

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 17, 2021

COUNSEL: Allen Murray, QC, Inquiry Counsel
Shane Russell, Esq., Inquiry Counsel

Lori Ward and Melissa Grant,
Counsel for Attorney General of Canada

Glenn R. Anderson, QC, and Catherine Lunn
Counsel for Attorney General of Nova Scotia

Thomas M. Macdonald, Esq., and
Thomas Morehouse, Esq.
Counsel for Richard Borden, Thelma Borden and
Sheldon Borden
Joint Counsel for Aaliyah Desmond

Tara Miller, QC,
Counsel for Estate of Brenda Desmond
(Chantel Desmond, Personal Representative)
Joint Counsel for Aaliyah Desmond

Adam Rodgers, Esq.
Counsel for Estate of Lionel Desmond
(Cassandra Desmond, Personal Representative)

Roderick (Rory) Rogers, QC, Karen Bennett-Clayton
and Daniel MacKenzie,
Counsel for Nova Scotia Health Authority

Stewart Hayne, Esq.
Counsel for Dr. Faisal Rahman and Dr. Ian Slayter

INDEX

<u>February 17, 2021</u>	<u>Page</u>
OPENING REMARKS	5
<u>PAUL LONG</u>	
Direct Examination by Mr. Rodgers	6
Cross-Examination by Mr. Murray	19
<u>ALBERT "JUNIOR" MACLELLAN</u>	
Direct Examination by Mr. Rodgers	22
DISCUSSION	48
<u>CHANTEL DESMOND</u>	
Direct Examination by Ms. Miller	52
Cross-Examination by Mr. Murray	109
DISCUSSION	119

EXHIBIT LIST

<u>Exhibit</u>	<u>Description</u>	<u>Page</u>
P-000163	CAN052010 - Reference letter prepared by Paul Long	12
P-000165	Transcript of Audio Statement - Chantel Desmond	114

1 FEBRUARY 17, 2021

2 COURT OPENED (09:32 HRS)

3

4 THE COURT: Good morning.

5 COUNSEL: Good morning, Your Honour.

6 THE COURT: Mr. Rodgers.

7 MR. RODGERS: Thank you, Your Honour. Yes, Your Honour,
8 we'll start this morning with Paul Long. Mr. Long is present.
9 Mr. Long, come forward, please.

10

11

12

13

14

15

16

17

18

19

20

21

22

1 **PAUL LONG, affirmed, testified:**

2 **THE COURT:** Mr. Long, we're going to get you a bottle of
3 water in the event that you ...

4 **MR. LONG:** Actually, I have one in my chair there. That's
5 fine. Thank you.

6 **THE COURT:** All right. Thank you.

7 Mr. Rodgers, if you're going to use the podium, I'm going
8 to just ask that you make certain that the microphone that's
9 adjacent to the podium is always in front of you and pointed
10 towards you and I'm going to ask you to use your outdoor voice
11 in the courtroom, please. Thank you.

12 We had some adjustments. There was some sound level issues
13 yesterday and there were some adjustments, I think, that were
14 made overnight which we appreciate. But we're just being a
15 little bit more cognizant of the need for volume from that
16 location. Thank you.

17

18 **DIRECT EXAMINATION**

19

20 **MR. RODGERS:** Thank you, Your Honour. And thank you, Mr.
21 Long, for joining us here today to provide some testimony and
22 some insight into Cpl. Lionel Desmond inasmuch as you knew him.

PAUL LONG, Direct Examination by Mr. Rodgers

1 Maybe I'll just start with an introduction of yourself, Mr.

2 Long. You're a retired teacher and administrator.

3 **A.** Yes. I'm retired from the school system in the Strait
4 area. I was a principal, guidance counsellor, vice-principal,
5 Phys Ed teacher, for 32 years, so all within Guysborough County.

6 **Q.** How long ago did you retire?

7 **A.** Five years, I think it is. This is the fifth. Best
8 job I ever had.

9 **Q.** Mr. Long, you mentioned that you were a teacher,
10 principal, vice-principal, and guidance counselor. You were
11 also a coach for most of, if not every one of, those years.

12 **A.** Pretty much, yes. Yeah.

13 **Q.** And, in fact, just a few years ago ... well, this
14 might have been even before you retired or just after that you
15 were honoured by the School Athletic Federation with the Hugh
16 Noble Award for lifetime achievement and contributions to
17 coaching in this province.

18 **A.** Yes. Yeah. I was very fortunate to be able to work
19 with students for a long period of time, not only in the
20 classroom but in the playing field and to be an administrator in
21 school sports for the province so I enjoyed that quite a bit.

22 **Q.** And that kind of perspective gives you a different

PAUL LONG, Direct Examination by Mr. Rodgers

1 outlook on an individual, not just seeing them in the classroom
2 but out on the field as well.

3 **A.** Yeah, ut certainly does. I mean it's one thing to see
4 kids come in the school and go from class to class, but to be
5 able to travel with them and help them grow through school
6 sports is a ... it's quite a privilege to have really. It was a
7 great ... a lot of fun and certainly enjoyed it and couldn't see
8 myself not doing that.

9 **Q.** Mr. Long, in the course of your coaching career and
10 your teaching and guidance career, you had the occasion to get
11 to know Cpl. Lionel Desmond. He wasn't a corporal then, I
12 suppose. Can you just tell us how it was you knew him? Did you
13 teach him, coach him? How was it that you knew Cpl. Desmond?

14 **A.** Yeah. Well, I would have ... I knew Lionel right from
15 the time he arrived in school in Guysborough and the family, of
16 course. And, you know, he ... classes would have been in a
17 PhysEd class or it was called the PAL, Physically Active
18 Lifestyle class. And I knew him, I guess, as a teacher.

19 In my role ... I was kind of a dual role of administrator
20 and guidance at the time, so I would have been involved in some
21 of his course selections and that type of thing and as a coach.
22 Lionel ran cross-country for me when we were coaching a cross-

PAUL LONG, Direct Examination by Mr. Rodgers

1 country team, so ... and, you know, he was a great athlete as
2 far as physical ability. He was very ... a good runner.

3 There's ... I have a very ... there's an interesting story
4 with Lionel. He ... we went to a provincials in ... I think it
5 was in Bridgewater and he ... you know, he was kind of your
6 middle-of-the-pack guy. We didn't have a great experience in
7 cross-country running. I think we kind of just started. And he
8 ... come time for the start of the cross-country ... and if
9 you're familiar with that, there's maybe 200 kids lined up at
10 the starting line. And he wasn't there.

11 All of a sudden, the race started and about three or four
12 minutes later, he came in. And I said, Lionel, where were you?
13 He said, I was just watching the girls finish to make sure they
14 all got back in safely. And so off he went. And he was
15 nowhere near being the last runner coming in, after allowing
16 them all about a five-minute start, so he did very well. He was
17 good to have.

18 **Q.** Can you give us a sense of what kind of attitude he
19 brought to the field to his ... to sport?

20 **A.** When we ... wherever we would travel to with the
21 cross-country or even if it was in school, whatever it was,
22 people wanted him on their side. They enjoyed his presence. He

PAUL LONG, Direct Examination by Mr. Rodgers

1 was, you know, a great team guy. He was always a lot of fun.
2 You know, there was always some carrying-on with him type thing.
3 And as a young student athlete, he was ... you know, it was
4 great to have him on your team and his teammates, his peers,
5 were very respectful of that and they enjoyed having him around.

6 **(09:40)**

7 **Q.** When Lionel was getting ready to graduate high school,
8 you were in a role of guidance counselor at that time as well.
9 And what ... you know, in that role, was that something that you
10 spent a lot of time with each student trying to figure out what
11 path they might take or giving them advice?

12 **A.** Yeah. I mean the typical scenario was that you would
13 meet with students and go through what their aspirations were
14 and what their course loads would line up to, you know,
15 prospective job opportunities and careers. And Lionel had shown
16 an interest in the Armed Forces and I had a particular soft spot
17 for that, with my father having been a veteran. So you didn't
18 take that lightly when someone was applying for that.

19 And based on, you know, all his interactions in school,
20 which were always positive ... you know, he was a good kid in
21 school, he was, you know, well liked, well respected by his
22 peers and staff, as well. I had no hesitation in recommending

PAUL LONG, Direct Examination by Mr. Rodgers

1 him for the Armed Forces.

2 Q. And in fact ... well, did you talk about other options
3 or was this ...

4 A. Yeah. I mean with everybody it's ... you kind of come
5 in and say, What are you thinking about and what are your plans
6 type thing and you kind of weigh things out and, you know, and
7 you try to narrow things down as much as you can, I guess. You
8 know, there's ... you don't want to limit people but sometimes
9 based on ... you know, it doesn't matter who it is, if ...
10 certain courses will only allow them to get into certain things.
11 But as far as potential goes, you try to keep doors open for
12 kids as much as possible and Lionel was no different in that
13 regard. He was a good student through school.

14 He wasn't you're A-plus student and he wasn't your bottom-
15 of-the-line student. He was just your middle, average student
16 in school which was ... you know, never had any hesitation,
17 thinking that he wouldn't graduate or he couldn't do what he set
18 out to do. So, you know, I had all the confidence that he would
19 do well in whatever he chose to do. And he happened to choose
20 the Armed Forces.

21 Q. When it came time for him to join, he needed reference
22 letters and you ...

PAUL LONG, Direct Examination by Mr. Rodgers

1 A. Yes.

2 Q. ... provided one. Maybe I'll get us to bring that
3 document up. It's CAN052010.

4 EXHIBIT P-000163 - CAN052010 - REFERENCE LETTER PREPARED BY PAUL
5 LONG

6 THE COURT: Mr. Long, the document will appear ...

7 A. Sure.

8 THE COURT: ... just right there ...

9 A. Yeah.

10 THE COURT: ... for you.

11 A. It would be great if I had my glasses. I can see.
12 I'm fine.

13 THE COURT: Do you have your glasses ...

14 A. No. I'm ...

15 THE COURT: ... with you?

16 A. I'm good.

17 THE COURT: If there's a portion of it that you want to
18 see, if he refers to you, it will be blown ...

19 A. Yeah. I'm familiar with it.

20 THE COURT: ... it'll be blown up a little bit for you.

21 A. Yeah. Okay.

22 Q. Yes. This is ...

PAUL LONG, Direct Examination by Mr. Rodgers

1 **THE COURT:** Actually, Mr. Long ... Which exhibit book is
2 it?

3 **MR. RODGERS:** It's Exhibit P ...

4 **THE CLERK:** Volume 4.

5 **MR. RODGERS:** Oh, 163 ...

6 **THE COURT:** Volume 4? If you look over ...

7 **A.** I can see.

8 **THE COURT:** ... to your left, there's a series of ...

9 **A.** No. You know what? I'm fine.

10 **THE COURT:** Are you good with that?

11 **A.** Yeah. I'm okay.

12 **THE COURT:** There's a paper copy in Volume 4 for you, if
13 you want to have a ...

14 **A.** No. I'm okay.

15 **THE COURT:** ... look at it that way, too.

16 **A.** Okay.

17 **Q.** All right.

18 **THE COURT:** Sure.

19 **Q.** Well, I was going to get you to read what you wrote so
20 ...

21 **A.** Well, I can lean in.

22 **Q.** I think I can read your handwriting, but ... well,

PAUL LONG, Direct Examination by Mr. Rodgers

1 maybe ...

2 **A.** Oh, there we go. Whoever did that was a fine person.

3 Great.

4 **Q.** So you introduce yourself that you're his guidance
5 counselor and that you'd known him for four years. And then,
6 below it says to, "Tell us how you come to know the applicant
7 and describe your current relationship." So maybe you could say
8 what you wrote there.

9 **A.** Sure.

10 I've taught Lionel and served as his
11 guidance counselor over the past four years.
12 Lionel has always been a hard worker and
13 very personable. He finishes tasks that he
14 begins and puts his all into all of his
15 activities.

16 **Q.** And then you say ... you're asked, "How does he get
17 along with other people, and provide examples."

18 **A.** "He's very well liked by his peers and staff at
19 school. He's been on our cross-country team as an active
20 participant in our intramural program."

21 **Q.** The next question is for you to list his greatest ...
22 his strengths or skills.

PAUL LONG, Direct Examination by Mr. Rodgers

1 **A.** "His greatest attributes are his positive personality
2 and his sincere work ethic."

3 **Q.** And then you're asked about the person's weaknesses or
4 areas they may have difficulty.

5 **A.** "Lionel sometimes needs to be more confident in his
6 abilities. He can be modest to a fault sometimes."

7 **Q.** And then you were asked to describe his personality
8 and temperament.

9 **A.** Yeah. This was always an easy one with Lionel. "Very
10 easygoing, good sense of humour, and honest."

11 **Q.** And you were asked whether he had demonstrated any
12 characteristics that you believe would cause a problem if he
13 were to be a Canadian Forces member.

14 **A.** And the answer was "no".

15 **Q.** You were also asked if you believed the candidate ...
16 the applicant to be honest, trustworthy, mature, responsible,
17 and reliable. And you answered "yes" to all those questions?

18 **A.** Yes.

19 **Q.** And, "Does he or she associate with persons of
20 questionable character?" And your answer there was?

21 **A.** "Not to my knowledge."

22 **Q.** Yes. And then the final question being, "Did you

PAUL LONG, Direct Examination by Mr. Rodgers

1 recommend him for the Canadian Forces?"

2 **A.** Yes.

3 **Q.** You did. So, Mr. Long, Lyle did join the Forces, of
4 course, as we all know. Did you have any opportunity after he
5 graduated and joined the Forces ... like did you have a chance
6 to see him at any point or anything?

7 **A.** There would be the occasional one around town type of
8 thing, that you would run into him, ask him how he was doing. I
9 was responsible for running the Remembrance Day services in our
10 community and there was times when he came back and would be in
11 uniform to take part in that. And it's ... you know, I wouldn't
12 say that I saw a whole lot of him outside of school, once he got
13 ... you know, I certainly knew his children and everything ...
14 his daughter ...

15 **Q.** Yes.

16 **A.** ... was in school at the time, so he was back and
17 forth on his assignments. So he wasn't around as much as the
18 mom was at that time but, you know, I would see him
19 occasionally.

20 **Q.** Yeah. And what about hearing about him or ...

21 **A.** Yeah. There was one incident that did stick out in my
22 mind. We were at a community funeral in the community of

PAUL LONG, Direct Examination by Mr. Rodgers

1 Sunnyville and his father-in-law had mentioned to me ... I was
2 asking how he was doing. And this was after, I don't know, one
3 or two tours that he had done. And he said, He's just not the
4 same person that he used to be. We're nervous of him. I'm not
5 ... I can't see where he's going. I don't know what's
6 happening, you know, with him. He's not the same easygoing guy
7 that he was when he left high school by any means.

8 **Q.** Yeah. That was ... you were talking to Ricky Borden
9 at a funeral.

10 **A.** Yes.

11 **Q.** I think, if we pieced it together right, that was
12 probably in 2014 ...

13 **A.** Yeah. I think it was the year that another young guy
14 passed away in the community and it was ... I think it was 2014
15 or so, about two years before the incident for sure.

16 **Q.** Yeah. Mr. Long, the only other thing I wanted to ask
17 you you mentioned that you helped coordinate the Remembrance Day
18 ceremony each year in Guysborough. And I know, because I've
19 been to the ceremony, that each year there's a slideshow of
20 veterans who've served from Guysborough County and the slideshow
21 runs through and everybody can watch on or as they see fit.
22 Cpl. Desmond is in that slideshow.

PAUL LONG, Direct Examination by Mr. Rodgers

1 **A.** Yes, he is.

2 **Q.** Was it ever raised to you, suggested to you, or
3 thought of that maybe he shouldn't be in that slideshow? And if
4 so ... well, I'll ask that question first.

5 **A.** No. No, that ... you know, the slideshow has now ...
6 over the years ... it started as a school project and we've
7 taken it into the community and there's probably, you know 150
8 or more slides of veterans over the years and so on. And Lionel
9 is in that show and, no, it was never mentioned that he should
10 not be there.

11 **Q.** If it was, what would you ... what would you do?

12 **A.** Well, I'd ... I had thought about it myself. No one
13 had brought it to me. But knowing him when he was the person
14 that we all knew, he was ... I never thought about taking it
15 out. No.

16 **Q.** Okay. Thank you, Mr. Long. Thank you for coming here
17 today and giving us that perspective.

18 **THE COURT:** Thank you. Questions, Counsel?

19 **MS. WARD:** No, Your Honour.

20 **THE COURT:** Thank you. Mr. Anderson?

21 **MR. ANDERSON:** No, Your Honour.

22 **THE COURT:** Mr. Macdonald?

PAUL LONG, Cross-Examination by Mr. Murray

1 **MR. MACDONALD:** No questions.

2 **THE COURT:** Ms. Miller?

3 **MS. MILLER:** No questions, Your Honour.

4 **THE COURT:** Mr. MacKenzie?

5 **MR. MACKENZIE:** No, Your Honour.

6 **THE COURT:** No? Mr. Murray?

7

8

CROSS-EXAMINATION BY MR. MURRAY

9

10 **MR. MURRAY:** Mr. Long, just to be clear, do you recall
11 when you would have had a conversation with Lionel Desmond last?

12 **A.** I probably couldn't put a date on it. Roughly, I
13 mean, it would have been a year or two before the incident, I
14 would assume, but I don't know for sure.

15 **Q.** You would have seen him in the community.

16 **A.** Yeah.

17 **Q.** Just running into him kind of thing?

18 **A.** It may have been somewhere where he come into the
19 school with his daughter or whatever, but, you know.

20 **(09:50)**

21 **Q.** All right. I take it you weren't with him long enough
22 to kind of notice any changes in his personality?

PAUL LONG, Cross-Examination by Mr. Murray

1 **A.** Not at that time, no. No.

2 **Q.** Okay.

3 **A.** I wouldn't have been sitting down for a coffee over
4 ... I mean if it was a school event or something, he may have
5 come in and just either dropped the daughter off, picked them up
6 ... picked her up or whatever but ...

7 **Q.** Okay.

8 **A.** ... other than the, you know, Hi, how you doing, type
9 thing and ...

10 **Q.** Sure.

11 **A.** Yeah.

12 **Q.** Okay. So, really, the only conversation you had about
13 his ... about the effects of his time overseas was with his
14 father-in-law that one occasion.

15 **A.** Yes.

16 **Q.** Okay.

17 **A.** Yeah.

18 **Q.** All right. Thank you.

19 **A.** Okay.

20 **THE COURT:** All right. Thank you. And I have no
21 questions, Mr. Long. I do very much appreciate your time,
22 coming in today.

DISCUSSION

1 **MR. LONG:** Thank you.

2 **THE COURT:** Thank you.

3 **WITNESS WITHDREW (09:51 hrs.)**

4 **MR. RODGERS:** Thank you, Your Honour. The next witness is
5 going to be Albert MacLellan.

6 **THE COURT:** All right. Thank you. If we could have Mr.
7 MacLellan, please.

8 Good morning, Mr. MacLellan.

9 **MR. MACLELLAN:** Good morning, Your Honour.

10 **THE COURT:** Mr. MacLellan, one of the clerks just has a
11 question to ask you.

12

13

14

15

16

17

18

19

20

21

22

1 **ALBERT "JUNIOR" MACLELLAN, sworn, testified:**

2 **THE COURT:** Mr. MacLellan, just get that chair and make
3 yourself comfortable there. There's a fresh bottle of water
4 there that's ...

5 **MR. MACLELLAN:** Awesome.

6 **THE COURT:** ... available for yourself.

7 **MR. MACLELLAN:** May I remove my mask?

8 **THE COURT:** Yes. I was just going to say that if you're
9 comfortable with removing your mask, you're free to do so. All
10 right. Thank you. Mr. Rodgers has some questions for you.

11 All right. Thank you.

12 **MR. RODGERS:** Thank you, Your Honour.

13

14 **DIRECT EXAMINATION**

15

16 **MR. RODGERS:** Thank you, Mr. MacLellan, for joining us
17 here today. Mr. MacLellan, maybe you can just give us an
18 introduction of yourself and tell us, yeah, who you are and your
19 connection to Lionel Desmond.

20 **A.** My name is Albert MacLellan. I'm a retired member of
21 the Canadian Forces, 31-and-a-half years. I was born and raised
22 in ... between Lincolnville and Antigonish and I met Lionel as a

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 child, originally, in my travels, coming home or whatever. Then
2 I got involved with a program, Connecting with Communities. And
3 what it was was an initiative by DND to bring more visible
4 minorities into the Canadian Forces.

5 So they sent me down to some of our prominent black
6 communities here and down in the Valley as well. So we would do
7 a small presentation and I took an entourage with me of folks
8 that had connections in those communities. It was at that
9 little presentation that we did ... and we did it in conjunction
10 with Black History Month, so we had the memorial that they have
11 up at CFB Gagetown for the No. 2 Construction Battalion.

12 **Q.** Yes.

13 **A.** So we combined that with our visit to Guysborough
14 County because there were quite a few veterans that served in
15 the No. 2. It was during that that, when we opened it up for
16 questions, Lionel Desmond asked me about joining the military.
17 I had told him in my day when I joined, Hell, yeah. But in the
18 world of today, which was the onset of Afghan conflict ...

19 **Q.** Yes.

20 **A.** ... I said, But in the world of today, you have to be
21 able to ask yourself one question, Are you ready to die?
22 Because that's a reality.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 **Q.** When you joined, Mr. MacLellan ... you say you served
2 for 31 years?

3 **A.** Yes, sir.

4 **Q.** Maybe I'll ... I'm going to bring you back to where
5 you just left off with Lionel and his decision to enter the
6 military. But I just want to ask you, maybe you can tell us a
7 little bit about your own service first. When you joined, what
8 that was like and how ... what your rank was for ...

9 **A.** I joined in 1979. I saw service in Chilliwack, B.C.;
10 Halifax, aboard ship; Regular Support Staff, Detachment in Saint
11 John, New Brunswick; four years in Germany. I came back from
12 Germany, I went to Petawawa. And when I left Petawawa, I got
13 posted to Halifax for a year-long French course. Then I went to
14 Aldershot for a couple of years. Then I went from Aldershot to
15 Bridgewater. At that point, I spent a year in Bridgewater. I
16 got promoted to warrant officer and I was transferred to
17 Charlottetown, PEI. And that's where I picked up the tasking to
18 go on the road.

19 **Q.** Can you tell us a little bit about what it means to be
20 a warrant officer?

21 **A.** Taking care of your men and ensuring their welfare. A
22 good leader in the military, in my mind, shouldn't be able to

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 call a soldier just by his rank. I should be able to talk to
2 that soldier about his family, his spouse, his concerns on and
3 off the job. You almost have to be a built-in counsellor.
4 Because when you pick up on irregularities with your soldiers,
5 you got to fix them and fix them quick, if you can, or you find
6 resources to do it. That's what makes a good leader.

7 **Q.** You say you served for 31 years from '79 onwards and
8 then you've retired but you've stayed involved ...

9 **A.** I retired from the regular forces as a warrant
10 officer.

11 **Q.** Yes.

12 **A.** Then I spent two years for the lack of ... thinking I
13 wanted to try something different. I found out that I didn't
14 want to try anything different. So I heard about a full-time
15 job with the Construction Engineering Squadron in Pictou.

16 **Q.** Oh, yes.

17 **A.** So I had to relinquish my former rank of warrant to
18 sergeant and serve them in order to get the full-time work.

19 **Q.** Okay.

20 **A.** And I did that until 2013 when I got released for
21 medical reasons.

22 **Q.** Okay. Let's maybe then speak, Mr. MacLellan, about

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 your connections with Lionel Desmond. First of all, is there
2 any family connection there? Are you related to him in any way?

3 **A.** Yes. His grandfather would have been my ... lack of
4 better terms, my great-uncle.

5 **Q.** Yes.

6 **A.** Because my step-grandfather and he were brothers.

7 **Q.** All right.

8 **A.** But I just ... since I was a young fellow, all I ever
9 called him was "Pappy".

10 **Q.** We're talking about Wilfred Desmond there.

11 **A.** Wilfred. We're talking Wilfred. Yeah.

12 **Q.** We heard his name here yesterday. That's ... well,
13 he's deceased now but that's somebody that everybody knew.

14 **A.** Everybody, some of them twice.

15 **Q.** And you called him ... sorry. You called him "Pappy"?

16 **A.** Pappy.

17 **Q.** All right. And, by the way, people ... I've
18 introduced to you and you've introduced yourself as Albert
19 MacLellan but people call you "Junior". Right?

20 **A.** That's correct.

21 **Q.** So if we're hearing references to "Junior" ...

22 **A.** Yeah, that's me.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 Q. All right.

2 (10:00)

3 **THE COURT:** Where did that come from?

4 A. What, "Junior"?

5 **THE COURT:** Yeah.

6 A. Your guess is as good as mine, Your Honour. I think
7 because my father's name was Albert someone just tagged "Junior"
8 onto it.

9 **THE COURT:** Okay. Makes sense.

10 A. You know what they say, "cut right from his leg bone"?

11 **THE COURT:** I ... yes. That's it.

12 A. Yeah.

13 **THE COURT:** Thank you.

14 **MR. RODGERS:** So, Mr. MacLellan, let's bring us back to
15 when you were speaking with Lionel Desmond.

16 A. Okay.

17 Q. You say you were doing this as part of a roadshow or a
18 presentation ...

19 A. That's correct.

20 Q. ... that was targeted ... targeted presentation.

21 A. Recruitment, yeah.

22 Q. And the idea was that more visible minorities would be

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 recruited into the Armed Forces?

2 **A.** As a result of that, yeah. Because it was a national-
3 wide program, and at the time, if we take you back that far ...
4 which would have been, well, early 2000s.

5 **Q.** Yes.

6 **A.** There was a bit of discrepancy, they felt, for
7 recruits from the black community as well as the Indigenous
8 people. So that was the ... the Canadian government's answer to
9 that was, Let's go out ... let's reach out to them and see if we
10 can't influence. And in those cases, after Lionel asked me that
11 question I had little or no contact with him but I kept up with
12 what was going on with him through his grandfather.

13 **Q.** Yes.

14 **A.** Because I had a good relationship with his
15 grandfather. His grandfather and I would go on many long road
16 trips when my brother, Roger, owned the limousines in
17 Antigonish. We'd go on many long road trips. So we'd do a lot
18 of talking about different things and a lot of times Lionel was
19 the subject.

20 **Q.** Do you remember what Mr. Desmond, what Wilfred thought
21 about Lionel's service and his time and his experiences? What
22 was the subject of those conversations?

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 **A.** Overall he was ... he was ... I could tell he was
2 proud. Because Lionel was more or less raised by his
3 grandfather. I knew he was proud. I knew that ... he had
4 concerns like anyone else would, like Afghanistan and all that
5 stuff. He had those concerns and what can you say to him?
6 Well, if Lionel keeps his head on straight he might be okay.
7 He'll be okay, right? That's all you can say.

8 **Q.** Tell me this now, Mr. MacLellan. Just backing up for
9 a minute. In the course of that recruiting that you were doing
10 on behalf of the military was there a particular message that
11 you delivered or felt you should deliver to African-Nova Scotian
12 individuals about what they might expect from the military in
13 terms of racial issues, in terms of racial experiences that they
14 should understand before they join?

15 **A.** I'd be kidding myself if I said there wasn't any
16 racial difficulties in my day. I, unlike some, I was very
17 fortunate to have a chain of command that believed in me, and my
18 peers liked me as much as I did. So if the skullduggery started
19 someone else would intervene. I wouldn't have to. And that's
20 the comradeship that you build with your peers and your
21 superiors. If there's a threat to you they're going to take
22 care of the threat because they like you.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 So I was aware of three or four situations to where there
2 was some sort of plotting going on and someone intervened. I
3 found out about it, and once I was satisfied that my chain of
4 command handled it I just let it be. But I was also aware of
5 other situations where folks were experiencing racism but they
6 had no place to turn and it was more or less, Shut up and
7 soldier on.

8 So part of the message that I had when I was recruiting our
9 young black men is, Our people have persevered through so much.
10 You have that in your genes. No one man can tell another man
11 that he's, you know, smaller or less valued. That's up to you
12 to find your own value, and those that have a different opinion
13 of you, ignore them. Because there was nothing in place or
14 nothing within the system that would allow somebody to complain
15 about racism because they were too damned busy with sexual
16 harassment and all this other stuff.

17 See, so racism was pushed to the bottom of the pile because
18 sexual harassment or whatever was more important. But yet one
19 man's dignity is less than the other's? Like, that's what I
20 didn't understand about it, but I think now there's programs in
21 motion, along with class action lawsuits, for those that were
22 most affected. So maybe that will wake somebody up for the next

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 generation. I have no idea.

2 Q. Mr. MacLellan, did ... so your contact with Lionel was
3 limited in ... after ... the years after he joined the military.
4 Your interaction was more secondhand through his grandfather.

5 A. That's correct.

6 Q. Is that fair to say?

7 Going to take your forward, then, Mr. MacLellan, to January
8 3rd of 2017 and the tragedy that we're here talking about. Can
9 you tell us, maybe, how you found out and what you were asked to
10 do at that point?

11 A. Mr. Desmond - Wilfred - called me. It was around 7,
12 7:30, the night of the 3rd, and he was crying, I don't know what
13 to do, you know, and he told me what happened, that Lionel had
14 killed his family, his mother, and himself. I didn't know ...
15 he didn't know what to do, Help me, help me. I said to him, I
16 said, There's nothing that I can do tonight but I'll be down
17 first thing in the morning.

18 So I went down first thing in the morning. I went to see
19 the old man and I asked him, What's your greatest concern right
20 now? He said, I don't know where we're going to get the money
21 to bury these people. I said, Okay, did Lionel leave any bags
22 or anything here? Because to my understanding, he was bopping

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 around a little bit the week previous. So his grandfather said,
2 No, you might want to check with Sandra Greencorn, his aunt.

3 So I left the old man's house. I went out to Sandra's,
4 went in there. It was, Oh my God, thank God, Junior, you're
5 here. I said, We have to find out some information before we
6 can do anything, does he have any paperwork here, anything. So
7 he had had a what I call a junk bag, which is a kitbag sort of
8 thing. And I asked her if she and I could go through that to
9 see what we can find.

10 When we went through that we found a copy of his will. We
11 found his CF490, which is his ... his personnel resume, his
12 allocation of his life insurance, his supplementary death
13 benefit. These are things we look for. Then we found ... in
14 his will we found that Sandra was his executor. So that gave me
15 a start.

16 I went up to Sandra's, and there were other paperwork in
17 there where he had received emails and letters from the IPSC in
18 Halifax, which is the Integrated Personnel Service Centre. This
19 was a centre that was set up to help military members navigate
20 the medical release process. I know that because I was a part
21 of it when I released. So from that, I got a gentleman's name,
22 which was Mr. Rick Frail, and I called him and my attitude was

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 more or less, This is one of ... he is one of yours, this is
2 what happened, these people are frantic down here, what can you
3 do to help?

4 It threw him asunder, too, because how he said ... he never
5 said he saw it on the news, but it was on the news all night
6 long. But anyways, he said, Let me get back to you. So I made
7 sure that he had Sandra's house number, because that's where I
8 was using the phone. Because cell service down there doesn't
9 exist. He called back a couple hours and the first response
10 was, Last Post will pay for Lionel's funeral.

11 **(10:10)**

12 **Q.** Last Post?

13 **A.** Last Post fund, yes, which is a fund that's separate
14 and apart from anybody else that helps families bury their
15 veterans if the help is required. I told him, I said, That's
16 not good enough, I have ... I have four dead people there. Not
17 one, four. And I sort of got a bit abrasive with him and I
18 said, Well, screw you, I'll go public, then, if it's going to
19 wake you up I will go public. No, no, no, no, Junior, relax,
20 relax. Because he knew me by first name because of dealing with
21 me.

22 **Q.** Yes.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 **A.** And I said, Oh, and by the way, I am the only boots
2 here on the ground, I need help down here with this. Both
3 families are fairly large and I don't have all the answers. He
4 said, Give me a bit, I'll call you back. He called me back and
5 he said, I need you to be my boots on the ground. And he gave
6 me a set of marching orders of things to acquire. For example,
7 the funeral home that can handle it all, da-da-da-da-da. So I
8 contacted Curry Brothers in Antigonish. I dealt with Patrick a
9 few times on other matters with veterans and whatnot. So I knew
10 that he could make it happen for me and it was ... I don't know
11 who's paying for this yet, but we're not going to have much time
12 because by then the bodies are already up with the examiner and
13 when they release the bodies we need some place to send them.
14 So, Don't worry about that part, Junior, we'll work it out.

15 **Q.** That's what Patrick Curry said to you?

16 **A.** That's what he said, We'll work it out. Meanwhile
17 let's get these folks looked after. And he had knew the
18 grandfather, Patrick did, knows the grandfather as well. So
19 from that point I then liaised with the families to tell them
20 that the burials and the funeral expenses will be looked after.
21 I don't know what limits are on them yet but I'll find out. In
22 the meantime I suggest they all go up to Curry's and select the

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 coffins.

2 Then I had to go meet with the Diocese of Antigonish
3 because Lionel and his mother were Catholic. Lionel's wife and
4 daughter were Salvation Army.

5 **Q.** Jehovahs?

6 **A.** Hmm? Jehovahs, sorry. Pardon me. They were Jehovah,
7 but the Jehovahs didn't have a facility big enough for a
8 funeral. So I approached the Diocese to where ... at the same
9 time Lionel and his mother were being waked in St. Peter's.
10 Aaliyah and her mother were being waked in St. Peter's Hall.

11 **Q.** So this ... St. Peter's is where?

12 **A.** Down in Tracadie, St. Peter's ...

13 **Q.** So that ...

14 **A.** ... Parish in Tracadie.

15 **Q.** Roughly how far would that be from Lincolnville?

16 **A.** Good educated guess, I would say halfway between
17 Lincolnville and Antigonish.

18 **Q.** Yeah.

19 **A.** Yeah, it'd be about halfway, I think. So once that
20 ... once that was put into place and the families got their
21 selections done Patrick is just waiting on the bodies. Then I
22 went and made burial arrangements. Lionel and his mother were

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 to be buried in their home parish at St. Monica's in
2 Lincolnville, and Aaliyah and her mom were going to be buried in
3 the ... in Upper Big Tracadie cemetery.

4 And that was pretty much it that I had involvement with
5 because all that was set. Then someone raised a question about
6 expenses.

7 **Q.** What kind of expenses?

8 **A.** Travel, interim lodging and meals, to come home for
9 this. Because a lot of them were Ontario or wherever. And I
10 have a funding ... a place where that funding come from for the
11 meals.

12 **Q.** Yes?

13 **A.** It wasn't ... it wasn't VAC. It wasn't VAC at all. I
14 lost ... my email got hacked about two years ago and most of the
15 emails that I had were in my file on my computer. So I lost it
16 all except for a couple. So I'll try and get to that here.
17 Yeah, they approved meals and incidentals between the 9th and
18 the 14th of Jan, hotel rooms between the 9th and the 13th of
19 Jan, bio-hazard cleanup of the site.

20 The funeral costs for Brenda, Shanna, and Aaliyah, it
21 doesn't say who covered that cost. Last Post would take care of
22 Cpl. Desmond's. They took care of headstones times three, like

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 for the other three because Lionel's came from Last Post. And
2 then there was spring burial and closing costs times three,
3 estimated \$300.

4 Q. And sorry, Mr. MacLellan, you were saying who it was
5 that paid for that?

6 A. I don't know who approved that to be honest with you.
7 I can't tell you. I don't have that information. It just ...
8 when they just sent it to me they just sent on the subject line,
9 This is what's been approved.

10 Q. Can you give us a sense of what that ...

11 A. They talk about a ... they talk about a benevolent
12 payment by the Crown, not by a specific department.

13 Q. Okay, so government of some kind.

14 A. Yeah. Yeah.

15 Q. Okay.

16 A. And then the Canadian Forces morale and welfare
17 services were taking care of some payments as well.

18 Q. Okay.

19 A. So it doesn't ... it wasn't ... like, it wasn't money
20 that come from DND or VAC. It was all these little mini-funds.
21 Most of them are probably non-public funds that paid for the
22 majority of the funeral expenses.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 **Q.** Can you give us a sense of what it meant to the
2 family, and particularly what it maybe meant to Wilfred Desmond,
3 to have that taken care of?

4 **A.** It was a great pressure off them all, I'm sure. No
5 one more grateful than Wilfred because he put his faith in me
6 and that ... and talked to me was, I don't know how you did it,
7 but you did it. And that ... that's a good feeling for me in
8 that it's not often you can get ... well, there's never been a
9 tragedy that's been connected to the Canadian Forces as big as
10 this one.

11 And I know that his grandfather ... well, he went to his
12 grave, probably, still with unanswered questions, but I think
13 that little bit of solitude and peace of mind in that moment was
14 great for him.

15 I'll make another point, too. Mr. Frail from IPSC in
16 Halifax did want me to be the liaison for when he came down to
17 the community to visit with the families affected. First of
18 all, they didn't know where they were going. So I met them at
19 the hotel in Antigonish and I led them down and I took them to
20 the individual families' homes and they met with the families.

21 The Desmond family was so large that we used the community
22 centre, and that's where he made the announcement that they were

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 going to cover some of the travel and living costs, Which may
2 have some limitations, was his exact wording. But he said he
3 had to deal with the individuals themselves.

4 **(10:20)**

5 So he got to meet both families, him and his right-hand
6 man, Larry, and they came down and once they made their thing my
7 job was done. Like if folks had any questions they would deal
8 with IPSC direct. And I think the biggest ... the biggest thing
9 on Mr. Frail's part was ... and I understand where he's coming
10 from. I know if I'm taking white folks into my community
11 there's a sense of mistrust right away, because that's the old
12 way. But if you take them with a face that they know and
13 somebody they trust they're more apt to open up and do what
14 needs to be done. But that's just the old way.

15 **Q.** And that was you.

16 **A.** That was me.

17 **Q.** Mr. MacLellan, it strikes me that this role, important
18 as it was of course, may not have been easy for you to do.

19 **A.** Oh, it wasn't. I went three to four nights with no
20 sleep, just as the family did. Because when I went down to the
21 Desmond family I was there for them. It bothers me that
22 something like this could happen in my community and when I say

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 "my community" I'm talking an inclusive community.
2 Lincolnville, Upper Big Tracadie, even Sunnyville. All three
3 communities were affected by this.

4 And I'm not looking for explanation. But I'm not looking
5 for a Band-Aid either. There has to be ... there has to be a
6 better way of doing business.

7 **Q.** Well, I wanted to ask you about that, Mr. MacLellan,
8 and you know, you've had time to reflect on this, on the tragedy
9 itself of course, in your role on it. Are there things that you
10 see and that you would like to see changed or any
11 recommendations that you would have for this inquiry coming from
12 your experiences?

13 **A.** Yes, and also my experience with Cassandra and trying
14 to find answers.

15 **Q.** Yes.

16 **A.** We had a meeting with the Health Authority in
17 Antigonish, and the rumours were out there that he got turned
18 away. You know, all this stuff. If somebody would take the
19 time to look at their calendar in the days leading up to that
20 there's an awful lot of stat holidays in there and the weekend.
21 Mental Health is not open in the weekend.

22 And from what I understand, what I saw with my own eyes,

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 Lionel had an appointment on December 20th. There was a Jesus-
2 big snowstorm. No, I remember the snowstorm. There was nothing
3 that could move, and by the time they did get moving we were
4 already into the weekend and the Christmas holidays right after.
5 So if he wanted to access help he couldn't because of those
6 reasons not because he was refused.

7 I looked at the file that they had for him for Mental
8 Health, and me suffering from PTSD and other medical ... myself,
9 I couldn't honestly say that those folks in Antigonish did
10 anything wrong. They did the best with what you could work with
11 and that will bring me to my recommendation.

12 When, and not only Department of National Defence, any
13 government department releases a member with a psychiatric
14 diagnosis of PTSD or otherwise what ... to expedite him
15 transferring from the internal medical system of DND to a
16 provincial health authority why can't they give him a copy of
17 his medical documents, CD form, or otherwise, on his way out the
18 door? They've known for months you're getting medically
19 released.

20 There's ... there are others ... there are documents that
21 they are required to give me before I leave my unit. My will,
22 my this, my that. Why not make the medical documents, and I'm

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 not saying in every case, but they already know who has some
2 sort of mental illness. Give it to them on the way out the door
3 so that they can come home, go to their family practitioner, and
4 somebody is in the know.

5 Q. Particularly if they're being medically released, you
6 say.

7 A. Medically released.

8 Q. Yeah.

9 A. That's correct. That may be a step in the right
10 direction to stop this from ever happening again. Because most
11 of the wait time ... and I know for a fact that the
12 psychiatrist, Lionel himself, among other health professionals,
13 went after Veteran Affairs to try and get their hands on his
14 documents, and the other answer was, Freedom of information.
15 Where's our freedom of information now? Four people are dead
16 because they didn't make one simple step. One step. That's all
17 it takes.

18 And it should be up to the member as part of his pre-
19 release interview, Would you like a copy of your med docs on the
20 way out? The individual can say "yes" or "no". And they're to
21 make that happen. They have enough staffers there to do it,
22 trust me. And it's not Veteran Affairs that the onus is on.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 Veteran Affairs isn't the releasing authority, Department of
2 National Defence is. But once DND releases you, then all your
3 dealings have to go through Veteran Affairs, and they have to
4 chase DND for these things. It's not right. It should be given
5 to the individual.

6 Q. From your experience, Mr. MacLellan, did you see the
7 distinction between Veterans Affairs and DND being significant
8 in that way? Like, in other words, Veterans Affairs having
9 difficulty getting information from DND and vice versa?

10 A. Veteran Affairs probably had the same difficulty as
11 me, the individual who owns the damned records.

12 Q. Yeah.

13 A. And they'll say, Oh, yeah, it'll take you 27 weeks.
14 Well, I'm sorry. In some cases 27 weeks is too long. So who
15 should the onus be on now? The Department of National Defence
16 medical centre. They have to do release medical on the
17 individual. They're mandated to do that whether he's already
18 ... whether he's been deemed unfit for service or not. They
19 still have to an up-to-date medical on him. Give him his
20 medical docs at the same time.

21 I could see years ago when we were all in a paper war and a
22 guy's medical file could be (motions with hands)... but they're

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 all electronic now. They're all electronic now, and anything
2 ... anything that was manual is scanned into it. So all it
3 takes is ...

4 Q. Should be ...

5 A. Is to zip a copy to a CD and that's it, we're done.

6 Q. Should be fairly simple, really.

7 A. You would think.

8 Q. What about, Mr. MacLellan, in terms of, you know,
9 dealing with a tragedy such as this? Now it's an unusual
10 situation of course. You happened to be there and have the
11 perfect skills that were needed as a warrant officer to help out
12 with this kind of situation ...

13 A. I just ... I ... it's a terrible thing to say, but I
14 didn't focus on the dead because that would have got me in
15 trouble. My own medical well-being was at stake. I didn't
16 focus on the dead. I focussed on the living, in particular the
17 old man, and if I could keep my chain of thought down that road
18 I knew I would be effective in whatever I did.

19 But if I had have let myself cross over I would become
20 another casualty. You know, do I go spend six months in a
21 mental wing somewhere? Those were the risks that I was taking.
22 So I just made damned sure that I avoided the scene. I didn't

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 talk to the media. It was none of their business. As far as
2 I'm concerned, it was none of their business what behind closed
3 doors negotiations, or whatever you want to call it, were going
4 on. It's none of their business.

5 **(10:30)**

6 So I just kept my mouth shut, stayed low profile, and got
7 the job done under the radar.

8 **Q.** How did you find the courage to do that?

9 **A.** I just ... I just knew I knew ... I've always went
10 through my life knowing that I owe my people in my community
11 something. I didn't have the greatest childhood in Lincolnville
12 but the Desmond family were one of the ones that if I was hungry
13 I got fed. So I've always owed my elders.

14 And when you see a man the size of Wilfred Desmond, he was
15 so jovial and ... you know, he was that big (motions with
16 fingers). That's what gave me the inspiration to take this on
17 and do it and do it the best I could. And from what I gather, I
18 wasn't out to satisfy anybody except him. And that's how I kept
19 myself focussed.

20 I'm not looking for accolades, but I tell you right now I
21 just hope nobody else ever has to be thrown into the helm that I
22 was put into. And that's ... that's my only wish. And the only

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 solution to that is, Go back to this privacy of information for
2 medical documentation on ... in particular, our soldiers. But
3 we're looking at the same thing for our Mounties, too. Or maybe
4 even our firefighters. You know what I mean? It's all the
5 same.

6 If they know that this person is going to be released ...
7 take away their livelihood. Don't take away their manhood.
8 That's the difference. That's the difference right there. He's
9 got no choice in them taking away his livelihood but when his
10 manhood goes with it ... and I'm not being vulgar about that.
11 I'm just telling you that most soldiers that I know, they live
12 and breathe what they do and they're good at it for that reason.
13 But you take one away, they're going to feel that big (motions
14 with fingers). And where is it going to leave them?

15 So my answer to this whole fiasco about medical
16 documentation should make it to the point where somebody opens
17 their ears. I know how long it took me to get mine and it was
18 upward of 35 weeks. But luckily, unlike some, I had a friend
19 working at my support base hospital and I asked them, Why is it
20 going to take so long? And this new electronic stuff was just
21 starting. She said to me, Can you come back and see me in a
22 couple of days? And when I went back to see her in a couple

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 days I had mine ... a CD in my hand. Everyone should be able to
2 get that.

3 Any other questions, sir?

4 **Q.** No. Mr. MacLellan, thank you very much. First of
5 all, well, thank you for your service but thank you for coming
6 here today and telling us about your role in this and your
7 perspective on Cpl. Desmond as well.

8 Other counsel here may have questions for you, but that's
9 everything I had. Thank you very much.

10 **THE COURT:** Ms. Ward?

11 **MS. WARD:** No questions, Your Honour.

12 **MR. ANDERSON:** No questions ...

13 **THE COURT:** Mr. Anderson?

14 **MR. ANDERSON:** Your Honour.

15 **MR. MACDONALD:** No questions, Your Honour.

16 **THE COURT:** Mr. Macdonald. Ms. Miller?

17 **MS. MILLER:** No questions, Your Honour, but I want to
18 echo, Mr. MacLellan, my friend, Mr. Rodgers' comments. Thank
19 you for your service and for your support and service ...

20 **A.** Thank you.

21 **MS. MILLER:** ... in both of the families affected by
22 this.

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 **THE COURT:** Mr. MacKenzie?

2 **MR. MACKENZIE:** No questions, Your Honour.

3 **THE COURT:** So Mr. MacLellan, again, thank you for
4 coming today.

5 **A.** Sure.

6 **THE COURT:** Your insight is important and thank you for
7 your service, too.

8 **A.** Thank you, sir.

9 **THE COURT:** Thank you.

10 **A.** Another thing in my life over with.

11 **THE COURT:** Mr. MacLellan, you know what I'll do? I
12 will get you to put your mask back on.

13 **A.** Oh, yes, sir. What did I do with it? My pocket.

14 **THE COURT:** It's just in your pocket there. You're
15 good. Thank you.

16 **WITNESS WITHDREW (10:35 hrs.)**

17 **THE COURT:** Mr. Rodgers?

18 **MR. RODGERS:** Thank you, Your Honour. Your Honour, those
19 are the witnesses that I had lined up for this morning and so I
20 recognize that we're only at 10:30. But those are the two, as I
21 said, planned for this morning.

22 **THE COURT:** And this afternoon. I know we are going to

ALBERT "JUNIOR" MACLELLAN, Direct Examination

1 accommodate Chantel Desmond this afternoon?

2 **MS. MILLER:** Yes, Your Honour. She'll be here this
3 afternoon.

4 **THE COURT:** And there had been some question about Cpl.
5 Trotter?

6 **MR. RODGERS:** Yes, Your Honour. He's planning to be here
7 tomorrow afternoon.

8 **THE COURT:** Tomorrow afternoon? All right. Thank you.
9 So Counsel, then, we'll break till 1:30. I guess that's what we
10 can accomplish for this morning and in the meantime I'm just
11 going to ask Ms. Miller to stay close. We're going to have a
12 conversation about how we're going to just deal with the
13 evidence this afternoon.

14 **MS. MILLER:** Thank you.

15 **THE COURT:** All right. Thank you, then.

16 **COURT RECESSED (10:38 hrs.)**

17 **COURT RESUMED (13:31 hrs.)**

18 **THE COURT:** Good afternoon. Ms. Miller

19 **MS. MILLER:** Yes, Your Honour.

20 **THE COURT:** I understand that we're going to hear from
21 Ms. Chantel Desmond this afternoon?

22 **MS. MILLER:** That's correct.

DISCUSSION

1 **THE COURT:** And have you settled on arrangements for
2 testifying?

3 **MS. MILLER:** We have, Your Honour, and it will be
4 upstairs in the ...

5 **THE COURT:** In the vulnerable witness room?

6 **MS. MILLER:** ... the vulnerable witness room. Thank you
7 for your indulgence with that. We appreciate it.

8 **THE COURT:** All right, thank you. So I think maybe what
9 we'll do is we'll just take a break for a few minutes to allow
10 Ms. Miller to join Ms. Desmond upstairs and then we will
11 recommence for the day. Everything is set and we've confirmed
12 the connections. Okay.

13 **MS. MILLER:** Thank you.

14 **THE COURT:** All right, thank you. We'll adjourn for a
15 few minutes.

16 **THE CLERK:** All rise. Court is in recess until re-
17 called.

18 **COURT RECESSED (13:32 hrs.)**

19 **COURT RESUMED (13:36 hrs.)**

20 **THE COURT:** Thank you.

21 **THE CLERK:** Ms. Miller is upstairs as well as Ms.
22 Desmond and they can hear us.

DISCUSSION

1 **THE COURT:** All right. Ms. Miller, I understand that
2 you are in the vulnerable witness room with your client, Ms.
3 Chantel Desmond. Is that correct?

4 **MS. MILLER:** That's correct, Your Honour.

5 **THE COURT:** All right, thank you. And we decided Ms.
6 Desmond needs to be sworn or needs to affirm. Has she decided
7 how she'd like to proceed?

8 **MS. MILLER:** Yes. She's indicated a preference, Your
9 Honour, to swear on the Bible and we have a Bible in our room
10 with us.

11 **THE COURT:** All right. If she could take it in her hand
12 then, please?

13

14

15

16

17

18

19

20

21

22

1 **CHANTEL DESMOND, sworn, testified:**

2

3 **THE COURT:** Thank you. If you're not seated, have a
4 seat. Just for those that have tuned in on the webcast, I can
5 advise that Ms. Miller and her client, Chantel Desmond, are
6 testifying from a remote location. It's called a "vulnerable
7 witness room" and it's located here in the same building as this
8 court facility. We have the audio streaming from that room and
9 there's also an audio-video stream from this hearing room into
10 the vulnerable witness room so that Ms. Miller and Ms. Desmond
11 are able to actually see the courtroom and the individuals that
12 are in the courtroom. It was at done at Ms. Desmond's request
13 and we were certainly happy to accommodate her in that regard.

14 Ms. Miller then if you are content to start, you can lead
15 the evidence from your client at this time.

16 **MS. MILLER:** Thank you, Your Honour, we're ready to
17 start.

18 **THE COURT:** Thank you.

19

20 **DIRECT EXAMINATION**

21

22 **MS. MILLER:** Ms. Desmond, can you state your full name

CHANTEL DESMOND, Direct Examination

1 for the Inquiry?

2 **A.** My name is Chantel Victoria Ann Desmond.

3 **Q.** Okay. And your date of birth, Chantel?

4 **A.** May 7th, 1991.

5 **Q.** Okay. And where do you live?

6 **A.** I live in Goshen.

7 **Q.** And that's outside of Guysborough near Antigonish,
8 Nova Scotia?

9 **A.** Yes.

10 **Q.** Okay. And I understand that you are here as the
11 personal representative for who?

12 **A.** I'm the personal representative for Brenda Desmond and
13 I share corepresentation for Aaliyah Desmond.

14 **Q.** Okay. And who were Brenda and Aaliyah Desmond to you,
15 Chantel?

16 **A.** Brenda Desmond would be my mother and Aaliyah Desmond
17 would be my niece.

18 **Q.** Okay. We heard from your twin sister, Cassandra,
19 yesterday. She's the personal representative for your brother,
20 Lionel Desmond?

21 **A.** Yes, she is.

22 **Q.** Okay. And you are, as you've indicated, representing

CHANTEL DESMOND, Direct Examination

1 your mom and your niece. You, yourself, have a family, correct?

2 **A.** Yes, I do.

3 **Q.** Okay. And tell us about your family, Chantel.

4 **A.** I have two children, Noah, he's nine; Delilah, she's
5 seven.

6 **Q.** Seven, okay. So what I want to ask you first is to
7 tell us about your mom, Brenda, and what she was like. We'll
8 start with where was your mom born and raised?

9 **A.** My mother was born in Antigonish at St. Martha's
10 Hospital. She was raised in Lincolnville.

11 **Q.** Okay. And that's where she spent her adult life?

12 **A.** That's where she spent the majority of her life, yes.

13 **Q.** Okay. And I understand ... we all understand from
14 Cassandra's evidence yesterday - but I'll get you to add to it
15 as well - your mom had a large family, correct?

16 **(13:40)**

17 **A.** We had a huge family, yes.

18 **Q.** Tell us about that family.

19 **A.** There was 22 in total. More ... the majority live in
20 Ontario.

21 **Q.** Yeah. These were brothers and sisters.

22 **A.** Of my mother, yes.

CHANTEL DESMOND, Direct Examination

1 **Q.** Of your mother, yes. And of that extended sibling
2 clan, there were some who lived in Nova Scotia as well, correct?

3 **A.** Yes, there is.

4 **Q.** Okay.

5 **A.** Yeah.

6 **Q.** And I understand, in particular, there were a few that
7 your mother was very close with.

8 **A.** Yes.

9 **Q.** And who were they?

10 **A.** She was close with her twin sister, Linda, and her
11 other sister, Sandra.

12 **Q.** Okay. Your mom had five children, correct?

13 **A.** Yes, she did.

14 **Q.** The four daughters. We're going to hear from your
15 sister, Diane. She's your oldest sister?

16 **A.** Yes, she is.

17 **Q.** Yes. And we're also going to hear from Kaitlyn.
18 She's your baby sister.

19 **A.** That's the baby, yeah.

20 **Q.** Yes, okay. And tell us as well, in addition to your
21 mom's siblings and her children, she also was very close, as I
22 understand it, with her parents.

CHANTEL DESMOND, Direct Examination

1 **A.** Yes, she was, very close.

2 **Q.** And tell us their names.

3 **A.** Her mother, would've been my grandmother, Ardella
4 Desmond, and her father, my grandfather, was Wilfred Desmond.

5 **Q.** Yes. And we understand your grandfather has passed
6 away since this tragedy?

7 **A.** Yes, he has.

8 **Q.** Yeah, and your mom still is alive? Or your
9 grandmother, sorry, is still alive?

10 **A.** My grandmother is still alive, yes.

11 **Q.** Yes. And where does she live now?

12 **A.** She lives in Lincolnville.

13 **Q.** Yeah. And who does she live with?

14 **A.** She lives with my grandfather's son, but she just got
15 a new home, so she should be moving in shortly, thank God.

16 **Q.** Wonderful. Yeah. This is to replace the home that
17 burned down ...

18 **A.** Yes.

19 **Q.** We understand?

20 **A.** Yes.

21 **Q.** Okay. Your mother also had a number of grandchildren.
22 Can you tell us about her grandchildren?

CHANTEL DESMOND, Direct Examination

1 **A.** She has six of them in total. She loved them very
2 much.

3 **Q.** Okay. And two of those grandchildren were your
4 children?

5 **A.** Two of them are mine, three are Cassandra's, and one
6 was Lionel's and that ... Aaliyah.

7 **Q.** Aaliyah, yeah.

8 **A.** Yeah.

9 **Q.** Okay. We know a little bit again from Cassandra
10 yesterday about your mom's work history and employment. What do
11 you remember about your mom's work history?

12 **A.** Well, my mom was quite a tomboy, so she did, like,
13 construction jobs, but she was a flagwoman for Miller's ... like
14 Cold Milling Industrial.

15 **Q.** Yes.

16 **A.** They're based out of New Brunswick, so it was seasonal
17 work for her. She'd work from May to November usually, but in
18 between then, she'd come home every second weekend or depending
19 on how far they were from home.

20 **Q.** Yes.

21 **A.** Yeah.

22 **Q.** Okay. And how long did your mom have that job with

CHANTEL DESMOND, Direct Examination

1 Miller's?

2 **A.** She worked there a long time. I don't know exactly
3 how long, but for a long time.

4 **Q.** A long time. And did she work there with any of her
5 family?

6 **A.** Yes, yeah. She worked there with her twin sister,
7 Linda.

8 **Q.** Yes. And I understand your mom was working with
9 Miller's, but on leave, at the time of this tragedy?

10 **A.** Yeah.

11 **Q.** Okay. And your Aunt Linda still works with Miller's?

12 **A.** Yes, she does.

13 **Q.** Yes.

14 **A.** Seasonal, yeah.

15 **Q.** Okay. And this job that your mom had with Miller's,
16 that was her employment when you were children growing up.

17 **A.** Yes.

18 **Q.** Yeah. So tell us about the role that your mother
19 played in your family growing up.

20 **A.** Well, we grew up ... there was a lot of us in the
21 household and my mother was the one that financially supported
22 everyone and she looked after everyone along with my

CHANTEL DESMOND, Direct Examination

1 grandfather, but she was a mom to all of us. Well, to all of
2 them, including, like, her nephews or nieces but ...

3 Q. You lived ... the five of you lived with your mom and
4 your grandparents and some other family members in one home,
5 correct?

6 A. Yeah. Multigenerational.

7 Q. Multigenerational home?

8 A. Yes.

9 Q. Yes. And your mom was a single mom.

10 A. Yes, she was.

11 Q. Yeah. And she worked outside the home.

12 A. Yes, she did.

13 Q. As you've told us.

14 A. Yeah.

15 Q. At Miller's. And in addition to making sure that you
16 all were provided for, Chantel, what was the kind of home base
17 she provided for others in the family and the community?

18 A. Well, where I grew up in Lincolnville ... well, the
19 house was kind of like the ... it was like the community
20 hangout, like, if you were hungry, you were fed; if you were
21 cold, you had shelter. It was ... because like it takes a ...
22 they used to say, It takes a village to raise a child. So we

CHANTEL DESMOND, Direct Examination

1 all worked together, basically.

2 Q. And your mom was an integral part of making that a
3 safe space for others to come and have security, was she?

4 A. My mother was like the main part, yeah.

5 Q. Yeah, okay. So tell us a little bit about your mom.
6 I understand certainly from Cassandra and from you, your mom was
7 the foundation, the rock of the family, but what did she enjoy?
8 What did your mom do outside of taking care of you and working
9 with you?

10 A. My mom, well, she loved bingo. She loved it just as
11 much as us. She loved to cook. She made the best haddock and
12 hamburgers ever like ... She loved spending time with her
13 grandkids.

14 Q. Yes.

15 A. Yeah.

16 Q. And did she ... I understand that there was a
17 connection with church as well.

18 A. Yeah. She was a woman of faith, my mother was. She
19 went to church faithfully every Sunday.

20 Q. Okay. And what did she do every night before bed?

21 A. My mother would pray every night before bed, yeah.

22 Q. I'm going to ask you now just again some general

CHANTEL DESMOND, Direct Examination

1 questions so you can share with the Inquiry more detail about
2 your niece, Aaliyah. When was Aaliyah born, Chantel?

3 **A.** Aaliyah was born December 28th, 2006, I believe.

4 **Q.** Okay. And so she had just turned how old at the date
5 of the tragedy?

6 **A.** I believe it was five days' shy of ten.

7 **Q.** Yeah.

8 **A.** Yeah.

9 **Q.** Okay. And she was born where?

10 **A.** Aaliyah was born in Antigonish.

11 **Q.** Yes. And where was she raised?

12 **A.** She was raised in, like, New Brunswick, but also down
13 here. They ... they were up and back a lot, right?

14 **Q.** And "they" being her dad ...

15 **A.** Yes, Lionel and Shanna.

16 **Q.** ... and her mom, Shanna, yes.

17 **A.** Yeah.

18 **Q.** We know, of course, that your brother was deployed to
19 Afghanistan shortly after Aaliyah was born?

20 **A.** Yeah. I remember he ... when Lili was born, actually,
21 he passed out in the hospital.

22 **Q.** He fainted.

CHANTEL DESMOND, Direct Examination

1 **A.** Yeah.

2 **Q.** And then when he returned from Afghanistan, the family
3 had a home in New Brunswick?

4 **A.** Yes.

5 **Q.** Okay. And so they would've spent time there with her
6 parents?

7 **A.** Yes.

8 **Q.** But she also spent time in Nova Scotia?

9 **A.** Yes, she did.

10 **Q.** Okay. And was that when ... when was she starting to
11 spend more time in Nova Scotia? Is that when Shanna went back
12 to school?

13 **A.** Yeah, that's when she spent the majority of the time
14 down here. Well, yeah, a lot of time.

15 **Q.** Yeah. And so she ... you said earlier it takes a
16 village to raise a child.

17 **A.** Yes.

18 **Q.** Certainly, Shanna and Lionel raised Aaliyah. I
19 understand that your mom played a role in that as well?

20 **A.** She played a big role in it, yeah.

21 **Q.** Yeah. And other family members?

22 **A.** Yeah.

CHANTEL DESMOND, Direct Examination

1 **Q.** Yeah, yourself included.

2 **A.** Myself included.

3 **Q.** Okay. We're going to talk about that a little bit
4 more later on.

5 I want you to tell us more about Aaliyah, what she was
6 like, what she liked, you know, her plans for the future. What
7 do you remember about Aaliyah?

8 **A.** She was a great kid. She loved to play **Minecraft**.
9 She loved her animals. She had a dog named Penny G, a cat named
10 Bentley. She wanted to be a veterinarian when she grew up, and
11 she loved to eat, so that's why we got along. Yeah.

12 **Q.** What other activities did Aaliyah participate in?

13 **A.** She'd go horseback riding a lot with her father.
14 Lionel was scared of horses but he would take Aaliyah. And she
15 liked singing and she loved spending times with her cousins.
16 Yeah, just being a kid.

17 **Q.** Yeah.

18 **A.** Yeah.

19 **Q.** Okay. I'm going to move, Chantel, to ask you some
20 questions about your relationship with your brother, Lionel. He
21 was older than you. How much older was he than you?

22 **A.** Lionel was eight years older than me, I believe?

CHANTEL DESMOND, Direct Examination

1 Yeah.

2 Q. And how would you describe your relationship with
3 Lionel as a kid growing up?

4 A. Lionel and me were ... we were best friends, like, I
5 always used to wear his shoes, I remember. I have pictures of
6 it. His shoes would be too big for me but I'd always wear them.
7 We were ... he was my best friend growing up. We were very
8 tight, next to me and my siblings, but, yeah, we were very
9 tight.

10 Q. Did you spend a lot of time with him?

11 A. I was always spending time with him. On his hip.

12 Q. Yeah.

13 A. Yeah.

14 Q. Okay. And describe your brother for us, from your
15 perspective, you know, how he was, you know, personality-wise,
16 the energy that he had. This is all, of course, before the
17 military. So tell ... share with us your recollection, Chantel,
18 of what your brother was like.

19 A. Lionel was one of the funniest guys I knew. He could
20 light up a room. He had a beautiful smile and he was just so
21 funny and he was caring. He was a very hard worker and he loved
22 to be in the woods.

CHANTEL DESMOND, Direct Examination

1 **Q.** And we understand ... we heard from your sister
2 yesterday that he was a helper in the community as well. Is
3 that your observation?

4 **A.** Oh absolutely, yeah. He'd go cut wood for people.
5 Especially the elders, right?

6 **Q.** Yes.

7 **A.** If you needed him, he was always there.

8 **Q.** Yeah. Did he make you laugh?

9 **A.** He made me laugh so much, yeah.

10 **Q.** Yeah.

11 **A.** Yeah. That's what I miss the most about him.

12 **Q.** We know, of course, that ... we heard from his former
13 guidance counsellor this morning that he talked to him about
14 going into the military. Did he ever share with you his plans
15 for the future with the military, Chantel?

16 **A.** I do remember him talking about going into the
17 military. I remember one day he brought home a sticker that
18 had, like, "The Navy" written on it and I assumed he was going
19 to go in because he spoke about it a few times, but I just
20 honestly don't think my brother knew what he was signing up for
21 because I don't think he would've done it if that was the case.

22 **(13:50)**

CHANTEL DESMOND, Direct Examination

1 **Q.** Okay. There's a family history, I understand, in the
2 military. What, if any, role did that play in your brother's
3 desire to enter the military, to your knowledge?

4 **A.** It played a big role, I believe, as well because a lot
5 of my family members were military members and served in the
6 wars, and he was close to my grandmother's brother and I think
7 that kind of influenced him as well.

8 **Q.** Yeah. And what was your grandfather's brother's name?

9 **A.** I mean my grandmother's brother.

10 **Q.** Grandmother's brother, yes, what was his name?

11 **A.** Walter.

12 **Q.** Walter, yes. And he had served?

13 **A.** Yeah, in both world wars.

14 **Q.** Okay. Tell us a little bit, Chantel, your memories
15 around Lionel and Shanna's relationship when they first started
16 spending time together. What do you remember about that?

17 **A.** I remember when Shanna first came from Ontario. I
18 think I was, like, eight-years old. She had long, curly hair.
19 She was beautiful and I remember Lionel looking at her.

20 So she came in the house, I think with Thelma, and she was
21 against the stove and she introduced herself and, yeah. Then
22 after that, I couldn't stop seeing her.

CHANTEL DESMOND, Direct Examination

1 **Q.** Did you spend time with Lionel and Shanna while they
2 were in Guysborough and Lincolnville?

3 **A.** Oh yeah. Well, like I said, Lionel was my best friend
4 as a kid and I was attached to his hip really and so of course,
5 yeah. And Shanna got a job, I remember - I'm not too ... too
6 sure exactly - at the CAP site, so I'd go there and come back
7 in, ... Mom, Lionel's out there kissing Shanna, and, you know,
8 like that.

9 **Q.** And at some point, Lionel graduated, obviously, from
10 high school, and then I understand that he and Shanna moved from
11 Guysborough. Where did they move?

12 **A.** They moved to Highfield.

13 **Q.** And Highfield is in where?

14 **A.** In Dartmouth.

15 **Q.** In Dartmouth, Nova Scotia.

16 **A.** Yes.

17 **Q.** Okay. And do you remember what they were doing? This
18 is before Lionel enlisted in the military?

19 **A.** Yeah, it's before Lionel enlisted in the military.
20 I'm not too sure exactly what Lionel was doing, but I think
21 Shanna was in, like, cosmetic school. I'm not too sure.

22 **Q.** Okay.

CHANTEL DESMOND, Direct Examination

1 **A.** But I do remember, like, her dying my hair and it came
2 like a crazy blonde and I was so upset. So that's why I
3 remember that.

4 **Q.** Right.

5 **A.** Yeah.

6 **Q.** And did you have an opportunity to spend time with
7 them while they were in Highfield in Dartmouth?

8 **A.** Yeah, I stayed there, yeah.

9 **Q.** And when would you stay with them?

10 **A.** I stayed there a few times. It was usually during
11 breaks, like, I was in school, right?

12 **Q.** Yes.

13 **A.** Yeah. So summer break or March break, I'd spend time.

14 **Q.** Okay.

15 **A.** Yeah.

16 **Q.** And after Lionel enlisted in the military and returned
17 from Afghanistan, we know that they had a home in New Brunswick.
18 Did you have an opportunity to spend time with Lionel and Shanna
19 and Aaliyah at their home in New Brunswick?

20 **A.** Oh yeah. Yes, I did, yeah.

21 **Q.** And what do you remember about those visits? How
22 would you get there? Who would you go with?

CHANTEL DESMOND, Direct Examination

1 **A.** I was with my mom. One time I went without my mom,
2 but when Lionel lived in Miramichi and, like, them houses for,
3 like, military members, I went with my mom. We went up with
4 Shanna but we came back on the bus. And then Oromocto, Shanna
5 and I drove up and Aaliyah.

6 **Q.** So you shared with us a few moments ago, you know,
7 what Lionel was like as, you know, when he was ... before he
8 enlisted in the military. How did that change when he came back
9 from Afghanistan from your perspective, Chantel?

10 **A.** It changed a lot.

11 **Q.** Okay. And how did it change?

12 **A.** Well, I remember when we went to pick him up at the
13 airport. My grandfather was driving a limo but I precisely
14 remember because, like I said, my brother and I were ... we were
15 close, and so when he wasn't trying to make you laugh or
16 something, there was something wrong. Well, like, not that he
17 was obligated to, but that's just how he was naturally, so you
18 ... you expected it.

19 But I remember him. He had a "Tupac" t-shirt on and he had
20 his duffel bag, it was a green duffel bag, coming down the
21 escalator from the airport, and we had signs and we had like
22 Aaliyah and stuff, right? And I remember the look in his eyes

CHANTEL DESMOND, Direct Examination

1 and I was like, Whoa, and I was ... I was not young but I was a
2 kid.

3 Q. What was it about the look in his eyes that you
4 observed, Chantel?

5 A. It was very dark and distant, yeah.

6 Q. And that was different from how you had observed
7 Lionel before his time in Afghanistan?

8 A. Yeah, because Lionel was a happy guy. His ... his
9 face always lit up, right?

10 Q. Yeah. Did you notice anything else on that day when
11 you picked up Lionel from the airport on the way back home?
12 What else did you observe that day?

13 A. I remember, I think we were hitting Enfield or so at
14 the time that night but, like ... yeah, I'm pretty sure. And my
15 grandfather, he was driving a limo and he hit a bump and I
16 remember Lionel just getting very anxious and he's like, Hey
17 Papa, do you ... I call him "papa", but Lionel called him
18 "granddad". He's like, Hey, do you ... do you want me to ... to
19 drive or ... you know. He's like, No, no, I'm okay. But Lionel
20 was not ... I found, like, he kept paying more attention to the
21 road and Papa driving than he did to who was in the vehicle
22 after that.

CHANTEL DESMOND, Direct Examination

1 **Q.** Yeah. So that was when he first returned home. What
2 else did you continue, if anything, to notice about changes in
3 his personality and behaviour after he had arrived home and the
4 years past, Chantel?

5 **A.** I remember when he had a ... he had a black Pontiac
6 GT, I believe it was called at the time, or G6, and he would
7 always back it farther away from other vehicles and back it in,
8 and he always had his wall to the back ... his back to the wall,
9 and that was never like him because he was a socialite. He was
10 always out there just being goofy Lionel. So for him to, you
11 know, kind of retreat back was very weird to me.

12 **Q.** Yeah. Anything else that you noticed about his
13 behaviour around noise, about ... around being with people?

14 **A.** He ... he didn't like hearing kids scream. He didn't
15 like ... I don't know if it was just ... just sudden noises.
16 You could see him tense right up.

17 **Q.** Okay. Anything else that you would notice that seemed
18 totally out of character from him from the Lionel that you knew
19 before he went to Afghanistan?

20 **A.** I can't think of anything.

21 **Q.** Okay. No, that's all right.

22 Did Lionel have an opportunity to share any of his

CHANTEL DESMOND, Direct Examination

1 experiences or stories with you, Chantel, when he was in
2 Afghanistan?

3 **A.** Yes, he did. A few, yeah.

4 **Q.** And what did he share with you?

5 **A.** He told of the time he was walking over a bridge and
6 there was a bomb there but it didn't go off, and walked over ...
7 it went off after he did. He told me about the times he hit his
8 head. He was going up a wall and he hit his head. One time an
9 armoured vehicle flipped or something. And also another time he
10 was under fire and he had to jump in the ditch and there was ...
11 because I remember him telling this, like, big spiders there, he
12 said. And he was scared of snakes, so he assumed there might've
13 been snakes down there too. And I remember that.

14 **Q.** So he told you on a couple of occasions about hitting
15 his head?

16 **A.** Yes, he did, three times, at least that I remember.

17 **Q.** Yeah. And one was, you said, when he climbed a wall.

18 **A.** Yeah.

19 **Q.** And one was in an armoured vehicle?

20 **A.** Yeah.

21 **Q.** What do you remember about that?

22 **A.** He said it flipped.

CHANTEL DESMOND, Direct Examination

1 **Q.** It flipped and he was in it?

2 **A.** Yeah, he was in it, yeah.

3 **Q.** Okay. Anything else he shared with you in terms of
4 experiences that happened to him or his soldier colleagues when
5 he was in Afghanistan?

6 **A.** He didn't like ... I couldn't ... I remember one time.
7 I don't know how the conversation started, but he was telling me
8 that there was a ... a guy taking a kid into the alley and I
9 guess he was informed of things that happened usually when a
10 child was going to be hurt or, you know, whatever you want to
11 call it. So he said he shot his ear off from where he was.

12 **Q.** To protect the child?

13 **A.** Protect the child.

14 **Q.** Yes.

15 **A.** To protect a child, yes.

16 **Q.** Yeah.

17 **A.** Not just to do it, it was to protect the child, of
18 course.

19 **Q.** Yeah.

20 **A.** And he told me stories where his friends blew up next
21 to him or when he saw flies because he had to carry limbs and
22 body parts of people. That's what really bothered him the most,

CHANTEL DESMOND, Direct Examination

1 I think, because every time he told this story, that's when his
2 eyes would go dark and sometimes you had to, like, snap your
3 fingers and he, like ... I remember that, yeah.

4 Q. So he shared with you some pretty heavy things that he
5 had experienced in Afghanistan.

6 A. Yeah, he did, yeah.

7 Q. And did you have an opportunity to ask him about how
8 he was feeling about all of that?

9 A. I honestly ... I didn't because I didn't want to
10 trigger him. I let him speak himself because Lionel was a
11 private person and I wouldn't want ... I didn't want him to feel
12 that I was intruding on him, but I also was intimidated, I'm not
13 going to lie.

14 Q. And why were you intimidated, Chantel?

15 A. I was intimidated because I didn't know what was going
16 on with my brother and I ... I wish I did, but I didn't.

17 Q. When you say you didn't want to trigger him, did you
18 see him get triggered sometimes?

19 A. Yeah, I did, yeah, so I didn't want to ask because if
20 he brought a story up himself, it's different than me asking.

21 Q. Right.

22 A. Right? I didn't want him to be having a good day,

CHANTEL DESMOND, Direct Examination

1 then me ask a question and then, Oh wow, here we go where he has
2 an episode, you know.

3 **(14:00)**

4 **Q.** And when you said he'd have a good day, but I'm
5 assuming there were days that were not good days ...

6 **A.** Yeah.

7 **Q.** ... from that?

8 **A.** Yeah.

9 **Q.** And what would the days that were not good days look
10 like from your perspective being around him?

11 **A.** He was very distant and he closed himself off to
12 people.

13 **Q.** Yeah.

14 **A.** But you could always tell he was having a good day
15 because he was talkative and his appearance was very kept.

16 **Q.** Okay. If he had a good day he was talkative and he
17 was well dressed?

18 **A.** Oh yeah, yeah.

19 **Q.** And your observation was that when he wasn't having a
20 good day he wouldn't have that appearance at all?

21 **A.** No, it was (moreover laggy?).

22 **Q.** Okay.

CHANTEL DESMOND, Direct Examination

1 **A.** Yeah.

2 **Q.** Yeah. Did you ever observe mood swings with your
3 brother?

4 **A.** Maybe once because he was not an angry guy.

5 **Q.** Right.

6 **A.** Yeah.

7 **Q.** And did you ever have a chance to talk to him about
8 your concerns or did you ever message him about your concerns
9 about the change in personality for your big brother, that was
10 your best friend?

11 **A.** No, I didn't. I messaged him one time because I was
12 moving out West at the time in August 2012, I believe ...

13 **Q.** Yes.

14 **A.** ... and I told him I missed him and I wish we were
15 still close. And he messaged me back, he said, I'm sorry
16 because I love you still. Just not himself.

17 **Q.** Yeah. And what did you understand was the reason that
18 Lionel was just not himself after his return from Afghanistan in
19 the ensuing years, Chantel?

20 **A.** Well, I ... after the fact, it was years later, like I
21 had an idea what it was because I spoke to my uncle a lot,
22 Walter, at the time. He would tell about his own experience in

CHANTEL DESMOND, Direct Examination

1 the army and how it was ... the ... he had shell shock and
2 stuff.

3 So when my mom was being told things from Shanna about my
4 brother's diagnosis, and when he was just learning himself,
5 that's when I put together like okay, maybe it's shell shock,
6 it's similar or it's the same. I didn't know then; I was just
7 learning.

8 Q. So you understood as you shared, that what he was
9 suffering from was something like shell shock?

10 A. Yes.

11 Q. And your mom told you more detail that she learned and
12 that came from Shanna?

13 A. Yes.

14 Q. Okay.

15 A. And Lionel would tell her things too.

16 Q. Yes.

17 A. But my mother and Shanna were close, so any time
18 Lionel had an appointment or there was updates on his medical
19 condition ...

20 Q. Yeah.

21 A. ... my mother would know because Shanna always called
22 her or they were together when ...

CHANTEL DESMOND, Direct Examination

1 Q. Yeah.

2 A. ... the appointments would happen.

3 Q. So you spent a period of time thinking it was shell
4 shock and then at some point came to realize that it was ... had
5 a diagnosis?

6 A. Well, it was shell shock because medically they didn't
7 have a term for it at the time ...

8 Q. Right.

9 A. ... right? So as time went on, they call it post-
10 traumatic stress disorder.

11 Q. Okay. And your mom was the one who told you that your
12 brother had post-traumatic stress disorder?

13 A. Yes.

14 Q. Okay. And what did you understand that meant?

15 A. Yeah, the term "PTSD"?

16 Q. Yeah.

17 A. Well, it meant that he had some experiences that
18 weren't nice and they bothered him 'til this day.

19 Q. Yeah. Yeah.

20 A. That's all I knew at the time.

21 Q. And did you have an appreciation, Chantel, if your
22 mother had an understanding of what PTSD meant?

CHANTEL DESMOND, Direct Examination

1 **A.** My mom definitely did not know what it meant but she
2 was being informed. So I said to her, Mom, it's like shell-
3 shock. So I tried to explain to her in little terms what I knew
4 of it. Because again, like I said, I didn't know it was PTSD, I
5 just knew it was similar ...

6 **Q.** Right.

7 **A.** ... you know, to ... or at that time it was similar to
8 shell shock. So we would just sit down and talk about it and
9 ... yeah.

10 **Q.** Okay.

11 **A.** That's what I knew.

12 **Q.** What was your understanding, Chantel, as to what
13 Lionel's treatment was for the PTSD?

14 **A.** I would say I think his treatment was complete
15 bullshit. I ... and excuse my language, but you can't give
16 someone medical marijuana, which was his treatment for his PTSD,
17 when he has complex and you have more factors ... not just one,
18 you have multiple factors and you think marijuana can treat
19 every one of them.

20 **Q.** Okay.

21 **A.** That's what his ... that was his treatment. And
22 Lionel was not a weed smoker and it made him paranoid. So why

CHANTEL DESMOND, Direct Examination

1 would you ... why would he have something that just made the
2 condition worse, that's how I feel.

3 Q. And that was ... did you have any other understanding,
4 Chantel, as to what other treatment may have been part of
5 helping him address the PTSD outside the medical marijuana?

6 A. No, besides him getting ready to go to Ste. Anne's,
7 that's the only next thing I knew.

8 Q. Yeah. And from your perspective, did you see him
9 using medical marijuana? Did you ...

10 A. Oh yeah, I saw him use it. Yeah, he vaped it.

11 Q. Yeah? And what was your observation in terms of how
12 he would react when he would use the medical marijuana?

13 A. Like he ... don't get me wrong, he was good on it. He
14 ... I never saw him paranoid but he would express it himself
15 that at times the ... it must have been depending on the strain
16 he smoked, but like what I observed from Lionel when he smoked
17 it he was fine, he was happy, you know.

18 Q. Yeah.

19 A. Yeah.

20 Q. Okay. So when you understood he was on medical
21 marijuana but when you saw him it seemed that he was happy and
22 okay?

CHANTEL DESMOND, Direct Examination

1 **A.** Yeah. Yeah, but he didn't have multiple ... like I
2 remember we were sitting down at my father's, he had multiple
3 containers, there were different strains, different. I don't
4 smoke marijuana so I couldn't really ... I can't really talk
5 about it, but some sat with him and some didn't sit well with
6 him, that's all I know.

7 **Q.** Yeah. And did you know if your mom had any and Shanna
8 had any other information about the medical marijuana treatment?

9 **A.** Yeah. I remember one time my mom ... like I just
10 said, my mom said some of the strains affected him in different
11 ways and she was ... this is what Shanna was telling him ...
12 telling her ...

13 **Q.** Yes.

14 **A.** So ...

15 **Q.** So did you understand your mom was getting information
16 about that treatment from Shanna?

17 **A.** Yes, she was.

18 **Q.** Okay.

19 **A.** Yes.

20 **Q.** Yeah. You talked a moment ago about ... when we were
21 talking about treatment, you said medical marijuana, you weren't
22 aware of any other treatment, but at some point you indicated

CHANTEL DESMOND, Direct Examination

1 that you knew he was going to go to Ste. Anne's.

2 A. Yeah.

3 Q. And that's the hospital in Quebec.

4 A. Oh well, when I say "treatment", like I do know when
5 he was up the road he had multiple bottles of pills.

6 Q. Yes.

7 A. But I do know, he had pills. I ... what kind of
8 pills, I couldn't tell you ...

9 Q. Yeah.

10 A. ... but treatment-wise, besides that, was medical
11 marijuana.

12 Q. Yeah. He had pills, medical marijuana ...

13 A. Yeah.

14 Q. ... and eventually an admission to Ste. Anne's?

15 A. Yes.

16 Q. Yeah. So how did you come to learn that Lionel was
17 going to go to Ste. Anne's for this treatment program?

18 A. I learned through Shanna.

19 Q. Okay. And she told you. Did you have any
20 conversations with Lionel before he went about how he was
21 feeling about going to Ste. Anne's for this treatment?

22 A. Yeah, I saw him one day, I'm not exactly sure when.

CHANTEL DESMOND, Direct Examination

1 It wasn't long before he went but he was super excited.

2 Q. Okay. Tell us how he was feeling about moving toward
3 to go to Ste. Anne's for treatment.

4 A. I think Lionel was very ... he, like, seemed hopeful.
5 And he's like, You know, I'm going to get my life back on track
6 ...

7 Q. Yeah.

8 A. ... and I'm going to be able to take my daughter out.
9 Because it was hard for him to go out places with Aaliyah.
10 Right? And that's what ... I think that's what he looked
11 forward to the most.

12 Q. So he expressed to you that he was optimistic and
13 hopeful about this treatment and I think you said he wanted to
14 get his life back?

15 A. Yes.

16 Q. Yeah. And while he was there at Ste. Anne's ... oh,
17 how long did you understand he was going to be at Ste. Anne's?

18 A. From my understanding, six months but he was only
19 there for three.

20 Q. Okay. And while he was at Ste. Anne's, did you have
21 any communication with him?

22 A. When he would call if I was up the road, just, yeah,

CHANTEL DESMOND, Direct Examination

1 out of the blue or something, like, I was up there because I
2 wasn't up there every day.

3 Q. Yeah.

4 A. But there was a few times that I was up there he did
5 call, yeah. I spoke to him on the phone, yeah.

6 Q. And when you say "up the road"?

7 A. At my grandparents' house.

8 Q. At your grandparents' house? Yes.

9 A. Yeah. Yeah.

10 Q. And so he would call home and talk to your
11 grandparents and your mom would be there?

12 A. Yes.

13 Q. Yes, okay. And when he would call home and you would
14 talk to him there, what did you ... what did he share with you
15 about his experience at Ste. Anne's while he was still there?

16 A. He always had some good and bad days, but it sounded
17 like mainly good days and ... because well he was trying to fix
18 himself there. So sometimes you've got to ... how I felt was
19 that he was exposed to things that he didn't want to talk about,
20 that made him feel upset, so that would ... but that's part of
21 the treatment, right, is exposure. And I think that's what
22 bothered him. But over time I could see the difference in his

CHANTEL DESMOND, Direct Examination

1 voice. Like you'd be able to hear it and he was more ... he was
2 happy ...

3 Q. Yeah.

4 A. ... and he enjoyed it there. But he ... I'm going to
5 say there's a lot of seniors there.

6 Q. A lot of seniors?

7 A. Yeah, a lot of senior citizens there.

8 Q. Yeah. Yeah.

9 A. And I'm feel- ... I felt like well, shouldn't there be
10 people that he can relate to there? You have seniors there.
11 There should be more people around his age there, experience
12 things that he did. I guess they did too, but like, they were
13 seniors, right. So he probably felt out of place there ...

14 Q. Okay.

15 A. ... that's what I felt but ...

16 Q. Okay. After he returned to Nova Scotia from Ste.
17 Anne's you said you thought he was going to be there for six
18 months ...

19 A. Yeah.

20 Q. ... he was there for three months. How was he when he
21 first came back? You would have seen him.

22 A. Well, I know ... well when he first came back from

CHANTEL DESMOND, Direct Examination

1 Ste. Anne's?

2 Q. Yeah.

3 A. I was like, That's my brother, here's my brother. He
4 was ... he looked like himself again, like the brother I knew
5 before Afghanistan.

6 Q. So you saw a change, an improvement in him ...

7 A. Yeah.

8 Q. ... when he first came back?

9 A. I did, a huge improvement.

10 Q. Okay.

11 A. Yeah. And as time went on, like I think the first few
12 weeks were good but as time went on you could see him gradually
13 declining.

14 **(14:10)**

15 Q. And how did you see him declining? What types of
16 things did you observe, Chantel?

17 A. Yeah, his appearance wasn't kept anymore. He wasn't
18 as talkative anymore and he was distant.

19 Q. And through the fall leading up to, of course, the
20 tragedy on January 3rd, did that ... did your observations about
21 how he was doing change in any way? Did things stay the same?
22 Did they get worse? Did they get better?

CHANTEL DESMOND, Direct Examination

1 **A.** After Ste. Anne's?

2 **Q.** Yes.

3 **A.** Yeah, he wore camouflage a lot more.

4 **Q.** Yeah. Are you able to say if you understood he was
5 continuing to get worse or would you say he was ...

6 **A.** He was getting worse.

7 **Q.** He was getting worse.

8 **A.** He was getting worse.

9 **Q.** Yeah. And are you able to say why you thought he was
10 getting worse? Were there certain things that happened?

11 **A.** I thought he was getting worse because he was no
12 longer in the treatment he was getting at Ste. Anne's. And he
13 had no ... there's nothing ... no therapeutic things happening
14 for him besides he had the marijuana, he had himself. And
15 besides I believe he was set for appointments at the hospital,
16 that's all I knew.

17 **Q.** Yeah. But what ... can you share with us what you
18 observed about how things were getting worse for him?

19 **A.** Oh, like I said, he wore camouflage a lot more.

20 **Q.** Yeah.

21 **A.** His appearance was unkept.

22 **Q.** Yeah.

CHANTEL DESMOND, Direct Examination

1 **A.** He didn't share as often as he would ...

2 **Q.** Yeah.

3 **A.** ... you know. His eyes were darker. He was more
4 distant. He wasn't the Lionel I saw when he came back ...

5 **Q.** From Ste. Anne's?

6 **A.** ... Ste. Anne's, exactly.

7 **Q.** Yeah.

8 **A.** And so we're back to point 1.

9 **Q.** Right. When was the last time that you saw Lionel in
10 person?

11 **A.** The last time I saw Lionel was December the 3rd.

12 **Q.** Okay. 2016?

13 **A.** I believe it was.

14 **Q.** Okay. And where was that?

15 **A.** I believe that's the last time I saw him but that was
16 at Thelma and Ricky's house.

17 **Q.** Okay. And ...

18 **A.** I was hanging out with Sheldon. Sheldon was down for
19 that day and just had a conversation with Ricky on the couch, I
20 remember that, and Lionel was playing a game, that's all.

21 **Q.** Okay. And how did Lionel seem that day, on December
22 3rd when you saw him?

CHANTEL DESMOND, Direct Examination

1 **A.** He said hi to me and asked how I was doing, I said
2 good, and then he went back to playing his game.

3 **Q.** Okay. And so was that a good interaction with Lionel
4 or did that cause you any concern?

5 **A.** No, it didn't cause concern because just the
6 environment at the time, like, yeah. Yeah.

7 **Q.** When is the last time you spoke with Lionel?

8 **A.** The last time I spoke to Lionel was Aaliyah's
9 birthday.

10 **Q.** Yeah, December 28th?

11 **A.** Yeah.

12 **Q.** Okay. And what do you remember about that
13 conversation, Chantel?

14 **A.** He was ... he was happy that day when I spoke to him.
15 I called because my mom didn't answer her phone so I called
16 Lionel's cell phone and I said, Hey, can I talk to Aaliyah, I
17 want to wish her happy birthday. And I was told not to tell her
18 about the virtual reality thing but I forgot. And I'm like,
19 Aaliyah, hey, how do you like your virtual reality? She's like,
20 What you talking about Aunt Chantel? I was like, Oh shoot.
21 But, yeah, that's the last time I spoke to him.

22 **Q.** Okay. All right, we talked about your relationship

CHANTEL DESMOND, Direct Examination

1 with Lionel. I'm going to ask you now some questions about your
2 relationship with your mom, and tell us ... you told us
3 generally about your mom earlier but I want to ask you now to
4 share with us, you know, your relationship with your mom and
5 what that was like.

6 **A.** Me and my mom were close. She loved us and she was a
7 really good mom. She had us all young. She was a single mom
8 but she was a hard-working mother and we never went without. We
9 always had. And she loved her grandkids. But whenever she went
10 home she was close. We always went to bingo a lot together. I
11 would stay down there. And my mom had two beds in the room at
12 the time so we would sit down and chit-chat, watch a movie.

13 **Q.** Yeah. So you spent a lot of time with your mom?

14 **A.** Yeah, I did.

15 **Q.** And did you ... how often would you talk to her by
16 phone or ...

17 **A.** Oh God, I talked to my mother every day.

18 **Q.** Every day?

19 **A.** Yeah.

20 **Q.** Yeah.

21 **A.** And if I wasn't calling then something was wrong.

22 Yeah, I talked to her every day.

CHANTEL DESMOND, Direct Examination

1 **Q.** And you saw her how often would you say roughly during
2 the week?

3 **A.** Well, Sundays were our best days. Yeah.

4 **Q.** And why was that?

5 **A.** Because it was family time. Like, you know, I'd go
6 down, have a bottle of wine, have a meal and just laugh. Good
7 times.

8 **Q.** Yes.

9 **A.** That's that how it was.

10 **Q.** Yeah. When is the last time that you talked to your
11 mom or saw your mom before the tragedy on January the 3rd?

12 **A.** Last time I saw my mother was the night before it all
13 happened, January 2nd.

14 **Q.** Yeah. Tell us about that.

15 **A.** Well, it's at bingo, of course.

16 **Q.** Bingo, yeah.

17 **A.** But Mom and Shanna, Aaliyah showed up at bingo and
18 they sat by me, well, the table behind me. And yeah, last time
19 I spoke to my mother was when she won ... I was set and she won
20 and my number came up on the screen and she started laughing at
21 me. But that's the last I spoke to her.

22 **Q.** Okay.

CHANTEL DESMOND, Direct Examination

1 **A.** That was the last time I saw her.

2 **Q.** Yeah. And did she, at that point, share anything with
3 you about how things were going with Shanna and Lionel?

4 **A.** I remember I made a comment to Mom because I thought
5 it was weird they were all at bingo. I was aware my mother was
6 in bingo, but I just thought, well, was there something going on
7 that's Shanna is in bingo and Aaliyah's in bingo. That's my
8 automatic thought and ... yeah, so ...

9 **Q.** And what did your mom tell you about that?

10 **A.** Well, I remember at the end of the night, like, I said
11 to Mom ... or I was like, Anyways, Mom, do you want to drive
12 home I'll drive up the road after bingo and Aaliyah said, No,
13 Nanny Bren, come and stay with me tonight. Which is not not
14 normal, it's normal because Mom was always there with them. But
15 I thought where Mom was there for a few days already that, you
16 know, she'd want a drive home or something. She's like, Well, I
17 got groceries. Like, Oh whatever, I'll take it up the next day
18 whatever.

19 **Q.** Okay.

20 **A.** But I remember for some reason I just felt like
21 something was off and I was like, Mom, just mind your business
22 and like don't get caught in this crossfire. Those were my

CHANTEL DESMOND, Direct Examination

1 exact words.

2 Q. Yeah.

3 A. I remember I texted my mother, too, not as in like
4 actual crossfire but just a saying, right?

5 Q. Right. And when you ... and you meant it's a saying,
6 I appreciate that. What did you mean "don't get caught in the
7 crossfire"? Between whom?

8 A. I just felt don't be there. Like when I said that,
9 just like just don't be in between them, let them deal with
10 their own shit. Like not deal with their own stuff, but let
11 Shanna and Lionel talk their stuff out.

12 But that was just me, like, Mom, come home. But Mom said,
13 I'm not there for Shanna or Lionel, I'm there for Aaliyah. You
14 know she always was ...

15 Q. Yeah.

16 A. ... so ...

17 Q. And that is ... you know, leads me to my next question
18 about your mom's relationship with Aaliyah and, you know, I
19 understand that she did spend a lot of time with Aaliyah.

20 A. Yeah, she spent a lot of time with Aaliyah.

21 Q. Yeah. Yeah.

22 A. My mom would help Aaliyah get off the bus or put on

CHANTEL DESMOND, Direct Examination

1 her the bus for school. Their ... that's her first grandchild,
2 right, so ...

3 Q. Yeah.

4 A. ... Aaliyah meant a lot to my mother.

5 Q. Yeah. And they spent ... she was her first
6 grandchild. Why ... do you have any sense other than that why
7 they were so close and why your mom spent a lot of time with
8 her?

9 A. Well, there's no particular reason but I just ...
10 that's her only ... well, her first grandchild.

11 Q. Right.

12 A. And it gave her time to be with Lionel too, I think,
13 because they were starting to ... I think my mom worried about
14 my brother and so being there ... and she worried about Aaliyah,
15 too, and of course Shanna. So being there a lot ...

16 Q. Yeah, being at their home?

17 A. ... just I think it was like ... made ... I think Mom
18 thinks that ... thought that she could like be there everything
19 would be fine and I think everyone else felt that too.

20 Q. Yeah, okay. What was your mom's relationship like
21 with Shanna?

22 A. My mom was like the engine to Shanna's car, they were

CHANTEL DESMOND, Direct Examination

1 always together. Yeah, they were very, very tight. Very close.

2 Q. Okay.

3 A. And I think my mother ... well, they both leaned on
4 each other, right. I feel Shanna and my mom leaned on each
5 other because they were kind of each other's support like
6 system. And Shanna, I don't know, I think she felt safe when my
7 mom was there and that led to them growing a good bond and,
8 yeah.

9 Q. Okay. And your mom's relationship with Lionel, what
10 was that like?

11 A. Lionel's was a mommy's boy, I do recall that. He was
12 the only son, right.

13 Q. Yeah.

14 A. The same way with my own son, that's my baby ...

15 Q. Yeah.

16 A. ... you know, so I know. And she worried about him a
17 lot. She had many sleepless nights when he was in Afghanistan
18 but she cared so much about him, like, so ...

19 Q. And to your knowledge, Chantel, how did his behaviour
20 and personality change after Afghanistan impact your mother?

21 A. Ah, it broke ... because I ... like as a mother myself
22 if my child is sick and there's ... I feel hopeless but there's

CHANTEL DESMOND, Direct Examination

1 nothing I can do. Like I just remember my mom praying so hard.
2 I remember she'd watch the news every morning just ... she had
3 many sleepless nights.

4 **(14:20)**

5 **Q.** And when he was back from Afghanistan and his
6 behaviour and his personality had changed did she share with
7 you, you know, any worries that she had about that?

8 **A.** She didn't have to, she never did, it was all written
9 over her face. Like I was so worried. That's why she was
10 always there.

11 **Q.** At the home?

12 **A.** At the home, yeah.

13 **Q.** Yeah.

14 **A.** Always with them.

15 **Q.** Yeah. What do you know about how Lionel's behaviour/
16 personality change after Afghanistan impacted Shanna?

17 **A.** I'm sure it impacted Shanna a lot. That's her
18 husband, right? Yeah. I was just ... I never really thought
19 about that, to be honest with you, but after ... if you love
20 someone so much and then one day they come back and they're not
21 the person you fell in love with and you're just there trying to
22 help them too, so I'm sure it was very hard on Shanna.

CHANTEL DESMOND, Direct Examination

1 Q. Yeah.

2 A. I'm sure it was.

3 Q. Yeah.

4 A. It wasn't easy.

5 Q. And did your mom ever share with you her observations
6 of how Shanna was managing that?

7 A. I don't know, my mom was kind of neutral in it ...

8 Q. Mm-hmm.

9 A. ... because she ... that's her son and that's also her
10 daughter-in-law and she loved them both so ...

11 Q. Yeah. You told us a little bit early on in your
12 evidence, Chantel, about who Aaliyah was.

13 A. Mm-hmm.

14 Q. She loved animals, she wanted to be a vet.

15 A. Mm-hmm.

16 Q. Tell us about your relationship with Aaliyah.

17 A. I loved her so much. I miss her so much.

18 Q. Did you have the opportunity to spend much time with
19 Aaliyah?

20 A. Yeah, I did.

21 Q. Okay, tell us about that.

22 A. I took Aaliyah out a lot. I just wanted her to be a

CHANTEL DESMOND, Direct Examination

1 kid, right. So I knew that household and what was going on with
2 Lionel and Shanna it was a lot for her. So any chance I got,
3 like when I was tutoring the children, I'd always pick her up
4 every Tuesday and just give her a break to breathe and be a
5 child.

6 Because not that she was in an abusive home or anything,
7 she had not a chance to be a child because there was always so
8 much turmoil, you know.

9 Q. Yeah. Did she ever talk to you about how she was
10 feeling or her experiences in the home?

11 A. Yeah, she did. But like, hey, like I never ... I
12 never pushed it out of her because, like I said, my main concern
13 was let her be a kid. So when she felt comfortable and wanted
14 to talk that's when she would bring things up.

15 Q. Okay.

16 A. I didn't want her be out with me and have to think
17 about her mom or dad or what's going on there ...

18 Q. Yeah.

19 A. ... I wanted her to be her.

20 Q. So when she would talk to you, do you remember what
21 she would share with you?

22 A. Yeah, she told me, Aunt Chantel, I love my daddy but

CHANTEL DESMOND, Direct Examination

1 he's angry a lot. And I said, Oh baby, I said, it'll be okay.
2 Yeah. And she always did the 21-day push-up with him. She
3 always looked forward to captain the numbers for him.

4 **Q.** Yeah.

5 **A.** I don't know but we spent a lot of time together. I
6 took her to the beach, we'd go paint rocks, go eat, just let her
7 be, right.

8 **Q.** Yeah.

9 **A.** Yeah.

10 **Q.** Yeah. So you were able to be there for her and give
11 her some time out of the home as well?

12 **A.** Yeah. Yeah.

13 **Q.** And we talked about this earlier, your mom, Aaliyah
14 was her first grandchild, they were pretty close. Aaliyah, what
15 would you say about Aaliyah's connection with your mom?

16 **A.** They were two peas in a pod, yeah. Aaliyah loved my
17 mother, called her Nanny Bren. Literally get away with
18 anything, get anything with my mom. But they were very close.

19 **Q.** And what was your observation of what Aaliyah's
20 relationship with Shanna was like?

21 **A.** Shanna was an amazing mother and she always put
22 Aaliyah first and she cared about her. Yeah.

CHANTEL DESMOND, Direct Examination

1 **Q.** When Lionel was away ...

2 **A.** Yeah.

3 **Q.** ... in Afghanistan she would have been a single mom
4 too.

5 **A.** Yeah.

6 **Q.** Yeah. And did you know if they intended on having any
7 more children?

8 **A.** I don't think. I do remember Shanna telling her
9 doctor one time because she had had trouble like when she was
10 pregnant with Aaliyah, like she got ... during the birth she got
11 like preeclampsia or something like that, but ... no.

12 **Q.** All right. So you shared with us what you understood
13 was, you know, the cause of Lionel's change in personality and
14 your mom's understanding as well.

15 **A.** Yeah.

16 **Q.** What resources or supports did you or your mom or
17 anybody in your family that you're aware of receive from the
18 Canadian Forces or Veterans Affairs to help you as family
19 members with Lionel's illness before the tragedy?

20 **A.** Well, if we received any supports they would be here
21 today. We received none.

22 **Q.** Okay.

CHANTEL DESMOND, Direct Examination

1 **A.** You know. None.

2 **Q.** Yeah. What would you recommend, Chantel, would be
3 helpful for other family members in your same situation in terms
4 of resources and support in assisting their loved ones return to
5 civilian life as Lionel did?

6 **A.** I would ... as soon as a family member gets a
7 diagnosis, like you ... you have a meeting and you ... you know,
8 you explain what's going on and you develop a toolkit and have a
9 date set up where you can meet and discuss things, you know,
10 from a medical standpoint. Like, just ... you need that. You
11 needed everyone to work together because once he leaves ... once
12 someone leaves that appointment, the family has to deal with it,
13 you know.

14 **Q.** Yeah.

15 **A.** And they need to know ... they need to know how to do
16 that. How to approach it. You can't just throw someone into
17 something they don't know, you know.

18 **Q.** Yeah. And do you have a sense that your mom knew how
19 to approach it, how to handle and manage and help Lionel?

20 **A.** No.

21 **Q.** No.

22 **A.** But if she had the proper resources ...

CHANTEL DESMOND, Direct Examination

1 **Q.** Yeah.

2 **A.** ... from Canadian Forces, DND or VAC then yeah, maybe
3 so.

4 **Q.** And you were there living close to Lionel and seeing
5 them all the time, did you feel like you had the resources to
6 help support him?

7 **A.** Absolutely not.

8 **Q.** Yeah. Okay. I'm going to ask you now to take us
9 through ... Chantel, and I appreciate that this may be difficult
10 so we can take a break. But to share with us what you remember
11 about the events leading up to the tragedy on that day and how
12 it came to be that you arrived at the home.

13 **A.** Oh, that day I was coming from New Glasgow and I got a
14 call from my mom but it wasn't my mom on the phone it was
15 Aaliyah. She said, Hey, Aunt Chantel, can you pick me up?
16 Because it was a Tuesday and usually on Tuesday and Wednesdays
17 that's when I tutor the kids at the CAP site in Lincolnville..
18 And I said, Well ...

19 **Q.** What time did that call come?

20 **A.** That came around 4:20 to 4:30, I remember that. And
21 she said, Well what time are you going to be here? I said, I'm
22 just leaving New Glasgow now so probably 5. And she's like, Mm-

CHANTEL DESMOND, Direct Examination

1 hmm. Because she always knew I was going to be late. I was
2 always ... I was always late. But ... so anyways, I told her
3 I'd pick her up. And then I ...

4 **Q.** Were you picking her up for the tutoring or there ...
5 was there tutoring ...

6 **A.** There wasn't tutoring that night.

7 **Q.** Okay.

8 **A.** I told her, I said, Hey, Aaliyah, there's no tutoring
9 tonight, I said, but if you want to hang out for an hour I'll
10 pick you up, we can still hang out, right.

11 **Q.** Yeah.

12 **A.** Because obviously she looked forward to hanging out
13 and just getting ... well, to hang with friends and cousins,
14 right ...

15 **Q.** Yeah.

16 **A.** ... and she liked the program herself. So eventually
17 I made it to the house.

18 **Q.** Yes.

19 **A.** But I stopped at my sister's house, I had to pick up
20 my cousin.

21 **Q.** And that's Cassandra's?

22 **A.** I stopped at Cassandra's house, yeah.

CHANTEL DESMOND, Direct Examination

1 **Q.** Yeah.

2 **A.** And then I made my way to the house. And then I
3 remember calling Mom's phone to tell Aaliyah get ready and Mom
4 didn't answer, so I remember calling Lionel's and no one
5 answered. Yeah.

6 So I pulled in the driveway, the ... it's all lit up,
7 nothing seemed off. I noticed the tires were flat on the truck
8 and I ... from what I remember they went in the ditch the other
9 day, so I wasn't thinking nothing of it.

10 **Q.** Right.

11 **A.** And then when I get ... I get all just feel like sick
12 to my stomach. As I placed my hand, the keys were in the door
13 and I remember hearing Penny-G barking and I could see like the
14 coats and stuff. Sorry.

15 **Q.** It's okay.

16 **A.** So like from the window I could see Shanna's foot and
17 I could see blood, but I ... for some reason in my mind I'm
18 thinking ... it didn't register in my mind because I never in a
19 million years imagined this happening, so it makes me nauseous
20 even to talk about this.

21 But I walk in and I see Shanna. It looks like she just
22 straightened her hair or whatever just the day before or so. It

CHANTEL DESMOND, Direct Examination

1 wasn't freshly straightened, but her hair was over her face, she
2 was laying on her left side. She had a white tank top on and
3 pyjama bottoms and there was blood underneath her. And I knew
4 it had just happened because the blood was still (inaudible -
5 audio blip). And they were cooking curried chicken and I could
6 smell the onions but I look over and I could see my brother's
7 boots, Dunlops, and I immediately went into shock because I
8 remember seeing a hole in his face. And I ... I went into shock
9 and I ... I ran out of the house and ... yeah.

10 **(14:30)**

11 **Q.** So you called the ...

12 **A.** Then I called my mom and I didn't know she was in
13 there. I ... I remember yelling to John, because my kid was in
14 the car at the time, and I ... he goes in and ... no, he didn't
15 go in I don't think. Then I don't remember. Anyways, my Aunt
16 Linda shows up, my mom's twin sister, and she says, Is your mom
17 ready? And I'm like, What? She said, Your ... your mom ready?
18 I said, Aunt Linda, what do you mean, Mom's here? So I yelled
19 to John, Go see if Mom's there, and he told me to get out of
20 here because my mom was dead on the floor.

21 And I'm calling her phone. I didn't know she was there. I
22 lived with guilt since because my mom didn't die in ... she

CHANTEL DESMOND, Direct Examination

1 didn't die immediately. It was slowly and ... yeah. And I
2 didn't see Aaliyah and I couldn't because I didn't go back in,
3 right? I didn't even know my mom was there. So I didn't know
4 Aaliyah was there, the way that they were laying, but ... yeah,
5 that's what I remember that night.

6 And I remember going into shock and falling to my knees. I
7 had rocks and like gravel and prints in my knees and just ... I
8 just remember screaming. I remember calling my ... I called a
9 guy friend and I asked him to contact Ricky, I said, because
10 Lionel and Shanna's dead. And ... and I called my sister,
11 Cassandra. That's all remember. I went into shock.

12 **Q.** Fair enough. Share with us, Chantel, the impact of
13 the loss of your mother, your brother, your niece, and your
14 sister-in-law on you and how that has impacted you moving
15 forward.

16 **A.** It really messed up my life in multiple ways. I now
17 have my own PTSD. I ... like last night I had ... I have
18 flashbacks even thinking about this, having to come up here to
19 talk about this. I ... I never want to. I ... I still smell
20 the blood. Even when I explain the story I smell of the blood.
21 The smell what they're cooking in the house goes through in my
22 head and ... yeah, it fucked ... it really messed me up. Excuse

CHANTEL DESMOND, Direct Examination

1 my language.

2 Q. Yes ...

3 A. It messed me up.

4 Q. ... it's okay. Yeah, so it has impacted you and
5 impacted your children? Has there been any impact on your
6 children?

7 A. Oh God, yeah. They miss my mom.

8 Q. Yeah.

9 A. Honestly, it was a really big loss, and it was
10 something I'll ... I'll never get over. And I'm trying to work
11 with it and just here is a step in me healing.

12 Q. The ...

13 A. But ...

14 Q. The Inquiry?

15 A. Yeah.

16 Q. Good.

17 A. But I can only imagine what it was like for my own
18 brother, right? He saw ...

19 Q. What do you mean by that?

20 A. His exposure to things he saw. That was only one
21 event that happened to me that night and he had to live with
22 that daily for months on tour. So I can only imagine.

CHANTEL DESMOND, Direct Examination

1 **Q.** Yeah, so it's given you ...

2 **A.** It gave me a big eye-opener, yeah.

3 **Q.** Yeah. Chantel, last question for me. Can you share
4 with us why this Inquiry is important for you, why it's been
5 really important for you to make sure that this Inquiry
6 happened?

7 **A.** It's important for it to happen because I want to know
8 what happened to my brother. Because the man that was in that
9 house that night was not my brother and I also don't want it to
10 happen to anyone else. It's a life sentence, really. I don't
11 want no one else to experience something like this.

12 **Q.** Other people or families?

13 **A.** Yeah.

14 **Q.** Yeah.

15 **A.** No one.

16 **Q.** Yeah. All right. Thank you very much, Chantel.

17 **A.** Thank you.

18 **Q.** Those are all my questions, Your Honour, for Chantel.
19 I have ... she understands there may be some questions for her
20 from those in the room.

21 **THE COURT:** All right. Thank you, Ms. Miller. Ms.
22 Ward, do you have any questions for ...

CHANTEL DESMOND, Direct Examination

1 **MS. WARD:** No, Your Honour.

2 **THE COURT:** ... Ms. Desmond?

3 **MR. ANDERSON:** No questions ...

4 **THE COURT:** Mr. Anderson?

5 **MR. ANDERSON:** ... Your Honour.

6 **THE COURT:** None for Mr. Anderson.

7 **MR. MACDONALD:** No questions, Your Honour.

8 **THE COURT:** Mr. Macdonald?

9 **MR. MACDONALD:** None, Your Honour.

10 **THE COURT:** No questions? Mr. Rodgers?

11 **MR. RODGERS:** No, Your Honour. No questions.

12 **THE COURT:** Mr. MacKenzie?

13 **MR. MACKENZIE:** No questions, Your Honour.

14 **THE COURT:** Mr. Murray?

15 **MR. MURRAY:** Yes, Your Honour. Just a couple questions.

16 **THE COURT:** All right. Ms. Desmond, Mr. Murray just has
17 a couple of questions for you. Thank you. Go ahead.

18

19 **CROSS-EXAMINATION BY MR. MURRAY**

20

21 **MR. MURRAY:** Ms. Desmond, it's Allen Murray. Can you
22 hear me okay?

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 **A.** Yes, I can.

2 **Q.** Okay. Just a couple of things I wanted to ask you if
3 I could. You said that when your brother, Lionel, came home
4 from Ste. Anne's that he was like the old Lionel?

5 **A.** Yes, I did.

6 **Q.** Okay. Meaning his personality was what you used to
7 know before he went to Afghanistan?

8 **A.** Yes.

9 **Q.** And if I understood you, you said that his condition
10 deteriorated, or it appeared to you that his mental health
11 deteriorated, through the fall as he was in Nova Scotia?

12 **A.** Yes.

13 **Q.** Okay. And you had said that one of the things that
14 you observed, for example, was that he would wear camouflage?

15 **A.** Yes, I did say that.

16 **Q.** And that's something I take it that he didn't do
17 before or in the past?

18 **A.** No, not unless he was out hunting.

19 **Q.** Okay. And can you recall when he would wear the
20 camouflage or in what context he would wear it?

21 **A.** There's no particular time he would wear it. I just
22 noticed it was a lot more ... like a lot ... often ... more

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 often than he usually would.

2 Q. Right. And that caused you some concern, did it?

3 A. I wouldn't say concern but it made me question, yeah.

4 Q. Okay. Did you ever have any opportunity through the
5 ... I guess the fall to talk to your brother about what, if any,
6 treatment he was trying to access or was able to access at all?

7 A. I do know he was getting ... he was trying to set up
8 meetings with ... I think it was Dr. Slayter ...

9 Q. Right.

10 A. ... I do believe. At St. Martha's. I knew ... I do
11 know he was seeking treatment. Like he ... he wanted to get
12 better. That, I do know.

13 Q. Right.

14 A. But I never spoke to him, like, about things. I never
15 asked him. I let him speak himself, yeah.

16 Q. Sure. Okay. So ... and I appreciate that some of the
17 information you got, you said, was from your mom obviously.

18 A. Yeah.

19 Q. Did he ever express any frustration about something
20 that he was trying to access or someone he was trying to
21 contact? Did you get any of that yourself?

22 A. I know he had, like ... I don't know, I think it was,

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 like, a storm day and he had to reschedule an appointment or
2 something. Like, you have to realize some things are still
3 blurry to me ...

4 Q. Yes.

5 A. ... and with my own diagnosis I try to push things to
6 the back of my head. So I ... I don't ... I don't know.

7 Q. No, that's okay. That's okay. You had said that your
8 mom ... if I understood you, you said your mom was worried about
9 the situation in Lionel and Shanna's home?

10 A. A lot of people were, yes.

11 Q. Okay.

12 A. Yeah.

13 Q. And you said that there was turmoil, I think was the
14 word you used. Did you observe some of that yourself or was
15 that something you heard more from your mom?

16 A. Obviously. I ... I did see it, because when Lionel
17 would be up the road for a week or two weeks at a time staying,
18 right? At my aunt's. So that's when I knew that there was a
19 ... they were having a disagreement or a fight or Lionel was
20 going through a phase. And when I say "phase" I mean, like,
21 with his mental health.

22 Q. Right. And did that happen sometimes during the fall

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 of 2016?

2 **A.** It happened a lot more ... no, it ... it did happen
3 quite often in the fall but moreso, like, November/December,
4 yeah, and it did. Yeah, you're right.

5 **Q.** Okay.

6 **A.** Yeah.

7 **Q.** So November or December of 2016?

8 **A.** Yeah.

9 **Q.** Okay.

10 **A.** Yes.

11 **Q.** So was their relationship ... from what you observed
12 and what you can recall, was it getting worse or was it
13 deteriorating in the latter part of 2016?

14 **A.** There was good days and there was bad days, right?
15 But ... I ... if ... I felt, personally, myself, it was ... it
16 was getting worse because Lionel's mental health was getting
17 worse, himself. So it impacted the relationship of course.

18 **Q.** Right. Okay. Did you ever ... I know Lionel had
19 Facebook accounts. Did you ever look at those or communicate
20 with him through Facebook?

21 **A.** Yeah, I did.

22 **(14:40)**

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 **Q.** Okay. And do you remember anything about what he
2 might post on Facebook? Did he talk about his mental health
3 there?

4 **A.** He would post some things. Like, you know, when he
5 was upset, Oh, I'm ... I'm looking for a divorce lawyer or ...
6 or he'd talk about having just PTSD from hitting his ... his
7 head. And ADHD. Stuff like that. Just simple ... like, simple
8 things like that. Norm- ... it wasn't abnormal for him to post
9 that because that's when you knew he was going through an
10 episode or something was happening. But he posted a lot of his
11 business on Face- ... not a lot of his business. But yeah, when
12 they fought he'd just resort to Facebook and then he'd apologize
13 for it afterward, right? A lot I noticed.

14 **Q.** And in your statement ... I don't know if you had a
15 chance to look at your statement to the police or not, Ms.
16 Desmond.

17 **MS. MILLER:** This is the statement that she provided to
18 the RCMP?

19 **MR. MURRAY:** Yes.

20 **MS. MILLER:** Yeah, we have a copy of it in the room.

21 **EXHIBIT P-000165 - TRANSCRIPT OF AUDIO STATEMENT OF CHANTEL**
22 **DESMOND**

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 **MR. MURRAY**: Okay. It's ... it is marked as an exhibit
2 as well. I think it's 165, maybe. There was one reference you
3 made to his Facebook account in the statement. It's on page 24
4 right at the very top ... or actually, the question starts ...

5 **A.** Yes, I ... I looked on my phone as I was giving my
6 interview.

7 **Q.** Yes.

8 **A.** So I believe I read that off to the police officer,
9 yeah.

10 **Q.** Right, so they asked you if he had made any, I guess,
11 comments or posts on Facebook recently or today, and you said,
12 "No, not today because he got rid of Facebook. He said, I'm
13 going to get rid of it, I'm going to look. But there was always
14 something on his Facebook." December 18th was, "Well, I'm
15 shutting down Facebook. Hopefully a new chapter of movement.
16 Take care, buddy. Happy holidays." Is it your understanding
17 that he stopped posting on Facebook on December 18th or ...

18 **A.** Well, if I said that was the last statement I saw
19 them, yes.

20 **Q.** Okay, and just one other reference in your statement
21 to police, and I just was curious what you meant by it, if it
22 was something that you saw or observed. I'm just looking at

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 page 8 now of the statement which ... and I'm just starting at
2 line 8. You said to the police:

3 He bought a car. He paid her education
4 through St. FX and she wanted him to leave.
5 He just snapped. He wanted to work it out
6 with them and she didn't want to anymore.
7 He snapped.

8 When you said that were you referring to the tragedy or
9 were you referring to something that you saw before that?

10 **A.** It was after the tragedy. Because I wouldn't say ...
11 I wouldn't say he snapped if it was before the tragedy.

12 **Q.** Right.

13 **A.** I was in shock at the time as well and ...

14 **Q.** Sure.

15 **A.** ... did the statement the same day it happened, right?
16 Not even ...

17 **Q.** Absolutely.

18 **A.** ... two hours after the fact.

19 **Q.** Yeah.

20 **A.** So when I'm saying he snapped that was ... that's me
21 relating to the tragedy.

22 **Q.** Right. No, I completely understand, Ms. Desmond. I

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 just was wondering if there was anything that ... I appreciate
2 you talked to him last on the 28th, but especially later in
3 December if there was anything you saw that caused you
4 particular concern, anything in his behaviour.

5 **A.** What's that?

6 **Q.** Did you see ... I'm just wondering if you saw anything
7 later in December that caused you particular concern about his
8 mental health or his behaviour.

9 **A.** No, he just ... like I just ... I was in ... I was
10 kind of intimidated to talk to him about anything, like, when it
11 came to that because he just looked so distant and off. So I
12 did see him a lot. In December?

13 **Q.** Right.

14 **A.** Besides ... like a few times. But no.

15 **Q.** Okay. And another part of the statement you had said
16 ... this one is at page 15 and I'm looking at line 16. And I
17 think you're referring to your conversation with your mom at
18 bingo and about whether you should be involved in their
19 relationship. And you said:

20 My mom said he just got mad and snapped and
21 left. But he said Shanna kicked him out
22 from what I'm told here. My mom still

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 stayed. I told my mom last night at bingo,
2 Mom, mind your business, Lionel's going to
3 snap. I just have that feeling because
4 we're close.

5 **A.** Again, that was after that all happened. So when I
6 made that statement and saying "snapped" it was because of that.
7 But in my statement I ... I also stated that I saw my mother in
8 bingo and I said to her, You should come home. I said, Don't
9 get caught in the crossfire.

10 **Q.** Right.

11 **A.** And when I said that I ... I was just saying, right?

12 **Q.** Yeah. No, I understand. Your mother was obviously
13 worried about the situation.

14 **A.** Yeah, of course she was. Yes.

15 **Q.** Right. Did you have any other conversations that you
16 recall with your mom about what she may have observed between
17 Lionel and Shanna?

18 **A.** I don't know. My mom knew he was getting worse, and I
19 felt like ... Mom was mainly there to just look after ... look
20 out for Aaliyah, right? Because she's the most vulnerable one
21 there. She's a child.

22 **Q.** Right.

CHANTEL DESMOND, Cross-Examination by Mr. Murray

1 **A.** But no, I ... I can't say.

2 **Q.** All right. Okay. Thank you, Ms. Desmond. Those are
3 the questions that I have.

4 **A.** Thank you.

5 **THE COURT:** All right. Thank you, Ms. Desmond. I don't
6 have any questions. We certainly appreciate the fact that
7 you've found some strength to come and give us the information
8 in relation to your brother and to your family. It's useful for
9 us to have the full background and you've certainly helped fill
10 that in for us today. So thank you.

11 Thank you, Ms. Miller.

12 **MS. MILLER:** Thank you, Your Honour.

13 **THE COURT:** Thank you.

14 **WITNESS WITHDREW (14:47 hrs.)**

15 **THE COURT:** I'm going to wait for Ms. Miller to return
16 to court, to the hearing. So we'll adjourn for just maybe five
17 minutes till she comes back. Thank you.

18 **COURT RECESSED (14:47 hrs.)**

19 **COURT RESUMED (14:53 hrs.)**

20 **THE COURT:** Thank you, Counsel. I see Ms. Miller has
21 returned to the hearing room. Thank you. I think that that ...
22 Ms. Chantel Desmond was the witness that was scheduled for this

DISCUSSION

1 afternoon. We'll adjourn till tomorrow morning at 9:30. I take
2 it that the ... we're going to see Cpl. Orlando Trotter,
3 hopefully, in the afternoon. Is that correct?

4 And Kaitlin Desmond is scheduled for tomorrow as well ...

5 **MS. MILLER:** Yes.

6 **THE COURT:** ... is she? And Diane Desmond?

7 **MS. MILLER:** Yes, Your Honour, and the goal is to have
8 Diane in the morning.

9 **THE COURT:** In the morning?

10 **MS. MILLER:** Filled in with Mr. Trotter and Kaitlin in
11 the afternoon. But I will have to ... I'm working on that.
12 Thank you.

13 **THE COURT:** All right, and as between Diane Desmond,
14 Kaitlin Desmond, and Mr. Trotter, those would be the witnesses
15 we expect to hear tomorrow? That would be correct? Thank you.
16 And Sheldon Borden is going to appear on Friday?

17 **MR. MACDONALD:** Friday morning, Your Honour, yes.

18 **THE COURT:** Friday morning? All right. Thank you. In
19 terms of Ms. Borden, Shonda Borden, how are we making out?

20 **MR. RUSSELL:** I was going to speak to that ...

21 **THE COURT:** How are we making out with Ms. ...

22 **MR. RUSSELL:** ... Your Honour, yes. She is ... because of

DISCUSSION

1 the videolink, the availability in Regina and they're two hours
2 behind ...

3 **THE COURT:** Yes.

4 **MR. RUSSELL:** ... that is set up for 9:30 Saskatchewan
5 time, which would be 11:30 our time Friday morning.

6 **THE COURT:** Okay.

7 **MR. RUSSELL:** So that may cause a bit of a break. It'll
8 be in Sheldon Borden's evidence depending if we start at 9:30.
9 It'll be two hours and then going into Shonda Borden.

10 **MR. MACDONALD:** We can be very flexible with Mr. Borden,
11 Your Honour, on Friday. So I thought ... brief discussion
12 earlier that I would begin Friday with reading the affidavits of
13 Thelma and Ricky Borden and then depending where we are after
14 that we can certainly slot Ms. Boparai in and then Sheldon after
15 the lunch break or subject to your directions, of course, with
16 all of it. I'm very flexible in that way.

17 **THE COURT:** Well, I think what we will do is we'll start
18 at 9:30 and if at that time it's your intention to read the
19 affidavits into the record at that time, then I think we would
20 hear from Mr. Borden. And if you could advise him ... it might
21 be a natural place for a break for his evidence as well and then
22 we'll hear Ms. Borden's evidence straight through till when it's

DISCUSSION

1 concluded. Then we'll have to ... then we'll look at a ... we
2 may look at a bit of an abbreviated lunch break and come back
3 and deal with Mr. Sheldon Borden in the afternoon. I don't know
4 how much ... how long he might be.

5 **MR. MACDONALD:** I would expect an hour or less, Your Honour.

6 **THE COURT:** All right.

7 **MR. MACDONALD:** Not counting cross-examination, if any.

8 **THE COURT:** Well, it may be that we could ... we may
9 conclude him in the morning.

10 **MR. MACDONALD:** Yes.

11 **THE COURT:** If all works out well.

12 **MR. MACDONALD:** Thank you.

13 **THE COURT:** Thank you. We'll see you tomorrow at 9:30.

14 **COURT CLOSED (14:58 hrs.)**

15

16

17

18

19

20

21

22

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

March 2, 2021