

CANADA

PROVINCE OF NOVA SCOTIA

IN THE MATTER OF THE
FATALITY INVESTIGATIONS ACT
S.N.S. 2001, c. 31

THE DESMOND FATALITY INQUIRY

TRANSCRIPT

HEARD BEFORE: The Honourable Judge Warren K. Zimmer

PLACE HEARD: Port Hawkesbury, Nova Scotia

DATE HEARD: February 16, 2021

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1 FEBRUARY 16, 2021

2 COURT OPENED (10:02 HRS)

3

4 THE COURT: Good morning.

5 COUNSEL: Good morning, Your Honour.

6 THE COURT: Before we begin, I'm just going to make a
7 few comments to kind of orientate these proceedings today, if I
8 might.

9 On January 3rd, 2017, the bodies of Lionel Desmond, a
10 veteran of the war in Afghanistan, his wife Shanna, his ten-
11 year-old daughter Aaliyah, and Mr. Desmond's mother, Brenda,
12 were found in a home in Upper Big Tracadie, Guysborough County,
13 Nova Scotia. It was believed that Mr. Desmond took the lives of
14 his family members before he took his own life.

15 Nova Scotia Chief Medical Examiner, Dr. Bowes, reviewed the
16 circumstances of the deaths and recommended to the Minister of
17 Justice that an inquiry be held under the province's **Fatality**
18 **Investigations Act**. Subsequent to that determination, I was
19 appointed as the provincial court judge to preside over the
20 Inquiry.

21 The Inquiry's mandate is to determine the circumstances
22 under which these deaths occurred, as well as some specific

OPENING REMARKS

1 issues regarding but not limited to whether Lionel Desmond and
2 his family had access to the appropriate mental health and
3 domestic violence intervention services leading up to their
4 deaths.

5 The evidentiary hearings began on January 27th, 2020 in
6 Guysborough County. The last hearing date was March 2nd, 2020
7 and when we adjourned it was with the expectation of returning
8 in May to resume the evidentiary hearings. However, the
9 coronavirus; that is COVID-19, had started its spread and on
10 March 22nd, 2020, there was a declaration of a provincial state
11 of emergency under the **Emergency Management Act**, as well as an
12 order by the Chief Medical Officer of Health, under the **Health**
13 **Protection Act**. The state of emergency continues today, as does
14 an order under the **Health Protection Act**, imposing a broad range
15 of restrictions and limitations.

16 Our hearing facility in the municipal building in
17 Guysborough was assessed and found to be inadequate for the
18 purposes of this Inquiry because it could not be reconfigured or
19 modified to meet the standard set for the resumption of judicial
20 proceedings.

21 The standards were developed through the efforts of many,
22 including the Nova Scotia Court's COVID-19 Recovery Committee,

OPENING REMARKS

1 that has since produced a recovery plan and guidelines that have
2 taken into account the coronavirus health and safety
3 considerations for return to work, produced by the Nova Scotia
4 Public Service Commission and the Nova Scotia Public Health
5 Service.

6 A detailed overview of that plan is available on the
7 court's website, which is courts.ns.ca. And for those of you
8 that are interested, I would encourage you to read it. You
9 would have some idea of the amount of time and effort and
10 consideration that's gone into the planning to get us to this
11 point in time today.

12 Clearly, a new location for the Inquiry was needed and
13 eventually it was determined that the provincial courtroom; that
14 is this courtroom that we're in today, could be modified to meet
15 the requirements of the Inquiry and also comply with the Public
16 Health directives for the resumption of judicial proceedings.

17 The work to get ready for today has been intense and the
18 cost has been considerable. It also required planning and
19 agreements on the use of the courtrooms in this building to
20 allow us to effectively displace the provincial court while our
21 hearings are underway. There are three courtrooms in this
22 building. There's the Provincial Court, the Family Division

OPENING REMARKS

1 court, and the Supreme Court. And it is now necessary to plan
2 to effectively utilize the three courts. When we sit, we do not
3 interrupt or effect the sitting of the other courts who have
4 accommodated us which is, from my point of view, greatly
5 appreciated.

6 The delay in these proceedings has not been easy on the
7 family and friends of the Borden and Desmond families, in
8 particular. COVID-19 has brought misery, grief, hardship, and
9 death to every community it has touched. We are perhaps
10 fortunate that we have the ability to proceed, although
11 cautiously, at this time.

12 Mr. Rodgers, I understand that the first witness ... you're
13 going to be calling the first witness, is that correct?

14 **MR. RODGERS:** That's correct. Yes, Your Honour. And the
15 first witness will be Cassandra Desmond.

16 **THE COURT:** All right. Thank you. Ms. Desmond, could
17 you come forward, please?

18

19

20

21

22

1 **CASSANDRA DESMOND, sworn, testified:**

2

3

DIRECT EXAMINATION

4

5 **MR. RODGERS:** Good morning, Ms. Desmond.

6 **A.** Good morning, Mr. Rodgers.

7 **Q.** Been waiting for this opportunity for some time.

8 **A.** I have, yes.

9 **Q.** Yes. I see, Ms. Desmond, you brought some people with
10 you.

11 **A.** I always got them with me, but I just carry my mom and
12 my Lionel and Shanna and Aaliyah everywhere I go. But today,
13 most importantly, I felt that I really needed to wear them to
14 give me the strength because it's not going to be easy but I'm
15 going to do it.

16 **(10:10)**

17 **Q.** There's some difficult things we're going to go
18 through today, Ms. Desmond. And as you know, of course, if
19 throughout the course of the day you think you might need a
20 break for any reason, just please ask and I'm sure His Honour
21 will accommodate any such requests.

22 Ms. Desmond, maybe just introduce yourself. Just, for the

1 record, tell us who you are.

2 **A.** My name is Cassandra Desmond and I am Lionel Desmond's
3 sister. I am Brenda Desmond's daughter, Aaliyah Desmond's aunt,
4 and Shanna Desmond's sister-in-law.

5 **Q.** Thank you. And maybe ... I wanted to start with that,
6 Ms. Desmond. Maybe you can introduce us to your immediate
7 family. I mean you ... I know you have a family, as well, but I
8 mean that family plus your sisters and ...

9 **A.** So I have ... well, I had four other siblings, Lionel
10 included. I'm left with three. I have a twin sister, Chantel.
11 I have an older sister, Diane, and a younger sister, Kaitlyn.
12 Lionel was our only brother.

13 My mom was a single mother of all five of us. She raised
14 all five of us on her own with the help of her mother and
15 father, my grandfather and grandmother. My grandfather had
16 passed away January of 2019. My grandmother is still here, so
17 my mother's parents.

18 So, like I said, my mother raised all five of us on her
19 own. My dad was never really in the picture. Like we know who
20 our dad is and we did spend time with him and stuff but as to
21 say that he played the role of what a father should, my mother
22 played both of those roles. And grandfather was more or less

CASSANDRA DESMOND, Direct Examination

1 the father figure in our lives outside of being just "Papa".

2 We were raised in a six-bedroom bungalow home, my
3 grandparents' house. And just a year and six months shy of the
4 tragedy, my grandparents' house burned down. So the family home
5 in which we were raised in no longer stands. So all those
6 memories of our childhood and everywhere that ... like
7 everything that ... every time that we would have spent together
8 and everything amongst those walls, basically is gone and it was
9 really hard when the house burned down because we were still in
10 the midst of, you know, going through our emotions and
11 everything with the tragedy. And, really, the only thing that
12 we had to hold onto was my mother's personal items and like
13 Lionel's oath of allegiance that he put up on Nanny's wall and
14 everything.

15 Q. You lost some of those memories with that fire.

16 A. We ...

17 Q. That was about ...

18 A. Yeah. We lost ...

19 Q. ... you say about a year after the tragedy?

20 A. This was a year and six months after the tragedy had
21 happened. And, yes, we lost our family home in which we were
22 raised. It wasn't easy. Still really isn't. We were able to

CASSANDRA DESMOND, Direct Examination

1 ... I guess the proper word for it would be "salvage" a few
2 things that weren't destroyed. The house was destroyed beyond
3 repair. There was no repairing. It had to be tore completely
4 down. Like I said, some memories were able to be salvaged from
5 the home, not all.

6 Out of ... like I said, Lionel's oath of allegiance was on
7 the wall. He ... I remember the day that he came home from
8 Sydney and he was so proud. He was so proud like with his
9 plaque and yelling to Nanny and Papa to come out from the living
10 room into the kitchen.

11 We had like a "T" in like the archway of the room, so you
12 could enter the living room from either side. Because I
13 remember Nanny coming out one side and Papa coming out the
14 other. He's like, I made it. I'm going. And it was really ...
15 it was a big thing for him because Lionel, like he ... we had a
16 lot of military members within our family, like the older
17 generation. So he was very proud of himself because of his
18 generation of our family he was one of the first, you know, to
19 start back this military allegiance within our family.

20 And with that being said, my grandfather wore a smile on
21 his face that, you know, you could never see go. Like he was so
22 proud of him and Lionel was so proud of himself. And he was so

CASSANDRA DESMOND, Direct Examination

1 proud that when he hung it up on the wall he hung it up crooked.
2 And you couldn't touch it and you couldn't touch it. Nanny
3 said, That's how he put it. We're going to leave it there.
4 Like, you know, so it was left there.

5 When the fire had happened, actually a few days after ...
6 like after they taped the house off and everything and we were
7 able to go through to see what was able to save and stuff, that
8 was the first thing that I was looking for was his plaque. And
9 I just ... we had a freezer in like the kitchen area up against
10 the wall there.

11 And the wall was still standing and everything, so I said,
12 Well, the plaque is not there. It had to have fell down behind
13 the freezer. So I pull out the freezer and there it was. Like
14 the glass was shattered and it had like a little burntness like
15 up over the top, but it still ... you could read everything on
16 it. So I was able to save that memory of Lionel.

17 And my mom's room, one of the totes didn't end up burning
18 and it was all of our childhood pictures and all of our arts and
19 crafts from like when we were little, like when Lionel was in
20 Grade Primary and stuff, like all of our little born things ...
21 like birth things. Because back then, St. Martha's used to give
22 our pictures in like the little cards and like have like your

CASSANDRA DESMOND, Direct Examination

1 name, the size you were and everything like that.

2 And so you never think ... because like my mom, like she
3 was very strong and like she was a woman of faith. Like I said,
4 she raised five children on her own, watched all five of us go
5 across the graduation stage; you know, seen us all off to our
6 first years of university and stuff, except for Lionel because
7 he entered into the military and stuff.

8 With that being said, like my mom she was very strong. She
9 was a very strong woman. But like to get that emotional side of
10 her, like, you know, it was like very rare because she just
11 stood firm. So when I found those little things, it really
12 touched my heart because it's like, you know, you think that
13 like the little things like that actually matter because I have
14 kids of my own, for an example. Like they bring home arts and
15 crafts and like little coloured pages and sometimes it just get
16 too much, you know? And so you save things and then you got to
17 throw things away and everything.

18 But Mom kept everything. She had a pile of Chantel's, a
19 pile of mine, a pile of Kaitlyn's, a pile of Diane's, and a pile
20 of Lionel's. And it was like all of our little work from like
21 Grade Primary to junior high. Every Mother's Day card that we
22 ever like creatively made her or anything, or any Valentine's

CASSANDRA DESMOND, Direct Examination

1 Day card and like things like that. So like we ... when I was
2 able to go through the home and stuff, those were really the
3 only things that I was able to salvage were those little
4 memories.

5 But it meant a lot to me because, you know, it helps me
6 today because, I'm going to tell you, my life has not been easy
7 since losing my mom. My mom was my number one fan. My mom was
8 my greatest supporter. My mom was my rock. My mom was my
9 everything. She was all of our everythings, not just mine; my
10 sisters' and my brother's, and that's why she was with my
11 brother and Shanna and them.

12 Mom ... how can I put it? Like Mom made everything okay.
13 You know? Like when days were dark, you know, and she knew that
14 like days were dark, she would always remind you that there was
15 a light. You know, sometimes you just had to dig deep to be
16 able to see it. And like I find myself, like especially
17 throughout this journey and fighting ... like especially when I
18 was fighting to get to where we are here today for this Inquiry,
19 I called on her a lot because I fell short many times, wanting
20 to give up, just feeling like by myself and like feeling like I
21 was just taking on too much.

22 Like I was fighting provincial and federal governments by

CASSANDRA DESMOND, Direct Examination

1 myself. I was flying to Ottawa and traveling to Halifax and
2 things on my own dime and my own time; you know, having to pay
3 babysitters to watch my three small children and everything
4 while I'm sitting here trying to fight for what happened, like
5 why is ... why are we going through this? Why is my brother not
6 here no more? Why is my mom not here no more?

7 And my reason for like, you know, doing all this is if you
8 seen the relationship that my mother and my brother had, it was
9 the most loving, caring ... like Lionel loved Mom. Mom loved
10 Lionel. You know? Mom loved all of us, but like Lionel and Mom
11 were really close, like they were. Like they had a bond that
12 was just. We ... he was a mama's boy literally. He was Mom's
13 only boy, but he was literally Mom's boy.

14 **(10:20)**

15 **Q.** When ... you know, now that you have ... you have
16 three children of your own and I'm sure there are easy and more
17 difficult days. You must have a sense of the strength that your
18 mother had during those years and those times. It wasn't always
19 easy growing up for you guys ... for your family.

20 **A.** No, life was not no crystal clear stairway for us. We
21 ... raised in a small black community of Lincolnvile. My
22 mother, she didn't graduate high school. She raised us, like I

CASSANDRA DESMOND, Direct Examination

1 said, on her own. For the first ten years of my life, I
2 remember my mom tried her hardest. Like she was raising ... she
3 was on welfare and stuff. She was raising us on Assistance and
4 just doing her best.

5 And then she had the opportunity, whenever the Adult
6 Learning Program came to Guysborough ... in Guysborough County
7 and she had the opportunity, through Donna Hochman's office, and
8 stuff to actually go and do an upgrading course. And so she
9 took that on, which led to her going to NSCC and doing her GED.
10 And so she had gotten her GED when she was like pretty near 30.
11 And after that she found love in construction. She got her
12 traffic control and they put her on that flag pole and she found
13 love in the world of construction and doing that type of labour
14 and she was a construction labourer for 17-plus years on her
15 death.

16 **Q.** Your mother is part of quite a large family.

17 **A.** Yes.

18 **Q.** I don't know if you could list all 22 of them.

19 There's quite a large crew there. Maybe just ...

20 **A.** My grandfather ...

21 **Q.** Yeah. Give us ...

22 **A.** So my grandfather was married twice. His first wife,

CASSANDRA DESMOND, Direct Examination

1 he has children ... eight children by, I'm pretty sure. And
2 then Nanny, there's 12 but they adopted two of their great-
3 grandchildren.

4 Q. Yeah.

5 A. So that's why we classify 22, because of the two
6 great- grandchildren that they adopted and took under their wing
7 as their children.

8 Q. Yes.

9 A. So that being said, my grandfather was married twice.
10 And throughout both marriages and the adoption of the two great-
11 grandchildren, 22 children, over a hundred grandchildren, well
12 over 50 great-grandchildren. And he has 28 great-great-
13 grandchildren.

14 Q. Everybody in Guysborough County, I think, certainly
15 above a certainly age, would know who your grandfather is,
16 Wilfred Desmond ... was. Sorry.

17 A. I like to think my grandfather was a legend.

18 Q. Yeah. He certainly was. He drove the bus for a long
19 time for the trade school here for the community college.

20 A. Here in Port Hawkesbury. Yeah.

21 Q. Yeah. Picking up students to ...

22 A. And he drove oil bunker trucks and stuff and ... yeah,

CASSANDRA DESMOND, Direct Examination

1 he did a lot. He was a private driver for Dr. Paul Price. He
2 used to travel Paul Price all over the province. Shortly after
3 that, after he retired, he decided that his time wasn't up yet
4 and he took on driving limousines. And he drove limousines for
5 about 12 years. And then he stopped doing that and just relaxed
6 and maintained his life home and going to bingo. And him and
7 Mom would always be at the fire hall here in Port Hawkesbury
8 every Friday night, bingo, and then they'd go over to the dance.
9 And, yeah, that's ...

10 Q. No, he's ... he's certainly ...

11 **THE COURT:** I'm sorry.

12 Q. ... very well ...

13 **THE COURT:** Excuse me. Just ... I'm just going to
14 interrupt just for a moment. Mr. Rodgers ...

15 **MR. RODGERS:** Yes.

16 **THE COURT:** ... the microphone that would normally would
17 pick you up is not picking you up very well.

18 **MR. RODGERS:** Okay.

19 **THE COURT:** So if you were to move that podium just to
20 your right and back a little bit, point that microphone more
21 towards your speaking voice. That might help us.

22 **MR. RODGERS:** Sure. Okay. I'll try that.

CASSANDRA DESMOND, Direct Examination

1 **THE COURT:** Thank you.

2 **MR. RODGERS:** See how it goes and ...

3 **THE COURT:** All right. Well, might have to make another
4 adjustment, but thank you. I'm sorry.

5 **MR. RODGERS:** That's fine. Ms. Desmond, in preparing for
6 this ... actually, it was ... well, it was last year, preparing
7 for the opening statement. We went through some of your
8 extended family and ancestors who were part of ... who had
9 military service. And some of those names ... well, we'll hear
10 from Albert MacLellan tomorrow. But there was other names, too,
11 like that you've given me: Clarence Desmond, Roland and Ronald
12 Ashe, Charlotte Ashe, Walt Clyke, Joe Izzard, Barbara Ann
13 Reddick, Mary Desmond, your great-grandfather, Jim Reddick, your
14 great-uncle William John Borden, and your step-great-grandfather
15 George Washington Reddick. Those are quite a number of people.

16 **A.** It's quite a line and history of ...

17 **Q.** So ...

18 **A.** ... the military.

19 **Q.** And that's just from the ... from previous
20 generations.

21 **A.** Uh-huh.

22 **Q.** Maybe you can talk to us a little bit about just the

CASSANDRA DESMOND, Direct Examination

1 pride in serving the military and serving our country that was
2 in your family.

3 **A.** Well, as you all know, like in those times, as well,
4 like you just read off the history, a lot of those people that
5 you mentioned are of the older generation than what I am. And
6 like I mentioned, Lionel was, you know, basically the latest
7 generation within our family to bring back the military term.

8 With that being said, a lot of whom you mentioned, when
9 they were within the military and stuff, they did their duties
10 and everything and it was hard then, because racism was very,
11 very high, you know. And to be a black soldier within the
12 military, you know, it came with its hardships and still until
13 this day, you know, you read about racism within the military
14 and stuff, you know. And so still until this day it has its
15 hardships but, then, it was really hard.

16 With that being said, a lot of them didn't see past the
17 rank of private because black men were not allowed to be
18 anything but privates then. So when it came to Lionel joining
19 the military and such, he was actually a corporal. So if you
20 actually look at some of those titles of the names that you list
21 off, you know, you'll find the rank of private for a lot of
22 them.

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1 And, you know, the patriotism that comes with Lionel being
2 ranked as a corporal, you know, just shows a lot and especially
3 shows the difference as to where we are in history or where
4 we're trying to lead for history. You know? And I'm sure
5 Lionel being a corporal, if we did our studies and looked in,
6 there's probably many other black women and men within the
7 military now that could be ranked, you know sergeants, warrant
8 officers, generals, whatever the case may be.

9 But it was a big thing, you know, when Lionel got that rank
10 and that title as "Cpl. Lionel Desmond". Because, like I said,
11 a lot of our family members didn't see anything outside the rank
12 of private. Even though they might have done the work of a
13 corporal, they were only seen as privates because they weren't
14 allowed to be anything else but.

15 **Q.** Ms. Desmond, let's talk about Lionel a little bit
16 growing up; you know, as a young ... as a kid, you know, as a
17 student in school. First of all, I guess maybe just how many
18 years older than you, was he?

19 **A.** Lionel is five years older than me.

20 **Q.** Okay. So five years can make a big difference at
21 different ages and such but, you know, you're still in the same
22 house. So what kind of observations ... what could you say

CASSANDRA DESMOND, Direct Examination

1 about Lionel growing up?

2 **A.** Lionel was the comedian of the household. Like he was
3 just ... he was the comedian, he was the helper, he was the all-
4 go-round just live spirit. Like he was always cracking a joke.
5 He was always helping out doing something. Lionel was just
6 Lionel. Like I said, like there was never a dull moment with
7 that character around. Like, you know, we could be all in the
8 kitchen getting ready to sit down at the table to eat supper,
9 you know, and he just has to come, you know, just making
10 somebody laugh, doing something foolish, just Lionel being
11 Lionel. Like, you know, the time couldn't be the time with him
12 coming in the room without somebody smiling, laughing, or just
13 like, Lionel, just go. Like, you know? Like that was Lionel.
14 And I can't even think of my brother without giving a giggle or
15 a laugh because like he was just so funny. Like Lionel was just
16 so funny but he was so loving and caring and genuine too.

17 **(10:30)**

18 Like, for an example, Lionel wasn't always home. Like,
19 yeah, he spent a lot of time home, but Lionel was like the
20 community kid, like the community like everything. Like if he
21 wasn't home he was over at Steve's, our nextdoor neighbour, you
22 know, one of the elders in the community. And Steve taught

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1 Lionel a lot of his wilderness tactics because they were always
2 in the woods either hunting partridge or something like that.
3 Like, you know, helping Steve cut down kindling wood or helping
4 him dragging wood out of the woods just so he has wood for his
5 fire. Like, you know, splitting it and everything like that.

6 Or he was over at Uncle Jim's doing the same thing. You
7 know, helping lug in the wood, take it out, doing their lawns,
8 whatever the case may be. Like wherever he could lend his hand
9 he was there lending his hand. Like, you know, he never walked
10 by somebody or walk by somebody's house without, Hey, how you
11 doing? You need some help with that? And, you know, be in the
12 driveway helping or, you know, stopping to crack a little joke
13 on what they're doing or something. Like I said, he was always
14 cracking a joke or whatever.

15 That or you'd find him out with Uncle Tony, you know, doing
16 the same thing. Like he was just always helping. You never
17 seen him without a pair of boots on and, you know, the coat,
18 just not knowing what he was going to get into. But he knew he
19 was going to get into either a woodpile or some type of dirt or
20 something, because somebody's going to need help. Like he never
21 sat still.

22 Academically, like throughout school, Lionel was ... he had

CASSANDRA DESMOND, Direct Examination

1 good grades, he graduated. He played sports, extracurricular
2 activities. He played baseball. He ran track and field.
3 Badminton, he liked badminton.

4 Q. We know in the military in his training that he
5 excelled athletically, even among that cohort. So, was that,
6 sports and athletics, something ...

7 A. Yeah, like Lionel ... Lionel, like athletically, like
8 he was very athletic. Like for him to walk from our home in
9 Lincolnville down to Thelma's and Ricky's, like it would be
10 nothing for him to jog. Like that would be nothing. Like he
11 endured like that type of stuff. Like he was very fit. He was
12 very athletic, very fit, like no doubt about it. Like, you
13 know, he took very well care of himself and ... you know, when
14 it came to exercise and stuff like that. Like exercise was
15 basically like his go-to route, you know.

16 Q. Physically coordinated. A pretty good dancer too, I
17 understand.

18 A. Oh, he was good on his feet. He was good on his feet.

19 Q. You mentioned about living in your grandparents'
20 house. How many people were living in that house?

21 A. When I grew up in the house?

22 Q. Yeah.

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1 **A.** There was I'm going to say about 14, 15 of us. So
2 there was my mom and us five children, and then my grandparents,
3 and my Aunt Linda and her three children, and my cousin Diedre.
4 So yeah, 14 of us, 15 of us.

5 **Q.** Your Aunt Linda was your mother's twin sister?

6 **A.** Twin sister, yeah.

7 **Q.** Pretty crowded.

8 **A.** Yeah.

9 **Q.** Did you guys most of the time get along decently well,
10 I guess?

11 **A.** Until it came to the lineups at the bathroom.

12 **Q.** Why don't you tell us about your mother's role in that
13 household and, you know, who did what, that sort of thing.

14 **A.** My grandparents were the foundation, so they kept
15 everything held up, and my mother was the glue that kept
16 everything together.

17 My grandmother and grandfather felt a huge loss whenever
18 they lost my mom. My mom basically took care of them, paid
19 their bills and stuff and everything. Her whole life, 52 years,
20 she was beside them. The only time that she was ever separated
21 from them was when she would do her work term. Her and Aunt
22 Linda worked construction for Miller's Construction. They

CASSANDRA DESMOND, Direct Examination

1 usually worked in the Province of New Brunswick, which caused
2 them to be away from home for quite some time throughout their
3 course of work from May to November.

4 With that being said, they usually came home every two
5 weeks on the weekend or whatever, which was basically long
6 enough for them to wash their clothes and get it all folded back
7 up, in the car, pile back in and then they were on their journey
8 back to New Brunswick again. And to fill up the freezer and
9 fridge and everything for Nanny and all of us and to make sure
10 that everything is good.

11 Mom, first thing, her lawn, especially in the summer, she
12 made sure that lawn was cut and she was very precise. Mum was
13 like the groundskeeper, caregiver, she ...

14 Q. Sort of the property manager then?

15 A. Yeah, property manager would be ...

16 Q. Yeah.

17 A. ... the best title for it. She managed the property
18 and she took care of everything and everybody, literally.

19 Q. When your brother was into high school, do you
20 remember what his thoughts were or what some of his options were
21 in terms of after graduation, what's he going to do?

22 A. At first, Lionel was mechanics. Like he always like

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1 mechanics for some reason and I can't answer the question as to
2 why because I've never seen him work on a car. I'd never seen
3 him change oil on a car or anything, so I never understood when
4 it came to mechanics.

5 But I do remember like Grandfather always saying like when
6 we were younger how Lionel would always be like working on his
7 old trucks and stuff and everything. But I've never seen
8 Lionel, you know, work on ... I was surprised when my brother
9 got his license to tell you the God's honest truth. Because it
10 wasn't until I think a few years into the military that he
11 actually went and got his driver's license and everything. Like
12 I was very surprised when he got his license. But yeah ...

13 **Q.** So he would have been ...

14 **A.** ... mechanics was his option. Like he was going to go
15 to school for mechanics, but then him and Shanna moved to
16 Halifax. Shanna was in beauty school at the time. She was ...

17 **Q.** Okay.

18 **A.** ... doing her ... yeah, her cosmetology or beauty
19 school thing. And he made the quick decision that he was going
20 to go to the military.

21 And I believe that that choice was made due to the fact
22 that Aaliyah was coming along and he knew that he needed to do

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1 something quick and something like fast. And, you know, just,
2 I'm going to have a family so I need to make money and be of
3 support and the military was ... like that was an option in his
4 mind but like it wasn't like his first ...

5 **Q.** Yes.

6 **A.** ... option. Like he did have other interests in other
7 things, but then when knowing that he was going to be a father
8 and so on and so forth he just knew that this was going to be
9 the quickest route and something that, you know, I've always
10 thought about, like even though it might not have been my first
11 choice of things it's going to be now. And next thing you know
12 he was coming in the door with that oath of allegiance.

13 **Q.** When you think of him and his athletic skills and, you
14 know, you say, Well, this is somebody would be well-suited in a
15 way to the military. How did you and how did the family view
16 this at the time, do you remember?

17 **A.** We were proud of him. We were very proud of him, you
18 know, because like you signed up and you signed oath for our
19 country. Like, you know, like to protect Canada. You know, to
20 protect the people, and not just your family but, you know, like
21 Canada as a whole, our people, the ground and the soil that we
22 walk on each and every day, you know, that we can just proudly

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1 be free. And, you know, my brother signed an oath for that to
2 be a protector, to fight with the patriotism, you know, for his
3 country, along with his brothers and sisters.

4 And we were proud because, you know, not everybody, you
5 know, has that courage or that bravery, you know, to sign up for
6 the military and, you know, to sign up as an infantry soldier.
7 You know, when he first went in he signed as an infantry
8 soldier. And, you know, putting your life on the line just
9 knowing that, you know, at the time the war is on the high rise
10 and, you know, you're signing up for this. So we were proud of
11 him, very, very proud of him. But at the same time, you know,
12 fear was kind of set in there too. Because like we knew that he
13 was going to be deployed eventually and stuff with the war in
14 Afghanistan and everything and what he signed up for.

15 I think the fear more or less came from my mom just knowing
16 like, you know, he wasn't gone but just knowing that like
17 they're going to be calling him to duty soon, he's going to be
18 getting deployed and he's going to be going. And my mom would
19 sit there and just the thought of like, you know, sending her
20 boy overseas in the middle of a war. Like is he going to come
21 home, is he going to come home, is he going to come home?

22 **(10:40)**

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1 So when Lionel actually left, like after his time and stuff
2 in the military and he actually got deployed to Afghanistan my
3 brother was out in Afghanistan fighting a war in the time, you
4 know, where the ... how can I put it? Like the most gorifying
5 time of the Afghanistan war, my brother was out there in the
6 middle of.

7 With that being said, he was also there in the time where
8 Canadian soldiers were being sent home like hotcakes. Like you
9 couldn't turn on the news without seeing a casket draped with a
10 Canadian flag. And it affected my family a lot of the time
11 because my brother was out there on that Afghan soil and we're
12 here in Canada sitting here watching the news. And my poor
13 mother is just there with her hands in her face just wondering,
14 Like am I going to get a phone call. Is that my son? Is that
15 my son? Like, Lionel, please just come home to me, just come
16 home to me, you know.

17 So as proud as we were there was a lot of fear in
18 everything because at the end of the day when he puts that suit
19 on, yeah, he's a soldier. He's a soldier and he's going to
20 stand tall and firm for Canada, but at the same time he's still
21 my mother's son, he's still my brother, he's still my
22 grandparents' grandchild, you know. There's still a family

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1 hoping and praying that he's going to come home, come home
2 breathing and in one piece, you know.

3 **Q.** Part of what you said earlier about your brother being
4 around the community and with an instinct to help out others,
5 how do you think that weighed into his decision to join the
6 military?

7 **A.** It was ... it impacted him a lot because, like I said,
8 at the time of Lionel joining and deciding to join, you know, he
9 was of the newest generation, you know. So like we didn't have
10 many ... we didn't have anyone from our community outside of,
11 you know, the previous generations of like the military men and
12 women that you listed, but Lionel was of the new generation.
13 Him and my cousin Jeff.

14 So it was a great impact on our community because, you
15 know, we have two soldiers, you know, of this generation, you
16 know, standing tall. Like standing on the backs of those who
17 came before them.

18 **Q.** Yeah.

19 **A.** And they say that in other ... like in the words of
20 like you know those previous soldiers and things because you got
21 to understand those thoughts weigh on their mind when they're
22 making those decisions and everything like that as well, right?

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1 **Q.** I'm sure they do, yeah.

2 **A.** So they're signing up for these duties and these jobs,
3 but you've got to understand they're signing up with, you know,
4 the mind state and the education of I'm doing this for them,
5 standing tall, and I'm making this choice because I'm standing
6 on the backs of those who came before me.

7 **Q.** When you were speaking about your brother joining the
8 military, it was after it was ... after Shanna found out ... you
9 found out that Shanna was pregnant ...

10 **A.** Mm-hmm.

11 **Q.** ... or after ... maybe after Aaliyah was born. But
12 maybe talk a little bit about their relationship, between Lionel
13 and Shanna, that's ... in those early days and how that
14 developed.

15 **A.** Well, just to add on to what you just said.

16 **Q.** Sure.

17 **A.** He didn't go to Afghanistan until after Aaliyah was
18 born, but I had mentioned ... what I had mentioned to you is
19 that when he signed up ...

20 **Q.** Yeah.

21 **A.** ... that was at the time I do believe that he found
22 out that Aaliyah was coming.

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1 **Q.** Yeah.

2 **A.** So he would have been able to do his training and then
3 Aaliyah was two weeks, two and a half weeks, three weeks old
4 before he was ... when he was deployed to Afghanistan. She was
5 only like two weeks, two and a half weeks old. She was just a
6 little baby.

7 **Q.** Yeah. That must have been difficult for him.

8 **A.** Yeah.

9 **Q.** Did he ever talk about that with you?

10 **A.** You know, he ... like he would touch base on things
11 like that but like he never really like in-depth of it. Because
12 like to him, like, you know, after a while it was like a lot of
13 his time was spent in the military when Aaliyah was born, you
14 know. Because like he was deep within the military and like he
15 was being deployed and going different places and stuff. And
16 it's not like as a soldier you have the choice, where it's like
17 well, I don't want to do this today, I want to go home and be
18 with my little girl, you know. Like I want to go home and be
19 with my family.

20 And like even though, you know, he may have wanted that,
21 you know, those choices weren't as easy for him to be able to
22 make. He couldn't just drop everything and tell the military,

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1 you know, the Canadian Armed Forces, See you later, I'm going
2 home to be a dad, you know. So he got to see his daughter when
3 he was able to see his daughter. You know, got to be a husband
4 when he was able to be a husband. Outside of that, you know,
5 his life and Lionel was owned by the Canadian Armed Forces.

6 **Q.** Shanna didn't grow up here ... around here, did she?
7 She moved here in high school, is that correct?

8 **A.** They spent a lot of time back and forth like from
9 Ontario to down home here. But it wasn't until yeah, I think it
10 was like her Grade 10 year that they officially stayed here.
11 Because they were here and then ... it was almost like the time
12 like they just ... they were here, then they were gone back to
13 Ontario and then they were here and then they were gone back to
14 Ontario. And then it was like yeah, Grade 10, Shanna was like
15 in Grade 10 when they actually came and stayed. Like the
16 travelling back and forth stopped.

17 **Q.** Do you remember their relationship starting and how
18 ...

19 **A.** I do but we never really thought anything of it. Like
20 we never really thought that it was a relationship because our
21 families are close as it is ...

22 **Q.** Yeah.

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1 **A.** ... anyway. So to see Shanna and Lionel hanging out
2 we just thought Shanna and Lionel were hanging out until we ...

3 **Q.** 'Til all of a sudden ...

4 **A.** ... had to come to the conclusion that, Oh, this is
5 more than hanging out and yeah.

6 **Q.** And then, you know, you mentioned of course Shanna
7 becomes pregnant and Lionel has to ... has his military duties.
8 I just want to ask about that. Your brother around kids, around
9 your kids, around other people's kids, what can you say about
10 that?

11 **A.** My kids still long for their Uncle Lionel. Like
12 Lionel was a kid to the kids. Like he was just like the kids.
13 He was a big kid. Like literally for him to get down on the
14 floor with the kids and play, like that was Uncle Lionel. Like
15 Lionel, like he was just so kind and genuine like.

16 And the kids, they're so innocent and, you know, like so he
17 could sit there and joke and play with them and, like, you know,
18 roll around on the floor. Like what are they're going to say to
19 him, Oh, Uncle Lionel, you're crazy, like you're this, you're
20 that. Like Lionel loved the kids and the kids loved Lionel.
21 Like he played with them. He like ... he loved them, he held
22 them, he nurtured them, like, you know.

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1 I remember when my daughter was born, my oldest daughter
2 who's nine. I have three children. I have two daughters and a
3 son. I have a nine-year-old, a six-year-old, a five-year-old.
4 And I remember when my first daughter was born, Aria, and Aria
5 was little, she was born a couple of weeks early. She was like
6 six pounds, she was really little.

7 So I think it was about ... she was about a month. She was
8 about 12, 13 pounds now, so she like doubled up on her weight,
9 but to Lionel she was still too small. Like, you know what I
10 mean? Oh, I'm going to squeeze her, like I can't. Like, you
11 know, Lionel, here hold her. Oh, I can't, I've got to squeeze
12 her, like she's just so small.

13 And like he was very cautious with them when they were
14 babies but as soon as they started running and crawling and
15 walking, like oh yeah, he was all full force with them like
16 running around, just teaching them things, doing everything,
17 like. He was that uncle that like left the impression that ...
18 on my kids' life that even though I might not be here and I
19 don't know what tomorrow may bring like, you know, you will
20 remember me ...

21 **Q.** Yes.

22 **A.** ... and my kids do remember their Uncle Lionel.

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1 And, you know, with social media and stuff and everything
2 today like it's kind of hard to like, you know, hide things from
3 the children with technology these days. Like, you know, they
4 go on YouTube and speak to the little speaker and say Mommy's
5 name and, you know, all these articles start coming up and like
6 news reports on Uncle Lionel.

7 And like, you know, at first ... I'm just going to touch on
8 this. Like at first, like I kind of like tried to shun my kids
9 like away from it because like when it happened I actually
10 couldn't tell my kids for like two weeks. It took me two weeks
11 to sit down. And like my youngest kids like they didn't really
12 have an understanding but my oldest she was five at the time of
13 losing her grandmother. And my mother, her grandchildren were
14 her world. Her grandchildren were her world.

15 **(10:50)**

16 And it took me two weeks to actually be able to build up
17 the strength to face my five-year-old little girl and tell her
18 that Nanny Bren and Uncle Lionel are gone. And even though like
19 it took me two weeks, it still took me half of that day. Like
20 after the two weeks, like the day that I told her it took me
21 half that day to actually sit and try to find the words. Like
22 how do you find the words to tell your five-year-old little girl

CASSANDRA DESMOND, Direct Examination

1 that a woman that she sees every day and loves so dearly that
2 she's gone and you're not going to be able to see her no more.

3 And I honestly did not know how to tell my little girl and
4 so I tried to tell her in a way that would be easier. Like I
5 sat down with her and said, Aria, I said, you know what angels
6 are, baby? She said, Yeah, Mommy, she said, we talk about God
7 all the time. She said, Angels are God's helpers. I said,
8 Yeah. So what do angels do? Well, they come and visit people
9 whenever they're sad and when God can't be there he sends his
10 angels to do his work. I said, Yeah, and angels are people that
11 used to be here but they're no longer here no more. Okay.

12 So what would you say if I told you that Nanny Bren is now
13 an angel? She said, Well, what do you mean, Mommy? She's like,
14 What, she went to help God out? When is she coming back? I'm
15 like, She went to help God help Uncle Lionel, I said, and Nanny
16 is not going to be able to come back, but you'll see her again
17 one day. She's like, Well, Mommy, I don't ... I don't
18 understand, what happened? How did Nanny have to go see God?
19 And I couldn't answer no more. I couldn't have the conversation
20 with my little girl no more, I was literally lost for words.

21 And then it was like a few months later she's on YouTube.
22 And like I said, the little voice thing they can just speak and

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1 anything will pop up. So she ... I could hear her downstairs
2 and I could hear her saying, Cassandra Desmond, she's saying on
3 the thing. She's saying, Find Cassandra Desmond. I'm like,
4 What is she doing?

5 And so I sneak up the stairs like just quietly, like not to
6 like interrupt her, just to see like what is she doing. And the
7 news report come on and I went to go stop her from listening to
8 the news report because like it's going to give her detail that,
9 like, you know, I was unable to tell my child and I don't know
10 how she's going to take this. Or like, you know, is Mommy wrong
11 for not giving her the full information or am I wrong for even
12 trying to tell her but not being able to find the words to tell
13 her. So something just told me, Cassandra, just let her go.
14 Just let her go. Just let her go. So I let her listen to it
15 and I could hear her start crying.

16 And she said, Mommy, and I came up around the corner. And
17 she said, Mom, she said, Uncle Lionel ... Uncle Lionel killed
18 Nanny? I said, Yeah, baby. She said, Oh, she said, Mommy, she
19 said, he was sick. She said, Uncle Lionel loved Nanny. She
20 said, He wouldn't have done that, Uncle Lionel was really sick,
21 Mommy, she's like, and we got to do something. Like we got to
22 keep doing something. And I'm thinking, What are you going to

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1 do, like, you know, you're just so little, but you are the next
2 generation.

3 So when she started going to school and Remembrance Day
4 starts coming up and stuff and they start talking about soldiers
5 and everything, stuff like this. My five-year-old ... well, at
6 the time was five, she's now nine, and she's been doing it now
7 for the last four Remembrance Days and stuff, but she takes it
8 upon herself to stand up, you know, in front of her class and
9 give her little spiel on, you know, what a soldier is and what
10 it means to him, and how, you know, sometimes when they ...
11 because you know school teaches them about veterans and the war
12 and like, you know, Flanders Field, like all that stuff and
13 everything. But to my daughter, you know, she knows all that
14 but at the same time she also has a different understanding as
15 well too because she realizes that not all of the men and women
16 that go and fight in the war, you know, come back the same.
17 Some of them come back injured. Some of them come back with
18 injuries that you can see, some of them come back with injuries
19 that you can't see. Some of them can tell their stories, some
20 of them can't, you know.

21 But my little girl takes it upon herself, you know, to
22 share her story of who her Uncle Lionel was and what he meant to

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1 her. And, you know, she does, like, you know, explain like the
2 actions and things like, and my Uncle Lionel being sick. And
3 she knows that post-traumatic stress is and everything and all
4 of that. And, you know, she takes it upon herself to be a youth
5 advocate I guess I can say, you know, with her understanding of
6 what it is.

7 And I share this because, you know, I tried hiding this
8 from my little girl not knowing, you know, what this was going
9 to do to her or how this was going to affect her or whatever the
10 case may be, so I figured if I kept it from her, you know, then
11 there would be no questions asked. There would be nothing that
12 I'd have to explain. Like, you know, everything would be
13 basically quiet until she gained the knowledge to come to me
14 asking these questions whenever I had to answer them, you know,
15 in hopes the time would be later more less than sooner.

16 And with that being said, you know, she's my anchor. My
17 five ... my nine-year-old, she became my anchor at the age of
18 five because ... and they say like there are times in this fight
19 where I wanted to give up and throw in the towel, you know, and
20 just go home, and it's easier to be a mom to you three than it
21 is out fighting. Like I'm just ... feel like I can't do this no
22 more.

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1 And then every time I came back home whether it be from
2 Halifax or from Ottawa, you know, that little anchor would just
3 be there at the door, like, Mommy, you went fighting for Uncle
4 Lionel again? What did you get done today? Like just so
5 interested and enthused and, like, you know. Sit and talk to
6 her and she, You know, Mom, don't you stop fighting for Uncle
7 Lionel because you know Uncle Lionel would fight for you or us,
8 like, you know.

9 And so when you ask what my brother was to those kids, I
10 think my daughter's testimony in what she does, you know, at
11 nine years old and because of the last four years and what she
12 gained of the knowledge of her Uncle Lionel, you know, from what
13 she knew before him like, you know, with these actions says
14 enough for you to say that like he loved her, she loved him.

15 And even though like, you know, these actions might have
16 been portrayed out by my brother and she has the understanding
17 of that, she can't ... she don't look at him in a different
18 light because she realizes that well, the Uncle Lionel that I
19 know and that I shared time with, he was sick, he wouldn't have
20 done this. And that's the impact that my brother left on my
21 little girl, you know, and they only had five years together.

22 **Q.** You must be incredibly proud of her.

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1 **A.** I am. I'm very proud of her.

2 **Q.** It sounds like she may have some of the strength that
3 your mother had and that you have.

4 **A.** We get it from somewhere.

5 **Q.** Ms. Desmond, just thinking about ... I'm going to
6 transition in a moment to talk about your brother's time in the
7 military but just before that I don't know what you'd like to
8 say about his relationship with Shanna and their marriage. I
9 mean, their relationship early on. They were pretty young
10 really, you know, just out of high school really and here, you
11 know, becoming in a serious relationship.

12 **A.** I ...

13 **Q.** Was that difficult for them? What was ... what did
14 you see?

15 **A.** How can I put it? I learned of their relationship on
16 the bus drive home. I used to sit Shanna on the school bus and
17 so Lionel wasn't in school this day for some reason and so I was
18 sitting on the bus with Shanna. And I remember we were pulling
19 ... we were driving by the landfill by Lincolnville there, I was
20 just almost home, and she had this ring on her finger and it was
21 beautiful. Like it was this beautiful ring. And I was like,
22 Oh, Shanna ... I remember this conversation as plain as day. I

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1 was like, Well, Shanna, that's a beautiful ring. She's like,
2 Lionel gave it to me. Yeah, right. I was like, No, he didn't.
3 Go away. She's like, Yeah, he did. She's like, I'm going to
4 marry your brother one day. Go away, Shanna, no, you're not.
5 And sure enough they ended up getting married.

6 **(11:00)**

7 The reason why, like, you know, it was kind of like, Yeah,
8 right, you and Lionel ain't getting married or anything.
9 Because we all kind of figured that there was something going on
10 between Shanna and Lionel, but they never really made it, I
11 guess, official until they were out of the households. Like,
12 Lionel ... when they moved to Halifax together or whatnot.

13 They were always fairly close and stuff and everything, and
14 like, Lionel always spent a lot of time, like, down the road and
15 stuff. And like, I say down the road. Like, down where ...
16 that's what our terminology for ...

17 **Q.** Yes.

18 **A.** Towards Ricky and Thelma's way is is down the road.

19 So ...

20 **Q.** Lincolnville is on something of a plateau.

21 **A.** Yeah, we're on a peak, kind of.

22 **Q.** Yeah.

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1 **A.** Like a high peak. So when ... out the road, in the
2 road, down the road. That's how we basically is the
3 terminology. But that being said, like I said, Lionel spent a
4 lot of time, like, within the community, and like, if you
5 couldn't find him in the community, like at Steve's or Uncle
6 Tony's or somewhere helping somebody out, then you'd definitely
7 find him down at Thelma and Ricky's down with Shanna.

8 I guess it was, like, more or less of like a surprise
9 whenever they officially came out that, like, they were
10 together. And it was a real big shocker to my mom. And with
11 that being said that kind of, like, put a dent on my mom and
12 Lionel's relationship for about ... oh, a year, almost two
13 years, up until we found out that Aaliyah was coming along.

14 And the reason for it putting a damper on my mom and my
15 side of the family whenever we heard about it is the factor of
16 the close relation that we are with the family. And my mother
17 wasn't standing for it. But when she found out that Aaliyah was
18 on the way she just cleared her judgment and accepted it for
19 what it was and there was really no turning back now. And
20 that's what brought us all back together, because at one point,
21 you know, we were basically separated, like the Desmonds and the
22 Bordens pretty much, because of their relationship and the

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1 factor of my family's views and not believing that they should
2 be together due to the factor of the relation of our family.

3 Q. Mm-hmm.

4 A. And them accepting it for what it is and basically
5 allowing it to go on and not stopping it and now a child's on
6 the way.

7 Q. Yeah.

8 A. And so there was turmoil there for a little bit. And
9 then like I said, Shanna ended up pregnant and then Aaliyah was
10 born and Lionel was getting ready to be deployed to Afghanistan
11 and we all joined together in Thelma and Ricky's basement and we
12 had a going-away party for Lionel and we put our differences
13 aside and basically just tried to be on positive terms with each
14 other for the factor of, you know, we got to be of support to
15 Lionel and we have to be a support to Shanna and Aaliyah where
16 they're going to be here and Lionel's going to be miles and
17 miles away and, you know, she's going to need our help with this
18 child.

19 So you know, we're all going to have to put our differences
20 and our feelings and everything aside and, you know, come
21 together as a family like we are and support each other and his
22 career choices in hopes that he's coming back and help Shanna

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1 with Aaliyah to the best that we can.

2 Q. And that was the intention, certainly, and would you
3 say that your mother was able to do that?

4 A. Yes.

5 Q. Okay.

6 A. She was after Aaliyah was born. So like I said, there
7 was, like, about a year, almost two years, where it was, like,
8 kind of wishy-washy. Because like, you know, Mom, she was hurt.
9 She was disappointed, you know, and it's like, I didn't ... I
10 didn't raise you like that, like, I raised you to know who your
11 family is and stuff and everything like that, so for you to make
12 these choices, like it's ... it's wrong. You know, and she was
13 very upset, you know, with Thelma and Ricky just allowing it to
14 go on knowing.

15 Q. Mm-hmm.

16 A. You know, but at the same time kind of keeping it
17 hush-hush as if like, Oh, no, he's just coming down here to
18 visit, they're just friends, da-da-da-da-da, and ... yeah. So
19 ...

20 Q. Ms. Desmond, we'll talk a little more about their
21 relationship as we get into some later topics, but what I'd like
22 to do now is turn your mind to your brother going off to train,

CASSANDRA DESMOND, Direct Examination

1 to military training. Do you remember those days and what his
2 impressions were of his training experience?

3 I know from the records that you talked about him, you
4 know, like I say, excelling athletically and he seemed to get
5 along well with his fellow soldiers.

6 **A.** Yeah, he just ... like, any time that he came home,
7 like, you know, like, throughout his break of his trainings or
8 anything like that, like, any time that, like, we got to see him
9 whenever, like, he just wore so much pride. Like he was just
10 ... he was happy like he was a part of something. Like he ...
11 like he was just ... you couldn't knock his ego. Like he was
12 just so proud of himself and his accomplishments, and like, you
13 know, and not to mention, like he was saying, like, he was
14 excelling athletically and everything. But he was also
15 excelling in other, you know, categories and what have you and
16 whatnot in the military as well.

17 **Q.** Yes.

18 **A.** So like, you know, he was just ... he was real proud
19 of, like, you know, where he was and how good he was doing. And
20 so we thought any way up until ...

21 **Q.** Yeah.

22 **A.** ... you know, things happen within the military, like,

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1 within ... I guess Afghanistan. Because he was ... he boosted
2 and boasted about his military career. Like, he loved doing
3 what he did. Like, he loved fighting for his country. Like, he
4 ... he loved, like, you know, just doing the duties for his
5 country and ... but after Afghanistan it was like that pride and
6 everything ... like, you can see it just slowly, like, you know,
7 just deteriorating away from him. Like, you know, like, he was
8 still proud but there wasn't that lustfulness, like, you know,
9 of him when he expressed himself or, like, when he came around.
10 Like, it was almost like you knew something happened. Like, you
11 know, or like, he was just ... something is just within his
12 mind, like, that he's not saying. Like, it's almost like he ...
13 he just ... he stayed quiet. Like ...

14 **Q.** Yeah.

15 **A.** ... he wasn't ... wasn't as talkative. Like, he
16 wasn't as open and ...

17 **Q.** During his ...

18 **A.** ... his previous years in the military, like his
19 training and stuff and everything like that and, like, when he
20 would come home, like, he would come home with so much pride and
21 everything and, like, just lit right up. You could just see the
22 glow on him. But when he came home from Afghanistan it was like

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1 every bit of pride that that man wore all those years just was
2 gone.

3 Like he was still proud to be a Canadian Armed Force
4 member, but you could just tell that, like, something deep and
5 dark was, like, on his mind, you know? But he never really
6 talked much about Afghanistan. Like he didn't really ... didn't
7 really talk much about Afghanistan, and I think, you know, with
8 that being said, his silence of Afghanistan and him not sharing,
9 you know, much about Afghanistan was enough to say that
10 Afghanistan done a lot to that man.

11 **Q.** We've ... there's a document called a Post-Deployment
12 Screening document and it's from January of 2007. I don't think
13 we need to bring it up just for this question, but it says on
14 page 10 of the document, just for the record there, that his
15 family says he's different after the tour. I mean you ...
16 you're just talking about that very point.

17 **A.** Sure.

18 **Q.** Do you remember ... I don't know if that was you or
19 your mom or your sisters being asked that question. It might
20 have been just Shanna, but he answers it himself that his family
21 notices that he's different.

22 **A.** Because he was distant. Like he just ... like I said,

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1 like, Lionel, like, was the jokester of the family. Like, he
2 was a comedian, like the center of attention. Like, just
3 Lionel. Like, you know, like, never anything to go on without
4 him putting himself in there, like, you know, to know what's
5 going on or, like, just to make somebody laugh, like, whatever.
6 Like, you know?

7 **(11:10)**

8 **Q.** Yeah.

9 **A.** But he does ... like, when he came to the house and
10 stuff and everything, like, Nanny's and Papa's, like, we'd all
11 be setting at the table to eat and he'd just stand in the corner
12 and, like, you know, just look. Nan would be like, Come on in,
13 Lionel, come and sit down. Oh, Mom, I just come to say hi, and
14 I'm just going to go see Steve for a minute and then head back
15 down the road. Nan ... like, when he'd leave Nan would say
16 like, There's something different about him, he never just comes
17 and stands at the door at that.

18 You know, because, like, Lionel is so full of life. But it
19 was almost like there was, like ... his soul was lost. Like ...
20 like, he just ... you couldn't get anything out of him.

21 **Q.** He seemed to have recognized that, at least to some
22 extent. Was this something that you spoke to him about? Did

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1 anybody try to talk to him, you know, just to even point out,
2 Gee, Lionel, you seem different?

3 **A.** I personally, myself, like, you know ... because I
4 never wanted to make him feel like, you know, like, in a ...
5 like, any time that I was ever around my brother it's not like
6 we were ever, like, together one on one. There was always
7 somebody there. Like, we have a large family, like, you know,
8 and like, there was always somebody in the distance. So for me
9 to, like, ask him, like, you know, like, Lionel, man, like,
10 what's going on with you, like, what ... I never felt, like, you
11 know, to do that in front of people and I never, ever had the
12 chance to, like, be one-on-one with him or have, like, you know,
13 any alone time with him to be able to ask that.

14 Like, I seen the difference in him and stuff. Everybody
15 else seen the difference in him and stuff, but to ask him like,
16 What's going on with you, or, Like, what's wrong with you, like,
17 in front of people, like, to me, like, that was making him feel,
18 like, you know, the elephant in the room. Like, you know, you
19 just ... you don't ... I just didn't feel that it was ... at the
20 time, I guess I could say I didn't feel like it was my job to
21 make him feel, like, you know, that he ... if he wanted to tell
22 me I was to the point where like ... my brother is open with me,

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1 you know, and it was bad enough, like ... or that kind of ...
2 I'd like to think that he would, you know, say something or
3 whatnot.

4 But he just ... he just kept to himself. Like, he just
5 kept to himself.

6 **Q.** Before your brother left for Afghanistan can you tell
7 us what kind of a sense you had of this combat situation, the
8 country of Afghanistan? Like what did you and your family know
9 about the place?

10 **A.** We didn't know anything. Anything. Like, you know,
11 it's ... it's not like, you know, we had a computer in the
12 household where it's like ... where you're just going to look up
13 to see, like, What's Afghanistan, what do they do there, what is
14 it? Like, we didn't know anything. We knew that a war was
15 going on, you know. We knew that it had to do with the Taliban
16 and stuff and everything. We knew that, you know, it's in the
17 country of Afghanistan and then you could link ... like, at the
18 time was it Bin Laden and Saddam Hussein and all that stuff and
19 everything.

20 **Q.** Yeah.

21 **A.** Like, we knew what the media was able to tell us, you
22 know, or from what we learned from there. Outside of knowing

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1 where exactly Afghanistan was, you know, what the people were
2 about, where my brother was going or anything like that, like,
3 we had no idea whatsoever. Just the factor that there's a war
4 going on. This is where they're sending him and we just hope
5 and pray to God that, you know, he is trained well enough to
6 survive and to make it back home to us.

7 Q. Do you know whether Shanna was provided any
8 information, or your mother, from the military or from the
9 government ...

10 A. That I cannot ...

11 Q. ... about the mission?

12 A. ... answer because I do not know.

13 Q. Okay.

14 A. I have no idea.

15 Q. But you weren't. You weren't ... you didn't see any
16 of that material or anything ...

17 A. No.

18 Q. ... of that nature.

19 A. No.

20 Q. Okay. There was ... in the statement that you gave
21 shortly after the tragedy you talked about a story your brother
22 told you about training and a pit and ... a snake pit.

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1 **A.** Yeah, like, a ten-foot ... well, he fell ... he had to
2 jump in. There was bullets. He said there was bullets blazing.
3 They were on a ... it was like a night-training or whatever and
4 they had guns going or whatever, and basically, they had to,
5 like ... during the training ... whatever the training was. So
6 basically, the bullets are grazing over their head and they had
7 pits or whatnot, like ten-foot pits, that they had to jump down
8 into.

9 And Lionel is scared of snakes. Lionel had a fear of
10 snakes since he was little. Like, that's one thing that ... he
11 wouldn't go inside Grandfather's barn because Grandfather had a
12 little milk crate in there and the snakes would create, like, a
13 little nest in the summertime and ...

14 **Q.** Yeah.

15 **A.** But Lionel has a fear of snakes. There was ... in the
16 pit there was a bunch of snakes or whatever and ... jump in. Or
17 you know, get the bullets blazing over and ... and literally, he
18 had to face his fear and jump in the pit with the snakes, and he
19 said it was the most traumatizing time, ever. Like, literally,
20 like, setting there with ... he just couldn't wait to get out of
21 the hole. Like, a ten-foot hole filled with snakes.

22 **Q.** He spoke to you about that incident and training.

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1 What did he ... I know you say he didn't say much but, you know,
2 what kind of things would he talk about if he was talking to
3 people? Even in a group setting. Maybe he wouldn't get into
4 intimate or difficult discussions in a group.

5 **A.** He'd talk about things, like, how, like, he'd do
6 gatekeeping at night and stuff and, like, basically, like, you
7 know ... or how you patrol the lands, like, walking around.
8 Like, basically, like, a lot of, like, what he told us about
9 Afghanistan would be like his night patrol, his gatekeeping and,
10 like, you know, just little things like that. Like, he never
11 really got into hardcore, deep, heavy detail.

12 Like, just ... and like, things, like, for example, like,
13 when he was telling me about the gatekeeping. I said, Well,
14 what did you do, like, were you scared or anything? And he's
15 like, You know the rustling of, like, the bushes and stuff,
16 like, you know, freak you out a little bit, you have to be on
17 guard because you think it could be somebody coming through, but
18 it's just the wind rustling the leaves and stuff. He's like,
19 But a lot of my time, he said, I just sat and journalized and
20 drew. So he did a lot of that just setting on gatekeeping and
21 patrol and he said he just journalized and drew.

22 **Q.** Yeah. Did he talk to you about injuries that he

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1 suffered while he was in combat?

2 **A.** I remember him saying about him falling off the LAV
3 wall during training. He fell off, like, a ten-foot, 12-foot
4 LAV wall, cracking his back or whatever. Because he was ... he
5 complained about back pains all the time. We were asking him
6 about his back and he said during his training or whatever he
7 had fell off the LAV wall and ... and he'd say about, like, the
8 mud walls, a mud wall had caved out one night or whatever when
9 they were on ... he was on patrol or whatever and I guess the
10 Taliban ... they had got radioed that the Taliban were in the
11 area and for them to basically be vigilant.

12 And so he's doing his patrolling and whatnot and he had to
13 climb up a mud wall, and the mud wall caved and it caused him to
14 fall and crack his head or whatnot. And he said it was a very
15 bad fall. Like, everything just, like, kind of went silent.

16 So like, he didn't really talk, like, about, like, the
17 gorifying heavy things that, like, went on over there. Like,
18 you know, he'd touch on, like, when he complained about, like I
19 said, his back or something like that. You'd ask him, like, you
20 know, Well, what's wrong, what happened? Like, you'd get odd
21 little stories out of him. Like, you know, Well, during my LAV
22 training I fell off the ten-foot wall and cracked my back or

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1 cracked my shoulder.

2 Like, you know, you ... that's ... you'd get the detail,
3 like, that way, like, through little things like that. Like,
4 for him to sit and, like, you know, to want to discuss
5 Afghanistan and, like, you know, every detail from, like, what
6 he did from the time that they got up to the time that they were
7 laid down, like, you know, you ... he didn't give much detail
8 like that.

9 Like, you know, it was, like, a side of, like, his life
10 that he just put behind him and left there. You know, like,
11 That was part of my military career, I'm no longer there but it
12 was like a dark part of my military career and I'd just like to
13 leave that where it is, pretty much.

14 Q. Just staying with your brother's injuries. There is a
15 document that I ... these are handwritten notes that your
16 brother made that I would like to bring to your attention, Ms.
17 Desmond. This is a document. It's Canada-001916. I believe,
18 Ms. Desmond, you have a copy of these with some highlighted
19 portions.

20 **THE COURT:** Has it been marked as an exhibit?

21 **EXHIBIT P-000173 - HANDWRITTEN NOTES - SECTION D - BARRIERS AND**
22 **SERVICES - RELATIONSHIPS**

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1 (11:20)

2 **MR. RODGERS:** Ms. Desmond, this is just a few pages. I
3 wouldn't mind if you could read this out for us and just give us
4 your reaction.

5 **A.** You want me to read Section D "Barriers of Services -
6 Relationships"?

7 **Q.** Please do, yes.

8 **A.** Okay:

9 As a soldier (retired June 26th, 2015)
10 before leaving the army I joined in a
11 vocational rehabilitational (sic) program in
12 downtown Fredericton a small engine shop
13 called yardgear. While participating I was
14 an employee with no pay as I am still
15 military. I meet nice people and rude ones
16 too, the experience made it hard for me
17 because I wanted to learn mechanics and they
18 (sic) had me on the floor assembling almost
19 sales ... and almost sales. I lost it
20 because as I mentioned to the owner you have
21 guys out there doing nothing chatting it up
22 like there (sic) in school and I'm doing

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1 there job which I had no training and it
2 made me snap I had a dozen of beer everyday
3 after work. I took everything out on the
4 employees the next day I called them lazy
5 it made an (sic) animal inside of me just
6 wanted to take there heads off it is bad to
7 experience. I was sent there to learn how
8 to be a mechanic. 2 weeks in the program
9 the guys in the back tell me there not
10 mechanics. I'm wasting my time going to
11 school. I had to leave that day early it
12 made my day ... it made my day I won't
13 forget. I was drinking alcohol (before and)
14 more and more everyday I get home from work.
15 I was confused stressed out angry and lost
16 for words. The government should have a
17 better solution to this. It is making
18 soldiers worse I get you want them working
19 well it's making crime rates and suicides go
20 up there's no support in place. I feel like
21 your (sic) thrown to the wolves and the rest
22 is for the seagulls.

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1 I have had alot of trauma to the head area
2 first happened on a LAV 111 back in 2006. I
3 was on the LAV 111 training circuit when the
4 LAV rollover I was driving I had my helmet
5 on and I wacked (sic) my head off the
6 drivers (sic) hatch. I was out cold for 20
7 mins before I came through. Went to the
8 hospital (but) nothing serious.
9 From 200T Op Athena Roto4 I was out on a
10 night patrol when we got a call that the
11 taliban was in the area stay vigilant. I
12 was carrying a radio when we were patrolling
13 across the grapefields and over mudwalls.
14 (A) 10 foot mudwall gave away as I was going
15 over. I felled to the ground awkwardly on
16 my head laying flat on my back.
17 2008 I was sent on a jump course I was
18 jumping out of a plane for the first time
19 thinking I must be crazy. When (I'm
20 jumping) out it was clear silence I never
21 thought I would be ... I never thought I
22 would be but when I landed there was a

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1 slight shift in the wind and Then thundered
2 in I hit my head on the ground it hurt like
3 hell. I was shocked and scared that maybe I
4 could have brain damaged (I) never thought
5 it wasn't nothing. I went to the (medical)
6 centre and I asked them if I could have an
7 MRI they asked What for I said to them I
8 just came off a jump coarse (sic) and I hit
9 my head they said I was googling to (sic)
10 much. So as the years went by my
11 nightsweats, nightmares, anxiety depression
12 (worsening) (and) then they mention to me
13 that my PTSD is related to all my head
14 traumas. The doctors tell me that as I'm
15 now being released medically from the
16 military.

17 **Q.** So that's a little more detail about his injuries. Of
18 course you've read this document before. What do you think
19 about when you read that, Ms. Desmond?

20 **A.** When I read this I ... I hear my brother's cry for
21 help. I realize that he had a lot of head trauma. I realize
22 that with the detail within his head trauma that he had and

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1 everything why things were so confusing for him, why he wasn't
2 able to make, you know, rational decisions and things and so on
3 and so forth.

4 **THE COURT:** Ms. Desmond, I'm just going to ask you a
5 question. Do you know the circumstances under which your
6 brother wrote that document?

7 **A.** Lionel wrote this document ...

8 **THE COURT:** Do you know ...

9 **A.** ... I'm pretty sure when ...

10 **THE COURT:** Do you know why he wrote it, what he was
11 writing it for? Someone who had asked him to write it? Do you
12 know why he would be recounting those details in that document
13 in that way? I'm just wondering if you do, if you do know.

14 **A.** I'm not too sure, to tell you the truth, because when
15 I read this or whatnot I thought that he might have been writing
16 it as a letter to VAC or something, like, for assistance of some
17 sort or something like that. So like, that's what ... whenever
18 I have read this I figured that this was just him writing a
19 letter in to VAC based upon his experiences and trying to help
20 with his ... with assistance and his pensions ...

21 **THE COURT:** Okay.

22 **A.** ... and so on and so forth.

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1 **THE COURT:** Thank you. Sorry to interrupt, Mr. Rodgers.

2 **MR. RODGERS:** No, that's fine, Your Honour.

3 It seems that your brother was certainly asking for help.
4 Does that ... and if I characterize it this way, he didn't seem
5 to have great difficulty asking for help, I mean, through
6 medical-efficient channels.

7 **A.** No.

8 **Q.** Does that fit with your understanding of his
9 personality?

10 **A.** Yeah. Lionel ... like, he was very strong-willed, and
11 like, you know, he was a person, like, you know, he advocated
12 for himself. Like he ... he was a fighter. Like, he advocated
13 for himself, and a lot of that comes from the strength of our
14 mom and things. So Lionel ... like for him to ... like I said,
15 like he shunned a lot of, like, his stories and emotions and his
16 military life from the family. Like, you know, like, would tell
17 us certain things.

18 But I believe that, like, with his ability from, you know
19 ... you have to understand, like, all these head traumas and
20 everything, that he was doing the best that he could. Like, he
21 was going every route that he possibly could looking for help.
22 Like, you know, personally, myself, in my opinion, a person ...

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1 it takes a lot of strength and courage for a person to be down
2 and out and to say, like, you know, I need help, like I need
3 help. And a person doesn't go to ten different departments, you
4 know, and six different doctors with the same story telling you
5 like, I need help, I don't feel right, I feel like my brain is
6 broken. You know, if they were getting the proper help that
7 they needed.

8 You know, why is it that they're being shipped through so
9 many different doctors and so many different departments and,
10 you know, provinces but yet still nobody is able to give this
11 man the proper help that he's crying out for?

12 Q. When ... this document is from 2015, so obviously
13 quite some time after he served in Afghanistan. And in the ...
14 you know, in the interim, of course, as we've seen through some
15 of the medical records he's been receiving treatment, different
16 kinds.

17 My question for you, Ms. Desmond, is, how much would you or
18 the ... your family have been aware of the treatment that he was
19 receiving during the time, counselling and such things? Were
20 ... was this something that he talked to you guys about or that
21 was known to the family?

22 A. Well, we ... like, from what we knew ... because

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1 Lionel was still, like, in New Brunswick and stuff.

2 Q. Yeah.

3 A. And like, we'd see him when, like, he'd come over to,
4 like, visit and stuff or when he had time. Because Shanna was
5 going to St. FX and her and Aaliyah were basically resident over
6 here. Like, they would still go to New Brunswick and so on and
7 so forth, but Lionel still being a part of military and whatnot,
8 he was in New Brunswick.

9 I just lost my train of thought there, Adam, sorry.

10 Q. So the ... just in terms of the treatment that he was
11 receiving, was ... you know, that would have been something
12 maybe he was doing quietly on his own in New Brunswick and
13 wasn't talking ...

14 A. Yeah, so like, from what we knew, like, we knew that,
15 you know, he was seeing Paul Smith ...

16 Q. Yeah.

17 A. ... you know, and that he started out the medical
18 marijuana and so on and so forth. So like, we knew that, like,
19 you know, he was going along the lines of, like, still seeing
20 the doctor. We knew that he was going through, like, his
21 medical release and stuff and everything. We knew, like, during
22 through all that that they had him set up with, like,

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1 counsellors, social workers, and like, you know, things like
2 that.

3 And we knew, like, like I said, the treatment of the
4 medical marihuana, so on and so forth, and then he told us about
5 the PTSD diagnosis and everything and ... but outside of that we
6 didn't really know much about his treatments, just that he was
7 going to see different doctors and things and trying his best to
8 find a treatment plan or to find something to be able to help
9 him.

10 **Q.** What kind of attitude, if I can put it that way, did
11 the family have ... did you have toward him receiving treatment?
12 You know, was it a supportive atmosphere for him, or was it
13 something where people were questioning why he was getting
14 treatment? Can you talk about that?

15 **(11:30)**

16 **A.** I can't really say that anybody ever questioned why he
17 was getting treatment or anything. And, like, we ... I only ...
18 like, from what I knew, like, I knew, from, like, what my mom
19 would, like, you know, express and say and stuff because, like,
20 Mom spent a lot of time with Lionel and Shanna in New Brunswick
21 and down at Ricky and Thelma's. Like when Lionel would come
22 from New Brunswick and be down the road, like, my mom spent a

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1 lot of time with Shanna and Lionel.

2 That being said, like, when ... like, Mom was his number
3 one supporter, like, you know, like, she pushed for him to,
4 like, continue on. Like, because there were times, he was like,
5 Mom, they're not helping me, they're not helping me. And it's
6 like, Lionel, somebody is going to help you somewhere along the
7 lines, like, you know, just don't give up, like, you just keep
8 going, keep going.

9 And, like, you could see that, like, you know, he was just
10 growing tired with, like, the different departments and so many
11 systems and, like, you know, just having to go through hoops and
12 loops and, like, you know, just some things being repetitive
13 and, like, paperwork and stuff and everything, and, like.

14 So, like, we never really shunned him or whatever. Like,
15 we knew that, like, you know, we could see that he was
16 different, like I said, and that, like, things were going
17 downhill. So, like, to know that he was, like, you know, out
18 there talking to doctors and, like, searching for, like,
19 treatment, like, you know, basically advocating for himself and
20 stuff and everything.

21 Like, you know, it takes ... like I said, it takes a lot of
22 strength and courage, you know, for somebody to be, like, you

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1 know, that down and out and knowing they need help and, like,
2 you know, to go crying for help. And especially being as sick
3 as he was, you know, he didn't stop advocating for himself.
4 Like, he tried.

5 Q. You just mentioned, and this was a topic I was going
6 to come to, Ms. Desmond, but you mentioned his treatment with
7 Dr. Smith and the medical marijuana. Can you give us a sense of
8 how you ... what your observations were of him, of your brother,
9 when he was taking medical marijuana? What you thought or what
10 your mother thought of him doing so?

11 A. Any time that I was in the presence of him and knowing
12 that he was using his medical marijuana, there ... really, like,
13 he was just more laid back, like, relaxed. Like, he was
14 talkative. He didn't really touch much, like, touch base much
15 on, like, you know, his military career or anything. Like, it's
16 almost like that wasn't even part of his mind state to even talk
17 about.

18 Like, you know, he'd talk about, like, he plans on buying a
19 house or he plans on doing this. Like, you know, whenever I was
20 around him, in the presence of him, whenever he was under the
21 influence of his medical marijuana, like, you know, he'd just
22 ... it's like he'd just talk future plans. Like, you know, I've

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1 got to do this, got to do that. It's almost like he had, like,
2 the ... how can I put it? Like, the control of his thoughts and
3 his mind, like, things weren't just like, you know, thinking of
4 the house and thinking, Oh, well, if I get a house, I've got to
5 do this and that. And having his mind, like, wandering just
6 beyond different topics and everything, like. He was, like,
7 more focussed. You could actually have, like, a conversation,
8 like, you know, where it wasn't just bounced back and forth and
9 everywhere, like, you know.

10 He was ... he functioned well, like, really, there wasn't
11 really much of a difference. It just settled him more. Like,
12 he just seemed like the more settled version.

13 **Q.** Would you be able to say whether there was a
14 distinction between those times in his life when he was being
15 treated with the medical marijuana versus when he was simply on
16 pills? And can you talk maybe about his alcohol consumption in
17 both those timeframes?

18 I know I'm not being very specific with the timeframes but
19 I'm just asking about those different treatment methods and if
20 you noticed a distinction.

21 **A.** I know that when he was using the medical marijuana,
22 he didn't really drink. Like he never mixed the two. Like,

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1 you'd never see ... like, if he was on his medical marijuana,
2 then, like, you wouldn't see Lionel drinking. Like he would
3 just ... his little vape pen, like, he had a little vape pen.
4 And really, the alcohol, like he ... Lionel, like, I've always
5 known my brother to be a drinker. I didn't know how bad the
6 drinking got until I started this finding in detail of the
7 paperwork to see, like, over the years and after he was
8 released, like, how bad it got.

9 Like, I knew, like, he liked to have a drink, but I didn't
10 think it was, like, to the point where he classified himself as,
11 like, an alcoholic or anything, like, you know?

12 Mom, I guess she was so used to, like, you know, Lionel
13 with, like, the drinking and stuff that, like, she didn't really
14 know how to take Lionel on the medical marijuana because, like I
15 said, like, he was more focussed and, like, you know, talked and
16 stuff, like, more clear and everything, but it was almost like
17 if things that he would, like, put in the back of his mind and,
18 like, not think of, like, when it came to, like, you know, the
19 forefront of, like, Mom and Shanna and stuff, like, he would,
20 like, you know, bring it up as a conversation, like, when he was
21 more focussed, like, on the marijuana. And, like, to Mom, if,
22 like, she thought that the marijuana was, like, putting these

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1 thoughts in his head and, like, having him just wanting to have
2 these conversations for, like, no apparent reason, like, Lionel,
3 where are these ... like, where is this coming from? And, like,
4 you know, kind of thing.

5 So, like, she kind of felt that, like, the medical
6 marijuana was like a negative aspect on him but, like, I never
7 seen it as a negative point because, like, he was more clear and
8 more focussed. Like, that's what I seen from him, but ...

9 And then Mom too, she had Shanna in the back of her ear,
10 you know, being a registered nurse, giving her all the negative
11 effects of it, like, you know, Oh, it's the medical marijuana
12 and it's messing up his head and this and that. And, like,
13 that's frustrating Lionel too as well, like, you know, because,
14 like, you've got them tag-teaming up on him, like, you know,
15 talking about his using medical marijuana and he thinks that,
16 like, you know, I feel fine. I'm just asking you simple
17 questions and, like, you don't want to answer them. And they
18 think that it's the marijuana putting all these thoughts and
19 things in his head and everything, and yeah.

20 So, like, it was ... to me, like, when Mom would have a
21 conversation with me, she's like, Cassandra, like, you know, I
22 don't think the marijuana is helping him. Like, I think, like,

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1 it's actually causing him to, like, think, like, more in-depth
2 of things and, like, I don't know where these things are coming
3 ...

4 I'm like, Well, Mom, do you not think, like, maybe these
5 things are lying in the back of his mind and he just don't know
6 how to find the courage or the words to be able to say them to
7 you? Like, you know, when he's functioning with his mind of
8 traumatic, like, you know, with all the head trauma and the
9 PTSD and everything, like, do you not think for once, like, when
10 he's able to actually gather a thought and focus on something,
11 like, he wants to have this conversation and that he maybe
12 thinks of these things, you know, but don't know how to find the
13 words or the way to conversate to bring it out?

14 And she was like, Well, maybe it could be. She's like, But
15 I don't think it's helping him. She's like, I don't know. And
16 I'm like, Well, where is this coming from? She's like, Well,
17 Shanna was showing me this thing. And I'm like, Well, Mom,
18 there's so many reports. And this and that. And I was like,
19 You've got to understand, like, when you're talking medical
20 marijuana, like, there's different strains. And, like, you've
21 got to understand, like, is he taking the THC? Is it CBD?
22 Like, what is it? Like, you can't just pinpoint it on the

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1 medical marijuana. And, like, maybe you can, but that's
2 something that you and Shanna and Lionel are going to have to
3 sit down with Paul Smith and talk about, like, you know, because
4 he's the one that decided to give Lionel this treatment of
5 medical marijuana and that it is working for him. So, you know,
6 if it's not, then I think, you know, you should tell Shanna to
7 get in contact with Paul Smith if you're seeing negative effects
8 of it. But you've got to understand that, you know, there's so
9 much controversy with it that you just can't blame it on using
10 medical marijuana as to why he wants to have certain
11 conversations with you.

12 Q. Yeah. The necessary conversations.

13 A. Yeah.

14 Q. Now I want to ask you a little bit about your brother
15 after he was taken out of active combat status, I guess I'll put
16 it. He was reassigned and given other duties; I think
17 mechanical, and then he joined the band.

18 Before I ask you about those two things specifically,
19 though, do you recall your brother being removed from a combat
20 situation or a combat readiness situation and whether that had
21 an impact on him mentally or what he thought about that?

22 A. Can you rephrase that question?

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1 **Q.** Well, when he was declared not medically fit for
2 combat not long after his time in Afghanistan, do you remember
3 that status change in his life and whether that hit him in a
4 certain way?

5 **A.** Oh definitely. Like I said, like, Lionel was proud
6 of, like, you know, being part of the Canadian Armed Forces and
7 his military career and stuff and everything. And, you know, he
8 was becoming a decorated soldier, like, you know, my brother was
9 ... what he felt, like, you know, he was doing great, but not
10 realizing that his mind state and the way that he handled
11 situations within the military is not working for him.

12 **(11:40)**

13 So when he was being medically released, he didn't really
14 ... like I said, like we just read there, you know, he didn't
15 really have an understanding as to why, but he realizes that all
16 of his head trauma is linked to this PTSD which is causing him
17 to be medically released. And he's probably thinking in the
18 back of his mind ... because, like, you know, you've got to
19 understand, at that time, my brother has a house in New
20 Brunswick. He has vehicles, he has bills. Like, you know, he's
21 paying for his wife to go through school, nursing school at St.
22 FX. He has a ten-year old daughter, you know. Not to mention,

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1 got to make sure that their bills are paid and that they have
2 food in the cupboards and everything like that.

3 Like, my brother, in his military career, he was the
4 breadwinner of the family, you know. And with that being said,
5 he's being medically released and all this. Like, all those
6 hardships and everything are now weighing on his mind, like, how
7 am I going to pay for everything? How am I going to do this and
8 do that? Because you've got to understand, when you're an
9 active member in the military, you know, you're able to budget,
10 like, you know, out everything that you have - your house, your
11 cars, your bills, and everything like that. When you're being
12 medically released, you've got to wait for the approval of your
13 papers for your pensions, for everything.

14 You know, it's not like you're going to walk out of there
15 and everything is just all in line. Well, maybe now, but at the
16 time of my brother being released, it was not that easy of a
17 walk for him. Literally, we received my brother's pension a
18 year after he died.

19 **Q.** Did he talk about the pressures ...

20 **A.** And he was working.

21 **Q.** ... that he was feeling ...

22 **A.** Well, yeah, because he ... like I said, the pension

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1 that we received of his there, he was fighting for it with
2 Veterans Affairs for, gosh, like, years, like, a few years.
3 Like, my brother was basically surviving off of a civilian
4 disability, you know, trying to manage everything after just
5 selling his home, after just being admitted into a hospital and
6 stuff and everything. Come back, his home was sold and all
7 this.

8 Like, life has a lot of stresses and, you know, he's still
9 writing letters and, you know, trying to get everything in line
10 for ... I was medically released in 2016 or whatever and here we
11 are, you know, almost ... or 2015, and here we are almost a year
12 later and I still don't have anything, like, you know, nothing.
13 I'm still applying for things and, like, you're telling me you
14 need more detail. And this and that. Like, you know, my
15 financial situations and everything are having a hardship and
16 all of that and, you know, but what do they care?

17 Q. One of the ... after he was taken out of active
18 combat, he was reassigned, and a couple of his assignments ...
19 you talked about one there when you read the letter, you know,
20 that he was getting into some mechanical work. And the other
21 one that he was assigned to the military band.

22 Just so ... well, I guess on the mechanical side first,

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1 we've talked about that already and that he showed some interest
2 prior to that. I guess did he talk about that with you or the
3 family and how he felt about, you know, becoming a mechanic or
4 entering that trade or that field?

5 **A.** No. He never really ... that's not a topic that I can
6 really ... you mean, like, the band or if ... the mechanics?

7 **Q.** No, just thinking of mechanical work at this point ...
8 mechanical ...

9 **A.** Oh. Well, like I said, I was surprised whenever I ...
10 because, like I said, I never seen Lionel change oil on a car
11 so, like, when I heard of, like learned of him and mechanics,
12 like it was really shocking to me and surprising to me.

13 And then Grandfather fills me in on how Lionel used to,
14 like, work on, like, cars and things, like, when he was little
15 and stuff. But for me to see Lionel under the hood of a car or
16 changing a tire or anything like that, like, mechanics would be
17 the last thing in my mind that I'd tell you my brother was going
18 to do, you know.

19 **Q.** But after he actually did it, did you see that as
20 maybe a potential career change for him or an option for him?

21 **A.** Well, yeah, it could've been.

22 **Q.** Or did he see that as an option?

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1 **A.** But he ... well, he obviously didn't because shortly
2 after that, he was talking of applying for the RCMP. And he had
3 that within his mind that he was going to go join the Royal
4 Canadian Mounted Police and that was his next vision.

5 **Q.** What do you think about that idea? Do you think that
6 could've worked out for him?

7 **A.** I think it probably could've worked out. I think
8 Lionel would've made an immaculate RCMP officer.

9 **Q.** The band seemed like a curious reassignment for a few
10 reasons. Just a couple of questions though. Was your brother
11 musical growing up? Did he play any instruments?

12 **A.** Maybe the flute in music class but outside of that,
13 no. He loved listening to music and dancing. That's Lionel's
14 artistic ability when it came to music - dance, his footwork.
15 James Brown, anything like that, like he ... Lionel just ... he
16 glided across the floor, like he just ... he had quite the
17 footwork. He was bad with his feet. He could dance.

18 **Q.** But the band - we talked about this with another
19 witness - it seemed like perhaps a poor choice for somebody with
20 concussions.

21 **A.** Well, yeah, it ... but ... yeah, and I don't think ...

22 **Q.** Did he ever speak to you ...

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1 **A.** He never really ... like, to him, like, it was a weak
2 ... like, to him it felt ... made him feel weak, like when they
3 put him in that, like, in the band, like, the military band.
4 Like, he actually felt, like, weak, and ... but he still did it
5 and he liked playing the drum. Like, he swung the little balls
6 there, hitting the drum. Like, he played that. He played in
7 the International Tattoo in Halifax. He was part of that.

8 So yeah, he played in the band, I think, for a year. He
9 was in the band for about a year. Two years, a year-and-a-half.
10 Yeah, about a year.

11 **Q.** I think there were some reports about him having some
12 difficulty sleeping around the Tattoo and the atmosphere ...

13 **A.** Yeah.

14 **Q.** ... of that. Do you remember ... did you ever talk to
15 him about that?

16 **A.** Noise was not a good friend of Lionel, especially
17 after Afghanistan, you know. He ... like, when we were younger,
18 we had a ceiling fan in the living room at Nanny's and it would
19 constantly, like, go, like, when we had it on, but Lionel
20 couldn't go in an area with a fan, a ceiling fan or anything.
21 And I think, like, that being, like, the sound of, like,
22 propellers, like, you know, just the wind and just the pickup of

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1 it. Like he couldn't stand the sound of a fan or anything like
2 that.

3 So noise became the enemy, I guess, for Lionel because he
4 just ... certain noises, he couldn't settle with would trigger
5 him, I guess would be the word - uneasy, trigger him.

6 And so yeah, it played a lot, like, with his sleep stuff
7 and everything like that. And, yeah, the Tattoo, like he ...
8 like I said, he was involved in things like that, but, like, it
9 did. It affected him a lot because of the noise and everything.

10 So, you know, to get a good night's sleep and then have to
11 get up and do a performance again the next day or whatever,
12 you're going to find maybe Lionel being the oddball out of them
13 all because this guy just stayed up all night with insomnia and
14 noise and everything else like that, you know.

15 So really, as you can see, like, as he was transitioning
16 out, he was still doing everything possible and that they threw
17 at him, even if he didn't like it, to keep himself in. You
18 know, he loved what he did. He loved being part of the Canadian
19 Armed Forces. He loved being part of the military. And, you
20 know, like I say, you could see words that he would use
21 complaining about, like, you know, playing the drums or, you
22 know, going into mechanics and finding out that, you know, these

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1 guys ain't mechanics, and it upsetting him and everything. But,
2 you know, he still didn't just stop and walk away, like, he went
3 and tried another thing, you know, like, from mechanics to the
4 drum and all this and that, like, the band and everything.

5 So as much as, like, you know, his illness and everything,
6 like, you know, behind him was causing him to be pushed out
7 medically and everything, he was still doing the best that he
8 could. And even if he didn't like, you know, what he was doing,
9 to stay in and stay a part of it because, like I said, when he
10 became part of the military, like, it meant a lot to him.

11 **Q.** You talked about your mother going to New Brunswick to
12 help out with your brother, and so would she go see him on his
13 own or would she go along with Shanna and Aaliyah or how would
14 that work?

15 **(11:50)**

16 **A.** Mom would, like ... literally, Mom would just up and
17 go, or sometimes, like, you know, when Shanna and him were down
18 for the weekend or before Shanna moved down here and would be
19 travelling there, like, she would go back with them for a week,
20 two weeks. Or it would be nothing for her to catch ... well, at
21 one point, it was the Acadian Lines when it was running. Now
22 Maritime Bus, whatever. So for her to hop on a bus at the

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1 garage in Monastery and travel all the way to Oromocto, New
2 Brunswick, to see Lionel and Shanna was nothing.

3 Or if they were home for the weekend, like I said, and they
4 were going back, she ... Yeah, sure, I'm going to come up for
5 the week, like, you know. Or if Shanna and Aaliyah were going
6 up for the weekend, Mom would go, tag along, like, I have
7 nothing else to do. Like the other kids are all fine, taken
8 care of. Like, sure, why not? Go see my son.

9 **Q.** What do you remember of her descriptions of New
10 Brunswick and just the situation up there? What was her
11 thoughts on that?

12 **A.** Everything seemed fine, like, there was never really
13 ... like, you never really heard her complaining about anything
14 or anything going wrong. Like, beautiful home, loving family,
15 like, you know, she's up here. And Aaliyah was only little then
16 and I think that's why she spent a lot of the time in New
17 Brunswick too because Aaliyah ... and Aaliyah was her first-born
18 grandchild. That was the only grandchild that she had for five
19 years, like, you know. So ...

20 **Q.** I suppose it would give Shanna and Lionel a chance to
21 have some time to themselves too.

22 **A.** Yeah, like, yeah. And she ... even when they came

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1 here too, like, you know, and if she wasn't going back to New
2 Brunswick with them, like, she would go and spend the weekend
3 with them down at Thelma and Ricky's. Like, she would go down
4 there, spend the day, spend the weekend, spend the night. Like,
5 you know, even when Lionel wasn't even there, she'd even go down
6 and help Shanna out and stuff and everything.

7 Like, my mom did what she could, like, you know. If you
8 needed her, Call on me and if I'm able to be there, I'll be
9 there, like ...

10 **Q.** There were times that your brother was by himself for
11 extended stretches, though, in New Brunswick and, you know, when
12 we read some of the reports, that seems like it was a difficult
13 time for him. Was that something that you were able to observe
14 either through talking to him, through messages or social media
15 posts, or, like, what was your sense of his time there when he
16 was alone?

17 **A.** When Lionel was alone, I guess, I really only had,
18 like, his social media to really go off of because, like, I had
19 my life and everything and I'm raising my children and, you
20 know, Mom is there, like, you know, helping him out and stuff
21 and everything, and I just didn't really feel like it was my
22 place to, like, you know, involve myself into my brother's

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1 marriage or his relationship.

2 Like, if he had have called me or messaged me, you know,
3 wanting to talk or whatever, of course I'd give him that lending
4 ear, but, like, Lionel never really involved me in his
5 relationship with Shanna or anything. Like, I'd see, you know,
6 like, statuses on Facebook and I'd comment, like, you know,
7 like, Hey, love you. Keep your head up, like, I'm here if you
8 need to talk. Or, like, you know, little things like that, just
9 to give him the reminder that you're loved, you're supported
10 and, you know, we're here. I'm here if you need me, you know.

11 But, like, for me to get all up in, What's going on, like,
12 you know, What you doing? Like, I just didn't feel that was my
13 place. Like, this is a marriage, so I'm sure they're able to
14 figure out with whatever may be going on.

15 So, like, I never really involved myself in their marriage.
16 I involved myself in their life for the simple factor of, you
17 know, I'm Lionel's sister, and my niece, you know, but outside
18 of, like, their relationship and what went on between them, I
19 never really put myself there because I guess there was enough
20 people involved that I didn't have to be an extra pair of hands.

21 Q. I'll ask you about a couple of ... some specific
22 times, and I'm thinking of November of 2015 - November 18 - the

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1 RCMP did a wellness check on your brother after having received
2 the phone call from Shanna. He had texted her and she was
3 concerned.

4 Was this ... and I'm sure you're aware of it now. Was this
5 something you were aware of at the time as well? Was this ...

6 **A.** I was well aware of that because I actually ... that
7 report, I had actually contacted my mom because I had ... I was
8 ... I went down to Lincolnville that day. I remember this day
9 as clear as day because my son was born November 8th of 2015 and
10 I was in the hospital for ... I think seven days they kept me in
11 the hospital or whatever. And then I was home and then when I
12 ... because I had a caesarean with my son, so when I was feeling
13 better after a couple of days, I decided to go down to take
14 Jayden to finally meet Nanny and Grandfather. And it just so
15 happened to have been November 18th, 2015.

16 And I remember when I left Nanny's house and I was headed
17 back to Antigonish where I reside, and coming down the road and
18 cutting the corner there just by Thelma's, and I looked up and I
19 seen the cruiser and the station wagon up in the yard. And I'm
20 like, Oh, I wonder what's going on there?

21 **Q.** You mean the RCMP cruiser.

22 **A.** Yeah. So I didn't know if Lionel was home at the time

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1 or what was going on, but whereas I know, like, that's the, you
2 know, residence. Shanna and Aaliyah are down there. I'm
3 contacting Mom. Like, Mom ... I called mom and I had to wait
4 till I got past Thelma's a little bit because you lose service
5 right there in that area. So I had to wait till I got almost to
6 the dirt road of Upper Big Tracadie there. And I had pulled in
7 and parked and I called Mom and I said, Mom, I said, just passed
8 by Thelma's and Ricky's and there's two cops up in the yard. I
9 said, Is Lionel down here? She's like, No, Lionel is in ...
10 She said, Here, I'll call you back, she said, I'm going to call
11 Shanna to make sure everything is okay and what's going on.

12 And so, obviously, she did contact Shanna or whatever and
13 it was about 20 minutes because I had just arrived in my yard in
14 Antigonish, and she had contacted me back and she said,
15 Something is going on with Lionel in New Brunswick. She had to
16 contact the RCMP. Lionel is talking of hurting himself and
17 everything and she's just worried, and they're there just
18 getting her side of the story or whatnot. So I was like, Okay.

19 But, yeah, so I do remember that day clear as day because I
20 thought my brother was home and down here, and I remember
21 driving by and seeing the RCMP in the yard and the fear coming
22 over me that something had happened. And so I contacted my mom

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1 because we had just left there. I had just left from visiting,
2 and, yeah, that's when we found out that Lionel was basically
3 threatening his life in New Brunswick and that he was in a
4 crisis situation.

5 Q. He did come down to ... sorry. It was in December of
6 2015 that OSI New Brunswick recommended that your brother go to
7 the in-person treatment in Quebec at Ste. Anne's.

8 A. Yes.

9 Q. Do you remember hearing about that possibility that
10 your brother would be going into, you know, an in-person
11 treatment?

12 A. So now, as we're getting into this, so like, this is,
13 like, where, like, Lionel is, like, actually ... like, you know,
14 we realize, like, he's really sick, like, you know, and how it
15 is.

16 So I left my mom as basically the reporter for that
17 because, like, where she was very active in Lionel's life and
18 there and, like, you know, she was worried about him, so
19 obviously, she was going to stay, like, you know, in the lines
20 of what's going on and everything.

21 So any update along, like, Lionel and finding out about him
22 going to Ste. Anne's or whatever, I depended on my mom for that

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1 information. And so when Mom came and said that, Yeah, so your
2 brother is going away for a little bit and I'm like, Okay, like,
3 what do you mean? She's like, Well, you know, he realizes that
4 he's sick and, like, you know, he's crying for help and he wants
5 to get help, like, he keeps saying he just wants to be normal.
6 He doesn't feel normal. I remember crying when Mom was saying
7 that. I'm like, You know, that's sad, like, that's real sad,
8 like, you know, to be fighting with your mind and everything
9 and, like, you've got a family and all that. And just sitting
10 there telling yourself, like, I just ... I want to be normal,
11 like, I know I'm not myself. I just want to be normal.

12 And I remember crying to Mom saying, Like, you know, like,
13 I hope and pray to God that wherever they're sending him and
14 wherever he goes that, you know, this is his final cry for help
15 and that he actually gets the help that he's been crying for
16 because this is starting to get ridiculous.

17 **(12:00)**

18 I'm like, this is really starting to get ridiculous, Mom.
19 She's like, Well, he's going for six months. That's what Mom
20 stated. He's supposed to be going to Ste. Anne's for six
21 months. And then I said, Well, if they're taking him for six
22 months, like, you know, I got ... I got hope. You know, I got

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1 ... I got hope. Like, you know, and if he's willing to do this
2 and go for six months, like, it really goes to show, like, how
3 bad this poor man really does want to be normal again with
4 whatever normal was to him. But he just knew he wasn't normal.
5 He knew he wasn't himself.

6 And so I was ... I was really proud, you know, with the
7 factor that he took the initiative to, you know, want to go to a
8 stabilization program and, you know, try to pinpoint what's
9 going on and where it's going wrong and, How do I get back to
10 who I am and who I know I am, you know?

11 But I never understood because Mom mentioned, like, you
12 know, he was supposed to go for six months but he was only there
13 for three.

14 **Q.** Yeah. Well, and he didn't go until May. This was
15 December that ...

16 **A.** And this was Dec- ... yeah.

17 **Q.** ... the recommendation came in. That December of 2015
18 your brother went to Saskatchewan, to Regina, for Christmas.

19 **A.** Yes.

20 **Q.** Do you remember him going? And what ... can you tell
21 us what you thought of the trip at that time?

22 **A.** As far as I knew, when he was going out there to

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1 Regina they were going out to visit Thelma and Ricky and Shonda,
2 and the reasoning for ... I guess Shonda was going through some
3 stuff of her own with her husband at the time and family and
4 they were going out there as support system for her.

5 Q. Shonda is Shanna's sister.

6 A. Yes, but from my understanding, though, Lionel
7 originally wasn't going. Like he wasn't booked in on the
8 tickets with them to go. It wasn't until after the fact that he
9 found out that they were going that he also went, too.

10 Q. Okay. Did you talk to him after the trip? Was it a
11 good trip for the family to do together, a good time that they
12 spent together? Or how did that go?

13 A. Like I said, like, when it came ... I sort of like,
14 kind of just distanced myself in the midst of, like, knowing
15 that there were, like, issues and problems and things going on.
16 Because like I said, there was enough people involved, like
17 Shanna's parents. And then my mom was there for Lionel and
18 stuff. And like, so I, like, basically, like ... my mom in,
19 like, the situations that she would involve herself in and,
20 like, just ... came from her and so on and so forth is, like,
21 you know, where I would gather a lot of my information outside
22 of from what I know now.

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1 But with that being said, it was a okay trip. It was fine
2 and then shortly after they came back Lionel was just having a
3 bunch of statuses about money being stolen off of him and stuff
4 and how he's basically going to get a lawyer and talk and
5 basically Shanna is on the verge of talking divorce and this and
6 that. So from what I knew, it was a okay trip, but from after
7 the fact we could see things were starting to drastically go
8 downhill.

9 **Q.** This ... you're talking about Facebook statuses and
10 ...

11 **A.** Yes.

12 **Q.** ... social media posts? So this was into 2016 now
13 we're talking about ...

14 **A.** Yes, it's into ... yeah.

15 **Q.** ... after the trip over Christmas of 2015.

16 **A.** Yeah.

17 **Q.** Then in May of 2016 that's when your brother went to
18 Ste. Anne's.

19 **A.** Ste. Anne's, yeah.

20 **Q.** He was admitted in May of 2016, and we know prior to
21 that, as one of the conditions of going to Ste. Anne's, he was
22 told that he had to refrain from consuming any cannabis, any

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1 medical marihuana of any kind. I guess just thoughts on that,
2 on him going to Ste. Anne's on ... you know, if you had any
3 thoughts or observations of him, you know, refraining from the
4 cannabis at that point. This ... just talk about prior to him
5 going. Was that a time that you recall? Or are the ...

6 **A.** I remember when my brother went to Ste. Anne's
7 Hospital and learning of him, like, stopping the ... because he
8 stopped both drinking and the cannabis whenever he was going to
9 Ste. Anne's Hospital. Because in the midst ... if you read in
10 the notes there when he was in Ste. Anne's he actually expressed
11 multiple times how he hasn't drank upon leaving to go there or
12 anything and that he doesn't have any plans, you know, as to
13 turning back to drinking or anything after the fact. So like,
14 when I learned of my brother going to Ste. Anne's Hospital and
15 just, like, doing my research of, like, what Ste. Anne's
16 Hospital was, and like, you know, the things that they would be
17 able to do with Lionel, I ... I thought like, you know, Okay,
18 like, this ... this is the start to the normal. Like, you know,
19 this is the start to what he wants to call normal. Because,
20 like, you know, if you read in there, like, the things that they
21 have in there with their rehabilitation program and they're
22 stabilized ... like, before he went to the rehab part of things

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1 he was in a stabilization point or whatever and then he got sent
2 over.

3 Because he was only ... I'll have to refer to my notes
4 here, Adam.

5 **Q.** Go ahead.

6 **A.** So yeah. So May 30th to August 15th he went. So
7 like, he was in the rehabilitational part and then he was over to
8 the stabilization, which basically led to, like, the treatment
9 side of things where he was seeing, like, the counsellors and
10 therapists and social workers and psychs and all of that and so
11 on and so forth.

12 When I ... before, like, learned of all that. But as I
13 said, when I learned of Lionel going, and doing my research of
14 Ste. Anne's, like I said to me, my thought was, Okay, this is
15 the start to him getting normal. Like, he's going to be in a
16 facility where, like, you know, there's doctors and nurses and
17 psychs and all of that. Like, what can possibly go wrong? How
18 can he walk out of that hospital not being a changed man or not
19 being a different man when this is a hospital assigned for
20 veterans, you know?

21 So when I think that my brother is being sent to a hospital
22 assigned for veterans I think, you know, in the sense of they

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1 know what they're doing. They know who and what they're dealing
2 with considering it's a veterans' hospital and this is people
3 that they deal with. You know, so some ... they have, you know,
4 the education, the background, the treatments that ...
5 everything is going to be there. There's no possible way that
6 my brother is going to walk in those doors, you know, feeling
7 the way he's feeling and walk out those doors the same way that
8 he walked in.

9 I truly believed that my brother is going to walk out a
10 changed man because he's going to a place and a facility where,
11 you know, they're able to do this.

12 Q. If not there, where?

13 A. Yeah. Like, what ... where else, you know? You're
14 sending him to a veterans' hospital where these professionals
15 deal with veterans, and you know, they're medical issues and
16 injuries every day. So how is this man going to walk into a
17 treatment facility at the hospital ...

18 Q. Yeah.

19 A. ... you know, being a man crying for help, wanting to
20 be normal, but yet walk out those doors feeling the same way?

21 Q. He walked out those doors early.

22 A. Yes.

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1 **Q.** And in the exit report we see that he seemed to be
2 expressing a lack of trust in his caregivers.

3 **A.** Mm-hmm.

4 **Q.** Did he talk to you about that decision, the decision
5 to leave prior to the completion of the program or why he did
6 so? Or you know, what some of his experiences there might have
7 been?

8 **A.** No. No. Like I said, I ... what I knew, and from,
9 like, you know ... from what my mom detailed to us, he was going
10 for six months.

11 **(12:10)**

12 So when I learned of my brother being en route home, like,
13 this ... it's only ... he wasn't even there for three months.
14 It was two and a half months. Because he was there May 30th and
15 was released August 15th. That's two and a half months. It's
16 not even three months, you know? So he's supposed to be there
17 for six, and they had him there for two and a half. And when I
18 learned that my brother was en route home I figured, Oh, well,
19 you know, they obviously must have been able to get him a
20 treatment plan and, like, get him in lines where they released
21 him early and, like, you know, they wouldn't just release him
22 and exit him, like, you know, if he didn't check off the boxes

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1 that need to be checked off before leaving. And the factor that
2 he's supposed to be there for six months and they're allowing
3 him to leave, you know, at two and a half months after just
4 spending two and a half months at the Ste. Anne's Hospital.

5 Q. Did you have any thoughts? You suggest in what you
6 just say - maybe you did - that maybe this was a good thing,
7 maybe he's good now.

8 A. Well, that's what I figured ...

9 Q. Yeah.

10 A. ... it was a good thing. Like, you know, I didn't
11 think that it would be a bad thing that they're releasing him,
12 because they're releasing him to home. If it was a bad thing,
13 you know, if they released him and they weren't able to help him
14 you'd think that they would have released him to another
15 facility that would be able to give him the help that he would
16 need in considering they weren't able to provide him with it if
17 that was the case.

18 So for me to take it as a negative view as to ... for his
19 release? No, I didn't until I learned that ...

20 Q. Yeah, well, then ...

21 A. ... you know, I had to.

22 Q. Yeah, and now ...

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1 **A.** I thought it was a good thing.

2 **Q.** Now ...

3 **A.** And then I realized ...

4 **Q.** Now what are your thoughts?

5 **A.** ... they just slapped a Band-Aid on his hand and send
6 him out to the wolves, like he said, and left the rest for the
7 seagulls.

8 **Q.** Yeah. The documents seem to suggest that there was
9 not really another treatment plan or counsellors or, really, any
10 help in place for him when he left there and moved to Nova
11 Scotia. Was this something that, you know, the family was aware
12 of at the time or ...

13 **A.** No.

14 **Q.** Or I guess ... and if not, looking back on it now,
15 what are your thoughts on that?

16 **A.** To us, we figured, like, you know, Lionel was part of
17 the military. The military, you know, we liked to think took
18 care of him while he was there, and now that he's transitioned
19 out medically and, like, you know, they know why ... like,
20 they're taking care of him and the steps that he needs to
21 transition him back to civilian life. They have no problem, you
22 know, transferring him from a civilian into a soldier. So

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1 what's the issue with transition him from a soldier back to a
2 civilian when you're medically releasing him?

3 Q. Do you know whether ... well, have you, or did your
4 mother, receive any guidance, support from Veterans Affairs and
5 the military when your brother moved back to Nova Scotia?

6 A. I didn't know what Veterans Affairs Canada was.

7 Q. Do you know whether your mother or your sister-in-law
8 were provided with any guidance, information ...

9 A. Well, from the letters that I see Lionel writing in,
10 and the fight that he had with Veterans Affairs ... and then not
11 to mention, you know, when he was seeing different doctors and
12 the comments that he would put on Veterans Affairs, he was
13 fighting with them for help.

14 Q. When ... so he ... your brother moved back to Nova
15 Scotia in August of 2016 and Aaliyah was going to school in
16 September. What can you tell us about that timeframe of the
17 early fall, the fall of 2016? You know, what were ... was your
18 mother still a help to your brother? Was she still being
19 involved in their family? What was the state of things?

20 A. Well, Mom would have ... around that time my mom would
21 have been back and forth because I said her work term ... she
22 worked from May to November.

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1 **Q.** Yeah.

2 **A.** So like, around that time, like, Mom would have been
3 just finishing up, like just coming to her seasonal term of her
4 work. Because that would have been September. My mom wouldn't
5 have been officially home until mid November. Like, usually
6 around the first week of November, middle of November is when
7 their seasonal term is done for the season until they went back
8 the following April or May.

9 So Mom wouldn't have really been able to be involved ... or
10 I believe that she obviously communicated. Because like I said,
11 like, she was always communicating with Shanna and Lionel and so
12 forth.

13 **Q.** Yes.

14 **A.** And so Mom wouldn't have been able to be pro-actively
15 ... like, you know, in the physical in there, you know, helping
16 out and supporting until she was done her work term of being a
17 construction labourer, which would have been in the middle of
18 November and then she would have been able to pro-actively be
19 involved and so on and so forth. Which is what had happened.

20 So when Mom ... the year when Mom got home and finished up
21 her term, yeah, Mom spent a lot of time down the road. Like,
22 when Lionel ... especially after Lionel come back out of the

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1 hospital, like out of Ste. Anne's and stuff and everything. And
2 just ... like, just knowing that, like, Mom ... like, it's
3 almost like she felt that she had to be there. Like, you know?
4 Like, and ... it's a mother's role. A mother don't leave her
5 child, especially when she sees that, you know, her child needs
6 help and, you know, is down and out. Like, no matter how old
7 you are, like ...

8 **Q.** Yeah.

9 **A.** I have three children of my own and be 40 years old
10 wanting my help and I'm still going to play the role of Mom
11 because, you know, those are my kids and that's what a mother
12 does.

13 **Q.** What about Aaliyah? How was she doing during this
14 time? You know, this is a little unusual for her to have both
15 her parents together.

16 **A.** Aaliyah? Like, I ... I can never say that I ever seen
17 her wear, you know, the negative emotions of the relationship if
18 she ever seen them or, like, you know, come across. And nobody
19 is perfect. So I do believe that, like, you know, there
20 probably were arguments where the child was, you know, present
21 and such and so forth, you know?

22 But Aaliyah, like, I nev- ... I cannot say that I ever seen

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1 my niece, like, you know, wear a negative emotion around me.
2 Like, and any time that, like, her and I spent time together,
3 like, you know, like, it was always girl's time. Like, we
4 always did things together or, like, we'd be outside playing.
5 Like ...

6 Q. Yeah.

7 A. ... she loved throwing a football and catching
8 football. So she was very athletic herself. She loved horses,
9 horseback riding, too. Like, she loved the outside. And like,
10 so I think, like, you know, like, just thinking of it now in the
11 sense of, like, seeing that child's love with nature and this
12 and everything ... and like, any time we'd come interact with
13 each other, like, you know, her mother and father were never a
14 topic outside of, like, you know, like, How is Mom doing, how is
15 Dad doing? Like, if she was up the road with Mom. Or like,
16 Where is your mom, where is your dad, like, you know, what are
17 you doing up the road?

18 Like, you know what I mean? Like, outside of, you know,
19 questioning her in a negative aspect on her parents or, like,
20 you know, seeing her carry a negative feeling or anything like
21 that, for you to have to question that child as to, like, you
22 know, Are you okay, what's going on, like, you know, the effects

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1 of the family life, like, it never come off that little girl.

2 And children are innocent, you know? They wear their
3 emotions. Like, you know, they ...

4 **Q.** Yeah.

5 **A.** They're innocent. But for me to, like, you know,
6 think back and ... I think of Aaliyah, I can't ... I can't sit
7 here and say that I ever seen that little girl, like, you know,
8 wearing the turmoil of this to even think that, like, you know,
9 you'd have to step in to start questioning things as to what's
10 going on. Like, you know, to think that this was going to
11 happen.

12 **Q.** So between, you know ... with your brother and Shanna,
13 they were able to ... apparently able at least to insulate her
14 from that.

15 **A.** Like ...

16 **Q.** The same as your mother, too.

17 **A.** How can I put it? Like, I didn't know anything of,
18 like, you know, them fighting or any turmoil in their
19 relationship unless I went on Facebook and seen Lionel's
20 statuses. Like, you know, him complaining or so on and so
21 forth.

22 **Q.** Yeah.

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1 **A.** Or like, you know, from, like, what he would complain
2 to Mom about. Or like, what Mom would be able to say. Like,
3 you know? Or like, just hearing the odd things. Or you know,
4 driving by, seeing police cruisers in the yard and stuff and
5 everything. Like, outside of that, like, it was almost like it
6 was ... like, a lot of things were kept behind, like, the doors
7 unless, like, you were actually there to see what's going on.
8 Or like, to read in-depth now, to, like, see what was going on.

9 But to think that, like, you know, all of that was, you
10 know, being surfaced behind it all, like, you just ... you
11 wouldn't have thought until like, you're sitting here now and
12 you got all this paperwork and reading through it. Like you
13 would never think.

14 **Q.** You've ...

15 **A.** I know I didn't anyway.

16 **Q.** Yeah. You've read many of the reports and you've
17 heard the testimony of, you know, people at St. Martha's that
18 dealt with your brother that he had gone to the hospital himself
19 different times in the fall of 2016.

20 **(12:20)**

21 **A.** Mm-hmm.

22 **Q.** I mean you're ... like I say, you're certainly aware

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1 of them now. Was this, at the time, something that was
2 discussed within the family, either you and your mother talking
3 about it, or you directly with your brother?

4 **A.** I never really talked directly about it, like, with
5 Lionel. Like, that whole, like, 2016 year, it was, like, just,
6 you know ... just like ... speaking ... like, just, like, Mom.
7 Like, you know, just depending on, like, Mom and, like, seeing
8 for yourself, like, the things that were going on and
9 everything. And like ... but like, that whole year. Like, you
10 know, it's just you ... I never really ... like I said earlier,
11 I never involved myself in their marriage. Like, you know what
12 I mean? Or anything like that.

13 **Q.** Right.

14 **A.** But like ...

15 **Q.** And you had a baby and two other young children as
16 well.

17 **A.** And I had ... yeah. So like I had my ... and not to
18 mention. Like I had my own life problems ...

19 **Q.** Yeah.

20 **A.** ... as well, too. You know what I mean? And so it
21 was like, you know, you hear Mom. Like, because poor Mom.
22 Like, you hear, like, I just wish that they would just, like,

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1 you know, hurry up and figure out what's going on. Or like, you
2 know, Get him some help, find something. Like, I can just him,
3 like, you know, going darker and deeper. Like, you know, I just
4 wish that, like, something would give here.

5 And like, she'd just pray and pray and pray, and like, you
6 knew that, like, you know, his mental health and so on and so
7 forth was obviously getting worse from, like, the way Mom would
8 express, like, you know, the way, like, he would say things or,
9 like, you know, how you couldn't really, like, have a
10 conversation with him. Like, Mom would say, like, you know, to
11 ask him what's wrong, you know, he, like, seems like he wants to
12 flip.

13 Like, even, like, to ask him what's wrong, like, he ... I
14 think it was because of the factor that, like, he couldn't
15 answer that question. He didn't know, himself, what was wrong,
16 like, I'm going through the loops and hoops and all these
17 different ropes trying to figure out, myself, what's wrong, stop
18 asking me what's wrong because if I can answer that question for
19 you I wouldn't be going through all these departments and
20 systems trying to figure it out for myself, I don't know what's
21 wrong, I'm trying to figure out what's wrong.

22 **THE COURT:** Mr. Rodgers.

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1 **MR. RODGERS:** Yes.

2 **THE COURT:** I'm just going to stop you for a second. So
3 we're approaching 12:30. If you can find just a natural spot to
4 take a break. I'm not going to ask you to do it right now but
5 I'll let you make that judgment.

6 **MR. RODGERS:** Just one other question, then, Your Honour,
7 and then ...

8 **THE COURT:** Certainly.

9 **MR. RODGERS:** ... I see a good natural break.

10 **THE COURT:** Thank you.

11 **MR. RODGERS:** Ms. Desmond, there's a note from your
12 brother's caseworker from October of 2016 saying to another
13 professional that your brother did have local therapeutic
14 support. His Veterans Affairs' caseworker stated that in the
15 document. Were you aware of any such support that he had,
16 therapeutic support, in the local community as of October of
17 2016?

18 **A.** The only time that my brother had any support with a
19 community therapist in 2016 was when he got assigned to
20 Catherine Chambers in November.

21 **Q.** Yeah.

22 **A.** My brother wasn't speaking to anybody, or even seeing

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1 a doctor or anything, outside of walking into St. Martha's doors
2 on October 24th of 2016. So I don't know who Marie Doucet is
3 referring to in October 6th, 2016 as to who she was speaking
4 with in this community therapist, because nobody had any contact
5 or communication with Lionel until October 24th, 2016 and after.

6 So this is two weeks prior to my brother taking the initial
7 step to go in to Emerg, you know, where he's told that he has to
8 go to a family doctor to get a referral to the psychiatrist, Ian
9 Slayter, to which all of the VAC and everything started coming
10 into play after he seen Ian Slayter to where his contact to
11 Catherine Chambers was able to come forth.

12 So this letter to ... or this response from Marie Doucet to
13 Natasha on October the 6th, 2016 ... I don't know who she's
14 referring to. Because nothing was done upon Lionel Desmond's
15 name or with Lionel Desmond until October 24th of 2016.

16 **Q.** Assume for the moment that that's just simply
17 incorrect information. Not simply, that's incorrect
18 information.

19 **A.** Yes.

20 **Q.** What effect do you think that might have had on your
21 brother and his access to care?

22 **A.** Occupational ... OSI Halifax would of been in

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1 communication with my brother and I believe that my brother
2 would have been able to continue on with his treatment like he
3 was with OSI New Brunswick as to where this referral to OSI
4 Halifax would have come from.

5 Because clearly, his OSI psychiatrist was concerned, or
6 must have been worried or wanted an update or whatever the case
7 may be. Sent the file over to OSI Halifax whereas the client is
8 moving from the Province of New Brunswick to Nova Scotia. So
9 he'll have to be registered within OSI Halifax.

10 If Marie had to have contacted Lionel that day to see where
11 he was or what was going on I truly believe that the file with
12 OSI Halifax wouldn't have been put on hold. Because that's what
13 happened due to the factor of Marie Doucet stating that she was
14 talking to Lionel on October the 6th, 2016 when all these
15 documentation here prove ... and we all know Lionel did not get
16 care or step foot anywhere to start getting care until October
17 24th when he stepped foot in St. Martha's Hospital to go to the
18 emergency room.

19 **Q.** Thank you, Ms. Desmond. We'll pick it up from there
20 after lunch, and thank you for your answers so far.

21 **THE COURT:** Ms. Desmond, we're going to take a break and
22 come back 1:30-ish, please. All right. Thank you. We'll

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1 adjourn then.

2 **COURT RECESSED (12:28 HRS.)**

3 **COURT RESUMED (13:34 HRS.)**

4 **THE COURT:** Ready? Mr. Rodgers.

5 **MR. RODGERS:** Yes, thank you, Your Honour.

6 Ms. Desmond, before we get into the other questions, maybe
7 I should have asked you this first thing this morning. What is
8 this lovely thing around your neck?

9 **A.** Oh.

10 **Q.** What do I call this?

11 **A.** Kente cloth.

12 **Q.** Say that again, sorry?

13 **A.** It is a kente cloth.

14 **Q.** Okay. Can you tell us the significance of that?

15 **A.** It is a sartorial design within Africa. As you do
16 know, we are African Nova Scotians, so it is representing about
17 ... represents my heritage, but it is a sartorial device that
18 actually ... in reference to communication, I guess. Each
19 colour within it has its own symbolic meaning to cloth. And
20 actually, with that being said, this is actually an old version
21 of the kente cloth because, if you see them now, like, the
22 designs, the colours and everything are the same. There is a

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1 bit more yellow and everything in the newish ones now. But you
2 see in any ceremonies that have to do with, you know, the Black
3 communities or anything, usually they are worn.

4 With that being said, this one right here is actually real
5 special to me because this one actually belonged to Lionel.
6 Lionel received this kente cloth in the year 2001, I do believe,
7 when he was nominated as African Heritage Month King of 2001 at
8 our school. And so this kente cloth right here belonged to
9 Lionel, and when he was honoured with the title of African
10 Heritage Month King of 2001, he ... they had this around him and
11 his little purple sash with the golden stickers that said
12 "African Heritage Month King 2001". And they made him the hat,
13 the little hat, with the kente fabric to go with it as well and
14 it was another proud moment in his life.

15 And African Heritage Month, as you all do know, you know,
16 February is African Heritage Month, and with that being said, I
17 am very proud of my heritage and who I am and the background
18 from which I come from.

19 And so with that being said, I just felt the need to wear
20 this today not only for the fact that it is African Heritage
21 Month but as you know a symbol for my ancestors to know that
22 they are guiding me along this journey and along the way here as

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1 well.

2 Q. At different times throughout the process of this
3 Inquiry and reviewing the matter, the issue of race has arisen.
4 I guess can you tell us, Ms. Desmond, about your brother's
5 experiences or anything he may have conveyed to you about his
6 experiences in the military, whether it was in training or in
7 combat or afterwards, that, you know, may have ...

8 A. He never, like, really, like, got, like, in-depth
9 about it. Like he would touch, like, you know, sometimes.
10 Like, at the very beginning, like, whenever we were talking
11 about his military career he would touch bases on, like, you
12 know, prejudiced people within, like, the military and, like,
13 you know, sensing racism and everything, but he never really,
14 like, came ... like, it was never really, like, a topic, like,
15 you know, an ongoing topic, like, racism or whatever. Like, he
16 would touch base on it and, like, you would hear, like, odd
17 stories. So, like, you know that, like, there was racism going
18 on along the lines, like, somewhere.

19 And I remember him telling us a story actually. An event
20 had taken place within the cafeteria on the base there and he
21 was drinking chocolate milk. My brother loved chocolate milk.
22 Like, Lionel, like, you would always see him with chocolate milk

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1 or a banana. Honestly, like, he loved bananas and he loved
2 chocolate milk. So, like, those were ... you would see him with
3 one of those two things, you know.

4 With that being said, I guess this is the time ... around
5 this time this incident happened, this is the time that, you
6 know, he's learning of his PTSD and everything and he's being
7 medically released out of the military. Well, the talk of him
8 being medically released out of the military is, like, you know,
9 ongoing and so forth.

10 **(13:40)**

11 He is sitting in the cafeteria and he is eating and he has
12 a glass of chocolate milk, and one of the guys within the
13 division of the military just up, and he's like, What? White
14 milk ain't good enough for you?

15 And Lionel, like, kind of, like, What? Like, What? You
16 can't ... like, White milk is not good enough for you? You have
17 got to ... something. And he made the comment about drinking
18 chocolate milk, it comes darker, or something along the lines of
19 that. And it ticked Lionel off and Lionel chased him around the
20 cafeteria and he actually had gotten ahold of a knife. And,
21 obviously, like, you know, his ... other guys and stuff, like,
22 intervened to, like, stop it or whatnot, but it impacted Lionel

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1 a lot.

2 And that, I remember him talking about that because that
3 was one story, like, any time that, like, you know, you talked
4 about race or racism or the military or anything like that, is
5 one thing that, like, he would always reference to, like, it
6 really affected him. Like, he couldn't let that go for some
7 reason. Like, he couldn't let it go.

8 And I think a lot of him not being able to let it go is
9 because he felt that he wasn't understood as to why he took it
10 to the extent that he did. So I think that, like, he felt that
11 he couldn't really, like, express himself on the matter outside
12 of the factor that the anger that just came with the situation
13 and when it aroused and what had happened, you know?

14 And so like I said, like, he never really got in-depth of,
15 like, how much racism was going on or, like, the situations that
16 he had to encounter or whatnot, but he did complain about, like,
17 you know, the prejudiceness and the racism that did happen along
18 there, but he never really told too many stories outside of the
19 incident with the chocolate milk and chasing buddy around the
20 cafeteria.

21 Q. Thank you, Ms. Desmond, for that.

22 I want to bring you back then to ... we were kind of

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1 following a timeline, and where we left off we were in the fall
2 of 2016. And, of course, you are aware now that your brother
3 had gone to St. Martha's to seek help and had been seen there.

4 You have had an opportunity, I know, to review Dr.
5 Slayter's reports, opinion, and in there, he recommended that
6 your brother go through intensive psychotherapy and that a
7 neuropsychological examination be conducted.

8 And then you have also, of course, heard Catherine
9 Chambers' testimony about her interactions with your brother and
10 her recommendation that had she known his full history, she
11 would have said an in-person, in-patient treatment program would
12 be appropriate.

13 Can you give us your reaction, having heard those opinions
14 from Dr. Slayter and Catherine Chambers particularly?

15 **A.** Can you rephrase that again, Adam?

16 **Q.** Well, no, sure. It is, here we have your brother
17 going to see Dr. Slayter, and in his notes, in his report, he
18 recommended that intensive psychotherapy take place and that a
19 neuropsychological examination take place.

20 I guess what do you think of that opinion and ...

21 **THE COURT:** Well, let me stop you for a bit, Mr.
22 Rodgers.

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1 Now we have Dr. Slayter's evidence.

2 **MR. RODGERS:** Yes.

3 **THE COURT:** We know who Dr. Slayter is. Dr. Slayter is
4 a psychiatrist. So to the extent that he offers in a letter
5 either an observation or an opinion, so we now have a
6 professional medical opinion, and you are going to put ... it is
7 a difficult position to put Ms. Desmond in to ask her to
8 critique Dr. Slayter's professional opinion.

9 **MR. RODGERS:** I am not going in that direction, Your
10 Honour, although maybe I will rephrase the question again.

11 This recommendation had been made back in August, and here
12 is Dr. Slayter making it again in December. I don't think
13 anybody is disagreeing with his opinion. I just want to see
14 what the reaction is to have that opinion rendered again.

15 **THE COURT:** Okay. My question for you is which document
16 are you asking Ms. Desmond to refer her opinion to?

17 **MR. RODGERS:** Sure.

18 **THE COURT:** The letter where Dr. Slayter suggests that
19 Mr. Desmond had fallen through the cracks, that letter, or
20 another letter?

21 **MR. RODGERS:** This was his report which ends in "03." I
22 don't think I alerted anybody that this might be brought up

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1 though so ...

2 **THE COURT:** Do you have the full beg. doc. number?

3 **MR. RODGERS:** Yes. It is IS000003. IS-five zeros-3.

4 **A.** Are you referring to the treatment plan document?

5 That one?

6 **Q.** Yes.

7 **A.** Okay.

8 **Q.** I guess, Ms. Desmond, just hearing now that ... or
9 knowing that Dr. Slayter made the same recommendation as had
10 been made five, six months earlier.

11 **A.** Then clearly, you know, nothing was done. If Slayter
12 recommended this and, you know, he ... Slayter recommended this
13 but you have to understand, Slayter recommended this on, you
14 know, the ... what he was, you know, getting off of Lionel from,
15 you know, assessing him himself. Slayter didn't have any of
16 Lionel's military background, you know, to also indicate all
17 this. And not to mention, Lionel was in Ste. Anne's Hospital.
18 I mean, this is after the fact or whatever.

19 **Q.** Yes.

20 **A.** But my point leading into, like, you know, Lionel
21 going to Ste. Anne's and all this, and Slayter's letter here,
22 and so on and so forth, like, I guess, how can I put it? He was

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1 seeking different doctors, counsellors, psychs, and they are all
2 seeing the same thing, that this man needs a neuropsychological
3 assessment to be done, you know. And he is ... Slayter
4 indicates this. This document was written in October or
5 November, I do believe, the treatment plan ...

6 Q. Yes.

7 A. Was written in November. So he says that Lionel,
8 like, he has seen, you know, and from what Lionel is able to
9 tell him, you know, with his head traumas and everything like
10 that that had occurred. And, you know, this is from Slayter's
11 professional background and his education, you know, and what he
12 is picking up from what his client is telling him, like, this
13 man has a lot of head trauma and he needs to see a
14 neuropsychologist. And he is fighting for that and he
15 implemented this in a letter.

16 And not to mention, Lionel goes to see ... gets sent to see
17 Catherine Chambers, you know, but if Slayter's letter here for
18 the treatment plan, which was cc'd to Ranjini Mahendrarajah, was
19 also sent over to Catherine, and which I am not sure if
20 Catherine did receive this letter from Slayter.

21 Q. Well, so that is fine. I just wanted to get your
22 sense of ...

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1 **A.** My sense is you have ... my sense ... my point is you
2 have ... like I said, you have Slayter who had written this
3 letter about the neuropsychology, and then you have him being
4 sent to Catherine Chambers for individual psychotherapy, you
5 know, and there is notes within his medical files, you know,
6 that implement that this man needs neuropsychology or whatever
7 the case may be, and you are treating him with all these other
8 therapies.

9 Like, he is getting treatment in different ther- ... in
10 other therapies, but he is not getting the said treatment that,
11 you know, the professional had indicated that he should be
12 getting. And not just one professional but multiple
13 professionals.

14 **Q.** Catherine Chambers, in her testimony, said that she
15 was having some difficulty at times understanding your brother
16 and getting a ... you know, it took her a while to talk to him
17 and ask him questions and trying to really understand what he
18 was trying to tell her. Was that a side of your brother that
19 you observed at all during these times, you know, late fall of
20 2016?

21 **A.** Lionel, he was, like I said, you know, you have one
22 person going through multiple departments within the systems,

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1 but you have got to understand and take into consideration that
2 the person that you are putting through these loopholes is a
3 person with multiple head traumas, is a person that you have
4 diagnosed with post-traumatic stress disorder, and if you know
5 the signs, symptoms and things that come along with post-
6 traumatic stress disorder, you would know that, you know, you
7 are ... it affects your cognitive ability, like, you know, your
8 functioning, your focus, and things like that, and, like, your
9 ability to be able to pay attention and do normal life tasks
10 everyday like you normally would. Like, you know, you ...

11 **(13:50)**

12 And with that being said, Lionel was in a very stressful
13 time of his life, like he is advocating for himself and his
14 health and, you know, his mental health. Trying to get help,
15 trying to keep his family and everything together. Trying to
16 get his finances in order and everything, you know, and, you
17 know, crying to the system that is supposed to be there helping
18 him and guiding him through - Veterans Affairs - and, you know,
19 he is going through multiple hospitals and, you know, seeing
20 multiple psychiatrists, you know, and things like that.

21 And, you know, you are putting a ... how can I put it this
22 way in terms of this. Being diagnosed with PTSD now myself, you

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1 know, a lot of my daily tasks that I was able to do four years
2 ago, before this tragedy occurred, I find it hard, you know,
3 myself, to be able to get up and perform, you know, to normal
4 tasks as I would, you know. And sometimes, you know, some days
5 are worse than others.

6 But I got a toolbox that I built over the last four years
7 of counselling, and still, to this day, I go to counselling
8 every second Thursday, you know, to be able to help with my
9 post-traumatic stress disorder and everything like that. And I
10 guess I can say, like, I know how, like, you know, my brother
11 felt fighting for himself and advocating for himself because I
12 basically did that on my own for the counselling that I am
13 involved in now and everything.

14 Like I've went to doctors after this happened and, you
15 know, I sat down and expressed to them, like, my feelings and
16 stuff and everything. And for them to sit and tell me, like,
17 you know, like, Cassandra, you have post-traumatic stress
18 disorder. You know, depression and anxiety, is one thing, but
19 for a doctor to refer me to a psychiatrist and for them to put
20 an actual diagnosis on me it is yet to happen.

21 I started out, when I started out doing counselling, I was
22 paying for my counselling out of my own pocket because I had

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1 just lost my mom and everything and I don't know what to do or
2 whatever. I know life is not going to be easy. Like, I don't
3 know how I am going to do this. I have three kids that I have
4 to raise and I am a single mom myself raising my three children
5 on my own. And, you know, I had to figure out, like, how I was
6 going to be able to pay for counselling and still be able to
7 provide for my bills and everything. And I paid for my
8 counselling for the first four months of me being involved in my
9 counselling. And then I dropped out of it for a month, two
10 months, because I could not afford to pay for me to get
11 counselling anymore. Like I said, I am a single mom raising my
12 three children, you know. And it wasn't until Dr. Bowes
13 actually got in contact with me and informed me of the
14 counselling award through Victim Services Nova Scotia, and I was
15 able to apply and get accepted for the \$4,000 award to go
16 towards counselling for myself and my children.

17 And there was like ... like when I didn't ... I was paying
18 for counselling on my own and then I stopped going and it was,
19 like, three, four months of not going when Dr. Bowes got in
20 contact with me about that and then I filled out the paperwork,
21 and then I was able to start back up with my counselling.

22 But even right away, I didn't get a counsellor right away

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1 because, like, okay, they accept you and everything, but they
2 don't just pinpoint a counsellor to you. They send you a book.
3 You know, there's about 20-some, 30-some pages of counsellors in
4 there that I have to go through and, you know, in hopes that I
5 can find one maybe within my area, because a lot of them within
6 the Province of Nova Scotia, in the book that they gave me of
7 counsellors that I was eligible to go to or whatnot, a lot of
8 them were in Dartmouth and Halifax or Sydney or whatever, and I
9 am in Antigonish. And at that point, I didn't have a car or
10 anything like that, like, you know, and, like, it was really
11 hard.

12 And so I ended up finding a counsellor in the area or
13 whatnot and ... because where I had my kids, like, I wanted to
14 involve them as well, so I was more or less on the family
15 therapy side of things and more or less just looking for, like,
16 a therapist for myself to go and speak to or whatever.

17 Like I wanted ... because I knew that eventually, along the
18 lines, my kids were going to be affected by this, you know, and
19 that therapy was going to have to be an option because I can
20 only do so much on my own to explain to them and give them an
21 understanding, you know, of what goes on into where their
22 emotions are going to lead with it and stuff. And I am not a

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1 professional, I am their mom, you know, so I can only do so
2 much, you know.

3 And with my own feelings as well, like, I am their mom,
4 there trying to help myself to be able to be the best I can to
5 help them. But at the same time, I am still a little girl on
6 the inside crying for my mom, wondering as to why, you know, I
7 no longer have her anymore.

8 So, like, I basically advocated, like, for myself at first
9 when it came to counselling. And God love Dr. Bowes in giving
10 me that information where I was able to get the money from the
11 province to put towards and get a counsellor and stuff.

12 And it was, like, yeah, it was hard at first because I
13 found one in town or whatnot, and then the one that I had,
14 local, in my area, she ended up getting sick herself. And so
15 she wasn't practicing anymore. And that kind of put a damper on
16 me as well because, well, I just opened up my whole life story
17 to a counsellor, after finding one after so long, and now I am
18 going to have to go back and forth finding a new one and so I
19 travelled ... I was travelling to Truro every second Thursday
20 until the whole pandemic happened and COVID and everything and
21 so now we just do it over Zoom.

22 But as I was saying, like, you know, just to get back on

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1 track to your question, I just wanted to put that out there,
2 like, just to share my story of me having to advocate for myself
3 when it came to my therapy and my counselling, you know, the
4 emotions that I felt and, like, you know, just stressed out and,
5 like, you know, financially and everything. And, like, just the
6 thought and, like, just ... you get a counsellor and then, like,
7 they ... like the problem that I ran into, she had to stop her
8 practice for a little bit. And then you have got to go find
9 another one, and then you have got to open up again and relive
10 your story again, you know, and fill them in with everything
11 that is going on and stuff.

12 And Lionel was in a really stressful time of his life, you
13 know, and he's fighting for, like, trying to figure out what is
14 going on, fighting to be normal. That's the words that he used
15 because all he kept saying is he wanted to be normal again,
16 like, you know, just fighting to be normal.

17 And you have got to understand, like, you know, like I
18 said, it was stressful for me advocating for myself until Dr.
19 Bowes reached his hand out to me and made my journey and my
20 steps a lot easier.

21 But poor Lionel, like he was going every route and every
22 avenue that he could just wanting to be normal again. And a lot

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1 of the times, like, he just found himself, like, you know, just
2 going through the same things over and over to the point where
3 it was just like he didn't feel that he was getting any help at
4 all because every time he, like, you know, felt that maybe he
5 was getting somewhere, he had to go back to step one again, you
6 know, which led to everything, the advocating and finding the
7 information.

8 And, like, God love Dr. Slayter, like, he could only do so
9 much with the information that he was given because he didn't
10 have no background from ... about Lionel Desmond outside of
11 Lionel Desmond walking into the emergency room and what Dr.
12 Ranjini Mahendrarajah wrote him, you know, in this sense of his
13 family doctor and what she seen of him and her assessment of
14 him.

15 **Q.** Ms. Desmond, thank you for telling us about that.

16 Over that Christmas break, that time of December 2016, do
17 you have memories of family get-togethers where your brother
18 would be there? You know, what kind of a Christmas was that, if
19 you recall?

20 **A.** I don't really recall Christmas because I did
21 Christmas with my little family that year. Like I went down
22 home and stuff and everything but I never seen Lionel over that

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1 holiday until New Years ... the day before New Years. So New
2 Year's Eve. The day before New Year's Eve. So December 30th
3 was the last time that I seen my brother, like, and spoke to him
4 or whatever. And I stopped down at Nanny's to drop ... what did
5 I drop? I went to Nanny's to drop something off or whatnot and
6 he was just stopping in to pick Mom and Aaliyah because Mom and
7 Aaliyah were up the road. And he was just stopping in to pick
8 Mom and Aaliyah up and he just came in the house. And he was
9 like, Mom, Lili, you ready? Because that's what he called
10 Aaliyah, "Lili". He said, Mom, Lili, you ready? Mom said,
11 Yeah. He said, Hi, Cassan. How you doing? Merry Christmas,
12 Happy New Year. I said, Hey, Lionel. Love you. Happy New
13 Year, Merry Christmas to you. And they went and hopped in the
14 Ford Edge and left and I was like five minutes behind them,
15 headed back to Antigonish.

16 **(14:00)**

17 **Q.** There's a record that we've seen on Christmas Day of
18 your brother giving a phone call to your Cousin Jeff Desmond.
19 And we've heard Jeff's name already today. I know you ... he
20 was perhaps going to be a witness but you've spoken to him and
21 he's not able to do so. But I wonder, Ms. Desmond, if you could
22 convey some of what your Cousin Jeff had to say.

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1 **A.** When I spoke with Cousin Jeff ... like me ... Lionel
2 and Cousin Jeff are really close and me and Cousin Jeff are
3 really close as well. So when I first brought it to Jeff's
4 attention about possibly coming and like speaking or testifying
5 at the Inquiry, he didn't really say much. Like he didn't say
6 anything at all. And like his silence was loud, you know, in
7 the sense. Like, you know? And so like I didn't keep asking
8 him or bothering him or anything and, like, I just waited
9 because I just knew ... like just knowing Jeff, like this is
10 probably hitting him deep, like you know where him and Lionel
11 were really close, and just give him his time and respect his
12 time. And when he's ready to answer, I'm sure I'll get an
13 answer out of him.

14 And this was like months ago that I had brought this
15 message to his attention, like messaged him and asked him about
16 it. And it wasn't up until last week that he could actually
17 call me to give me an answer. And he called me and he was
18 emotional because, like I said, him and Lionel were real close.
19 And he called me and he said, Cassandra, he said, I had to call
20 you, he said, because you know Lionel is weighing heavy on my
21 mind today.

22 And he said, I ... the last message I got from you, you had

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1 mentioned about the Inquiry and so on and so forth. He said,
2 And I didn't want you to think that I was ignoring you or
3 anything like that, he said, but any time I got to think of
4 Lionel and Aunt Bren, he's like, you know, like it hits me deep.
5 He says, It hurts me, he says, Because, like, you know, like
6 I've been ... because my Cousin Jeff lives in Edmonton. And he
7 was part of the military as well. Jeff left the military, say,
8 nine years now, maybe nine - ten years he left the military. He
9 did three terms in the military and then left.

10 With that being said, he was based in Edmonton, Alberta.
11 So Lionel was in New Brunswick and Jeff was in Edmonton, Alberta
12 for his time of the military. Jeff spent a lot of time away
13 from home. And, like, he currently still lives in Alberta. And
14 so Jeff spent a lot of time away from home. But like as a kid,
15 like Jeff was brought up with us and everything and like was
16 always around. Like he was raised in Guysborough there for a
17 little bit until he moved to Halifax and he was raised in
18 Halifax but just a few hours away.

19 But with that being said, he's like, you know, he said, I
20 left home, he said, many, many years ago, he said, you know, and
21 I talk to you guys on the phone and stuff. He's like, Me and
22 Lionel talked, he said, almost every day, like, you know, or

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1 whenever he needed somebody to talk to. He said, But it hurts
2 me, he said, because I love my family, he said, and I don't get
3 to see you guys all the time. He said, And, you know, now with
4 this whole COVID stuff and everything, he's like I can't even
5 make the decision to come and see youse like if I wanted to.
6 He's like, But it hurts. He said, It hurts.

7 When I think about the time that I spent away and the last
8 time that I come home, he said, was for funerals. He said, You
9 know, the last two times I come home to see my family, he said,
10 it's for funerals. He said, And it's not fair. He's like, You
11 know, you're a half hour drive from Grandma. If you want to go
12 see Grandma, he said, you can go see her. Like I got to pick up
13 the phone and call her. He's like, You know, he said, that
14 hurts my heart, he's like, because I love my family. He's like,
15 I love you guys. He's like, And Aunt Brenda ... Aunt Brenda was
16 my world. Like, you know, Lionel was like my best friend.

17 But he ... so I had asked. He said, You asked about like,
18 you know, the last conversation that me and Lionel had. He
19 said, I'm just going to break it to you like this. He said, Any
20 time we talked, he said, our conversations were usually always
21 the same. He said, Any time he called it was always to joke or
22 to clown around. He's like, Which was normal for us because we

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1 loved to joke, he said, and Lionel was funny. Like literally,
2 he added that in there, Lionel was funny.

3 He said, A lot of the times like when he would call, like I
4 said, it would be just to joke and clown around. He said, Or
5 he'd called, you know, for like support, like, you know, asking
6 for advice, someone to reference with when it came to the
7 military. He said, But after a while, like after his release,
8 he's like, I started to slowly see a difference, he's like, just
9 in the way that Lionel talked. He said, He wasn't really as
10 humorous as normal. Like don't get me wrong, he still joked
11 around, but it wasn't the same sense. And, you know, then he
12 broke to me and explained about his PTSD. And Jeff is like, You
13 know and like I talked to him about it, because like being in
14 the military myself, like I have a lot of friends like, you
15 know, who were medically released and so on and so forth because
16 of it.

17 And so he explained about that. And then Jeff just said,
18 Like, you know, I asked him ... I said, Did he ever talk to you
19 about Afghanistan or anything like that that went on over there?
20 And Jeff said, You know, Cassan, he's like, he never ... he
21 never talked to me about his time in Afghanistan, like, you
22 know. He's like, When I think about it, like Afghanistan was

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1 never made a topic or something that your brother ever felt that
2 he wanted to bring up or felt the need to ever bring up. He's
3 like, So when we talked, he's like, there was really no
4 reference to Afghanistan.

5 And he's like, But, honestly, he said, I can't recall our
6 last conversation, he said, that December. He said, And the
7 reason why, he said, I can't recall that conversation off the
8 top of my head, he's like, because you don't ever think of it as
9 the last conversation until you have to realize that it's the
10 last conversation. He's like, And then, well, that's when the
11 emotion sets in because then you have no choice but to walk down
12 memory lane. And that's all he left it at.

13 Q. So they spoke on Christmas Day. And we've heard some
14 evidence, Ms. Desmond, about the time around New Year's. And I
15 know you weren't there for this but you've heard, I suppose,
16 about the New Year's Eve party and your brother putting the
17 truck into the ditch.

18 A. Uh-huh. The tires going off the road?

19 Q. Yeah.

20 A. Yeah.

21 Q. And, you know, he went to the hospital and got some
22 help there, too. And, you know, over the ... the days leading

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1 up to the tragedy, I mean you know the timeline. Is there
2 anything you want to talk about from the days leading up to
3 January 3rd; you know, either New Year's or he went up to stay
4 with your Aunt Sandra and Uncle Kenny there as well. That
5 wasn't unusual for him, was it?

6 **A.** No. Lionel like ... he was like ... when Lionel would
7 come up to Lincolnville like whenever he was finally home here,
8 whatever, you'd find him, he'd stop in. He always stopped in to
9 say hi to Nanny and Papa. Like he would never pass through
10 Lincolnville without stopping in and giving his grandparents the
11 honour that they deserve. And, yeah, he always stopped in, Hi,
12 Nanny and Papa. And you'd find him literally over at Steve's or
13 out at Aunt Sandra's helping Uncle Kenny do something like ...
14 because Uncle Kenny has a lot of like machines, like four-
15 wheelers and stuff and everything like that and right up
16 Lionel's alley. Like Lionel loved four-wheelers, like ATVs and
17 stuff.

18 **Q.** It was getting to the stage, did ... did you have a
19 sense of the ... of his relationship with Shanna and if that was
20 leading to divorce or, you know, if it had been ... if the
21 breakdown was that serious or at that stage?

22 **A.** I knew that there was some turmoil going on in their

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1 relationship and like, you know, feelings and things were
2 uneasy. Because, like I said, he was posting a lot on Facebook
3 and so on and so forth. And so like you could see and sense
4 from a lot of his Facebook posts and, you know, you'd comment
5 and he'd comment back and just throughout the communication on
6 his Facebook, if you just look at the posts and the comments
7 between like him and ... Shonda would comment on like a lot of
8 his Facebook posts and everything and so on and so forth. And
9 he would elaborate to her on them and ... you know, just to pick
10 up from the conversation within the comment threads and just
11 seeing the statuses themselves, like you knew that there was
12 uneasiness. You knew that there was like, you know, something
13 was going on, some type of turmoil.

14 **(14:10)**

15 Like to know that it was enough to go on that, you know,
16 you ... it was going to lead into this? No. I didn't think
17 like it was that bad. But like to ... you could ... you knew
18 that there was uneasiness there somewhere, like something was
19 going on or something was going wrong and you could just tell.
20 And like he was becoming more ventful, you know, throughout the
21 month of December, especially when it came to talking about his
22 relationship and stuff and like, you know, just outright talking

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1 about Shanna on his statuses. And like he just wasn't hiding
2 anything. Like he was just laying it all out like Facebook was
3 his journal.

4 **Q.** Ms. Desmond, what do you remember about January 3rd,
5 2017?

6 **A.** I remember calling my mom at 1:30 because I had to go
7 down and drop something off at the Department of Community
8 Services. And I had parked around the back, like by the
9 MacKinnon's Pharmacy there, whatever, by the Five to a Dollar.
10 And so I went through the pharmacy to go out the other doors to
11 get on the main street of Antigonish because I'd be right there
12 at the building so I went through to go over to go to the
13 Department of Community Services.

14 And I remember walking into the pharmacy and they had the
15 little laundry soaps on the front. And Mom loved the Tide
16 laundry soap but only the little yellow bottles with the red
17 caps or whatever. So I walked in and it was like the ... just
18 the small ones, like the 32-load bottles. And they were on \$2
19 apiece. So as soon as I seen them, I'm like, Wow, what a steal.
20 Like I'm surprised Mom's not in Antigonish clearing up this
21 shelf.

22 So I called her. Like that's what initiated me to call her

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1 was walking in there and seeing that. Outside of that, I
2 wouldn't have talked to my mother at all that day. So I called
3 her. She's like, Hello? I'm like, Hey, Mom. What's up? She's
4 like, Oh, not too much. Just down the road right now, watching
5 some TV, playing my game.

6 I said, Oh, yeah. I said, I'm just walking through the
7 MacKinnon's Pharmacy here and I notice the Tide laundry soap
8 that you like to use, the 32-load bottles, they're on for \$2
9 apiece. She said, Oh! Gee, that's a good steal. I said, Well,
10 that's what I said, and why I needed to call you. I was like,
11 Are you coming in to Antigonish today? She's like, Well, yeah,
12 Linda is supposed to pick me up around 3 o'clock or whatever and
13 I'm going to see if she'll take me in to Antigonish. And I
14 said, Okay, well, good. Because I had my cousin, Kalista, in
15 with me.

16 I said, Okay, well, good because my car is not working the
17 best anyway. I said, So can you get Aunt Linda to come and grab
18 Kalista, so save me from having to drive down to Lincolnville or
19 having to drive somewhere to meet her? She's like, Yeah, well
20 I'll let you know, she said, whenever Linda picks me up. I'll
21 see if we're going to town. She's like, I'll call you back and
22 let you know. I said, All right then. I said, Cool enough.

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1 I'll talk to you after. She's like, All right. I was like,
2 Love you. She's like, Love you.

3 And I'm like, Mom ... because my mom never says, "Love you"
4 when she's hanging up the phone. Like she would ... like, you
5 know, Oh, get ... love you, too, whatever. But like for to get
6 the "I love you" out of Mom, it was like, you know, very rare.
7 So when she said, Love you, too, I'm like, Mom? She said, What,
8 Cassandra? Did you just say, Love you, too. Oh girl, go. Bye.
9 I was like, Oh, Mommy, I love you, too. She said, Whatever,
10 Cassandra. Goodbye. I love you, Mama, and I hung up the phone.
11 And that was the last conversation that I had with her. The
12 last I knew, Aunt Linda was picking her up at 3, like she
13 instructed and told me and if they were coming in to Antigonish,
14 she would give me a call to let me know if they could come and
15 grab Kalista.

16 So that's fine. I get back home. I go back home or
17 whatever and my kids get off the bus at 3 o'clock. My son ...
18 because I had my little boy. He was visiting with his father at
19 that time. And so my girls were coming in off the bus. And so
20 that was around 3 ... yeah, about 3. And that was fine. And
21 then my friend came over with her kids and we ended up having a
22 play date. And we were going to have supper and everything and

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1 stuff.

2 And so we were literally just sitting in the living room
3 and stuff. I got up and started cooking some spaghetti around
4 4:30 ... about 4:30, 5 o'clock. And Chantel stopped in around
5 quarter after 5 on her way back from New Glasgow because Chantel
6 was in New Glasgow that day.

7 And so Chantel stopped in on her way back from New Glasgow
8 and it was like 5:15. And I said, What are you doing her?
9 She's like, Oh, well, I was talking to Aaliyah at 4:30 because
10 Chantel was doing the after-school program for the Cultural
11 Enrichment Program, which is an after-school program for the
12 African Nova Scotian students that they were holding here. So,
13 anyway, Chantel was the tutor for the after-school program and
14 ... which usually ran from 6 until 7 or ... 6 until 7 or 6 until
15 8, I think it was.

16 Anyhow, Aaliyah had contacted her at 4:30 from Mom's cell
17 phone asking her if there was after-school program today. And
18 Chantel said, Yes, and she ... and Aaliyah asked Chantel if she
19 could pick her up and take her up the road to the after-school
20 program. And Chantel told Aaliyah that she was on her way back
21 from New Glasgow and that she'll stop in to get her.

22 And then Mom had come in on the phone and said, Well, if

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1 you're on your way back from New Glasgow and you're going to
2 stop in to get Aaliyah, then you might as well stop at
3 Cassandra's and grab Kalista, she said, because I forgot to call
4 Cassandra back because Linda was supposed to pick me up at 3
5 o'clock and Cassandra is looking to get Kalista a drive home
6 because her car is not working the best. So if you're coming
7 through and you got to go up to Lincolnville anyway, bring
8 Kalista with you. Stop at Cassandra's. So that's why Chantel
9 ended up stopping at my house at 5:15 that evening of January
10 3rd or she would she kept proceeding off to Monastery to stop in
11 to pick up Aaliyah.

12 So Chantel stops in at my house and she ... it's her
13 boyfriend, John, and their daughter, Delilah. And so Chantel is
14 there for about, I'm going to say, five, ten minutes or whatever
15 because she comes in and says hi to the kids and starts talking
16 with Christina and stuff, maybe even 15 minutes, you know.
17 Either way, she came in and she was socializing enough time for
18 Kalista to gather up her things and get them out into the car
19 and proceed on their route to Monastery.

20 So Chantel, I'm going to say, leaves ... she left my house
21 shortly after 5:30. Like it was shortly after 5:30, like you
22 know, going on to 6 o'clock. And I knew that she had to stop in

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1 at the house down the road because she was ... she already told
2 me. Because she was rushing Kalista. She's like, Come on. I
3 got to stop. I got to get Aaliyah, like running late. Because
4 the after-school program started at 6. And, like I said, it's
5 already 5:30 when she's leaving the house. It takes a half hour
6 to get to Lincolnville, so she's already running on like, you
7 know, small time.

8 So they proceed off and they leave and everything is fine.
9 I'm getting ready to clean up now after supper because we just
10 had spaghetti and stuff and everything, so ... and they stopped
11 in. Then I'm cleaning up after supper and everything. And just
12 go in and sit down and me and my friend, Christina, are sitting
13 down. The kids are literally just playing around on the floor,
14 running around, and her and I are just sitting there
15 conversating.

16 And literally I'm just sitting on the couch and my phone
17 rings. And it's Chantel ... no. My phone goes off and it's
18 Kalista. And she's like, Aunt Cassandra, I need you to come and
19 get me. I need your help. I'm so scared. I don't know what's
20 going on. I need you right now. And so in my mind I'm
21 thinking, You guys just left here not that long ago. So I'm
22 thinking, Oh my God, like Chantel must have went off the road or

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1 something, like because it's wintertime and that night it did
2 start to snow and everything. Like there was a bit of snow
3 coming in.

4 **(14:20)**

5 So the first thing in my mind is, Chantel must have got in
6 an accident or something and like, you know, like they're hurt.
7 So I'm like, Where are you at? And then I started calling her
8 and she's not answering. And so I called Kalista again. She's
9 not answering. And I have Chantel beeping in on my line, so I
10 hang up the phone ... I like hang up with Chantel's call by
11 clicking into the other one and ... I mean hanging up on
12 Kalista's call and clicking in to Chantel's call.

13 And when I answered the phone when Chantel called me ...
14 because like I said I read Kalista's text messages and I'm
15 thinking like, you know, Chantel got in an accident. And I'm
16 calling Kalista and she's not answering and now I got Chantel
17 beeping in on the line. So I answer her and I hear a scream ...
18 like a scream come out of my sister that I've never heard in our
19 life. And I've spent 24 years ... almost 25 years. Like, you
20 know, that January we were 24. That May we were turning 25. 24
21 years and I never heard a scream or a cry come out of my sister
22 like the one that I heard the night of January 3rd.

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1 She ... I answer the phone. I'm like, Hello? I'm like,
2 Chantel, what's going on? I'm like, Kalista is ... Cassandra!
3 Cassandra! She's like, You need to call the cops. You need to
4 call the ambulance. She's like, You got to get here. She's
5 like, Lionel is dead. Shanna is dead. She didn't go no further
6 in the house to know that our mom and Aaliyah were in there,
7 too.

8 So I'm like, What? Like, No, no, no, no, no. And then the
9 phone drops. And so when the phone call drops, I immediately
10 start calling my mother. Because the last conversation that I
11 had with my mother, all I knew was at 3 o'clock my aunt was
12 supposed to be picking her up and taking her home ... up the
13 road or coming into town. And so I'm calling my mom and there's
14 no answer. And so I'm leaving her voicemails because like I'm
15 thinking, Okay, Aunt Linda picked her up. Like, you know, like
16 maybe she's in the grocery store or something or maybe like, you
17 know, she's at home doing something and her phone is downstairs
18 in the bedroom and she's upstairs. Like I just thought my
19 mother was home. Because the last I knew, my mother was going
20 home.

21 So I call my mom like I think it was like three times. And
22 I'm ... I leave three voicemails. And I'm like, Mom, Mom, like

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1 you got to answer the phone, Mom. I'm like, You got to answer
2 the phone. I'm like, Like I tell you this all the time whenever
3 I call you and you don't answer. It could be a life and death
4 situation. Like you got to answer your phone, Mom. I'm like, I
5 don't know what's going on and I don't know where you are. I
6 said, Chantel just called me and told me that Lionel and Shanna
7 are dead, that she found Lionel and Shanna. Lionel shot Shanna
8 and then shot himself. I don't know where you are. Like, Mom,
9 wherever you are, like please, I'm like, just answer your phone,
10 I'm like, or just get down there or something.

11 And at the end of me leaving that message, my Aunt Linda
12 ... my phone ... Aunt Lulu is calling. I answer the phone and
13 ... Chantel is my twin sister and my Aunt Linda is my mom's twin
14 sister. And I answer the phone and then I hear a scream come
15 out of my Aunt Linda that I never heard come out of her. She's
16 like, Cassandra, she's like, your mom, Aaliyah ... I'm like, No.
17 She's like, Your mom and Aaliyah, she said, they're gone. She's
18 like, They're all gone. They're all gone. I'm like, No ...
19 like no.

20 And I literally just hung up the phone. And I went in my
21 room because like my kids are home and stuff. Right? And I'm
22 saying, No, but like I can feel the emotion and tears coming

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1 over, so I go in the room. And I'm like, No, this isn't real.
2 Like this isn't real. Like my whole world paused. My whole
3 world just went numb. My whole world just stopped, like it
4 stopped.

5 And I went in the room and I remember just standing up
6 against my bedroom wall and it's like the life just came out of
7 me. Like I just slid down the wall and I just sat on the floor
8 for what I thought was ten minutes, really turned out to be a
9 half hour, and I couldn't move. I couldn't move. I just kept
10 sitting there just hearing my sister scream, hearing my Aunt
11 Linda scream, and just taking in the information that was just
12 brought to me and like, No, this is all a dream. Like this
13 isn't happening right now. No, this isn't happening right now.
14 Like there's no way. Like, no, there's no way.

15 And I said, Okay, I got to go, like I got to get up and I
16 got to go. Like I got to ... I got to see this for myself,
17 like, you know, because right now I'm in shock. I'm in
18 disbelief. I'm everything but thinking this is real. This did
19 not just happen. Like, no, this did not just happen.
20 Everything happened so fast that like it ... it was just surreal
21 to me. Like, you know, I just couldn't put myself in that
22 moment to grasp all this just happened. I couldn't put it all

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1 in my mind to understand why, you know, I just got a call and
2 they're telling me that my mom ... my mom is gone.

3 It's not a doctor or anything, you know, telling me like,
4 you know, I'm sorry, like your mom just died of a natural health
5 cause or something like that. I'm having to realize the fact of
6 that. I lost my mom, and I lost my mom at 24 years of ... it
7 would have been 25 that May. So when people ask, I had a life
8 sentence with my mom, 25 years. But I didn't lose my mom to a
9 natural health cause. I lost my mom because my mom died at the
10 hands of my brother, gunshot wound.

11 And like to grasp that in my head, like it just seemed so
12 unfair because like, you know, I wanted to see my mom grow old.
13 Like, you know, I wanted to take care of my mom, whenever she
14 got older, the way that she took care of me and loved me as a
15 nurturing child, like you know. And to grasp all that in your
16 head ... you know, my mom died at 52 years of age because my
17 brother was sick.

18 And I jumped in my car. My friend came with me. She said,
19 You're not driving. Drove me down there. And I remember
20 getting by the Upper Big Tracadie ... coming around the turn,
21 like Charlie Ash's and coming in to ... by Upper Big Tracadie
22 and just that straight stretch, just setting there, and I just

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1 remember like, you know, setting in the passenger seat and
2 putting my hands together and just looking up and like ... like,
3 Lord, like, you know, this isn't real, like. And if this is
4 real, like, you know, the ambulance or somebody got there and
5 like, you know, like they're ... they're okay, or like, you
6 know, Mom is still alive. Like it's okay. Like in my head,
7 like, you know, I'm just trying to talk myself into thinking
8 like this ... this all did not just happen. You know? Like
9 it's not ... this all did not just happen. When you get there,
10 things are going to be different. It all did not just happen.

11 And it really did not sink into my mind or anything like
12 that until we're pulling up to the base of the driveway and then
13 coming to the bottom there of the picture, pulling up off the
14 road on that side. And where that yellow tape is, the cruiser
15 was sitting right there. And I remember my friend ... because
16 my car was a standard. And I remember her gearing down. I
17 don't even think I got her to get the chance to gear down into
18 second and I was hop, roll, up ducking the police officer
19 because he literally jumped out and like tried stopping me. And
20 I just like swooped around him and just ran ... ran.

21 And I remember getting up on the property and running up to
22 the step. And there was a female officer on the step and she's

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1 standing there. And I could see Shanna's foot, because I looked
2 in the doorway. I could see Shanna's foot laying there. And I
3 said ... she's like, Can I help you? She's like, Ma'am, she's
4 like, you're not allowed to be here. This is a crime scene.
5 She's like ... she's like, Who are you? Like, you know, can I
6 answer anything for you?

7 And I'm like, My mom, my brother, my niece, my sister ...
8 I'm like ... she's like, Who are you? I said, I'm Cassandra
9 Desmond. I'm like, My mom is supposed to be in here, my
10 brother, my sister, my niece. She said, Well, I don't know and
11 I can't give you any details, she said, but all I can tell you
12 is there's four deceased bodies in here. And I said, No. She
13 said, That's all I can tell you is that four deceased bodies in
14 here and we're waiting for the coroner and forensics or whatever
15 it is they were waiting to show up and to come. She's like,
16 Once they show up, officers will be up to talk to you and your
17 family up at 140 Lincolnville Loop which would have been my
18 grandparents' house, the house that I was mentioning earlier on
19 in my statement that had burnt down.

20 **(14:30)**

21 And I remember just Nathan Sparks, who was one of the first
22 officers on the scene stopped me and got my information and

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1 stuff and just informed me that they will be up to speak with
2 the family with some details and stuff after everyone else like
3 arrived, the other ... Bible Hill's forensic team and the
4 coroners and so on and so forth.

5 And I remember going up to my grandparents' house that
6 night. I had to call my dad actually, because my dad didn't
7 know. I called my dad whenever I was leaving the driveway and I
8 said, Dad. He said, What's wrong, babe? I said, Lionel's gone.
9 He said, What? I said, Mom, Shanna and Aaliyah. He's like,
10 Cassan, he said, don't. He said, You stop talking like that. I
11 said, They're gone. He said, What do you mean? How? I was
12 like, Lionel shot them and then shot himself. Dad said, No,
13 Cassan, don't you be telling me this. And I just remember the
14 crying coming out of my father.

15 I went up to Lincolnville and I went to my grandparents'
16 house, like the home I was raised in with my mom, where my mom
17 lived and everything. And I remember walking in the door, Nanny
18 and Papa's, because believe me, ever since that happened walking
19 through that door was not the same without seeing my mother's
20 face.

21 But walking in the door, my grandfather ... my grandfather
22 was the strongest man that I knew, he taught me everything from,

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1 you know, how to help people, to respect people, and everything.
2 And he was sitting at the table and all my 24 years of knowing
3 that man, loving that man and, you know, just spending time with
4 that man I never, never seen him cry a day in my life. I'd
5 never seen a tear come down that man's face a day in my life.

6 And my grandfather lost children prior to my mom. Like he
7 lost kids prior to my mom. Not the same way, have you, but just
8 the sense of he knew the feeling of losing a child. But nothing
9 affected him, that man, the most until the day that he was told
10 he lost a grandchild. My grandfather, his grandchildren his
11 world. And, like I said, he lost children but the day that that
12 man found out that he had to bury a grandchild and a great-
13 grandchild, the only thing that he could think of is, Can
14 somebody please give me the answer as to why I had to lose three
15 generations under one roof all in one night, all in less than an
16 hour. My grandfather went to his grave January 2019 without an
17 answer to that question and it played in his mind every day
18 wondering why, why.

19 Because when I touched base earlier when you asked, you
20 know, about the pride within my family when my brother signed up
21 for the military and how my grandfather was so proud, my
22 grandfather that day he said, You know, Mom, that's what he

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1 called Nanny. He said, You know, Mom, and all this time we
2 thought we were sending that boy out doing something good, he
3 said, and I do believe that he did something good. He's like,
4 But what in the name of God went so wrong that we're sitting
5 here questioning this. What went so wrong, he said, Why? He
6 said, And, Mom, we'll never had the answers, he said, because
7 Jesus, by God, we'll be gone before we get the answers.

8 And hearing that come out of my grandfather that night was
9 enough to give me the strength the next day to say, I'm going on
10 CBC News because I know that this was not supposed to happen and
11 somewhere along the lines something ... something went wrong.

12 I seen the journey and the venture of my brother, you know,
13 crying for help and going for help and, you know, seeking all
14 these different treatments and just not stopping, you know.
15 When he knew that things weren't working or that he needed
16 something more intense of a therapy whatever, he kept going,
17 like he never ... he never stopped.

18 But obviously, like I said, like you know, the proper help
19 wasn't given or some things skipped along the lines that we're
20 here having to discuss all of this.

21 Q. That was your initial reaction, wasn't it, the
22 reaction of questioning how this could have happened and still a

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1 reaction that was full of love for your brother. And can you
2 tell us, Ms. Desmond, whether that was the reaction that was
3 prevalent in your family and in your community?

4 **A.** I guess I can say, I can't really speak for everybody
5 but ...

6 **Q.** No.

7 **A.** ... what I can say is there were a lot of mixed
8 emotions especially at the time of everything happening. You
9 know, you've got the ones questioning why and then you just had
10 the ones that were going on like how could he do this and, you
11 know, not worrying as to why or what had happened and things.
12 Like, you know, there were different views, there were different
13 opinions. There were different fingers being pointed here and
14 there and everywhere.

15 It was a rollercoaster of emotions. Everybody was going
16 through their own sense of, I guess, how to deal with what just
17 ... not just hit our community, our nation, our province, you
18 know. There's ... there were many questions and many emotions
19 and everything just being asked and going along the line. So I
20 guess it's fair for me to say that there was a rise of mixed
21 emotions.

22 **Q.** Your brother's obituary, I'm just going to read a few

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1 passages from it. It says:

2 Corporal Lionel Ambrose Desmond, age 33, of
3 Monastery succumbed to the tortures of PTSD.

4 It says:

5 Lionel served in the Armed Forces from
6 September 2004 to July 2015, 2nd Battalion
7 Royal Canadian Regiment at Gagetown, New
8 Brunswick. He served his country proudly
9 with two tours in Afghanistan. Lionel was
10 known for his friendly demeanour and
11 contagious smile. His can-do attitude was
12 evident while serving his unit and
13 community. He will be remembered as an
14 amazing son, brother, father, husband,
15 nephew, cousin, and grandson.

16 I take it, Ms. Desmond, that you had a part in the drafting
17 of that?

18 **A.** Yeah, we all sat down and kind of more or less
19 brainstormed and we all ... we didn't just want to put the duty
20 on, like, you know, one person ...

21 **Q.** Yes.

22 **A.** ... like, you know. And we all wanted to have a sense

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1 of like our say and shares to who Lionel was.

2 So I guess we all just sat down and we couldn't really put
3 everything in there but we put what we felt were the most
4 important to him and just his life and just his truth to just
5 the story who Lionel was.

6 Q. It was important to you that it be conveyed in the
7 right way?

8 A. Mm-hmm.

9 **(14:40)**

10 Q. We've seen, Ms. Desmond, from your brother's internet
11 search history and email messages that he was looking for houses,
12 researching gym memberships and with what he'd choose, kind of
13 future-oriented behaviour. Is it ... can you ... are you able to
14 wrap your mind around that or do you have thoughts or reactions
15 to that ...

16 A. When I ...

17 Q. ... contradict ...

18 A. When I ...

19 Q. ... seeming contradiction?

20 A. When I come into the context of that information, his
21 searches and things, not to men- ... there were engagement rings
22 on there as well ...

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1 **Q.** Yeah.

2 **A.** ... that spoke to me of someone with future plans.
3 Someone who has plans for a future, you know.

4 Seeking that he's trying to get help still and going the
5 routes that he was to get help, you know. He mentioned many
6 times how he wanted to fix his relationship with his wife and
7 renew his vows and so on and so forth and just be a family.

8 And, you know, he expressed how coming out of Ste. Anne's
9 there. Like when the house was sold he expressed how he, you
10 know, couldn't wait to find a home or purchase a home or whatnot
11 due to the factor of, you know, he just felt that him and his
12 little family should be under their own roof. And where they
13 were they staying here in Nova Scotia that home is technically
14 Thelma and Ricky's, that was Shanna's parents' home. And Shanna
15 basically was resident there while they were in Saskatchewan and
16 looking after the place, and where she was finishing school and
17 just starting out at St. Martha's and Lionel getting out of the
18 hospital.

19 And they sold the home in Fredericton and they had plans on
20 buying a home here somewhere in Nova Scotia, like let it be
21 Antigonish or the Monastery area whatever. So he had future
22 plans and his future plans always consisted of fixing things and

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1 making it better.

2 Q. He even had an appointment to go back to St. Martha's?

3 A. Yeah.

4 Q. Yeah.

5 A. After one that he missed. Realized, Hey, I missed an
6 appointment and I need to re-book that and he did.

7 Q. Difficult next few days, Ms. Desmond, including the
8 funeral for your mother and your brother. Can you tell us a
9 little bit about those days and any dealings with either Veterans
10 Affairs or the military in terms of helping you with those
11 arrangements? Were you dis- ... were you in discussions with
12 them or was that somebody else doing that?

13 A. That we left on ... as you mentioned, my cousin, Albert
14 MacLellan, we call him Junior, he was the driving force to
15 getting in contact with Veterans Affairs. So we ... like,
16 because we didn't really know anything on like how like, you
17 know, the military went when it came to like deaths of one of
18 their members and so on and so forth or who to communicate with
19 or anything like that.

20 Like we knew of the Department of National Defence and so on
21 and so forth. And it wasn't until Junior actually informed me of
22 Veterans Affairs Canada that I even knew that there was a

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1 department in the federal government called Veterans Affairs
2 Canada.

3 So my grandfather actually contacted Junior, Albert
4 MacLellan, and Papa contacted ... I'll reference him as Albert, I
5 guess. Papa contacted Albert and got him on the phone and Albert
6 said ... because he calls Grandfather "Pappy." He said, What's
7 going on, Pappy? Grandfather said, I need you. So what's wrong?
8 He said, The young fellow took his life, mother and wife and the
9 young child, and he said, I don't know what to do. I don't know
10 who to turn to or who to call, he said, and somebody got to pay
11 for these funerals, he said. We got to figure out how we're
12 going to bury them. We can't just leave them like that, he said.
13 And I figured I'd contact you with your background in the
14 military and see where to go from there. And he said, Well,
15 Pappy, you need me I'll be there. He said, You leave it up to me
16 and don't worry about it.

17 So we left that communication up to Albert and which he'll
18 be able to touch base on that a lot more than what I can, whereas
19 we gave him the lead role for that. He was basically, I guess,
20 we can classify him as the family liaison when it came to
21 Veterans Affairs and, you know, having to communicate and knowing
22 the routes to go.

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1 And that's when I got taken under his wing and I started
2 learning about Veterans Affairs and so forth and all this, and
3 who they were, what they were about, what they're supposed to be
4 doing, what they're not doing and all that. So ...

5 **Q.** You started your advocacy fairly soon thereafter then?

6 **A.** Well, that's ... this is where it started from because
7 at first Veterans Affairs, basically when Junior was in contact
8 with them was like, We'll pay for the soldier but we're not
9 entitled for the rest of them. So, okay, but your soldier and
10 because of his illness and so on and so forth is the reason for
11 the other three deaths.

12 And so whatever it is that ... like I said, Junior will be
13 able to touch base on that. You know, at first they were only
14 going to bury Lionel and then once Junior got after them and did
15 his calls and so on and so forth, and not mention the Legion in
16 Antigonish was a big part as well. Once they got involved and
17 did what they were doing, Veterans Affairs Canada was willing to
18 pay for my brother's funeral, Shanna's, Aaliyah's and my
19 mother's. Not to mention my family members that had to fly home
20 from Ontario or had to drive, they were going to reimburse them
21 for their tickets and so on and so forth.

22 So that, when they were being too quick to do all that after

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1 refusing to do anything, you know, and then my face is in the
2 news and Junior is doing all this and, you know, things are
3 starting to stir up here and now, you know. And the government
4 is feeling, Okay, we're getting some pressures here, now they're
5 opening up their pocketbooks and wanting to pay for everything to
6 your transportation home and everything.

7 So to Junior, it was ... Albert, Well, that's great, that's
8 fantastic, but never in my whole career of being a part of the
9 Canadian Armed Forces have I ever seen you guys so generous to
10 want to be dishing out money and paying for plane tickets and
11 stuff now, when at first you didn't even want to bury the man's
12 mother, you didn't want to bury the man's wife and you didn't
13 want to bury the man's child but now you're more than willing to
14 bury all four of them. And you want to accompany the family with
15 their plane tickets and their gas mileage or whatever the case
16 may be, for whomever had to come home, you know, and face this
17 tragedy. Why are you so generous now?

18 Q. Yeah.

19 A. So that always stuck in the back of my head and in
20 Junior's. And then I just started ... it's like there's more to
21 this than what's being said. There's more to this than what the
22 eyes can see. And by God, I'm about to turn these lights up and

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1 they're going to have to grab some sunglasses for shade because I
2 ain't turning my brightness down, it's only going to get
3 brighter, and we're going to get some answers.

4 Q. Well, you started going around and talking to people.
5 I know eventually in Ottawa ... you went to Ottawa in October of
6 2017, was there ...

7 A. October of 2017, yeah.

8 Q. Now I'll ask you about that trip. Was there ... is
9 there anything you wanted to touch on prior to the trip to
10 Ottawa? I don't think there were significant meetings of any
11 kind at that time, but there may have been discussions that are
12 worth raising.

13 A. Well, here, just give me a second.

14 Q. Well, maybe we'll talk about the Ottawa trip that maybe
15 you took.

16 A. So when I first went to Ottawa I was invited to the
17 Second Annual Mefloquine Rally by members of the Spartan
18 Wellness, which is a veterans group/organization that helps
19 veterans. So I was invited to attend the 2nd Annual Mefloquine
20 Rally on Parliament Hill in Ottawa.

21 **(14:50)**

22 So I had attended that and gave a little spiel and speech

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1 there and ... because that's when ... after I started doing my
2 advocacy and everything, learning of what Mefloquine and
3 everything was, and so I started getting into that.

4 So with that being said, they invited me to their rally and
5 allowed me to basically give a little presentation, a little
6 speech, and that was ... it was a great experience. Like I met
7 lots of people, a lot of those people that I had met actually are
8 still part of my fight and everything today. Like they're not as
9 to the forefront as we were but, you know, we're here and have
10 things to do and stuff.

11 But I made some great connections, I met some great people
12 and, you know, a lot of those people that I met like, you know,
13 being in Ottawa and, you know, being around Parliament and stuff,
14 like yeah, I met a lot of political figures and so on and so
15 forth.

16 But what really stood out for me the most, you know, about
17 Ottawa is the factor that, you know, all the organizations and
18 people that I met, like veterans, like, you know, just starting
19 their own organizations and things because of the lack of help
20 that is given from our government and Veterans Affairs and so on
21 and so forth, and so a lot of them that I met were like a lot of
22 those groups and organizations.

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1 And what I realized that like, you know, the majority of the
2 help that a lot of these veterans are getting and are still
3 standing here upon is the factor that, you know, there's these
4 veterans out here that went through a dark time in their life,
5 still do see dark days, like, you know, but has gained enough
6 education and built the toolbox and it had enough support and has
7 heard so many people hear their cries for help and now they're
8 the ones out there helping those who are still crying for help,
9 you know. And it's just amazing.

10 Because like I said, like, you know, I went to Ottawa and
11 like when all this happened like I could show you the emails and
12 things like, you know, from the political people that, you know,
13 wanted to gain my attention I guess at the time of them because I
14 don't hear from none of them now. And with that being said, you
15 know, I still hear from those people within those small veterans
16 groups and, like, you know, reaching out and helping and doing
17 that.

18 And so a lot of what Ottawa, you know, really taught me was
19 really an eyeopener of the lack of help, support, and everything
20 that our government is to our veterans.

21 Q. These other groups and other people you've met, are
22 they ... or were they and have they become part of your support

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1 network now?

2 **A.** Yes.

3 **Q.** While you were in Ottawa, you had an opportunity to
4 address the Standing Committee on Veterans Affairs?

5 **A.** That was my second time to Ottawa.

6 **Q.** Second time, okay, so we'll come back to that then, I
7 want to ask you about that. But perhaps it was while ... it was
8 this trip to Ottawa then that you were also in communication with
9 Mr. Stevenson? Or was that the subsequent one?

10 **A.** Yes. Because when I was on the steps of Parliament ...
11 It just ... got it in my head, I was just thinking when we had
12 met with the representatives at St. Martha's the ... when we had
13 met with Nova Scotia Health Authority representatives at St.
14 Martha's that August, now this is October that I am in Ottawa.

15 So that August we sat down to do the quality review with St.
16 Martha's and the representatives at NSHA. At that meeting, they
17 had mentioned about Veterans Affairs wanting to meet with the
18 family and that they didn't have a set date or anything like that
19 but basically that they wanted to meet with the family and they
20 wanted to get an answer out of us like today. And the
21 representatives call and I take it, Stevenson, was going to get
22 back to whoever it is that he was speaking to from VAC and let

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1 him know that, yeah, the family is more than willing to talk or
2 whatnot, and, you know, pass the means of communication. Whereas
3 the VAC reps could be in contact with me or one of my sisters and
4 we could set up this meeting for VAC to meet our family. So this
5 was that August.

6 So I'm in Ottawa that October, and it just dawned on me,
7 like, you know, we haven't heard from Colin or any of the NSHA
8 representatives or anything back on, like, you know, the whole
9 when does Veterans Affairs Canada want to meet with the family.
10 Now that I'm in Ottawa, you know, and I know that the Minister of
11 Veterans Affairs is here and so on and so forth, I'm going to
12 contact Colin to see what's going on here. Like, you know,
13 what's going on with this meeting with Veterans Affairs Canada.

14 Because, like I said, this meeting took place in August and
15 now we're in the month of October but we're like October 18th, so
16 like we're in the midst of October, almost, you know, out of
17 October.

18 So I contact Colin that day and I just ask him for basically
19 an update as to what's going on. So Colin comes back at me in
20 the email stating that Veterans Affairs' reps were in contact
21 with him stating that they were communicating with members of the
22 family and that the planning of a meeting was underway.

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1 So I come back to Colin with, You received this message from
2 who, and who from Veterans Affairs was talking to whom in my
3 family, and when did this conversation supposedly take place,
4 and, if you can, can you please give me proof of this
5 conversation? I was like let it be the email, the phone, like,
6 you know, call, draft whatever the case may be. Because I can
7 tell you right now for a factor that the only person that they
8 would be talking to in my family, since I'm the one basically
9 doing everything here right now, would be me and/or one of my
10 sisters.

11 But my sisters didn't hear from nobody. I didn't hear from
12 anybody. So I'm confused as to who VAC was speaking to from the
13 family. And I want to know and I want to know before I leave
14 Ottawa tomorrow. And if so, if you get the message through today
15 I want to meet with this VAC representative face-to-face.

16 So Colin is like, Well, I'm sorry for that mis-communication
17 and misinformation but I'm definitely going to see what's going
18 on here. And to which I learn of supposedly the VAC rep that
19 says this is the Chief of Psychiatry for VAC, Alexandra Heber or
20 Hebert, whatever ... however you pronounce her last name. So
21 this is the first that I'm seeing this title, seeing this name or
22 anything.

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1 So I'm saying to Colin like well, this is all misled
2 information because nobody was talking to this lady. This is the
3 first I'm ever seeing this woman's name, you know. And she's
4 lying if she told you that she was in communication with somebody
5 from the family or if one of her reps or whatever told her that
6 they were in communication with someone in the family, that is a
7 lie, because we have not heard from Veterans Affairs Canada
8 whatsoever.

9 And the only time that Veterans Affairs Canada was ever
10 mentioned for us to recall or remember was during our meeting at
11 St. Martha's Hospital when we were doing the quality review with
12 Nova Scotia Health Authority.

13 And so Colin said, Well, Cassandra, with all due respect I'm
14 going to get to the bottom of this, figure this out, and then he
15 did, it was Alexandra. He ended up passing along my contact
16 information and everything to her, and to which he passed her
17 contact information off to me, and so that would be the midst of
18 us communicating.

19 So Alexandra got back to me that evening, like around 4-ish
20 or whatnot and basically expressed to me that she was not able to
21 meet with me while I was in Ottawa whereas she wasn't in the area
22 at the time. And, however, that whenever I got back to Nova

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1 Scotia, whereas I have her contact information and she has mine
2 that she was going to be in communication with me over the next
3 little while to basically plan out this meeting with the family.

4 And she indicated that the meeting was ... they were asked
5 to do this meeting by Veterans Affairs Canada as a suicidal aware
6 ...

7 **Q.** A medical suicide review?

8 **A.** Yes, a medical suicide review, which I'd never seen
9 that review at all.

10 Now, Alexandra and her associates, Joel Fillion, who was the
11 Director of Mental Health I'm pretty sure, and Michel Doiron or
12 Dorion or whatever who is the Deputy Minister or whatnot for VAC
13 and a rep from OSI Halifax showed up.

14 **(15:00)**

15 So when they contacted me, me and Alexandra were contacting
16 through email and she was throwing out dates. So after we
17 started communicating, she was throwing out dates. So she said
18 to me ...

19 **THE COURT:** Sorry, this is your communication with?

20 **A.** Alexandra Heber who is the chief of psychiatry for
21 Veterans Affairs Canada.

22 So her and I are communicating for this family meeting to

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1 set up because she had told Colin Stevenson that she was in
2 contact with a member of the family and that there was a
3 discussion for this meeting, but there ...

4 **THE COURT:** This was with a view to having this medical
5 suicide review?

6 **A.** Yes. So this ... well, now, this is the first that I
7 am hearing of this too because to me, it is just a meeting for us
8 to discuss, like, you know, their role in Lionel's life and, like
9 what they're able to tell us, so on and so forth.

10 But then she communicates back to me that Veterans Affairs
11 had asked her to do this suicide awareness ... what was it? The
12 medical suicide review or something.

13 **MR. RODGERS:** Medical suicide review is how it is phrased
14 in her ...

15 **A.** Yes. Medical suicide review.

16 **THE COURT:** That is how it is referred to in the email?

17 **A.** Yes. And so when she had mentioned that in the email,
18 that Veterans Affairs Canada had asked her and her associates to
19 come to meet with us, that this is what they were coming for,
20 based upon this aware- ... this review.

21 So she had said that she would be back to me within the next
22 couple of days with some dates because she had to be in contact

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1 with the other members that were going to be travelling along
2 with her to this meeting to see when the dates would be good for
3 them.

4 So she had gotten back to me and she gave me the dates of
5 November 21st and November 22nd. So as soon as I get that email
6 ... I'm a very open-minded person, so I leave this up to the
7 Chief of Psychiatry of Veterans Affairs to send me the dates of
8 when they want to come to Nova Scotia to meet with me and my
9 family. So she gives the dates of November 21st and November
10 22nd of 2017.

11 I am sure all of you in here, when I mentioned the dates
12 November 21st and November 22nd, it rings a bell. Well, November
13 21st, that's Lionel's birthday.

14 So when I opened up that email and those two dates were the
15 dates that the chief of psychiatry referenced to me to come and
16 meet, I am thinking, Are you guys just coming to meet with us to
17 say that you came here to meet with us, because the way that you
18 are throwing out these dates, you are not taking nothing into
19 consideration of anybody's feelings or anything like that.

20 You just threw out the date of my brother's 34th birthday,
21 the first birthday that we are going to be spending here without
22 him after his death, and you got the audacity. But you know

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1 what? Thank you for that because it just shows me how ignoble
2 you are of Lionel Desmond. I am taking the date of November
3 21st, dear, and I am not going to explain anything else outside
4 of I will see you when you arrive.

5 So after we set that date, she tells me, I will be back in
6 communication with you within the next couple of days for a
7 place.

8 So in my mind, I'm thinking, well, my family is going to
9 want to attend this meeting, you know. My grandparents are
10 getting older and stuff. They are not going to want to travel
11 all over the place, you know, for meetings and everything. So
12 again, I just leave this up to her to see where she is going to
13 lead next. So she comes back at me, the conference rooms at the
14 Claymore Inn in Antigonish, that we can book the conference rooms
15 at the Claymore Inn in Antigonish for these meetings.

16 So I said, Well ... I responded back to her and I said,
17 Well, I was hoping before you took it into consideration, you
18 know, to find a spot for yourself, that I would actually maybe
19 give a location myself. I said, We have a spacious community
20 centre within our community at Lincolnville, you know, the
21 community where Lionel was born and raised. I said, I think it
22 would be nice for you guys to actually come and sit amongst

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1 myself and my family at our community centre in Lincolnville, in
2 our community. So it wasn't a problem. Sure, whatnot, they were
3 going to come and meet with us.

4 So November 21st rolls around and I set up a birthday party.
5 I bought a cake, I put up balloons, I put up everything. So when
6 they walked to the door, all like, Oh wow. What is going on
7 here? I am like, Well, considering, you know, it was already in
8 my mind that you never took it into consideration, I figured that
9 I would just put it into consideration of the factor of, you
10 know, either you don't look over your documents very well, you
11 know, because how many dates ... I mean how many pieces of paper
12 have you looked at with Lionel Ambrose Desmond on it and the DOB
13 being November 21st of 1983, and you not realizing when you gave
14 me the date of November 21st or 22nd that it was my brother's
15 birthday. I took that as a very ignoble of you, especially being
16 the chief of psychiatry, you know, like, you're really messing
17 with me here.

18 She is like, Well, no, I'm sorry, like, you know, I never
19 ... it's like, okay, it's fine, because I know that you never
20 took it into consideration because if you did, we would probably
21 be meeting tomorrow instead of today and you wouldn't have used
22 this date as an option when you had the date. You could have

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1 said the 22nd or the 23rd, but you said the 21st and the 22nd, so
2 I was just walking into your hand. So come on in. You want some
3 cake? You want some tea? You want some coffee? Let's sit down
4 and enjoy this meeting. Happy 34th birthday to Lionel. God
5 bless his soul. He should be here, but instead, we are here
6 discussing why he is not. And then we got into the meeting.

7 **Q.** How did the meeting go?

8 **A.** The meeting went. I will put it this way. The meeting
9 had ... it went okay, like it went well. We sat down and we were
10 able to talk and express things and so on and so forth. I can
11 say that they made a lot of statements and, you know, promises
12 that they did not keep, especially when it came to the Inquiry
13 that we are in now and the things that they were going to do and
14 implement.

15 But with that being said, the meeting went great. It did go
16 good. Just basically, like I said, they basically just showed up
17 to say that they showed up because they never really gave us any
18 information on anything. Anytime that they talked or anything
19 like that it was basically like, you know, bound by privacy,
20 bound by privacy. You can only say so much and, you know, when
21 you did ask them, like, you know, questions, like I said,
22 everything just led back to, bound by privacy, bound by privacy,

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1 or Michel or Michael, whatever his name was there, Mr. Doiron,
2 would comment just basically saying, like, you know, Oh, well we
3 are trying to get the veteran's medical files, for an example,
4 but it is a challenge because of the "bound by privacy" stuff
5 and, you know.

6 Or he has been trying to get Department of National Defence
7 to call out, but everyone is just keeping quiet. And then when
8 you say, Well, who is everyone? You know, I mentioned that to
9 him. I said, Well, who is everyone and who is keeping quiet? If
10 you are calling on the Department of National Defence as the
11 deputy minister, you know, trying to get them, like, you know, to
12 say things, like, who is it that you are referenced to, that you
13 are calling out to, in the Department of National Defence that's
14 saying, Quiet. Well, the premier and the attorney general and,
15 you know, the ... then going on.

16 **(15:10)**

17 You basically ... that is why I started within my province
18 because after meeting with them, I was like, Hey, you know what?
19 I'm going to start here and then I will work my way there because
20 eventually, with everything that they are going on about with the
21 "bound by privacy" and all this stuff, it just shows me that they
22 are trying to protect theirselves from something, so they are only

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1 going to let us in so far and then, you know, I am going to have
2 to find a route to get in that door. But either way, I am
3 getting in that door.

4 So after meeting with them, it led to me basically sticking
5 with my province because Michel or Michael had mentioned, If you
6 can get a coroner's inquest, we will participate. So I said,
7 Well, what do you mean by a coroner's inquest?

8 He said, Well, basically, if you can get someone to call the
9 Inquiry into your province, he said, I can tell you right now
10 that you have my word that we will participate. And I said,
11 Well, when you say that you will participate, what do you mean by
12 how ... where is your participation going to render at, like, how
13 far are you going to bring your participation, because you are
14 participating here with this meeting, but everything is bound by
15 privacy, bound by privacy. So when you are talking about if I
16 can get a coroner's inquest, then you will participate in the
17 Inquiry, what is your participation going to consist of?
18 Everything. We will give our full-fledged participation, he
19 said, whether it be recommendations, if there is findings of
20 blame or anything, he said, you know, we are going to give you
21 our full participation, have your back, because, you know,
22 Cassandra, we are sorry that this had to happen and, like, you

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1 know, but there is a lot of things, he said, but we can only do
2 so much because you have got to understand, your brother has many
3 medical files within different provinces and things within Canada
4 here. He was in Quebec, he was in New Brunswick, Nova Scotia,
5 and all that.

6 So this is where ... like, so I am thinking, okay, I
7 understand that and that is why I am asking. When you say that
8 you are going to give us your full participation, where is your
9 participation going to be at stance of because you are mentioning
10 how my brother was in Quebec, you are mentioning how my brother
11 was in New Brunswick, how my brother was in Nova Scotia. What do
12 you think, that I am going to travel to each and every province
13 calling on an inquiry or a coroner's inquest in order to get your
14 participation to how you want to allow it?

15 **Q.** So Mr. Doiron made that commitment to you at that time.

16 **A.** Yes, he did. And then we started coming into the wraps
17 of the meeting, and so on and so forth, and he decided to tell us
18 about the VAC assistance services.

19 **Q.** Oh yes. I wanted to ask you about that. So you were
20 told that there was, yes, a ...

21 **A.** Yeah. So ...

22 **Q.** ... phone number that you could call.

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1 **A.** So him, he mentioned about the VAC assistance services,
2 and he had mentioned that, Here is the number. This is the VAC
3 assistance service. Any services that would have been provided
4 to or for your brother or whatnot will render for the factor of
5 yourself and your family.

6 I asked, So what is it, the steps that we have to take?
7 What would we have to do for whenever we call in? They basically
8 gave me the details. Michel ... Michael gave ... however you
9 pronounce his name, gave me the detail that you just phone in.
10 All the personnel are made aware of the Desmond family tragedy.
11 That is what he had mentioned. So all personnel are made well
12 aware of the Desmond family tragedy is what he said to me.

13 So when he said that to me, I am in the understanding that
14 anybody that picks up that phone is well aware of the Desmond
15 family tragedy. This is what he had stated to me.

16 So then Alexandra had added in, she said, Yeah, that is very
17 true. All personnel are made well aware of the Desmond family
18 tragedy. All you have to do is just call in, mention who you
19 are, your relation. That is what she said, Mention who you are,
20 like, you know, for an example, you are Cassandra Desmond. You
21 are Lionel Desmond's sister. So mention the relation to what you
22 are to Lionel, so and so. I was like, Okay. That you are a part

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1 of the Desmond family and the tragedy that had took place in Nova
2 Scotia. So okay. That is ... understanding. Thanks for that
3 then. So I had written all that information down and so on and
4 so forth.

5 So this is November of 2017. So we are almost seven months-
6 and-a-half shy or a month shy of the first-year anniversary of
7 the tragedy.

8 So I have all this information written down that they had
9 given me and I did not contact the VAC assistance services prior
10 to ... like, whenever they had given me that information. So we
11 are communicating in between and stuff and everything. Just
12 basically, like, you know, Alexandra would message asking, like,
13 how am I doing and stuff. And, you know, she had mentioned,
14 Don't forget about the fact the Veterans Affairs Canada service
15 assistance line and, like, she basically, like, put it all out
16 in, like, an email form, like the number and everything. And she
17 had put in there, All phone personnel are made aware. You know,
18 just mention who you are. Like I said, basically everything that
19 she said at the meeting, she had put in the email to state.

20 **THE COURT:** Do you still have the emails?

21 **A.** Yeah.

22 **THE COURT:** Do you? Does Mr. Rodgers have those emails?

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1 **A.** Yes.

2 **THE COURT:** Okay.

3 **MR. RODGERS:** Yeah, I can provide those to the Inquiry,
4 Your Honour.

5 **THE COURT:** To Mr. Murray and Mr. Russell.

6 **MR. RODGERS:** Sure.

7 **THE COURT:** When you get a chance, thank you. Sorry.

8 **A.** That is okay.

9 **MR. RODGERS:** I will do that. That is fine. I think we
10 can get through the questions without them, but I will certainly
11 provide them so that everybody can have a copy.

12 **THE COURT:** Thank you.

13 **A.** So after ... where was I at there?

14 **MR. RODGERS:** So we were talking about ...

15 **THE COURT:** I interrupted you. Sorry, I interrupted you
16 because you had talked about you had heard from Alexandra Heber.

17 **A.** Oh, Ms. Herbert was putting them in points.

18 **THE COURT:** This was November 21st.

19 **A.** Thank you.

20 **THE COURT:** Almost getting on to a year.

21 **A.** Okay, yes.

22 **THE COURT:** And she laid out things and reminded you to

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1 call and ...

2 **A.** Oh perfect. Thank you, Your Honour.

3 So everything ... so basically what was mentioned at the
4 meeting, she is back in Ottawa now and she is sending me out,
5 like, a referenced email with basically the things that were
6 mentioned at the meeting - the VAC assistance services and, you
7 know, the different things that we talked about.

8 I never heard back on the suicidal ...

9 **MR. RODGERS:** You haven't received any such report?

10 **A.** Never received no report on that, now that I think
11 about it. So that is fine.

12 So after we are in contact here, this is November or
13 whatever, so we are about a month and somewhat shy of the one-
14 year anniversary to the tragedy.

15 So I have all this information of VAC assistance services
16 and, like, you know, who they are, what they are able to do. You
17 just contact them, so on and so forth.

18 So like I said, I never contacted them until January 3rd of
19 2018. So on the one-year anniversary date of the tragedy, I
20 called the VAC assistance services line. And like it ... I woke
21 up that day and, like, you know, it is the first year, like, you
22 know, it is one year. Today is the anniversary day. Like, my

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1 emotions were pretty high and, like, all over the place and stuff
2 and everything. And my children's father had taken them for the
3 night and stuff and, like ...

4 So I woke up that day and, like, I was by myself and, like,
5 you know, just deep in thought and in my emotions and, you know,
6 it is one year and I am reminiscing now. Like, this is the one-
7 year anniversary of the worst day of my life, like, you know, and
8 here we are a year later.

9 So I am like, I am just sitting there, like, you know, just
10 going through my emotions and thoughts and stuff and it come to
11 my head, call the VAC service assistance line, like, you know,
12 start getting yourself some help, like, you know what I mean?
13 Like, go talk to somebody, like, start your road of, like,
14 healing, like, you know, instead of sitting here continuing to
15 grieve and stuff and everything. Like you are always going to
16 grieve, but, like, you need to go talk to somebody and, like, you
17 know, just let things out. And so I said, yeah, I am going to
18 call the VAC assistance service line.

19 So it was January 3rd, 2018, and I took into consideration
20 to call the Veterans Affairs Canada assistance service line. And
21 as I mentioned, they both mentioned - Michael/Michel and
22 Alexandra - phone in. All personnel are made well aware of the

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1 Desmond family tragedy.

2 So as I am phoning in, I am thinking I just have to give the
3 information that I was told to give, you know, your name, your
4 relation, and things will start flowing from there. Well, it did
5 not work out like that.

6 **(15:20)**

7 So I called the Veterans Affairs assistance service line and
8 the young lady answers the phone. So she answers the phone, you
9 know, says her title and who she is and, you know, where I am
10 calling and, How can I help you today? I said, Hi, I said, my
11 name is Cassandra Desmond, I said, I am the sister of Lionel ...
12 or the late retired Corporal Lionel Ambrose Desmond. I said, The
13 Desmond family tragedy that had taken place a year ago to this
14 date, I said, of January 3rd, 2017. And I am calling in today
15 because today is the one-year anniversary and, like, you know, I
16 am just ready to start this journey of healing.

17 And she said, Okay. She is like, I am going to have to get
18 some more information from you, I think, yeah. She is like, Did
19 you say "Desmond tragedy"? I am like, Yeah. I was like, Well, I
20 was told by the VAC representatives and stuff that gave me this
21 number that any one of you guys, or all you personnel that are
22 going to answer the phone, are made well aware of the Desmond

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1 family tragedy that occurred in Nova Scotia a year ago to this
2 date, and that the only information that I would have to mention
3 is who I am, my relation, the Desmond family, and the Nova Scotia
4 tragedy.

5 And this ... you could just hear in, like, the poor girl's
6 voice, she is like, I am ... she is like, I am sorry, ma'am, she
7 is like, but I have no clue what tragedy you are talking about
8 that occurred, the Desmond name or any tragedy that occurred in
9 Nova Scotia. She said, I have no clue what you are talking
10 about. She is like, But if you give me a few minutes, I might be
11 able to find out.

12 I said, No, that is okay, I said, because I do not even know
13 why I bothered calling this line. I said, you know, I said, The
14 thought of it. I said, My brother probably tried calling this
15 line, I said, and the failures that he had to live with, I said,
16 and then they are giving me this information and I am calling in
17 and you are sitting here telling me that, basically what they
18 told me to my face is a lie because you have no clue about any
19 tragedy that occurred in Nova Scotia, let alone any Desmond name.
20 I was like, So you know what? I was like, Thank you. I was
21 like, You just have yourself a great day.

22 And I hung up the phone and I messaged Alexandra in the

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1 email and I basically told her, Thank you very much for making me
2 feel worse than what I already did waking up today knowing that
3 it was the one-year anniversary, I said, but I called the
4 Veterans Affairs assistance line that you had given me to contact
5 and I relayed the information that you told me to relay, I said,
6 and just to let you know, Ms. Heber, that poor child did not have
7 one sweet clue what I was talking about, who I was, anything
8 about the Desmond family tragedy that had happened in Nova
9 Scotia, let alone a tragedy that had occurred in Nova Scotia, I
10 said, So you know what, I said, I should have known better, I
11 said, but, I said ... yeah, I said, I should have known better, I
12 said, because, literally, you sent me to the same department and
13 system that failed my brother, I said. And for me to think that
14 you guys were going to be able to help me, I said, I do not even
15 know why I put the faith there.

16 And I do not even think it was two minutes, maybe three
17 minutes, I think, the email might have just got in her inbox
18 enough for her to glimpse at it to see, you know, what it was and
19 she messaged right back apologizing and so sorry and she was
20 contacting the line and going to get this all cleared up. When
21 you get a copy of the emails, you can see that as well, but,
22 yeah, she was going to get this all cleared up and so on and so

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1 forth.

2 And then her next email after that was basically, I got in
3 contact with a counsellor or whatever and explained. If you call
4 back, she said, they are all made aware now of, you know, of
5 everything. So if you call back, she said, you might get ... you
6 will not get the same one or whatever, but at the time of you
7 hanging up, she was able to create or start a file. She started
8 a file or whatever. And the one that I got in contact with was
9 able to add things to it. She is like, So if you call in now,
10 she said, or call in again, she said, you know, you will not have
11 the same trouble that you had and they all know who you are.

12 I said, You told me that back in November, I said, that they
13 would all know who I am, and here it is three months later in
14 January and, you know, the one-year anniversary and I am calling
15 in. And now you are telling me to call back, that they are made
16 aware now? You told me in November that they were made aware,
17 only for me to call in to get the disappointment that I had
18 gotten this morning. So with all due respect, Ms. Heber, just
19 ... no.

20 **Q.** Same ...

21 **A.** And I lost faith in Veterans Affairs. Well, I never
22 had no faith in them anyway, as it was, but after my own personal

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1 situation there in contacting the assistance services and so on
2 and so forth, and just that it ... that right there just showed
3 me how miscommunicated and disorganized that department is.

4 **Q.** You had made another trip to Ottawa.

5 **A.** Yes. This time I was invited by Veterans Affairs
6 Canada.

7 **Q.** Yes. And you were there to speak to the standing
8 committee on Veterans Affairs?

9 **A.** The barriers of transitioning.

10 **Q.** I have here your testimony. It is about a page-and-a-
11 half, Ms. Desmond. Maybe I will provide that as an exhibit as
12 well. Maybe ... I do not know if ... do not need to read the
13 whole thing but if you want to give a sense of what it was you
14 told the committee. And I am also interested in your sense of
15 what you thought of the committee.

16 **THE COURT:** I am just going to stop you for a second.

17 **MR. RODGERS:** Sure.

18 **THE COURT:** Do you have that document with you?

19 **MR. RODGERS:** I do, yes.

20 **THE COURT:** How long is it?

21 **MR. RODGERS:** It's a page-and-a-half.

22 **THE COURT:** Okay.

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1 **MR. RODGERS:** I could read it or I could ask Ms. Desmond
2 to.

3 **THE COURT:** What I am going to do, if you could read it,
4 Mr. Rodgers, so we will all understand what it is.

5 **MR. RODGERS:** Yes.

6 **THE COURT:** Okay?

7 **MR. RODGERS:** All right.

8 **THE COURT:** And then if you could make a copy of it
9 available to Mr. Murray or Mr. Russell and it will eventually be
10 marked as an exhibit and made available to counsel as well,
11 unless counsel want a copy of it now, in which case we can take a
12 quick break and have photocopies made. Do we have a consensus?
13 Do you want copies of it or would you like to hear it?

14 **COUNSEL:** Let's hear it.

15 **THE COURT:** Read it.

16 **MR. RODGERS:** Thank you, Your Honour.

17 **THE COURT:** Thank you, Mr. Rodgers, sorry.

18 **MR. RODGERS:** I am somewhat conscious of the time of day as
19 well, Your Honour. I have only a few questions left after this
20 which I am sure we will be able to get through before 4:30. So I
21 will just continue along if that is okay.

22 **THE COURT:** I do not think anyone is travelling today.

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1 Are they? Not wisely anyway. So if we have to run over a few
2 minutes, I think we can do that.

3 **MR. RODGERS:** Very good. Thank you. I will start the
4 testimony, Ms. Desmond. You can take a break for a few minutes
5 while I read this.

6 **A.** Okay.

7 **Q.** And it is various ...

8 **THE COURT:** I wonder if you could read the date and the
9 header just so that we have all kind of a little bit of
10 background information rather than just what the evidence is,
11 please?

12 **MR. RODGERS:** The date is the one thing I don't have on
13 this document.

14 **A.** March 18th.

15 **Q.** March 18th. Thank you, Ms. Desmond.

16 **THE COURT:** All right, thank you.

17 **MR. RODGERS:** 2018.

18 Barriers to Transition - Witness Testimony
19 by Cassandra Desmond to the Standing
20 Committee on Veterans Affairs as follows.
21 I offered you peace and showed you mercy.
22 Exhibit A - my family tragedy. Exhibit B -

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1 my life now. When VAC fails a veteran, they
2 fail the family, community, province, and
3 nation, both emotionally and financially. My
4 family tragedy was preventable. Our
5 government has been studying veteran suicides
6 since the 1990s and still has done little to
7 address the situation. Our government agreed
8 to watch over our medical-released and
9 injured veterans as far back as 2009- 2013.
10 Canada's role in the Afghanistan war went on
11 for ten years. Those roles ended in 2011,
12 and over that time, there have been and still
13 are many reports of problems with the unit
14 responsible for transitioning soldiers
15 referred there, the JPSU.
16 Before my brother fell in the cracks of VAC,
17 my brother fell into the systemic problem
18 with the JPSU, so deep that his very own
19 sergeant worried to transfer him. Sergeant
20 Butler stated he worried the transfer to JPSU
21 would make Lionel feel more isolated because
22 the staff are not equipped to deal with

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1 mental illness and they are not trained.
2 JPSU is just a holding unit to get rid of
3 soldiers not medically fit, only to put ones
4 who are medically fit in their place. JPSU
5 New Brunswick had two section commanders
6 looking over 60 to 100 people administered at
7 Gagetown, New Brunswick. Neither were
8 trained to deal with mental illnesses, yet
9 DND claims all other parts of the country but
10 Gagetown, New Brunswick was understaffed.
11 I'm sure my friend, Barry Westholm, can be a
12 witness to this stoicism.

13 **(15:30)**

14 The endurance of pain or hardship without a
15 display of feelings and without complaint is
16 what you teach these men and women, but they
17 no longer show or carry this trait, do
18 complain, or show feeling they are simply and
19 honestly told veterans are asked for more
20 than we are able to give. Excuse me?
21 These great men and women gave their lives.
22 All they're asking for is what they were

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1 promised and deserve, yet we can give
2 generously outside our nation to help others.
3 But why not first our very own? As Nelson
4 Mandela said, 'I'm not truly free if I'm
5 taking someone else's freedom.' Employ them
6 in different ways. PTSD and other medical
7 injuries should not affect their jobs or
8 career in the military. Why should anyone
9 have to hide their feelings due to the fact
10 of being judged upon capability of
11 performance? Get to know what they're going
12 through before medically releasing them.
13 They should have that internal support while
14 still an active service member instead of
15 being released only to find and figure it out
16 on their own. Military should come up with
17 some type of workforce in their system for
18 these medically released soldiers so they
19 still have a career and job and not be left
20 alone, abandoned with nothing to depend on
21 but civilian disability. It's not fair and
22 adds to their stress, and it should not be a

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1 barrier for them to serve their country.
2 These men and women deserve that chance after
3 all the time and money you invest in them.
4 They deserve that chance of coming back
5 because the support is there while still an
6 active member and there still is hope and
7 belief in them, and not put worry, all is
8 soon to be lost, because they can no longer
9 do what they love and the reason they choose
10 to protect their country, because they love
11 service and love their country.
12 Our government created a place of no
13 responsibility. You cannot underestimate our
14 generosity and patience. You cannot deny our
15 hurt, pain, mistrust, and thoughts of guilt
16 for allowing these people to think they are
17 doing something good only to fail them and
18 turn your backs on them when they hurt.
19 Instead of helping you hurt them more enough
20 time has gone by, and I see no changes at all
21 besides a Joint Suicide Prevention Plan
22 because VAC and DND are so dysfunctional.

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1 Broken promises, lies. Actions speak louder
2 than your words in hopes that we stay quiet
3 or dim our lights. Well, as I turn these
4 lights up brighter, and as Lisa Nichols said,
5 'All I'm telling you is grab your shades
6 because we're only going to get brighter.'
7 It's time for awareness, understanding,
8 support. You need to address these issues so
9 new ones are not created and all is not lost.
10 There is still so much work to be done. You
11 have more motivation now than you've ever,
12 and more reason to continue your effort and
13 take responsibility. You're only at the
14 beginning now of what's been a real long
15 journey for years. Now is that time you get
16 it right and keep it right.
17 My whole world was in that house. Everyone
18 in here has a story, something you did not
19 pick for yourself. But always remember, the
20 battle is not yours. It's the Lord's.

21 So Ms. Desmond, you conveyed that message on suicide
22 prevention to the committee. This was not their first meeting

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1 and it was not their last meeting with respect to suicide
2 prevention. Can you just give us a sense of how you see that
3 committee work unfolding and what good it may do?

4 **A.** It's funny that you mention that because this meeting
5 that I was invited to ... attended was actually meeting number
6 088. So before I had went to Ottawa to give my testimony here on
7 the barriers to transition I was doing a lot of research, like,
8 on Veterans Affairs and, like, different ... you know, like,
9 different military stories and things and, like, you know,
10 Department of National Defence and just, like, their roles in
11 veterans' lives and, like, what they do or what they're supposed
12 to be doing and so on and so forth.

13 So with that being said, when I was doing my research and
14 going on I had actually came across a barriers to transitioning
15 meeting where a group of other people were giving a testimony,
16 and one of my friends were actually part of the meeting. And it
17 was, like, meeting 068. So 068. And the meeting that I was at
18 was meeting 088.

19 So Neil Ellis, Liberal there, and he had mentioned at that
20 meeting that I actually had seen him was looking up information
21 on, he had stated in December of 2016, I do believe it was. What
22 was it? Was it December? He had made a comment or whatnot in

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1 December of 2016. He made a comment that basically they had all
2 the proper recommendations and things that they needed for a
3 proper transition into civilian life.

4 So I read this prior to and like, you know, watched clips
5 and stuff prior to going to this meeting. So as we ... so there
6 is me and a few other people who are giving a testimony as well,
7 and followed by our testimonies is rounds of questions. So they
8 are all there just asking questions, and you know, we are giving
9 the answers and stuff and then Mr. Ellis goes and makes a comment
10 on, like, you know, just, you know, basically thanking me and the
11 other participants and how, like, you know, they are going to
12 take into consideration of, like, you know, our testimonies and
13 things and put in position to put in for their list of barriers
14 of transition and all that and that hopefully, you know, this
15 will come to the finalization of things and so on and so forth.

16 So I am not a person to really bite my tongue, like, when it
17 comes to, like, a logical question on top of my head. Like it
18 comes there and I'm going to ask it. Like, you know, because,
19 like, I am interested and I want the answers. So when he stated
20 that, like, you know, Well, we're going to do this, and you know,
21 this is a great meeting and we'll take these into consideration
22 to put forth our recommendations for the barriers to transition

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1 and, you know, take how we are going to implement it into, you
2 know, the transitioning to civilian and life and like that, on
3 all that. So I said, Well, with all due respect, Mr. Ellis, I
4 said, You have put in a statement, I said, from, like, you know,
5 meetings from a while ago. We are at ... this meeting is 088 and
6 at meeting 068 you had stated and mentioned that you had all the
7 proper recommendations and things that you had needed, you know,
8 for your ... basically, for your guidelines for the proper
9 transition from soldier to civilian life. And here we are, you
10 know, meetings and meetings later and you are still going through
11 to find your proper, basically, qualifications, recommendations
12 for your list of what a proper transition is supposed to be.

13 So if you got it right at that meeting why are we still
14 setting here at a roundtable at this meeting with you asking the
15 same questions trying to figure it all out all over again when
16 you just said about a month ago, and not to mention prior to my
17 brother's death and everything, that you had it all together.
18 And he could not answer me. He waited until after the meeting to
19 come and address me on it and was like, you know, Cassandra, you
20 are right. He is like, But we can't always have it right.

21 So then do not be putting it out there that you do got it
22 right if you are still on the path if things are going wrong.

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1 You are giving people hope that is not there. That is not fair
2 to them. You are allowing people to think, you know, that all
3 this information is there and that you guys are on a path of
4 getting things right when you are still trying to figure out
5 where the heck are we going wrong? Because nothing is going
6 right.

7 And I am not going to sit at your roundtable, you know,
8 clapping my hands and giving you praise when there is blood still
9 being shed amongst our country, and you are setting here saying
10 that you got things right. But out there we see all the things
11 that are going wrong. It is not making any sense to me. And I
12 see why you did not have an answer to give, you know, when I was
13 being questioned at the roundtable or when I gave that statement
14 to you. And, you know, there is no sense in you putting things
15 out there to boost yourself or to make you and your party look
16 good that, This is what we're doing and we got this right.
17 Because you don't.

18 **(15:40)**

19 If you had it all right, then why are you still doing things
20 wrong?

21 **Q.** You talk about suicide prevention. You pointed me to a
22 video. It's on the Department of National Defence website with

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1 Dr. Heber talking about suicide prevention, and some of the risk
2 factors that she identifies in that video - it's 12 minutes long.
3 So we don't need to play it, but it's easy to find - are existing
4 mental illness, life crisis, like a breakup or a problem in the
5 workplace, and then they talk about treatment within the
6 military.

7 You've seen that video, Ms. Desmond, and what is it that you
8 think about when you hear those risk factors identified and think
9 about your brother and some of the risk factors that might have
10 been apparent with this situation?

11 **A.** Well, when I found that video and watched it, like it
12 ... it kind of, like, set me back because, you know, Alexandra
13 recorded that video, done that video back in 2015 ... I do
14 believe that video was recorded. If I do recall. Maybe even
15 further. But either way, basically, she knows everything that
16 she's talking about with her educational background and
17 everything, but to ... she ... on the video ... how can I put it
18 in terms?

19 She mentions how, like, you know, you see the signs and
20 things, like, you know, from her educational background and
21 everything, like, the signs of, like ... like, you know, PTSD and
22 things and stuff that happened. And at the same time it's like,

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1 you made a video years prior to my family tragedy and pinpointed
2 out everything that basically you need to look for for a person
3 that, you know, is going in a bad way or, like, in a severe
4 crisis or whatever the case may be. Meanwhile, you know, you
5 have Lionel going through all these different systems and
6 departments and everything like that and showing every sign and
7 signal of what you were stating in your educational video on our
8 government website.

9 Yet we're here. Like, you know, you ... all this
10 information is out there. You have these people supposedly
11 filling these positions within these departments and everything
12 like that but meanwhile Lionel Desmond's life ended in a tragedy.

13 **Q.** Somebody needs to be looking for it to notice.

14 **A.** Well, it's one ... you know, it's one thing to have a
15 job but it's another thing to actually do it.

16 **Q.** Now Ms. Desmond, I'm going to bring you back in time
17 and talk about Dr. Bowes, the Chief Medical Examiner. You met
18 with Dr. Bowes in the summer of 2017 in Antigonish. I think it
19 was the same day as you met with the Health Authority ...

20 **A.** Mm-hmm.

21 **Q.** ... members.

22 **A.** The same day that we met with the members of ... at St.

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1 Martha's and NSHA. Dr. Matthew Bowes was actually ... he
2 actually came into Antigonish and we ... myself and my sisters
3 and ...

4 **Q.** I was there.

5 **A.** You were there present. Had met with him at the
6 conference room in the Claymore.

7 **Q.** Yeah. Now what would you like to say about Dr. Bowes
8 and his involvement with you? You've already mentioned that he
9 was providing you with some support outside of that meeting but
10 ...

11 **THE COURT:** Let me ... just for some clarification. What
12 was the meeting, Mr. Rodgers? What was its purpose?

13 **MR. RODGERS:** Yes, well, I ...

14 **THE COURT:** Do you know?

15 **MR. RODGERS:** I guess we can ... I could answer that ...

16 **THE COURT:** Okay.

17 **MR. RODGERS:** ... but I'll let Ms. Desmond.

18 **THE COURT:** So what was the nature of the meeting and
19 what was its purpose? Why was it convened?

20 **A.** Dr. Bowes had initialized a meeting to speak with us
21 basically to hear from us personally. Like, you know, background
22 information on Lionel. Like, you know, just to hear. Because

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1 ...

2 **THE COURT:** But this was not part of the quality review
3 at St. Martha's.

4 **A.** No, he was ...

5 **MR. RODGERS:** No, this was a separate process.

6 **THE COURT:** This was something different.

7 **A.** It was separate, yeah.

8 **THE COURT:** Okay. Sorry.

9 **A.** So we ... we didn't even realize Dr. Bowes was in
10 Antigonish, actually, until after the fact. We had gotten a
11 call. Because we were trying to plan a meeting with Dr. Bowes,
12 like just to chat with him, and so we were meeting with ... at
13 St. Martha's with the NSHA reps or whatnot. And the lady that he
14 brought with him ...

15 **MR. RODGERS:** Yes, somebody contacted you and ...

16 **A.** ... his assistant called ... was it me or Diane? No,
17 it was Diane. Because we were all together and then Diane ...
18 and she's like, Dr. Bowes is down at the Claymore and wants to
19 meet with us right now. And I'm like, Dr. Bowes? She's like,
20 Yeah, the Chief Medical Examiner wants to meet with us right now.
21 And we all gathered up and went down. And so yeah, it was ...

22 **THE COURT:** You were having another meeting that same day

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1 with whom?

2 **A.** We were ... we just left the meeting with NSHA, like
3 the NSHA representations, at St. Martha's. Because we were doing
4 the quality review. So the same day that ...

5 **THE COURT:** Okay.

6 **A.** ... we were at St. Martha's doing the quality review
7 ...

8 **THE COURT:** Just coincidental. Got it, yeah.

9 **A.** ... in August ... yeah. After that meeting ...

10 **THE COURT:** Sorry.

11 **A.** ... was out and over Matthew Bowes called us down to
12 ...

13 **THE COURT:** I understand.

14 **A.** ... the Claymore Inn to meet with him.

15 **THE COURT:** Thank you.

16 **MR. RODGERS:** And you talked to him about all of the things
17 that you had been going through and the situation with your
18 brother and there ...

19 **A.** Well, yeah, because, like, he ... Dr. Bowes didn't
20 really have much information. Like, you know? Like, he ... he
21 did the autopsies and so on and so forth and all of that. And
22 like, throughout, like, my fight and everything for the Inquiry,

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1 like, he obviously, like, kept up on my story and stuff. And
2 like, what really caught his attention was the different
3 departments that he learned of, you know, within the system that
4 played a role in Lionel's life.

5 So to him it kind of, like ... it was like, Well, how did he
6 have all these people involved in his life but him still not
7 getting no help? Like this ... so when he met with us and ...
8 because first I called Dr. Bowes out. Because that June he had
9 rendered that he was not going to call into an inquiry and he led
10 into the mental health provision of the Province and all this and
11 how ... all this other stuff.

12 And I remember that that he ruled out the fatality inquiry
13 and there ... and I remember that article because he ... my ...
14 there was no reason as to why. And I kept questioning, Did they
15 discover something? Like, was there money involved? What are
16 ... who are they protecting and what don't they want us to know?
17 Because we didn't know anything. Like, you know? And the only
18 way that I am able to know anything is if, you know, I get into
19 detail. Because I'm bound by privacy. Like, you know?

20 So I started doing my research on Dr. Bowes and I come
21 across the article of the nursing home and where ... in the city
22 or whatever. I won't even get into that. But it's where the

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1 only time that he had ... talking about reviews and stuff or
2 whatever. Anyway, I read this article and in this article Dr.
3 Bowes stated that ... I'll have to find it here. Some of the
4 only time that he ... it had to do with the nursing home and then
5 he was going on about when he sees wrong or something ... oh, I
6 can't even touch on it right now. I'll have to come back to it.

7 But anyway, I called Dr. Bowes out because of that article
8 and then that's when I was speaking upon him ruling out of the
9 fatality inquiry and then led into basically my battle with him.
10 It wasn't really a battle, I guess. It was just like him not
11 really seeing any reason for things and then I'm giving him
12 information and I'm talking to him and, you know, I'm calling him
13 every day and all of this and he's getting information and stuff
14 and, like, things are starting to, like, you know, stir up for
15 him in a sense of like, Okay, there's more to this guy's life
16 than, you know, what's leading out to be and, like, maybe it
17 should be looked into.

18 **(15:50)**

19 And so he met up with us to basically say that he was going
20 to do his part with investigating and doing what he could to see
21 what he could find and if he could find any doings with his
22 powers to be able to see what he can take to the Minister of

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1 Justice for a call into an inquiry that he was going to see what
2 he could do. But at the time, basically, just give him time to
3 do his research and his investigating and wait to see where it
4 leads out to. And so ...

5 **THE COURT:** So we're here.

6 **A.** Yeah, we communica- ... I stayed on him though. Every
7 day. Like, even though, like, I did give him his space
8 sometimes, but sometimes I was just like, you know, I need to
9 call him because, like, I need an update, I need an answer.
10 Like, you know, where do I have to go from here? Because I had
11 no plans to stop. Either way we were going to be here. Didn't
12 know when. Didn't know how. But I wasn't going to stop and I
13 knew that we were going to get here.

14 **MR. RODGERS:** Ms. Desmond, do you know ... as you know that
15 Dr. Bowes on ... on Dr. Bowes' recommendation announcements
16 finally came in December of twenty-seven- ... or sorry, the
17 announcement finally came ...

18 **A.** 2018.

19 **Q.** ... yes, that there would be the inquiry. Can you give
20 us a sense of your emotions or your feelings when that finally
21 came?

22 **A.** Well, I remember that day because that was Aaliyah's

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1 birthday. It was Aaliyah's 11th birthday, I'm pretty ... yeah.
2 11th birthday, yeah. So like, I ... I remember he had contacted
3 me the day before stating that he was going to render his
4 decision tomorrow, that it was going to be live or whatnot, and
5 for me to watch it. He didn't tell me at all what his decision
6 was going to be.

7 Like he didn't ... but he basically called me in respect to
8 inform me that the decision was going to be made and it's going
9 to be made tomorrow and, I just want to let you know so it
10 doesn't come as a surprise to you or you just turn on the TV, you
11 know, there's Dr. Bowes talking about, you know, the
12 recommendations into the Inquiry. So he had contacted me to
13 basically, like, give me the information that tomorrow is going
14 to be a pretty big day and for me to just pay attention and that
15 he was going to be rendering his decision and left it at that.

16 **Q.** It's taken some time for things to get going and then
17 we've had the COVID delays and various things here, Ms. Desmond.
18 Can you give us a sense of how you're doing and how the family is
19 doing with the time that's passed?

20 **A.** Well, been doing okay. It was, like, kind of hard at
21 first. Because like I said, I ... with my counselling and
22 everything. And basically, I couldn't do it for a few months

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1 there or whatever with buildings and stuff being closed or until
2 our virtual world or our Zoom world came up and about. And then,
3 you know, I was able to get back into that. But it was really
4 ... like, it was hard at first.

5 Because like I said, like, just me and my three children.
6 You know, and like, I was doing the best that I could, like, to
7 get by each and every day. But like, had them home with me.
8 Like, you know, for ... well, the kids were out of school for,
9 what, six straight months there? They had a full six-month
10 break, eight-month break.

11 But yeah, I had my three little ones by my side each and
12 every day and, you know, not to mention my grandmother's health
13 was taking a spiral and a beating there. My grandmother,
14 throughout the pandemic and stuff, just not being able to go
15 anywhere and up and move and stuff pretty much lost the use of
16 her legs and stuff.

17 Like, she still is able to slowly get up and be mobile and
18 move around but not as much as she was prior to all this. You
19 know, COVID really took a big toll on her, and she has bad asthma
20 and stuff as it is. So like, you know, that took a toll on her
21 health and things as well. Outside of that she ... we finally
22 got a new home put on the property as to where the old homestead

CASSANDRA DESMOND, Direct Examination

1 burnt down that I was telling you about. She's not in it yet.
2 They just got it placed there and stuff.

3 But throughout the pandemic when, like, the whole COVID and
4 everything hit, like, at first, like, it was hard. Because like
5 I said, used to ... like, you know, talking to my counsellor
6 every ... or my therapist, I guess, every second Thursday and,
7 like, you know, just wasn't able to do that for a few months and
8 wasn't able to go and visit my friends or anything like that. So
9 like, a lot of the things just really kept to, like, the
10 technology world and interacting that way and so on and so forth.

11 And it just ... it was really hard for me because, like, I
12 like being out and about. Like I'm a person of nature and stuff.
13 Like, I love, you know, being outside and, like, interacting with
14 people and everything. So when the whole world of people,
15 communication and, you know, all of that got shut down it ... it
16 was like ... it was a real hard adjustment for me. Like it was
17 ... it was hard but managed to get through. It wasn't easy at
18 all, like I said, and ...

19 Q. You mentioned, Ms. Desmond, that before you received
20 considerable support from other ... you know, ad hoc veterans'
21 groups or just groups. Does that continue? Are you still
22 receiving support from either individual veterans or groups

CASSANDRA DESMOND, Direct Examination

1 across the country as you continue your efforts?

2 **A.** My support systems are great. They're ... they're
3 there whenever I need them. They have my back. They have my
4 back.

5 **Q.** Ms. Desmond, I ... those are the topics I wanted to
6 cover. I wanted ... I thought it would be appropriate to end
7 with a ... I know you've written a letter to your brother, and I
8 thought it would be an appropriate place to end with that letter.
9 Maybe you could ... if it's ... if you're able to tell us maybe
10 when you wrote that and read that to us if you could.

11 **A.** Just give me one second here. See if I can ...
12 So yeah, on ... when tragedy occurred in my family I did,
13 like ... I do a lot of writing I should say. Like I like to
14 write poetry and journalize and stuff. I've always been like
15 that since I was little. I've always loved to write poetry,
16 quotes, letters and stuff.

17 I never really was one to express myself in words, like my
18 feelings to set and to express and to tell you, like, how I feel.
19 I wrote it. I don't know why, but just ... as I was just growing
20 up it was just always easier for me to write my feelings down
21 than it was for me to express and say them. Like, I was kind of
22 one that always, like, shunned and, like, you know, hovered and

CASSANDRA DESMOND, Direct Examination

1 hid my feelings.

2 But I found my love in, like, journalizing and writing and
3 stuff and still to this day, like, I'm better at expressing
4 myself. Like, I can ... don't get me wrong, I can express myself
5 today and tell you how I feel and who I am and, you know, with
6 great pride. But I still find that little girl in me that, you
7 know, sometimes puts that wall and that shield up and just can't
8 find the words to come out. You know, just closes off and I say
9 it all in writing.

10 So I was mad at my brother for a couple of weeks after the
11 tragedy had happened. Like, I was. I knew. Like, my emotions
12 with him were just back and forth. Because, like, you know,
13 setting there ... because I found myself ... I guess I'd only
14 really get mad at him when, like, I found myself foolishly
15 picking up my phone trying to call Mom and realizing that there's
16 not going to be an answer, Cassandra. Like, you know, call all
17 you want.

18 **(16:00)**

19 And I guess whenever I had to come to the realization and
20 stuff, like, just picking up the phone I'm like, Ah, I'm going to
21 call Mom and ask Mom. And I'd go to call and then be nothing.
22 It's like, Why, why did you do this to me, why did you do this to

CASSANDRA DESMOND, Direct Examination

1 me, like, why did you have to take Mom with you, like, you know,
2 why Mom? Like, you know, and I was just mad at him, like when it
3 came to those times. My emotion never really set in till I
4 wanted to talk to my mom. It's like, This is so unfair, I can't
5 talk to her no more.

6 And I found myself most times when it came to me just
7 selfishly ... that's what I say now. Just longing and wanting my
8 mom. Just, you know, finding it easier to yell and blame him.
9 And it wasn't until I wrote this letter, really, that, like, I
10 came to the terms of, like, you know, you can't ... you can't
11 blame him. Like, you know, you just ... you can't. It's easy to
12 but you just ... you can't do that to yourself. Like, it's not
13 fair to you to have to live the rest of your life thinking that
14 and continue to weigh these thoughts in your head every time you
15 think of your mother. It's not going to be fair to you, and you
16 got to think, you know, you have children and stuff and ... you
17 know, it's ... just don't wear that emotion like that.

18 Like, you know, so I said to myself, Well, how am I going to
19 stop? Like, you know, because every time I want to call my mom
20 or any time I want to talk to Mom got my (inaudible - crying)
21 like frig, Lionel, man, like, why? So I said, I got to write him
22 a letter. I got to do something because, like, this is just

CASSANDRA DESMOND, Direct Examination

1 weighing on my mind, and like, the whole wrong way. And I can't
2 keep doing this to him. It's not fair to him and it's not fair
3 to me.

4 And you're a mom. Like, you know, Cassandra, just you can't
5 ... you can't point fingers. Don't point blame because Mom would
6 always say, you know, Every time you point one finger you
7 remember there's three pointing back at you, girl. That was my
8 mom's famous line, always. Don't you be out there pointing
9 fingers at people because every time you point one you remember
10 there's always three pointing back at you.

11 So I said I'm going to write him a letter and so I wrote my
12 brother a letter. Actually, this is the second copy of it
13 because I felt ... when I wrote the first one or whatever I was
14 like ... I could just hear, like, for some reason I was like,
15 Okay, I'm going to have to burn it. Like, because my words, like
16 you know, he's up there. He's gone in the spiritual world. You
17 know, I can write this and have this setting in my book forever,
18 but how am I going to feel that this is actually reaching him,
19 you know? So I'm just going to burn it and let it just flow in
20 the air in hopes that ... like, you know, I'll read it before I
21 do in hopes that it connects with him and that, you know, he just
22 hears it.

CASSANDRA DESMOND, Direct Examination

1 And so I wrote him a letter and I ... I burned it because I
2 just felt, like, you know, that with me being uneasy and, you
3 know, every time I want to call my mom and just thinking of him
4 in those ways, like, how he is, like, you know, seeing me and
5 feeling that uneasiness, and he's probably feeling that, too.
6 And like, you know, how is he going to transition to the
7 afterlife with all these uneasy feelings of thinking like,
8 They're mad at me, they're mad at me, they're mad at me.

9 And knowing that my dear mother is probably up there saying,
10 Come on, come on, I'm waiting for you, I ain't going through
11 there without out and just standing there with her hand like,
12 Come on, I'm going with you, you're coming with me, like, come
13 on.

14 So I wrote Lionel a letter and I said:

15 Dear my one and only brother:

16 As I sit here on this couch beside your two
17 beautiful nieces I replay over and over in my
18 mind how much our mom truly loved each and
19 every one of us, and within those thoughts I
20 am able to find peace and comfort somehow
21 knowing that's what she was trying to do for
22 the illness you suffered within you.

CASSANDRA DESMOND, Direct Examination

1 I never told you this every day, but I love
2 you, Lionel, and I wish I had have known and
3 I could have helped you more. But just know
4 that I forgive you. I know it wasn't you and
5 I know you're sorry and I just need you to
6 know that I'm sorry for all the blame I've
7 been putting on you, too.

8 I'm sorry the system and country you signed
9 oaths for, and put your dear life on the line
10 for, and all of us to be free, failed you and
11 did not provide you with the proper
12 healthcare, mental healthcare needs that you
13 cried out for for far so long.

14 Mom was not our mom to you that evening of
15 January 3rd, nor was your beautiful wife your
16 wife or my beautiful, darling niece your
17 loving daughter in your eyes either. As
18 Vince Gill's song **Go Rest High On That**
19 **Mountain** says, 'I know your life on earth was
20 troubled/and only you could know the pain/you
21 weren't afraid to face the devil/and you were
22 no stranger to the rain.'

CASSANDRA DESMOND, Direct Examination

1 I love you, Lionel, and I know you're sorry
2 and I need you to know you're forgiven by me
3 and I'll forever stand in your honour, for
4 you and Mommy, Lili, and Shanna. I need you
5 to go forth now with Mom and hold her hand
6 tight and close, along with your wife and
7 your daughter. They need you now, Lionel.
8 They need you to go forth with them and to
9 help them and all of us here to transition to
10 this new journey bestowed before us all that
11 we never asked for.

12 Tell Mom I'm sorry and I love and miss her so
13 much and she knows my life will never be the
14 same without her. But I will stay strong,
15 which she taught me to do, and I'll do my
16 best with her grandchildren, who she loved so
17 very, very much. Please give her beautiful
18 face kisses for me and hug her tight and know
19 that we miss you all.

20 Until it's our time to meet again, just know
21 that I love you.

22 Your sister, Cassandra.

CASSANDRA DESMOND, Direct Examination

1 **Q.** Thank you, Ms. Desmond.

2 **THE COURT:** Thank you, Mr. Rodgers. Ms. Desmond, I'm
3 just going to ask counsel if they have any questions. Okay?

4 **A.** Mm-hmm.

5 **THE COURT:** And, Counsel, we've pretty much done this in
6 the order that we had in Guysborough. We'll continue the order
7 here. So I'll call upon Ms. Ward or Ms. Grant, if you have any
8 questions for Ms. Desmond.

9 **MS. WARD:** No, Your Honour.

10 **THE COURT:** Thank you. Mr. Anderson or Ms. Lunn?

11 **MR. ANDERSON:** No questions, Your Honour.

12 **THE COURT:** Thank you. Mr. Macdonald?

13 **MR. MACDONALD:** No questions, Your Honour.

14 **THE COURT:** All right. Mr. Rogers?

15 **MR. ROGERS:** No questions, Your Honour.

16 **THE COURT:** Thank you. Ms. Miller?

17 **MS. MILLER:** No questions. Thank you.

18 **THE COURT:** All right. Thank you. Mr. Murray?

19 **MR. MURRAY:** Just have a couple.

20 **THE COURT:** Certainly.

21

22

CASSANDRA DESMOND, Direct Examination1 **CROSS-EXAMINATION BY MR. MURRAY**

2 (16:09)

3 **MR. MURRAY:** Ms. Desmond, I know it's been a long day. I
4 won't keep you too much longer.5 **A.** That's okay.6 **Q.** Thank you for your testimony. Just a few things that
7 hopefully you might be able to clear up. You had said in your
8 testimony that you thought the last time you spoke to your
9 brother was December 30th of ...10 **A.** December 30th of 2017(sic), yes.11 **Q.** Okay.12 **A.** Because he was at the house to pick up Mom and
13 Aaliyah.14 **Q.** In your statement to the police ... did you have a
15 chance to review your statement to the police?16 **A.** No.17 **Q.** Okay. It is marked as an exhibit.18 **A.** Are these the exhibits here?19 **Q.** Yeah, it would be Exhibit 173, I believe.20 **THE COURT:** Which?21 **THE CLERK:** 162.22 **MR. MURRAY:** Sorry, I'm wrong. 162.

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **THE COURT:** So which volume would that be? Sorry. Do
2 you got it there, Ms. Desmond? It's also up on the monitor ...

3 **A.** Oh, okay.

4 **THE COURT:** ... in front of you there if that makes it
5 easier for you.

6 **A.** It makes it a lot easier.

7 **MR. MURRAY:** And it's just on page 3 of your statement.
8 And I appreciate that your statement was given on January 5th,
9 January 5th of 2017. So it was a very difficult time for you. I
10 appreciate that, but if you look at line 16 of page 3 you said,
11 "The last time I seen my brother was New Year's Day I do
12 believe."

13 **A.** I do believe.

14 **Q.** Do you think it was after the New Year's Eve incident
15 or was it before the New Year's Eve incident?

16 **A.** It was before. It was the 30th. I'm pretty sure it
17 was December 30th, because I ... I came down to pick up my
18 (reading to self). No, it was, because Lionel ... Mom's ... I'm
19 pretty sure Mom was with Lionel and Shanna on New Year's Eve.
20 Came in and talked to my little cousin Khasean.

21 **(16:10)**

22 Now you have me confused. It could have been ...

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** No.

2 **A.** ... the 1st. Or ... but I could have sworn it was the
3 30th. I could have sworn it was before New Year's Eve. Maybe it
4 was New Year's Day. My recollection ... I remember Lionel
5 picking up Mom and Aaliyah. Because like I said, I remember him
6 standing in by the counter and talking to him.

7 **Q.** Right.

8 **A.** And I don't think the incident with Shanna's truck had
9 occurred then. So I'm pretty sure it was the 30th ... December
10 30th.

11 **Q.** Okay. And the reason I ask is, if it had been on New
12 Year's Day, I don't know if you recall if your brother ... how he
13 was doing or if there was any talk of him going to hospital ...

14 **A.** Yeah. No, it was December 30th because, like I said,
15 the incident with Shanna's truck or anything like that ... it
16 never happened.

17 **Q.** Okay.

18 **A.** And he had just come up the road to pick Mom and
19 Aaliyah up to take them down the road. And I said ... he said,
20 Happy ... Happy New Year's, Cassandra, Merry Christmas and Happy
21 New Year's, Cassan. And I said, Same to you, Merry Christmas,
22 Happy New Year's. And they went out and hopped in the Ford Edge

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 and went down the road. And I was, like, five minutes behind
2 them ...

3 Q. Okay.

4 A. ... going down the road. But Shan- ... the incident
5 with Shanna's truck did not happen with ... that didn't occur.
6 So it was before January 1st.

7 Q. And your brother on that day, on December 30th, how did
8 he appear to you that day?

9 A. Fine. Like he said Happy New Year's and Merry
10 Christmas. Like, you know, he said, Hi, Cassan, how are you,
11 Merry Christmas, Happy New Year's. Like nothing seemed out of
12 the normal. Like he was literally just standing up against ...
13 like he normally would. Like he would be leaning or standing up
14 against the wall and he just gave the head nod, Hey, Cassan, how
15 are you doing, Merry Christmas, Happy New Year. Mom, you ready?
16 Come on, Mom, come on, Lili, he said, let's go. And they left.

17 Q. All right. Now you obviously loved your brother, but I
18 take it from your testimony that you didn't always have the
19 opportunity to talk to him about his issues and his ongoing care?

20 A. Well, no, not so much, like, his military until ...
21 because you got to understand, like he was living in New
22 Brunswick for quite some time and when he did get back to Nova

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 Scotia, like when he moved back home here, like this is in the
2 midst of him going through all of his help and, you know, and
3 everything like that. So I never really ... I never really was
4 involved. And I had my kids and, like, my own life like I said.
5 So like, yeah.

6 Q. For sure.

7 A. And, you know, he was released from Ste. Anne's that
8 August and the ... like he wasn't even in Nova Scotia that long.
9 But yeah, a lot ... a majority of his time ... I was just so used
10 to him being in New Brunswick, and when Lionel did come home here
11 to Nova Scotia, like up upon his move, like, I rarely seen him
12 unless he stopped in the house or like ... you know what I mean?
13 Like when he stopped in to see Nanny and stuff. Because he was
14 usually just out doing things. Like, you know, he wasn't one to
15 sit still. He loved hunting and nature and stuff like that like
16 I mentioned. So when he did come home from New Brunswick, you
17 know, it wasn't really like the home visiting, like, you know,
18 vacation-type. Like he was out to venture and do things.

19 Q. And his diagnosis of post-traumatic stress disorder, he
20 only opened up to you or to the family about that later ...

21 A. Yeah, so ...

22 Q. ... in his treatment? Is that correct?

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **A.** Like, we ... like, we knew that, like, he was seeing,
2 like, doctors and stuff and everything but we didn't know that,
3 like, he had a diagnosis put upon him until, like, he actually,
4 like, told us prior to heading to ... is it 2016? Headed to the
5 hospital there or whatever. Because Mom was saying how, like,
6 you know, Your brother is sick and everything. Like, all ... and
7 I'm like, Well, what's going on with him and ... well, he's
8 diagnosed with severe PTSD.

9 **Q.** That was before he went to Ste. Anne's?

10 **A.** And that was before he went to the hospital that, like,
11 we learned of his severe diagnosis. And I believe my mother
12 obviously had the knowledge of it prior to, because her and
13 Shanna spent a lot of time together and were really close. And
14 like, you know?

15 **Q.** Right.

16 **A.** She'd tell us things about Lionel and stuff, but it
17 wasn't until, you know, he was venturing off and stuff ...

18 **Q.** Right. So it was ...

19 **A.** ... when he come home.

20 **Q.** ... 2016 that you became aware ...

21 **A.** That we became aware of his ...

22 **Q.** ... of that actual diagnosis?

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **A.** Yeah, that I became aware of his actual diagnosis was
2 2016.

3 **Q.** All right. Would you say your brother was perhaps
4 hesitant sometimes to discuss his mental health challenges with
5 people?

6 **A.** Yeah, because, like, Lionel, he ... he, like ... like I
7 said, like when he was around the family, like, Lionel ... we're
8 so used to him being, like, the jokester and the comedian and
9 stuff like that. So I think, like, to him, too, like, he ...
10 like, know- ... like, knew that, too, in his mind. Like, These
11 guys expect for me to make them laugh. Or like, you know?
12 Because it's not even that we expected it. That was just Lionel.

13 So like, when he was, like, home and around us and quiet and
14 no jokes were being cracked up ... or like, you know, just
15 nothing like ... like the enthusiasm that he used to, like, have
16 and, like, wear was, like, shallow to none.

17 **Q.** And I take it, then, that you didn't have an
18 opportunity to discuss with him, for example, the specific
19 doctors that he ...

20 **A.** Yeah.

21 **Q.** ... may have seen in the Canadian Armed Forces?

22 **A.** No, I didn't ... like, I ... I didn't, no.

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** Okay. And when he was being treated in New Brunswick
2 at the Occupational Stress Injury Clinic there you wouldn't have
3 had an opportunity to really discuss with him what doctors he was
4 seeing there?

5 **A.** No, and I thought, like, you know, everything was,
6 like, going good and, like, lined in a row because, like, well, I
7 know that he was selling his home and moving and everything. But
8 like, when it came to, like, his health and, like, mental health
9 and everything like that, you know, I knew ... well, in New
10 Brunswick ... like, we didn't really hear. Like, I didn't really
11 hear much outside of, like, what Mom would, like, you know, come
12 and say and stuff. But I figured, like, you know, they somewhat
13 had his ducks in a row for him and, like, you know, things were
14 actually looking up and going good. Like ...

15 **Q.** And you mentioned in your testimony that you knew that
16 for a period of time he was being treated with medical marihuana.

17 **A.** Yes.

18 **Q.** Did you know anything about any of his other
19 medications that he ...

20 **A.** No, I did not know about any of his other medications,
21 to tell you the truth, until after the factor of him passing away
22 and, like, you know, going out to my aunt's and seeing his stuff

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 and, like, you know, you see all these pills setting there. And
2 it's like, Umm, were all those his? It's like, Yeah. I was
3 like, Really?

4 **Q.** Okay. The treatment with medical marihuana and Dr.
5 Smith's care, did you learn about that from him?

6 **A.** I ... well, I learned of ... yeah, I knew Lionel ...
7 because the first time I seen him smoke it I was actually pretty
8 surprised. I'm like ... because Lionel was one to be dead
9 against it and I'm like, What are you doing? It's for my PTSD,
10 he'd say. I'm like, Okay. I'm like, Okay. Well, and ... but I
11 never ... like it wasn't anything bad or negative because I
12 didn't see no negative effects and, like, I spent time with him
13 while he was under the influence of his medical marihuana stuff.
14 And all he wanted to do was just talk, talk, talk, talk, talk.
15 Like ... like, he just wanted to talk.

16 **Q.** Okay. Did he ever make any ... or did he ever tell you
17 anything about the effects ... apart from what you observed but
18 did he, himself, ever tell you about the effects of medical
19 marihuana, what it did for him or ...

20 **A.** Yeah, he actually did because he didn't like the THC in
21 the marihuana. Like he chose the higher content with the CBD.
22 THC content made him very paranoid and stuff and everything. So

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 he was able to distinguish between knowing that THC makes him
2 very paranoid and the CBD actually relaxes him and, like, helps
3 him with his stress and stuff. And basically, that's the only
4 time ... I think that's the only observation I ever really got
5 out of him is the factor that he can't smoke anything with high
6 content or any content of THC in it.

7 **Q.** And we've heard evidence about how that was
8 administered to him, but did he talk to you about at least part
9 of the time having paranoia as a side effect from medical
10 marihuana?

11 **A.** No, just the factor that all ... that's all he would
12 say is like the marihuana with the high content of THC or any THC
13 in it just makes him feel like he's paranoid. That's all he
14 would say. He never touched on the basis of the paranoia, like,
15 you know, what it may cause him to do, what it caused him to say
16 or anything like that. That, I can't answer.

17 But he did express the factor that he was knowledgeable to
18 know that if he smoked the medical marihuana with any content of
19 THC percentage in it he was bound to have some type of paranoia
20 kick in. Or he would become paranoid because the THC just caused
21 him to be paranoid.

22 **(16:20)**

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** Okay. You had mentioned his alcohol use in your
2 evidence. Was that something that, to your knowledge, he
3 struggled with?

4 **A.** Now see, I never knew that my brother stru- ... like, I
5 knew my brother liked to drink. Like, I knew that he was a
6 social drinker and, you know, depending on the environment he
7 could be a frequent drinker, however you want to classify it.
8 But to say that my brother was a chronic drinker or to classify
9 him as an alcoholic, I wouldn't have been able to say that until
10 reading in his documents to see that, like, you know, to drink a
11 case of beer a day like, you know what I mean, was, like,
12 nothing. It's like, Holy, like, that's 12 beer that you're
13 consuming there. Like that's quite the alcohol intake for, you
14 know, one person.

15 Like, and ... but it didn't really dawn on me. Like I said,
16 like, I knew he liked to drink. I knew that he did drink, but
17 did I know the drinking was, like, you know, excessively
18 especially when he was in high-stressed environments or when
19 things upsetted him or whatever the case may be, that he found
20 his coping in drinking? I would not have been able to reference
21 that to you without having the knowledge of the documentations
22 and just knowing that he expressed that himself to different, you

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 know, professionals in the sense of his use of alcohol and stuff.

2 I figured, like, you know, if you were to ask me that I
3 would say, like, you know, prior to reading the documentation I
4 would have liked to think that, you know, he had it under control
5 or at a tolerable level until, like, reading this to realize
6 that, you know, sometimes he did fall off the bandwagon and,
7 like, he indulged in alcohol.

8 Q. Right.

9 A. But outside of that I didn't think it was that bad ...

10 Q. So that wasn't something ...

11 A. ... to tell you the truth.

12 Q. ... you would have discussed with him.

13 A. Yeah. No.

14 Q. Okay. We've learned about his concussions and his head
15 injuries and I take it you learned about some of those after the
16 fact.

17 A. Mm-hmm.

18 Q. Did you ever have an opportunity to discuss those with
19 him when he was alive?

20 A. No, because I wouldn't say, like ... Lionel was one ...
21 like he didn't make us worry. Like, you know, and like, things
22 like that, like, to him, he would know like, Oh, like, they're

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 going to start to worry and things. And like, you know? And ...
2 and they're all going to be hovering over me because now they're
3 going to think that they have to check on me extra and all this
4 and da-da-da.

5 So Lionel, he wasn't really one to just, like, you know ...
6 just to set and, like, come out and, like, involve us, like, in-
7 depth into, like, certain things. Like, he didn't keep his whole
8 life a secret, and like, some things he would share. Like, you
9 know? And just ... but like, when it came to, like, the detail,
10 like, of, like, doctors and stuff and everything like that, like
11 I said earlier, like that was more or less, like, you know, Mom
12 would, like, relay those things based upon, like, what he would
13 express to Mom. Because like I say, him and Mom had a great
14 relationship. Like he ...

15 Q. Sure.

16 A. ... was very open with Mom and, like, confided a lot
17 with Mom. Like, you know? And so like, when Mom ... like, say
18 if, like, he went to Mom to, like, you know, vent or to express,
19 like, Mom would listen. And like, sometimes Mom would not ...
20 like, might have ... not have an answer and like, she'd come and
21 she'd mention it to us or whatever. Like, you know?

22 And like, basically like, Well, what do I say to him, like,

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 how do I take it because I didn't know, like, you know, what to
2 express, I just took it in, like, you know, grains of salt and
3 everything, now I'm trying to figure out about how ... what would
4 I say to him?

5 And that's basically how Mom would start out expressing to
6 us and, like, informing us of, like, what was going on with
7 Lionel, where he was, and she felt that she didn't have, like, an
8 understanding or grasp of what was really going on. So she would
9 come and, like, share with us, Well, the doctor is saying this,
10 or you know, this and that and that. Or, He's going to the
11 hospital for six months. Like, Mom would come and give us those,
12 like, odd little messages.

13 Like, Lionel, he ... like he talked about some things, but
14 like, he ... he never really, like, involved us like that. Like,
15 you know? And especially, like, when he started, like, getting
16 very sick. It wasn't almost like he felt that he had to, like,
17 push back almost, like he didn't know, like, you know ... like,
18 They see that I'm sick and everything and, like, I know that I'm
19 sick and I'm trying to get help but I can't express myself to
20 them and I don't want them asking me a bunch of questions and
21 having them feeling that, like, you know, they got to put this
22 extra care to me and all this and that.

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1 And which we would have loved to, you know? But he just
2 wasn't one to make himself feel like, you know, the elephant in
3 the room like, I got to ... my everything is so ... like, every
4 problem and everything is so big but yet I feel so small and I
5 don't even know how to come about.

6 **Q.** So it was your mother that he ...

7 **A.** So my ... he confided ...

8 **Q.** ... primarily confided in.

9 **A.** Yeah, he confided a lot in Mom.

10 **Q.** Did he ever talk to you, or make any passing reference
11 that you recall, to suicide when he would talk to you?

12 **A.** No.

13 **Q.** Okay.

14 **A.** That's one thing ... like, you know, I ... no, like,
15 you know? Like I said, like, you know, you'd hear ... like, for
16 the example, like, the reports with Shanna and stuff, like when
17 he was in New Brunswick and everything. And she would call and,
18 like, inform Mom of, like, what's going on with him and stuff and
19 everything. And like, we knew that things were getting stressful
20 and, like, you know, there was, like ... I guess classified as,
21 like, the ideations were there. Like, you know? Like ...

22 **Q.** Yes.

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **A.** But to say that there was an actual, like, plan or to
2 know that this was going to play out one day or that suicide was
3 going to be the rendering factor of death here for Lionel or
4 everything, no. I ... I never assumed that or would have thought
5 that.

6 **Q.** Your mother, though, had conversations where the topic
7 of suicidal ideation was raised?

8 **A.** And like, Mom, like ... Mom would say, like, you know,
9 like, Things are getting worse, you know, he's threatening his
10 life, and like, he's thinking that death is more better than
11 this. And like Mom would, like, say those things and express
12 that, and like, but a lot of that, like, you know, would come
13 when, like, he was, like, really stressed out. And it's like,
14 Well, Mom, did you hear him say that he was going to, you know,
15 do such and such act or whatever, or like, you just, like,
16 assuming that this was going to play out?

17 And she ... she would just say, like, you know, like, he's
18 just getting quieter and he's not saying much and all this. And
19 like ... but for ... and like, you know? And just talking, like,
20 sometimes, like, you know, Nobody would miss me if I was gone.
21 And like stuff like that. Like, you know, like, to come out and
22 say like, I'm going to kill myself, or anything like that, like,

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 Mom never, ever said, like, anything like that.

2 But like, she would, like, hint around the factors of, like,
3 when he would say, like, foolish things, like, you know, I won't
4 be here tomorrow or this and that and stuff. And it's like,
5 Well, Mom, like, I know, like, when you say you take things with
6 a grain of salt, and yeah, you got to listen to that stuff, too.
7 But at the same time, like, you know, I'm not hearing a plan.
8 Like I'm hearing that, like, you know, life is stressful and,
9 like, you know, the expression of, like, you know, life is this
10 and that. But at the same time, like, I don't hear, like, no
11 plans or anything like that.

12 But then, like, you know, Mom would, like ... she spent a
13 lot of time down there. And so, like, when she would say, like,
14 things like that, too ... like, sometimes whenever I would ask
15 her, Well, like, what's going on, or get more in-depth, like it
16 was almost like she ... like she wouldn't really, like, you know,
17 come out and express or, like, say anything sometimes or
18 whatever. It's almost like there was a lot going on there, but
19 she just started getting silent, like, you know, with things and
20 then next thing you know Lionel is up at Aunt Sandra's spending a
21 majority of his time at Aunt Sandra's and like, you know, nobody
22 is asking anything but we're all seeing this. So you know, and

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 we're thinking in our minds, Well, Lionel is up here and Mom's
2 down there and like ...

3 Q. So you ...

4 A. Just ...

5 Q. Did you have conversations with your mom about ... when
6 you say, I don't see a plan, did you actually ...

7 A. So yeah, I'd ...

8 Q. ... have those conversations?

9 A. Like, those are the types of conversations I would have
10 with Mom. Like do ... like, I don't see or sense a plan or
11 anything. And she was like, No, there ... like, you know, she
12 never talked about, like, him ever having a plan, just the factor
13 that, like ... like he would just be talking. I guess how can I
14 put it? Mom would say, like, he's talking foolish, he's talking
15 foolish.

16 And like ... but she never would, like, give a detailed
17 description, like, whenever she'd say, like, you know, He's
18 talking foolish, or, His head is ... his head's getting bad and
19 stuff and like, I just wish they'd figure something out faster
20 for him or, like, you know, get him his help or follow up with
21 the help and everything. Like, especially after he was out of
22 Ste. Anne's and, like, he was supposed to be being followed up

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 and everything like that.

2 And like, you know, Mom just, like ... I wish they'd just
3 follow up. Like, she could see that, like, things were just
4 getting worse instead of better. Like, you know? But ...

5 Q. You had said that what you saw primarily, I think, in
6 the latter stages of his life was what he posted on Facebook.

7 A. Yeah.

8 Q. Do you remember what he was saying on Facebook that
9 caused you concern?

10 A. Well, like, he would talk about, like, divorce and
11 getting a lawyer and then he would go back to, like ... like, his
12 financial situations. And he had a post on there at one point
13 talking about how his wife don't care about him and all this
14 stuff and if he was to die today she probably wouldn't miss him
15 and all this stuff.

16 **(16:30)**

17 Like he ... it was getting ... like the statuses and
18 everything on Face- ... like you could tell things were getting
19 more or less like, you know, this guy needed help. Like he
20 needed to be put like somewhere.

21 At some point, like, you could just tell that like the
22 stress was getting high and that the turmoil in the relationship

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 was getting high as well. Because, like, you know, he was just
2 complaining about his finances and about his wife and just being
3 unhappy. And divorce was of topics and, you know, lawyers were
4 of topics.

5 And then it was like, you know, from going from talking
6 about lawyers and divorce to, I'm not going to get a lawyer,
7 we're going to go to counselling and we're going to work this out
8 and all this. Like it was just like up and down but multiple
9 categories of situations and everything like, you know, and just
10 everywhere. But you can tell that there was no ... like the
11 happiness was very short to none like by the sounds of the
12 statuses, like, you know.

13 **Q.** So their marriage, from what you could see near the end
14 was an unhappy ...

15 **A.** Well, from what I'm concerned in the last status I read
16 of his on Facebook was that she asked him for a divorce or
17 whatever is what he had on Facebook. The last status that I
18 remember reading of Lionel's she supposedly had asked him for a
19 divorce.

20 **Q.** Okay. And the issue of money was a stressor in their
21 relationship from what you could see?

22 **A.** Not for her.

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** Okay.

2 **A.** For him because he was making the money and she was
3 spending it.

4 **Q.** Okay. And from what you could tell, was that something
5 that bothered Lionel?

6 **A.** Yeah.

7 **Q.** Okay. And part of it was her getting her education
8 which was obviously a drain on their finances?

9 **A.** That was just the last bit of it. My brother was in
10 the military for many years. And not to mention like he put her
11 through school, he also paid to help Thelma and them with their
12 businesses that they ran. He helped pay for the vehicles and
13 their home and so on and so forth. Like he carried them.

14 **Q.** Okay. Did you have a ... ever have a verbal
15 conversation with him about that or was it more what you saw back
16 and forth on social media?

17 **A.** Those conversations were conversations for quite some
18 time, and it wasn't no quiet topic or anything, like we knew.
19 Like he would complain about it not just on Facebook or anything
20 like that, but like he would ... like, you know, he would express
21 his opinions on it, like, you know, when we were in his company
22 and things and so on and so forth. And ...

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** Right.

2 **A.** ... she made sure to also vendor out where the money
3 was going and stuff by the things that she had and was able to
4 show off. And you could put two and two together. Like when he
5 was complaining on Facebook, you know, about not having enough
6 money at the end of the month to pay his bills because his
7 cheques went inside his bank but she has the money all spent, and
8 he's thinking of having to go bankrupt and all of this and so on
9 and so forth. So while the money was coming in, Lionel was a
10 great asset to them.

11 **Q.** Okay. And you said that ... In your testimony, you
12 referred to their home or Ricky and Thelma's as "down there."

13 **A.** Down the road.

14 **Q.** Or down the road? Okay.

15 **A.** Yeah.

16 **Q.** All right. You were asked a question in your
17 statement, and I may just refer to it again. Exhibit 162 at page
18 21, just at the bottom. Right around line 21 the officer asked
19 you:

20 Okay, did you have any concerns yourself over
21 the last while that he may ... you know, that
22 he may harm himself or anything like that?

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 And you said:

2 I didn't really because like literally the
3 only time that he would be like this was when
4 he was down there because when he was around
5 family like he was happy-go-lucky. Like it
6 was almost like he felt like he was like ...
7 like his dungeon, like his trap like there,
8 you know. In previous years he had his home
9 in Oromocto to balance himself.

10 When I read that, I wondered were you referring to his home
11 with Shanna? That you perceived him as seeing that as a trap or
12 a dungeon?

13 **A.** He did. Because like when ... any time that ... you
14 got to ... like when he was down there and ... because before
15 they had their home in Oromocto and any time that they were
16 there, and before Ricky and Thelma had proceeded off to
17 Saskatchewan or whatever, which only happened the year prior to
18 all of this or whatnot, Lionel was always down there with them
19 and it was always something down there. Like always something.

20 If Thelma and Ricky weren't into it or something like that
21 and Lionel happened to stand up to Ricky for Thelma or whatever,
22 there was just some type of turmoil always going on down there,

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 you know. And ... or if something was going on between Shanna
2 and Lionel, you know, he ... the reason why I say dungeon and
3 felt trapped is because he had her and them going against him and
4 he couldn't go nowhere.

5 Like if he was to leave ... And, like, for an example, they
6 get into an argument and he was to leave and drive down to my
7 dad's house, down in Havre Boucher and to calm down, her and
8 Ricky would be right behind him five, ten minutes later marching
9 into my dad's house telling him to get back up the road, like,
10 you know. So that's why I say, like he was trapped. Like it was
11 like control.

12 **Q.** Okay. And that's the way ... is that the way he
13 presented to you, that ...

14 **A.** That's the way that that household was.

15 **Q.** The trip to Saskatchewan the year before, the expense
16 of that, that was also, I take it from your statement, a source
17 of stress for your brother, was it?

18 **A.** Yes, when he found out he was the one paying for the
19 trips.

20 **Q.** Okay. And did that upset him or ...

21 **A.** And that ... It upset him which led to him going on the
22 trip with them.

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** Did you ever see ... I think you said in your evidence
2 that you didn't see yourself any arguments really between the two
3 of them ...

4 **A.** No, I ... I rarely ... you'd rarely like ever see them
5 fight. Maybe over like something foolish like, you know, Lionel,
6 like, you know, what's being cooked or what movie are we
7 watching, like, you know, but never any big fights, physical,
8 verb- ... like anything like that like, you know, where he was
9 calling her out of her name or disrespecting her or anything like
10 that. Like I cannot sit here and say that I've ever witnessed a
11 fight like that between them.

12 **Q.** Okay. Did you see him, though, have angry outbursts
13 ever? We've heard something about that but that it's ...

14 **A.** Outside of like reading reports. Like, you know,
15 within like the files and things, like I've ... like I said, I
16 never seen my brother act out of line towards her or like show
17 any type of like boast (sic) of anger. I can't, like ... I can't
18 recall. Like I literally cannot recall.

19 **Q.** Did he ever discuss having dreams about Shanna?

20 **A.** I remember him and Mom having a conversation. Because
21 he come up the road one day and he was upset and he was dreaming
22 that she was cheating on him and stuff and so on and so forth and

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 I remember him expressing that dream to Mom. I never really got
2 in-depth into it. But I remember him stating that, like, he's
3 been having dreams of Shanna cheating on him and so on and so
4 forth. And that's the only thing that really that I can recall.

5 Q. And that was a conversation more with your mother, was
6 it?

7 A. Yeah. Like he confided a lot in Mom. Like he told Mom
8 a lot. Like he told Mom everything.

9 Q. And in your statement to the police, I'll just get you
10 to put it up again just ... You had said at page 25 ... and I'm
11 looking just at line 10, you said ... I think ... well, actually
12 starting maybe at 7:

13 They never fought in front of us, like, you
14 know, like in front of us or anything. I
15 don't know what they did down there because I
16 never really went down there.

17 So you didn't spend a lot of time at Ricky and Thelma's when
18 they were there together?

19 A. I ... I never spent much time down at that household
20 ...

21 Q. Right.

22 **(15:40)**

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **A.** ... ever. The odd time like, you know, I'd go down,
2 hang out with Shonda and Sheldon or whatever but I was never
3 really my place of hangout or choice of hangout. I just ... no.

4 **Q.** Yeah, okay. And then you said:

5 But they got into a little
6 something or whatever and she had
7 said something and Lionel said,
8 Yeah. He's like, Well, if we're
9 not going to be together, Shanna,
10 he's like, I'm not leaving Aaliyah
11 here to be raised ...

12 **A.** I'm not leaving her here to be ...

13 **Q.** ... by you guys.

14 **A.** ... raised by you guys.

15 **Q.** What do you think he meant by that?

16 **A.** That he's not leaving Aaliyah there to be raised by her
17 and her family just knowing ... just knowing being under that
18 roof and the things that go on amongst that roof. Like he
19 probably said that in ... knowing that him being there, like
20 while he's there he's protecting Shanna, he's protecting Thelma,
21 he's protecting them all. Like there was a bunch of domestic
22 violence and everything going on under that roof between Shanna's

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 parents.

2 Q. Did you hear him say that?

3 A. And ...

4 Q. Was that something that ...

5 A. ... he mentioned that to Mom ...

6 Q. Okay.

7 A. ... and he ... but Lionel, he expressed that often.

8 Like after Aaliyah was born and like ... like I said, they'd get
9 in little arguments, you wouldn't really hear much, but, like,
10 you know, well, we're not going to be together. Then like he'd
11 always have a plan. We'll figure out something for Aaliyah.
12 I'll take Aaliyah back to New Brunswick with me or we'll ...
13 whatever.

14 But like when Aaliyah was ... Mom ... That's why Mom played
15 a major part too as well in Lionel's life, because Aaliyah was
16 her first-born grandchild, you know. And Mom being basically
17 Lionel's only parent ... like we have our father and everything
18 but the only pro-active parent involved and, like, that's
19 basically the only pro-active grandparent that Aaliyah knows on
20 her father's side or whatnot and so forth.

21 And, you know, her ... Shanna's parents and the grandparents
22 they're there and seeing, like yeah, they're together but, like,

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 you know, there's a lot of turmoil going on within their
2 relationship and everything too.

3 So when you hear my brother expressing that or saying things
4 like that like, you know, that's just the factor of I know what
5 goes on under this roof and, you know, I know there's quite some
6 violence between your parents and stuff and everything like that.
7 And, you know, she's my daughter too and to make it easy, like,
8 you know, we can do the week on/week off or whatever his idea
9 might have been of Aaliyah. Because at the end of the day,
10 that's a Family Court decision right there. Like, you know,
11 you're going to a whole other province with a child and
12 everything but ...

13 Q. Right.

14 A. ... technically they're still living in New Brunswick
15 and legally married and so on and so forth. But when Lionel
16 expresses things like that it's just the factor of like he just
17 knows everything that's going on there. I mean it was never no
18 secret.

19 Q. Did you have any conversations with him in the last
20 couple of months about his attempting to access services in Nova
21 Scotia or the OSI Clinic in Nova Scotia?

22 A. No.

CASSANDRA DESMOND, Cross-Examination by Mr. Murray

1 **Q.** And you said that the last time obviously you saw him
2 was the 30th, so you wouldn't have talked to him after that about
3 his stay at St. Martha's?

4 **A.** No. The last I spoke to my brother was the Merry
5 Christmas and Happy New Year's and see you later.

6 **Q.** Okay. All right. Thank you, Ms. Desmond.

7 **A.** Thank you, Mr. Murray.

8

9

EXAMINATION BY THE COURT

10 **(16::44)**

11 **THE COURT:** Just before you go. One of the things that
12 I noticed was when Mr. Rodgers was reading a portion of the
13 obituary, it made reference to Lionel, or Cpl. Desmond, serving
14 two tours in Afghanistan. Well, the documentation that I've
15 read, including a document before me indicates that when he was
16 deployed, I believe he was deployed January the 31st, 2007 and
17 he returned on or about August the 8th of 2007. So I think
18 there was just one deployment. I don't know what everyone
19 else's recollection of that is but I think there was just the
20 one deployment.

21 And I know that you said that Aaliyah was born just shortly
22 before he left, and I think that would be probably correct

CASSANDRA DESMOND, Examination by the Court

1 because ... correct me if I'm wrong, but I think Aaliyah was
2 born ...

3 **A.** December 28th.

4 **Q.** ... December the 28th, 2006.

5 **A.** Yeah.

6 **Q.** 2006?

7 **A.** Mm-hmm.

8 **Q.** And he was then deployed January the 31st, 2007.

9 That's the documentation I have. Okay. So I think that that's
10 my understanding of it. So ...

11 **A.** So she was about two and a half weeks. Three weeks.

12 **Q.** It's ... the timeframe is pretty close. But my point
13 is being more than anything else, that I think it was just a
14 single deployment from January to August.

15 **A.** What I'm going to add in there, too, is because this
16 question has been in the back of my mind for quite some time.

17 During Lionel's deployment in Afghanistan, one of the times
18 or whatever, I don't know what had happened but I think it was
19 like an accident. Something had blew up or something like that
20 had happened but my brother was flown home from Afghanistan to
21 the base and was home for two weeks and flown back out. And we
22 still don't have no answers or no reference into anywhere as to

CASSANDRA DESMOND, Examination by the Court

1 why that boy was brought home and sent back.

2 Q. He was flown in to what base?

3 A. New Brunswick. Like he was brought back to Canada.

4 Q. What, back to Oromocto?

5 A. I'm pretty ...

6 Q. To the base in Oromocto?

7 A. Yeah, he was flown back in and then he was flown back
8 out. So I think when people like claim for the two tours, that's
9 where the confusion comes from where he came home and was sent
10 back.

11 Q. Okay.

12 A. So if you can find that answer for me I ...

13 Q. Okay. Well ...

14 A. ... that would be great.

15 Q. ... we'll have a look at that at some point. I wasn't
16 aware that there had been an interruption in his service in
17 Afghanistan.

18 A. Well, yeah, I've been looking for the answers to that
19 question for ...

20 Q. All right.

21 A. ... quite some time.

22 Q. All right. Thank you, Ms. Desmond ...

CASSANDRA DESMOND, Examination by the Court

1 **A.** Thank you, Judge Zimmer.

2 **Q.** ... for your consideration in being here today and the
3 evidence that you've given. And we know that it's not an easy
4 place to be to discuss all the circumstances but it is
5 appreciated and helpful to us. Thank you.

6 **A.** Thank you.

7 **WITNESS WITHDREW**

8 **THE COURT:** All right. Thank you, Counsel, we'll adjourn
9 until tomorrow morning at 9:30. And do you have the schedule
10 worked out for tomorrow's witnesses? I think we were looking at
11 using the vulnerable witness room.

12 **MS. MILLER:** Yes, Your Honour. Chantel Desmond has
13 confirmed that she's available in the afternoon tomorrow and I
14 understand from my friend, Mr. Rodgers ...

15 **THE COURT:** So we'll work that evidence in?

16 **MS. MILLER:** Yeah.

17 **THE COURT:** That's a facility that we need to book in to
18 so we need to have some idea of when it ...

19 **MS. MILLER:** Yeah.

20 **THE COURT:** ... when we have to ...

21 **MS. MILLER:** Yeah.

22 **THE COURT:** ... set our priority for it. All right.

1 Thank you then, Counsel. I'll see you tomorrow morning
2 about 9 o'clock before we start at 9:30. Thank you.

3 MR. RODGERS: Thank you, Your Honour.

4

5

6 **COURT CLOSED (16:49 HRS.)**

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CERTIFICATE OF COURT TRANSCRIBER

I, Margaret Livingstone, Court Transcriber, hereby certify that the foregoing is a true and accurate transcript of the evidence given in this matter, **re Desmond Fatality Inquiry**, taken by way of electronic digital recording.



Margaret Livingstone

(Registration No. 2006-16)

Verbatim Inc.

DARTMOUTH, NOVA SCOTIA

February 22, 2021