

**CANADIAN
HUMAN RIGHTS
TRIBUNAL**



**TRIBUNAL CANADIEN
DES DROITS
DE LA PERSONNE**

BETWEEN/ENTRE:

RICHARD WARMAN

Complainant

and/et

CANADIAN HUMAN RIGHTS COMMISSION

Commission

and/et

CRAIG HARRISON

Respondent

BEFORE/DEVANT:

MICHEL DOUCET

CHAIRPERSON/
PRÉSIDENT

LINE JOYAL

REGISTRY OFFICER/
L'AGENTE DU GREFFE

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CANADIAN HUMAN RIGHTS TRIBUNAL/
TRIBUNAL CANADIEN DES DROITS DE LA PERSONNE

HEARING HELD THE JPR ARBITRATION CENTRE/THE ARBITRATION PLACE,
390 BAY STREET, 3RD FLOOR, TORONTO, ONTARIO,
ON TUESDAY, JUNE 13, 2006, AT 9:30 A.M. LOCAL TIME

CASE FOR HEARING

IN THE MATTER of the complaint filed under section 13 of the Canadian Human Rights Act by Richard Warman dated November 23, 2003, against Craig Harrison. The complainant alleges that the respondent has engaged in a discriminatory practice on the grounds of religion, race, colour, national and/or ethnic origin in a matter related to the usage of a telecommunication undertaking.

APPEARANCES/COMPARUTIONS

Mr. Giacomo Vigna	on behalf of the Canadian Human Rights Commission
Mr. Richard Warman	on his own behalf

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1 Toronto, Ontario

2 --- Upon resuming on Tuesday, June 13, 2006

3 at 9:30 a.m.

4 REGISTRY OFFICER: Order, please. Be
5 seated.

6 Is Craig Harrison in attendance at
7 these proceedings today or is there anyone in
8 attendance who has been appointed to represent Craig
9 Harrison?

10 Mr. Chair, let the record reflect
11 that no response was received.

12 THE CHAIRPERSON: Thank you.

13 I believe that Mr. Warman and
14 Mr. Vigna you have been served yesterday with the
15 letter that we sent to Mr. Harrison at his home.

16 Did you receive a copy of the letter?

17 MR. WARMAN: I have not yet.

18 THE CHAIRPERSON: It probably was
19 sent to your offices and since you are here...

20 Well, anyway a letter was sent to
21 Mr. Harrison yesterday.

22 MR. VIGNA: Can I just have a glance
23 at it?

24 THE CHAIRPERSON: Do you have a copy
25 of the letter here with you, Ms Joyal?

1 The letter basically told
2 Mr. Harrison that we would be proceeding this morning
3 without him, that the hearing had been adjourned until
4 this morning at 9:30 and that we would be proceeding
5 without him if he decided not to attend.

6 The letter was served on Mr. Harrison
7 by a process server yesterday afternoon, or yesterday
8 at early evening at 7:30.

9 It first was served at 4:10 by
10 leaving a copy at his door and then the process server
11 called the home phone number and talked to somebody who
12 identified herself as Susen Holmes and she told him
13 that she found the letter and she would make sure that
14 Mr. Harrison received a copy of the letter.

15 We were informed this morning that
16 they would not be participating any more in the
17 process, but we will be moving ahead and going and
18 covering the evidence.

19 That doesn't mean that the
20 complainant and Commission will not have to meet their
21 burden that they have to establish in this case and
22 that closing arguments will still have to be made by
23 both parties.

24 So, we will proceed. The only change
25 is that we will not have the opportunity of hearing the

1 answers that the respondent could have gave to the
2 evidence that will be submitted by the complainant and
3 the Commission, but it is their decision and their
4 choice and they are free to make it and live with the
5 consequences of that decision.

6 Before we go on with Mr. Warman,
7 also, there is the other issue that I would want to
8 address this morning, the issue of setting aside a
9 subpoena of Mr. Marc Lemire which was submitted
10 yesterday by counsel for Mr. Lemire.

11 I will read to you before we go any
12 further the ruling I have rendered on that and which
13 will be faxed today to counsel for Mr. Lemire and
14 Mr. Warman and Mr. Vigna will also receive a copy of my
15 ruling.

16 So, to start off.

17 RULING

18 THE CHAIRPERSON: At the opening of
19 the hearing Mr. Marc Lemire, a potential witness,
20 represented by counsel, Barbara Kulaszka, filed a
21 motion asking the Tribunal to set aside a subpoena it
22 had issued on June 6, 2006 requiring Mr. Lemire to
23 attend and give evidence at this hearing.

24 The subpoena further required
25 Mr. Lemire to produce all information within his

1 possession relating to the use of the pseudonyms rump
2 and realcanadianson on the Freedom-Site message board.

3 The information sought would include
4 but was not limited to all the information identified
5 by Mr. Lemire in paragraph 5 of an attached request by
6 the complainant for the issuance of a subpoena for Marc
7 Lemire.

8 Ms Kulaszka's opposed the issuance of
9 this subpoena on the ground that it was unnecessary to
10 the full hearing before the Tribunal that Mr. Lemire
11 had no material evidence to give to the Tribunal which
12 was not already before it and that the subpoena was an
13 abuse of process by the complainant.

14 The Tribunal's authority to issue the
15 subpoena is contained in section 53.3(a) of the
16 Canadian Human Rights Act which provides:

17 "In relation to a hearing of the
18 inquiry, the Member or Panel
19 may, in the same manner and to
20 the same extent as a Superior
21 Court of record, summon and
22 enforce the attendance of
23 witnesses and compel them to
24 give oral or written evidence on
25 both and to produce any

1 documents and things that the
2 Member or Panel considers
3 necessary for the full hearing
4 in consideration of the
5 complaint." (As read)

6 The issuance of a subpoena by this
7 Tribunal is not an administrative act, the Tribunal has
8 the discretion to issue or not to issue a subpoena.

9 Under section 53(a) of the Act:

10 "A Member or Panel may issue a
11 subpoena if the Member or Panel
12 considers it necessary for the
13 full hearing in consideration of
14 the complaint. (see CTEA v Bell
15 Canada 3505-2098, Ruling No. 2)

16 The threshold to meet is not
17 very heavy. First, there has to
18 be a rational connection between
19 the evidence that the potential
20 witness is to give and the
21 issues before the Tribunal. The
22 request must not be speculative
23 or amount to a fishing
24 expedition. Finally, the
25 request should not be

1 oppressive." (As read)

2 After she took into consideration the
3 request of the complainant, the Tribunal Member, Karen
4 Jensen, felt that the evidence of Mr. Lemire was
5 necessary for the full hearing in consideration of the
6 complaint and she agreed to issue the subpoena.

7 I see no reason to set this decision
8 aside. I find in the present case that the proposed
9 evidence to be given by Mr. Lemire as submitted in the
10 complainant's request for a subpoena is relevant to the
11 issues in this hearing.

12 The complainant has established that
13 there is a connection between the proposed evidence to
14 be given by the witness and the issues in dispute.

15 Counsel for Mr. Lemire has not
16 convinced me that the evidence of her client is
17 unnecessary and she has also failed to convince me that
18 the issuance of the subpoena was an abuse of process.

19 The question of whether the evidence
20 is relevant or material will be a question for me to
21 decide.

22 Mr. Warman during his reply to Ms
23 Kulaszka's motion indicated that he would be satisfied
24 if Mr. Lemire would agree to provide affidavit
25 evidence.

1 Ms Susen Holmes, who was then acting
2 as representative of the respondent, did not object to
3 this procedure.

4 Although I am not ready to order that
5 the evidence of Mr. Lemire be introduced by way of
6 affidavit, I strongly urge the parties to consider this
7 avenue.

8 The complainant and the Commission
9 could forward to Ms Kulaszka a series of questions by
10 4:00 p.m. Tuesday, June 13, 2006 and the answers could
11 be provided by affidavit at the same time on Wednesday,
12 June 14th, 2006 and be introduced into evidence on the
13 morning of Thursday, June 15th, 2006.

14 At this time, the request of Ms
15 Kulaszka that the subpoena served on Mr. Marc Lemire be
16 set aside is rejected.

17 Mr. Lemire will be compelled to
18 attend before the Tribunal at a date and time which
19 will be indicated at the start of the hearing today and
20 notified to his solicitor, unless the parties are able
21 to agree on an alternative procedure.

22 So, the motion is set aside and
23 Mr. Lemire will be compelled to attend and give
24 evidence.

25 What I would ask the parties at this

1 time, Mr. Vigna, Mr. Warman, if you could indicate at
2 what time and when you would want Mr. Lemire to be
3 present.

4 I believe you indicated yesterday
5 that tomorrow afternoon would be agreeable to you.

6 MR. VIGNA: Tomorrow afternoon or
7 tomorrow morning, because now it seems we might go
8 faster than expected, so maybe tomorrow morning would
9 be fine. But if he's available tomorrow afternoon...

10 THE CHAIRPERSON: Well, we will give
11 the alternate to his counsel and suggest that he
12 indicate today either that he will be available
13 tomorrow or tomorrow afternoon, whichever.

14 MR. VIGNA: Unless we proceed by
15 affidavit which --

16 THE CHAIRPERSON: Well, if you can
17 proceed by affidavit, that certainly would be a better
18 way to do it, since there will not be any
19 cross-examination of Mr. Lemire.

20 But, again, I am not ordering that
21 you do that.

22 MR. VIGNA: I understand.

23 THE CHAIRPERSON: I am just ordering
24 that the subpoena stands as it is.

25 Mr. Warman.

1 MR. WARMAN: I just wanted to
2 mention, I think that I speak for both counsel for the
3 Commission and myself, that we'll make our best efforts
4 to limit the amount of information we're asking for in
5 order to limit the time and effort that will have to go
6 in to providing that kind of affidavit evidence.

7 So, we will do our best --

8 THE CHAIRPERSON: You will try to do
9 it by affidavit evidence, but we will inform counsel
10 for Mr. Lemire that she has the choice, either he
11 should be here tomorrow morning or tomorrow afternoon,
12 but you will be getting in touch with her, I believe,
13 trying to --

14 MR. WARMAN: I'm sure with
15 Mr. Vigna's assistance we can do something.

16 MR. VIGNA: We will do so this
17 afternoon, I guess, after the hearing.

18 THE CHAIRPERSON: Thank you.

19 Ms Joyal, you will be able to get in
20 touch with Ms Kulaszka and inform her?

21 REGISTRY OFFICER: Yes.

22 THE CHAIRPERSON: Thank you.

23 MR. VIGNA: Just on a technical
24 issue, is there a phone room we can maybe --

25 THE CHAIRPERSON: Ms Joyal can...

1 PREVIOUSLY AFFIRMED: RICHARD WARMAN

2 CONTINUED EXAMINATION BY MR. VIGNA:

3 MR. VIGNA: So, Mr. Warman, under the
4 same oath that you were under yesterday.

5 We had left off at tab 3A which was
6 the article that I'll come back to a bit later and then
7 cross-reference to the article.

8 So, I lead you to tab 3D.

9 THE CHAIRPERSON: Now, tab 3A had not
10 been introduced into evidence.

11 MR. VIGNA: No, it hadn't been, I'm
12 going to go back to it. I'm proceeding to another
13 matter so it's perhaps easier to understand the
14 relevance of tab 3A, which is a newspaper article.

15 And I repeat, again, Mr. Chair, it's
16 strictly for the purpose of identity that we're
17 producing 3A.

18 THE CHAIRPERSON: Yes, because I was
19 going to raise the issue of asking counsel when they
20 will make their closing arguments to certainly address
21 the relevance of those articles and that information
22 which is about 10 years old at this point.

23 So, you will --

24 MR. VIGNA: Just briefly, it's to
25 demonstrate that there is some discussion in a posting

1 which I'm going to go to right now about the article,
2 but I reiterate very strongly that it's strictly for
3 the purpose of identity and not at all for the purposes
4 of the subject matter discussed, to the extent only
5 that it's reproduced in a posting.

6 So, I'll go to tab 3D so I can better
7 illustrate what I just was describing, Mr. Chair.

8 THE CHAIRPERSON: Okay. You said 3B?

9 MR. VIGNA: 3D. 3D.

10 THE CHAIRPERSON: D. Okay.

11 MR. VIGNA: Yeah, sorry.

12 Mr. Warman, can you go to 3D, please.

13 Okay. You're at tab 3D?

14 MR. WARMAN: I am, sir.

15 MR. VIGNA: I'd like you to describe
16 fully the tab and explain at the same time the
17 importance of this tab and its minute details.

18 MR. WARMAN: Certainly. Perhaps just
19 for the purposes of identification, this a print-off of
20 a page that was brought up by me on the Freedom-Site
21 forum, and essentially what it is, is you would click
22 on an individual message thread and that would bring up
23 the individual message before you.

24 So, all this is, is this is a
25 print-off of a message that was posted. If you look at

1 the "from" line which is sort of the third bold line
2 from the top left, it says realcanadianson, and then
3 gives the email address susen@sympatico.ca., Susen with
4 an "e".

5 This was printed off by me on the
6 15th of November in 2003 and it was provided to the
7 Commission pursuant to my complaint against
8 Mr. Harrison.

9 MR. VIGNA: Can you tell us the date
10 of this posting? This is called a posting, I guess?

11 MR. WARMAN: Yes, it is. Yes, the
12 date is just underneath the "from" line and it states
13 Monday, May 13th, 2002 at 11:33 p.m. was the time of
14 this posting.

15 MR. VIGNA: Okay. Now, later on
16 there will be an importance regarding the date and
17 particularly the time.

18 I understand you reviewed certain
19 documents that would be put in evidence later on.

20 Can you tell us the importance of the
21 connection to be made later with a future witness,
22 Mr. Daniel Dubé from Bell Sympatico, regarding the time
23 and date?

24 MR. WARMAN: Do you want to just
25 identify the document.

1 MR. VIGNA: Yeah. First I want to
2 file this document as Exhibit 4, I believe.

3 REGISTRY OFFICER: Print-off of a
4 page brought up by Mr. Warman from the Freedom-Site
5 website dated May 13th, 2002 at 11:33 p.m. will be
6 filed as Commission Exhibit HR-4.

7 EXHIBIT NO. HR-4: Print-off of
8 a page brought up by Mr. Warman
9 from the Freedom-Site website
10 dated May 13, 2002 at 11:33 p.m.

11 MR. VIGNA: So, regarding Exhibit 4
12 that we were discussing a few seconds ago, Mr. Warman,
13 explain to us the importance of the date, the time and
14 how you proceeded to determine whose moniker, I believe
15 moniker is the name realcanadianson; is that what you
16 call moniker?

17 MR. WARMAN: The moniker is just the
18 shorter, the realcanadianson.

19 MR. VIGNA: Okay.

20 MR. WARMAN: The email address that
21 is posted beside it on the "from" line is susen,
22 s-u-s-e-n, @sympatico.ca, and the time -- the date
23 that's listed on the posting is the actual date that
24 was provided by the Freedom-Site forum on the thread as
25 being the time and date that it was printed off.

1 So, essentially this is one of the
2 posts that had turned up amidst the 71 when I did a
3 search on the forum for the words Craig and Harrison.

4 And essentially what I did was, I
5 just sort of in a systematic fashion went through all
6 the 71 postings and examined their content.

7 This one I felt was important because
8 it states:

9 "I did two years in jail for
10 kicking and beating a half breed
11 chink, spearchucker in 96."

12 And the reason I felt that that was
13 important was because as I did more research it became
14 clear that the individual that I had associated with
15 the identity for realcanadianson and rump and that
16 email address, that that individual, Mr. Harrison, was
17 in fact convicted of an offence like that in 1996 in
18 Georgetown for -- you know, the Criminal Code term is
19 assault causing bodily harm, for which he was sentenced
20 to two days less a day.

21 MR. VIGNA: Okay, I understand.
22 We'll go on that topic right away.

23 You made certain inquiries with
24 provincial courts regarding a conviction in '96 for a
25 certain individual?

1 MR. WARMAN: Yes, I did. What I did
2 was, in February I made an initial request with the
3 Superior Court of Justice Criminal in Milton, or in
4 sort of Halton Hills Region and what I did was, because
5 I had the newspaper articles, that we'll get to in a
6 moment, indicating that Mr. Harrison had in fact been
7 convicted of an offence that is repeatedly referred to
8 in the postings, I asked them for transcripts of the
9 sentencing hearing and also the criminal information
10 and other court documents, including a probation
11 record, any probation documents related to
12 Mr. Harrison's offenses at that time.

13 So, what they did was they sent me --

14 MR. VIGNA: I'll get to the article.

15 MR. WARMAN: Sure.

16 MR. VIGNA: We'll go to the article
17 and then we'll go to the --

18 MR. WARMAN: Certainly.

19 So, essentially the court sent me
20 those documents and we'll get to those in a minute.

21 MR. VIGNA: Okay. On the same line
22 of thinking, while I refer you back to -- first, before
23 that, we'll go again to the next tab which is tab 3E.

24 MR. WARMAN: Sorry, E as in elf?

25 MR. VIGNA: The following one.

1 MR. WARMAN: Yes.

2 MR. VIGNA: Yeah. I would refer you
3 to the bottom where you talk about realcanadianson and
4 tell us, again, what is the importance of what's there
5 in terms of the name, time and the contents and why the
6 contents is important.

7 MR. WARMAN: Sure. Just for the
8 purposes of identifying the document for it to be
9 entered as an exhibit, this is again another copy of a
10 posting that turned up as a result of my search for
11 Craig and Harrison on the forum.

12 It's a posting by realcanadianson.
13 The time of the posting was Tuesday, May 14th, 2002, at
14 3:47 p.m. It is from the Freedom-Site website forum
15 and it was printed off by me on the 15th of November,
16 2003 and then I delivered a copy of that to the
17 Commission further to this investigation.

18 MR. VIGNA: So, you recognize the
19 document?

20 MR. WARMAN: I do.

21 MR. VIGNA: It's a document you
22 printed yourself from what you're telling us?

23 MR. WARMAN: I did.

24 MR. VIGNA: I would like to file this
25 as Exhibit 5, I believe.

1 REGISTRY OFFICER: Posting on the
2 Freedom-Site website by realcanadianson on May 14th,
3 2002 at 3:47 p.m. will be filed as Commission Exhibit
4 HR-5.

5 EXHIBIT NO. HR-5: Posting on
6 the Freedom-Site website by
7 realcanadianson on May 14, 2002
8 at 3:47 p.m.

9 MR. VIGNA: Just tell us about the
10 contents and briefly its important. I believe you
11 already touched on that a little bit.

12 MR. WARMAN: Certainly. Again, on
13 the "from" line you have realcanadianson as the
14 pseudonym that's used, it's again accompanied by the
15 email address susen@sympatico.ca, and the text of the
16 post again caught my attention as being
17 self-referential. It states:

18 "your my hero.I got 2 years in
19 jail in 96 because I beat down a
20 half breed child molestor in
21 georgetown ont.hey im a hero
22 too."

23 And essentially, again, as I went
24 through more of the postings I felt that they gave
25 further information that the poster was claiming credit

1 for an assault which, when I did further research,
2 matched virtually identically an assault that was
3 committed by Mr. Harrison.

4 MR. VIGNA: Before I go to the
5 further research, which I understand is a newspaper
6 article, just continue on the same line of thinking,
7 can I refer you to the next tab, tab F, 3F.

8 And I'd like you to -- the same
9 questions I had for the previous documents, to tell us
10 the importance of this document.

11 MR. WARMAN: Certainly. This is a
12 posting again from the Freedom-Site website, it was
13 also one of the ones that turned up in my search. It
14 is posted by realcanadianson, again, with the email
15 susen@sympatico.ca. It's posted from May 14th, 2002 at
16 4:41 p.m.

17 This was printed off by me on the
18 15th of November, 2003 and then I submitted a copy of
19 it to the Commission.

20 MR. VIGNA: And when you say from
21 realcanadianson and then there is like a little space
22 susen@sympatico.ca, can you just explain like how we
23 get a moniker and if it's connected to an email address
24 and if there is a distinction to be made?

25 You touched on that a little bit.

1 MR. WARMAN: This -- with this
2 posting, for all the realcanadianson postings, the
3 email address susen@sympatico.ca would always turn up
4 beside the moniker realcanadianson.

5 My personal belief is that that's the
6 email address that Mr. Harrison used to register that
7 address and that when he entered that he permitted his
8 email address to be visible in terms of when he
9 registered for the website forum.

10 THE CHAIRPERSON: You did indicate it
11 is your personal belief.

12 MR. WARMAN: Exactly, yes.

13 THE CHAIRPERSON: You are not an
14 expert on --

15 MR. WARMAN: No, I am not.

16 MR. VIGNA: The moniker is equivalent
17 to what exactly, a nickname?

18 MR. WARMAN: A pseudonym, yeah, a
19 nickname.

20 MR. VIGNA: Okay. Now, I'd like to
21 file this document.

22 REGISTRY OFFICER: The posting on the
23 Freedom-Site website by realcanadianson dated May 14th,
24 2002 at 4:41 p.m. will be filed as Commission Exhibit
25 HR-6.

1 EXHIBIT NO. HR-6: Posting on
2 the Freedom-Site website by
3 realcanadianson dated May 14,
4 2002 at 4:41 p.m.

5 MR. VIGNA: Okay. Now, in terms of
6 the contents of this document, once again can you tell
7 us the importance and what further connection you make
8 with this document?

9 MR. WARMAN: Yes. Essentially it's a
10 provocative topic post. At the top it says:

11 "Why Are you People All so
12 Yellow"

13 And essentially what the forum thread
14 was, was accusing a lot of these people were posting
15 messages on the forum as being cowards and sort of
16 being all talk and no action.

17 And so what the response by
18 realcanadianson is, is:

19 "i went to jail for 2 years
20 because i punched out a
21 fucken..."

22 f-u-c-k-e-n,

23 "...nigger in georgetown.I am a
24 real canadian hero like my
25 grandfathers in the wars

1 were.hey guess what?the french
2 didn't fight in the wars because
3 they wre cowards and should be
4 driven into the sea."

5 And I think one of the things to note
6 about the postings as we go along is that they are
7 virtually all written in lower capitals and that
8 extends throughout in terms of the punctuation.

9 MR. VIGNA: What about in terms of
10 the themes that are expressed?

11 MR. WARMAN: Again, it's
12 self-referential I believe to Mr. Harrison because it
13 talks about an assault on a -- in this case it simply
14 refers to him using an expletive for members of the
15 black community, but he often refers to the person
16 variably as half black and half east Asian using
17 derogatory terms or, in this case, he simply refers to
18 him as a member of the black community.

19 And, again, it says:

20 "i went to jail for 2 years
21 because i punched...", this
22 person out. And I think that's
23 important because Mr. Harrison
24 was in fact convicted of just
25 such an offence.

1 MR. VIGNA: Okay. Always on the same
2 email if you at the part that says:

3 "...the french didn't fight the
4 wars because they wre..."
5 w-r-e, I guess was were,
6 "...cowards and should be driven
7 into the sea."

8 This whole theme about the French and
9 fighting in the wars, did you see it later on in other
10 posts?

11 MR. WARMAN: Yes, it's a persistent
12 theme in the postings. It clearly -- there are
13 repeated calls for the murder of members of the
14 Francophone community specifically identified through
15 the Trudeau family and, as well, there are general
16 derogatory comments about the Francophone community
17 that I believe would expose them to hatred or contempt.

18 MR. VIGNA: Okay. And in terms of
19 the time and the date, we have here May 14th, 2002 at
20 4:41 p.m.

21 MR. WARMAN: Yes.

22 MR. VIGNA: Anything else in this
23 particular posting or...

24 MR. WARMAN: No, I believe that's
25 all.

1 MR. VIGNA: Okay. Always on the same
2 line of thinking, the next posting 3G.

3 I'd like you firstly to tell us if
4 you recognize the posting and then I'll have it filed
5 and then we'll discuss it later a little bit more.

6 MR. WARMAN: Again, this is a
7 print-off from the Freedom-Site forum. It was a
8 posting by realcanadianson. The date of the posting is
9 indicated as Thursday, May 16th, 2002 at 10:38 a.m. and
10 it was printed off by me on the 15th of November, 2003
11 and submitted to the Commission pursuant to my
12 complaint against Mr. Harrison.

13 MR. VIGNA: And the moniker is once
14 again realcanadianson associated with a certain email
15 account which is susen, with an "e" @sympatico.ca; is
16 that correct?

17 MR. WARMAN: Yes, it is.

18 MR. VIGNA: Okay. I'd like to file
19 this as Exhibit 6, I believe

20 REGISTRY OFFICER: Posting printed
21 off from the Freedom-Site website by realcanadianson
22 dated May 16th, 2002 at 10:38 a.m. will be filed as
23 Commission Exhibit HR-7.

24 EXHIBIT NO. HR-7: Posting
25 printed off from the

1 Freedom-Site website by
2 realcanadianson dated May 16,
3 2002 at 10:38 a.m.

4 MR. VIGNA: Always on this exhibit
5 then, Mr. Warman, if I look at the:

6 "Topic: contact me proud white
7 Canadians"

8 MR. WARMAN: Yes.

9 MR. VIGNA: You mention the word
10 thread and what would this thread -- first of all,
11 thread, what is that in common language?

12 I don't know if Mr. Chair is familiar
13 with the word thread, perhaps Mr. Warman can explain
14 what this whole concept of thread is.

15 MR. WARMAN: Sure. If I can perhaps
16 refer you to HR-3 for a moment which is at tab 2.

17 THE CHAIRPERSON: Yes.

18 MR. WARMAN: So, if you look at this,
19 the way it is divided up there are three separate
20 vertical columns, the first one is conference, the
21 second one is topic and the third one is date.

22 So, conference -- when you went into
23 the forum the conference links would be the first
24 option you had to click on, so it's essentially the
25 sort of broad rubric under which any number of

1 individual topics might be contained.

2 So, this is sort of the first level
3 of option to click on.

4 And then when you clicked on one of
5 those you would come to an individual topic which is
6 listed in the middle column there.

7 So, you've got the A level, and then
8 the B level gives you within A level, you know, any
9 number of different individual conversation topics that
10 a member has decided to start a conversation about.

11 And so you can see some of the topics
12 are:

13 "Jewish Attempts to Muzzle Free
14 Thought, ISLAM MEANS PEACE,
15 SCREW STUPID RELIGION, White
16 Pride vs Black Pride, LIFE OF AN
17 INJUN....."

18 So, that's all it is, essentially,
19 it's like the conference is the main sort of dividing
20 body and then within that main dividing body there are
21 all these individual postings topics which I usually
22 refer to as a thread.

23 THE CHAIRPERSON: So, the topics
24 would be the thread?

25 MR. WARMAN: Yes. So, in this case,

1 referring back to HR-7 at tab G, what this is, is this
2 was an individual who was sort of posting hi, this is
3 who I am, remember I used to be around, get in touch
4 with me.

5 So, realcanadianson responds:

6 "skin head remember me?im the
7 guy from georgetown who got 2
8 years for thumpin that nigger on
9 main street.come back soon .we
10 need you here for the cause.god
11 bless and take care."

12 And the reason why I think that's
13 important is, again, because it's self-referential to
14 the attack that took place, but not only that, it gives
15 a further detail in that it specifies on main street.

16 And, in fact, when we come to the
17 articles, those will further indicate that the actual
18 assault Mr. Harrison was involved in took place on Main
19 Street.

20 THE CHAIRPERSON: Just for my
21 comprehension --

22 MR. WARMAN: Yes.

23 THE CHAIRPERSON: -- if we take HR-7
24 and I try to fit it in in HR-3, where would that go?

25 MR. VIGNA: 3 or tab 2?

1 THE CHAIRPERSON: Well, yes, HR-3.

2 MR. VIGNA: Oh, it's 3.

3 MR. WARMAN: Sure.

4 THE CHAIRPERSON: I'm trying to see
5 HR-7 where it comes out.

6 MR. VIGNA: Can you do the same for
7 the other ones you mentioned earlier, Mr. Warman.

8 THE CHAIRPERSON: Because you are
9 saying that these are the 71 messages which came out
10 with the name Craig and Harrison.

11 MR. WARMAN: Yes. If you look at
12 post 35, you will see under "Singles - Companionship"
13 it says:

14 "contact me proud white
15 Canadians"

16 THE CHAIRPERSON: Okay. So, that
17 would be HR-7?

18 MR. WARMAN: Yes.

19 THE CHAIRPERSON: Okay, I see it now.

20 MR. VIGNA: And the date corresponds
21 to the same; right?

22 MR. WARMAN: It does, yes.

23 THE CHAIRPERSON: Okay.

24 MR. VIGNA: Can you quickly just do
25 the same for the other threads we just mentioned

1 earlier going backwards?

2 MR. WARMAN: Post 52 I believe is
3 HR-6.

4 MR. VIGNA: So, we have a
5 corresponding date and a corresponding title:

6 "Why Are you People All so
7 Yellow"

8 Is that it, Mr. Warman?

9 MR. WARMAN: Yes.

10 MR. VIGNA: Okay. And what about the
11 one before that which is tab -- Exhibit 4?

12 THE CHAIRPERSON: No, Exhibit 5.

13 MR. VIGNA: Okay, 5 also.

14 MR. WARMAN: Yeah, I believe that
15 would be 63, which has the title of "Homeland Defense":

16 "General Messages Homeland
17 Defense"

18 MR. VIGNA: And the date of May 14,
19 2002?

20 MR. WARMAN: Yes.

21 MR. VIGNA: And then the other one
22 Exhibit 4, would that be 70?

23 MR. WARMAN: It would be either 70 or
24 71 because they both have the exact same conference
25 title, topic title and date title.

1 THE CHAIRPERSON: Okay. Thank you
2 very much.

3 MR. VIGNA: So, now we were at the
4 last one. We have seen a series of emails or postings
5 to be correct; is that the proper word to use?

6 MR. WARMAN: Yes.

7 MR. VIGNA: And like I said, you
8 mentioned postings is a term you associated to what, a
9 thread?

10 MR. WARMAN: A posting is an
11 individual post by a participant in the forum to a
12 thread. So, if you had it as a triangle you would have
13 conference, within each conference you would have many
14 threads, and within each thread you would have many
15 postings.

16 MR. VIGNA: Just for better
17 understanding, in what type of websites do you have
18 this kind of -- not necessarily one of these type, can
19 you give us an example.

20 MR. WARMAN: Oh, these forums exist
21 on virtually any type of website throughout the
22 Internet. It could be anything from discussing puppies
23 to discussing, you know, broken heart country songs.

24 It's a wide gamut, but this
25 particular forum was of course devoted to the kinds of

1 topics that were being discussed with, in general, on
2 the Freedom-Site.

3 MR. VIGNA: Okay.

4 MR. WARMAN: And I think those types
5 of things are every evident from the topic headings and
6 the conference headings contained within HR-3.

7 MR. VIGNA: Can you look at HR-3 just
8 briefly and look at the topics, they speak for
9 themselves, but do you see any topic that would not
10 fall within the same theme?

11 MR. WARMAN: Well, there are some
12 that are -- that appear to be innocuous at first
13 glance. I mean, there are postings or threads on
14 people like Wayne Gretsky, but then mixed in with that
15 you have one thread that says:

16 "Eliminate the immigrants! RCMP
17 cover up anti-White hate
18 crime... SHUT UP ALREADY WITH
19 INJUN RIGHTS".

20 Injun spelled I-n-j-u-n.

21 There is another title called:

22 "Stinking East Indian car
23 shoppers"

24 So on and so forth.

25 MR. VIGNA: Okay. So now, after

1 we've done a review of these past three postings, I
2 understand that you tried to investigate what was the
3 moniker realcanadianson and make the connection with
4 the contents of what is being said, which is
5 self-referential.

6 So, I refer you to where we left off
7 yesterday which is tab 3, the newspaper article, 3 A
8 and can you tell us how you came -- first of all, if
9 you recognize the article and what is your connection
10 with the article?

11 MR. WARMAN: Yes, I do. After seeing
12 the email address that was provided, susen@sympatico.ca
13 it was fairly straight forward for me to do a google
14 search on that email address.

15 What that did was that affiliated it
16 with Mr. Harrison.

17 MR. VIGNA: You went ahead of me, but
18 we'll go to what you were just saying since you're
19 there.

20 You're talking about yahoo, which tab
21 is that?

22 MR. WARMAN: Tab J, tab 3J.

23 MR. VIGNA: Okay. We'll go back to
24 the articles and we'll just follow what you're saying.

25 Tab 3J?

1 MR. WARMAN: Yes.

2 MR. VIGNA: What is that?

3 MR. WARMAN: For identification
4 purposes, this is an email that was sent to me by a
5 fellow Human Rights activist named Matthew Lauder, last
6 name L-a-u-d-e-r, and because we were looking for
7 information to try and identify this person with
8 greater certainty, he did a further search and came up
9 with this posting that you can see this is just cut and
10 pasted from the website.

11 So, you can see it's my email
12 address, I blacked out his email address and this was
13 emailed to me on the 4th of December, 2002, and I
14 printed it off on the 11th of November, 2003 and
15 provided it to the Commission pursuant to my complaint.

16 MR. VIGNA: So, you recognize this
17 document?

18 MR. WARMAN: I do, yes, it's from my
19 personal email account.

20 MR. VIGNA: I'd like to file this
21 document --

22 THE CHAIRPERSON: Are you filing the
23 three pages because there's something concerning a
24 Karen Harrison.

25 MR. VIGNA: I'll file three pages --

1 well, perhaps continue on the other two pages and
2 explain what's the relevance of the other two pages?

3 MR. WARMAN: Certainly. Again, on
4 doing more sort of investigatory work, what I did was I
5 went to -- it's called Canada 411, in this case it's
6 listed as yellow.ca, which is essentially just a yellow
7 pages -- an Internet -- an on-line yellow pages.

8 So, when I searched for Harrison and
9 in Georgetown, this is the response that I got and it's
10 a listing for Karen Harrison and it gives the address
11 at which -- sorry, I'll just identify it before
12 entering it as an exhibit.

13 This was printed off by me on
14 02/12/02 and submitted to the Commission pursuant to my
15 complaint against Mr. Harrison.

16 THE CHAIRPERSON: But she has nothing
17 to do with --

18 MR. WARMAN: No, no, it's simply the
19 address that is relevant.

20 THE CHAIRPERSON: Why is that address
21 relevant?

22 MR. VIGNA: Go to the first page of
23 the tab.

24 THE CHAIRPERSON: Yes.

25 MR. WARMAN: Because what it does is

1 it establishes the address at which Mr. Harrison has
2 subsequently been served with all the documents.

3 THE CHAIRPERSON: And this person is
4 related to Mr. Harrison?

5 MR. WARMAN: It's my belief that it's
6 in fact his mother.

7 MR. VIGNA: The third page, I don't
8 know if it's relevant, Mr. Warman. Can you tell us if
9 there's any relevance?

10 MR. WARMAN: I don't believe it's
11 necessary to enter it specifically as an exhibit, I
12 believe it's just if Mr. Harrison had attempted to
13 further deny sort of the connection, then it was just
14 printed off simply because I believe it's an image of
15 his actual mother and it talks about her involvement
16 within the --

17 THE CHAIRPERSON: No, she is not
18 involved in this matter.

19 MR. WARMAN: No, no.

20 THE CHAIRPERSON: So, we will leave
21 it at that.

22 MR. VIGNA: Now, Mr. --

23 THE CHAIRPERSON: Do you want to
24 introduce into evidence the two first pages of this?

25 MR. VIGNA: Yeah, I would like to

1 file them as Exhibit 9, I believe.

2 REGISTRY OFFICER: Email sent to
3 Richard Warman on December 4th, 2002 from -- I forget
4 the name.

5 MR. WARMAN: Matthew Lauder.

6 REGISTRY OFFICER: -- Matthew Lauder
7 will be filed with attached document with Karen
8 Harrison's address, will be filed as Commission Exhibit
9 HR-8.

10 EXHIBIT NO. HR-8: Email sent to
11 Richard Warman on December 4,
12 2002 from Matthew Lauder will be
13 filed with attached document
14 with Karen Harrison's address.

15 THE CHAIRPERSON: And the third page
16 will not be filed.

17 MR. VIGNA: On the second page,
18 Mr. Warman, since you are on the topic, where it says
19 the address, because that's what's of importance for
20 us, I understand the name Karen is not really relevant
21 at all.

22 MR. WARMAN: No, it's not.

23 MR. VIGNA: The address you see
24 there; right?

25 MR. WARMAN: Yes.

1 MR. VIGNA: Did you see yesterday
2 that address reflected on other documents that you
3 might have obtained?

4 MR. WARMAN: Yes, it's also listed on
5 the court documents that I obtained from the Superior
6 Court of Justice.

7 MR. VIGNA: Okay, and I'll get to
8 that later. So, I will go back now to the -- you have
9 a name, this document says name and email; right?

10 MR. WARMAN: Yes, Mr. Lauder, what he
11 did was, the contents of everything from where it says
12 date at the top of the heading under Richard Warman to
13 the point where there is boxes marked "Delete - Reply -
14 Reply All - Forward".

15 MR. VIGNA: Mm-hmm.

16 MR. WARMAN: The reason for that is
17 Mr. Lauder, having cut and pasted from the website that
18 you see there at the top, the URL, the universal
19 resource locator: [www.canadianalliance.com/guestbook/
20 archives/december2002.html](http://www.canadianalliance.com/guestbook/archives/december2002.html).

21 And what that was, was that the
22 Canadian Heritage Alliance is another white
23 supremacist/neo-Nazi group based in London, Ontario.
24 By doing a search on Mr. Harrison's email address that
25 he was using, it came up with this result and that

1 Mr. Harrison had signed their guest book, which is
2 simply a place where people can go and leave messages
3 to the operators of a website.

4 So, in this case Mr. Harrison left a
5 message to the Canadian Heritage Alliance people
6 operating their website, he indicated that his name was
7 Craig Harrison, he indicated that his email was
8 susen@sympatico.ca, that his city was Georgetown,
9 Province of Ontario, Dominion of Canada, the date was
10 the 4th of December, 2002 and his comments were:

11 "keep up the good work
12 people-white power-white
13 pride!GOD BLESS!"

14 And the --

15 MR. VIGNA: Sorry, go ahead.

16 MR. WARMAN: And the reason that
17 that's important is because it, again, further
18 establishes the connection between that email address
19 and Mr. Harrison.

20 MR. VIGNA: So, now at this point you
21 have an email and a name associated which is Craig
22 Harrison and email susen@sympatico?

23 MR. WARMAN: Yes.

24 MR. VIGNA: What's the next step that
25 you take with this piece of information. You also have

1 a city, Georgetown, Ontario.

2 MR. WARMAN: Yes.

3 MR. VIGNA: I'll refer you back to
4 tab 3A we were on, the article.

5 MR. WARMAN: Yes. What I did was I
6 conducted further Internet-based searches and one of
7 those searches came up with sort of short two,
8 three-line summaries from a newspaper called the
9 Georgetown Independent.

10 MR. VIGNA: Which is located at what
11 tab?

12 MR. WARMAN: This is at 3A.

13 MR. VIGNA: Okay.

14 MR. WARMAN: So, this isn't the
15 actual what the result of the Internet search was.
16 What the result of the Internet search was, was just a
17 simple sort of like an article summary that had
18 appeared in their newspaper.

19 So, it just described sort of the
20 heading: "Store owner viciously attacked",

21 affiliated it with Mr. Harrison's
22 name and obviously Georgetown, obviously being the
23 Georgetown Independent.

24 So, what I then did was I contacted
25 the editor of the Georgetown Independent and made some

1 telephone inquiries with him with regard to whether it
2 was possible for him to send me copies of the articles
3 in question.

4 So, this is just for the purpose of
5 identification. This is one of the articles that he
6 then photocopied and sent me in the mail.

7 Some of them he indicated are of poor
8 quality, they're sort of bent because apparently he
9 told me that they were contained in large binders, so
10 he kind of had to unfold it and it didn't make a very
11 good photocopy job on some of them.

12 But this article is dated from the
13 front page of the Georgetown Independent May 29th, 1996
14 and it's one -- again, this is one of the articles that
15 was sent to me and subsequently disclosed to all the
16 parties pursuant to my complaint.

17 MR. VIGNA: So, you recognize this
18 article?

19 MR. WARMAN: I do. In fact I
20 submitted it.

21 MR. VIGNA: Okay. I'd like to file
22 this newspaper article for purposes of identity.

23 REGISTRY OFFICER: The article
24 entitled "Store owner viciously attacked" by Janet
25 Baine dated May 29, 1996 from the newspaper Georgetown

1 Independent will be filed as Commission Exhibit HR-9.

2 EXHIBIT NO. HR-9: The article
3 entitled "Store owner viciously
4 attacked" by Janet Baine dated
5 May 29, 1996 from the newspaper
6 Georgetown Independent.

7 MR. VIGNA: So, now you've explained
8 to us how you firstly got knowledge of the emails --
9 the postings you just discussed about, the reference to
10 two years in jail, you've discussed about this yahoo
11 email where you got the name Craig Harrison, and then
12 you ultimately get this article.

13 Can you tell us what connection there
14 is to be made --

15 MR. WARMAN: Yes.

16 MR. VIGNA: -- for the purposes of
17 identity?

18 MR. WARMAN: Exactly. The connection
19 is, first off, that there's a photo of Craig Harrison.
20 Having seen Mr. Harrison, I believe it to be a
21 ten-year-old likeness of him.

22 MR. VIGNA: Have you seen him here in
23 the hearings?

24 MR. WARMAN: I have. I did yesterday
25 and that confirms my understanding that it is, in fact,

1 a picture of him.

2 MR. VIGNA: Where was he sitting?

3 MR. WARMAN: He was seated at the
4 respondent's table, the far left if I'm facing the
5 audience.

6 MR. VIGNA: Okay. Go on.

7 MR. WARMAN: It indicates there was
8 an assault on a Georgetown business owner who was
9 assaulted in front of his store on Main Street and,
10 again, this relates to the issue of the poster claiming
11 that they had participated in an assault on a black
12 male on Main Street in Georgetown.

13 States that the individual who's been
14 charged with assault is Craig Harrison, it gives his
15 age, which to the best of my knowledge is accurate
16 based on the birth date that I have for him from the
17 court documents.

18 States:

19 "...This was definitely
20 racially motivated and we
21 haven't been able to determine
22 any other reason for the
23 assault," said Halton Regional
24 Police Inspector Keith Gregory."

25 It goes on to indicate a separate

1 charge that I also obtained information on from the
2 courts.

3 It states that Mr. Wong was in front
4 of his business when he was approached by a young,
5 white man who shouted racial slurs at him, pushed him
6 to the ground and started punching and kicking him,
7 according to the police inspector.

8 States that witnesses were able to
9 note the truck and licence number of the truck that the
10 attacker drove off in, and that Mr. Harrison
11 subsequently appeared at a bail hearing.

12 And I believe that all of those
13 things are relevant because they further help to
14 establish the fact that the person making all of the
15 postings in question in this complaint repeatedly talks
16 about having committed an assault that is identical to
17 this one.

18 MR. VIGNA: In terms of the cities
19 and the judicial districts and all that, can you tell
20 us what information you get from the article?

21 MR. WARMAN: Yes. Well, the actual
22 attack took place in Georgetown, it's within Halton
23 Region, Georgetown is a municipality within the broader
24 Halton Region.

25 Milton Provincial Court, again Milton

1 is another municipality within the broader Halton
2 Region.

3 MR. VIGNA: Is it in this article or
4 another article we talk about that there is a mention
5 of a sentence?

6 MR. WARMAN: I believe it's in a
7 subsequent article.

8 THE CHAIRPERSON: HR-9 you are only
9 putting into evidence this article because there are
10 four other -- or two other articles which are not the
11 same date.

12 MR. VIGNA: The ones in B I'm going
13 to them after.

14 THE CHAIRPERSON: Okay. You are
15 going to them one at a time or --

16 MR. VIGNA: Yeah.

17 THE CHAIRPERSON: -- or are you going
18 to put them into evidence as one block?

19 MR. VIGNA: I can put them in as one
20 block. Actually, I put them separately, but I thought
21 I put them as one block. So, go on to the next --

22 THE CHAIRPERSON: Okay. Ms Joyal,
23 did you introduce them as one block, or...?

24 REGISTRY OFFICER: HR-9?

25 THE CHAIRPERSON: Yes.

1 REGISTRY OFFICER: Yes.

2 THE CHAIRPERSON: Okay.

3 MR. VIGNA: Thank you for informing
4 of that because I thought it was going to be
5 individuals, as one block and go to the other ones B, C
6 and just tell us the key points that are relevant
7 always to the issue of identity and how you obtained
8 the articles and what link we are to make later on from
9 the documents we see.

10 MR. WARMAN: Yes. Tab B is an
11 article entitled:

12 "Two years: Ex-mayoral candidate
13 sentenced for racist attack on
14 local shopkeeper."

15 It's an article dated October 27th,
16 1996 and it also is from the Georgetown Independent.

17 The importance of this article is
18 that Mr. Harrison was sentenced to two years less a day
19 for an assault that has previously been described, as
20 well as another assault, and as well as another charge
21 of uttering death threats and...

22 MR. VIGNA: Does it mention the name
23 of the judge that imposed the --

24 MR. WARMAN: It does. It states
25 Judge Douglas Latimer was the sentencing judge, and it

1 indicates that Mr. Harrison is alleged to have used
2 racial epithets both during the time of the attack and
3 subsequent to it in describing it to a relative.

4 Then the second page of this article
5 describes Mr. Harrison's fiancée as an individual named
6 Susen Holmes, whom I believe appeared with him
7 yesterday at this hearing.

8 MR. VIGNA: Where is that on the
9 second, Susen Holmes?

10 MR. WARMAN: That is on the second
11 page, the second column, the second full paragraph and
12 those are the items that I believe are relevant to
13 establishing identification in those documents.

14 MR. VIGNA: Also on that document
15 another element, if you look at the -- I don't know if
16 you can see it, where it says:

17 "...added a sentence in
18 provincial..."

19 MR. WARMAN: Yes, I'm sorry, there
20 are two other items of interest there. Essentially it
21 indicates, and I believe this may become -- that
22 Mr. Harrison received a three-year probation term in
23 addition.

24 MR. VIGNA: And also can you look at
25 where it says --

1 MR. WARMAN: And if you go down a
2 little further it talks about Mr. Wong, the victim, and
3 it states:

4 "...who is of Chinese-African
5 background."

6 And that's on the second page, the
7 first column, the third full paragraph.

8 MR. VIGNA: Looking at the same
9 article, there is mention about initial anger.

10 Is there a connection to be made with
11 the court documents that you obtained?

12 MR. WARMAN: Yes. The subsequent
13 documents that will be entered -- that will be tendered
14 for entry will indicate that part of Mr. Harrison's
15 probation include, ordered to receive anger management
16 training -- or anger management counselling, excuse me.

17 MR. VIGNA: So, we filed these three
18 articles for the purposes of identity and the date of
19 the articles you mentioned it, on this one did you
20 mention it also?

21 I see it's handwritten on the first
22 page, if you go to the page before that.

23 MR. WARMAN: Yes. The reason that
24 they're handwritten on the other ones is because they
25 were photocopied and obviously didn't contain the

1 actual dates given the limited size of the photocopy
2 itself.

3 So, the individual from the
4 Georgetown Independent wrote those on the actual
5 articles, but they did match with the actual dates of
6 the articles that were indicated when I conducted the
7 Internet search.

8 MR. VIGNA: Thank you.

9 Now, you mentioned about court
10 documents, that's what I'm going to right now.

11 First of all, before I go to that,
12 can you tell us why it's important to have these court
13 documents and what's the purpose of the court
14 documents?

15 MR. WARMAN: Yes. The purpose of the
16 court documents is that they further go to the question
17 of identification, they correspond with both the
18 postings and the newspaper articles in their content
19 and in their descriptions, and I believe that they also
20 go to the question of Mr. Harrison's broad defense that
21 he has no involvement in the issue of white supremacist
22 or neo-Nazi milieu or beliefs.

23 THE CHAIRPERSON: Were these
24 documents disclosed to him?

25 MR. VIGNA: Yesterday in the morning

1 they were disclosed. I obtained them yesterday morning
2 I believe from Mr. Warman and I gave it to Ms Susen
3 Holmes yesterday morning in hand before the hearing.

4 THE CHAIRPERSON: Well, it was
5 disclosed to her and she's not here to raise any issue
6 or objection, unfortunately.

7 MR. VIGNA: So, once again, it's
8 simply for the purposes of identity which will indicate
9 the key paragraph.

10 MR. WARMAN: Actually it does go
11 further than that. There is the issue of
12 identification, but also in terms of Mr. Harrison's
13 denial contained in his statement of particulars that
14 he has no involvement within this milieu or sort of no
15 truck nor trade with these kind of beliefs, if you
16 will.

17 MR. VIGNA: Okay.

18 So, Mr. Warman, just look through the
19 document, tell us if you recognize the document, if
20 that's the document you obtained, then we'll file it,
21 then we'll go through it very carefully in terms of the
22 key points of interest in the document.

23 MR. WARMAN: I do. What these are,
24 is these are the documents that were sent to me by the
25 Central West Region Criminal Court and they contain

1 documents relating to the charges specifically against
2 the individual on Main Street in Georgetown, but also
3 with regard to the other charges that were mentioned
4 within some of the articles.

5 They were received by me on, I
6 believe it was Thursday, and I then made copies of them
7 and submitted them to you yesterday.

8 MR. VIGNA: So, you recognize
9 all --how many documents is there, eight documents?

10 MR. WARMAN: There are 14 copied
11 pages in total, if you will. It's shorter because I
12 double sided the photocopies, but there are 14 actual
13 face copies.

14 MR. VIGNA: And you made a request to
15 who and how did you get these documents?

16 MR. WARMAN: I contacted the court,
17 the Criminal Court in the Halton Region and I submitted
18 a formal request for all of these documents and they
19 were then couriered to me.

20 MR. VIGNA: Okay. I'd like to file
21 these documents -- court documents from the Region of
22 Halton Hills, I believe Central East Region, obtained
23 by Mr. Warman.

24 REGISTRY OFFICER: The documents as
25 described will be filed as Commission Exhibit HR-10.

1 MR. WARMAN: Sorry, just for the
2 record, I believe it's the Central West Region.

3 MR. VIGNA: Perhaps I didn't give the
4 best title to the document.

5 Mr. Warman, how would you...

6 MR. WARMAN: I'm sure it's fine.

7 MR. VIGNA: This is HR-10.

8 REGISTRY OFFICER: Yes.

9 EXHIBIT NO. HR-10: Seven pages
10 of doubled-side documents from
11 Region of Halton Hills, Central
12 West Region, Criminal Court
13 obtained by Richard Warman.

14 MR. VIGNA: Okay. Go through the
15 documents very, very carefully and give us the key
16 points in the document regarding identity which we can
17 make a connection with the documents that we've
18 produced so far and that will be produced later on.

19 MR. WARMAN: Certainly. At the top
20 of the first page, about two inches down in the
21 left-hand side it indicates that the person that this
22 criminal information is being sworn out against, the
23 full name is Craig, middle name Steven, S-t-e-v-e-n,
24 last name Harrison, gives that persons's address as
25 being 50 Ewing Street in the Town of Halton Hills.

1 It alleges that on or about the 27th
2 day of May, 1996 at the Town of Halton Hills that
3 Mr. Harrison committed an assault causing bodily harm
4 on the named victim.

5 MR. VIGNA: Mr. Warman, in terms of
6 the address, can you make a connection with the address
7 we just saw earlier at tab J, 3J which is Exhibit 8?

8 MR. WARMAN: Yes, they are one in the
9 same. The Halton Hills or Georgetown, as I understand
10 it Georgetown is the municipality within Halton Hills.

11 MR. VIGNA: Okay. In terms of the
12 middle name Steven, is there any importance to that?

13 MR. WARMAN: Yes, a posting that will
14 be introduced later will indicate using one of the
15 pseudonyms the individual signs it CSH.

16 MR. VIGNA: Okay. In terms of the
17 date?

18 MR. WARMAN: Yes, it matches the
19 date, 1996, that are referred to in the postings.

20 As you continue down --

21 MR. VIGNA: Before that, the section
22 267, are you familiar with what it deals with? If
23 you're not, it's okay, but it talks about --

24 MR. WARMAN: Right. 267, as I
25 understand it, is assault and 267.1.(b) specifically

1 would be an assault causing bodily harm.

2 MR. VIGNA: Okay. Pursue on but go
3 every line in terms of its importance.

4 MR. WARMAN: So, in the sort of
5 approximately eight inches down there is -- to the
6 right there's a box there. It indicates that the Crown
7 elected to proceed by indictment.

8 MR. VIGNA: Are you familiar with the
9 term indictment versus summary?

10 MR. WARMAN: Remembering back to my
11 criminal law course, indictment is the more serious
12 means of proceeding for a criminal charge versus
13 summary which gives a lesser penalty.

14 MR. VIGNA: Okay.

15 MR. WARMAN: So, it indicates
16 Mr. Harrison ultimately pled guilty, that he was found
17 guilty. It indicates that his date of birth is
18 24/September/1966. It indicates that he received
19 probation for three years and was sentenced to
20 imprisonment for two years less a day.

21 MR. VIGNA: Okay. Can you make a
22 connection with tab 9 -- Exhibit 9 in terms of the age
23 and --

24 MR. WARMAN: I'm sorry?

25 MR. VIGNA: The sentence. The

1 article newspaper Independent?

2 MR. WARMAN: Which tab is that?

3 MR. VIGNA: 3A, Exhibit 9.

4 MR. WARMAN: Yes. Sorry, yes. It
5 indicates the same age or the age that Mr. Harrison
6 would have been at the time the article was written
7 based on that birth date, and if you look underneath it
8 also indicates that the judge, the name is Judge P.V.
9 Latimer.

10 MR. VIGNA: Okay.

11 MR. WARMAN: So...

12 MR. VIGNA: The next page?

13 MR. WARMAN: The second page is
14 simply the same information along with court recorded
15 information such as the clerk, the reporter, the
16 prosecutor, et cetera, dates of appearance for that
17 charge.

18 MR. VIGNA: The name of the
19 prosecutor...?

20 MR. WARMAN: There is a variety of
21 them listed between May 28th and October 23rd.

22 One of them is Stevenson and I
23 believe Ms Stevenson is referred to in one of the
24 newspaper articles as well.

25 MR. VIGNA: Okay. Go on.

1 MR. WARMAN: The next page is a copy
2 of the formal probation order and the imprisonment
3 period of two years less a day.

4 MR. VIGNA: I'll stop you on that.
5 The "less a day", is there any importance to that in a
6 legal sense, to your knowledge?

7 MR. WARMAN: To the best of my
8 knowledge when a person is sentenced under two years
9 they serve the time in a provincial correctional
10 facility versus a federal penitentiary.

11 MR. VIGNA: And can a probation be
12 given for a sentence of two years and over?

13 MR. WARMAN: It's not my
14 understanding that that's possible.

15 So, the next page issues a firearm
16 ammunition and explosive ban for 10 years and the
17 subsequent foolscap sized page headed "Probation
18 Order/Ordonnance de Probation" lists that a number
19 of -- a variety of different conditions that
20 Mr. Harrison was subject to pursuant to his probation.

21 If you get down to approximately
22 three-quarters of the way down it indicates that he is:

23 "NOT TO ASSOCIATE or hold any
24 communication directly or
25 indirectly with...",

1 any of the victims.

2 MR. VIGNA: Before that look at the
3 middle of the page and you mentioned earlier about an
4 issue dealing with anger.

5 MR. WARMAN: Yes. At item (i) it
6 states that Mr. Harrison is to:

7 "ATTEND AND ACTIVELY PARTICIPATE
8 in such rehabilitative programs
9 for..."

10 and it includes "anger management" as
11 was previously mentioned.

12 If you continue down, the judge is
13 listed as Justice Latimer.

14 Below that is location for the
15 signature of the offender in question. At that line
16 Mr. Harrison has signed what I recognize to be his
17 signature based on other documents that he has
18 submitted pursuant to these proceedings, and
19 immediately to the right of his signature he has
20 scrawled what is a World War II era Nazi swastika.

21 The following pages I believe are of
22 interest solely to the effect that they demonstrate
23 convictions and sentencing for the other offenses that
24 are contained in the newspaper articles, except for the
25 second foolscap length page, again titled "Probation

1 Order/Ordonnance de Probation" which again at the
2 bottom where Mr. Harrison has signed his name he has
3 again scrawled a Nazi era swastika beside his
4 signature.

5 MR. VIGNA: Is there anything else in
6 the following documents, or it's pretty much the same
7 with the repetition.

8 MR. WARMAN: No, I believe that it
9 solely goes to the question of the relationship between
10 the articles, what they describe as Mr. Harrison having
11 been convicted of and what the court records show he
12 was in fact actually convicted of.

13 MR. VIGNA: I would suspect, based on
14 the dates, that these were all dealt with at the same
15 time?

16 MR. WARMAN: That's my belief.

17 THE CHAIRPERSON: Mr. Vigna, maybe
18 this would be a good time just to take a short break.

19 MR. VIGNA: Sure.

20 THE CHAIRPERSON: We will take a
21 10-minute break.

22 And the witness knows that he can't
23 discuss his evidence with counsel.

24 MR. WARMAN: Yes.

25 THE CHAIRPERSON: Thank you very

1 much.

2 REGISTRY OFFICER: Order, please.

3 --- Upon recessing at 10:40 a.m.

4 --- Upon resuming at 10:55 a.m.

5 REGISTRY OFFICER: Order, please. Be
6 seated.

7 THE CHAIRPERSON: Thank you.

8 Are we going to be -- Ms Joyal, did
9 you want to put that letter into evidence now or --

10 REGISTRY OFFICER: I'm waiting for
11 this afternoon to put this into evidence.

12 THE CHAIRPERSON: Okay, sure.

13 Mr. Vigna.

14 MR. VIGNA: Mr. Warman, we left off
15 on the court document, Exhibit 10 I believe.

16 Just to continue on the same line of
17 thinking in terms of identity and making a link with
18 the document, I just want to jump ahead a little bit to
19 3L.

20 MR. WARMAN: Yes.

21 MR. VIGNA: I'd like you to look at
22 the posting in question, tell us if you recognize this
23 document.

24 MR. WARMAN: I do. This is again a
25 print-off of a page from the Freedom-Site forum. It's

1 from the thread: "LIFE OF A INJUN", I-n-j-u-n, posted
2 by rump, r-u-m-p, and the date that it was posted was
3 Wednesday, November 13th, 2002 at 4:43 p.m.

4 I printed this off on the 15th of
5 November, 2003 and I submitted it to the Commission
6 pursuant to my complaint.

7 MR. VIGNA: I'd like to file that as
8 Exhibit 11.

9 REGISTRY OFFICER: The posting
10 printed off the Freedom-Site website --

11 MR. WARMAN: Yes.

12 REGISTRY OFFICER: -- by rump dated
13 November 13th, 2002 will be filed as Commission Exhibit
14 HR-11.

15 EXHIBIT NO. HR-11: The posting
16 printed off the Freedom-Site
17 website by rump dated November
18 13, 2002.

19 MR. VIGNA: First of all, Mr. Warman,
20 here we see the name rump which was different than the
21 realcanadianson.

22 MR. WARMAN: Yes.

23 MR. VIGNA: Can you tell us what
24 connection there is to be made between realcanadianson,
25 rump and Craig Harrison and then the contents of the

1 posting itself and, more particularly, when it says:

2 "...signed c s h a real
3 canadian."

4 MR. WARMAN: It's a sort of
5 multi-part question, but I'll attempt to work my way
6 through them.

7 MR. VIGNA: I apologize. Maybe you
8 can --

9 MR. WARMAN: If I refer the Tribunal
10 to HR-3 which is at tab 2, this particular message:
11 "LIFE OF A INJUN", I believe is posting No. 24, in that
12 it bears the same title and date and, again, all of
13 these postings were the results that came up when I
14 searched for Craig and Harrison together on the forum.

15 And, again, the only two identities
16 that came up were realcanadianson and rump.

17 So, by looking at the type of
18 material again, just before I read it, it's the same,
19 all lower case lettering, the same sort of run-through
20 punctuation and the postings between rump and
21 realcanadianson cover the same topics in terms of the
22 targets of the attack that are made.

23 This one states:

24 "people do not realize that when
25 the first europeans arrived in

1 canada about 70% of the land had
2 not been stepped on by anyone
3 including indians.so when you
4 say indian land;is it
5 really?history tells us no but
6 professional aggitaters say
7 yes.and by the way pre european
8 numbers in canada was a
9 population of about 300000 to
10 400000.presently in canada there
11 are 1200000 indians at last
12 count and that doesnt add up to
13 genocide in my book.considering
14 with the evolutionary flow the
15 indians were heading for
16 exctinshon.they should be
17 thankng white man.these
18 statements are all true.signed c
19 s h a real canadian."

20 And I believe that the importance of
21 that is that Mr. Harrison's actual initials are Craig
22 Steven Harrison, thus CSH -- sorry, his full name is
23 Craig Steven Harrison and his initials are thus CSH.

24 MR. VIGNA: And you know that because
25 of...?

1 MR. WARMAN: Because of the court
2 documents contained in HR-10 and scribbled immediately
3 after signing his initials "c s h" he states, "a real
4 canadian".

5 And given the fact that his other
6 pseudonym is realcanadianson, I believe that there is a
7 consistency in terms of the identity, both because of
8 the initials and because of the three words that follow
9 those initials.

10 MR. VIGNA: We'll go back to the
11 chronology that is in the binder if you would, 3H.

12 MR. WARMAN: Oh, sorry, before I
13 forget, the only other thing I wanted to mention
14 between HR-7 --

15 MR. VIGNA: Which tab?

16 MR. WARMAN: This is tab G, and HR-8
17 which is contained at J are, if you notice at the tail
18 end of HR-7 realcanadianson states: "God bless and
19 take care", and if you look at the end of the post --

20 THE CHAIRPERSON: You mean at -- ah,
21 yes, yes, God bless and take care, yes.

22 MR. WARMAN: And at the end of HR-8,
23 at the end of the posting, again, the individual who's
24 identified themselves as Craig Harrison states:

25 "God bless".

1 And that is simply to show, again, a
2 consistency in writing styles.

3 So, I'm sorry, Mr. Vigna, you were at
4 H?

5 MR. VIGNA: Thanks for the
6 clarification.

7 H, yeah, there is a several page
8 document, but first of all, ask you if you can identify
9 the documents by looking at it overall.

10 MR. WARMAN: Yes, I can. This is a
11 document that was submitted by me to the Commission in
12 relates to my complaint against Mr. Harrison.

13 Again, it's a print-off of a thread
14 from the Freedom-Site forum, it's entitled: "Toronto
15 Star on HF Health Alert" and HF is short for Heritage
16 Front.

17 As you can see from the material
18 immediately below it, it was posted by an individual
19 named Marc Lemire who was the operator of the
20 Freedom-Site. The Heritage Front of course being a
21 group that is the subject of a previous permanent cease
22 and desist order from the Tribunal.

23 The date that Mr. Lemire posted it to
24 the forum is Thursday, February 22nd, 2001 at 4:33 a.m.

25 This was printed off on the 15th of

1 November, 2003, as I say, given to the Commission by
2 me.

3 MR. VIGNA: Okay. I'd like to file
4 this as the next exhibit.

5 REGISTRY OFFICER: Copy of thread
6 found on the Freedom-Site website dated February 22nd,
7 2001 will be filed as Commission Exhibit HR-12.

8 EXHIBIT NO. HR-12: Copy of
9 thread found on the Freedom-Site
10 website dated February 22, 2001.

11 MR. VIGNA: Okay. Mr. Warman, I'd
12 like you to take us through the document in its
13 entirety and then bring us to the part which involves
14 the respondent, Mr. Craig Harrison, starting by the top
15 where we mentioned Heritage Front and I'll ask you
16 questions as we go along that you will not have
17 discussed or testified on.

18 MR. WARMAN: Certainly. Essentially
19 what this was about was, the Heritage Front, at one
20 time the largest neo-Nazi group in Canada, had issued
21 flyers stating that immigration can kill you, and
22 essentially what this was in relation to was this was
23 an article from the Toronto star identifying correctly
24 that sort of the nature of the group as a white
25 supremacist group and --

1 MR. VIGNA: Is this what we call a
2 thread, the whole document?

3 MR. WARMAN: The broader conference,
4 the top level is Heritage Front and then the topic, the
5 thread is "Toronto Star on HF Health Alert".

6 So, it goes along and reviews various
7 information about the release, then gives contact
8 information from the Heritage Front and then it gives
9 it two responses to the post.

10 And then at the third response to it
11 is from realcanadianson with email address
12 susen@sympatico.ca, the date is Tuesday, May 14th, 2002
13 at 10:51 p.m.

14 And what realcanadianson posts is
15 that:

16 "we all need to rise up and kill
17 non whites because thats gods
18 solution amen."

19 And I believe the call for genocide
20 against non-whites is self-evident in terms of its
21 violation of section 13.

22 MR. VIGNA: Now, what you've just
23 read to us in relation to realcanadianson, if you look
24 at the phrase itself, the use of capital or non-capital
25 letters and you compare it to the rest of the document,

1 what can you tell us about it?

2 MR. WARMAN: It's consistent with
3 Mr. Harrison's other postings in that it is all in
4 lower case letters. And it's also consistent because a
5 number -- a wide number of the postings issue orders or
6 calls to kill non-whites and a variety of other groups
7 within our community.

8 MR. VIGNA: I don't know if you
9 have -- can you make a connection with the tab where
10 you have the 71 postings with the last part of this
11 exhibit?

12 MR. WARMAN: Yes, I believe it's 47,
13 "Toronto Star on HF Health Alert".

14 MR. VIGNA: Okay. If you go to the
15 beginning of the document, Marc Lemire, I believe that
16 is one of the witnesses that you have asked to come to
17 testify.

18 MR. WARMAN: Yes, it is.

19 MR. VIGNA: What can you tell us of
20 the connection of Marc Lemire from the document in
21 relation to the document itself or the website in
22 particular?

23 MR. WARMAN: The Heritage Front is
24 one of the groups that forms part of the Freedom-Site.

25 So, as I indicated earlier, the

1 Freedom-Site is essentially a conglomeration of white
2 supremacist and neo-Nazi groups, the Heritage Front
3 being one of them, and Mr. Lemire has been identified
4 in the Federal Court case against Zundel as having been
5 the head of the Heritage Front at one point.

6 MR. VIGNA: And from what you're
7 telling us, are we to understand that you're personally
8 involved in this kind of information gathering and
9 that, or that you just read about it? I will rephrase
10 my question.

11 What knowledge do you have of the
12 Freedom-Site yourself, have you gone to the
13 Freedom-Site?

14 You mention, for example, Heritage
15 Front is part of the Freedom-Site.

16 MR. WARMAN: Yes.

17 MR. VIGNA: Can you tell us more how
18 you obtained this information?

19 MR. WARMAN: Yes, I brought it
20 through the Heritage Front when it was active, it's now
21 largely defunct. For years during its sort of largest
22 period of activities, during the late 80s, early 90s
23 they were particularly active here in Toronto and I
24 attended portion of the Canadian Human Rights Tribunal
25 hearings against the group itself and I have monitored

1 the Freedom-Site over a period of a number of years and
2 extensively viewed the contents of the website.

3 THE CHAIRPERSON: You have just
4 stated that the Heritage Front is now defunct.

5 MR. WARMAN: Largely defunct, yes.

6 THE CHAIRPERSON: And that would have
7 happened in what year; do you know?

8 MR. WARMAN: Essentially their former
9 leader is a leader named Wolfgang Droege.

10 Mr. Droege was also the subject of
11 the order pursuant to a previous Tribunal decision.

12 I can't remember the exact date, but
13 a number of years Mr. Droege sort of moved into the
14 background and was no longer considered to be the
15 leader of the Heritage Front.

16 THE CHAIRPERSON: It was certainly
17 after 2001?

18 MR. WARMAN: Yes. So, you know, it's
19 hard to tell. There was no formal announcement saying
20 this person is now taking over from the person that --
21 the previous leader, so you know, it's difficult to
22 give an exact date on it, if you like.

23 THE CHAIRPERSON: Thank you.

24 MR. VIGNA: So, in relation to this
25 document, is there anything else you'd like to bring

1 our attention to? If you could look it over before we
2 go to the next document.

3 MR. WARMAN: No, there's not.

4 MR. VIGNA: Now, the following
5 document that follows is tab I, 3I.

6 MR. WARMAN: Yes.

7 MR. VIGNA: Can you look it over,
8 tell us if you recognize it.

9 MR. WARMAN: Yes. What this is, is
10 this is a document that was printed off by me on the
11 15th of November, 2003 and submitted to the Commission
12 pursuant to my complaint.

13 It's a printed off of a copy of a
14 thread entitled:

15 "MEDIA RELEASE: IMMIGRATION
16 LEGISLATION HEARINGS"

17 that was posted by Mr. Lemire onto
18 the Freedom-Site forum on Tuesday, September 21st, 1999
19 at 6:01 a.m.

20 MR. VIGNA: And then if you follow
21 the next page, particularly the last page, page 3.

22 MR. WARMAN: Yes, it goes on but
23 simply for the purposes of identification and entering
24 it as an exhibit, there is a post at the end by
25 realcanadianson.

1 MR. VIGNA: I'd like to file this as
2 the next exhibit.

3 REGISTRY OFFICER: Copy of a thread
4 entitled: Media Release: Immigration Legislation
5 Hearings found on the Freedom-Site website dated
6 September 21st, 1999 will be filed as Commission
7 Exhibit HR-13.

8 EXHIBIT NO. HR-13: Copy of a
9 thread entitled: Media Release:
10 Immigration Legislation Hearings
11 found on the Freedom-Site
12 website dated September 21,
13 1999.

14 MR. VIGNA: Mr. Warman, look at the
15 document and same procedure as we adopted earlier. Go
16 through the document, not line-by-line because it reads
17 for itself, but at least bring us to the key aspects of
18 the document of importance and, finally, make the
19 connection at the end.

20 MR. WARMAN: Yes. Essentially what
21 it is, is it's an announcement regarding hearings --
22 public meetings that were scheduled in Toronto on the
23 subject of immigration, it's a copy of the Heritage
24 Front's proposal that they submitted to those hearings
25 called for, among other things, a moratorium on all

1 further immigration.

2 It essentially just goes through and
3 attacks the idea of continuing immigration and at the
4 end on page 3 of 3 it's signed by Wolfgang Droege,
5 National Director of the Heritage Front and then the
6 response to that is a post by realcanadianson
7 accompanied by the email susen@sympatico.ca.

8 The posting date is Tuesday, May
9 14th, 2002 at 10:55 p.m. Realcanadianson states:

10 "i love you wolfgang.your the
11 best.i was thinking of you when
12 i was in the hole at maplehurst
13 oops i mean nigger hurst.i did
14 two years for beating a half
15 breed child molestor.i guess
16 were both heros."

17 MR. VIGNA: The last statement you
18 read, can you tell us what you understand from it and
19 also what can you tell us about, once again, the
20 letters that are used?

21 MR. WARMAN: Yes. Again, the writing
22 style is consistent in that it's all in lower case
23 letters. From what I understand the -- in talking
24 about being in the hole at Maplehurst, I understand
25 that to be Maplehurst Correctional Facility, being in

1 the hole, being in prison.

2 And when he states:

3 "i did two years for beating a
4 half breed...",

5 I understand that to be a reference
6 by Mr. Harrison to the assault that he, in fact,
7 committed in 1996 in Georgetown.

8 MR. VIGNA: In terms of the name
9 Wolfgang, is this the Wolfgang you were talking about a
10 few minutes ago?

11 MR. WARMAN: Given that it's a
12 response immediately to a post -- to a press release by
13 Mr. Droege and the fact it follows his name, I believe
14 it is reference to Wolfgang Droege and Mr. Harrison is
15 expressing his admiration for Mr. Droege.

16 THE CHAIRPERSON: Just before you
17 move on, if you go to the topic at the end, it says:
18 "read 12 times".

19 Do you understand what that means?
20 Does it mean that 12 people would have read that email?

21 MR. WARMAN: That's my understanding
22 of that post.

23 THE CHAIRPERSON: Okay. Because I
24 see that in every other email, it's read 12 times or --

25 MR. WARMAN: Yes.

1 MR. VIGNA: When it says: "i guess
2 were both heros", the word heros, do you see it
3 mentioned elsewhere?

4 MR. WARMAN: Yes, I believe it was
5 mentioned in a previous post HR-6, at tab F,
6 realcanadianson states: "im a real Canadian hero".

7 MR. VIGNA: Tab -- Exhibit 5?

8 MR. WARMAN: Oh, sorry, HR- 5.

9 MR. VIGNA: Yeah, E.

10 MR. WARMAN: Yes. Realcanadianson
11 responds: "your my hero", again refers to the attack
12 that he committed in 1996 and states: "hey im your
13 hero too".

14 MR. VIGNA: Going back again to
15 Exhibit 12 at tab --

16 THE CHAIRPERSON: HR-12?

17 MR. VIGNA: I think I'm mistaken, I
18 meant HR-13, Mr. Chair.

19 MR. WARMAN: Yes.

20 MR. VIGNA: HR-13, tab 3I. If you
21 look at page 2, the first two paragraphs in terms of
22 the subject topic that's being discussed, can you tell
23 us if there's any connection with the subject topics
24 that are also discussed by realcanadianson?

25 MR. WARMAN: Yes. Essentially it

1 talks about the decisions being made in terms of what
2 kind of immigration should be permitted and that there
3 should be a release prior to holding national
4 referendum on continuing immigration as to social
5 welfare usage profiles, crime statistics, language
6 costs, language training costs, health usage.

7 And essentially the intent of it, to
8 me, is certainly to portray immigration as an ultimate
9 drain on Canadian society and something that is to be
10 disdained.

11 MR. VIGNA: Now, all that, I guess
12 it's associated with mostly Mr. Wolfgang Droege, if we
13 look at the document.

14 MR. WARMAN: Yes, it is.

15 MR. VIGNA: Nevertheless, if you look
16 at the response, would you say that the realcanadianson
17 endorses or disapproves of the content?

18 MR. WARMAN: I think a wide variety
19 of realcanadianson's postings make it clear that he or
20 she holds a very strong held belief that immigration is
21 a bad thing.

22 MR. VIGNA: Go to tab 3J, just to
23 follow the chronology of the binder.

24 MR. WARMAN: Yes, sir.

25 MR. VIGNA: I'd like you to look

1 through the whole tab itself, tell me if you recognize
2 it and then go to the relevant portions of it and file
3 it beforehand.

4 MR. WARMAN: I do. This is an
5 on-line petition that was contained on the website of a
6 group called CAFE, or Canadian Association for Freedom
7 of Expression. Their website is located at the bottom
8 left of the first page, www.canadianfreespeech.com.

9 This was printed off by me on
10 02/09/04 and submitted to the Commission pursuant to my
11 complaint against Mr. Harrison.

12 MR. VIGNA: And this is a document of
13 how many pages?

14 MR. WARMAN: 16 pages.

15 MR. VIGNA: I guess should this
16 document, do we understand that it should be read all
17 together?

18 MR. WARMAN: Yes.

19 MR. VIGNA: And you recognize the
20 document -- printed document?

21 MR. WARMAN: Both of those.

22 MR. VIGNA: Okay. I'd like to file
23 this as the next exhibit.

24 REGISTRY OFFICER: The 16-page
25 document printed off by Mr. Warman from the

1 canadianfreespeech.co website will be filed as
2 Commission Exhibit HR-14.

3 EXHIBIT NO. HR-14: 16-page
4 document printed off by
5 Mr. Warman from the
6 canadianfreespeech.co website.

7 MR. VIGNA: Mr. Warman, before going,
8 to the document itself, obviously the document comes
9 from the canadianfreespeech.com if I look at bottom of
10 the first page of the document.

11 MR. WARMAN: Yes, it does.
12 Essentially what this was, was in the aftermath of
13 September 11th, the government introduced Bill C-36
14 more commonly known as the anti-terrorism legislation.
15 Contained within that legislation was clarification of
16 the law making an amendment to the Canadian Human
17 Rights Act adding a subsection to section 13 that would
18 make it clear that telephonic communication was
19 intended to include the Internet and, thus, would fall
20 under the jurisdiction of the Canadian Human Rights
21 Tribunal and the Canadian Human Rights Commission.

22 So, this petition is essentially
23 decrying that change and also a change to the Criminal
24 Code which enabled judges to essentially consider the
25 content of hate propaganda that was placed on the

1 Internet in relation to its potential criminal
2 liability and they could make certain orders relating
3 to the identification of the person or persons
4 responsible for that content and also for the deletion
5 of that content, and this petition's essentially
6 decrying all of those changes.

7 MR. VIGNA: And how did you end up on
8 this website and on this petition? How do you -- what
9 was the subject? Why was this of interest to you, this
10 website? What did you know about the website or how
11 did you end up on it?

12 MR. WARMAN: The website is commonly
13 known as being within the sort of extreme right wing
14 milieu and having conducted a google search for the
15 email address and also for Mr. Harrison's name, page 3
16 of 16, the third complete posting down lists the poster
17 or the signatory to this petition as being Craig
18 Harrison, given the email address susen@sympatico.ca,
19 lists his location as being georgetown, ont Canada, the
20 date of the signature is Thursday, July 10th, 2003 and
21 it states:

22 "trudeau started this mess were
23 in when he undemocratically
24 forced multiculturalism and
25 bilinguaalism on an un

1 suspecting generation who had no
2 appreciation of the sacrifices
3 there for fathers made in
4 building this once beautiful
5 country!"

6 And all of that is I have given it
7 the pronunciation that it would have, why the spelling
8 errors is not including --

9 THE CHAIRPERSON: Again, you are
10 putting this into evidence to try and establish
11 identity?

12 MR. WARMAN: Yes. If you look at the
13 material, the themes are consistent in that
14 Mr. Harrison attacks multiculturalism and bilingualism,
15 he talks about the sacrifices that he believes
16 Canadian forefathers made in building the country, he
17 attacks Mr. Trudeau, and again, the writing style is
18 consistent in that it's all in lower capitals -- lower
19 case letters.

20 THE CHAIRPERSON: Thank you.

21 MR. VIGNA: And the name associated
22 to susen@sympatico, usually we have seen that so far
23 that it was realcanadianson or rump, in this case it
24 says Craig Harrison.

25 Is this the first time that you see

1 the name Craig Harrison associated to susen@sympatico,
2 or at least at some point in time is this the first
3 time you see the name Craig Harrison associated to
4 susen@sympatico?

5 MR. WARMAN: I would have some
6 cross-reference it from the post, the date of the post
7 from canadianheritagealliance website, but it is an
8 instance of seeing the full name Craig Harrison
9 associated with that email address.

10 MR. VIGNA: And the other
11 statement -- I don't know if it's a political statement
12 or statement itself, you have mentioned the importance
13 of the letters being in small always, the reference to
14 Trudeau.

15 For purposes of identity, is there
16 any cross-reference to the other postings from
17 Mr. Harrison or realcanadianson which also refers to
18 Trudeau?

19 MR. WARMAN: Yes. Mr. Trudeau is a
20 consistent subject of attack by either realcanadianson
21 or rump.

22 And, in fact, at one point I believe
23 it was realcanadianson calls for the killing of the
24 Trudeau family.

25 MR. VIGNA: And also Exhibit 14, I

1 have already asked this question, but if you compare to
2 the other postings in terms of capital letters and
3 small letters, if I look at page 4 of 16, there is a
4 tab there with susen@sympatico, Susen Holmes, the theme
5 also in what we talk about in the posting.

6 MR. WARMAN: Yes. But, in fact, if I
7 were to hypothesize to show who the actual person was
8 who made that posting my suspicion would be, given its
9 content, the style of writing, the all-over caps, the
10 fact that it refers to the grandfathers, shame on the
11 liberal government, my suspicion would be without any
12 doubt in my mind that it was, in fact, Mr. Harrison who
13 had made that posting.

14 THE CHAIRPERSON: But that is not a
15 fact though, it is your suspicion?

16 MR. WARMAN: No, no.

17 THE CHAIRPERSON: And I also note if
18 I look two pages up there is another posting that came
19 in, it is not susen@sympatico, but it is in small
20 capitals also and certainly in that case we can't say
21 that it is Mr. Harrison?

22 MR. WARMAN: No, no.

23 THE CHAIRPERSON: And I have seen
24 others also in the documents but small caps.

25 MR. WARMAN: Yes.

1 MR. VIGNA: There is nothing else in
2 this document, unless you have anything that you want
3 to add, Mr. Warman, on this document.

4 MR. WARMAN: No.

5 MR. VIGNA: Then I'll move on to tab
6 4. You recognize this tab? Do you recognize the
7 document and I'll ask the questions on the document.

8 MR. WARMAN: Yes, this is another
9 print-off of a posting from the Freedom-Site forum.

10 The poster is realcanadianson
11 accompanied by the email address susen@sympatico.ca,
12 the date is Wednesday, May 15th, 2002 at 9:38 a.m. and
13 it was printed off by me on the 15th of November, 2003
14 and submitted to the Commission.

15 MR. VIGNA: I'd like to file this as
16 the next exhibit.

17 REGISTRY OFFICER: Copy of thread
18 found on the Freedom-Site website dated May 15th, 2002
19 will be filed as Commission Exhibit HR-15.

20 EXHIBIT NO. HR-15: Copy of
21 thread found on the Freedom-Site
22 website dated May 15, 2002.

23 MR. VIGNA: All right. Can you tell
24 us the importance of this document and the key elements
25 that we have to look at in these documents?

1 MR. WARMAN: Yes. It's a posting by
2 realcanadianson and it states:

3 "i told you the only good french
4 man is a dead french man."

5 MR. VIGNA: The choice of capital or
6 non-capital letters?

7 MR. WARMAN: Again, it's consistent
8 with what I believe to be Mr. Harrison's writing style
9 in that it's all lower caps.

10 MR. VIGNA: In terms of the reference
11 to French man in contrast to the other postings
12 associated to realcanadianson, is there a certain
13 commonality?

14 MR. WARMAN: Yes, it's consistent
15 with the other attack on the francophone community.

16 MR. VIGNA: I don't have anything
17 else on this document. Do you have anything else to
18 add?

19 MR. WARMAN: No, I don't.

20 MR. VIGNA: Okay. Go to the
21 following document. Do you recognize the document?

22 MR. WARMAN: This is a document that
23 is a print-off from the Freedom-Site forum, it's a post
24 by realcanadianson accompanied by the email address
25 susen@sympatico.ca, the date of the posting was

1 Tuesday, May 21st, 2003 at 12:37 p.m.

2 I acknowledge it was printed off on
3 the 15th of November, 2003 and submitted to the
4 Commission by me.

5 MR. VIGNA: I'd like to file this as
6 the next exhibit.

7 REGISTRY OFFICER: Copy of thread
8 found on the Freedom-Site website dated May 21, 2003
9 will be filed as Exhibit HR-16.

10 EXHIBIT NO. HR-16: Copy of
11 thread found on the Freedom-Site
12 website dated May 21, 2003.

13 MR. VIGNA: Can you describe the
14 document we have before us and tell us what is
15 important and make the connection between this document
16 and the previous document you talked about.

17 Can you make the cross-reference with
18 this document and the one you just talked about with 71
19 postings?

20 You can start where you think
21 appropriate in describing the document.

22 MR. WARMAN: Thank you. This posting
23 is by realcanadianson and it states:

24 "the indian heathens should all
25 be killed says i.a message from

1 gods chosen one."

2 I believe would be posting 32.

3 MR. VIGNA: Okay.

4 MR. WARMAN: And, again, it's
5 consistent in that the letters are all lower case and
6 it's consistent as well with other attacks that are
7 present on the Aboriginal community and it's also
8 consistent in a variety of attacks calling for the
9 murder or extermination of those groups that are
10 attacked.

11 MR. VIGNA: If you go to the earlier
12 tab 5, in terms of making a cross-reference again with
13 71, the postings at tab 3, can you do that before I
14 move on?

15 MR. WARMAN: Yes. I believe that
16 would be posting 41.

17 MR. VIGNA: Okay. So, at tab 5,
18 Exhibit 16, is there anything else you want to bring to
19 our attention?

20 MR. WARMAN: No, thank you.

21 MR. VIGNA: Okay, I'll move on to the
22 next tab. Do you recognize this document?

23 MR. WARMAN: I do. This one as well,
24 it's a post from the Freedom-Site forum, it was printed
25 off by me on the 15th of November, 2003 and submitted

1 to the Commission.

2 It's a posting by realcanadianson
3 accompanied by the same email address and the date is
4 Tuesday, May 21st, 2003 and the time is 12:52 p.m.

5 MR. VIGNA: Okay. I'd like to file
6 this as document 17.

7 REGISTRY OFFICER: Copy of the thread
8 found on the Freedom-Site website dated May 21st, 2003
9 will be filed as Commission Exhibit HR-17.

10 EXHIBIT NO. HR-17: Copy of the
11 thread found on the Freedom-Site
12 website dated May 21, 2003.

13 MR. VIGNA: Now, in terms of the
14 document itself, for example the time 12:52 p.m., I
15 will ask questions of you following, but is there any
16 importance in relation to the times in these postings
17 and documents you may have reviewed yesterday regarding
18 Bell Sympatico?

19 MR. WARMAN: Yes. It's my belief
20 that information -- evidence that is to come from the
21 Bell Canada representative will substantiate that
22 Mr. Harrison in a random sampling of these postings was
23 in fact on line at those times.

24 MR. VIGNA: Okay. if you look at the
25 message -- first of all, the choice of letters.

1 MR. WARMAN: Yes. Again, it's
2 consistent with theme and style of writing in that it's
3 all lower case letters.

4 It attacks the "indian devils", it
5 speaks in sort of referential terms in the same way
6 that other posts do in terms of veterans, forefathers,
7 grandfathers, those that established the country, and
8 this would be post 28 I believe.

9 And that's all that I have in terms
10 of detail for that posting.

11 MR. VIGNA: All right. I will move
12 on to the next 11 -- sorry, tab 7. Tab 7, do you
13 recognize the document?

14 MR. WARMAN: At risk of sounding like
15 a broken record, I printed off this document on the
16 15th of November, 2003, it's a print-off of a post from
17 the Freedom-Site website forum. It is a post from
18 realcanadianson accompanied by the email address
19 susen@sympatico.ca, the date is Tuesday, May 21st, 2003
20 at 12:53 p.m.

21 MR. VIGNA: I'd like to file this as
22 Exhibit 18.

23 REGISTRY OFFICER: Copy of post found
24 on the Freedom-Site website by realcanadianson dated
25 May 21st, 2003 will be filed as Commission Exhibit

1 HR-18.

2 EXHIBIT NO. HR-18: Copy of post
3 found on the Freedom-Site
4 website by realcanadianson dated
5 May 21, 2003.

6 MR. VIGNA: Mr. Warman, can you tell
7 us the importance of this document, particularly but
8 not exclusively in terms of the choice of letters and
9 contents and message conveyed and its commonality with
10 other postings?

11 MR. WARMAN: Yes. Referencing the
12 list of postings, I believe this would be post No. 27
13 and the posting states:

14 "you should be killed for saying
15 that you pigg indian lover."

16 And, again, it's all lower case
17 letters, it's consistent in the choice of attacks being
18 the Aboriginal community or those that realcanadianson
19 perceives to be what he described as "a pigg indian
20 lover".

21 So, in that sense I believe it's
22 consistent with the other postings that have been made
23 by realcanadianson.

24 MR. VIGNA: Anything else in relation
25 to this posting?

1 MR. WARMAN: No, there is not.

2 MR. VIGNA: Okay. I will move on to
3 the next one, tab 8, do you recognize this document; if
4 so why and how you obtained this document on which
5 website?

6 MR. WARMAN: This is a print-off of a
7 forum posting from the Freedom-Site forum, it was
8 printed off by me on the 15th of November, 2003.

9 It's a posting by realcanadianson
10 accompanied by the same email address, the date is
11 Tuesday, May 21st, 2003 at 12:42 p.m., it was provided
12 by me to the Commission.

13 MR. VIGNA: I'd like to file this as
14 Exhibit 19.

15 REGISTRY OFFICER: Copy of posting by
16 realcanadianson found on Freedom-Site website made May
17 21st, 2002, at 12:42 p.m. will be filed as Commission
18 Exhibit HR-19.

19 EXHIBIT NO. HR-19: Copy of
20 posting by realcanadianson found
21 on Freedom-Site website made May
22 21, 2002, at 12:42 p.m.

23 MR. VIGNA: I see, Mr. Warman, that
24 you anticipate my next question, so where is the
25 cross-reference to tab 3?

1 MR. WARMAN: Post 31.

2 MR. VIGNA: Can you tell us the
3 portions of this document in terms of style and choice
4 of letters and contents and the city mentioned?

5 MR. WARMAN: Again, once more, it's
6 consistent in that it's all lower caps -- all lower
7 case letters, it states:

8 "if you are not white than you
9 are not allowed in halton
10 hills.if you come here god has
11 told me to kill you."

12 I believe it's consistent with the
13 other postings because it talks about the killing of
14 non-whites, it talks about Mr. Harrison's actual
15 location being in Halton Hills and there is also
16 reference to God telling him to kill people.

17 MR. VIGNA: Anything else in relation
18 to this posting?

19 MR. WARMAN: No.

20 MR. VIGNA: Move on to the next one,
21 tab 9.

22 Can you tell us if you recognize this
23 document; if so, why, and when you provided it, if so,
24 to the Canadian Human Rights Commission?

25 MR. WARMAN: This was a print-off of

1 a posting on the Freedom-Site forum, it was printed off
2 by me on the 15th of November, 2003.

3 It's a posting by realcanadianson
4 accompanied by the email address, the date is
5 Wednesday, May 15th, 2003 at 9:37 a.m.

6 MR. VIGNA: I'd like to file this as
7 Exhibit 20.

8 REGISTRY OFFICER: Copy of the
9 posting by realcanadianson found at Freedom-Site
10 website dated December 10th, 2001 at 4:17 p.m. (sic)
11 will be filed as Commission Exhibit 20.

12 EXHIBIT NO. HR-20: Copy of the
13 posting by realcanadianson found
14 at Freedom-Site website dated
15 May 15, 2002 at 9:37 a.m.

16 MR. WARMAN: It's post No. 42.

17 MR. VIGNA: Thanks.

18 MR. WARMAN: And the message
19 states -- the message is responding to the idea of
20 buying up land and establishing an all-white country.

21 And what realcanadianson respond is:

22 "fuck buying it back.i say go
23 out and kill anything not white
24 and insure yourself a place
25 beside god."

1 It's consistent in terms of the all
2 lower case letters, consistent in terms of attacking
3 non-whites murdering them and consistent in terms of
4 references to God instructing him, or God being the
5 ultimate director for a desire to be sort of God-like
6 in killing people.

7 MR. VIGNA: Mr. Warman, if we look at
8 the sentence associated with realcanadianson, when you
9 say -- you'll excuse my language, but it's what's in
10 the document -- "fuck buying it back", how do we put it
11 in context, what does it mean exactly as you understand
12 it?

13 MR. WARMAN: It's responding to the
14 idea of buying back land and establishing the all-white
15 country.

16 So realcanadianson's reaction is one
17 of disdain for that idea.

18 MR. VIGNA: Anything else in relation
19 to this posting?

20 MR. WARMAN: No.

21 MR. VIGNA: Okay. I'd like to move
22 on to the next one, tab 10.

23 MR. WARMAN: This is a post from the
24 Freedom-Site forum that was printed off by me on the
25 15th of November, 2003.

1 It's a posting, this time by rump.
2 The date is Tuesday, January 21st, 2003 at 10:16 a.m.,
3 and it was printed off and provided to the Commission
4 by me.

5 MR. VIGNA: I'd like to file this as
6 Exhibit 21.

7 REGISTRY OFFICER: Copy of posting by
8 rump found on the Freedom-Site website dated January
9 21st, 2003 will be filed as Commission Exhibit HR-21.

10 EXHIBIT NO. HR-21: Copy of
11 posting by rump found on the
12 Freedom-Site website dated
13 January 21, 2003.

14 MR. VIGNA: And what do you cross-
15 reference it to in terms of the 71 postings in Exhibit
16 3?

17 MR. WARMAN: I believe it's No. 7.

18 And, again, the idea is that the only
19 two identities that showed up in conducting the search
20 for Craig and Harrison were realcanadianson and rump.

21 So, the text of this posting is:

22 "it s okay to not like someone
23 because they look differnt.no
24 matter what the french scum in
25 ottawa say."

1 And then in all block letters:
2 "GO BACK TO FRANCE NOBODY
3 CONSIDERS YOU CANADIANS ANYWAY."
4 THE CHAIRPERSON: I just notice when
5 we see realcanadianson it refers to susen@sympatico.ca
6 but when we have rump it doesn't refer to that email
7 address.
8 Is there an explanation to that or
9 will there be an explanation to that?
10 MR. WARMAN: My hypothesis would
11 simply be --
12 THE CHAIRPERSON: It's a hypothesis,
13 it's not a fact?
14 MR. WARMAN: Yes. No --
15 THE CHAIRPERSON: Well --
16 MR. WARMAN: So, I will simply say I
17 have no explanation.
18 THE CHAIRPERSON: Okay.
19 MR. WARMAN: I believe the posting is
20 consistent in that it attacks Francophones.
21 THE CHAIRPERSON: Well, I can see
22 that, but I have seen a lot of others being consistent
23 and we can't --
24 MR. WARMAN: No, sorry, I was
25 proceeding to describe --

1 THE CHAIRPERSON: I was just saying
2 in this case it does not refer to susen@sympatico.com.

3 MR. WARMAN: No, exactly, yes, it
4 doesn't.

5 THE CHAIRPERSON: I mean, I have
6 noticed that with the rumps.

7 MR. VIGNA: In this Exhibit 21,
8 Mr. Warman, for the first time I see the second
9 sentence all in capital letters.

10 What explanation would you have for
11 the fact that it's not in small letters for that
12 particular statement?

13 What's the protocol on the Internet
14 when you put capital letters only?

15 MR. WARMAN: The usual idea on the
16 Internet of capitalizing is that it's the equivalent of
17 shouting or emphasizing strongly a particular message.

18 MR. VIGNA: Okay. And in terms of
19 the message itself, is there any commonality to the
20 other postings we've seen so far?

21 MR. WARMAN: Yes. It again attacks
22 the francophone community, it urges them to go back to
23 France, indicating that no one considers you to be
24 Canadians anyway.

25 MR. VIGNA: Is there anything else

1 you wanted to say in relation to this exhibit?

2 MR. WARMAN: No, there's not.

3 MR. VIGNA: Okay, I'll move on to tab
4 11.

5 Do you recognize this document; if
6 so, why and from which website and what did you do with
7 the document once you obtained it?

8 MR. WARMAN: This is a print-off of
9 the Freedom-Site forum posting. I printed it off on
10 the 15th of November, 2003 and provided it to the
11 Commission.

12 It's a posting by rump and the date
13 is Sunday, January 19th, 2003 at 9:56 p.m.

14 MR. VIGNA: Do you recognize the
15 document?

16 MR. WARMAN: I do, yes. It was
17 printed off and provided to the Commission by me.

18 MR. VIGNA: I'd like to file this as
19 Exhibit 22.

20 REGISTRY OFFICER: Copy of posting by
21 rump found on the Freedom-Site website dated January
22 19th, 2003 will be filed as Commission Exhibit HR-22.

23 EXHIBIT NO. HR-22: Copy of
24 posting by rump found on the
25 Freedom-Site website dated

1 January 19, 2003.

2 MR. VIGNA: Mr. Warman, can you
3 describe the document, its importance and the message
4 and its commonality with other posts, as well as the
5 last phrase, why it would be in capital letters?

6 MR. WARMAN: Yes. It's post No. 18.
7 It states:

8 "first off canada needs a
9 canadian prime minister not some
10 french man who wre draft dodgers
11 in the wars.3rd world immigrant
12 shit keeps them in power.if you
13 are worried about health care
14 then you have your priorities
15 backwards.its not what your
16 country can do for you.but what
17 can you do for your
18 country!refugees dont land at
19 airports.real ones are in camps
20 you liberal fall down creeps.GO
21 BACK TO FRANCE YOU GARBAGE WASTE
22 OF FLESH AND SPACE."

23 The last sentence is all in lower
24 case letters. It's consistent in that it attacks
25 Liberal programs, refugees, immigrants, it attacks the

1 francophone community in terms of their being Canadian
2 prime ministers.

3 It refers, as do a number of the
4 other postings, to them alleging that there was -- that
5 they were draft dodgers in the wars and in the last
6 sentence is all capitalized which, as I indicated,
7 usually on the Internet is considered to be a way of
8 expressing particularly strong feeling or emotion.

9 MR. VIGNA: Could you make the cross-
10 reference with tab 3?

11 MR. WARMAN: I did, it's post 18.

12 MR. VIGNA: Is there anything else
13 you would like to mention about this post?

14 MR. WARMAN: No, there's not.

15 THE CHAIRPERSON: You said post 18?

16 MR. WARMAN: Yes, I did.

17 MR. VIGNA: Okay. I'll move on to
18 tab 12.

19 Can you tell us if you recognize this
20 document from which website and what you did with this
21 document? once you obtained it

22 MR. WARMAN: Yes. This is the
23 print-off from the Freedom-Site website forum. I
24 printed it off on the 15th of November, 2003 and
25 provided a copy to the Commission.

1 The poster is rump, the date is
2 Sunday, January 19th, 2003 at 9:42 p.m.

3 MR. VIGNA: I'd like to file this as
4 Exhibit 23.

5 REGISTRY OFFICER: Copy of the
6 posting by rump found on the Freedom-Site website dated
7 January 15th, 2003 at 9:42 p.m. will be filed as
8 Commission Exhibit HR-23.

9 EXHIBIT NO. HR-23: Copy of the
10 posting by rump found on the
11 Freedom-Site website dated
12 January 15, 2003 at 9:42 p.m.

13 MR. WARMAN: Sorry, Mr. Chair, if I
14 may just in terms of your previous question with regard
15 to the identity of rump, if I could just draw your
16 attention to HR-11.

17 THE CHAIRPERSON: Which tab?

18 MR. WARMAN: Excuse me, this is tab
19 L, 3L.

20 THE CHAIRPERSON: Okay.

21 MR. WARMAN: And in addition to the
22 fact that rump and realcanadianson are the only
23 identities that were brought up on a search for Craig
24 and Harrison, rump signs this particular post at the
25 end "c s h a real canadian", and again those are, in

1 fact, Mr. Harrison's initials.

2 And I believe that real Canadian and
3 the style of writing is consistent with his other
4 moniker, what I believe to be his other moniker and the
5 other both style of writing and targets of the attacks.

6 THE CHAIRPERSON: Okay.

7 MR. VIGNA: Thank you, Mr. Warman.

8 So, we go back to tab 12.

9 MR. WARMAN: Yes, sir.

10 MR. VIGNA: Can you tell us the
11 importance of this posting in terms of the style of
12 letters and the subject, I would say safely, of attack.

13 MR. WARMAN: Yes.

14 I'm just -- I believe this would be
15 post 22, just to dispose of that issue, and the line of
16 the posting says:

17 "god says rise up and kill all
18 whites who date blacks."

19 It's in all lower case letters, and
20 it's consistent in essence in attacking others who are
21 either members of the non-white community, in this case
22 it simply extends that to those members of the white
23 community who engage in misogyny.

24 MR. VIGNA: It says Free Speech is
25 the conference, and do you know is that the general

1 subject matter under which these postings are put in?

2 MR. WARMAN: Yes, that's the higher
3 level and the lower level, the actual thread title is
4 entitled "white pride versus black pride".

5 MR. VIGNA: Is there anything else in
6 relation to this tab, this Exhibit 23 you would like to
7 testify about?

8 MR. WARMAN: No, thank you.

9 MR. VIGNA: Tab 13, do you recognize
10 this document; if so, why, from which website?

11 MR. WARMAN: This is a posting that
12 was printed off by me on the 15th of November, 2003.
13 It's from the Freedom-Site forum. It's a posting by
14 rump. The date is Tuesday, January 21st, 2003 at 9:26
15 a.m. and it was provided to the Commission by me.

16 MR. VIGNA: I'd like to file this as
17 Exhibit 24.

18 REGISTRY OFFICER: Copy of the
19 posting by rump found on the Freedom-Site website dated
20 January 21st, 2003 at 9:26 a.m. will be filed as
21 Commission Exhibit HR-24.

22 EXHIBIT NO. HR-24: Copy of the
23 posting by rump found on the
24 Freedom-Site website dated
25 January 21, 2003 at 9:26 a.m.

1 (subsequently removed)

2 MR. WARMAN: In fact, Mr. Vigna --
3 and I'm sorry, Madam Joyal, but I believe we can skip
4 this exhibit.

5 REGISTRY OFFICER: I'm sorry?

6 MR. VIGNA: This document is not all
7 that relevant other than identity I guess.

8 Mr. Chair, I think we can avoid
9 putting this document in content since it doesn't
10 relate to the subject matter it was just for the
11 identity, but we can --

12 THE CHAIRPERSON: So, you want to
13 withdraw this document from the evidence?

14 MR. VIGNA: Yeah.

15 THE CHAIRPERSON: Okay.

16 MR. VIGNA: We don't need to go to
17 that extent for the identity, the subject matter is not
18 really --

19 THE CHAIRPERSON: So, it will be
20 withdrawn.

21 REGISTRY OFFICER: The document
22 previously filed as Commission Exhibit HR-24 has been
23 removed from the official record.

24 MR. VIGNA: I apologize, Mr. Chair.

25 THE CHAIRPERSON: No problem. Maybe

1 it would be the appropriate time to take the dinner
2 break, it is almost noon at this point.

3 We can break until 1:15, be back here
4 at 1:15.

5 You have the Bell Canada witness this
6 afternoon.

7 MR. VIGNA: Yeah. I don't know
8 what's best way to proceed, if I should -- he should be
9 arriving.

10 Maybe what we can do is continue at
11 1:15 and then I will take an adjournment, that I would
12 request a bit longer so I can meet with the Bell
13 Sympatico individual.

14 THE CHAIRPERSON: Okay. We can do
15 that, sure, we can come back and start with Mr. Warman
16 again until the person from Bell Sympatico gets here
17 and then --

18 MR. VIGNA: I just need a little time
19 to meet with him.

20 THE CHAIRPERSON: We will take a
21 break then.

22 MR. VIGNA: Okay, thank you.

23 THE CHAIRPERSON: Okay.

24 MR. WARMAN: Mr. Chair, if I could, a
25 short issue, if I could just discuss with Mr. Vigna

1 over the break, there may be other posts in there that
2 are in fact no longer pertinent.

3 THE CHAIRPERSON: Certainly, it is
4 not evidence that you have given at this point, it is
5 evidence that you will be giving, so if there are any
6 documents that you would to withdraw, sure, go ahead.

7 MR. WARMAN: Thank you.

8 THE CHAIRPERSON: Okay. We will take
9 the break now and be back at 1:15.

10 REGISTRY OFFICER: Order, please.

11 --- Upon recessing at 11:50 a.m.

12 --- Upon resuming at 1:35 p.m.

13 REGISTRY OFFICER: Order, please. Be
14 seated.

15 Is Craig Harrison in attendance at
16 these proceedings today, or is there anyone in
17 attendance who has been appointed to represent Craig
18 Harrison?

19 Mr. Chair, let the record reflect
20 that no response has been received.

21 MR. VIGNA: Okay. You wanted to file
22 the letter.

23 THE CHAIRPERSON: Sure. Just before
24 we go there, I was informed that you had a discussion
25 with Mr. Lemire's counsel.

1 MR. VIGNA: We just did, we have an
2 agreement in principle, we're expecting a draft at the
3 Arbitration Centre reception and probably by tomorrow
4 morning we'll have a finalized version.

5 THE CHAIRPERSON: An affidavit, so
6 you will proceed by way of affidavit evidence?

7 MR. VIGNA: Yeah.

8 THE CHAIRPERSON: Okay.

9 MR. VIGNA: I can't say with total
10 certainty but quasi-total certainty.

11 THE CHAIRPERSON: Okay, thank you
12 very much.

13 And we wanted to put the letter in
14 the documents.

15 REGISTRY OFFICER: The letter
16 addressed to Mr. Craig Harrison dated June 12th, 2006
17 signed by the Registrar of the Tribunal, Greg Smith,
18 with attached affidavit of service also signed dated
19 June 12th, 2006 will be filed Tribunal Exhibit T-1.

20 EXHIBIT NO. T-1: The letter
21 addressed to Mr. Craig Harrison
22 dated June 12, 2006 signed by
23 the Registrar of the Tribunal,
24 Greg Smith, with attached
25 affidavit of service also signed

1 dated June 12, 2006.

2 THE CHAIRPERSON: I don't have a copy
3 of the...

4 Okay. And that will be filed as
5 document...?

6 REGISTRY OFFICER: T-1.

7 THE CHAIRPERSON: T-1. Thank you.

8 MR. VIGNA: So, our next witness is
9 already here, so we'll take an adjournment after and
10 we'll be able to continue with the next witness.

11 THE CHAIRPERSON: So, you have been
12 able to meet with him already?

13 MR. VIGNA: Briefly, but we need a
14 little more time.

15 THE CHAIRPERSON: All right. We will
16 take -- after we finish with Mr. Warman.

17 MR. VIGNA: So, we left with tab 14
18 and under the same oath, Mr. Warman.

19 I'd like you to look at tab 14,
20 please.

21 MR. WARMAN: Yes, I'm familiar with
22 this document and it was printed off by me on the 15th
23 of November, 2003. It's a print-off from the Freedom-
24 Site forum.

25 It's a posting by rump. The date of

1 the posting is Sunday, January 19th, 2003 at 10:03 p.m.
2 and it was provided to the Commission by me.

3 MR. VIGNA: So, I'd like to file this
4 as Exhibit 24.

5 REGISTRY OFFICER: We are not going
6 to use the same number, so it will be 25.

7 MR. VIGNA: Okay, 25.

8 REGISTRY OFFICER: Copy of the
9 posting by rump found on the Freedom-Site website dated
10 January 19th, 2003 at 10:03 p.m. will be filed as
11 Commission Exhibit HR-25.

12 EXHIBIT NO. HR-25: Copy of the
13 posting by rump found on the
14 Freedom-Site website dated
15 January 19, 2003 at 10:03 p.m.

16 MR. VIGNA: By the way, Mr. Warman,
17 you are familiar with the City of Toronto and its
18 neighbourhood.

19 MR. WARMAN: I am. I lived here for
20 a period of two years.

21 MR. VIGNA: Okay. In connection to
22 this question, can you tell us what the contents of the
23 posting before you, Exhibit 25, says and what's
24 particular about the neighbourhood mentioned?

25 MR. WARMAN: Just for the record,

1 this is post No. 17 in relation to the list of postings
2 found at HR-3.

3 The posting states:

4 "GOD says take your guns to jane
5 and finch(nigger town)and open
6 fire on the heathens.you will
7 have 20 virgins waiting for you
8 in the after life."

9 My understanding of that is
10 Jane/Finch is fairly well known to have a concentration
11 of the black community, there is -- a fair percentage
12 of the community is from the black community in that
13 area and, of course, it talks about going to that area,
14 taking your guns and shooting the individuals in that
15 area.

16 And, again, it's similar in that it's
17 all lower case except for "GOD" which is capitalized
18 and, again, it talks about God instructing someone to
19 go and engage in murder of non-whites or any of the
20 other target communities.

21 MR. VIGNA: This theme about killing
22 members of certain communities, is it a re-occurring
23 theme in the postings that are associated to rump or
24 realcanadianson?

25 MR. WARMAN: Yes, I would agree with

1 that.

2 MR. VIGNA: Okay. Is there anything
3 else that you want to say about this posting in
4 particular?

5 MR. WARMAN: No, thank you.

6 MR. VIGNA: Okay. Move on to the
7 next tab. Can you tell us if you recognize this tab;
8 if so, why, what you did with it and then we'll file
9 it.

10 MR. WARMAN: I downloaded this copy
11 of a posting from the Freedom-Site forum on November
12 15th, 2003 and provided it to the Commission.

13 The post that is of interest is the
14 second from realcanadianson, the date is Tuesday, May
15 14th, 2002 at 4:27 p.m.

16 MR. VIGNA: Okay. I'd like to file
17 this document.

18 REGISTRY OFFICER: Copy of posting by
19 Canada60 --

20 MR. VIGNA: No.

21 MR. WARMAN: Sorry, realcanadianson,
22 it's the second post that's on that page.

23 REGISTRY OFFICER: -- by
24 realcanadianson from the website Freedom-Site dated May
25 14th, 2002 at 4:27 p.m. will be filed as Commission

1 Exhibit HR-26.

2 EXHIBIT NO. HR-26: Copy of
3 posting by realcanadianson from
4 the website Freedom-Site dated
5 May 14, 2002 at 4:27 p.m.

6 MR. VIGNA: So, this posting, there
7 is a posting then response which is of particular
8 interest.

9 Can you tell us what the content says
10 and what the response says and which group is targeted
11 here?

12 MR. WARMAN: Yes. I believe this is
13 post 59 in HR-3.

14 THE CHAIRPERSON: Post 59?

15 MR. WARMAN: Yes, 59.

16 And the post states -- the post is
17 referring to the original post which talks about the
18 first poster's employer who is Frank Cuda, C-u-d-a, and
19 it indicates that that individual is from Catanzaro,
20 Italy.

21 Realcanadianson then responds:

22 "your boss is a dirty

23 fucken...",

24 f-u-c-k-e-n,

25 "...wop..."

1 w-o-p,

2 "...nazi."

3 Again, it's all lower case and I
4 believe it's consistent with the previous posting by
5 the same -- the person posting under the same
6 pseudonym.

7 MR. VIGNA: Is there anything else of
8 interest in this posting?

9 MR. WARMAN: No.

10 MR. VIGNA: Next tab 16.

11 MR. WARMAN: I believe that's been
12 taken out.

13 MR. VIGNA: We can move on to 17.

14 THE CHAIRPERSON: 16 has been taken
15 out?

16 MR. VIGNA: We don't need to go to
17 that one because, Mr. Chair, there is other tabs that
18 are of similar nature, this one is maybe superfluous.

19 THE CHAIRPERSON: Thank you.

20 MR. VIGNA: Go to tab 17.

21 MR. WARMAN: Yes. This is the print-
22 off of a post from the Freedom-Site forum that was
23 printed off by me on the 15th of November, 2003.

24 The first post by realcanadianson is
25 the one that is of interest, it's dated Tuesday, May

1 14th, 2002 at 4:44 p.m. and it was supplied to the
2 Commission by me.

3 MR. VIGNA: So, I'd like to file this
4 as Exhibit 27, I believe.

5 REGISTRY OFFICER: Copy of posting by
6 realcanadianson found on the Freedom-Site website dated
7 May 14th, 2002 at 4:44 p.m. will be filed as Commission
8 Exhibit HR-27.

9 EXHIBIT NO. HR-27: Copy of
10 posting by realcanadianson found
11 on the Freedom-Site website
12 dated May 14, 2002 at 4:44 p.m.

13 MR. VIGNA: So, you cross-referenced
14 this posting with which?

15 MR. WARMAN: Post No. 51.

16 MR. VIGNA: Okay. And what can you
17 tell us about the letter size?

18 MR. WARMAN: They are all small lower
19 case letters.

20 MR. VIGNA: What can you tell us
21 about the contents terms of the groups that are
22 targeted?

23 MR. WARMAN: It states:

24 "i call on all my white brothers
25 to rise up and kill non whites

1 because god gave canada to the
2 white man."

3 Again, it's targeting non-whites, a
4 traditional target for realcanadianson. It makes
5 reference to God having given Canada to the white man,
6 so again there is a reference -- a religious reference.

7 It then -- I think of note is the
8 fact that the post below by anonymous states:

9 "These types of comments can get
10 you in legal trouble. Just
11 warning you..."

12 MR. VIGNA: What is the date of that
13 warning?

14 MR. WARMAN: It's the same date,
15 approximately five hours later.

16 MR. VIGNA: Anything else in relation
17 to the posting before you --

18 MR. WARMAN: No, thank you.

19 MR. VIGNA: Move on to the next tab.

20 MR. WARMAN: This is a print-off
21 version of a page from the Freedom-Site forum
22 downloaded by me on the 15th of November, 2003 and
23 provided to the Commission by me.

24 And the posting is from
25 realcanadianson, the date is Tuesday, May 14th, 2002 at

1 4:36 p.m.

2 MR. VIGNA: I'd like to file that as
3 Exhibit 28.

4 REGISTRY OFFICER: The copy of the
5 posting by realcanadianson found on Freedom-Site
6 website dated May 14th, 2002 at 4:36 p.m. will be filed
7 as Commission Exhibit HR-28.

8 EXHIBIT NO. HR-28: The copy of
9 the posting by realcanadianson
10 found on Freedom-Site website
11 dated May 14, 2002 at 4:36 p.m.

12 MR. VIGNA: What can you tell us
13 about this posting in relation to who it's from, the
14 style of choice of capital or small letters and most of
15 all the contents and the theme which may or may not be
16 re-occurring?

17 MR. WARMAN: I believe -- well, the
18 text says kill anyone who is not white because God says
19 so.

20 It's a reply in a thread, the title
21 of which is:

22 "stinking east indian car
23 shoppers."

24 It's again from realcanadianson, the
25 text is in all lower case letters, it is consistent

1 with the other exhortations to kill non-whites, again,
2 because God says so, or because God gave Canada to the
3 white man, and if you compare it with HR-27 that has
4 just been entered, there is a time difference of
5 approximately eight minutes between the two postings.

6 And, in fact, when you look at HR-3,
7 which is the large list of postings, there are an
8 extensive number of postings that take place on the
9 14th, approximately 20, give or take.

10 So, given the similarity in content,
11 it would lead me to believe that it was the same
12 individual making those postings.

13 MR. VIGNA: If you compare it to the
14 postings you have been testifying so far and the ones
15 to come in terms of the choice of language, choice of
16 words or particularly to convey the pretty much same
17 re-occurring theme, do you notice a certain
18 commonality?

19 MR. WARMAN: I do. I would suggest
20 that in addition to the similarity in time frame during
21 which the postings were made is that they deal with the
22 repeated themes of killing non-whites or other targeted
23 communities, they exhort white, usually men, to do the
24 killing and they make reference -- some religious
25 reference either to God having instructed them to do so

1 or because God gave Canada to the white man.

2 MR. VIGNA: And also perhaps even the
3 word kill, you can perhaps use another word to say the
4 same thing, murder. Do you see another word than kill?
5 For example, tab 12.

6 MR. WARMAN: Yes, tab 12 also uses
7 kill, tab 9 uses kill, tab 8 uses kill, tab 7 uses
8 killed, tab 5 uses killed, and so on.

9 MR. VIGNA: Okay. Tab 19.

10 THE CHAIRPERSON: Just before we go
11 there, you addressed the issue of saying that there was
12 a time frame of about eight minutes between those
13 messages and I've seen others this morning when we were
14 going through them that had time frames of about a
15 minute between the two of them, and I've also tried to
16 count the number of days.

17 Did you look at those issues, the
18 question of how many days in that period of 71 entries,
19 or is that irrelevant?

20 Because if I count right, there is
21 about nine days that messages were sent and in some
22 cases a lot of them were sent in a span of about half
23 an hour if I looked at...

24 MR. WARMAN: I would have to admit
25 that that wasn't something I focused my attention to

1 particularly.

2 THE CHAIRPERSON: Okay.

3 MR. VIGNA: So, tab 18, anything else
4 you'd like to add or pretty much --

5 MR. WARMAN: No, thank you.

6 MR. VIGNA: Okay, tab 19. You look
7 it over and tell us if you can recognize; if so we can
8 file it and then proceed with the questions.

9 MR. WARMAN: This is the print-off
10 page of a posting from the Freedom-Site forum
11 downloaded by me on the 15th of November, 2003 and
12 provided to the Commission.

13 The posting that is of interest to me
14 is the first one by realcanadianson dated Tuesday, May
15 14th, 2002 at 4:58 p.m.

16 MR. VIGNA: Okay. We'd like to file
17 that as tab 29, exhibit.

18 REGISTRY OFFICER: Copy of the
19 posting by realcanadianson found on the Freedom-Site
20 website dated May 14th, 2002 at 4:58 p.m. will be filed
21 as Commission Exhibit HR-29.

22 EXHIBIT NO. HR-29: Copy of the
23 posting by realcanadianson found
24 on the Freedom-Site website
25 dated May 14, 2002 at 4:58 p.m.

1 MR. VIGNA: You cross-referenced it
2 with Exhibit 3 I believe.

3 MR. WARMAN: Yes, it's post 49 I
4 believe.

5 MR. VIGNA: Okay. And look at it
6 very carefully and tell us, for example, once again the
7 choice of capital, non-capital letters, the choice of
8 the words, the message conveyed and the response to it
9 and, again, the theme of the document.

10 MR. WARMAN: The message states:

11 "we have to kill the french
12 foreigners from quebec."

13 It's all lower case letters. It's
14 similar to the previous postings in that it targets the
15 francophone community for genocide. It is similar in
16 tone, it again uses the words kill and, you know, again
17 it's in close proximity to the other postings on that
18 date.

19 MR. VIGNA: And in terms of the
20 responses that he gets to that, can you also elaborate
21 a bit on that. I understand those are responses but
22 just so we can get a full context to the reaction that
23 he may have.

24 MR. WARMAN: Sure. In the same way
25 in one of the previous postings, one of the other

1 individuals attempts to warn him he can get in trouble
2 for that kind of thinking here, because there are
3 divisions within the neo-Nazi movement.

4 For the most part most of them feel
5 that being aryan is sufficient to be included within
6 their vision of what an all-white world should look
7 like.

8 Here we have an individual who
9 sub-divides what is stereotypically perceived to be the
10 aryan world and engages in franco-phobia, if you will.

11 So, there is a reaction to that
12 saying: look, you know, you're wrong, one of them is
13 the second one appears to be from an anti-racist and
14 apart from that, you know, it's consistent with the
15 other messages.

16 THE CHAIRPERSON: Did I understand
17 you correctly saying that you have to be a member of
18 the movement to be on the chat line or could anybody
19 just hook up to that, for example, an anonymous?

20 You said there is divisions inside
21 the movements. How do you know for a fact that that
22 second message is a member? Do you have to be a
23 member?

24 MR. WARMAN: As I recall you did have
25 to log in in order to make posts to the forum, that

1 anyone can go read the materia,l but in order to post
2 you actually had to log in.

3 So, in this case I think it's just
4 the fact of the content of it that leads me to believe
5 it's anti-racist because after realcanadianson states
6 that you have to kill the foreigners from Quebec,
7 anonymous replies:

8 "Don't be ignorant, all of your
9 ancestors immigrated here in the
10 first place, They stole the land
11 from the first nations people,
12 so who the hell do you all think
13 you are to say that they should
14 not let anyone else into this
15 country. Your organization is
16 full of shit."

17 THE CHAIRPERSON: That is probably
18 somebody opposed to the --

19 MR. WARMAN: It certainly would not
20 be a common response from someone who was within the
21 neo-Nazi movement.

22 THE CHAIRPERSON: Okay.

23 MR. VIGNA: The message after that in
24 terms of --

25 MR. WARMAN: I think you just get

1 into other people's responses.

2 MR. VIGNA: I will move on to tab 21.

3 THE CHAIRPERSON: Tab 21 or 20?

4 MR. VIGNA: 20, sorry, tab 20, the
5 text of 20.

6 MR. WARMAN: This is a print-off of a
7 page from the Freedom-Site forum that I download on the
8 15th of November, 2003 and provided to the Commission.

9 It's a posting by realcanadianson
10 dated Tuesday, May 14th, 2002 at 4:51 p.m.

11 MR. VIGNA: You recognize the
12 document?

13 MR. WARMAN: I do. I printed it off
14 and provided it to the Commission.

15 MR. VIGNA: I'd like to file that as
16 Exhibit 30.

17 REGISTRY OFFICER: Copy of posting by
18 realcanadianson found on the Freedom-Site website dated
19 May 14th, 2002 at 4:51 p.m. will be filed as Commission
20 Exhibit HR-30.

21 EXHIBIT NO. HR-30: Copy of
22 posting by realcanadianson found
23 on the Freedom-Site website
24 dated May 14, 2002 at 4:51 p.m.

25 MR. VIGNA: So, you have

1 cross-referenced this with Exhibit 3 which leads to 71
2 postings with which number?

3 MR. WARMAN: Post No. 50.

4 MR. VIGNA: Okay.

5 MR. WARMAN: The text says: "jews
6 make good lamp shades", all in lower case letters. The
7 target is consistent, in that it attacks the Jewish
8 community and, again, it appears to be mocking what was
9 considered to be an allegation that during World War II
10 that the Nazis had made lamp shades out of human skin
11 of their victims.

12 MR. VIGNA: Just for my knowledge,
13 when it says below that:

14 "Post New Topic | Reply to:

15 "Devastating news - Jew Monitor
16 in crisis"."

17 Do you have any knowledge what that
18 was about?

19 MR. WARMAN: Yes. Those would be
20 what are called hyperlink, so if you clicked on "Post
21 New Topic" for instance you can then go and begin a new
22 thread within that category, and if you clicked on
23 "Reply to:" you would then be able to post a message in
24 reply to the message that has just appeared above.

25 MR. VIGNA: Do you have anything else

1 to say on this posting?

2 MR. WARMAN: No, I don't, sir.

3 MR. VIGNA: The next posting, next
4 tab 21. Can you look it through with the several pages
5 it contains and tell us if you recognize it. We'll
6 file it and we'll cross-reference it.

7 MR. WARMAN: It contains four pages.
8 It's a download of a posting that was contained on the
9 Freedom-Site forum.

10 It was downloaded by me on the 15th
11 of November, 2003 and provided to the Commission
12 pursuant to my complaint.

13 MR. VIGNA: I'd like to file it as
14 Exhibit 31.

15 REGISTRY OFFICER: Copy of posting
16 by -- copy of thread downloaded from the Freedom-Site
17 website dated February 7th, 2002 at 12:58 p.m. will be
18 filed as Commission Exhibit HR-31.

19 EXHIBIT NO. HR-31: Copy of
20 thread downloaded from the
21 Freedom-Site website dated
22 February 7, 2002 at 12:58 p.m.

23 MR. VIGNA: So, you have
24 cross-referenced that with Exhibit 3 which has 71
25 postings with which number?

1 MR. WARMAN: I believe it's 64.

2 MR. VIGNA: Now, this four-page
3 document, before it reaches the end of the document
4 talks about other individuals I believe than the
5 respondent, and what's of interest is at the end I
6 would suspect.

7 MR. WARMAN: It is, yes.

8 MR. VIGNA: So, tell us the context
9 of the whole document and then how we get to the end.

10 MR. WARMAN: Sure. What this is,
11 it's a post by another individual, the text of sort of
12 a call to arms by a group called the European-American
13 Unity and Rights Organization, the acronym for that is
14 EURO.

15 This is an organization that was
16 established by David Duke, Mr. Duke of course being the
17 notorious U.S. white supremacist, former KKK leader now
18 convicted fraudster.

19 He essentially has started this as
20 what they like to describe as a European rights
21 organization in the United States.

22 You can see that at the bottom of
23 page 3 of 4 it lists a bunch of his specific websites,
24 davidduke.com with a number of different things that
25 you can look at.

1 The posting that is of most interest
2 is at the bottom of page 4 of 4, it's by
3 realcanadianson, it's from Tuesday, May 14th, 2002 at
4 3:43 p.m.

5 What happens is realcanadianson
6 posts:

7 "liberals killed canada.did you
8 know trudeau was a filthy french
9 draft dodger?didnt want to fight
10 for canada and his family should
11 be killed."

12 Again, it's a posting that contains
13 all lower case letters, it targets what can only be
14 described as the usual suspects of hatred for
15 realcanadianson, Liberals, Mr. Trudeau, francophones.

16 In general makes the allegation again
17 that they were draft dodgers and it suggests that the
18 family of Mr. Trudeau should be killed.

19 MR. VIGNA: In the posting right
20 before that, I understand it's not one from
21 realcanadianson, but can you tell us what it's about?

22 And another question I have for you,
23 is -- the Freedom-Site, to your knowledge, is it a
24 Canadian site?

25 MR. WARMAN: The Freedom-Site I would

1 certainly describe as a Canadian site in that it is
2 owned and operated by Mr. Marc Lemire who is a Canadian
3 citizen and lives in Canada.

4 In terms of the posting that is
5 immediately above that, a posting by realcanadianson,
6 it is a post that describes "hate crimes laws as
7 Marxist", and that basically when people die they will
8 all be considered one before God.

9 MR. VIGNA: And various groups, lists
10 a wide variety of groups?

11 MR. WARMAN: Yes.

12 MR. VIGNA: Just before that,
13 Mr. Warman, the mirror -- would there be a similar
14 website in the United States that could be compared to
15 the Freedom-Site just for general knowledge that would
16 be --

17 MR. WARMAN: In terms of the forum,
18 again, I believe I had previously testified that
19 stormfront.org would be the rough equivalent.

20 MR. VIGNA: And, finally, the
21 contents of the overall posting why would it be on a
22 Canadian website since it deals with more American, if
23 you're able to answer that question; if not, I don't
24 have any --

25 MR. WARMAN: I'm sorry, what part of

1 the posting...?

2 MR. VIGNA: The posting in the
3 subject matter is more U.S. related.

4 MR. WARMAN: Yes, essentially because
5 they would often post a wide variety of materials that
6 they considered to be of interest no matter what
7 country it was from.

8 So, for whoever the poster was would
9 have felt that a lot was of some interest because it
10 deals with similar themes to those that are being
11 discussed in this forum here in Canada.

12 MR. VIGNA: Okay, thank you. Is
13 there anything else i relation to this posting?

14 MR. WARMAN: No, sir.

15 MR. VIGNA: Okay, I'll go to tab 22.

16 MR. WARMAN: This is a download of a
17 page on the Freedom-Site forum that I printed off on
18 the 15th of November, 2003 and provided to the
19 Commission.

20 It's a posting entitled -- sorry,
21 from realcanadianson dated Tuesday, May 21st, 2002 at
22 12:30 p.m.

23 MR. VIGNA: I'd like to file that as
24 Exhibit 32.

25 REGISTRY OFFICER: Copy of posting by

1 realcanadianson found on Freedom-Site website dated May
2 21st, 2002 at 12:30 p.m. will be filed as Commission
3 Exhibit HR-32.

4 EXHIBIT NO. HR-32: Copy of
5 posting by realcanadianson found
6 on Freedom-Site website date May
7 21, 2002 at 12:30 p.m.

8 MR. VIGNA: And I see that you're
9 cross-referencing that with Exhibit 3 with No. 1 of the
10 71, postings which is...?

11 MR. WARMAN: I believe it's post 34.

12 MR. VIGNA: What can you tell us
13 particularly about this posting in terms of its choice
14 of capital and non-capital letters, its contents and
15 the theme that it conveys?

16 MR. WARMAN: What this is is, it's a
17 post entitled:

18 "White Nationalists Disgusted by
19 Mandela Citizenship."

20 And if I recollect this was
21 approximately around the time that Mr. Mandela came to
22 Canada, appeared at the Museum of Citizenship and was
23 presented honorary citizenship from Canada.

24 Essentially the post says:

25 "that french cock sucker in

1 ottawa gives monkey man that
2 honour and he fucks the war
3 veterans around because they are
4 real canadians and not
5 french.marilyn bell swims the
6 lake and gets fuck all.go
7 figure."

8 Again, it's ail lower case letters,
9 it attacks traditional targets being francophones, the
10 black community specifically, obviously Mr. Mandela
11 being black, lauds war veterans, says that they're
12 getting a rough deal, talks about real Canadians, real
13 Canadians not being francophones or French, and then
14 for some reason describes Marilyn Bell swimming the
15 lake.

16 MR. VIGNA: What can you tell us
17 about the choices of words, real Canadians?

18 MR. WARMAN: It's identical to the
19 moniker that's being used, the pseudonym and, again,
20 there's profanity mixed in with all of it, so I would
21 describe it as consistent with all the other postings.

22 MR. VIGNA: Okay. Anything else?

23 MR. WARMAN: No, sir, that is it.

24 MR. VIGNA: Okay, tab 23. Do you
25 recognize this posting?

1 MR. WARMAN: This is a posting that
2 was downloaded by me on the 15th of November, 2003 and
3 provided to the Commission.

4 It is from the Freedom-Site forum and
5 the posts, plural, that are of interest are by
6 realcanadianson, they are the second and third
7 postings.

8 They are dated Tuesday, May 14th,
9 2002 at 12:06 and 12:08 a.m. respectively.

10 MR. VIGNA: Did we file this as
11 Exhibit 33? No, we didn't. I'd like to file it.

12 REGISTRY OFFICER: Copy of postings
13 by realcanadianson found on Freedom-Site website filed
14 on May 21st, 2002 at 12:06 a.m. and 12:08 a.m. will be
15 filed as Commission Exhibit HR-33.

16 EXHIBIT NO. HR-33: Copy of
17 postings by realcanadianson
18 found on Freedom-Site website
19 filed on May 21, 2002 at 12:06
20 a.m. and 12:08 a.m.

21 MR. VIGNA: And you're
22 cross-referencing this document with Exhibit 3 posting
23 which number...?

24 MR. WARMAN: Sorry, if I go back, I'm
25 not sure if I mentioned the last one was 64.

1 THE CHAIRPERSON: It is 64 not 34?
2 MR. WARMAN: Sorry?
3 MR. VIGNA: HR-32.
4 THE CHAIRPERSON: Is post 64?
5 MR. WARMAN: No, I'm sorry, I made a
6 mistake, it was in fact 34.
7 MR. VIGNA: White Nationalists
8 Disgusted by Mandela Citizenship?
9 MR. WARMAN: Yes, sorry.
10 THE CHAIRPERSON: That's 34?
11 MR. WARMAN: And I'm just looking for
12 jokes and trivia.
13 MR. VIGNA: Perhaps number 69.
14 MR. WARMAN: Thank you.
15 THE CHAIRPERSON: That's for HR-33?
16 MR. WARMAN: Yes, it would be either
17 68 or 69 because they both have identical conference
18 and topic names.
19 THE CHAIRPERSON: Okay.
20 MR. VIGNA: Now, look at the posting
21 and tell us what is important about its contents, its
22 choice of letters, capital or non-capital?
23 MR. WARMAN: The first posting
24 states:
25 "why does aqua velva come in

1 difficult colours? because
2 indians like shooters too."

3 The second post says:

4 "what does an indian woman say
5 when she is losing her virinity?
6 get off me dad you are squishing
7 my smokes."

8 All of the letters are in lower case,
9 they attack one of the traditional targets being the
10 Aboriginal community and they essentially refer to
11 Aboriginal men, fathers, as being pedophiles,
12 Aboriginal women as being the subject of paedophilia
13 and sexual assault and I believe the first post is sort
14 of a pejorative description of Aboriginals as
15 alcoholics in that they drink Aqua Velva.

16 MR. VIGNA: In the section where you
17 obtained this posting, jokes and trivia, if you
18 recall -- if you don't, you just tell us -- do you know
19 if there's any types of jokes that are non-racist or
20 not discriminatory or if the full content, the whole
21 entire jokes are in the same line of thinking?

22 MR. WARMAN: I'm sorry, I'd have to
23 go back, I wouldn't be able to say with certainty.

24 MR. VIGNA: Okay. Is there anything
25 else in regards to this posting?

1 MR. WARMAN: Just that both of those
2 specific jokes will appear later, so it's important to
3 bear that in mind.

4 MR. VIGNA: In the postings to come?

5 MR. WARMAN: Yes.

6 MR. VIGNA: All right. So, on this
7 post there is nothing more you would like to add?

8 MR. WARMAN: No, sir.

9 MR. VIGNA: Okay, I'll go to tab 24.

10 MR. WARMAN: This is a posting that
11 was downloaded by me, printed off by me on the 15th of
12 November, 2003.

13 It's a post by realcanadianson dated
14 Tuesday, May 14th, 2002 at 12:47 a.m. from the
15 Freedom-Site website forum.

16 MR. VIGNA: So, you obviously
17 recognize this posting?

18 MR. WARMAN: I do. I provided it to
19 the Commission.

20 MR. VIGNA: I'd like to file it as
21 Exhibit 34.

22 REGISTRY OFFICER: Copy of posting by
23 realcanadianson found on the Freedom-Site website dated
24 May 14th, 2002 at 12:47 a.m. will be filed as
25 Commission Exhibit HR-34.

1 EXHIBIT NO. HR-34: Copy of
2 posting by realcanadianson found
3 on Freedom-Site website dated
4 May 14, 2002 at 12:47 a.m.

5 MR. VIGNA: And you're
6 cross-referencing...

7 THE CHAIRPERSON: So, I guess the way
8 that site is made up, you can jump from one conference
9 to the other quite easily?

10 MR. WARMAN: Yes. In fact, you can
11 just hit the return button.

12 THE CHAIRPERSON: Yes, I see the
13 jokes, they were on the same day and then he's at
14 another one here on another topic a few minutes after,
15 so...

16 MR. WARMAN: Yes, exactly. You know,
17 it's essentially the same as your web browser on any
18 web page, you can click forwards or backwards.

19 So, let's say you went to the joke
20 section and you picked black jokes, all you have to do
21 after you have made your post is click back back.

22 THE CHAIRPERSON: And you are back?

23 MR. WARMAN: You are back on the main
24 jokes. You can pick a new thread, go there and post
25 another. It really just depends on sort of your

1 clicking speed and typing speed.

2 And here, where you can see there is
3 not a lot of attention to detail in terms of either the
4 spelling, there is no capitalization which would slow
5 you down, and so I believe that, you know, you can
6 obviously type a lot faster if you're not paying any
7 attention to detail.

8 THE CHAIRPERSON: And I'm sorry,
9 Mr. Vigna, if you would just allow me one more question
10 on the way that that website works.

11 MR. VIGNA: Sure.

12 THE CHAIRPERSON: If I understand the
13 only thing the website has are the topics and then
14 people just come in and put down whatever they want
15 according to the topic.

16 There is no, for example, no
17 introductory paragraphs or...

18 MR. WARMAN: Well, this forum --

19 THE CHAIRPERSON: It is a forum.

20 MR. WARMAN: Yeah, this forum is a
21 subsection of the main Freedom-Site website, so when
22 you went onto the main home page --

23 THE CHAIRPERSON: Then you have
24 would --

25 MR. WARMAN: -- of the Freedom-Site,

1 there would be general information about this is who we
2 are, this is what we're about, these are some of the
3 groups that are featured on this website, and among all
4 those different things you can click on would be the
5 forum.

6 You can go and you can just -- you
7 can either read it without joining, or you could join
8 and then make postings.

9 THE CHAIRPERSON: Okay, thank you.
10 Sorry, Mr. Vigna.

11 MR. VIGNA: No, that's fine.

12 Mr. Warman, then tab 24, Exhibit 34,
13 can you tell us anything more about the posting in
14 terms of the choice of words, the theme once again, at
15 the risk of being repetitious, but for the purpose of
16 the record what evidence can you please pursue.

17 MR. WARMAN: Yes, this is post No.
18 67.

19 The posting by realcanadianson is a
20 response to an individual named
21 ravennax@canadianheritagealliance.com.

22 My observation of that identity leads
23 me to believe it's a woman named Melissa Gill who is
24 the head of Canadian Heritage Alliance and the
25 reason --

1 THE CHAIRPERSON: I'm sorry?

2 MR. WARMAN: I'll explain a little
3 bit better, okay. So, the first posting is from an
4 individual named ravnax --

5 THE CHAIRPERSON: Yes.

6 MR. WARMAN:
7 --@canadianheritagealliance.com.

8 If you look above in terms of the
9 conference --

10 THE CHAIRPERSON: Okay.

11 MR. WARMAN: -- it states: "CHA
12 political debates."

13 THE CHAIRPERSON: Mm-hmm.

14 MR. WARMAN: CHA is short for the
15 Canadian Heritage Alliance. Ms Gill, Melissa Gill is
16 the head of the Canadian Heritage Alliance and RavennaX
17 is one of the pseudonyms I'm familiar with her using.

18 THE CHAIRPERSON: Okay.

19 MR. WARMAN: So, in the CHA sort of
20 section of the forum she would often go in post just
21 kind of questions in general to try to get discussion
22 going. So, in this case she posts a question saying:

23 "Should Canada's government and
24 churches be determined
25 legally/financially responsible

1 for abuses alleged by Indians in
2 residence schools?"

3 I presume she means residential
4 schools. So, realcanadianson goes into that same
5 thread and responds, he says:

6 "no we should not be on the hook
7 for them.it was a good idea at
8 the time and most indians were
9 for it.i wish my ancestors had
10 killed them all so they wouldnt
11 be whinning today."

12 Again, the response is all lower case
13 letters, there's not a lot of attention to grammar or
14 spelling, the theme is consistent with attacking the
15 Aboriginal community and promoting the idea that the
16 individual target groups should have been killed or
17 should be killed.

18 MR. VIGNA: Anything else on this
19 posting?

20 MR. WARMAN: No, Mr. Vigna, thank
21 you.

22 MR. VIGNA: Tab 25, do you recognize
23 the posting; if so, can you tell us if you downloaded
24 or printed this posting?

25 MR. WARMAN: I did in fact download

1 this posting. I did it on the 15th of November, 2003.

2 It's a posting from the Freedom-Site
3 forum and it's a posting by rump dated Sunday, January
4 19th, 2003 at 9:45 p.m. and I provided this to the
5 Commission.

6 MR. VIGNA: I'd like to file this as
7 the next Exhibit, No. 35.

8 REGISTRY OFFICER: Copy of posting by
9 rump found on the Freedom-Site website dated January
10 19th, 2003 at 9:45 p.m. will be filed as Commission
11 Exhibit HR-35.

12 EXHIBIT NO. HR-35: Copy of
13 posting by rump found on the
14 Freedom-Site website dated
15 January 19, 2003 at 9:45 p.m.

16 MR. VIGNA: Have you cross-referenced
17 this posting with Exhibit 3?

18 MR. WARMAN: Yes, I believe it's No.
19 21.

20 THE CHAIRPERSON: Is there a period
21 where there is a change between realcanadianson and
22 rump or have they been used together?

23 MR. WARMAN: I could undertake to
24 take a look at the break and just see.

25 THE CHAIRPERSON: If you could,

1 because at one point -- I wonder if after 2002 they
2 start using rump or is that --

3 MR. WARMAN: Perhaps during the break
4 I can go through the postings and just see.

5 MR. VIGNA: Before closing your
6 testimony we'll take a little adjournment.

7 So, what can you tell us about
8 Exhibit 35 in terms of its contents, choice of capital
9 or non-capital letters, in terms of the city mentioned?

10 MR. WARMAN: The posting states:

11 "georgetown has just declared
12 itself all white and the others
13 must go.its my town so fuck off
14 d.p scum and the french and
15 dutch sell outs."

16 It's all contained in lower case
17 letters. Given the fact that the poster repeatedly
18 attacks french, dutch, other sort of post-World War II
19 era immigrants to Canada.

20 The only acronym that I'm aware of
21 that would possibly relate would be d.p would be
22 displaced persons which were, of course, post-World War
23 II refugees who would have immigrated to Canada.

24 MR. VIGNA: Can you repeat that,
25 Mr. Warman, I didn't quite catch the d.p explanation.

1 MR. WARMAN: Sure. The only acronym
2 d.p that would be related to -- I'm aware of that would
3 be related to this question or to this area would be
4 the term displaced persons which were refugees post --
5 that were created as a result of World War II.

6 So, there was a large wave of largely
7 European immigration into Canada following post-World
8 War II.

9 MR. VIGNA: Where do you get this
10 knowledge? Is it common knowledge? Give me a reminder
11 about d.p?

12 MR. WARMAN: Just from a European
13 history course that I have taken in university.

14 MR. VIGNA: Okay. In terms of city
15 Georgetown, can you tell us what is of importance in
16 regards to the city of Georgetown, and if you make the
17 connection with your testimony this morning?

18 MR. WARMAN: Yes. Georgetown is the
19 location where Mr. Harrison has his residence and has
20 had his residence, as far as I'm aware, at least since
21 1996.

22 It targets the non-white community
23 and the francophones and the dutch and indicates that
24 essentially ethnic cleansing must begin and that these
25 people must be driven out of the area.

1 MR. VIGNA: Just curious, Mr. Warman,
2 you answer only if you're able to, when he says:

3 "georgetown has just declared
4 itself all white..."

5 Was there anything in the media in
6 that regard or is that something that was just
7 mentioned in this posting?

8 MR. WARMAN: No, I believe it's
9 simply part of his fantasization.

10 MR. VIGNA: Go on to tab 26.

11 THE CHAIRPERSON: Just before we go
12 there, in your research of these documents, did you
13 identify anybody else in Georgetown, for example, who
14 participates in these forums or...

15 MR. WARMAN: Sort of there's a common
16 knowledge that within the past sort of decade or two
17 decades that there was a Ku Klux Klan presence within
18 Georgetown at some point but there is no real --

19 THE CHAIRPERSON: But on the forums
20 themselves.

21 MR. WARMAN: Oh no, no, I didn't
22 identify any other individual --

23 THE CHAIRPERSON: From Georgetown?

24 MR. WARMAN: -- who indicated they
25 were from Georgetown or Halton Hills for that matter.

1 THE CHAIRPERSON: Okay. As I
2 remember this morning you put in a document with many
3 pages where there were people signing into a petition.

4 MR. WARMAN: Yes.

5 THE CHAIRPERSON: I don't remember
6 seeing, except for the two ones here, I don't remember
7 seeing any other names for Georgetown or...

8 MR. WARMAN: I would presume that's
9 correct.

10 MR. VIGNA: Would you mind,
11 Mr. Warman just, looking at tab K, 3K, if there's
12 anything that results from the question the Member
13 asked.

14 THE CHAIRPERSON: 3K, that would
15 be...?

16 MR. VIGNA: The petition. I didn't
17 notice anything at this point, but if there's anything
18 that may help answer the question of the Member, just
19 have a look at it.

20 THE CHAIRPERSON: 3K, that would be
21 HR-14?

22 MR. VIGNA: Yeah. Yes.

23 THE CHAIRPERSON: That's the one I
24 was referring to.

25 MR. VIGNA: Do you have an idea

1 geographically where Georgetown is in Toronto? You
2 said you lived here for two years.

3 MR. WARMAN: Yes. It's north of
4 Toronto.

5 MR. VIGNA: More specifically, like
6 after which major city is it more known, if I can say
7 that? From Mississauga where would you situate it?

8 MR. WARMAN: I'm sorry, you know,
9 specifically suburb areas. I know that it's north of
10 Toronto.

11 MR. VIGNA: Okay.

12 MR. WARMAN: So, in my review of all
13 of the postings, I don't see any Georgetown other than
14 those two. There's one or two that say Ontario or just
15 Canada, but there's nothing that specifically says
16 Georgetown.

17 THE CHAIRPERSON: Just like, before
18 we go on, to come back to the use of the name rump.

19 Maybe for my benefit, what is the
20 significance of that or what does it mean? I think I
21 do know, but we are trying to associate this with
22 Mr. Harrison.

23 MR. WARMAN: Yes.

24 THE CHAIRPERSON: I'll let you --

25 MR. WARMAN: Just from my own

1 personal knowledge people sometimes pick pseudonyms.
2 It could be anything. I mean, it could be a random
3 jumble of letters and numbers, it could be the name of
4 a historical character they like, it could be the name
5 of their cat.

6 So, it doesn't -- it's not always a
7 significance to a name. I mean, to me rump --

8 THE CHAIRPERSON: But, again, I am
9 just wondering, I might be wrong, wouldn't you
10 associate that more with a woman than with a man, the
11 use of this --

12 MR. WARMAN: Well, I think, you know,
13 if you're talking about sort of a rump force or a rump
14 being someone's derriere, to me my understanding of
15 rump would be sort of dual male/female.

16 THE CHAIRPERSON: Because I am just
17 wondering. The French translation of the name would be
18 feminine.

19 MR. WARMAN: Yes,.

20 THE CHAIRPERSON: So, that is why I
21 asking.

22 MR. WARMAN: Yes, yes.

23 THE CHAIRPERSON: But I am not sure
24 it means anything, I was just wondering what it meant.

25 MR. WARMAN: I'm afraid it may be a

1 case of trying to read in some meaning that does not
2 exist.

3 THE CHAIRPERSON: That is not there.

4 MR. WARMAN: Yeah.

5 THE CHAIRPERSON: Okay, thank you.

6 Go ahead, Mr. Vigna.

7 MR. VIGNA: I was just thinking about
8 your question, Mr. Chair.

9 Mr. Warman, asking a question in
10 relation to your familiarity with the Internet and the
11 use of emails and all that, when you send an email,
12 let's say, you know, often you write carbon copy and
13 then it's bc --

14 MR. WARMAN: Yes.

15 MR. VIGNA: -- when you want other
16 people to see your email.

17 Can you tell us how that works and if
18 there's any explanation that can be given for the fact
19 that next to rump there is no email, contrary to
20 realcanadianson, to the limit of your knowledge of the
21 Internet and if you're able to do so.

22 MR. WARMAN: In some forums when you
23 sign up your profile you can have the option of making
24 your email address visible or make it not visible to
25 other participants in the forum.

1 So, I could only make the assumption,
2 not having been the one who created either the
3 pseudonym or the program that operates the forum, that
4 it may have something to do with that.

5 MR. VIGNA: So, are you saying that a
6 bit like when you send an email to several people and
7 you don't want other people that you send it to other
8 people by using the bc function -- I think it's bc --
9 there's a similar principle that can apply for these
10 kind of forums?

11 MR. WARMAN: It's possible.

12 MR. VIGNA: I'll go on to tab 26.

13 THE CHAIRPERSON: Now, did we put
14 into evidence tab -- yes, that's where we are, tab 26.

15 MR. VIGNA: 35 was the last one and I
16 think it's 25.

17 THE CHAIRPERSON: Yes.

18 MR. WARMAN: Yes, I downloaded this
19 page on the 15th of November, 2003 from the
20 Freedom-Site forum. It's a copy of a posting by rump,
21 the date is Tuesday, January 21st, 2003 at 10:03 a.m.
22 and I provided it to the Commission pursuant to my
23 complaint and it is post No. 10.

24 MR. VIGNA: So, I'd like to file this
25 as Exhibit 36.

1 REGISTRY OFFICER: Copy of posting by
2 rump found on the Freedom-Site website dated January
3 21st, 2003 at 10:03 a.m. will be filed as Commission
4 Exhibit HR-36.

5 EXHIBIT NO. HR-36: Copy of
6 posting by rump found on the
7 Freedom-Site website dated
8 January 21, 2003 at 10:03 a.m.

9 MR. VIGNA: And post No. 10 would be
10 in connection to Exhibit 3?

11 MR. WARMAN: Yes, it would.

12 MR. VIGNA: Can you tell us what is
13 important about this?

14 MR. WARMAN: The post states:
15 "if i ever see any niggers or
16 chinks dealing in my town[i
17 represent g-town]i will kill
18 them and anybody who dares
19 testify."

20 So, what I take is, of course, that
21 it's an attack on the black and the East Asian
22 community.

23 "i represent g-town", I take to
24 mean Georgetown, based obviously
25 on my familiarity with the other

1 postings by rump and the fact
2 that I understand him to be
3 Mr. Harrison and that it's
4 consistent with the other
5 postings in that it says that
6 the poster will kill them and
7 anybody who dares testify
8 against him for, presumably for
9 having killed those individuals.

10 MR. VIGNA: When you read that
11 posting and you had knowledge of the newspaper
12 articles, is there anything that comes to mind?

13 MR. WARMAN: Specifically the fact
14 that Mr. Harrison was involved in an attack, a racist
15 attack on an individual who was of combined black and
16 Chinese heritage, although again that may be stretching
17 things a little.

18 MR. VIGNA: Anything else in relation
19 to this posting?

20 MR. WARMAN: No, thank you.

21 MR. VIGNA: Okay, tab 27. Now, here
22 we're using another moniker. Can you tell us if you
23 recognize this document, from which website which is
24 indicated at the bottom, and then we'll proceed with
25 the questions.

1 MR. WARMAN: Yes, I can. This was
2 downloaded by me on the 25th of March, 2004 from the
3 website www.ypenterprise, with an "s".net.

4 The website is again referred to as
5 Yoderanium, which is Y-o-d-e-r-a-n-i-u-m and in this
6 case this is the website forum for that website called
7 Yoderanium.

8 MR. VIGNA: So, I'd like to file this
9 as the next exhibit before going to a series of
10 questions.

11 REGISTRY OFFICER: Copy of thread
12 found on ypenterprise.net website print-off on 25/03/04
13 will be filed as Commission Exhibit HR-37.

14 EXHIBIT NO. HR-37: Copy of
15 thread found on ypenterprise.net
16 website print-off on 25/03/04.

17 MR. VIGNA: Mr. Warman, this posting
18 and this document before you, in contrast to the other
19 documents, it comes from obviously another website.

20 Can you tell us what's important
21 about this website and also how you are able to
22 associate a person or the respondent more particularly
23 to the moniker which is indicated on the document,
24 "realnorthamerican"?

25 MR. WARMAN: Yes. Basically the way

1 I found these was by monitoring different forums, there
2 aren't that many of them, it's a fairly limited
3 community, so by observing different forums you get to
4 know who the sort of usual players are.

5 And this person had just sort of
6 started posting, and the thing that first springs to
7 mind is the fact that they are identifying themselves
8 as realnorthamerican, whereas it's my belief that
9 Mr. Harrison was using the pseudonym realcanadianson.

10 And then the thing to bear in mind is
11 the time period where these posts are made is on the
12 27th of January, 2004. That's just shortly after
13 Mr. Harrison has been notified by the Commission of the
14 complaint against him.

15 MR. VIGNA: That's Exhibit 1, tab 1,
16 the complaint date.

17 MR. WARMAN: Yes, it is.

18 MR. VIGNA: The complaint was the
19 23rd of November, 2003.

20 MR. WARMAN: Exactly. And what you
21 notice is that the second and third jokes are virtually
22 identical to the jokes that were previously posted by
23 realcanadianson onto the jokes section of the
24 Freedom-Site forum.

25 The first joke is virtually an exact

1 duplicate of page 26 of HR-2, the second joke from the
2 bottom.

3 And it's my understanding that when
4 Mr. Harrison was served by the Commission with regard
5 to the complaint against him, a copy of the complaint
6 was of course served on him as well.

7 So, this led me to believe that it
8 was in fact Mr. Harrison posting under this pseudonym.

9 THE CHAIRPERSON: But you can't --
10 your search of that website, you couldn't search Craig
11 Harrison and...

12 MR. WARMAN: If I did it didn't turn
13 up but I don't recall actually doing that search on
14 that website.

15 MR. VIGNA: If you look at tab 23,
16 Exhibit 33.

17 MR. WARMAN: Yes.

18 MR. VIGNA: Can you compare the jokes
19 and statements made there with the document before you
20 in Exhibit 37.

21 MR. WARMAN: Yes. Those, the second
22 and third jokes on that page are jokes that I believe
23 were posted by Mr. Harrison to the Freedom-Site forum,
24 and those are virtually identical to the second and
25 third jokes posted to the Yoderanium Production forum.

1 THE CHAIRPERSON: But you agree that
2 anybody else could have picked them up and --

3 MR. WARMAN: It's possible for anyone
4 to have posted those jokes, but given the timing, I
5 believe that it provides circumstantial evidence that
6 it was, in fact, Mr. Harrison, given the fact that he
7 had just been served with the complaint itself and that
8 immediately thereafter the first joke that's posted is
9 one which is from the complaint and the second and
10 third jokes are ones that are identical, not just the
11 ones that he has posted but that are also included in
12 that complaint.

13 So, the fact that you have three
14 jokes posted all at one time that are identical to
15 jokes that you have just been served with that are in a
16 complaint, at least it seemed to me that that would be
17 circumstantial evidence that it was, in fact,
18 Mr. Harrison posting them, combined with the fact that
19 the individual was calling themselves realnorthamerican
20 versus realcanadianson, and that Mr. Harrison's prior
21 use under the other two pseudonyms, the word "real" is
22 fairly common.

23 MR. VIGNA: What about the choice of
24 capital and non-capital letters?

25 MR. WARMAN: Again, what you have

1 here is the use of all lower case letters and -- yeah,
2 sorry, just leave it at that.

3 MR. VIGNA: The website is different
4 than the Freedom-Site. Can you describe the difference
5 between this site and the other website, and to your
6 knowledge just for --

7 MR. WARMAN: Yes. There was an
8 American neo-Nazi website, it was set up by an
9 individual who was one of the leading lights called
10 Chris Yoder, thus Yoderanium. His some time fiancée,
11 we'll see in the next posting, was a Canadian and so
12 essentially it's just another neo-Nazi website with a
13 forum, but in this case located in the United States.

14 MR. VIGNA: And the handwritten
15 comments -- jokes that go to those jokes by Harrison on
16 the Freedom-Site; is that your handwriting?

17 MR. WARMAN: Yes, that's my
18 handwriting as is the CHRC above it. Those would have
19 been two small stickies I stuck on it when I submitted
20 them to the Canadian Human Rights Commission to explain
21 why I was -- sort of a footnote as to why I was
22 submitting the documents.

23 MR. VIGNA: Okay. Anything else in
24 relation to this document?

25 MR. WARMAN: No.

1 THE CHAIRPERSON: What does
2 dishonourable discharge refer to; do you know, or...

3 MR. WARMAN: Yes. Well, my
4 understanding of it is, as we go along you'll see
5 different -- a lot of forums, depending on the number
6 of posts you've made give you different titles, so you
7 could be a super poster or a junior poster, depending
8 if you've got 10 posts or a thousand posts and they
9 will often have different levels depending on however
10 the moderator has decided to divide the different
11 titles that you get with your name.

12 So, in this case it's my belief that
13 the dishonourable discharge just refers to the sort of
14 level that the poster holds within that forum.

15 MR. VIGNA: Okay, tab 28.

16 MR. WARMAN: This is again a posting
17 on the Yoderanium forum. It was printed off by me the
18 on the 25th of March, 2004 and submitted to the
19 Commission.

20 MR. VIGNA: It's a tab with several
21 pages.

22 MR. WARMAN: It's a seven-page
23 document.

24 MR. VIGNA: Can you tell us what's of
25 interest in terms of Mr. Harrison the respondent and

1 this tab?

2 MR. WARMAN: Yes, it's the repeated
3 postings by the same identity as in the previous using
4 the pseudonym realnorthamerican.

5 MR. VIGNA: So, I'd like to file this
6 as the next exhibit.

7 REGISTRY OFFICER: Seven-page
8 document of a thread found on the Yoderanium
9 Productions forum printed off on 25/03/04 will be filed
10 as Commission Exhibit HR-38.

11 EXHIBIT NO. HR-38: Seven-page
12 document of a thread found on
13 the Yoderanium Productions forum
14 printed off on 25/03/04.

15 MR. VIGNA: Firstly, what this
16 document talks about, here it talks about General
17 Dallaire and I guess the situation in Africa -- Rwanda,
18 sorry.

19 MR. WARMAN: Yes, it's talking
20 specifically about the Rwandan genocide and it's from a
21 posting on another website that they have just sort of
22 cut and pasted onto this forum.

23 And it talks specifically about
24 General Roméo Dallaire and his work in relation to
25 testifying before the prosecution related to the

1 Rwandan genocide.

2 MR. VIGNA: Okay. What does
3 realnorthamerican respond?

4 MR. WARMAN: In response to this the
5 first posting is at page 2 of 7, realnorthamerican
6 states:

7 "dont be fooled by what that
8 french scum bag..."

9 meaning General Dallaire,

10 "...has to say!he doesnt deserve
11 to be called a canadian anyway!
12 the french in canada were
13 notorius for refusing to serve
14 and fight for canada in the
15 wars! they were whinney cowards
16 PERIOD NO REBUTTAL NEEDED!no
17 french man is worthy to run
18 canada!look at what trudeau did
19 to canada!now no one knows what
20 a canadian looks like!"

21 For the most part this is all lower
22 case except for the words, "Period No Rebuttal Needed".

23 If you look at the word "whinney"
24 just before "cowards" in the third line, it's the same
25 spelling for what I presume to mean whiney that is used

1 by, I don't know whether that's rump or realcanadianson
2 not that long before in reference to French Canadians.

3 It attacks the traditional targets of
4 rum and realcanadianson being francophones, it
5 describes them as what amounts to draft dodgers and
6 cowards, it refers to the fact that no French man is
7 worthy to run Canada and it attacks the former Prime
8 Minister Trudeau, and I take the, "no one knows what a
9 Canadian looks like", to mean the advent of
10 multiculturalism and the sort of changing faces from
11 the traditional sources of European immigration.

12 MR. VIGNA: The word "whinney" you
13 said it was misspelled the same way somewhere else.
14 Could you help us locate it, perhaps after the break
15 you can look for it.

16 MR. WARMAN: Yes.

17 MR. VIGNA: In the mean time just
18 look at tab 10.

19 MR. WARMAN: I'm sorry, tab 10?

20 MR. VIGNA: Tab 10, the words.

21 THE CHAIRPERSON: And that would be
22 Exhibit...?

23 MR. VIGNA: Exhibit 21.

24 THE CHAIRPERSON: 21.

25 MR. WARMAN: Yes.

1 MR. VIGNA: The words "french scum"
2 and compare it to the tab we just looked at at tab 28.

3 MR. WARMAN: Yes, it refers to
4 General Dallaire as a French scum, more specifically a
5 French scum bag but...

6 MR. VIGNA: Now, continuing with tab
7 37 (sic) in terms of the real relevant portions.

8 MR. WARMAN: The next posting by
9 realamerican is on page 3 of 7, it states:

10 "we could use the french as
11 slaves i guess!and no the
12 english come first in canada
13 because we have done the most
14 good for canada!NOBODY LIKES THE
15 FRENCH OR THE DUTCH!MY OLD MAN
16 CALLED THE DUTCH THE JEWS OF THE
17 NORTH!HOW TRUE."

18 I'm entirely not clear what the idea
19 of attacking the Dutch specifically is, but again he
20 attacks the French and the Dutch, describes the Dutch
21 as the Jews of the north, he says that his father
22 described them that way.

23 This suggests the use of the French
24 as slaves and argues that the English hold a position
25 of superiority in Canada or should because they have

1 done the most good.

2 You have all lower case letters until
3 you get to "Nobody Likes the French", in the end of
4 that sentence and which is all caps.

5 MR. VIGNA: Can you cross-reference
6 quickly with tab 25, Exhibit 35 in terms of the Dutch?

7 MR. WARMAN: Yes. HR-35 states:

8 "georgetown has just declared
9 itself all white and the others
10 must go.its my town so fuck off
11 d.p scum and the french and
12 dutch sell outs."

13 MR. VIGNA: Okay, continue on tab 37,
14 the one right after that.

15 MR. WARMAN: Yes. At the bottom of
16 the page there is a posting from the 30th of January,
17 2004 states:

18 "i guess your ancestors havent
19 been in canada long or you dont
20 know canadian history very
21 well!when the french came to
22 north america they brought no
23 women with them!so guess
24 what!the squaws must have looked
25 pretty good because canada has 7

1 french people who in fact are
2 really half indian and not
3 really french at all!dont
4 believe me than you know nothing
5 of canadian history! french
6 women are easier and more
7 dirtier in bed because their
8 indian ancestors had loose
9 morals!lokk it up what you have
10 heard about is a little canadian
11 history the french seem to want
12 to hide!"

13 MR. VIGNA: In terms of commonality
14 of theme of this website where the individual
15 realnorthamerican makes the statements you just
16 mentioned and you compare them to realcanadianson on
17 Freedom-Site and rump, what can you tell us?

18 MR. WARMAN: Again, here we have
19 virtually all lower case letters, there's an obsessive
20 hatred of francophones and the Aboriginal community.

21 Here he particularizes it even more
22 in attacking francophone women. And, again, it's the
23 same tone, it's the same language, it's the same
24 message over and over again.

25 MR. VIGNA: Now, this website

1 Yoderanium --

2 MR. WARMAN: Yes.

3 MR. VIGNA: -- I'm not sure I
4 understood you correctly, and correct me if that's not
5 the case, did you say this was an American website?

6 MR. WARMAN: It's a U.S.-based
7 website.

8 MR. VIGNA: So, therefore,
9 realnorthamerican, when he talks about the comments he
10 makes they deal primarily with Canada.

11 MR. WARMAN: Yes. They do have a
12 Canadian section. I'm not sure if it was at this time,
13 but just judging from the fact that at the top you can
14 see that the thread is called Dallaire, I would presume
15 that this was contained --

16 MR. VIGNA: So, they had a Canadian
17 component?

18 MR. WARMAN: Yes, although it's
19 possible that this wasn't directly from the Canadian
20 forum but, in any event, when you are posting things
21 about General Roméo Dallaire I think it's safe to
22 presume that that would probably be of interest to
23 Canadians, otherwise a lot of people wouldn't know who
24 he was.

25 MR. VIGNA: And on the following

1 page, 4 of 7, there's a Demigorgona, and says:

2 "quote originally posted by
3 realnorthamerican."

4 What is that, it's in italics?

5 MR. WARMAN: Demigorgona is an
6 individual that I identified as a woman named Liz
7 Ledman. She was at one point engaged to the operator
8 of this website and what happens is when you click
9 you'll note the sort of bottom right-hand corner of
10 each of these posts there's a little button marked
11 reply in a dark box.

12 MR. VIGNA: Mm-hmm.

13 MR. WARMAN: So, when you click on
14 reply what usually happens, unless you erase it, is
15 that you'll quote the previous message or you'll be
16 given the option to either quote the previous message
17 or not quote the previous message in your reply.

18 So, this box all this is is, they've
19 hit reply and quoted the previous message.

20 So, you'll note that it's the same as
21 the one that -- it's the exact same as the previous
22 post from realnorthamerican, and then it's just -- it's
23 interspersed with first Demigorgona's comments --
24 Demigorgona being D-e-m-i-g-o-r-g-o-n-a -- and then she
25 puts another box in which is a quote from what appears

1 to be some sort of reference text.

2 And then on page 5 of 7 --

3 THE CHAIRPERSON: She doesn't seem to
4 agree with realnorthamerican.

5 MR. WARMAN: No. Again, there's -- a
6 lot of people within the sort of neo-Nazi community
7 would look down on efforts by individuals to subdivides
8 what they consider to be aryan, the aryan population.

9 There is a common expression that my
10 race is my nation and my skin colour is my uniform, so
11 it's just the idea of sub-dividing the aryan race is
12 not very popular amongst most of that community, and
13 then they get into huge debates about Oslo also has
14 aryans and Italian and Greek and Portuguese aryans.

15 So, I mean, it's not uncommon for
16 there to be infighting, sort of internecine warfare
17 within the community itself.

18 So, at page 5 --

19 MR. VIGNA: Go ahead, that's what I
20 was going to ask you.

21 MR. WARMAN: At page 5 of 7,
22 realnorthamerican responds:

23 "no my facts are straight!yours
24 are made up!grey owl told me!"

25 And then he posts shortly thereafter:

1 "it was a french man named
2 pierre trudeau who created
3 multiculturalism and forever
4 changed the face of canada!so
5 tell me how the english let in
6 all the immigrants!care to
7 refute my facts?"

8 The next page:

9 "there is nothing canadian about
10 the people who came to canada
11 after the war and there
12 offspring born here!that is a
13 myth about italians building
14 toronto!toronto and alot of its
15 buildings were here before those
16 grease balls showed up!the wops
17 were nazi s too remember!"

18 Realnorthamerican continues shortly
19 thereafter:

20 "like my name says buddy i am a
21 real canadian-my grand fathers
22 fought for this country in the
23 wars and those people are more
24 canadian than any other
25 period!indians or metis have no

1 culture period-no written
2 language,no religion,no wheel,no
3 common currency.doesnt seem to
4 be culture to me but lack of a
5 culture instead!so why you guys
6 are whining about..."

7 I assume that should be while you
8 guys are whining about,
9 "...your jew masters i actually
10 get things done."

11 And the commonality between all of
12 those is the predominant use of lower case letters and
13 the irrational and obsessive hatred of the Italian
14 community, the Aboriginal community, the francophone
15 community, the Jewish community, the Aboriginal
16 community, Pierre Trudeau, the consistent allegation
17 that Pierre Trudeau introduced multiculturalism and
18 thus changed the traditional racial make-up of what
19 Canada had become, that Trudeau let in all of these
20 immigrants.

21 And, again, the consistent reference
22 to his forefathers and grandfathers being the ones who
23 really built this country and having fought in the wars
24 and therefore they are the real Canadians and not all
25 of these subsequent post-World War II immigrants as

1 that individual sees it.

2 MR. VIGNA: Page 7, just the detail,
3 the word "whining", do you see it? Is that a choice of
4 word that has already been used in previous postings?

5 MR. WARMAN: Yes, it is, although
6 this one is spelled with one "n" as opposed to two.

7 THE CHAIRPERSON: Mr. Vigna, maybe
8 this would be a proper time to take a break and you
9 have the witness from Bell Canada here and we are
10 moving along in the afternoon, so I don't know how much
11 longer you still have with Mr. Warman, but maybe you
12 would want to consider just setting aside for a while
13 the testimony of Mr. Warman to bring your witness from
14 Bell.

15 MR. VIGNA: I was thinking of that.

16 THE CHAIRPERSON: And we could
17 continue with Mr. Warman tomorrow morning.

18 MR. VIGNA: Yeah.

19 MR. WARMAN: If I may, I believe that
20 the evidence of the representative from Bell Canada
21 will in fact be fairly short, so it may in fact be best
22 to try and finish him today.

23 THE CHAIRPERSON: I think we should
24 do that. You wanted time to talk with him and we could
25 get him as a witness instead of keeping him here

1 tonight.

2 MR. VIGNA: Yeah, yeah.

3 THE CHAIRPERSON: Get that over with
4 and continue with Mr. Warman tomorrow morning, if need
5 be.

6 MR. WARMAN: Yes, I believe tomorrow
7 morning we'll be quite short, there's only sort of half
8 a dozen exhibits left.

9 THE CHAIRPERSON: You could also then
10 conclude your discussions for the Lemire evidence as
11 well and we could have that done tomorrow and maybe get
12 on with the arguments on the case.

13 So, we will take a 15-minute break.
14 Will that be sufficient for you to talk --

15 MR. WARMAN: Perhaps we could take 20
16 minutes.

17 THE CHAIRPERSON: Let's take half an
18 hour, come back at 3:15.

19 Okay.

20 MR. WARMAN: Perfect. Thank you.

21 --- Upon recessing at 2:55 p.m.

22 --- Upon resuming at 3:25 p.m.

23 REGISTRY OFFICER: Order, please. Be
24 seated.

25 THE CHAIRPERSON: Just before we go

1 on, Mr. Warman, the question that I put to you before
2 we left I guess you will answer that tomorrow when we
3 resume your --

4 MR. WARMAN: If I may, yes, please.

5 THE CHAIRPERSON: Yes, no problem.

6 Okay. You are calling --

7 MR. WARMAN: Yes, Mr. Chair, we are
8 proposing to call Daniel Dubé.

9 THE CHAIRPERSON: Daniel Dubé.

10 MR. WARMAN: From Bell Sympatico as
11 the next witness, please.

12 And just for the purposes of the
13 record here, he will be a joint witness, Mr. Vigna may
14 have some questions for him.

15 THE CHAIRPERSON: Sure, no problem.

16 SWORN: DANIEL DUBÉ

17 REGISTRY OFFICER: Please state and
18 spell your full name for the record.

19 MR. DUBÉ: Daniel Dubé, D-a-n-i-e-l,
20 D-u-b-é.

21 REGISTRY OFFICER: Please be seated.

22 EXAMINATION BY MR. WARMAN:

23 MR. WARMAN: Mr. Dubé, good
24 afternoon.

25 MR. DUBÉ: Hello.

1 MR. WARMAN: First off I'd just like
2 to thank you for taking the time to come and serve as a
3 witness in this proceeding.

4 The Canadian Human Rights Commission
5 has forwarded a document to Bell Sympatico. I'd like
6 to present you with a copy of that letter, see if you
7 can identify it for me, please, for the purposes of
8 entering it as an exhibit in these proceedings.

9 MR. DUBÉ: Yes, I do.

10 MR. WARMAN: Mr. Dubé, are you aware
11 of this document and, if so, can you describe it for
12 the Tribunal, please?

13 MR. DUBÉ: Yes. It's basically -- it
14 was sent to us basically asking questions regarding --
15 different questions regarding susen@sympatico.ca email
16 address. So, yes, I do remember seeing this sheet.

17 MR. WARMAN: Mr. Dubé, can you
18 identify who it is that sent this letter and what the
19 date on the letter is, please?

20 MR. DUBÉ: Okay. Well, the letter
21 itself is Ikram Warsame and the date is May 10th.

22 MR. WARMAN: Thank you. And, Ms
23 Warsame, is it correct to say that she's identified as
24 legal counsel for the Canadian Human Rights Commission
25 on that letter?

1 MR. DUBÉ: Yes, it does.

2 MR. WARMAN: Thank you. I would like
3 to tender that as an exhibit, if I could, please.

4 REGISTRY OFFICER: Letter addressed
5 to Holly Lemoine dated May 10, 2006 signed by Ikram
6 Warsame, legal counsel for the Canadian Human Rights
7 Commission, will be filed as Complainant Exhibit C-1.

8 EXHIBIT NO. C-1: Letter
9 addressed to Holly Lemoine dated
10 May 10, 2006 signed by Ikram
11 Warsame, legal counsel for the
12 Canadian Human Rights
13 Commission.

14 MR. WARMAN: Mr. Dubé, if you would
15 please, can you just give me a very brief background of
16 the nature of your employment with Bell Sympatico; what
17 it is you do for them and how it is you came to be here
18 today, please?

19 MR. DUBÉ: Okay. I've been working
20 at Bell Sympatico for eight years. I'm an Internet
21 abuse analyst. Basically what that --

22 THE CHAIRPERSON: Internet abuse...?

23 MR. DUBÉ: Abuse analyst. Basically
24 it's the first point of contact for the security of the
25 Bell Sympatico network or the Internet.

1 So, any security issues that members
2 and non-member has can email at abuse@sympatico.ca.

3 Basically it's every day I'm
4 receiving complaints regarding spam, viruses, hacking,
5 on-line banking, fishing websites and basically I
6 receive requests from Bell Corporate Security, as I
7 received for this case.

8 MR. WARMAN: So, you have been sent
9 here by Bell Sympatico in order to testify in regard to
10 the material that is before the Tribunal; is that
11 correct?

12 MR. DUBÉ: Yes, I do.

13 MR. WARMAN: Thank you very much.

14 Can you just describe very briefly
15 your background in computer science, how it is you came
16 to be employed, perhaps your education or your work
17 background a little bit, just to give the Tribunal a
18 sense of your knowledge in this area?

19 MR. DUBÉ: Okay. Well, first I did,
20 at college I did a police foundation course, then I
21 went to University of Ottawa in criminology, so I did
22 my Bachelor in criminology, combined with computer
23 courses and I'm presently doing a network course, it's
24 CCNA given by CISCO, so it's a networking course.

25 MR. WARMAN: And can you identify

1 what CISCO is, please, just for the Tribunal?

2 MR. DUBÉ: It's just a -- basically
3 just a company that basically is -- CISCO is
4 everywhere, routers and switches that Bell uses on
5 their backbone of the Internet.

6 MR. WARMAN: Thank you. What I'd
7 like to do is I'd like to show you next a second
8 document that was submitted that we're proposing to
9 enter as an exhibit, so perhaps you could just look at
10 it when Mr. Vigna gives you a copy of it and tell me if
11 you know what that document is and what the nature of
12 this -- what the document is and where it comes from,
13 please?

14 MR. DUBÉ: Mm-hmm, yeah. I do
15 recognize this document. Basically it's a document
16 that we receive from Corporate Security.

17 This one was received on June 8 from
18 Lynn Sargotiere (ph). Lynn Sargotiere (ph) works at
19 Bell Corporate Security. So, I received this in our
20 security email address at Sympatico and I was the one
21 that took the case, so I did work on this case.

22 THE CHAIRPERSON: Where do you see
23 that that you received that from Lynn Sargotiere (ph)?

24 MR. DUBÉ: Okay. You won't see it on
25 that. Basically I do have her email --

1 THE CHAIRPERSON: Okay.

2 MR. DUBÉ: -- that she sent.

3 MR. WARMAN: Is it fair to say, have
4 you reviewed this document?

5 MR. DUBÉ: Yes, I did.

6 MR. WARMAN: Thank you. And you're
7 able to interpret the contents of it for the purposes
8 of this Tribunal hearing; is that fair to say?

9 MR. DUBÉ: Yes.

10 MR. WARMAN: Thank you.

11 I'd like to tender that as an
12 exhibit, please.

13 REGISTRY OFFICER: Would you like to
14 describe the document.

15 MR. WARMAN: It's a Bell Canada
16 Corporate Security 30 -- it appears to be a 32-page
17 document faxed June 12th, 2006.

18 REGISTRY OFFICER: The document as
19 described will be filed as Complainant Exhibit C-2.

20 EXHIBIT NO. C-2: 32-page Bell
21 Canada Corporate Security
22 document faxed June 12, 2006.

23 MR. WARMAN: Mr. Dubé, what I would
24 like to do, if I may, is just take you through -- if I
25 can refer you to the exhibit that was just tendered as

1 C-1, that is the letter from the Canadian Human Rights
2 Commission, that is the page that's just underneath the
3 Bell Canada information.

4 So, you will note that there are a
5 series of eight or nine, give or take, dates and times
6 there; is that correct?

7 MR. DUBÉ: Yes.

8 MR. WARMAN: What I'd like to do is
9 take you to the individual postings that have already
10 been entered as evidence that were posted at those
11 times and then take you to specific sections of this
12 report from Bell Canada Security and I'd like to ask
13 you some questions with regard to the individual
14 postings and how they relate to your report.

15 So, the first that I would like to
16 take you to, and is this in your black binder there,
17 it's at tab 3, if I may, please, and that's HR-4 for
18 the Tribunal.

19 Excuse me, it's at D as in dog.

20 THE CHAIRPERSON: It is HR-4 though?

21 Mr. Warman?

22 MR. WARMAN: Yes.

23 THE CHAIRPERSON: Yes.

24 MR. WARMAN: Excuse me, 3D.

25 MR. DUBÉ: 3D?

1 MR. WARMAN: Yes. Sorry, grab the D
2 tab there. Yes.

3 Mr. Dubé, on this posting do you see
4 the line date there listed approximately four lines
5 down from the top in bold?

6 MR. DUBÉ: Yes, I do.

7 MR. WARMAN: Can you indicate to me
8 what the date is on that, please?

9 MR. DUBÉ: Monday, May 13, 2002 at
10 11:33 p.m.

11 MR. WARMAN: Thank you. If I could
12 reference you to the first page of the Bell Canada
13 Corporate Security report, and it should be in your
14 pink tabs, No. 4, please.

15 Can you tell me if there is a
16 relationship between the time that's posted on the
17 individual posting that you have just identified and
18 the information contained in the Corporate Security
19 document submitted by Bell Canada, please?

20 MR. DUBÉ: Yes, I can. If you look
21 in the request it's 2002, May 13, 23h33 Ontario time
22 same thing.

23 MR. WARMAN: For the Tribunal, can
24 you just identify where you see that on the document,
25 please?

1 MR. DUBÉ: It would be on the request
2 itself where that says "timestamp information".

3 MR. WARMAN: Mr. Chair, have you got
4 that?

5 THE CHAIRPERSON: Yes. It is
6 "Timestamp (GMT) confirmation", is that it, 2002?

7 MR. WARMAN: Okay. Thank you.

8 Mr. Dubé, can you explain to me what
9 the connection is between the date on the posting and
10 this information contained in this security report,
11 please?

12 MR. DUBÉ: The connection basically
13 is the same date.

14 MR. WARMAN: Yes. What does that
15 indicate on the security report with regard to the
16 Sympatico account information that's identified and the
17 user?

18 MR. DUBÉ: Okay. If you look under
19 Sympatico account information you can see the user ID.
20 That's a unique ID that's given to a Sympatico member
21 when they register.

22 So, if you -- the "Dlceix97", is
23 linked to Susen Holmes' name, and basically what it
24 says is that connector was connected during that
25 specific time that is written 2002 May 13 at 23h33

1 Ontario time.

2 MR. WARMAN: Thank you. Mr. Dubé,
3 I'm just going to show you a document that's already
4 been entered as an exhibit, it's essentially the
5 print-outs from the Superior Court of Justice criminal
6 proceeding in terms of the conviction and the probation
7 notice, et cetera, it's the long photocopied --

8 THE CHAIRPERSON: Yes, I have got
9 that.

10 MR. WARMAN: -- documents. Sorry,
11 there it is, in this binder, the black binder.

12 MR. DUBÉ: Black binder.

13 MR. WARMAN: At the front there,
14 those documents. On the first page there,
15 approximately two inches down on the left-hand side, do
16 you see a name there?

17 MR. DUBÉ: Yes, I do.

18 MR. WARMAN: Can you tell me what
19 that name is, please?

20 MR. DUBÉ: Craig Harrison.

21 MR. WARMAN: Thank you. Can you tell
22 me what the address is that's immediately to its right?

23 MR. DUBÉ: 50 Ewing Street, Town of
24 Halton Hills.

25 MR. WARMAN: Thank you. And can you

1 tell me what the date is underneath that, please?

2 MR. DUBÉ: 27 May, 1996.

3 MR. WARMAN: Thank you. Mr. Dubé, is
4 that the same address that is indicated on the first
5 page of the Corporate Security report that you have
6 just read out from?

7 MR. DUBÉ: Yes, it is.

8 MR. WARMAN: Thank you. I'd like to
9 take you to the next example, it's HR-34 which is at
10 tab 24 of the binder, please.

11 MR. DUBÉ: HR...?

12 THE CHAIRPERSON: HR-24.

13 MR. WARMAN: 34. Excuse me 34, which
14 is at tab 24 of the binder and it's at the pink 34 of
15 your tabs.

16 So, looking at the document in the
17 black binder first, Mr. Dubé, do you see the second
18 posting that's contained on that sheet?

19 MR. DUBÉ: Yes, I do.

20 MR. WARMAN: Can you tell me what the
21 date is of that posting, the date and time, please?

22 MR. DUBÉ: Tuesday, May 14, 2002 at
23 12:47 a.m.

24 MR. WARMAN: Thank you. Mr. Dubé,
25 can you refer to the third page of your Corporate

1 Security report and tell me what the relationship is
2 between that time of posting and the information that
3 is contained in the Corporate Security report, please?

4 MR. DUBÉ: The relationship is
5 basically again the same time, 2002 May 14 at 12:47.

6 MR. WARMAN: And sorry, what do you
7 mean? Can you just describe for the Tribunal, when you
8 say it's the same, what do you mean by that?

9 MR. DUBÉ: This member was connected
10 at the date that the email was sent.

11 MR. WARMAN: Now, when you say email,
12 the document on here would appear to be a posting.

13 MR. DUBÉ: Okay.

14 MR. WARMAN: Is that correct?

15 MR. DUBÉ: Yes, it is.

16 MR. WARMAN: Okay. So, just to be
17 clear --

18 MR. DUBÉ: Mm-hmm.

19 MR. WARMAN: -- that's a fair
20 description of what that actually is?

21 MR. DUBÉ: Yeah.

22 MR. WARMAN: Okay, thank you. I'd
23 like to take you to the next example which is HR-26
24 which is located at tab 15 in the black book, please,
25 and would be located at the No. 26 in your pink tabs.

1 Mr. Dubé, again, the second posting
2 on this page, can you tell me what the date and time of
3 that posting is, please?

4 MR. DUBÉ: Tuesday, May 14, 2002 at
5 4:27 p.m.

6 MR. WARMAN: And if I refer you to
7 the document that is marked page 7 at the top-right
8 corner of the fax from the Bell Corporate Security
9 report, can you tell me what connection, if any, there
10 is between that time of that posting and the times that
11 are indicated on the Corporate Security report on that
12 page, please?

13 MR. DUBÉ: Okay. On the security
14 request was asked who -- if there was a connection
15 between 2002 May 14 between 13 -- one o'clock and five
16 o'clock, and if you look at the posting, this member
17 was connected during that time frame.

18 MR. WARMAN: And when you say one
19 o'clock to five o'clock, just to be specific, can you
20 say whether that's a.m. or p.m., please?

21 MR. DUBÉ: It's p.m.

22 MR. WARMAN: Thank you. I'd like to
23 take you to the -- just skip over the 21st of May
24 example and take you to the 13th of November, which is
25 HR-11 and it's located at tab 3L in your binder,

1 please.

2 It will be, sorry, 3L.

3 MR. DUBÉ: Yeah.

4 MR. WARMAN: Yes, so just go to the
5 start and it should be in the pink tab 11.

6 Excuse me, it's tab 3K, it's the one
7 just before that, I apologize.

8 So, Mr. Dubé, if I ask you to turn to
9 page 3 of 16, please.

10 THE CHAIRPERSON: Of what document?

11 MR. WARMAN: Of HR-11. This is the
12 on-line petition.

13 MR. VIGNA: HR-14.

14 THE CHAIRPERSON: No.

15 MR. WARMAN: HR-14, I'm sorry.

16 THE CHAIRPERSON: So, where at HR-14?

17 MR. WARMAN: Yes, I'm sorry, for some
18 reason it jumped.

19 THE CHAIRPERSON: And you want to go
20 to which page?

21 MR. WARMAN: We'll take this one
22 since we're here and then I'll go back to the other
23 one.

24 THE CHAIRPERSON: Sorry, I don't want
25 to get mixed up here.

1 MR. WARMAN: Okay, then perhaps it is
2 best.

3 THE CHAIRPERSON: Let's follow them
4 in order.

5 MR. WARMAN: Yes.

6 THE CHAIRPERSON: Because this one
7 goes to the one of July 10th, the last one.

8 MR. WARMAN: Yes. Okay, so perhaps
9 we can then turn to HR-11.

10 THE CHAIRPERSON: You can go as you
11 want to go, I have got no problem.

12 We are back at HR-11 which is the one
13 of Wednesday, November 13th.

14 MR. WARMAN: I'm sorry. Excuse me,
15 Mr. Chair, it will just be one second. There just
16 appears to be some mix-up between --

17 Excuse me, it's been clarified.

18 So, and I apologize, I am going to be
19 even more specific in terms of where we are going. So,
20 if you turn to 3H in this binder, please, and that's
21 Exhibit HR-12.

22 THE CHAIRPERSON: Well, which one are
23 we doing? Should be HR-11.

24 MR. WARMAN: No, it is 3H at -- it's
25 HR-12 and it's contained at 3H in the black binder.

1 THE CHAIRPERSON: The one for
2 Wednesday, November 13th, 2003?

3 MR. WARMAN: No, I'm sorry because --
4 and I apologize this is subject to the confusion --
5 what I'm doing is showing that there is a second post
6 there at 22h51. If you look at that line on the 14th
7 of May, 2002 after the -- between 13h00 and 17h00, it
8 states:

9 "and also at 22h51" on the
10 letter from the Canadian Human
11 Rights Commission.

12 THE CHAIRPERSON: So, we are back at
13 that one, okay.

14 MR. WARMAN: Yes, I apologize.

15 THE CHAIRPERSON: Okay.

16 MR. WARMAN: So, Mr. Dubé, if I can
17 ask you to turn to page 3 of this document please. At
18 the bottom of that page, can you tell me the date and
19 time of that posting please?

20 MR. DUBÉ: Tuesday, May 14th, 2002 at
21 10:51 p.m.

22 MR. WARMAN: And can you turn to your
23 pink tab 12, please and can you tell me what, if any,
24 correlation there is between the time of that posting
25 you just identified and the time identified on that

1 security report?

2 MR. DUBÉ: Yes.

3 MR. WARMAN: I'm sorry, this is at
4 page 11 of the faxed document.

5 THE CHAIRPERSON: Page 11, because I
6 don't have any tabs. Okay.

7 MR. DUBÉ: There is again a
8 relationship and the timestamp confirmation for the
9 request was 2002 May 14 at 22h51, so we can confirm
10 that the member was connected at that time.

11 MR. WARMAN: Thank you.

12 Now, I'd like to take you to 3L in
13 your binder there which is HR-11.

14 And, Mr. Chair, this is page 15 of
15 the Corporate Security document. I will be asking
16 Mr. Dubé to refer to in a moment.

17 THE CHAIRPERSON: Thank you.

18 MR. WARMAN: Mr. Dubé, can you
19 indicate the time -- the date and time of the posting
20 at HR-11, please, entitled: "LIFE OF AN INJUN".

21 MR. DUBÉ: It was Wednesday, November
22 13, 2002 at 4:43 p.m.

23 MR. WARMAN: Mr. Chair, I note with
24 some concern that there appears to be a typographical
25 error, the date contained on the posting is 2002

1 whereas the date contained on the security document
2 indicates 2003, so I will ask simply to ignore this
3 part of the security document, I won't enter it.

4 THE CHAIRPERSON: Well, can we ask
5 the witness if there is a --

6 MR. WARMAN: Certainly. Mr. Dubé, do
7 you see the date, the year of the date as contained on
8 the posting there?

9 MR. DUBÉ: Yes, I do.

10 MR. WARMAN: Mr. Dubé, when you turn
11 to page 15 of the Corporate Security document, can you
12 tell me what year that's for?

13 Of your Corporate Security document,
14 it's at pink tab 11. Can you tell me the date that is
15 specific part of that report is for?

16 MR. DUBÉ: Okay. On the Bell
17 Corporate Security sheet it says 2003 November 13 at
18 16h43.

19 MR. WARMAN: So, Mr. Dubé, those are
20 obviously two different years; is that fair to say?

21 MR. DUBÉ: Yes.

22 MR. WARMAN: Thank you.

23 THE CHAIRPERSON: Would that be a
24 mistake or would that -- how do you explain that, that
25 it's probably not the same message or...

1 MR. WARMAN: Mr. Chair, if I may be
2 of assistance. I believe the actual request from the
3 Commission specified 2003.

4 THE CHAIRPERSON: I understand that,
5 but it certainly causes a problem with the whole of the
6 document because the request is there, but I am trying
7 to figure out how they do their checking of those --

8 MR. DUBÉ: I did not receive this,
9 this email posting or the posting itself, I based
10 myself on what I receive here.

11 THE CHAIRPERSON: How can you base
12 yourself on what you receive there, if what you receive
13 is wrong?

14 MR. DUBÉ: I do not know this is
15 wrong. I do not receive -- I do not receive the
16 header.

17 THE CHAIRPERSON: I understand that,
18 but I am just saying, you have been confirming that
19 they were connected on that date at that time, but here
20 we have one which is 2003 and it should be 2002 and you
21 confirmed they were connected in 2003 and we don't have
22 anything that says they were connected in 2003.

23 MR. DUBÉ: Yeah, 2003 they were
24 connected.

25 THE CHAIRPERSON: At the same time as

1 in 2002?

2 MR. DUBÉ: I cannot confirm that they
3 were connected at the same time in 2002 because I did
4 not -- like in the request that I received from Bell
5 Corporate Security --

6 THE CHAIRPERSON: Okay.

7 MR. DUBÉ: -- there's nowhere mention
8 2002.

9 MR. WARMAN: Mr. Chair, if I may,
10 it's entirely possible for someone to be connected
11 obviously at one time --

12 THE CHAIRPERSON: I understand that,
13 fair, but I don't know where we are going at this point
14 if that is the case because I know they were connected,
15 I have seen the message here, they were connected.

16 We have here rump, we know rump was
17 connected on November 13th, 2002 at 4:43, we know that
18 Susen Holmes might have been connected at the same
19 time, same hour one year later, but it doesn't --

20 MR. WARMAN: Yes, exactly, which is
21 why I was going to ask to simply skip this example in
22 terms of the Corporate Security report.

23 THE CHAIRPERSON: Okay, let's skip
24 it, okay.

25 MR. WARMAN: If I could take you to

1 tab 11 in the black book which is HR-22, please, which
2 will be the pink tab 22.

3 This is at page 21 of the Corporate
4 Security report. Mr. Dubé, looking at tab 11, can you
5 tell me what the date and time of that posting was,
6 please?

7 MR. DUBÉ: Sunday, January 19, 2003
8 at 9:56 p.m.

9 THE CHAIRPERSON: Again it doesn't
10 jive. They were connected at 9:42.

11 MR. WARMAN: Mr. Dubé, can I ask you
12 to turn to HR-23 which is at tab 12, please.

13 Can you tell me the date and time of
14 that posting, please?

15 MR. DUBÉ: It would be 2002, May 14
16 at 22h51.

17 MR. WARMAN: No, I'm sorry, it's tab
18 12 of the black book. I apologize.

19 The date and time of that posting?

20 MR. DUBÉ: Sunday, January 19, 2003
21 at 9:42 p.m.

22 MR. WARMAN: Thank you. And can you
23 turn to the pink tab 22 in your binder, please.

24 THE CHAIRPERSON: Which is page 21.

25 MR. WARMAN: Yes. Mr. Dubé, can you

1 tell me what, if any, connection exists between those
2 two times?

3 MR. DUBÉ: Yes. The user ID was
4 connected at 2003 January 19 at 21h42.

5 MR. WARMAN: Thank you.

6 THE CHAIRPERSON: Sorry, it was HR-23
7 then and not HR-22?

8 MR. WARMAN: Yes. Mr. Dubé, can I
9 ask you to turn to HR-14 which is tab 3K in your black
10 book, please, and which is page 23 of the corporate
11 report.

12 So, in a moment I will ask you to
13 turn to the pink tab 14.

14 THE CHAIRPERSON: Which is page what?

15 MR. WARMAN: Page 23 at the top right
16 corner of the fax.

17 Mr. Dubé, if you can turn to page 3
18 of this petition, please. The fourth posting down, can
19 you tell me what the date and time of that posting is,
20 please, right beside where it says Georgetown, Ont
21 Canada, please.

22 MR. DUBÉ: It's Thursday, July 10,
23 2003 at 23:17:08 (EDT).

24 MR. WARMAN: Thank you. Mr. Dubé,
25 can I ask you to turn to your pink tab 14, page 23 and

1 can you tell me what, if any, correlation there is
2 between the time that's identified in the posting that
3 you have just read and the times indicated on your
4 Corporate Security report?

5 MR. DUBÉ: Yes, the account was
6 connected during that posting 2003 July 10 at 23h17
7 (EDT).

8 MR. WARMAN: Thank you. Mr. Dubé, I
9 just have a general question for you. The times that
10 are identified in the Corporate Security report, there
11 is a specific -- usually a very specific time
12 indicated, except for the one example that asked for
13 between the hours of 13:00 and 17:00 on Tuesday the
14 14th of May, 2002.

15 So, is it a fair example to say that
16 the times there, when there is a specific time
17 indicated, it's possible that that member was logged in
18 either before or after or both, in addition to that
19 specific minute that's indicated?

20 MR. DUBÉ: Yes, it is possible.

21 MR. WARMAN: Thank you.

22 Mr. Chair, if I could just have a
23 moment to discuss with my colleague.

24 THE CHAIRPERSON: Sure.

25 MR. WARMAN: Mr. Chair, I will turn

1 the floor over to my colleague, Mr. Vigna.

2 THE CHAIRPERSON: Sure.

3 MR. WARMAN: Mr. Dubé, Mr. Vigna will
4 just ask you a question or two.

5 EXAMINATION BY MR. VIGNA:

6 MR. VIGNA: Always in the same
7 document C-2 that you have before you, the second part
8 of the document which deals with the ticket history.

9 First of all, can you tell us what a
10 ticket history is? Can you explain what a ticket
11 history is for Bell Sympatico?

12 MR. DUBÉ: Okay. Every time a member
13 calls in our help desk we have a database, to access
14 that database it's a software called Remedy, so each
15 time a member calls in, the agent will punch in the
16 unique number of the account owner and each time the
17 member calls in they're going to click on create a new
18 ticket, so the agent will write everything that the
19 member asks, what is the inquiry of the member.

20 THE CHAIRPERSON: When you are
21 talking about the ticket, you said --

22 MR. VIGNA: One page, the same
23 document, is that the ticket history? See what I am
24 showing you, Mr. Dubé?

25 MR. DUBÉ: Yes, I do.

1 MR. VIGNA: Okay. And this document
2 represents the ticket history you just described;
3 right?

4 MR. DUBÉ: Yes.

5 MR. VIGNA: So, if I understand it in
6 lay terms, customer service, when they get a phone call
7 about something from a customer, they basically type it
8 in in the computer and that becomes a ticket history?

9 MR. DUBÉ: Yes, it does.

10 MR. VIGNA: Okay. In C-1, the letter
11 that you got the request for that's before you, right
12 in front of you, do you see it?

13 MR. DUBÉ: Mm-hmm. Yes, I do.

14 MR. VIGNA: There was a request for a
15 ticket history from 2002 to present. Do you see that?

16 MR. DUBÉ: Yes.

17 MR. VIGNA: Can you explain if it's
18 possible to go as far back as 2002 in Bell Sympatico;
19 if not, why not?

20 MR. DUBÉ: Okay. As of now, I did
21 ask my manager when I was doing this investigation how
22 far we can go and the far I could go was what's written
23 in the ticket history was 2005.

24 So, it was Wednesday -- I'm not sure,
25 here.

1 MR. VIGNA: April 20th?

2 MR. DUBÉ: Yeah, April 20th.

3 MR. VIGNA: And can you explain why
4 this is in terms of some recent operational --

5 MR. DUBÉ: Yeah. For some reason the
6 upper management of Bell Canada decided to put a
7 maximum of two years. This is basically new and I was
8 just informed myself when I did the investigation.

9 MR. VIGNA: So, for the ticket
10 history that we do have, if you look at page 31 of that
11 document before you, the long pages, I will just refer
12 you to the one that says -- there is a bar in the
13 middle of the page, you see that?

14 MR. DUBÉ: Yes, I do.

15 MR. VIGNA: Can you just read us
16 generally the gist of what's being said or what the
17 member was calling about in relation to that portion of
18 page 31 of C-2, which is the ticket history in the
19 bottom part of the document.

20 MR. DUBÉ: It's a little bit hard to
21 read because of the print, but under the bar?

22 MR. VIGNA: Yeah.

23 MR. DUBÉ: Okay.

24 MR. VIGNA: Read it to us out loud
25 and explain it.

1 MR. DUBÉ: Yeah, I'm just trying to
2 read it because of the print.

3 "Member...manually written
4 letter to ask sympatico not to
5 divulge her personal information
6 to the Human Rights Commission.
7 (they ...sent sympatico a
8 request to do so after a
9 complaint received from someone
10 about "hate messages" via email.
11 Member's second letter is pretty
12 much the same as the first.
13 Member...making threat that she
14 will take legal procedures (sic)
15 against bell sympatico if we
16 give out her information."

17 MR. VIGNA: Proceedings, is that what
18 you read?

19 MR. DUBÉ: Yes, it is proceedings,
20 sorry.

21 MR. VIGNA: And after: "will
22 need..."?

23 MR. DUBÉ:
24 "will need to explain that
25 unless our legal department

1 receives a COURT order, her
2 information would not be
3 divulged to anyone. (what
4 member sent us...a copy or (sic)
5 a document that was sent from
6 the Human Rights Commission to
7 our legal department, NOT a
8 court order)."

9 MR. VIGNA: Are we to understand from
10 that that there was a request from the member to you,
11 Bell Sympatico, not to disclose anything to the
12 Canadian Human Rights Commission?

13 MR. DUBÉ: Yes.

14 MR. VIGNA: Okay. And that would be
15 in relation to the ticket history?

16 MR. DUBÉ: If I can understand, yes.

17 MR. VIGNA: You mentioned the date of
18 that request?

19 MR. DUBÉ: In the Remedy ticket in
20 our database, I would say March 30, 2006.

21 THE CHAIRPERSON: I would say it is
22 March 20th.

23 MR. DUBÉ: Yeah, that would be when
24 the agent --

25 THE CHAIRPERSON: Received it.

1 MR. DUBÉ: -- received and enter the
2 data in our Remedy database.

3 MR. VIGNA: Just as a general
4 question, Bell Sympatico, in contrast to Bell Canada,
5 it's my understanding that you deal basically with
6 Internet, you're an Internet provider?

7 MR. DUBÉ: Yes, we are.

8 MR. VIGNA: And you deal with
9 commercial and private accounts?

10 MR. DUBÉ: In my department I work
11 for residential accounts, which we do have business
12 accounts but a different department.

13 MR. VIGNA: Okay. And this account,
14 can you tell if it was a residential or a commercial
15 account?

16 MR. DUBÉ: This would be a
17 residential account.

18 MR. VIGNA: Okay. And residential
19 account customers, in general, from your knowledge
20 working at Bell Sympatico, I understand you have been
21 there for eight years and the eight years by the way,
22 you have been always at abuse -- the abuse, what did
23 you call it?

24 MR. DUBÉ: Internet abuse analyst.

25 MR. VIGNA: You haven't been eight

1 years at Internet abuse or you have?

2 MR. DUBÉ: No, three years as an
3 Internet abuse analyst.

4 MR. VIGNA: Okay. A regular
5 customer, would he know about the ticket history and
6 all that, what knowledge would normally subscribers
7 or --

8 MR. DUBÉ: I would have to admit it's
9 very rare that we do receive a letter from a member not
10 to divulge any information. I have to say it's the
11 first time that I do receive a letter from someone
12 asking not to divulge information.

13 THE CHAIRPERSON: The reason being
14 probably because the information is readily available
15 on the Internet already, you know, you should be able
16 to have that information there. Is that why people
17 don't usually --

18 MR. DUBÉ: I think, like in this
19 case, she didn't want us to divulge to anyone
20 requesting her personal information.

21 Usually we don't, we always need a
22 court order, as we have received. I do deal with
23 copyright, so we never divulge any information of our
24 customers.

25 THE CHAIRPERSON: So, at that time

1 when you received the letter from the client, at that
2 time you would not have divulged the information
3 because there was no order?

4 MR. DUBÉ: As an Internet abuse
5 analyst I would receive a request from Bell Corporate
6 Security, Bell Corporate Security will receive a court
7 order.

8 THE CHAIRPERSON: Okay.

9 MR. DUBÉ: So, they receive the court
10 order and we do the work to find out who was connected
11 at that specific time.

12 THE CHAIRPERSON: Thank you.

13 MR. VIGNA: On the same issue, when
14 you say court order, in this particular case when you
15 actually did the work what you described in the
16 beginning of your testimony, who informed you that you
17 could go ahead and that everything was fine in terms of
18 a court order or maybe some other legal document?

19 MR. DUBÉ: It would be Bell Corporate
20 Security, it would be Lynn Sargotiere (ph), she is the
21 one that sent me the request.

22 So, when she send me the request that
23 means they have received a order or court order?

24 MR. VIGNA: Court order or it could
25 be a subpoena, summons?

1 MR. DUBÉ: Yes.

2 MR. VIGNA: Okay. But before that
3 you would not proceed particularly because there is a
4 request by the member not to go ahead with this kind of
5 disclosure?

6 MR. DUBÉ: Yes. No, we don't -- we
7 never proceed unless there is a court order.

8 MR. VIGNA: Okay. But in this case
9 in particular the member made it clear to you that they
10 didn't want you to disclose information; is that what I
11 understand?

12 MR. DUBÉ: Yes.

13 MR. VIGNA: Practically finished,
14 Mr. Chair, just give me a few minutes and see if
15 there's anything before I let him go.

16 THE CHAIRPERSON: Sure.

17 MR. VIGNA: I don't have any further
18 questions. Thank you, Mr. Dubé.

19 The Member may have some questions
20 for you.

21 THE CHAIRPERSON: No, I don't have
22 any questions.

23 Thank you very much for being here
24 and you are now free to go. Thank you.

25 MR. DUBÉ: Thanks.

1 THE CHAIRPERSON: So, at this point I
2 believe we should adjourn until tomorrow morning at
3 9:30 and then we will reconvene and complete the
4 evidence of Mr. Warman.

5 Has the issue of Mr. Lemire been
6 dealt with or will you be dealing with that tonight?

7 MR. VIGNA: It's pretty much dealt
8 with, we're waiting for a draft of the affidavit, I'm
9 going to go see at the reception.

10 THE CHAIRPERSON: Okay.

11 MR. VIGNA: If we're okay with it,
12 we'll tell her to finalize it.

13 THE CHAIRPERSON: And you would be
14 able to put that in tomorrow and maybe we could -- will
15 there be any more witnesses after Mr. Warman?

16 MR. VIGNA: No, there will be just
17 the affidavit.

18 THE CHAIRPERSON: On your part,
19 Mr. Warman, there won't be any witnesses?

20 MR. WARMAN: No.

21 THE CHAIRPERSON: So, we could start
22 the final arguments probably tomorrow afternoon and
23 complete that at that time.

24 MR. VIGNA: Just on a question, we
25 had initially a CD ROM but at this point I'm not

1 considering putting it in evidence, unless the Tribunal
2 tomorrow can express -- the CD ROM was just basically
3 what we saw in the excerpts in the paper format, but I
4 think it would be superfluous --

5 THE CHAIRPERSON: Yes.

6 MR. VIGNA: -- to the whole
7 procedure.

8 THE CHAIRPERSON: Unless you want to
9 put it in, I am all right with the paper.

10 MR. VIGNA: You want to deal with the
11 paper.

12 THE CHAIRPERSON: Yes.

13 MR. VIGNA: Okay, that's fine.

14 THE CHAIRPERSON: No problem.

15 MR. VIGNA: All right, thank you.

16 THE CHAIRPERSON: So, if not, we will
17 adjourn until tomorrow morning at 9:30 and complete the
18 hearing tomorrow.

19 Thank you.

20 REGISTRY OFFICER: Order, please.

21 THE CHAIRPERSON: Merci, m. Dubé.

22 --- Whereupon the hearing adjourned at 4:20 p.m.


23 to be resumed on Wednesday, June 14, 2006

24 at 9:30 a.m.

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I HEREBY CERTIFY THAT I HAVE, to
the best of my skill and
ability, accurately reported and
transcribed the foregoing.



Beverley Dillabough

C.S.R., R.P.R.

StenoTran