5 MS. DUNLOP: At his home, Rosedale Terrace.

6 MR. ENGELMANN: Okay. And did you let him
7 know you were coming?

8 MS. DUNLOP: No, sir.

9 MR. ENGELMANN: Did you let your husband
10 know you were going to his house?

11 MS. DUNLOP: No, sir.

12 MR. ENGELMANN: Why did you go?

13 MS. DUNLOP: Because I was trying to defend
14 my husband; trying to protect him; because I felt what was
15 happening to him was very unfair and that he had very
16 little to no support from his colleagues and I wanted to
17 know for myself and hear from Mr. Shaver himself what was
18 going on.

19 MR. ENGELMANN: So you went to his home and
20 he didn't know you were coming?

21 MS. DUNLOP: No.

22 MR. ENGELMANN: Do you remember what time of
23 day?

24 MS. DUNLOP: It was in the evening; it was
25 dark.

1 MR. ENGELMANN: All right.

2 MS. DUNLOP: Before nine.

3 MR. ENGELMANN: What happened when you went
4 there?

5 MS. DUNLOP: I knocked on the door; he
6 turned on the porch light; opened the door; seemed very
7 congenial but I wasn't too sure that he knew who I was. So
8 I asked him "Do you know who I am?" and he hedged a bit and
9 I said "I'm Helen Dunlop. I'm Perry's wife". And he said
10 "Oh, come on in. Sit down." And I said "Well, Mr. Shaver,
11 it's not a social visit. I've come to ask you a couple of
12 questions."

13 And he sat on the sofa and I sat on the
14 chair, coffee table between us, and I just cut to the chase
15 and I asked him "Why are you having Perry investigated to
16 be charged with Police Act charges or charges of any kind?"
17 And he said "Perry did something wrong." And I said "Perry
18 did something right. He reported potential child abuse.
19 Why is he being punished for that?"

20 And he got very angry and he said "You don't
21 know anything." And I thought for a minute and I told him
22 "You're right, I don't know much but I'm going to find
23 out." And then he started banging his fist on the coffee
24 table and yelling for me to get out.

25 And I told him "I know you intimidate a lot

1 of the guys at the police station but you don't intimidate
2 me and I'm not going to let you do this to my husband."
3 Then he showed me to the door, slammed it, shut out the
4 lights and I left.

5 **MR. ENGELMANN:** Do you know how long you
6 were there?

7 **MS. DUNLOP:** Not long enough for tea; maybe
8 five, six minutes max.

9 **MR. ENGELMANN:** Are you -- you claim that he
10 raised his voice ---

11 **MS. DUNLOP:** Yes, he did.

12 **MR. ENGELMANN:** --- in fact, you used the
13 term "yelled".

14 **MS. DUNLOP:** Yes, he did.

15 **MR. ENGELMANN:** And he pounded on his coffee
16 table.

17 **MS. DUNLOP:** Yes, he did.

18 **MR. ENGELMANN:** What about your demeanour
19 and your voice? Were you also speaking loudly?

20 **MS. DUNLOP:** I was affirmative. I was
21 assertive but I wasn't yelling.

22 **MR. ENGELMANN:** Did you -- was there any
23 more description about what it was that he had done wrong
24 or did you answer why you thought he had done something
25 right; was there more dialogue that you can remember?

1 **MS. DUNLOP:** Not that I can remember; just
2 that I didn't understand why he would have Perry charged
3 for following the law.

4 **MR. ENGELMANN:** Did you tell him that or do
5 you remember?

6 **MS. DUNLOP:** Pardon me?

7 **MR. ENGELMANN:** Did you actually tell him
8 that?

9 **MS. DUNLOP:** Yes. I said "I don't
10 understand why you would want to punish Perry for doing the
11 right thing; for reporting suspected child abuse."

12 **MR. ENGELMANN:** What did you do after you
13 left?

14 **MS. DUNLOP:** Well, it occurred to me that he
15 would probably try to get Perry in trouble so I went to
16 McEwen's Gas Station at Amherst Corners and used their
17 phone and called my home but the line was busy.

18 So I called my babysitter, my neighbour Jill
19 who lives right across the road and I said "Jill, I have a
20 favour to ask you. Please go over, bang on the door and
21 tell Perry not to talk to anybody on the phone until I get
22 home." And she did.

23 **MR. ENGELMANN:** Why did you do that?

24 **MS. DUNLOP:** Because I was afraid that
25 Claude Shaver would call and reprimand Perry or try to get

1 him in more trouble because of my visit.

2 THE COMMISSIONER: So I take it, by the time
3 you got home, there had not been a call?

4 MS. DUNLOP: Pardon me?

5 THE COMMISSIONER: By the time you got home,
6 there had not been a call from Chief Shaver or had there
7 been?

8 MS. DUNLOP: No.

9 THE COMMISSIONER: No call. Okay.

10 MR. ENGELMANN: Did you or your husband
11 receive a call that evening?

12 MS. DUNLOP: Yes.

13 MR. ENGELMANN: From the Cornwall Police
14 Service?

15 MS. DUNLOP: It was either that night or
16 first thing the next morning, yes. It wasn't from -- I
17 don't think it was from the police station but it was from
18 the Police Association, President, Danny O'Reilly.

19 MR. ENGELMANN: I am sorry, who?

20 MS. DUNLOP: Danny O'Reilly.

21 MR. ENGELMANN: And he was involved in the
22 Association; in the Union?

23 MS. DUNLOP: Yes.

24 MR. ENGELMANN: What was his role with the
25 Union; do you know?

1 **MS. DUNLOP:** I think he was the Chair or
2 President at the time.

3 **MR. ENGELMANN:** And what was he calling
4 about?

5 **MS. DUNLOP:** He called and spoke to Perry
6 and he was pretty excited and he was saying "What the hell
7 was Helen doing up at the Chief's house?" And "Tell her to
8 relax. There is no problems and back off and like "You've
9 got to tell her she can't be doing that." And he was just
10 all over the map.

11 **MR. ENGELMANN:** All right.
12 So this is what your husband's relating to
13 you?

14 **MS. DUNLOP:** I was there for the phone call.

15 **MR. ENGELMANN:** Okay. But you're hearing
16 one side of the call?

17 **MS. DUNLOP:** Yes, but I could hear his
18 raised voice on the other end.

19 **MR. ENGELMANN:** Okay. It was that loud?

20 **MS. DUNLOP:** Yep.

21 **MR. ENGELMANN:** Had you told your husband
22 what you'd done?

23 **MS. DUNLOP:** Yes.

24 **MR. ENGELMANN:** Okay. So when he got that
25 phone call, he knew that you'd already been to the Chief's

1 house?

2 MS. DUNLOP: Yes.

3 THE COMMISSIONER: What did your husband
4 tell you or how did he react to the news that you had been
5 to the Chief's house?

6 MS. DUNLOP: He asked me why I went.

7 THE COMMISSIONER: M'hm.

8 MS. DUNLOP: And I told him why I went.

9 THE COMMISSIONER: Okay.

10 MS. DUNLOP: He was okay with that.

11 MR. ENGELMANN: Cause you any friction at
12 that time?

13 MS. DUNLOP: Well, I told him earlier that I
14 was going out shopping so he didn't exactly know where I
15 was going.

16 THE COMMISSIONER: Help me out here. Did he
17 say "Good move" or did he say "Listen, be calm about this";
18 what was his reaction to you? I mean after all you kind of
19 misled him as to where you were going.

20 MS. DUNLOP: Well, sometimes you have to do
21 things without telling people what you're doing for their
22 own good. And Perry was pretty down and out.

23 THE COMMISSIONER: M'hm.

24 MS. DUNLOP: And I am his rescue squad at
25 that time ---

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

2 **MS. DUNLOP:** --- so I felt I had to do that.
3 Nobody else was stepping to the place.

4 **THE COMMISSIONER:** That's not the question
5 though. I am asking about what his reaction was when you
6 told him.

7 **MS. DUNLOP:** I think he was happy that I was
8 helping him.

9 **THE COMMISSIONER:** But did he vocalize
10 anything?

11 **MS. DUNLOP:** He thought it was a pretty
12 ballsy move.

13 **MR. ENGELMANN:** Let's go back to that fall
14 then, Ms. Dunlop. It's now maybe three weeks or so after
15 you first find out about this statement and these
16 allegations. Can you give us a sense through October and
17 November if there is any change in your husband; if there
18 is any change in the frequency of his contacts with
19 colleagues, et cetera?

20 **MS. DUNLOP:** Well, there weren't as many
21 guys coming around the house. I think that's probably
22 guilt by association, you know. If they are aiming for
23 you; they aren't aiming for me. I don't think a lot of the
24 rank and file knew what to think but it's always better to
25 steer clear of the leper. So Perry was feeling more and

1 more isolated.

2 **MR. ENGELMANN:** What about your contact with
3 his colleagues?

4 **MS. DUNLOP:** Oh, that dropped off
5 significantly. The great blue wall is only in the movies.

6 **MR. ENGELMANN:** I'm sorry?

7 **MS. DUNLOP:** I said that great blue wall,
8 that's only in the movies.

9 **MR. ENGELMANN:** Okay. So in the fall of
10 1993, after you had the visit to Chief Shaver, and then you
11 got the phone call either that night or the next morning
12 from the union president, was there in fact any form of
13 charge brought against your husband in the fall of 1993?

14 **MS. DUNLOP:** I don't think the charges came
15 until '94.

16 **MR. ENGELMANN:** And those charges, did they
17 arise as a result of a complaint filed by Mr. Silmsler, to
18 your knowledge?

19 **MS. DUNLOP:** I think some charges were
20 brought by Dave Silmsler. I think the rest of the charges
21 were brought by the police commission, police board.

22 **MR. ENGELMANN:** We'll come there and if you
23 have some knowledge we'll go there, but if not we'll pass
24 through.

25 Do you recall anything else significant in

1 the fall of 1993 with respect to the Silmsler allegation or
2 any discussion you and your husband were having about it?

3 **MS. DUNLOP:** Well, I believe in the fall of
4 '93 Ken Seguin committed suicide.

5 **MR. ENGELMANN:** Well, we've heard he
6 committed suicide on or about the 25th of November '93. Do
7 you know how it is that you or you and your husband became
8 aware of that?

9 **MS. DUNLOP:** I believe we had a visit.
10 Perry wasn't home at the time. He was -- he had left to
11 join some colleagues at a restaurant on Brookdale. And I
12 got a knock at the door and it was his undercover partner,
13 Randy Millar.

14 **MR. ENGELMANN:** From the OPP?

15 **MS. DUNLOP:** Yes, and I believe he was with
16 Chris McDonell at the time.

17 **MR. ENGELMANN:** And that was a colleague of
18 Mr. Millar's -- or Constable Millar's?

19 **MS. DUNLOP:** Yes, they would have been both
20 OPP Lancaster Detachment, and they wanted to know where
21 Perry was. I said "You just missed him. He's gone over
22 to..." -- not Mexicali Rosa's but whatever the Italian
23 restaurant was on Brookdale at the time.

24 **MR. ENGELMANN:** Okay.

25 **MS. DUNLOP:** So I was on my way there myself

1 so I joined them about 10 minutes later and Perry was in
2 the corner talking to them and then he came over and told
3 me that Ken Seguin had died.

4 **MR. ENGELMANN:** Do you know why Randy Millar
5 and Chris McDonell would have been meeting with him about
6 Ken Seguin?

7 **MS. DUNLOP:** Well, possibly because Perry
8 worked pretty close with Randy and he knew Chris McDonell
9 from his years of working at the Cornwall police station
10 back and forth with the OPP.

11 **MR. ENGELMANN:** Do you remember if that was
12 close to the time that Mr. Seguin died that they came and
13 told you about it?

14 **MS. DUNLOP:** I think it was that night.

15 **MR. ENGELMANN:** The same night?

16 **MS. DUNLOP:** Within 24 hours.

17 **MR. ENGELMANN:** Do you know if there was any
18 follow-up with these officers and your husband dealing with
19 Ken Seguin, to your knowledge?

20 **MS. DUNLOP:** I believe it was the next day
21 or the next evening that they came to the house to see
22 Perry. It was just Randy. Chris wasn't there. I wasn't
23 involved in the conversation because the kids were still
24 up. I was folding laundry but I was in the same room and
25 they were showing Perry pictures of the death scene.

1 **THE COMMISSIONER:** Any reason that you were
2 aware of why they would be doing that?

3 **MS. DUNLOP:** I think because Perry had
4 worked with Randy.

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

6 **MS. DUNLOP:** That he probably wanted Perry's
7 opinion on whether this was -- does this look like a
8 suicide scene to you?

9 **MR. ENGELMANN:** He didn't tell you though
10 why?

11 **MS. DUNLOP:** No, I didn't hear any reason
12 why.

13 **MR. ENGELMANN:** All right. And you said you
14 knew of Mr. Seguin but you weren't a friend of his?

15 **MS. DUNLOP:** No, he was an acquaintance of
16 my older brothers and sisters and our families knew each
17 other, the older members.

18 **MR. ENGELMANN:** Did you actually attend his
19 funeral?

20 **MS. DUNLOP:** I actually attended the back
21 door of the funeral.

22 **MR. ENGELMANN:** Do you remember why you
23 went?

24 **MS. DUNLOP:** I felt bad for him at the time.
25 I just wanted to pay my respects. I didn't think it would

1 be appropriate to go to the funeral home.

2 **THE COMMISSIONER:** Excuse me; you're saying
3 that you went to pay your respects to somebody whom you
4 suspected was a child abuser?

5 **MS. DUNLOP:** Accused.

6 **THE COMMISSIONER:** No, accused.

7 **MS. DUNLOP:** But I didn't know him very
8 well. I knew my sisters and brothers did.

9 **THE COMMISSIONER:** M'hm. Did your sisters
10 and brothers go to the funeral?

11 **MS. DUNLOP:** I'm sure they did. The church
12 was packed.

13 **THE COMMISSIONER:** Okay.

14 **MS. DUNLOP:** The family was well known in
15 St. Andrews.

16 **MR. ENGELMANN:** All right. So despite your
17 knowledge of these allegations you did go to the funeral,
18 at least for a short period of time?

19 **MS. DUNLOP:** For five minutes.

20 **MR. ENGELMANN:** Were you aware, Ms. Dunlop,
21 of an investigation that was being done by the Children's
22 Aid Society in the fall of 1993 concerning these
23 allegations?

24 **MS. DUNLOP:** I was aware that there was an
25 investigation concerning Charlie MacDonald, if that's the

1 investigation you're talking about.

2 **THE COMMISSIONER:** By the Children's Aid
3 Society?

4 **MS. DUNLOP:** Yes.

5 **MR. ENGELMANN:** Do you know if Mr. Abell was
6 doing that or if he had someone else doing that?

7 **MS. DUNLOP:** I have no idea.

8 **MR. ENGELMANN:** All right. Does the name
9 "Project Blue" mean anything to you?

10 **MS. DUNLOP:** No.

11 **MR. ENGELMANN:** All right. So the next
12 significant thing that happens with respect to Silmser
13 allegations, would that be in January of 1994 then, when
14 this becomes public in a real way or is there something
15 else that you can recall?

16 **MS. DUNLOP:** No, it was probably January.
17 It was the next hurdle.

18 **MR. ENGELMANN:** All right. So what's the
19 first thing you remember in January of 1994 with respect to
20 these allegations or this statement?

21 **MS. DUNLOP:** Perry being at home. It was
22 just after supper and Perry said, "Hon, come and watch
23 this". And it was a report on CTV about the David Silmser
24 allegations. I believe it was on Charlie Greenwell's show.

25 **MR. ENGELMANN:** And was this a story that

1 referred to the statement that Mr. Silmser had given to the
2 Cornwall Police Service?

3 MS. DUNLOP: Yes, I believe it was.

4 MR. ENGELMANN: Ms. Dunlop, did you give
5 that statement to Charlie Greenwell?

6 MS. DUNLOP: Absolutely not.

7 MR. ENGELMANN: Do you know if your husband
8 did?

9 MS. DUNLOP: No, absolutely not.

10 MR. ENGELMANN: Why do you say that?

11 MS. DUNLOP: Because for one thing there was
12 probably 15 or 20 people that had that statement, including
13 the victim, and that's simply not Perry's style.

14 MR. ENGELMANN: Did he tell you that he
15 didn't do it?

16 MS. DUNLOP: He told me he did not do it.

17 MR. ENGELMANN: So do you remember stories
18 appearing in the local media about this as well and in
19 other newspapers?

20 MS. DUNLOP: Oh, yes.

21 MR. ENGELMANN: And to your knowledge, do
22 you recall if people were suggesting that you or your
23 husband had leaked this story?

24 MS. DUNLOP: We were the obvious scapegoat,
25 of course.

1 **MR. ENGELMANN:** Why do you say that?

2 **MS. DUNLOP:** Because Perry was the person
3 that took it to CAS.

4 **MR. ENGELMANN:** So what's happening at or
5 about that time? I want you to think back after the
6 Charlie Greenwell story. We know that your husband starts
7 his sick leave on January 12th, 1994.

8 Do you remember that timeframe? Can you
9 give us a sense of what's happening with him and with you
10 the first or second week of January of 1994?

11 **MS. DUNLOP:** Perry wasn't doing so good. He
12 wasn't sleeping much. He was having stomach problems. He
13 was preoccupied, short-tempered, couldn't wrap his head
14 around why if he had done everything so right that
15 everything was going so wrong.

16 So we went to see a family doctor, Mike
17 Fisher, who gave Perry some sleeping pills. Perry kept
18 going to work for a while, but I didn't want him to.

19 And then he came home that night -- he was
20 working night shifts. He went to work around six o'clock
21 at night, and we didn't live very far from the police
22 station. He would walk to work and then take a cruiser
23 from there. He was back in about 10 minutes and I thought
24 he must have forgotten his handcuffs or his badge or
25 something.

1 He came in the door and he was crying. He
2 said, "I can't take it anymore. None of the guys are
3 talking to me". And I was afraid for him. I said, "You're
4 done work tonight. I'm calling in for you. You're
5 finished. You're finished".

6 **THE COMMISSIONER:** Had the media begun to
7 call or had he started giving interviews, if he ever did, I
8 don't know? By that time or just before that, had the
9 media been ---

10 **MS. DUNLOP:** Not that I recall.

11 **THE COMMISSIONER:** Okay.

12 **MS. DUNLOP:** It was just a whole barrage of
13 stuff happening.

14 **THE COMMISSIONER:** The barrage of stuff from
15 work?

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

17 **THE COMMISSIONER:** Anywhere else?

18 **MS. DUNLOP:** And it was on TV and there were
19 lots of rumours.

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

21 **MR. ENGELMANN:** You said, "None of the guys
22 were talking to me"?

23 **MS. DUNLOP:** None of the guys on his shift.

24 **MR. ENGELMANN:** Okay. Other officers?

25 **MS. DUNLOP:** Well, as opposed to he would go

1 in, it would be happy, happy. He always had a good laugh.
2 It was just a total different scene.

3 MR. ENGELMANN: You told us things had been
4 changing, at least in the fall.

5 MS. DUNLOP: Yes.

6 MR. ENGELMANN: How did what was going on in
7 January of '94 compare to that?

8 MS. DUNLOP: Well, I think the Silmsler
9 statement coming across the TV was probably instrumental in
10 kicking it up a notch.

11 MR. ENGELMANN: So you were able to convince
12 your husband to stay home?

13 MS. DUNLOP: Yes.

14 MR. ENGELMANN: And to see his doctor?

15 MS. DUNLOP: Yes.

16 MR. ENGELMANN: And at that point, did you
17 have any sense as to how long you would be off work?

18 MS. DUNLOP: No, neither one of us had ever
19 gone through anything like that before. I just knew he
20 wasn't himself.

21 MR. ENGELMANN: All right.

22 MS. DUNLOP: And I -- it carried on for a
23 few months, but he didn't seem to be getting any better,
24 and then charges started coming.

25 MR. ENGELMANN: All right.

1 So let me just stop you for a minute. We're
2 certainly aware of a letter that was written to the
3 Cornwall police by lawyers for Mr. Silmsers on January 11th,
4 1994. This would be, I think, the day before your husband
5 goes off on sick leave.

6 Do you know if that's something he would
7 have received or you would have received?

8 **MS. DUNLOP:** I can't recall when those
9 letters came right now.

10 **MR. ENGELMANN:** All right. And we
11 understand there was a police complaint filed a bit later
12 in January, around the 21st. Do you recall if that's
13 something that you would have received at the house?

14 **MS. DUNLOP:** Well, we generally got all the
15 mail.

16 **MR. ENGELMANN:** Madam Clerk, I know I
17 haven't given you any notification. This is a document
18 that was on the list for Perry Dunlop, Document Number
19 116244. It's a large document. It's got a caption,
20 "Police Services Act, 1990".

21 Mr. Commissioner, this is a document that
22 has essentially the record of *Police Services Act* charges
23 that were filed by David Silmsers in January of 1994.

24 **THE COMMISSIONER:** Exhibit 643 will be the
25 Part I file history of a complaint of David Silmsers -

1 involved officer, Constable Perry Dunlop.

2 --- EXHIBIT NO./PIÈCE NO. P-643:

3 (116244) Helen Dunlop - Police Services Act,
4 1990 - Part 1 File History - Complainant of
5 David Silmser against CPS Cst. Perry Dunlop

6 MR. ENGELMANN: Ms. Dunlop, there should be
7 some handwritten numbers on the top right hand.

8 MS. DUNLOP: Yes.

9 MR. ENGELMANN: Could you turn to page 100?
10 For the record, it's Bates page 1092765.

11 MS. DUNLOP: Yes.

12 MR. ENGELMANN: And see, Ms. Dunlop, there's
13 a one-page public complaint form, and then on the back it
14 sets out a summary of incidents?

15 MS. DUNLOP: M'hm.

16 MR. ENGELMANN: I'm just wondering if --
17 your husband was at home in January of 1994?

18 MS. DUNLOP: Yes.

19 MR. ENGELMANN: Do you know if he would have
20 been provided with a copy of this?

21 MS. DUNLOP: I believe so.

22 MR. ENGELMANN: Now, what's happening
23 initially when he's off on sick leave? Is he on some kind
24 of short-term disability or what's his status?

25 MS. DUNLOP: He had to use up his sick time,

1 his accumulated sick time, and then we applied for short-
2 term disability, and I believe the policy was you had to
3 use up your back time and overtime and CT time.

4 **THE COMMISSIONER:** CT time?

5 **MS. DUNLOP:** Comp time.

6 **MR. ENGELMANN:** He had to use up -- sorry,
7 did you say vacation, back ---

8 **MS. DUNLOP:** We had to use up everything
9 before you could get on disability.

10 **MR. ENGELMANN:** That's your recollection?

11 **MS. DUNLOP:** Yes.

12 **MR. ENGELMANN:** And did your husband in fact
13 get disability?

14 **MS. DUNLOP:** Yes, but they didn't make it
15 easy for us.

16 **MR. ENGELMANN:** How so?

17 **MS. DUNLOP:** Well, I'd have to go back and
18 really think hard about it, but I know that there was
19 months went by when we didn't get paid, and then I would go
20 to the station and find out what's happening with our
21 disability, and I would get a runaround.

22 So I would call SunLife directly in Montreal
23 and I never got to speak to the same person twice, and I
24 would get the runaround, and then I'd get a letter saying
25 he wasn't sick enough and that he had to see a different

1 psychiatrist.

2 It ended up we didn't have any money coming
3 in for months. I had to ask the person that held our
4 mortgage to just give us a break for a couple of months on
5 our mortgage payments.

6 **MR. ENGELMANN:** Did the sick leave finally
7 get approved or the disability leave?

8 **MS. DUNLOP:** It did, but then it got
9 rescinded again around Christmas either that year or the
10 following year for an unknown reason.

11 **MR. ENGELMANN:** Did it get reinstated again?

12 **MS. DUNLOP:** A couple of months later, yes.

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

14 So there were periods of time when there was
15 no income stream?

16 **MS. DUNLOP:** That's right.

17 **MR. ENGELMANN:** Did you and/or your husband
18 get some assistance with this from the Police Service or
19 the Union?

20 **MS. DUNLOP:** I believe it was Roland
21 Lefebvre who was working in Human Resources, or payroll,
22 who tried to help us but his hands were pretty much tied,
23 he said.

24 **MR. ENGELMANN:** Now, in the -- so what --
25 can you just give us a sense -- you've told us your husband

1 wasn't in very good shape in January; went off on sick
2 leave. He stayed off on sick leave for some time.

3 **MS. DUNLOP:** Yes.

4 **MR. ENGELMANN:** In fact, he started to see a
5 psychiatrist?

6 **MS. DUNLOP:** Yes.

7 **MR. ENGELMANN:** How did that come about, Ms.
8 Dunlop?

9 **MS. DUNLOP:** Our family doctor just felt
10 that Perry's problems were probably out of his league,
11 like, he needs to be seen by a specialist. But Perry was
12 reluctant to go and see anybody at first and Dr. Fisher was
13 a good Doctor and he was doing the best he could, but I
14 came home one afternoon and found Perry curled up in his
15 underwear in a fetal position on our sofa, and he wasn't
16 talking. Then I knew something was really wrong; he was
17 going to crash. Our kids didn't know what was wrong. So I
18 told them I was going to take him to the Royal Ottawa, have
19 him seen, and I called Rick Abell to please come over to
20 the house because I couldn't get a hold of Dr. Fisher. So
21 then he came over for a bit and he said, "Well, the warrior
22 finally crashes."

23 **MR. ENGELMANN:** That's what Mr. Abell said
24 to him, or to you?

25 **MS. DUNLOP:** Said to Perry.

1 So I drove him up to Ottawa to be seen in
2 Emergency. He was taken on as an out patient, by Dr. Horn
3 until he left Cornwall.

4 **MR. ENGELMANN:** Dr. Horn's a psychiatrist?

5 **MS. DUNLOP:** Yes.

6 **MR. ENGELMANN:** And he continued to see your
7 husband until you left Cornwall in the year 2000?

8 **MS. DUNLOP:** Yes.

9 **MR. ENGELMANN:** Was it the year 2000? I'm
10 sorry, I ---

11 **MS. DUNLOP:** Yes.

12 **MR. ENGELMANN:** Do you remember what month
13 that was?

14 **MS. DUNLOP:** That we went to Ottawa?

15 **MR. ENGELMANN:** Yes.

16 **MS. DUNLOP:** I believe it was June.

17 **THE COMMISSIONER:** June of 1994 or ---

18 **MS. DUNLOP:** Ninety-four ('94).

19 **THE COMMISSIONER:** All right.

20 So he had gone on sick leave in January, so
21 this is about six months later?

22 **MS. DUNLOP:** Yeah.

23 **THE COMMISSIONER:** All right.

24 **MS. DUNLOP:** And I remember what Dr. Horn
25 said when he first met Perry; he said, "I'm surprised you

1 can still put sentences together."

2 **MR. ENGELMANN:** Ms. Dunlop, if you could
3 look at page 85 of the -- do you want to take a break? I'm
4 sorry.

5 **THE COMMISSIONER:** Ms. Dunlop?

6 **MR. ENGELMANN:** It's page 85 of the document
7 that I just would have shown you.

8 This is a document within the police
9 complaints file. It says:

10 "Take notice that the following
11 allegations of misconduct are to be
12 heard by a Board of Inquiry."

13 It's dated May the 12th '94.

14 **MS. DUNLOP:** Yeah.

15 **MR. ENGELMANN:** And on the following page,
16 it talks about three charges and they all involve a release
17 by your husband of a statement to Rick Abell at the
18 Children's Aid Society. Do you see that?

19 **MS. DUNLOP:** Yes.

20 **MR. ENGELMANN:** Do you recall if your
21 husband would have received this notice ---

22 **MS. DUNLOP:** Yes.

23 **MR. ENGELMANN:** --- at or about that time?

24 **MS. DUNLOP:** Yes.

25 **MR. ENGELMANN:** And as well, Ms. Dunlop,

1 page 87, same date, says that the matter's going to be sent
2 to a hearing. And would your husband have also received
3 that notice?

4 **MS. DUNLOP:** Yes, I believe so.

5 **MR. ENGELMANN:** So this is at or around May
6 of '94, May 12th '94, maybe a day or two later, when he gets
7 this. Do you know if this is something that he was
8 expecting or not?

9 **MS. DUNLOP:** No; the complaint from David
10 Silmsler came as a bit of a shock to us.

11 **MR. ENGELMANN:** Okay. Do you know if he had
12 any advice, or if you had had any advice about whether or
13 not this was going to be going ahead?

14 **MS. DUNLOP:** I remember Claude Lortie coming
15 to our house one day to assure us or reassure us that he
16 had been told that no charges were going to be laid. That
17 everything was okay. It was all going to be all right.
18 And then it wasn't.

19 **MR. ENGELMANN:** Now, originally, there were
20 allegations of both -- originally, there were allegations
21 made about a release to the media, at least in an initial
22 letter, and then there were allegations in a formal
23 complaint about release to the media and also release to
24 Children's Aid. And it appears what's going to hearing are
25 allegations dealing with the release to the Children's Aid.

1 Do you recall if the association would have
2 assisted your husband in getting a lawyer to deal with
3 this?

4 MS. DUNLOP: Yes.

5 MR. ENGELMANN: And was that lawyer Mr.
6 O'Brien, from Ottawa?

7 MS. DUNLOP: Al O'Brien, yes.

8 MR. ENGELMANN: And do you recall if there
9 was a hearing about this in September of 1994?

10 MS. DUNLOP: Yes.

11 MR. ENGELMANN: And did you attend that
12 hearing with your husband?

13 MS. DUNLOP: Yes.

14 MR. ENGELMANN: And were you aware of the
15 fact that his counsel brought a motion at that time to have
16 these charges stayed?

17 MS. DUNLOP: Yes.

18 MR. ENGELMANN: Were you also aware that,
19 two or three months later there was a decision granting
20 that motion?

21 MS. DUNLOP: Yes.

22 MR. ENGELMANN: And do you recall if there
23 was some press interest and some attendance by the press at
24 that hearing?

25 MS. DUNLOP: Yes.

1 **MR. ENGELMANN:** Just before I go there, in
2 the spring, before you took your husband to the Royal
3 Ottawa, and aside from the Police Services charges that
4 were coming, do you recall whether or not there was a
5 lawsuit that he was named in as a defendant?

6 **MS. DUNLOP:** Against David Silmser?

7 **MR. ENGELMANN:** By David Silmser.

8 **MS. DUNLOP:** It might have been by David
9 Silmser; that was the only one we had.

10 **MR. ENGELMANN:** Yeah. And do you recall if
11 there was any publicity about this lawsuit?

12 **MS. DUNLOP:** I think there was, yes.

13 **MR. ENGELMANN:** And was your husband in fact
14 a defendant in a lawsuit filed by Mr. Silmser?

15 **MS. DUNLOP:** Yes.

16 **MR. ENGELMANN:** And do you know if he had
17 counsel for that lawsuit?

18 **MS. DUNLOP:** Well, he was a member of the
19 Cornwall Police Force at the time, so I think he spoke to
20 somebody on his association that said, "You'll have
21 representation because you're a member of the force". And a
22 representative of Scottish & York attended our house and
23 sat with us, and as he spoke, he said, "Actually, I can't
24 defend you and we can't represent you because this is
25 criminal activity outside of your work and we can't

1 represent you".

2 MR. ENGELMANN: So there was some difficulty
3 with representation?

4 MS. DUNLOP: Yes.

5 MR. ENGELMANN: Did he eventually get
6 another lawyer or someone else to represent him before
7 that?

8 MS. DUNLOP: No, somebody straightened out
9 Scottish & York and said it wasn't a criminal charge --
10 offence and, yes, he was a member and, yes, they would have
11 to represent him.

12 MR. ENGELMANN: So he did get legal
13 representation at some point on that?

14 MS. DUNLOP: Yes.

15 THE COMMISSIONER: How long did it take for
16 them to clear up that little one?

17 MS. DUNLOP: I don't if it was Al O'Brien
18 who wrote the letter for us. I can't remember. I can't
19 remember which lawyer, but it was ---

20 THE COMMISSIONER: What I'm trying to do --
21 trying to figure out is you're getting challenge after
22 challenge as we go down this road here. So I want to know
23 how long you would have had that extra worry of getting
24 that?

25 MS. DUNLOP: It was at least a couple of

1 weeks.

2 **THE COMMISSIONER:** A couple weeks? Okay.

3 **MR. ENGELMANN:** Ms. Dunlop, I'm going to
4 show you a document. I'm not sure if you've ever seen it.
5 You may have at the time. Document Number 115559, it's a
6 media clipping, Mr. Commissioner. It appears to be from
7 the Freeholder -- the Standard Freeholder -- I'm sorry --
8 dated September 24th, 1994.

9 **THE COMMISSIONER:** Thank you.

10 Exhibit Number 644 is an article from --
11 well, it says Freeholder, September 24th, 1994.

12 --- **EXHIBIT NO./PIÈCE NO. P-644:**

13 (115559) Helen Dunlop - Standard Freeholder
14 Media Clipping re: Perry Dunlop - September
15 24, 1994

16 **MR. ENGELMANN:** If you can just take a
17 minute to look at that, Ms. Dunlop?

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

19 **MR. ENGELMANN:** Have you read that, Ms.
20 Dunlop?

21 **MS. DUNLOP:** Yes.

22 **MR. ENGELMANN:** Is that an article you've
23 seen before?

24 **MS. DUNLOP:** Yes.

25 **MR. ENGELMANN:** Many years ago?

1 MS. DUNLOP: Yes.

2 MR. ENGELMANN: And there was press coverage
3 at this Inquiry Hearing?

4 MS. DUNLOP: Yes.

5 MR. ENGELMANN: And your husband at least is
6 quoted as having spoken to them.

7 MS. DUNLOP: Yes.

8 MR. ENGELMANN: And were you present when he
9 did that?

10 MS. DUNLOP: I was a couple of feet away,
11 yes.

12 MR. ENGELMANN: So he expressed these views
13 that, "They needed a fall guy and I'm not going to be the
14 fall guy", or words to that effect?

15 MS. DUNLOP: Yes.

16 THE COMMISSIONER: Now, this is in September
17 of 1994. He's seeing a psychiatrist in June?

18 MS. DUNLOP: Yes.

19 THE COMMISSIONER: Okay. What kind of
20 treatment? Was there any medication prescribed or
21 anything?

22 MS. DUNLOP: Oh yes.

23 THE COMMISSIONER: All right.

24 So -- and was he continuing to take that
25 medication through to September of 1994?

1 **MS. DUNLOP:** To this day.

2 **THE COMMISSIONER:** And how was he feeling
3 then? You know, you talked about him in June not doing
4 well. In September the meds have helped him a bit and he's
5 picking up?

6 **MS. DUNLOP:** He was doing much better, but
7 he still had a lot of anxiety and panic, stress, but he was
8 doing, I would say, markedly improved.

9 **THE COMMISSIONER:** Okay. Sufficient to be
10 able to deal with these charges at the hearing?

11 **MS. DUNLOP:** I believe so.

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

13 I'll show you another document, Ms. Dunlop.
14 It's a letter from Mr. O'Brien to Acting Chief Carl
15 Johnston. It's dated October 5th, 1994, Document Number
16 723594.

17 **THE COMMISSIONER:** Thank you.

18 Exhibit Number 645 is a letter to Chief
19 Johnston from Mr. O'Brien.

20 **--- EXHIBIT NO./PIÈCE NO. P-645:**

21 (723594) Helen Dunlop - Letter from Allan R.
22 O'Brien to Acting Chief Carl Johnston re:
23 Constable Perry Dunlop - October 5, 1994

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

25 **MR. ENGELMANN:** Ms. Dunlop, you've had a

1 chance to read the letter?

2 MS. DUNLOP: Yes.

3 MR. ENGELMANN: Is that a letter you would
4 have seen many years ago?

5 MS. DUNLOP: Yes.

6 MR. ENGELMANN: I just want to ask you a
7 couple of questions about it, if I may.

8 Before I start though, did you know an
9 Inspector Wells?

10 MS. DUNLOP: Yes.

11 MR. ENGELMANN: And did you know him to be
12 the inspector from the Cornwall Police Service that -- who
13 had been investigating these public complaints ---

14 MS. DUNLOP: Yes.

15 MR. ENGELMANN: --- dealing with your
16 husband?

17 MS. DUNLOP: Yes.

18 MR. ENGELMANN: And the letter refers to, at
19 the bottom of the first page, the fact that:

20 "Constable Dunlop and his wife were
21 approached by an individual and were
22 asked certain questions with respect to
23 the allegations of misconduct being
24 reviewed by the Board of Inquiry."

25 Do you recall that happening?

1 MS. DUNLOP: I'm sorry, what part of the
2 page?

3 MR. ENGELMANN: Right at the bottom.

4 MS. DUNLOP: Yes.

5 MR. ENGELMANN: Is that the reporter that
6 you talked about?

7 MS. DUNLOP: Katrina? Yes.

8 MR. ENGELMANN: And it says on the next page
9 -- I'm reading yesterday's edition of the Cornwall Standard
10 Freeholder, and I'm assuming that might have been October
11 4th. The letter is dated October 5th but there is also an
12 "October 7th" written on the front, so I'm not sure. But it
13 says:

14 "We were shocked and dismayed to learn
15 that the Cornwall police is considering
16 laying additional *Police Services Act*
17 charges against Constable Dunlop
18 because he may have answered a question
19 posed to him as an accused individual
20 not as a representative of the Cornwall
21 police."

22 It goes on.

23 Do you remember at that time if you read
24 something about this in the paper?

25 MS. DUNLOP: Yes.

1 **MR. ENGELMANN:** Do you recall -- was it
2 similar to what we see here or was there more?

3 **MS. DUNLOP:** No, it was basically this.

4 **THE COMMISSIONER:** Your legal fees -- or
5 your husband's legal fees with respect to this, these
6 charges, they were paid by the union?

7 **MS. DUNLOP:** Al O'Brien's fees were being
8 paid by the Cornwall Police Union.

9 **THE COMMISSIONER:** All right.

10 **MR. ENGELMANN:** So his lawyer is writing to
11 the acting chief ---

12 **MS. DUNLOP:** Yes.

13 **MR. ENGELMANN:** --- expressing a concern
14 about the possibility of new charges and finding out about
15 them in the newspaper, et cetera.

16 Were there ever charges brought with respect
17 to the discussion with the reporter, to your knowledge?

18 **MS. DUNLOP:** No, I believe they backed off
19 after this letter.

20 **MR. ENGELMANN:** And if the witness could be
21 shown document number 722335.

22 Ms. Dunlop, this is a document that's
23 entitled "Reasons for Motion Decision".

24 **THE COMMISSIONER:** Thank you.

25 Exhibit 646 is exactly that, "Reasons for

1 Motion Decision" and no date though.

2 ---EXHIBIT NO./PIÈCE No. P-646:

3 (722335) Helen Dunlop - Reasons for Motion
4 Decision re: Motion by Perry Dunlop -
5 Jurisdiction (undated)

6 **MR. ENGELMANN:** I believe, sir, this was
7 released at the end of January, 1995. So this would be
8 several months after it was argued.

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

10 **MR. ENGELMANN:** Ms. Dunlop, do you have a
11 recollection as to when this document would have been
12 released? This is the decision by the Police Services -- I
13 think that's what they were called -- Board of Inquiry.
14 You can see the conclusion on pages 6 and 7, just at the
15 bottom of page 6.

16 Do you see where they say:

17 "The reporting creates a facility to
18 protect not only the child who may have
19 suffered abuse but also any other
20 children that might come into future
21 contact with a suspected abuser."

22 **MS. DUNLOP:** Mine starts on page.

23 **MR. ENGELMANN:** I'm sorry?

24 **MS. DUNLOP:** This page -- it starts ---

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

1 So if you look at the same page -- look at
2 page 12 then, which is actually page 6 of the decision.

3 **MS. DUNLOP:** I see.

4 **MR. ENGELMANN:** Just at the bottom, that's
5 where I was reading from.

6 **MS. DUNLOP:** Okay.

7 **MR. ENGELMANN:** So this is the decision your
8 husband gets from the Board of Inquiry; correct? And it
9 just ends with:

10 "In view of our finding the complaint
11 is therefore stayed."

12 **MS. DUNLOP:** Yes.

13 **MR. ENGELMANN:** Do you recall the timeline
14 here?

15 **MS. DUNLOP:** It was months later.

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

17 So he didn't know the outcome for several
18 months?

19 **MS. DUNLOP:** I believe it was five months.

20 **MR. ENGELMANN:** Now, after the hearing and
21 before this decision comes out, were you aware of other
22 *Police Services Act* charges that were filed against your
23 husband? This is late 1994. Perhaps I can give you a name
24 of a complainant -- you can let me know -- a fellow by the
25 name of Douglas Seguin?

1 MS. DUNLOP: Ah, yes.

2 MR. ENGELMANN: If the witness could be
3 shown Document Number 722756. I hope this is something I
4 gave notice on. This would have been for Constable Perry
5 Dunlop.

6 THE COMMISSIONER: Exhibit number 647 is a
7 public complaint form four. The date of the complaint is
8 December 2nd, 1994, complainant Douglas Seguin, and the
9 police officer is Constable Perry Dunlop.

10 ---EXHIBIT NO./PIÈCE No. P-647:

11 (722756) Helen Dunlop - Report - Public
12 Complaint - Form 4 Police Services Act, 1990
13 - December 2nd, 1994.

14 MR. ENGELMANN: So, Ms. Dunlop, were you
15 familiar with this complaint that had been filed as well?

16 MS. DUNLOP: Yes.

17 MR. ENGELMANN: And in the summary of the
18 incident on page 2 what's being complained about is:

19 "On several occasions Constable Perry
20 Dunlop, Cornwall Police Service, made
21 public statements to the media that
22 have unjustly discredited the
23 reputation of my brother, Ken Seguin,
24 and have deeply offended the Seguin
25 family."

1 Do you see that?

2 MS. DUNLOP: I've read this before.

3 MR. ENGELMANN: And there is a brief
4 statement that your husband gives with respect to that.
5 It's page 6 of 11.

6 THE COMMISSIONER: Do you know for a fact
7 who did disclose the statement to the media?

8 MS. DUNLOP: No, I have no idea, sir.

9 MR. ENGELMANN: Ms. Dunlop, do you know what
10 eventually happened to this complaint?

11 MS. DUNLOP: This was a witch hunt.

12 THE COMMISSIONER: No, no. Do you know what
13 happened; was it dismissed or not?

14 MS. DUNLOP: Yes, it was dismissed.

15 THE COMMISSIONER: All right.

16 MR. ENGELMANN: Quite a while later, or do
17 you remember?

18 MS. DUNLOP: Oh, they took their time with
19 all of this. It was a while later.

20 MR. ENGELMANN: Do you know if it was in
21 1995 or into 1996? Just if you remember.

22 MS. DUNLOP: I think it was in the fall of
23 that year.

24 MR. ENGELMANN: I'll just be a moment, sir.

25 (SHORT PAUSE/COURTE PAUSE)

1 **MR. ENGELMANN:** Now, your husband continues
2 to be off work through the remainder of 1994, 1995 and
3 1996?

4 **MS. DUNLOP:** Yes.

5 **MR. ENGELMANN:** Is that correct?

6 **MS. DUNLOP:** Yes.

7 **MR. ENGELMANN:** And it's my understanding
8 that he doesn't again return to work until approximately
9 May of 1997?

10 **MS. DUNLOP:** Correct.

11 **THE COMMISSIONER:** Can I just stop there?
12 While you're receiving long-term benefits,
13 aside from the periods of time when you didn't receive the
14 money and you eventually got it paid back. The amount of
15 money you were receiving, was it roughly equivalent to the
16 salary -- I don't know if it was taxable or whatever but --
17 was it a fair amount?

18 **MS. DUNLOP:** It was probably close to -- it
19 was a private insurance that Perry paid into.

20 **THE COMMISSIONER:** I'm sorry, say that
21 again?

22 **MS. DUNLOP:** It was an insurance policy that
23 we privately paid into. It wasn't provided by the force.

24 **THE COMMISSIONER:** They didn't provide long-
25 term disability?

1 **MS. DUNLOP:** We paid for that. We paid into
2 it ourselves.

3 **THE COMMISSIONER:** Okay ,but it was
4 administered through the police.

5 **MS. DUNLOP:** Yes.

6 **THE COMMISSIONER:** All right.

7 **MS. DUNLOP:** Was it enough?

8 **THE COMMISSIONER:** Enough?

9 **MS. DUNLOP:** We've gone backwards pretty
10 much so ---

11 **THE COMMISSIONER:** Well, no, okay.

12 **MS. DUNLOP:** Was it equivalent to his salary
13 that he would have been making?

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

15 **MS. DUNLOP:** No, it wasn't the same.

16 **THE COMMISSIONER:** And obviously the
17 overtime and whatever other things, benefits, he would have
18 received had he been working, simply weren't there?

19 **MS. DUNLOP:** Yes, sir.

20 **MR. ENGELMANN:** Ms. Dunlop, let me go back
21 to the first police complaint, the one that I believe may
22 have been -- it was dismissed on the motion by your
23 husband's lawyer saying that we looked at it briefly about
24 the statutory duty, et cetera.

25 Was that decision appealed or reviewed into

1 the Divisional Court?

2 MS. DUNLOP: It was appealed.

3 MR. ENGELMANN: And that was the Office of
4 the Police Complaints Commission that filed that appeal,
5 right?

6 MS. DUNLOP: Pardon me?

7 MR. ENGELMANN: The Office of the Police
8 Complaints Commission that filed the appeal?

9 MS. DUNLOP: I'm not sure who it was.

10 MR. ENGELMANN: My understanding is the
11 Cornwall Police Service participated at the initial motion
12 ---

13 MS. DUNLOP: Yes.

14 MR. ENGELMANN: --- and they asked for
15 intervener status and they participated in that hearing?

16 MS. DUNLOP: Yes.

17 MR. ENGELMANN: And they would have taken a
18 position in that hearing?

19 MS. DUNLOP: Yes.

20 MR. ENGELMANN: With respect to the motion?

21 MS. DUNLOP: Yes.

22 MR. ENGELMANN: Do you remember if they were
23 supporting the motion or opposed to the motion that your
24 husband's lawyer was bringing?

25 MS. DUNLOP: They weren't supporting the

1 motion to have it dismissed.

2 MR. ENGELMANN: Okay. But on the actual
3 review, did they participate to your knowledge?

4 MS. DUNLOP: I don't know if they were part
5 of the appeal process.

6 MR. ENGELMANN: All right.

7 MS. DUNLOP: I can't remember.

8 MR. ENGELMANN: I understand that late in
9 1995 the Divisional Court dismissed the appeal.

10 MS. DUNLOP: Yes, they did.

11 MR. ENGELMANN: All right. So that's what
12 we talked about at the start of the day, your husband being
13 exonerated from those *Police Services Act* charges.

14 MS. DUNLOP: Yes, sir.

15 MR. ENGELMANN: All right.

16 THE COMMISSIONER: I'm sorry, and that was
17 in March of -- I'm sorry -- late ---

18 MR. ENGELMANN: December of '95.

19 THE COMMISSIONER: December of 1995.

20 MS. DUNLOP: Yes, sir.

21 THE COMMISSIONER: Can you take me, with
22 respect to your husband's health, through -- we were at
23 summer of 1994 when you went to the Royal Ottawa; from
24 there up to where this action has been dismissed.

25 MS. DUNLOP: Do you want me to just say how

1 he felt?

2 **THE COMMISSIONER:** Yes, how was he doing
3 physically, mentally. I take it the Divisional Court
4 ruling was a happy occurrence?

5 **MS. DUNLOP:** Yes, but we never let our
6 breaths out, ever.

7 **THE COMMISSIONER:** No, I understand. Well,
8 we'll get to that, but at least if was a positive thing?

9 **MS. DUNLOP:** For the day.

10 **THE COMMISSIONER:** For the day. So tell me,
11 how was he doing?

12 **MS. DUNLOP:** Good days. Bad days.
13 Wondering when the next brick was going to fall.
14 Regretting and lamenting that he wasn't out policing doing
15 what he wanted to. Taking cheap shots from guys at work
16 and people in the community because he was playing music on
17 his doctor's advice, and that coming back to our ears which
18 I had to address.

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

20 **MS. DUNLOP:** Days where he would get up,
21 come downstairs not shave. Go from one sofa to the other
22 and only get up because the kids came home. Tried to get
23 him to do some yard work.

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

25 **MS. DUNLOP:** Go out for supper in a

1 restaurant and he'd turn off the lights so nobody would see
2 him.

3 MS. DUNLOP: I went to all his doctor's
4 appointments with him. I went every week for months and
5 we'd be cut back to every two weeks as he was doing better
6 but he wasn't really a good objective person about his own
7 wellness.

8 THE COMMISSIONER: M'hm.

9 MS. DUNLOP: He started sleeping better but
10 he was maxed out on his pills.

11 THE COMMISSIONER: M'hm.

12 MS. DUNLOP: So Dr. Horn tried to sort of
13 mix them up a bit.

14 THE COMMISSIONER: M'hm.

15 MS. DUNLOP: The girls were little so they
16 didn't really notice a lot of what was going on. We had a
17 few friends who still came by, but by then most of my
18 family had picked a side. It created a lot of division.

19 THE COMMISSIONER: Created some division
20 okay, m'hm.

21 So now in the fall of 1995 leading up to the
22 Divisional Court decision, because he does go back to work
23 in ---

24 MS. DUNLOP: May.

25 THE COMMISSIONER: In May of ---

1 MS. DUNLOP: May of '97, I believe.

2 THE COMMISSIONER: '97? All right.

3 MR. ENGELMANN: I'd like to ask a few
4 questions about the fall of 1995, if I could?

5 THE COMMISSIONER: Sure.

6 MR. ENGELMANN: Ms. Dunlop, do you remember
7 in the summer of 1995 if there's any media coverage about
8 your husband's situation?

9 MS. DUNLOP: I'd have to see our scrapbooks.

10 MR. ENGELMANN: Okay. Do you recall if
11 there was an article in the Globe and Mail newspaper about
12 him in the summer of 1995?

13 MS. DUNLOP: Yes.

14 MR. ENGELMANN: I don't have it identified
15 so we won't go there. I apologize.

16 THE COMMISSIONER: Do you remember the
17 article?

18 MS. DUNLOP: Yes, I do.

19 THE COMMISSIONER: What was it about? Do
20 you remember at all?

21 MS. DUNLOP: Yes.

22 THE COMMISSIONER: Tell us about it.

23 MS. DUNLOP: It was an article ---

24 MR. ENGELMANN: All right. The Document
25 Number is 729517. I'm not sure if you have it, Madam

1 Clerk, but it might be in the computer system at least.

2 I'm sorry, 729517. It's an article that's
3 entitled "Reported Claim of Sex Abuse Officer Under Fire".
4 It appears to be from July 22nd of 1995.

5 **THE COMMISSIONER:** It seems that we have it.
6 It's on the computer screen. but I don't know if we have a
7 copy of it. No hard copy. So we have one copy to make an
8 exhibit. That will be Exhibit Number P-648.

9 **---EXHIBIT NO./PIÈCE NO P-648:**

10 (729517) Helen Dunlop - Globe and Mail Media
11 Clipping re: Perry Dunlop - July 22, 1995

12 **THE COMMISSIONER:** Would you rather have a
13 hard copy?

14 **MS. DUNLOP:** Yes, please.

15 **MR. ENGELMANN:** Is this an article you would
16 have seen before, Ms. Dunlop?

17 **MS. DUNLOP:** Yes.

18 **MR. ENGELMANN:** Okay. If you just want to
19 take a minute?

20 **(SHORT PAUSE/CAUSE PAUSE)**

21 **MR. ENGELMANN:** Just in a general sense, Ms.
22 Dunlop, does this sort of outline some of what's going on
23 with some of these Police Services charges?

24 **MS. DUNLOP:** Absolutely.

25 **MR. ENGELMANN:** All right. Ms. Dunlop,

1 later in 1995, do you know if your husband starts to be
2 contacted at your house by victims or alleged victims of
3 sexual abuse?

4 MS. DUNLOP: I know they started contacting
5 them, I am not positive of the date.

6 MR. ENGELMANN: All right.

7 THE COMMISSIONER: But 1995?

8 MS. DUNLOP: That certainly seems
9 reasonable.

10 THE COMMISSIONER: Okay.

11 MR. ENGELMANN: Do you remember, for
12 example, if a man by the name of John MacDonald might have
13 contacted him in the fall of '95?

14 MS. DUNLOP: I remember John contacted us in
15 the fall, but again I am not positive of the date.

16 THE COMMISSIONER: I'm sorry, Mr. Engelmann,
17 I'm going to ask -- during all of this in July when the
18 officer's under fire and obviously this hearing is taking
19 its toll, what, if any, was the Police Association's role
20 with your husband and you? Did they take steps to assist
21 you?

22 MS. DUNLOP: Invisible.

23 THE COMMISSIONER: Pardon me?

24 MS. DUNLOP: They were invisible.

25 MR. ENGELMANN: Do you recall, Ms. Dunlop,

1 if at some point your husband comes into contact with a
2 fellow by the name of Albert Roy?

3 MS. DUNLOP: Yes.

4 MR. ENGELMANN: And this is later on again
5 in 1995?

6 MS. DUNLOP: Again, I'm not sure of the
7 time, but, yes, I remember Albert Roy.

8 MR. ENGELMANN: And do you remember the
9 context with Albert Roy?

10 MS. DUNLOP: Yes, there was an article in
11 the paper concerning Perry and the charges and that he was
12 going to be disciplined for going to the CAS and other
13 police act charges, and Albert Roy read the article and
14 decided to come forward to support Perry and say that what
15 he had done was right because it had happened to him as a
16 child.

17 MR. ENGELMANN: Do you recall a meeting that
18 you may have had with him about, I think it had to do with
19 the filming of a television show, and I am thinking late
20 1995?

21 MS. DUNLOP: The Fifth Estate, yes.

22 MR. ENGELMANN: And did he come to your home
23 before that?

24 MS. DUNLOP: Yes, he came to the home one
25 evening. He had asked one of the producers if he could

1 meet Perry and I.

2 MR. ENGELMANN: All right. Is that how you
3 met him?

4 MS. DUNLOP: Yes.

5 MR. ENGELMANN: As a result of the filming
6 of that Fifth Estate program?

7 MS. DUNLOP: Yes.

8 MR. ENGELMANN: Mr. Commissioner, I had
9 given notice of wanting to play that ---

10 THE COMMISSIONER: M'hm.

11 MR. ENGELMANN: --- with Mr. Dunlop's
12 evidence. I am wondering if it would be appropriate to
13 play it now?

14 THE COMMISSIONER: M'hm. How long will it
15 last?

16 MR. ENGELMANN: It's approximately 30
17 minutes.

18 THE COMMISSIONER: All right.

19 MR. ENGELMANN: I just -- how are you doing,
20 Ms. Dunlop? It's just about quarter to five?

21 MS. DUNLOP: I am fine.

22 MR. ENGELMANN: Are you okay if we go
23 through that before we finish today?

24 MS. DUNLOP: Yes, that's fine.

25 MR. ENGELMANN: I understand it will take

1 about five minutes to set it up.

2 **THE COMMISSIONER:** Oh, okay. Why don't we
3 stretch our legs for five minutes? Let's try to keep it to
4 a minimum and then we will get back.

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

7 The hearing will resume at 4:50 p.m.

8 --- Upon recessing at 4:43 p.m./

9 L'audience est suspendue à 16h43

10 --- Upon resuming at 16:54 a.m. /

11 L'audience est reprise à 16h54

12 **THE REGISTRAR:** Order; all rise. A l'ordre;
13 veuillez vous levez.

14 This hearing is now resumed, please be
15 seated. Veuillez vous assoir.

16 **THE COMMISSIONER:** Well?

17 **MR. ENGELMANN:** I'll just be a minute, sir.

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

19 **THE COMMISSIONER:** Ms. Dunlop, this is going
20 to come on the screen, so that's where you're going to have
21 to watch it from.

22 Those of you who are still standing, if you
23 want to watch the -- what we're going to be looking at,
24 it's going to be on the public screens.

25 Okay. So we should file the exhibit?

1 MR. ENGELMANN: Yes.

2 It says "Transcript from CBC program
3 entitled the Fifth Estate."

4 THE COMMISSIONER: Yes.

5 MR. ENGELMANN: I'm just going to try and
6 give you a date, sir.

7 THE COMMISSIONER: Six forty nine (649).
8 How about December 12th, 1995?

9 MR. ENGELMANN: That sounds -- that sounds
10 just fine.

11 Document number 716075, if that could be the
12 next exhibit, sir?

13 --- EXHIBIT NO./PIÈCE No. P-649:

14 (716075) Transcript from CBC Program
15 Entitled the Fifth Estate dated December 12th
16 1995

17
18 THE COMMISSIONER: Mr. Horn, it's going to
19 come up on your computer screen at your desk.

20 MR. ENGELMANN: I'm wondering if you don't
21 mind if I could be seated?

22 THE COMMISSIONER: Certainly.

23 Okay. Here we go.

24 (VIDEO PRESENTATION/PRÉSENTATION VIDÉO)

25 THE COMMISSIONER: All right. That's ---

1 **MR. ENGELMANN:** Mr. Commissioner, I wonder
2 if this might be a good time to break for the day?

3 **THE COMMISSIONER:** Yes, all right. So we'll
4 finish for today. We'll come back at 9:30.

5 Ms. Dunlop, as I do with every witness, I
6 have to instruct you and I am instructing you that you're
7 not to discuss your testimony with anyone, save and except,
8 I guess, Commission counsel in the preparation of what the
9 evidence will be for tomorrow.

10 Is that understood?

11 **MS. DUNLOP:** Understood.

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

14 This hearing is adjourned until tomorrow
15 morning at 9:30 a.m.

16 --- Upon adjourning at 5:18 p.m. /

17 L'audience est ajournée à 17h18

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C E R T I F I C A T I O N

I, Marc Demers a certified court reporter inthe Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Marc Demers, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Marc Demers, CVR-CM