

**CANADIAN  
HUMAN RIGHTS  
TRIBUNAL**



**TRIBUNAL CANADIEN  
DES DROITS  
DE LA PERSONNE**

**BETWEEN/ENTRE:**

**Complainant** RICHARD WARMAN **le plaignant**

**and/et**

**Commission** CANADIAN HUMAN RIGHTS COMMISSION **la Commission**

**and/et**

**Respondent** JESSICA BEAUMONT **l'intimée**

**BEFORE/DEVANT:**

ATHANASIOS HADJIS THE CHAIRPERSON/  
LE PRÉSIDENT

CAROL ANN HARTUNG REGISTRY OFFICER/  
L'AGENTE DU GREFFE

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

SITTING IN ROOM 13, THE VANCOUVER CONVENTION AND EXHIBIT CENTRE,  
999 CANADA PLACE, VANCOUVER, BRITISH COLUMBIA, ON TUESDAY,  
DECEMBER 12, 2006 AT 9:30 A.M. LOCAL TIME.

CASE FOR HEARING/CAUSE DEVANT ETRE ENTENDUE

IN THE MATTER of the complaint filed under section 13.1 of the  
Canadian Human Rights Act by Richard Warman dated January 6,  
2005, against Jessica Beaumont. The Complainant alleges that the  
Respondent has engaged in a discriminatory practice on the  
grounds of religion, sexual orientation, race, colour, national  
or ethnic origin and disability in a matter related to the usage  
of a telecommunication undertaking.

APPEARANCES/COMPARUTIONS

Richard Warman	Appearing for himself, Complainant
Giacomo Vigna	For the Commission
Paul Fromm	For the Respondent

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1 Vancouver, B.C.

2 --- Upon resuming on Tuesday, December 12, 2006

3 at 9:30 a.m.

4 REGISTRY OFFICER: Order, please.

5 THE CHAIRPERSON: Good morning.

6 PREVIOUSLY AFFIRMED: RICHARD WARMAN

7 EXAMINATION-IN-CHIEF BY MR. VIGNA (CONT'D)

8 MR. VIGNA: Under the same oath as  
9 yesterday, Mr. Warman, I think I had finished for  
10 myself and the Commission, but Mr. Warman simply as an  
11 independent party will add some more testimony. Most  
12 of all, I will produce those two documents that weren't  
13 clear.

14 THE CHAIRPERSON: Right. They were  
15 improved photocopies that have to be produced.

16 MR. VIGNA: Right. They have been  
17 disclosed, and Mr. Warman, I will simply let him go.

18 MR. WARMAN: Mr. Chair, with your  
19 permission, I will provide them to the Registry  
20 Officer.

21 THE CHAIRPERSON: Those are the  
22 corrected photocopies?

23 MR. WARMAN: They are, yes.

24 MR. VIGNA: Just refer me to the tabs  
25 where they were mentioned.

1 THE CHAIRPERSON: Which tab is this?  
2 MR. WARMAN: The poem is from tab 17.  
3 THE CHAIRPERSON: This one here?  
4 MR. WARMAN: Yes. I see that there's  
5 big holes where the name should be.  
6 THE CHAIRPERSON: I'm sorry, I'm a  
7 little confused here. Tab 17, I have A.  
8 MR. VIGNA: The layout, when you look  
9 at it, it might seem different, but if you look at the  
10 contents it's pretty much the same.  
11 THE CHAIRPERSON: Right.  
12 MR. VIGNA: Perhaps, Mr. Warman, you  
13 can explain it.  
14 THE CHAIRPERSON: Yes, perhaps you  
15 can explain it.  
16 MR. WARMAN: Sure.  
17 THE CHAIRPERSON: I do see that the  
18 content is similar. It's got the poem in it, but how  
19 come the layout is different, as Mr. Vigna has  
20 indicated?  
21 MR. WARMAN: Sure. I will happily  
22 explain.  
23 The first one is a Commission  
24 document. The second one is a document that was  
25 printed off in my presence on Friday.

1 THE CHAIRPERSON: So, the second  
2 document was available on the Internet and printed off?

3 MR. WARMAN: Yes, on Friday.

4 THE CHAIRPERSON: On Friday.

5 MR. WARMAN: So, if it's more  
6 appropriate, we can withdraw the first one and simply  
7 tender the second one.

8 THE CHAIRPERSON: I'm just wondering,  
9 given the different layout, maybe it would be better to  
10 keep both.

11 MR. WARMAN: Sure.

12 MR. VIGNA: I have no problem.

13 THE CHAIRPERSON: For the purposes of  
14 the record. We were shown one document and you  
15 testified on that.

16 MR. WARMAN: Yes.

17 THE CHAIRPERSON: Now you have the  
18 second document and this one has been, according to  
19 you, printed out. Is there any indication that you  
20 printed it out you said yesterday?

21 MR. WARMAN: Friday.

22 THE CHAIRPERSON: You said Friday.

23 MR. WARMAN: Yes. There is no date  
24 on it, but I can testify that it was printed off on  
25 Friday.

1 THE CHAIRPERSON: It does refer to a  
2 radio broadcast at the top, Friday, December 8th.

3 MR. WARMAN: Yes.

4 MR. VIGNA: We can keep both, Mr.  
5 Chair.

6 THE CHAIRPERSON: I think it might be  
7 better for the purposes of the record to keep both.  
8 So, last Friday would mean December 8th.

9 MR. WARMAN: I believe it would be  
10 December 8th.

11 REGISTRY OFFICER: Yes, it is the  
12 8th. So, we are adding this to tab 17?

13 THE CHAIRPERSON: Yes, I think we  
14 should add it to tab 17.

15 Then the next tab is tab 29.

16 THE CHAIRPERSON: Okay.

17 MR. WARMAN: This is page 4 of 12.  
18 You will see that the date of printing is the same, and  
19 the URL, the Internet address, is the same as well.

20 THE CHAIRPERSON: Yes, it is. So  
21 this is the fourth page in this document that you said  
22 was missing the other day?

23 MR. WARMAN: Yes.

24 THE CHAIRPERSON: This was not  
25 produced, tab 29 yesterday, was it? I believe it was

1 not.

2 MR. VIGNA: Maybe not. We would like  
3 to produce it one way or the other, a four-page  
4 document of 12, as well as the previous document. I  
5 take it for granted that the previous document and this  
6 one will be filed.

7 THE CHAIRPERSON: Yes.

8 MR. VIGNA: If there is no objection?

9 THE CHAIRPERSON: Yes, I filed the  
10 last document. Tab 29 now is also filed, with the  
11 addition of the fourth page.

12 MR. VIGNA: Just describe briefly the  
13 addition of the fourth page? It speaks for itself, but  
14 for the purposes of the record.

15 MR. WARMAN: Page 4 is a repetition  
16 of a posting by Ms Beaumont identifying her as Jessy,  
17 with the photo of her beneath, and the photo or the  
18 image that is attached to the posting is the same  
19 Catholic church sign containing the three Swastikas and  
20 the words "Church of the Dead Warman Society, Warman  
21 haters allways welcome," and the indication that it's  
22 from a Catholic church.

23 MR. VIGNA: I just wanted to ask you,  
24 the picture, we've seen it before, is it on the same  
25 website or is it on another website that is being

1 reproduced?

2 MR. WARMAN: They are contained on  
3 different websites.

4 THE CHAIRPERSON: This is my profile,  
5 someone else called Tara. Right?

6 MR. WARMAN: Yes. So what this is is  
7 in Tara's guest book. What happens is that Ms Beaumont  
8 goes on and makes this posting within the guest book  
9 and includes that image as the posting.

10 THE CHAIRPERSON: Is there another  
11 question forthcoming from you, Mr. Vigna or Mr. Warman?

12 MR. VIGNA: No, I will let him go and  
13 if there is anything else, I will intervene.

14 THE CHAIRPERSON: Mr. Warman, do you  
15 have anything else to add?

16 MR. WARMAN: I think just that in the  
17 context of these photos, containing -- obviously I'm  
18 not asking for remedy under the retaliation section or  
19 anything like that, but just in terms of providing some  
20 context to the Church of the Dead Warman Society  
21 photos, given the nature of the neo-Nazi movement, it  
22 caused me a great deal of concern with regards to my  
23 personal safety, and I took it to be a direct threat to  
24 me in the nature that Ms Beaumont and her colleagues  
25 were posting repeatedly on the Internet, particularly

1 in the context of putting Swastikas all over it and her  
2 attacks on me, either intentionally or mistakenly,  
3 indicating that I was Jewish.

4 THE CHAIRPERSON: I believe in  
5 previous decisions, previous cases in which you have  
6 been involved, you have indicated that you are not  
7 Jewish yourself?

8 MR. WARMAN: I am not. I think apart  
9 from that, barring any further questions from Mr.  
10 Vigna, that is my testimony in-chief.

11 THE CHAIRPERSON: Thank you. Then we  
12 proceed to cross-examination. Mr. Fromm, will you be  
13 conducting cross-examination, I assume, as agent?

14 MR. FROMM: Yes, I will.

15 THE CHAIRPERSON: Perhaps it would be  
16 better if you come to the stand. The microphone is  
17 closer there.

18 MR. FROMM: Yes.

19 CROSS-EXAMINATION BY MR. FROMM

20 MR. FROMM: Mr. Warman, do you have  
21 the Commission's book of exhibits there?

22 MR. WARMAN: I do.

23 MR. FROMM: I would like to start off  
24 with a couple of technical questions.

25 You testified that you had frequently

1           been on a website called Stormfront. Is that correct?

2                   MR. WARMAN: If I didn't, I have.

3                   MR. FROMM: Could you give us an idea  
4 how frequently you visit Stormfront?

5                   MR. WARMAN: It would vary with any  
6 given period, but I would say very frequently.

7                   THE CHAIRPERSON: Very frequently you  
8 said?

9                   MR. WARMAN: Very frequently, yes.

10                  MR. FROMM: So, you're aware of its  
11 content to some extent?

12                  MR. WARMAN: That, in my opinion,  
13 it's a neo-Nazi website, yes.

14                  MR. FROMM: What forums on Stormfront  
15 do you go on?

16                  MR. WARMAN: A wide variety of them.

17                  MR. FROMM: Do you ever post on  
18 Stormfront?

19                  MR. WARMAN: I have in the past, yes.

20                  MR. FROMM: In order to do that, you  
21 would have to have joined?

22                  MR. WARMAN: I did, yes.

23                  MR. FROMM: Did you assume your own  
24 identity when you joined?

25                  MR. WARMAN: I did create a name,

1           yes.

2                           MR. FROMM:    What was that?

3                           MR. WARMAN:   It was a name after an  
4           Irish punk band called Pogue or the Pogue Mahones.

5                           THE CHAIRPERSON:  Could you please  
6           spell that?

7                           MR. WARMAN:    Certainly.  It's two  
8           words.  The first one is P-o-g-u-e.  The second word is  
9           M-a-h-o-n-e.

10                          MR. FROMM:    Do you know what those  
11           words mean in Gaelic?

12                          MR. WARMAN:    You've told me in the  
13           past at different hearings that it's a pejorative  
14           referencing something to the effect of kiss my  
15           buttocks.

16                          MR. FROMM:    I would direct your  
17           attention to tab 22C.

18                          THE CHAIRPERSON:  Just a second,  
19           please.  I have it.

20                          MR. FROMM:    That's the one you see  
21           that's entitled, it's a thread entitled "Let Muslim  
22           women keep hijabs on."  Do you see that?

23                          MR. WARMAN:    Yes, I do.

24                          MR. FROMM:    Up in the box under "Town  
25           Hall with David Duke," over on the right-hand side of

1           that, do you see "Welcome, pogue mahone." Could you  
2           explain what has happened to generate that?

3                       MR. WARMAN: That's the name that was  
4           logged in under on the Stormfront website.

5                       MR. FROMM: By? By whom?

6                       MR. WARMAN: By me indicating that  
7           I'm the one who printed it off.

8                       MR. FROMM: Without getting overly  
9           concerned about the content, let's assume that -- well,  
10          you have logged on to that. There's a posting there by  
11          somebody named MaryMac. And then Jessy Destruction  
12          responds to the posting by MaryMac.

13                      Supposing you had wanted to respond  
14          to what MaryMac had said, now, you would apparently be  
15          the third one down. There's two in front of you,  
16          MaryMac and Jessy Destruction. You are number three  
17          and you wanted to say something, perhaps I agree with  
18          MaryMac or I don't agree, what would you do?

19                      MR. WARMAN: It's not perhaps the  
20          best example to use because the page is cut off. So,  
21          if I go to tab 22D --

22                      MR. FROMM: Okay.

23                      MR. WARMAN: If I go to page 5 of 6,  
24          towards the bottom, you can do a couple of things. In  
25          the tenth post by using the pseudonym of handsofstone,

1 at the bottom right there's a quote. You can click on  
2 that. At the bottom left just outside the box there is  
3 a "Post Reply," and at the very bottom of it there's a  
4 "Quick Reply" where you could type in a message.  
5 There's an option there that you could quote the  
6 message in the reply, and then below that there's  
7 buttons that say post quick reply.

8 MR. FROMM: That's helpful. We're  
9 now ten items down into this thread about hijabs. You  
10 want to go back and pick up the words from MaryMac to  
11 highlight them and then you want to make your comment.  
12 What would you do in order to do that?

13 MR. WARMAN: If I want to go back to  
14 the very first posting?

15 MR. FROMM: Yes.

16 MR. WARMAN: Then I would hit the  
17 "Quote" button at the bottom right.

18 MR. FROMM: So the "Quote" button at  
19 the bottom of post number one. So you hit the "Quote"  
20 button and what would then happen?

21 MR. WARMAN: The material would  
22 reappear.

23 MR. FROMM: Then you would write  
24 whatever your comment would be. Having done that, what  
25 would you do?

1 MR. WARMAN: You would hit the "Post  
2 Reply."

3 MR. FROMM: What would appear on your  
4 screen, having done that?

5 MR. WARMAN: The reply?

6 MR. FROMM: Well, you tell me.  
7 Having hit the button that you just said, what would  
8 appear on your screen?

9 THE CHAIRPERSON: The "Post Reply"  
10 button, is that the one you're talking about?

11 MR. WARMAN: The reply would appear  
12 when you hit the "Post Reply" button.

13 MR. FROMM: Would that then appear on  
14 this Stormfront thread, having done that?

15 MR. WARMAN: I believe it would.

16 MR. FROMM: From your experience.  
17 You say you've done this so we're relying on your  
18 experience.

19 MR. WARMAN: That's why I say I  
20 believe it would.

21 THE CHAIRPERSON: I just want to be  
22 clear on technicalities here.

23 MR. FROMM: Me too.

24 THE CHAIRPERSON: What I have seen,  
25 and I will go back to that page 5 on 22D, where I

1 gather all the buttons appear on the screen here, I see  
2 the button that's called "Quote," right, Mr. Warman, on  
3 the right-hand side corner?

4 MR. WARMAN: Yes.

5 THE CHAIRPERSON: I'm looking at the  
6 one that says posting number ten.

7 MR. WARMAN: Yes.

8 THE CHAIRPERSON: There's a little  
9 button to the right of that which is like a pen and  
10 paper. What is that?

11 MR. WARMAN: Sorry, I don't know.

12 THE CHAIRPERSON: You don't recall.  
13 And "Post Reply" is the other button on the lower left  
14 hand side?

15 MR. WARMAN: Yes, just outside the  
16 box.

17 THE CHAIRPERSON: If one were to  
18 click on "Quote" --

19 MR. WARMAN: Sorry, it looks as  
20 though that is the post reply. So you could do either.  
21 The quill and the paper.

22 THE CHAIRPERSON: The quill and the  
23 paper that appears to the right of "Quote" is similar  
24 to "Post Reply." Is that what you're saying?

25 MR. WARMAN: It appears to be the

1 same button.

2 THE CHAIRPERSON: It's just that it's  
3 in two locations?

4 MR. WARMAN: Yes.

5 THE CHAIRPERSON: So, there are two  
6 options available to you within the rectangle of this  
7 thing.

8 MR. WARMAN: Yes.

9 THE CHAIRPERSON: One is to press  
10 "Quote" and the other is to press "Post Reply?"

11 MR. WARMAN: Yes.

12 THE CHAIRPERSON: In pressing  
13 "Quote," this original message would reappear?

14 MR. WARMAN: Yes.

15 THE CHAIRPERSON: Then you could add  
16 to it?

17 MR. WARMAN: Add your own  
18 submissions, yes, and/or edit the previous ones to  
19 eliminate the portion that you didn't want.

20 THE CHAIRPERSON: Then what step  
21 would you have to do, once you have done your editing,  
22 once you have put your own thoughts down?

23 MR. WARMAN: It is just with any  
24 other forum, there's a little button that will say  
25 "Post Reply," so you hit that and it goes up.

1 THE CHAIRPERSON: But if you were to  
2 hit the quill button without hitting "Quote," what  
3 would happen?

4 MR. WARMAN: The other material  
5 wouldn't appear. It would just be an empty box where  
6 you would type whatever you wanted. Theoretically you  
7 would continue the discussion that had preceded your  
8 posting.

9 THE CHAIRPERSON: Okay.

10 MR. FROMM: And it's your testimony  
11 that in order to send your response or comment, you  
12 would have to send it only once. Is that correct?

13 MR. WARMAN: I'm sorry, I don't  
14 understand the question.

15 MR. FROMM: Okay, you've chosen in  
16 this hypothetical to quote what MaryMac said and then  
17 you add your comment to that and then you press a  
18 button and you send it. Is that correct?

19 MR. WARMAN: As I recall, yes.

20 MR. FROMM: You further testified  
21 that this would appear in that thread on Stormfront,  
22 the thread in this case "Let Muslim women keep hijabs  
23 on," probably as post number 11. Is that correct?

24 MR. WARMAN: In theory, that's  
25 correct.

1                   MR. FROMM: In order to achieve that,  
2 you would only have to send the message once?

3                   MR. WARMAN: You would only hit the  
4 "Post Reply" button once.

5                   MR. FROMM: Thank you. You indicated  
6 that you had been frequently on Stormfront. Can you  
7 tell us when you began to monitor Stormfront?

8                   MR. WARMAN: Without going through  
9 all my files, several years ago.

10                  MR. FROMM: Sorry?

11                  MR. WARMAN: Several years ago.

12                  MR. FROMM: Would that be two, three?

13                  MR. WARMAN: At least 2003.

14                  MR. FROMM: Have you monitored it  
15 fairly frequently since?

16                  MR. WARMAN: It would vary, you know,  
17 in any given time period, but of late I've monitored it  
18 frequently.

19                  MR. FROMM: Was it your testimony  
20 that in your opinion it was a neo-Nazi website?

21                  MR. WARMAN: It's my belief that the  
22 material contained therein ascribes to the neo-Nazi  
23 sort of philosophy, yes.

24                  MR. FROMM: Having read many posts,  
25 you said, and been on many forums, would it be your

1 conclusion that most of the people posting seem to  
2 share that ideology?

3 MR. WARMAN: It would depend on who  
4 was doing the posting, but the site as a whole and the  
5 contributors to it appear to espouse a neo-Nazi  
6 ideology.

7 MR. FROMM: Can you tell us what,  
8 still on that, I guess 22C, the one about the hijabs,  
9 what you see in the banner across the top of  
10 Stormfront? There's a logo over on the left-hand side.  
11 Could you describe that to us?

12 MR. WARMAN: The White Pride World  
13 Wide or the Stormfront White Nationalist Community?

14 MR. FROMM: So you see a logo that  
15 says White Pride World Wide. Reading that, what does  
16 that say to you?

17 MR. WARMAN: It tells me that this is  
18 quite likely a neo-Nazi website.

19 MR. FROMM: Indeed. So, are you a  
20 neo-Nazi?

21 MR. WARMAN: No, I'm not.

22 MR. FROMM: Why would you visit this  
23 site repeatedly? You said many times over the last  
24 several you think perhaps going back to 2003, years,  
25 why would you do that?

1                   MR. WARMAN: Because I was concerned  
2 that these individuals were engaged in illegal activity  
3 contrary to section 13 of the Canadian Human Rights Act  
4 and/or the Criminal Code provisions prohibiting the  
5 advocacy of genocide and the wilful promotion of  
6 hatred, if not other criminal activities.

7                   MR. FROMM: So, it's your testimony  
8 you were concerned that some individuals were engaged  
9 in some form of criminal activity and that's why you  
10 visited it so often?

11                  MR. WARMAN: No, my answer was a bit  
12 broader than that. It was also with regard to  
13 violations of section 13 of the Canadian Human Rights  
14 Act. In fact, given the number of complaints that have  
15 been substantiated, I think that has proven to be an  
16 overwhelmingly valid concern.

17                  MR. FROMM: Were you doing this  
18 research on your own behalf?

19                  MR. WARMAN: I was, yes.

20                  MR. FROMM: During part of this time,  
21 were you not employed by the Canadian Human Rights  
22 Commission?

23                  MR. WARMAN: I was, yes.

24                  MR. FROMM: Do you want to rethink  
25 your answer that you were doing this on your own behalf

1 but you were an employee of the Canadian Human Rights  
2 Commission?

3 MR. WARMAN: I appreciate the offer,  
4 but, no, I think I'll keep the same answer, thanks.

5 MR. FROMM: Are you still employed by  
6 the Canadian Human Rights Commission?

7 MR. VIGNA: Mr. Chair, I object to  
8 the question in terms of relevance and going into an  
9 inquiry of the personal life of the complainant. He  
10 has answered the question about whether he was employed  
11 at a certain time. I think it's sufficient at this  
12 point not to go any further.

13 THE CHAIRPERSON: I have heard your  
14 objection. Mr. Warman, having stood up, I assume you  
15 also object?

16 MR. WARMAN: Yes, I do. The efforts  
17 to probe my personal life, what my employment is, my  
18 location and all that kind of stuff, feeds in to the  
19 fact that Mr. Fromm has lead protests out in front of  
20 my place of employment when I was working at the  
21 Canadian Human Rights Commission specifically, along  
22 with a variety of other individuals that I know to be  
23 members of the neo-Nazi community.

24 So, I clearly object to any  
25 revelation of personal information that would identify

1 in any way or would facilitate his ability to target  
2 me.

3 MR. FROMM: Could I ask that the  
4 witness be excluded for the rest of this?

5 MR. VIGNA: Mr. Chair, he's a party.

6 THE CHAIRPERSON: Given that he's a  
7 party, I have a little difficulty issuing that kind of  
8 an order. He is a party to this file.

9 MR. FROMM: Then I would like to  
10 again note our objection. Again, this is totally  
11 unbalanced and unfair. In any other situation the  
12 witness would be excluded while the parties discuss the  
13 appropriateness of a question before the adjudicating  
14 officer or judge. Only in these proceedings --

15 THE CHAIRPERSON: No, in any  
16 proceeding where the party is present, then it becomes  
17 an ex parte discussion and we cannot have that. It's a  
18 public forum. So, he has the right to contribute to  
19 it.

20 You can still get your message to me,  
21 whether or not Mr. Warman is here. What is the  
22 relevance of --

23 MR. FROMM: The relevance of the  
24 question will very much go to our submissions about the  
25 ongoing relationship between Mr. Warman and the

1 Commission. He was an employee of the Commission, he  
2 tells us that during the time he was monitoring these  
3 websites he was doing this privately. I am simply  
4 asking him is he still an employee.

5 THE CHAIRPERSON: The question could  
6 be posed in a different way, then, where the issues of  
7 privacy need not be touched upon, and that is is Mr.  
8 Warman still employed by the Commission.

9 MR. FROMM: I thought that was the  
10 question, but, okay, yes.

11 THE CHAIRPERSON: In which case, do  
12 you object to saying that?

13 MR. WARMAN: Yes, I do. I'm quite  
14 happy to answer is all of the research that I've done  
15 on my own behalf, that clearly gets to the crux of the  
16 question. As to whether it's being conducted on behalf  
17 of someone else, no matter whom that may be, but I  
18 would object strenuously to answering any questions  
19 about my current employment.

20 THE CHAIRPERSON: I'm not asking  
21 about where your current employment is. I'm asking is  
22 it still with the Commission? You said it yourself in  
23 answer just before. The original question that was  
24 asked of you was or you volunteered that part of the  
25 time you were employed by the Commission.

1                   MR. WARMAN: Yes, and that's clear.  
2           At a point in history, it is common knowledge, it is  
3           public knowledge that I was employed with the Canadian  
4           Human Rights Commission. I object --

5                   THE CHAIRPERSON: History, that's in  
6           the past.

7                   MR. WARMAN: Because there is a clear  
8           break and it doesn't speak to where I am currently  
9           employed. Given the fact that Mr. Fromm has led  
10          demonstrations with the neo-Nazis out in front of my  
11          place of employment and at these hearings and at a  
12          synagogue where I spoke, I will object strenuously to  
13          any information that would put my personal security at  
14          risk.

15                  THE CHAIRPERSON: I don't understand  
16          the question to be that. At least the question that  
17          I'm asking is: Are you still employed with the  
18          Commission?

19                  MR. WARMAN: And that's the  
20          objection. There is one Commission location in the  
21          Ottawa region. If I am still in the Ottawa region, it  
22          is a simple deductive matter to determine where that  
23          location is.

24                  THE CHAIRPERSON: I see. But I  
25          thought you said you were not employed with the

1 Commission.

2 MR. WARMAN: I did not indicate that.

3 MR. FROMM: This has to go on -- not  
4 that I am --

5 THE CHAIRPERSON: What is the  
6 purpose?

7 MR. FROMM: The purpose is to find  
8 out if Mr. Warman is still an employee of the Canadian  
9 Human Rights Commission. That's the only purpose of  
10 delving into his personal life or his eating habits or  
11 anything else.

12 THE CHAIRPERSON: What's the  
13 relevance now, given that the information that is being  
14 put forth is information from the past which, in answer  
15 to your previous question, it would appear to be that  
16 at least at some point when this information was being  
17 gathered against Ms Beaumont he was an employee of the  
18 Commission.

19 MR. FROMM: I'm at a huge  
20 disadvantage in that I have to signal every workplace  
21 that I'm going in front of one of the parties.

22 THE CHAIRPERSON: Sir, it's not about  
23 you. It's about Ms Beaumont.

24 MR. FROMM: As best I can, I'm trying  
25 to act as her agent. I will be signalling --

1 THE CHAIRPERSON: I realize, I'm not  
2 blind to what's been going on with respect to section  
3 13 and the Tribunal. You are involved in other files  
4 which I am managing. I'm aware of a certain dynamic in  
5 history amongst all the various participants in these  
6 matters.

7 But this is not going to be a forum  
8 to work out those other issues. I understand, Mr.  
9 Fromm, I'm aware of some protests you have made about  
10 things that have occurred with respect to yourself  
11 regarding other files, but this is not going to be a  
12 forum for us to debate this.

13 The issue here is the complaint  
14 against Ms Beaumont, and I need to know what the  
15 relevance is in knowing where Mr. Warman is working  
16 today with regard to the complaint against Ms Beaumont  
17 which consists of material that dates from 2004 and  
18 2005.

19 MR. FROMM: If Mr. Warman is working  
20 for Shell Oil it's of no interest or importance. If he  
21 is working for the Canadian Human Rights Commission, in  
22 our submission, I am saying this under protest because  
23 I am giving away the case, but --

24 THE CHAIRPERSON: I have a sense  
25 where you're going with this, Mr. Fromm, although

1           you're not being up front with it. The issues I think  
2           might relate more to that other file that I'm thinking  
3           about where there has been a Charter challenge.

4                         MR. FROMM: No, it has nothing to do  
5           with that.

6                         THE CHAIRPERSON: It's been raised  
7           that's there been the involvement of the state with  
8           regard to section 13, but that's not an issue in front  
9           of us here because that's not been raised. There has  
10          been no Charter challenge in this file.

11                        MR. FROMM: No, there hasn't.

12                        THE CHAIRPERSON: Mr. Warman.

13                        MR. WARMAN: Mr. Chair, not only  
14          that, but it goes to the further question. If Mr.  
15          Fromm objects to the handling of this file, then his  
16          recourse is quite clearly to the Federal Court. The  
17          Tribunal has no jurisdiction to review the actions of  
18          the Commission in their handling and processing of the  
19          file. Once it's been referred to the Tribunal it's in  
20          their hands, and any recourse is to the Federal Court.

21                        THE CHAIRPERSON: That's fine, but,  
22          Mr. Fromm, I am still not convinced what the relevance  
23          is to this complaint of knowing where Mr. Fromm works  
24          today.

25                        MR. FROMM: Mr. Warman.

1 THE CHAIRPERSON: Mr. Warman, sorry.

2 MR. FROMM: I was not asking where he  
3 worked. I was asking him did he work for the  
4 Commission. It wasn't an open-ended question. This is  
5 not a fishing expedition. It was does he work for the  
6 Commission?

7 THE CHAIRPERSON: What's the  
8 relevance to the current does he work today versus did  
9 he work at the time the material was collected? I  
10 heard the answer that he -- I certainly get the  
11 impression that there was a certain point in time where  
12 he was working at the Commission when he was gathering  
13 this material and the other material that he spoke  
14 about.

15 MR. FROMM: Yes. The relevance to  
16 today is, if he is working for the Commission, it would  
17 appear that this complaint got expedited treatment.

18 THE CHAIRPERSON: How is that  
19 relevant to -- again, I think it goes with what Mr.  
20 Warman said earlier. If it got expedited treatment in  
21 a way that it is felt that when the complaint got  
22 referred to the Tribunal it shouldn't have been  
23 referred to the Tribunal, that is what must be  
24 judicially reviewed before the Federal Court. The  
25 Tribunal has ruled numerous times that it's not our

1 rule to review the conduct of the Commission. That's  
2 the role of the Federal Court.

3 When the referrals take place, if you  
4 don't like what the Commission is doing or if other  
5 complaints are being filed and the Commission is not  
6 referring them, because that issue has arisen in other  
7 section 13 matters, and I have made the point  
8 repeatedly to parties involved, that that is something  
9 the Federal Court has jurisdiction to get involved in,  
10 not us.

11 The case has been referred. As a  
12 matter of fact, I have been noticing that many of the  
13 complaints, not just section 13 related, are reaching  
14 us quicker these days than they used to. The  
15 Commission seems to have implemented some sort of a  
16 policy that allows for more files to reach us at a  
17 quicker time. I am doing a mediation next week on a  
18 complaint that was filed about the same time as this  
19 one.

20 I don't see where that's getting us.  
21 I don't see how that's relevant to whether the  
22 allegations against Ms Beaumont are valid or not.

23 MR. FROMM: One thing I would like to  
24 suggest to you in closing argument is that, given the  
25 history of the complainant, that this complaint is

1           frivolous and vexatious and that that was not looked at  
2           according to the Commission's own report. They did not  
3           examine that.

4                         THE CHAIRPERSON: You're using  
5           language that arises from section 41, I believe.

6                         MR. FROMM: Yes, and a 41 analysis  
7           from their own report did not appear to have been --

8                         THE CHAIRPERSON: Can you find me the  
9           authority where the Tribunal has the jurisdiction to  
10          review Commission conduct and decisions under section  
11          41? We don't. That's the Federal Court that does  
12          that.

13                        If you're going to pursue that  
14          matter, you're wasting the Tribunal's time. We don't  
15          have the ability.

16                        There is one authority or two that  
17          talk about an abuse of process as being perhaps  
18          something that can be looked at from the Tribunal, but  
19          I don't see that here. It was in an entirely different  
20          context.

21                        So, don't pursue a section 41 review  
22          of the Commission. This is the wrong forum for that.  
23          If I were to do a section 41 analysis of the Tribunal's  
24          conduct, I would be exceeding my own jurisdiction.

25                        MR. FROMM: I will certainly draw it

1 to your attention, though, that that was not done. I'm  
2 not asking you to throw out the complaint on the basis  
3 it was not done.

4 THE CHAIRPERSON: What relevance is  
5 that because that's not a factor that I can take into  
6 account. Section 41 speaks of many things.

7 It's so obvious. Section 41 says:

8 "...the Commission shall deal  
9 with any complaint filed with it  
10 unless in respect of that  
11 complaint it appears to the  
12 Commission that  
13 (a) the alleged victim of the  
14 discriminatory practice to which  
15 the complaint relates ought to  
16 exhaust grievance or review  
17 procedures otherwise reasonably  
18 available;"

19 Or that the complaint is one that  
20 could more appropriately be dealt with under another  
21 act or the complaint is beyond the jurisdiction of the  
22 Commission, or the complaint is trivial, frivolous, or  
23 vexatious, or it's beyond a year.

24 All those are matters that the  
25 Commission has the jurisdiction under the Act to

1 address. If they do it wrongfully, then there's a  
2 judicial review process to the Federal Court and it  
3 happens all the time. That has not been done here.

4 So, I can't address section 41. It's  
5 not up to me to address it. If that's the relevance to  
6 where you're going with this line of questioning, it's  
7 not relevant and I won't allow the question.

8 MR. FROMM: Is that the ruling?

9 THE CHAIRPERSON: That's the ruling  
10 because that's all you've indicated to me in terms of  
11 relevance and that is not a matter that's before this  
12 Tribunal.

13 MR. FROMM: In your research on this  
14 complaint, could you give us an estimate of how many  
15 posts have been made on Stormfront by Jessy  
16 Destruction?

17 MR. WARMAN: Over 1,000.

18 MR. FROMM: Did you compile this book  
19 of documents for the Commission?

20 MR. WARMAN: It's taken from  
21 materials that I submitted to them largely, as I  
22 understand it, except for the parts of it that weren't  
23 entered.

24 MR. FROMM: So, of the more than  
25 1,000 posts in your testimony from Jessy Destruction,

1 about how many form the substance of this complaint?

2 MR. WARMAN: I took a representative  
3 sampling of the material that I considered to be in  
4 violation of section 13 of the Canadian Human Rights  
5 Act and those examples are reported.

6 MR. FROMM: I was asking not the  
7 methodology, but would you have an estimate of the  
8 number?

9 MR. WARMAN: Of the exhibits in this  
10 case?

11 MR. FROMM: No, the number of posts  
12 from Jessy Destruction that you found problematic and  
13 included in these documents?

14 MR. WARMAN: As I stated, I took a  
15 representative sampling. I didn't include all of them  
16 because at a certain point it just beings overkill.  
17 There is no point in going on when you have an  
18 abundance, an overabundance of examples. So you take  
19 the representative samples that are targeting  
20 individual groups and that's what I did, and then filed  
21 with them with the Commission.

22 MR. FROMM: So you're not able to  
23 give us a number, then?

24 MR. WARMAN: I believe I've explained  
25 my answer.

1 MR. FROMM: Take a look at tab 4,  
2 page 7. Could you read the first two lines of the post  
3 there by Jessy Destruction on page 7?

4 MR. WARMAN: It states:

5 "Seems to me like Warman won't  
6 stop anytime soon. If it's up  
7 to him, everyone on SF Canada  
8 will be facing the same retarded  
9 charges that..."

10 MR. FROMM: "Few of us are facing  
11 right now." Is she correct in her statement?

12 MR. VIGNA: Mr. Chair, I don't know  
13 if you can ask an opinion such as that, is she correct  
14 in her opinion. It's not an opinion type of evidence.

15 THE CHAIRPERSON: I don't quite  
16 understand the question. You can sit down, Mr. Warman.

17 What exactly is the question again,  
18 Mr. Fromm? I'm not quite sure. Is she right that Mr.  
19 Warman will not stop any time soon? Is that the  
20 question?

21 MR. FROMM: Well, her statement is if  
22 it's up to him, everyone on Stormfront Canada will be  
23 facing the same charges a few of us are facing right  
24 now. I'm just trying to get to Mr. Warman's  
25 intentions.

1 THE CHAIRPERSON: The only way I can  
2 see that as being phrased in a way that I can  
3 understand as a question is, Mr. Warman, is it your  
4 intention to file complaints against everyone who is on  
5 Stormfront Canada?

6 MR. WARMAN: I will object because it  
7 calls for speculation.

8 THE CHAIRPERSON: No, that's not  
9 speculation. What is your intention?

10 MR. WARMAN: It's a hypothetical  
11 event in the future. It's attempting to elaborate on a  
12 hypothetical situation in the future.

13 THE CHAIRPERSON: No, the question  
14 that I am asking you is: Is it your intention at this  
15 time to file complaints against everyone who is on  
16 Stormfront Canada?

17 MR. WARMAN: Unless they are  
18 violating section 13, no.

19 MR. FROMM: How many section 13.1  
20 complaints have you filed?

21 MR. WARMAN: Objection with regard to  
22 the relevance to this case and the case against Ms  
23 Beaumont, the specific facts in evidence as to whether  
24 she communicated or caused to be communicated  
25 repeatedly hate messages.

1 THE CHAIRPERSON: What is the  
2 relevance, Mr. Fromm?

3 MR. FROMM: The relevance is that all  
4 parties should come to the table with clean hands and  
5 all parties should be up front. I am simply asking him  
6 how many 13.1 complaints he has filed.

7 THE CHAIRPERSON: Does it lead to  
8 another question?

9 MR. FROMM: Yes, it is.

10 THE CHAIRPERSON: I don't want us to  
11 get bogged down on these things. I can take notice of  
12 the fact that there are at least a handful of decisions  
13 that have been issued where Mr. Warman has been a  
14 complainant. I am currently involved in managing  
15 several other complaints where Mr. Warman is a  
16 complainant. That is a matter of public record.

17 Certainly he has filed more than one  
18 complaint, Mr. Fromm. That's clear. Let's move to the  
19 next question instead of getting bogged down in  
20 objections.

21 MR. FROMM: I'm not making the  
22 objections.

23 THE CHAIRPERSON: No, the others are  
24 making objections on details. There have been many  
25 complaints by Mr. Warman, more than a handful. And

1           then what?

2                           MR. FROMM:    Could I direct your  
3           attention to tab 17?

4                           THE CHAIRPERSON:  Perhaps you should  
5           specify which of the two versions.

6                           MR. FROMM:    Yes.  To the one we were  
7           given yesterday, one of three, where it says across the  
8           top, "Welcome, Jadewarr."  Do you see that, Mr. Warman?

9                           MR. WARMAN:   I do.

10                          MR. FROMM:    Can you explain what that  
11           is, "Welcome, Jadewarr?"

12                          MR. WARMAN:    It appears to be a name  
13           that was logged in under.

14                          MR. FROMM:    By whom?

15                          MR. WARMAN:    I'm sorry, I don't know.

16                          MR. FROMM:    Would that not have to  
17           have been by you?

18                          MR. WARMAN:    No, it would not.

19                          THE CHAIRPERSON:  Because you  
20           indicated earlier that this was not a copy that you had  
21           printed out.

22                          MR. WARMAN:    That I produced, no.  
23           The second copy is the one that I produced.

24                          THE CHAIRPERSON:  Does your name  
25           appear on this one?

1 MR. WARMAN: The second copy was  
2 printed off in my presence.

3 THE CHAIRPERSON: It was printed off.

4 MR. FROMM: Then who is Jadewarr?

5 MR. WARMAN: I'm sorry, it's not my  
6 document.

7 MR. FROMM: But it was produced in  
8 your presence?

9 MR. WARMAN: No, the second document  
10 I printed off.

11 MR. FROMM: The second document,  
12 which is the clearer copy, says "Italy for Italians" at  
13 the top. You can see that. Is that the one?

14 MR. WARMAN: It does, yes.

15 MR. FROMM: The other one, the one  
16 that was given to us yesterday, which is much less  
17 clear and says to Der Totenkopf, but at the top it says  
18 "Welcome, Jadewarr..." you say that was printed off in  
19 your presence?

20 MR. WARMAN: No, it was not.

21 MR. FROMM: It was not. Then what's  
22 the origin of it?

23 MR. WARMAN: I don't know.

24 THE CHAIRPERSON: You don't know now  
25 but you mentioned earlier that it was from the

1 Commission. That's what I heard you say.

2 MR. WARMAN: It originates in the  
3 broadest sense with the Commission.

4 THE CHAIRPERSON: So the Commission  
5 had produced this photocopy?

6 MR. WARMAN: Yes, but in terms of its  
7 specific origins, I have no idea.

8 MR. FROMM: Is it your testimony,  
9 then, that it's a Commission document?

10 MR. WARMAN: It originates with the  
11 Commission. I do not know its providence.

12 MR. FROMM: In my submission, then,  
13 it shouldn't be an exhibit if we don't know where it  
14 came from.

15 MR. VIGNA: Mr. Chair, the document  
16 that was produced this morning was produced by Mr.  
17 Warman.

18 THE CHAIRPERSON: Right. It was my  
19 suggestion that we keep it because there was some  
20 testimony about that yesterday. I just wanted to keep  
21 the record complete.

22 MR. FROMM: Then what we have been  
23 given this morning is substantially different from the  
24 copy we had yesterday. Yes, the text from Jessy  
25 Destruction would appear to be the same.

1 THE CHAIRPERSON: Yes.

2 MR. FROMM: Perhaps not even that.

3 The text we have this morning just says Jessy  
4 Destruction. There is no logo. The logo that appears  
5 on yesterday's would seem to be a Swastika.

6 MR. WARMAN: It's because it was  
7 printed off on two different days.

8 THE CHAIRPERSON: Right, but you  
9 yourself did not print off this page?

10 MR. WARMAN: No I did not. I should  
11 be specific, not page 1 of 3, the first page there.

12 THE CHAIRPERSON: So it's true you've  
13 never seen this document yourself prior to it being  
14 entered into --

15 MR. WARMAN: I've seen it as part of  
16 the disclosure package that came from the Commission.

17 THE CHAIRPERSON: But not as a  
18 document that you're familiar with?

19 MR. WARMAN: This document, no. I've  
20 seen the content of it. I've seen that website with  
21 that material on it.

22 THE CHAIRPERSON: Do you want to have  
23 it removed? Mr. Fromm wants to have it removed. Do  
24 you have any objection to it being removed. Mr. Vigna?

25 MR. VIGNA: No.

1 THE CHAIRPERSON: Mr. Fromm, since  
2 there's no objection, you can have the document  
3 removed. Is that what your request is?

4 MR. FROMM: Yes.

5 THE CHAIRPERSON: For the record, we  
6 are removing the first page. Page 2 is produced, which  
7 is now the only page. Tab 17 consists of one page that  
8 was handed up this morning.

9 MR. WARMAN: Sorry, I should be  
10 specific, it's a single two-sided page.

11 THE CHAIRPERSON: It's a single  
12 sheet, two-sided document, yes.

13 MR. FROMM: Yesterday, at the  
14 beginning of your testimony, did you indicate that you  
15 first became aware of Jessy Destruction in connection  
16 with a group called Western Canada For Us?

17 MR. WARMAN: It's possible that it  
18 was either the first or when I first began to become  
19 seriously aware of the person posting under that  
20 pseudonym. In any event, the complaint specifies that  
21 it was filed in January 2005, and I know that I had  
22 begun looking at the material and specifically WCFU in  
23 2004 or late 2003.

24 MR. FROMM: Did you target her  
25 because of her participation and membership in WCFU?

1                   MR. WARMAN: No, I became concerned  
2 about her conduct because I felt that it violated  
3 section 13, sub (1) of the Canadian Human Rights Act.

4                   MR. FROMM: Did you make complaints  
5 against other people associated with WCFU?

6                   MR. WARMAN: In fact I did.

7                   MR. FROMM: Sorry?

8                   MR. WARMAN: I did.

9                   MR. FROMM: How many?

10                  MR. WARMAN: Three others.

11                  MR. FROMM: They were?

12                  MR. WARMAN: Glenn Bahr and Western  
13 Canada For Us, the group as a whole, Peter Kouba, the  
14 prior two being the previous leaders of the  
15 organization, and what I understand to be Ms Beaumont's  
16 boyfriend, Mr. Donnelly.

17                  MR. FROMM: I want to be quite clear  
18 about this, and I asked Ms Beaumont. She does not  
19 believe that this document was disclosed, and I'm  
20 certainly prepared to be corrected, but did you  
21 disclose to Ms Beaumont a report you wrote for the  
22 League For Human Rights of B'nai Brith as part of the  
23 B'nai Brith annual audit of anti-Semitic incidents for  
24 2005?

25                  MR. VIGNA: Mr. Chairman, I would

1 object to the relevance of the document.

2 THE CHAIRPERSON: It's just a  
3 question. Did he disclose it?

4 MR. WARMAN: Not that I recall.

5 MR. FROMM: Is that yes or no?

6 MR. WARMAN: It's a not that I  
7 recall.

8 THE CHAIRPERSON: He does not recall  
9 disclosing the document.

10 MR. FROMM: I provided copies of this  
11 to parties yesterday. Can I show to the witness --

12 MR. VIGNA: Mr. Chair, I will be  
13 objecting to questions on this document in relation to  
14 the relevance of the document which has no connection  
15 or barely any to the present hearing.

16 MR. FROMM: If I might say, first of  
17 all, I have only reproduced the section of this  
18 document that deals with British Columbia and mentions  
19 Ms Beaumont. It's a more extensive document, but I've  
20 only reproduced the first two and a quarter pages.

21 THE CHAIRPERSON: I haven't heard a  
22 single question yet. So, what are we objecting to, Mr.  
23 Vigna? I haven't heard any questions yet on the  
24 document.

25 MR. VIGNA: I will reserve my

1 objections for later.

2 THE CHAIRPERSON: For the purpose of  
3 the record, the document exists. Are you aware of  
4 this -- is this document something you're familiar  
5 with? Apparently it's a speech, it says by Richard  
6 Warman at the top. Is this the document that was  
7 referred to earlier?

8 MR. WARMAN: It's not actually a  
9 speech. It's a report or a small portion of a report  
10 that I wrote pursuant to the 2005 B'Nai Brith League  
11 for Human Rights Report on Anti-Semitic Incidents.

12 THE CHAIRPERSON: So you recognize  
13 the document?

14 MR. WARMAN: I do, yes.

15 THE CHAIRPERSON: We'll produce it to  
16 that end and then we'll see what questions arise from  
17 it.

18 MR. VIGNA: I don't want to open the  
19 door by producing it to a series of questions that are  
20 irrelevant.

21 THE CHAIRPERSON: We'll see as each  
22 question comes up, Mr. Vigna.

23 THE CHAIRPERSON: So, let's have this  
24 produced.

25 MR. FROMM: Can I have this marked as

1 an exhibit.

2 REGISTRY OFFICER: The document  
3 entitled B'Nai Brith Annual Audit of Anti-Semitic  
4 Incidents, 2005, section II.2 Hate on the Internet, The  
5 Canadian Scene by Richard Warman, three pages, will be  
6 marked as respondent Exhibit R-1.

7 EXHIBIT NO. R-1: Document  
8 entitled "B'nai Brith Annual  
9 Audit of Anti-Semitic Incidents,  
10 2005 by Richard Warman

11 THE CHAIRPERSON: Go ahead, Mr.  
12 Fromm.

13 MR. FROMM: First of all, do you  
14 recognize this document as being written by yourself,  
15 Mr. Warman?

16 THE CHAIRPERSON: He just said yes.

17 MR. WARMAN: Largely written by me.  
18 There were some editorial changes that were done by an  
19 editor, not by me, but in effect, yes.

20 MR. FROMM: I draw your attention to  
21 the second page, the third full paragraph that begins  
22 "During 2005," I was wondering if you could read that  
23 for us, please.

24 THE CHAIRPERSON: The second page?

25 MR. FROMM: The second page of this

1 document, the third full paragraph, the one that  
2 beings --

3 THE CHAIRPERSON: "During the fall of  
4 2005," is that the one?

5 MR. FROMM: No, the one that begins  
6 "During 2005," I was wondering if you could read that  
7 for us.

8 MR. WARMAN: "During 2005, Internet  
9 postings continued to be made to  
10 the Canadian section of the US  
11 neo-Nazi forum Stormfront by a  
12 number of individuals claiming  
13 to reside in British Columbia.  
14 A number of these individuals  
15 were remnants of the now defunct  
16 Western Canada For Us, 4  
17 including..."

18 4, I think, is just a footnote,  
19 "...including Coquitlam  
20 residents Ciaran Paul Donnelly  
21 and his girlfriend Jessica  
22 Beaumont. Federal human rights  
23 complaints filed against  
24 Donnelly and Beaumont in  
25 December of 2004 and January of

1                   2005 respectively, allege that  
2                   both individuals posted material  
3                   to the Stormfront website that  
4                   was likely to promote hatred and  
5                   contempt of individuals on the  
6                   basis of race, religion, sexual  
7                   orientation, and disability.  
8                   Both complaints were  
9                   investigated by the Canadian  
10                  Human Rights Commission (CHRC)  
11                  and have now been referred to  
12                  the Canadian Human Rights  
13                  Tribunal (CHRT) for a full  
14                  hearing expected some time in  
15                  2006."

16                  MR. FROMM: That was what you wrote?

17                  MR. WARMAN: It is, yes.

18                  MR. FROMM: Am I correct that that  
19                  was written and is that available on the Internet?

20                  MR. WARMAN: It is.

21                  MR. FROMM: Was that written and  
22                  posted prior to the adjudication of your complaint?

23                  MR. WARMAN: This adjudication, this  
24                  hearing right now?

25                  MR. FROMM: This hearing, yes.

1 MR. WARMAN: Yes.

2 MR. FROMM: Can you explain why you  
3 did not disclose this as it was arguably relevant?

4 MR. WARMAN: Because in a prior  
5 ruling by Tribunal Member Jensen, she indicated that a  
6 similar request by you or one of your colleagues was  
7 irrelevant to the proceedings and not arguably  
8 relevant.

9 MR. FROMM: Do you recall in the  
10 proceedings in front of Member Doucet that you were  
11 chastised for not having produced a similar thing in  
12 the Terry Tremaine case?

13 MR. WARMAN: I disagree with your  
14 characterization of it.

15 MR. FROMM: Do you recall Member  
16 Doucet having told you that you should have produced it  
17 as it was arguably relevant?

18 MR. WARMAN: In that case, yes.

19 MR. FROMM: But despite that you're  
20 an experienced attorney, you didn't consider that you  
21 should produce it in this particular case?

22 MR. WARMAN: No, I did not.

23 MR. FROMM: It was a fairly lengthy  
24 report for B'Nai Brith, was it not?

25 MR. WARMAN: It depends on what you

1 would characterize as fairly lengthy.

2 THE CHAIRPERSON: Give me an idea.

3 This is an excerpt, I understand, right?

4 MR. WARMAN: It might have been 15  
5 pages give or take.

6 THE CHAIRPERSON: Fifteen pages of  
7 this sort?

8 MR. WARMAN: Yes.

9 MR. FROMM: Would it be fair to call  
10 that a round up of Internet cases in Canada?

11 MR. WARMAN: It was intended to be a  
12 summary, yes.

13 MR. FROMM: And were you paid for  
14 this?

15 MR. VIGNA: Mr. Chair, it's  
16 irrelevant in terms of whether he's paid or not. How  
17 it is relevant to this complaint? We're still going  
18 into probing personal life issues. We're engaging on a  
19 fishing expedition which sort of grossly deviates from  
20 the course of this present complaint.

21 THE CHAIRPERSON: Mr. Warman.

22 MR. WARMAN: Unless Mr. Fromm can  
23 provide some humanly possible relevance to whether Ms  
24 Beaumont communicated or caused to be communicated, et  
25 cetera, the issue that's before this Tribunal, then I

1 will maintain an objection under relevance.

2 THE CHAIRPERSON: What's the  
3 relevance, Mr. Fromm?

4 MR. FROMM: At the end of the day, we  
5 would invite you to see that the complaint is one with  
6 a political agenda and is vexatious.

7 THE CHAIRPERSON: I have already  
8 addressed that point. If that's the basis on which you  
9 seek relevance, section 41, I will not be addressing  
10 that issue because it is not within the jurisdiction of  
11 the Canadian Human Rights Tribunal to review decisions  
12 of the Canadian Human Rights Commission to refer cases  
13 to the Tribunal.

14 MR. FROMM: I'm not asking you to  
15 review their decision. It's in front of you.

16 THE CHAIRPERSON: Section 41 does not  
17 create rights that the Tribunal can address in its  
18 hearings. So, raising the point that a complaint is  
19 vexatious or frivolous is not something that can be  
20 brought before the Tribunal. The Tribunal rules on  
21 whether, under section 53, I will just pull it up, it  
22 says that:

23 "At the conclusion of an  
24 inquiry, the member or panel  
25 conducting the inquiry shall

1 dismiss the complaint if the  
2 member or panel finds that the  
3 complaint is not substantiated."

4 So if a complaint is frivolous or  
5 vexatious, then likely it is not substantiated and it  
6 will be dismissed. I think the logic may flow from  
7 that.

8 But the provision that is found in  
9 section 41 is one that allows for the preliminary  
10 dismissal of a complaint. It's at the discretion of  
11 the Commission because a complaint is vexatious or  
12 frivolous. That is what it is there for. One finds  
13 similar provisions in procedural statutes right across  
14 this country.

15 I am a lawyer from Quebec and in  
16 Quebec we have a section 75.1 that has the exact same  
17 language. In order to stop wasting the time of a  
18 tribunal, a person may make a motion early on  
19 requesting that a complaint or that an action that's  
20 been taken before the courts be dismissed without  
21 wasting anybody's further time because it's frivolous  
22 or vexatious. It has absolutely no chance of success.

23 That role in the Canadian human  
24 rights process, Mr. Fromm, I know you're very familiar  
25 with it, but I know you're not a lawyer as well, but

1           that role is the Commission's role to decide that.  If  
2           they choose to dismiss a complaint, I'm pointing to Mr.  
3           Vigna, the Commission chooses to dismiss a complaint  
4           early on and the complainant feels wronged by that  
5           decision, then they can seek review of the Commission's  
6           decision before the Federal Court.  That's what that  
7           part of the process is.

8                            If that's the language you're using  
9           to try to raise some argument before me, it's not in  
10          its proper context.  If the complaint is unfounded for  
11          being frivolous or vexatious, then the complaint is  
12          unfounded and that is what we will drive at.

13                           But this broader issue that you're  
14          trying to bring up about frivolous or vexatious  
15          complaint because of -- well, I have nothing else to  
16          add on that point.

17                           So, what's your point beyond that,  
18          Mr. Fromm?

19                           MR. FROMM:  It's clear that I'm not  
20          going to be allowed to ask or probably any other  
21          question but we'll move on.

22                           THE CHAIRPERSON:  Because it's not  
23          relevant to the complaint, sir.

24                           MR. FROMM:  It is relevant, but --

25                           Mr. Warman, are you aware of an

1 organization here in British Columbia called the  
2 Canadian Anti-Racism Education and Research Society?

3 MR. WARMAN: I am just wondering if  
4 Mr. Fromm could perhaps outline the relevance of that  
5 question.

6 THE CHAIRPERSON: The question was  
7 quite simply are you aware of it?

8 MR. WARMAN: Yes.

9 MR. FROMM: Have you spoken --

10 THE CHAIRPERSON: What was the name  
11 again?

12 MR. FROMM: Canadian Anti-Racism  
13 Education and Research Society. Its acronym is CAERS.

14 THE CHAIRPERSON: Okay.

15 MR. FROMM: Have you spoken in the  
16 past at events organized by them?

17 MR. WARMAN: Yes, I have.

18 MR. FROMM: This document was  
19 disclosed to the parties yesterday, but I would like to  
20 put it to Mr. Warman, if I might.

21 REGISTRY OFFICER: Mr. Warman, do you  
22 have a copy?

23 MR. WARMAN: I'm not sure. Can you  
24 show me? Yes, I believe so.

25 MR. VIGNA: Mr. Chair, I will not

1 object, but I will address it in terms of probative  
2 value.

3 THE CHAIRPERSON: Okay.

4 MR. FROMM: Do you need one more  
5 copy?

6 REGISTRY OFFICER: Yes, please.

7 MR. FROMM: If you look on the second  
8 page of this document, Mr. Warman, do you recognize  
9 yourself as a scheduled speaker at some events?

10 THE CHAIRPERSON: First of all, let's  
11 identify the document before we get there. Are you  
12 aware --

13 MR. FROMM: This is a calendar of  
14 events from a website called Stop Racism.

15 THE CHAIRPERSON: Have you seen this  
16 document before, Mr. Fromm -- sorry, Mr. Warman?

17 MR. WARMAN: No, I have not.

18 THE CHAIRPERSON: But are you aware  
19 of its content to the point where we can identify at  
20 least for the purposes of getting through the  
21 questioning on this point?

22 MR. WARMAN: No, I'm sorry. I mean,  
23 I know they have a calendar of events, but I can't say  
24 that I've seen this document.

25 MR. FROMM: If you can look at the

1 calendar of events, can you confirm that you are to be  
2 a speaker at those events?

3 MR. WARMAN: Mr. Chair, I'm not sure  
4 the exhibit has even been identified yet. So if I  
5 can't identify it --

6 THE CHAIRPERSON: No, but the  
7 question can be rephrased from what I hear from Mr.  
8 Fromm. This document indicates that there was a  
9 speaking event on October 15th, 2006 at which you were  
10 to be a speaker. Are you familiar with those facts?

11 MR. WARMAN: Yes.

12 MR. FROMM: On the first page there  
13 is a scheduled workshop scheduled for Vancouver for  
14 December the 15th. You're scheduled to be a speaker  
15 there too. Is that not right?

16 MR. WARMAN: I don't see that listed  
17 there anywhere.

18 MR. FROMM: Sorry?

19 MR. WARMAN: I don't see that listed  
20 there anywhere.

21 MR. FROMM: But I'm asking you: Are  
22 you scheduled to be a speaker there?

23 MR. WARMAN: Now I'll object to the  
24 relevance again to the question in relation to these  
25 proceedings.

1 THE CHAIRPERSON: Just so I know what  
2 the objection is relating to, we've established that  
3 you were scheduled to be a speaker on October 15th.

4 MR. WARMAN: Yes.

5 THE CHAIRPERSON: And the question  
6 that now comes up is are you scheduled to be a speaker  
7 on December 15th. Right?

8 MR. WARMAN: Yes.

9 THE CHAIRPERSON: And you object to  
10 that question?

11 MR. WARMAN: Clearly as this Tribunal  
12 hearing deals with events that occurred in the past, an  
13 event that may occur in the future can have no arguable  
14 relevance to these proceedings.

15 THE CHAIRPERSON: What's the  
16 relevance, Mr. Fromm?

17 MR. FROMM: For the moment I'll  
18 contend myself with the past.

19 So you confirm that you were  
20 scheduled to be a speaker at an event in Victoria on  
21 October 15th?

22 MR. WARMAN: Yes. Now, although the  
23 date got moved once and I can't remember whether that's  
24 the original one or that's the changed one, but at some  
25 point in or around that date.

1 MR. FROMM: You did in fact speak  
2 there?

3 MR. WARMAN: I did, yes.

4 THE CHAIRPERSON: This document has  
5 not been identified yet so I will just put it aside,  
6 but your question was asked in regard to the document.

7 MR. FROMM: Yes. Was the fact that  
8 you were scheduled to speak there on the 15th the  
9 reason that you were so insistent originally that the  
10 hearings involving Mr. Donnelly and Ms Beaumont go  
11 ahead the previous week?

12 MR. VIGNA: Mr. Chair, how is that  
13 relevant to the complaint in any way? We're in  
14 argument on issues that are not related to the main  
15 focus of the complaint. We are deviating into  
16 character evidence on issues that have no direct  
17 connection to the complaint in an effort to do what  
18 exactly?

19 THE CHAIRPERSON: Mr. Fromm, is your  
20 point in your question that, if I can take it one step  
21 further, that Mr. Warman wanted the case to proceed in  
22 October because he was scheduled to speak at that same  
23 time in Victoria?

24 MR. FROMM: That is what I am driving  
25 at, yes.

1 THE CHAIRPERSON: Interesting point.  
2 I don't know what relevance it will have on my findings  
3 on the complaint itself, but the facts speak for  
4 themselves. Date-wise, the facts speak for themselves.  
5 He was scheduled for October and he was scheduled to  
6 speak in October. I see that, thank you.

7 MR. FROMM: Mr. Warman, as a witness  
8 for the Commission, are your travel expenses paid out  
9 here to British Columbia?

10 MR. WARMAN: Objection. What's the  
11 relevance to whether Ms Beaumont communicated or caused  
12 to be communicated, et cetera?

13 THE CHAIRPERSON: Are you now  
14 claiming for any expenses for your travel here or does  
15 that form part of your claim for damages?

16 MR. WARMAN: No, I haven't asked for  
17 costs.

18 THE CHAIRPERSON: The inconvenience  
19 and so on. There is no right to costs in any event,  
20 but the inconvenience?

21 MR. WARMAN: That forms no part of  
22 it.

23 MR. FROMM: I'm not sure, I think I  
24 heard your question, sir, but I'm not quite sure I  
25 understood the answer.

1                   As a witness for the Commission in  
2 this case, is Mr. Warman not entitled to his travel  
3 expenses regardless of how the case turns out.

4                   MR. VIGNA: Mr. Chair, I don't see  
5 the relevance of these questions.

6                   MR. FROMM: Well, it's yes or no.

7                   MR. VIGNA: I don't see the relevance  
8 of these questions other than engaging in another  
9 debate which is not the proper forum.

10                  THE CHAIRPERSON: The only reason I  
11 asked my questions, Mr. Fromm, was that I could see a  
12 relevance if there was a claim being made for travel  
13 costs or inconvenience, extra costs we said may or may  
14 not be covered, but the inconvenience issue would seem  
15 obvious. That's why I asked my question to sort of  
16 advance this discussion.

17                  I gather that is not being claimed,  
18 the inconvenience or cost of coming here. So, he is  
19 appearing as a Commission witness today and yesterday.

20                  MR. FROMM: Yes. And as a witness my  
21 question simply is is he being reimbursed?

22                  THE CHAIRPERSON: What's the  
23 relevance there for the case? The only relevance would  
24 be if costs were being claimed by him for  
25 reimbursement, and those are not being claimed. So,

1           what other relevance is there? He is being led by the  
2           Commission as a witness.

3                         MR. FROMM: And therefore his  
4           expenses are being paid.

5                         THE CHAIRPERSON: What's the  
6           relevance?

7                         MR. FROMM: The relevance, I think,  
8           sir, is before you on this document. As the case  
9           manager here, you know how vehemently that October date  
10          was fought for.

11                        THE CHAIRPERSON: That was a fight;  
12          that's over, sir.

13                        MR. FROMM: Okay, that's over indeed.

14                        THE CHAIRPERSON: A debate took place  
15          and there were winners and losers each time the debate  
16          took place. The first time around the case got  
17          adjourned, notwithstanding hi vehement objections. And  
18          this time around the case is proceeding,  
19          notwithstanding other people's objections. Even Mr.  
20          Vigna did not want the case to proceed today, and yet  
21          we're proceeding. Mr. Vigna has come here, I don't  
22          know if he was kicking and screaming, but he's here.

23                        So, let's move on, Mr. Fromm. Those  
24          are old issues. Please move on.

25                        MR. FROMM: That's what I'm trying to

1 do and that's why I'm asking him --

2 THE CHAIRPERSON: No, but I'm not  
3 letting you ask the question any more on that front.  
4 He's a witness who has been called to testify. I don't  
5 see what other relevance there is.

6 MR. FROMM: All I'm inquiring about  
7 is as a witness does he get paid?

8 THE CHAIRPERSON: Why is that  
9 relevant?

10 MR. FROMM: We'll be very up front.  
11 Ms Beaumont is being paid nothing. I am being paid  
12 nothing. I came here at my own expense. We're up  
13 front. We'll tell you her finances when we get her up  
14 on the witness stand.

15 I'm not asking his finances. I'm  
16 only asking if the Commission pays --

17 THE CHAIRPERSON: What you just  
18 mentioned is highly relevant to the issue of the  
19 penalty because that's specified in the Act in terms of  
20 the finances of the respondent. I can see the  
21 relevance, but it doesn't state anywhere in the Act  
22 that we have to take into consideration what the  
23 finances of the complainant are. I get your point, Mr.  
24 Fromm. Move on. I get your point.

25 I know the Commission typically may

1 pay for its witnesses to come and testify. That's been  
2 stated by the Commission in case management conferences  
3 in the past, not just Mr. Warman.

4 MR. FROMM: No. May I have  
5 stopracism.ca marked as an exhibit?

6 THE CHAIRPERSON: It wasn't  
7 identified by Mr. Warman, unless it goes in by consent.  
8 Mr. Vigna said he didn't have an objection earlier.

9 MR. VIGNA: No, I will just argue on  
10 the probative value.

11 THE CHAIRPERSON: All right.

12 REGISTRY OFFICER: The three-page  
13 document, excerpt from the website stopracism.ca, "Take  
14 Action" section will be marked as respondent  
15 Exhibit R-2.

16 EXHIBIT NO. R-2: Three-page  
17 excerpt from stopracism.ca  
18 website

19 MR. FROMM: On page 2 of R-2 in the  
20 list of speakers at the October 15th, Combating  
21 Cyberhate and Terrorism conference that you spoke at  
22 there's a man there listed as Harry Abrams, President  
23 Canadian Anti-Racism Education and Research Society.  
24 Have you met that individual?

25 MR. WARMAN: Objection as to the

1           relevance.  What possible relevance does this have as  
2           to whether Ms Beaumont communicated hate messages?

3                         THE CHAIRPERSON:  What is the  
4           relevance, sir?  Is there a next question?

5                         MR. FROMM:  The next question is:  
6           Were you flattered when Mr. Abrams introduced you as a  
7           Wayne Gretzky of the human rights movement in Canada?

8                         MR. WARMAN:  Objection.

9                         MR. VIGNA:  Mr. Chair, we're going  
10          way beyond the scope of this hearing.

11                        THE CHAIRPERSON:  Mr. Fromm, I made  
12          it clear that this line of questioning will not be  
13          allowed in this hearing.

14                        MR. FROMM:  Is that on the record?

15                        THE CHAIRPERSON:  Of course it's on  
16          the record.  Everything is on the record, everything  
17          you're saying and everything I'm saying, Mr. Fromm.

18                        Look, if you have any issue, the  
19          proper forum for reviewing the Commission decisions and  
20          reviewing the Tribunal decisions is the Federal Court.  
21          Take it there.

22                        Now, let's move on.

23                        MR. FROMM:  As Mr. Warman is making a  
24          claim for damages --

25                        THE CHAIRPERSON:  Yes.

1 MR. FROMM: -- I think his  
2 credibility is of some moment.

3 THE CHAIRPERSON: Now you've raised a  
4 different issue. You're getting into the question of  
5 his claim for damages. Go on.

6 MR. FROMM: That's the reason for my  
7 question, if that's an accurate quotation from Mr.  
8 Abrams in introducing him, that he introduced Mr.  
9 Warman as the Wayne Gretzky of the human rights  
10 movement in yeah.

11 THE CHAIRPERSON: You're saying it  
12 goes to the issue of Mr. Warman's claim for damages  
13 under section 54(c) which references 53(3). Is that  
14 what you're saying?

15 MR. FROMM: That's correct. And  
16 yesterday, despite your best efforts, sir, you were not  
17 able to extract from him even a figure, except  
18 somewhere in the middle range. But he is making a  
19 claim for damages against this young lady for posts she  
20 made on Stormfront.

21 So, his character I think very much  
22 is an issue.

23 MR. VIGNA: I would like to add  
24 something, Mr. Chair, on this issue of 54(b). I think  
25 there should be a distinction between 54(1)(b) --

1 THE CHAIRPERSON: Wait a minute. I  
2 see, okay. I see what you're saying, Mr. Vigna.

3 MR. VIGNA: Basically I'm saying that  
4 all we have to prove is that a person has been  
5 specifically identified. It's not like the typical  
6 hurt feelings award where we engage in --

7 THE CHAIRPERSON: 54(1)(b) reads with  
8 53(3), where the focus of the analysis is on the fact  
9 that a victim has been specifically identified and that  
10 the person who is engaged in the discriminatory  
11 practice acted in this manner wilfully or recklessly.

12 MR. VIGNA: It's just to distinguish  
13 it from the hurt feelings.

14 THE CHAIRPERSON: Right, I  
15 understand.

16 MR. WARMAN: In fact, Mr. Chair, if I  
17 may, it's specifically different from 53 sub (2), sub  
18 (e) that speaks of pain and suffering.

19 THE CHAIRPERSON: Your claim earlier  
20 yesterday was for 54(1)(b), not 53(2)(e)?

21 MR. WARMAN: Very specifically.

22 THE CHAIRPERSON: Are you following  
23 that, Mr. Fromm, that part of the discussion there?

24 MR. FROMM: I still think in  
25 determining -- should you come to that -- the degree to

1           which Mr. Warman is a victim, you're going to have to  
2           take into account his role and credibility.

3                         It will be our submission at the end  
4           of the day that he is very much a player. He's a  
5           person actively out there making section 13.1  
6           complaints, engaging in public advocacy. He's very  
7           much a player, which of course is his right. But it  
8           may simply mitigate at the end of the day what  
9           compensation might be due to him.

10                        For instance, perhaps this context is  
11           different, but it's one thing to criticize the policies  
12           of the Prime Minister of Canada, it's another thing to  
13           do an expose on a lowly receptionist in a government  
14           department who perhaps is not responsible for policy  
15           and so on. A public figure, a public player, a public  
16           advocate may be fair game for commentary.

17                        Certainly in our submission --

18                        THE CHAIRPERSON: Okay, I think I see  
19           the argument that you will be making. In order for  
20           that argument to be made you need a factual basis to  
21           the effect that Mr. Warman is not, to give the example  
22           given by you earlier, a lowly receptionist you said as  
23           opposed to someone with high prominence with a public  
24           profile. Is that your point?

25                        MR. FROMM: That's the point, yes.

1 THE CHAIRPERSON: Now, it's an  
2 argument that will be raised by the respondent in their  
3 interpretation of section 54(1)(b). I can see that it  
4 becomes an issue that will be raised by the respondent  
5 and at this point I'm not prepared to pre-judge whether  
6 it will be well founded or not.

7 In the interest of advancing this  
8 case, Mr. Warman, you have already indicated that you  
9 have been involved in other complaints and that you  
10 have spoken at conferences in this matter. In the  
11 interest of progressing through this, look, this is not  
12 done without a context. I'm familiar with other  
13 decisions that have been involved and some of the other  
14 evidence that has been introduced in other cases.

15 Can we just advance it to the point  
16 where I will hear the argument in that, Mr. Warman, you  
17 are, can we use the term an advocate in the cause  
18 against hate messages as defined under the Canadian  
19 Human Rights Act? Would you have any objection to  
20 saying that?

21 MR. WARMAN: No.

22 THE CHAIRPERSON: Would you have any  
23 objection to saying that you have had occasion to  
24 participate at conferences regarding this area, this  
25 matter?

1 MR. WARMAN: No.

2 THE CHAIRPERSON: In fact, I will  
3 even go this far, Mr. Warman because it's evidence that  
4 I have heard in other cases that you were a recipient  
5 of an award of some sort or was that another witness?  
6 You were not a recipient of an award?

7 MR. WARMAN: I believe that was the  
8 police officer.

9 THE CHAIRPERSON: Yes, but you have  
10 not been a recipient of an award?

11 MR. WARMAN: Not directly in relation  
12 to this.

13 THE CHAIRPERSON: I know where you're  
14 going, Mr. Fromm, and I am very interested in hearing  
15 the argument that will be made on this point, but let's  
16 not waste our time getting stuck in the details about  
17 what the evidence is to support this. Unless you  
18 really want to get to something specific, I get the  
19 message in your question.

20 MR. FROMM: Can I get an answer to  
21 the question about the Wayne Gretzky?

22 THE CHAIRPERSON: I see the relevance  
23 and I will allow the question. Were you called that by  
24 the individual at that conference, Mr. Warman?

25 MR. WARMAN: He may have made

1           comments to that effect.

2                       MR. FROMM:   This document was  
3           disclosed to the parties yesterday and I was wondering  
4           if I would be able to distribute it.

5                       THE CHAIRPERSON:   Not quite the best  
6           of photocopies either.

7                       MR. FROMM:   No.   This is a document  
8           that's reprinted in part from a website called Citizens  
9           Against Hate and purports to be a rogue's gallery of --  
10          anyway, it's called Citizens Against Hate.

11                      I was wondering, Mr. Warman, if you  
12          recognize that website, Citizens Against Hate?

13                      MR. WARMAN:   I know of it, yes.

14                      MR. FROMM:   I was wondering if I  
15          could have this document marked.

16                      MR. WARMAN:   I don't believe it's  
17          been identified yet.

18                      THE CHAIRPERSON:   You can't identify  
19          it?

20                      MR. WARMAN:   I haven't seen this  
21          personally.

22                      THE CHAIRPERSON:   We could identify  
23          it with a letter.   Will your client be able to identify  
24          it when she testifies?

25                      MR. FROMM:   Yes, she can.

1 THE CHAIRPERSON: We can just mark it  
2 now with a letter and she can address it in her  
3 evidence.

4 REGISTRY OFFICER: The six-page  
5 document excerpt from the website Citizens Against Hate  
6 will be marked for identification as A.

7 EXHIBIT A FOR IDENTIFICATION:  
8 Six-page excerpt from Citizens  
9 Against Hate website

10 THE CHAIRPERSON: That means it's not  
11 produced. Do you understand, Mr. Fromm? You have to  
12 get back to it with a witness.

13 Go on, ask your question, please.

14 MR. FROMM: On page 3 of this, Mr.  
15 Warman, do you see a picture there of a number of  
16 individuals from a group apparently called the Northern  
17 Alliance? It says there that you provided that  
18 photograph to the Citizens Against Hate photo gallery.  
19 Is that correct?

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

21 MR. FROMM: Can you explain why it  
22 would say that you did?

23 MR. WARMAN: No, I cannot.

24 MR. FROMM: If you move ahead to page  
25 5, there are a number of pictures there that are

1 identified as Jessy and Ciaran, Jessica Beaumont  
2 tattoo, Jessica Beaumont, it's not very clear and then  
3 finally one with Jessica Beaumont. There are six  
4 photos there. Did you provide those to this website?

5 MR. WARMAN: No, I did not.

6 MR. FROMM: Were they provided on  
7 your behalf to the website?

8 MR. WARMAN: Not that I'm aware of.

9 MR. FROMM: Can you say yes or no to  
10 that?

11 MR. WARMAN: You have my answer.

12 MR. FROMM: I have another document I  
13 would like to -- this document was again disclosed to  
14 the parties yesterday. I asked Ms Beaumont if she  
15 received a copy and she said she had not.

16 Mr. Warman, do you recognize this as  
17 the text you provided of an address you gave to a group  
18 called Anti-Racist Action in the summer of 2005?

19 MR. VIGNA: Objection. I would like  
20 to know the relevance of the document.

21 THE CHAIRPERSON: I have a sense it  
22 might be going in the same direction as the previous  
23 documents where we had that objection with regard to  
24 that argument that you were talking about, Mr. Fromm?

25 MR. FROMM: Yes, this goes to the

1 argument for compensation for having been named. It  
2 goes to Mr. Warman's role in terms of confrontations  
3 with people whose views he doesn't like.

4 THE CHAIRPERSON: Sir?

5 MR. WARMAN: Mr. Chair, the Act is  
6 explicit in its language. Section 53, sub (2), sub (e)  
7 speaks of compensating the victim for any pain and  
8 suffering that the victim experienced as a result of  
9 the discriminatory practice.

10 Member Jensen indicates that Winnicki  
11 specifically allowed this line of questioning only on  
12 the basis that it went to the question of pain and  
13 suffering. She was explicit that that was the reason  
14 that line of questioning was being allowed.

15 Section 54, sub (1), sub (b) states  
16 only that compensation be provided to a victim  
17 specifically identified in the communication that  
18 constituted the discriminatory practice and that the  
19 person engaged or has engaged in a discriminatory  
20 practice wilfully or recklessly.

21 There is nothing in there whatsoever  
22 that speaks to the kind of characterization in 53, sub  
23 (2), sub (e). Parliament is presumed to have had a  
24 reason when they passed legislation. It is intended to  
25 be that if two different sections speak to two

1 different things, they speak to two different things  
2 because Parliament intended them to. They should not  
3 be confused together. It should not permit an  
4 impermissible line of questioning under one section.

5 THE CHAIRPERSON: I see your point,  
6 Mr. Warman, but the word "compensate" is there.

7 MR. WARMAN: Yes, but then it's  
8 qualified. It's not compensate at large. It's  
9 compensate someone who, and I quote.

10 "...a victim specifically  
11 identified in the communication  
12 that constituted the  
13 discriminatory practice."

14 Point finale. It doesn't say if they  
15 felt bad or if they were a good person or if they were  
16 a bad person or if they were a midling person. It  
17 doesn't say if someone has done something in the past  
18 in their life they don't qualify as a victim who was  
19 specifically named.

20 THE CHAIRPERSON: There is a  
21 reference there to 53(3) which would perhaps --

22 MR. WARMAN: But that goes to the  
23 conduct of the respondent and has nothing to do with --

24 THE CHAIRPERSON: That's what I'm  
25 driving at, that read with 53(3), although the term is

1 compensation -- it's an odd use of the language, I must  
2 say, but I have never had to deal with this before.  
3 The language speaks of compensation yet the focus would  
4 appear to be in the language of the statute almost  
5 entirely on the conduct of the wrongdoer.

6 MR. WARMAN: In fact it is entirely  
7 on the conduct of the wrongdoer. There is no mention  
8 whatsoever of the conduct of the victim. The Tribunal  
9 has been explicitly clear in its previous cases that  
10 there is no mistaken Nazi defence, there is no, oh,  
11 they got it wrong.

12 So, in the Kyburz case if someone  
13 attacks me as the complainant under the mistaken  
14 assumption that I am Jewish, that still qualifies as a  
15 discriminatory practice and qualifies the individual  
16 attacked as a victim of a discriminatory practice.

17 Again, there is nothing in here that  
18 would open the door to this line of questioning that is  
19 being permitted.

20 MR. FROMM: Really, the argument  
21 revolves around the word "victim."

22 THE CHAIRPERSON: Where?

23 MR. FROMM: In 53(3):

24 "In addition to any order under  
25 subsection (2), the member or

1 panel may order the person to  
2 pay such compensation not  
3 exceeding twenty thousand  
4 dollars to the victim as the  
5 member or panel may  
6 determine..."

7 Et cetera.

8 To the victim. In assessing whether  
9 or not Mr. Warman, the complainant here and in numerous  
10 other cases and public advocate and so on is indeed a  
11 victim, I think it's certainly fair to probe his  
12 behaviour at least in these matters.

13 MR. WARMAN: Sir, I draw your  
14 attention again to section 54(1)(b), victim is  
15 circumscribed. It states specifically a victim  
16 specifically identified in a communication that  
17 constituted the discriminatory practice. It is not  
18 victim at large. It is a very specific and qualified  
19 type or class. It is a victim that has been personally  
20 named within the context of the discriminatory  
21 material.

22 Once those points or those tests are  
23 met, there is no further grounds for consideration by  
24 the Tribunal. That is the explicit language of the  
25 Act.

1                   MR. FROMM: Is naming him, though, to  
2                   make him a victim?

3                   MR. WARMAN: And the Tribunal has  
4                   previously been explicitly clear that that does in  
5                   fact, when you name someone personally in the context  
6                   of hate messages, whether it is accurate or not, that  
7                   is the lump sum total of the consideration by the  
8                   Tribunal.

9                   THE CHAIRPERSON: Where do you intend  
10                  to go with the line of questioning, Mr. Fromm, beyond  
11                  this --

12                  MR. FROMM: This particular document?

13                  THE CHAIRPERSON: Yes.

14                  MR. FROMM: In terms of assessing  
15                  victimhood, I want to draw Mr. Warman's attention to  
16                  several statements he made, which may modify that  
17                  perception, and also I would like to draw his attention  
18                  to statements made about the respondents in this  
19                  particular case.

20                  THE CHAIRPERSON: About the  
21                  respondents in this particular case?

22                  MR. FROMM: Respondents. Once again,  
23                  Ms Beaumont assures me this was not disclosed to us and  
24                  I think was arguably relevant. As I have argued  
25                  before, we have started at a massive disadvantage and

1 we are further disadvantaged by the fact that the  
2 disclosure from Mr. Warman, who is experienced, has not  
3 been forwarded either.

4 THE CHAIRPERSON: There are  
5 disclosures and there are disclosures. This document  
6 has been circulating a long time. Yes, perhaps it  
7 should have been disclosed if there is mention made in  
8 there you say of Ms Beaumont.

9 Yes, Mr. Warman, I will give you last  
10 chance.

11 MR. WARMAN: Well, last chance, first  
12 chance, what have you. The specific reason why the  
13 claim was put forward under 54(1)(b), part of the  
14 consideration in making that application under that  
15 heading was to exactly avoid this kind of nonsense that  
16 has been allowed, that has transpired in the past at  
17 these hearings in order to attempt to circumvent this  
18 entire attack the victim mentality that is put forward  
19 and says if you claim under this section, 53 sub (2)  
20 sub (e), then we will be permitted to go into an entire  
21 consideration of your history and we will attack you on  
22 every possible ground that we can find on anything that  
23 we consider available to us to throw at you.

24 That is why claiming under section 54  
25 sub (1) sub (b) is a very specific choice and was made

1 very deliberately because it does not, and it closes  
2 off explicitly in the language of the Act that line of  
3 questioning. Otherwise Parliament would not have  
4 passed two separate sections of the Act.

5 THE CHAIRPERSON: Is there an  
6 authority for whether this line of questioning has not  
7 been permitted and has been permitted? You referenced  
8 the Winnicki decision. That was the final decision on  
9 the merits that dealt with that matter?

10 MR. WARMAN: It was. In fact, I  
11 would refer to learned Member Hadjis' decision in the  
12 Kulbashian and Richardson case where this exact issue  
13 of speaking or a relationship with another group called  
14 Anti-Racist Action was attempted to be raised. In that  
15 case you ruled that that was impermissible because the  
16 way I interpreted that ruling was because that kind of  
17 character assassination or whatever you have, bad  
18 evidence, Mr. Warman is a bad man was impermissible to  
19 the question that was before the Tribunal.

20 THE CHAIRPERSON: Remind me, was a  
21 54(1)(b) order requested in the Warman versus  
22 Kulbashian case? I seem to recall not.

23 MR. WARMAN: In any event, it's even  
24 stronger if it was 53 sub (2) sub (e) because in that  
25 case you didn't permit it. This, where there is

1 specific wording of the Act that does not speak to  
2 anything like that --

3 THE CHAIRPERSON: I don't know if  
4 there was a 53(2)(e) in that file either, was there?

5 MR. WARMAN: There was. There was  
6 one of the two. I'm sorry, I don't have it in front of  
7 me.

8 MR. FROMM: In Warman versus  
9 Tremaine, Member Doucet did permit this line of  
10 questioning. It was that sort of claim --

11 MR. WARMAN: I don't recall that  
12 certainly.

13 THE CHAIRPERSON: Does anyone have  
14 any of the decisions in front of them?

15 MR. WARMAN: No.

16 THE CHAIRPERSON: I will go and take  
17 a look at them. Maybe we will take our morning break  
18 at this point.

19 MR. VIGNA: There is some case law in  
20 a book in front of you.

21 THE CHAIRPERSON: Are any of these  
22 decisions in there so I don't have to look at them on  
23 the Internet?

24 MR. VIGNA: There are a good number  
25 of them in there.

1 THE CHAIRPERSON: Fifteen minutes, 25  
2 past.

3 --- Upon recessing at 11:10 a.m.

4 --- Upon resuming at 11:33 a.m.

5 REGISTRY OFFICER: Order, please.  
6 Please be seated.

7 THE CHAIRPERSON: Yes, sir. Go  
8 ahead. Give me a minute to set up my computer.

9 MR. WARMAN: Sure.

10 MR. VIGNA: Tab 15, the Winnicki  
11 case, we will be referring to that case.

12 THE CHAIRPERSON: Mr. Warman, I  
13 looked at the Winnicki decision, so, thank you, I don't  
14 need to hear you any further on the point.

15 I understand your submissions, Mr.  
16 Warman and Mr. Vigna. Indeed, a reading as one can  
17 make of 54(1)(b) where it is said that an order may be  
18 issued by the Tribunal under 53(3) to compensate a  
19 victim specifically identified in the communication  
20 that constitutes a discriminatory practice, and then  
21 the reference is up to 53(3) which again speaks of  
22 compensation for the person who is engaged -- I will  
23 read it exactly: That compensation not exceeding  
24 \$20,000 may be awarded to the victim as a member of the  
25 panel may determine, "if the member or panel finds that

1 the person is engaging or has engaged in discriminatory  
2 practice wilfully or recklessly."

3 On that reading, it appears that the  
4 focus is on the conduct of the respondent. However, we  
5 are being asked here, an argument is being put forth  
6 that Parliament, in its use of the words "victim" and  
7 "compensate" in both those provisions may have intended  
8 otherwise or that it should be read somewhat  
9 differently.

10 In my reading of Winnicki and the  
11 other cases, Winnicki was a case that involved  
12 retaliation when that issue of 53(2)(e) came up.

13 Please, Mr. Warman, it's all right.

14 That issue I don't think was  
15 addressed in the same manner. In any event, I'm not  
16 bound by any of those decisions. There is no decision  
17 from a higher authority saying that I can't allow a  
18 respondent to raise this type of an argument. It's one  
19 that could be raised. It's in that sense relevant.

20 I don't see the prejudicial value at  
21 this point of exceeding the relevance to this line of  
22 questioning. I will allow it. But, Mr. Fromm, as I  
23 have just indicated to you, I will allow your line of  
24 questioning on this point for the purposes that I have  
25 just discussed, but we have certain constrictions both

1 on time and in terms of the proper operation of this  
2 hearing.

3 I won't allow to it go on and on,  
4 where, as I have indicated before, the message has been  
5 conveyed. But certainly this line of questioning can  
6 be followed by you and I will allow it.

7 MR. FROMM: Mr. Chairman, I too am  
8 conscious of time. There's a winged chariot at our  
9 heels.

10 THE CHAIRPERSON: So just get  
11 straight to the point.

12 MR. FROMM: Can I ask Mr. Warman if  
13 he can identify this as what was provided by himself as  
14 notes for his remarks to a group called the Anti-Racist  
15 Action in the summer of 2005?

16 MR. WARMAN: This appears to be a  
17 copy thereof.

18 MR. FROMM: Could you read us the  
19 title of your talk?

20 MR. WARMAN: The title is "Maximum  
21 Disruption," sub-title "Stopping Neo-Nazis By (Almost)  
22 Any Means Necessary."

23 THE CHAIRPERSON: This is a document  
24 that you drafted, Mr. Warman?

25 MR. WARMAN: It is.

1 THE CHAIRPERSON: Would you like to  
2 produce it, Mr. Fromm?

3 MR. FROMM: Yes, I would like this  
4 marked as an exhibit.

5 THE CHAIRPERSON: Go ahead.

6 REGISTRY OFFICER: The document  
7 entitled "Maximum Disruption: Stopping Neo-Nazis By  
8 (Almost) Any Means Necessary" by Richard Warman dated  
9 July 6, 2005 will be marked as respondent Exhibit R-3.

10 EXHIBIT NO. R-3: Document  
11 entitled "Maximum Disruption:  
12 Stopping Neo-Nazis By (Almost)  
13 Any Means Necessary" by Richard  
14 Warman dated July 6, 2005

15 THE CHAIRPERSON: What would you like  
16 to draw our attention to, Mr. Fromm?

17 MR. FROMM: First of all, sir, to  
18 page 15. I was wondering if you could tell us what was  
19 meant by what's in brackets there at about the middle  
20 of the page in bold "[pic of Donnelly and Bahr]."

21 MR. WARMAN: Mr. Chair, having had an  
22 opportunity to review those notes over the break, I'm  
23 unaware of any mention whatsoever of Ms Beaumont within  
24 this material. So, I'm just wondering if there is an  
25 actual relevance to this case..

1 THE CHAIRPERSON: It's relevant on  
2 the other issue I discussed.

3 MR. WARMAN: Specifically with  
4 regards to this, it says "[pic of Donnelly and Bahr]."  
5 What's the relevance to this case?

6 THE CHAIRPERSON: I don't know. Let  
7 this question go in and I'll see. Maybe there's  
8 another question following up. Go on.

9 MR. FROMM: What did that mean, in  
10 bold letters "[pic of Donnelly and Bahr]?"

11 MR. WARMAN: It meant that there was  
12 a picture of Donnelly and Bahr contained or that was  
13 intended to be contained within a PowerPoint  
14 presentation but that was not ultimately presented.

15 MR. FROMM: So the point was that you  
16 were going to show a picture of Ciaran Donnelly and Mr.  
17 Bahr to this group that you were speaking to?

18 MR. WARMAN: That's correct.

19 MR. FROMM: Moving on to page 16, the  
20 third last paragraph, I was wondering if you could read  
21 that to us, the one that begins "But I also."

22 MR. WARMAN: "But I also believe that  
23 there is a crucial role for individuals to play in  
24 ensuring that those responsible for disseminating such  
25 vicious hate propaganda into our communities are held

1           accountable for their actions, and that's why I've  
2           filed federal human rights complaints against WCFU,  
3           Glenn Bahr, Peter Kouba, and two other members who just  
4           wouldn't take the hint that the WCFU party was over."

5                       MR. FROMM:   Who would the other two  
6           members be?

7                       MR. WARMAN:   Ciaran Donnelly and Ms  
8           Beaumont.

9                       MR. FROMM:   My first question to you,  
10          sir, is why this was not disclosed to us as arguably  
11          relevant?

12                      MR. WARMAN:   Because I didn't feel  
13          that it was arguably relevant.

14                      THE CHAIRPERSON:  That's in the past.  
15          Move on, please.

16                      MR. FROMM:   On page 1 of this speech,  
17          I was wondering if you would read to us the last two  
18          paragraphs on that first page.

19                      THE CHAIRPERSON:  Do we have to read  
20          it into the record, Mr. Fromm?

21                      MR. FROMM:   Yes, please.

22                      THE CHAIRPERSON:  I can read it  
23          myself.  Can you be specific?

24                      MR. FROMM:   Perhaps I will approach  
25          that a little differently.  The last paragraph says:

1 "The 'maximum disruption' part  
2 comes in because whenever I  
3 think it will be most helpful,  
4 or even if I just feel it will  
5 be the most fun, I strongly  
6 believe in hitting the neo-Nazis  
7 on as many of these fronts as  
8 possible either at the same time  
9 or one right after the other. I  
10 say this because it keeps them  
11 off-balance..."

12 Do you stand by that as your  
13 philosophy or anti-racism at the present time?

14 MR. WARMAN: You changed some of the  
15 words, but in general I do believe on using the full  
16 panoply of legal remedies against individuals involved  
17 in the neo-Nazi movement.

18 MR. FROMM: So, it's the task that  
19 you've set yourself to try to go after or disrupt what  
20 you call the neo-Nazi movement. Is that so?

21 MR. WARMAN: No, I believe that any  
22 citizen has a responsibility to report illegal activity  
23 to the proper authorities.

24 MR. FROMM: I'm not talking about any  
25 citizen. I'm asking you.

1 MR. WARMAN: And that was my answer.

2 MR. FROMM: Could you explain what  
3 you mean by maximum disruption?

4 MR. WARMAN: I believe in using the  
5 full panoply of legal remedies available against  
6 individuals within the neo-Nazi movement who I believe  
7 to be violating those laws.

8 MR. FROMM: In that talk, did you  
9 encourage this group you were speaking to, called  
10 Anti-Racist Action to involve themselves in -- or  
11 perhaps you praised them for involving themselves in  
12 violent protests in years gone by?

13 MR. WARMAN: No, I did not.

14 THE CHAIRPERSON: Do you have another  
15 question, sir?

16 MR. FROMM: I just lost my place for  
17 a moment.

18 --- Pause

19 MR. FROMM: Sorry, I found it now.  
20 On page 8, the paragraph that occurs a third of the way  
21 down the page after the one in quotation marks:

22 "None of this will come as any  
23 surprise to old school members  
24 of Anti-Racist Action here in  
25 Toronto who kept up a stream of

1                   demonstrations and outings  
2                   against Zundel's ability to  
3                   operate with seeming impunity  
4                   out of his bunker on Carlton St.  
5                   I can still remember attending  
6                   these pleasant get-togethers  
7                   back when I used to live in  
8                   Toronto in the early 1990's."

9                   Can you explain to us what you mean  
10                  by outings?

11                  MR. WARMAN: They were protests.

12                  MR. FROMM: But you used two terms  
13                  there, demonstrations and outings. What's the  
14                  difference between a demonstration and an outing?

15                  MR. WARMAN: I believe they're  
16                  roughly synonymous. An outing may considerably be  
17                  something along the lines of going out. I mean,  
18                  there's no real difference in the terminology.

19                  THE CHAIRPERSON: So you used the two  
20                  terms but you're meaning the same thing?

21                  MR. WARMAN: Yes, like cease and  
22                  desist.

23                  THE CHAIRPERSON: In effect, you're  
24                  talking about a situation where someone is outside  
25                  protesting with placards, that type of thing?

1 MR. WARMAN: Exactly.

2 THE CHAIRPERSON: I understand.

3 MR. FROMM: Isn't an outing in terms  
4 of homosexuals meant when a person who not known as a  
5 homosexual is so revealed?

6 THE CHAIRPERSON: How is that  
7 relevant?

8 MR. FROMM: I'm having trouble with  
9 the fact that Mr. Warman is claiming that  
10 demonstrations and outings are the same thing. I'm  
11 trying to probe whether he means something else by  
12 "outings."

13 THE CHAIRPERSON: And I heard his  
14 answer that he did not mean something else. That's  
15 what he just said. Do you mean something else by the  
16 words "outings" and "demonstrations?"

17 MR. WARMAN: No, I did not.

18 MR. FROMM: Was the comment at the  
19 end of that paragraph, "I can still remember attending  
20 these pleasant get-togethers," was that tongue in cheek  
21 about pleasant?

22 MR. WARMAN: No, it was not.

23 MR. FROMM: Were these not in fact  
24 near riots where there was a huge police presence?

25 MR. WARMAN: I don't believe that was

1 the case.

2 MR. FROMM: If I could draw your  
3 attention to tab 9. You identified this yesterday as  
4 one of the documents that you had downloaded from  
5 Stormfront. Is that correct?

6 MR. WARMAN: It is.

7 MR. FROMM: It opens with quite a  
8 long posting by mathdokter. Are you able to identify  
9 who that individual is?

10 MR. WARMAN: It's my belief that that  
11 individual is named Terry Tremaine.

12 MR. FROMM: He was an individual  
13 against whom you made a section 13.1 complaint?

14 MR. WARMAN: That's correct.

15 MR. FROMM: Have you read this  
16 posting?

17 MR. WARMAN: In the past, yes.

18 MR. FROMM: On the bottom of the  
19 first page there's a paragraph written by Mr. Tremaine.  
20 He says:

21 "Near the end of April, I  
22 received a phone call from the  
23 legal department of the  
24 University where I was teaching  
25 part time as a sessional

1                   lecturer in Mathematics. They  
2                   stated they had received a fax  
3                   from Mr. Warman outlining the  
4                   complaint against me and  
5                   requested a meeting to discuss  
6                   the matter. I agreed. It did  
7                   not require a genius to figure  
8                   out what would happen next. At  
9                   the meeting I was dismissed from  
10                  my duties in the University's  
11                  interest so as to avoid a 'media  
12                  circus'. I agreed that I did  
13                  not want the media involved.  
14                  Mr. Warman had stated he would  
15                  go to the local and national  
16                  media if I were not immediately  
17                  dismissed."

18                                   Do you dispute that account?

19                                   MR. WARMAN: I do.

20                                   MR. FROMM: Did you in fact write to  
21                  the university and tell them that they had I believe it  
22                  was a two-week deadline to do something about Mr.  
23                  Tremaine or you would go to the media?

24                                   MR. WARMAN: No, I did not.

25                                   MR. FROMM: Considering the documents

1 filed in the Warman versus Tremaine, do you want to  
2 rethink that answer?

3 MR. WARMAN: No, I do not.

4 MR. FROMM: Did you not approach the  
5 university about the fact that you had filed a section  
6 13.1 complaint against Mr. Tremaine?

7 MR. WARMAN: Oh, I did that very  
8 much.

9 THE CHAIRPERSON: Pardon?

10 MR. WARMAN: I did that very much.

11 THE CHAIRPERSON: I want to be clear  
12 on your answer. You did what?

13 MR. WARMAN: I approached the  
14 university with regard to my concerns about the fact  
15 that Mr. Tremaine was posting hate propaganda to the  
16 Internet attacking the Jewish and black communities in  
17 the most vicious terms while still acting as a lecturer  
18 at the University of Saskatchewan.

19 MR. FROMM: What was the purpose of  
20 communicating that to them?

21 MR. WARMAN: To make my concerns  
22 known to them.

23 MR. FROMM: What did you wish them to  
24 do?

25 MR. WARMAN: The letter explicitly

1 states that I wish them to investigate the matter and  
2 take any further appropriate action that they deemed  
3 necessary and appropriate.

4 MR. FROMM: In the real world, what  
5 did you want them to do?

6 MR. WARMAN: The letter speaks for  
7 itself.

8 MR. FROMM: What would appropriate  
9 action be?

10 MR. VIGNA: Mr. Chair, if there's a  
11 letter that's being mentioned I think it should be  
12 tendered. I'm aware of the letter.

13 THE CHAIRPERSON: I'm not aware of  
14 the letter but I'm hearing the evidence of the witness.  
15 Perhaps we could circumvent this issue. Appropriate  
16 action. did you have any preconceived idea what you  
17 thought would be appropriate action?

18 MR. WARMAN: I thought it would be up  
19 to them to decide. It wasn't my place to offer --

20 THE CHAIRPERSON: So, you didn't have  
21 any intention in your mind, any thought in your mind of  
22 what would be the proper action?

23 MR. WARMAN: It was up to them. That  
24 wasn't a decision for me to make.

25 THE CHAIRPERSON: I know it wasn't a

1 decision for you to make, but did you have any thought  
2 in your mind of what would be an appropriate action?  
3 That he stop doing it, for instance?

4 MR. WARMAN: That anyone who posts  
5 hate propaganda to the Internet, attacking Jews and  
6 arguing for ethnic cleansing against them and the black  
7 community, that that is probably in violation of their  
8 duties to the university as an instructor.

9 MR. FROMM: Supposing the university  
10 had come back to you and simply said, we hold for  
11 academic freedom, we may not like what he's writing,  
12 but it's not our business, would you consider that a  
13 proper response?

14 MR. WARMAN: I'll object on the basis  
15 that it's asking a hypothetical question.

16 MR. VIGNA: Mr. Chair, we're going a  
17 bit out of bounds from this present hearing. I'm a bit  
18 familiar with the Tremaine case, not that I  
19 participated in the whole hearing. I would understand  
20 the limit to where this line of questioning might be  
21 relevant in the Tremaine case, but it's a bit of a  
22 rehashing of the questions that were asked in the  
23 Tremaine case and this is a different case with  
24 different facts and what is the point?

25 I understand from your ruling that

1           there's a bit of latitude, but I think we're going a  
2           little bit beyond what was ruled on.

3                         THE CHAIRPERSON:  Why don't you move  
4           to the next question?  I understand your question, I  
5           understand the answer, and I know the implications in  
6           both.  Go ahead, Mr. Fromm.

7                         MR. FROMM:  Yes, well, I am clearly  
8           not going to get a forthcoming answer.  So I think the  
9           admonition to move on is a good one.

10                        THE CHAIRPERSON:  Exactly.  When you  
11           see that happening, you have made your point and Mr.  
12           Warman has made his point.  You should just move on.

13                        MR. FROMM:  One further question on  
14           the same issue.  When you contacted the university, had  
15           a decision yet been made about your complaint?

16                        THE CHAIRPERSON:  About the complaint  
17           against Mr. Tremaine?

18                        MR. FROMM:  Against Mr. Tremaine.

19                        THE CHAIRPERSON:  Was it pending?

20                        MR. WARMAN:  In fact, no decision has  
21           been made to date.

22                        THE CHAIRPERSON:  I'm sorry?

23                        MR. WARMAN:  No decision has been  
24           rendered to date.

25                        MR. FROMM:  But at the time you

1           phoned the university, no decision had been made in  
2           this complaint you filed against Mr. Tremaine?

3                         THE CHAIRPERSON:  It's probably still  
4           not out, he's saying.

5                         MR. FROMM:  Sorry?

6                         THE CHAIRPERSON:  The decision is  
7           still not out, Mr. Warman just said, so obviously, yes.

8                         MR. FROMM:  It's an important point  
9           though.

10                        THE CHAIRPERSON:  But I understand  
11           it.  How could it have possibly been made if there was  
12           no decision yet?  That's what Mr. Warman just said.  
13           Right?

14                        MR. WARMAN:  Yes.

15                        MR. FROMM:  In the matter of the  
16           complaint against, as it was originally against Ciaran  
17           Donnelly and Jessica Beaumont, did you call Jennifer  
18           Saltman of The Now, which is a newspaper in Coquitlam,  
19           and urge her to do a story as Mr. Donnelly was with the  
20           Ku Klux Klan?

21                        MR. WARMAN:  No, I did not.

22                        MR. FROMM:  Did you have any contact  
23           with the newspaper called The Now in Coquitlam?

24                        MR. WARMAN:  I did, yes, and I have.

25                        MR. FROMM:  Could you explain to me

1           how I have it wrong when I put it to you that you  
2           called this reporter and said she ought to do a story  
3           on this young couple because Mr. Donnelly, according to  
4           you, was a member of the Ku Klux Klan?

5                       MR. WARMAN:  There is any number of  
6           an abundance of explanations how you could be wrong,  
7           and I won't hypothesize on how it might be in this  
8           specific instance.

9                       THE CHAIRPERSON:  Let's move on.  
10          You're trying to find out what was said during the  
11          conversation with Now?

12                      MR. FROMM:  I want to confirm he made  
13          a call to the newspaper.

14                      THE CHAIRPERSON:  He already said  
15          that.  Do you wish to elaborate on what your  
16          conversation was with Now, Mr. Warman?

17                      MR. WARMAN:  I forwarded them a copy  
18          of the complaint materials and simply said in the  
19          nature of FYI.

20                      MR. FROMM:  Not to be laborious about  
21          it but this was of course before your complaint had  
22          been adjudicated, am I correct?

23                      THE CHAIRPERSON:  That goes without  
24          saying.  Go ahead.

25                      MR. FROMM:  Why did you communicate

1 with their community paper, The Now?

2 MR. WARMAN: I can't remember whether  
3 they had been the ones that had written a previous  
4 story on an individual named Bill Noble, but if not, it  
5 was because they were the local Coquitlam paper and  
6 these individuals, to the best of my knowledge, lived  
7 in Coquitlam.

8 MR. FROMM: So you had an issue, you  
9 felt you had an issue with them or more specifically Ms  
10 Beaumont, you filed a section 13.1 complaint. It was  
11 in the process of being looked at by the Commission and  
12 eventually sent on to a Tribunal.

13 I am still trying to understand why  
14 you would communicate with their local newspaper. They  
15 would be in no position to decide the complaint.

16 THE CHAIRPERSON: Do you have a  
17 motivation for calling the newspaper for FYI?

18 MR. WARMAN: Because I thought it  
19 might be of public interest.

20 MR. FROMM: So you're a public  
21 benefactor?

22 MR. VIGNA: Mr. Chair, I don't quite  
23 understand the question.

24 THE CHAIRPERSON: I don't understand  
25 the question.

1                   MR. FROMM: Did you file a complaint  
2 with the B.C. Hate Squad under section 319 of the hate  
3 law provisions of the Criminal Code against Mr.  
4 Donnelly and Ms Beaumont.

5                   MR. VIGNA: Mr. Chair, I would like  
6 to object to that line of questioning because there  
7 might be some -- this type of question in itself may  
8 jeopardize investigations and I don't see the relevance  
9 in relation to section 13 of the Canadian Human Rights  
10 Act. Before we go into dangerous territory where there  
11 might be ongoing criminal investigations, I don't think  
12 that it's relevant to ask these kind of questions for  
13 the civil proceedings.

14                  THE CHAIRPERSON: How do I know there  
15 is an ongoing criminal investigation? I haven't had an  
16 answer yet.

17                  MR. VIGNA: Mr. Chair, even if there  
18 isn't one or there is one, I think asking questions on  
19 criminal investigations can jeopardize them.

20                  THE CHAIRPERSON: The question was  
21 quite simple. In the context of what relevance I see  
22 in these type of questions based on our earlier  
23 discussion regarding 54 and 53, I don't see that the  
24 question cannot be allowed. I cannot see how it might  
25 jeopardize an investigation if a question is asked of

1           whether this individual filed a Criminal Code  
2           complaint.

3                           MR. VIGNA:  Mr. Chair, what I'm  
4           saying is that, for example, if some investigation is  
5           about to take place or is ongoing, it's very important  
6           that the people that are the object of the  
7           investigation are not made aware of that because --

8                           THE CHAIRPERSON:  It may be a very  
9           facile way to avoid getting evidence that may be proper  
10          before the Tribunal to simply say I will refuse to  
11          answer the question because it may jeopardize an  
12          investigation.  I am sorry, I will allow the question.  
13          The question was:  Was a Criminal Code complaint filed  
14          by Mr. Warman?

15                          MR. FROMM:  Filed by Mr. Warman with  
16          the British Columbia Hate Squad?

17                          MR. WARMAN:  I believe they're called  
18          the Hate Crimes Unit, but yes.

19                          MR. FROMM:  So the answer is yes.

20                          I just want to clarify something you  
21          testified to.  If you could look at tab 3, this was a  
22          post from a website called FolkCom.com.  Do you  
23          recognize having identified that yesterday?

24                          MR. WARMAN:  I do.

25                          MR. FROMM:  In your testimony about

1           it, did you say that this was a form of social  
2           networking what's going on there?

3                         MR. WARMAN: That's my belief.  
4           That's how I would characterize it.

5                         MR. FROMM: At tab 24F, just to  
6           clarify another point --

7                         THE CHAIRPERSON: Just a second,  
8           please. 24F, yes.

9                         MR. FROMM: On page 3, Jessy  
10          Destruction posts:

11                                 "Makes me giggle, I own both  
12                                 Turner Diaries and Protocols of  
13                                 the Learned Elders of Zion."

14                                 To your knowledge is ownership of  
15          those books illegal in Canada?

16                                 MR. WARMAN: Not specific ownership  
17          per se.

18                                 MR. FROMM: Thank you. 24G.

19                                 THE CHAIRPERSON: 24G?

20                                 MR. FROMM: Yes.

21                                 THE CHAIRPERSON: I have a 24G-1 and  
22          24G-2 if you recall.

23                                 MR. FROMM: G-1.

24                                 THE CHAIRPERSON: "Okay, Ladies,"  
25          that one?

1                   MR. FROMM: Yes. If you could turn  
2 to page 3 there, and yesterday I think you testified  
3 that the picture there of I believe it's Ciaran  
4 Donnelly. Is that correct?

5                   MR. WARMAN: Yes.

6                   MR. FROMM: It has been somewhat  
7 blown up. Beneath that there's some handwriting that  
8 yesterday you identified as yours?

9                   MR. WARMAN: Yes.

10                  MR. FROMM: Being apparently on a  
11 sticky. Is that correct?

12                  MR. WARMAN: Yes.

13                  MR. FROMM: Have you compiled  
14 dossiers on people who post on Stormfront?

15                  MR. VIGNA: Mr. Chair, I object to  
16 the relevance of the question if it's not related to  
17 this complaint.

18                  THE CHAIRPERSON: No, but it's  
19 relevant to the issue I discussed earlier. Go ahead,  
20 Mr. Fromm.

21                  MR. FROMM: Have you compiled  
22 dossiers on people who have posted on Stormfront  
23 Canada?

24                  MR. WARMAN: Clearly.

25                  MR. FROMM: Were these disclosed to

1 Ms Beaumont?

2 MR. WARMAN: I believe these were,  
3 these pictures.

4 MR. FROMM: I said dossiers, plural.

5 MR. WARMAN: Any material that I had  
6 I delivered up to the Canadian Human Rights Commission  
7 pursuant to the investigation of my complaint. The  
8 Commission then disclosed the materials to the  
9 respondent, as I understand.

10 MR. FROMM: In the material filed  
11 yesterday, considerable exposure was given to Ms  
12 Beaumont's views on same-sex marriage. Do you think  
13 it's permissible for a Canadian to express views on the  
14 Internet in opposition to same-sex marriage?

15 MR. WARMAN: Within the realm of  
16 legal activity, of course.

17 MR. FROMM: I know Vancouver is not  
18 your home town, but are you aware of organizations in  
19 Vancouver or in British Columbia that promote the  
20 interests of the Jewish people?

21 MR. WARMAN: I am just wondering if  
22 Mr. Fromm could identify some relevance to the question  
23 or line of questioning, whatever it is.

24 MR. FROMM: All right, I will ask it  
25 again.

1 THE CHAIRPERSON: Maybe just complete  
2 your question.

3 MR. FROMM: I will ask the question a  
4 little differently.

5 To your knowledge is the Canadian  
6 Jewish Congress active in British Columbia?

7 MR. WARMAN: It doesn't establish  
8 relevance whatsoever.

9 MR. FROMM: I asked you a question.

10 THE CHAIRPERSON: It may lead to the  
11 next question. I can tell you that the Canadian Jewish  
12 Congress exists in British Columbia. I am sure they  
13 do. Go on.

14 MR. FROMM: Yes, I can too, but I  
15 have to lay the foundation for my summation.

16 THE CHAIRPERSON: Are you familiar if  
17 the Canadian Jewish Congress has an office in  
18 Vancouver?

19 MR. WARMAN: I am but I'm maintaining  
20 an objection on the basis that there's no relevance  
21 that's been established to the line of questioning.  
22 You can't simply pose certain original questions if  
23 there is no relevance whatsoever to those, to then try  
24 and establish some subsequent relevance that may or may  
25 not arise. The objection has to be dealt with.

1 THE CHAIRPERSON: The other option,  
2 Mr. Warman, is that he'll make a question that runs  
3 four paragraphs long. What's your next question, Mr.  
4 Fromm?

5 MR. FROMM: My next question: Is he  
6 aware of the activities of a group called the League  
7 for Human Rights of B'nai Brith in British Columbia?

8 THE CHAIRPERSON: All right, now I  
9 want to know, what is the ultimate question?

10 MR. FROMM: These are, I think you  
11 and I both know, well established organizations  
12 concerned about the rights, in this case, of Jewish  
13 people, and one of the groups that Ms Beaumont  
14 allegedly discriminated against was Jewish people. I'm  
15 simply trying to establish that these groups have  
16 groups as their spokesmen.

17 THE CHAIRPERSON: I'm not sure what  
18 the relevance is, though, to the complaint or even to  
19 the broader issue that we've discussed earlier. Can  
20 you just elaborate? Maybe take it to the next point if  
21 there's another point after that.

22 I mean, that's a fact that these  
23 groups exist and they protect the interests of many  
24 groups, including their own community. I think that  
25 could be taken as a fact. So then?

1                   MR. FROMM:   Okay, I will use it in my  
2                   final summation.

3                   THE CHAIRPERSON:   Yes, I want you to  
4                   draw that distinction because much of what is going on  
5                   here, I've indicated even in our earlier discussion on  
6                   the issue that's relevant, it's really going to go more  
7                   to argument than facts.   Maybe the facts are quite  
8                   obvious.   That there exists lobby groups or groups in  
9                   defence of causes in this country is a fact, and it's  
10                  also a fact that Mr. Warman filed this complaint.   This  
11                  is all quite out there.

12                  If you can move on, it's appreciated.

13                  MR. FROMM:   Mr. Warman, you have  
14                  expressed concerns in the past about anti-Semitism in  
15                  this country, have you not?

16                  MR. WARMAN:   Indeed.

17                  MR. FROMM:   And you have worked  
18                  closely with representatives of the Jewish community on  
19                  occasion?

20                  MR. WARMAN:   Objection as to  
21                  relevance.   There is no relevance as to the specific  
22                  facts of this case either within the broadest scope of  
23                  your previous ruling or within the narrowest scope of  
24                  the actual issues that are before the Tribunal in  
25                  relation to Ms Beaumont.

1 THE CHAIRPERSON: It goes back to  
2 what I said earlier. Move on to your next point, Mr.  
3 Fromm.

4 MR. FROMM: Are you aware, Mr.  
5 Warman, that many Jewish spokesmen are concerned by the  
6 high rate of marriage outside the Jewish community by  
7 people in that community?

8 MR. VIGNA: Mr. Chair, I don't  
9 understand why Mr. Warman would speak for the Jewish --

10 THE CHAIRPERSON: The question is if  
11 he's aware of it. To which particular issue does it  
12 relate? Is it related --

13 MR. FROMM: It is absolutely related  
14 to this complaint because Ms Beaumont has made a number  
15 of postings highly critical of interracial sex. I want  
16 to know if Mr. Warman, who apparently has some  
17 knowledge of the Jewish community, he's aware of such  
18 things and I want to probe -- and I'm having to give  
19 you all the questions in advance.

20 THE CHAIRPERSON: I understand. Mr.  
21 Vigna, I think the question is one of the issues raised  
22 is that some of the material that's in the complaint  
23 deals with interracial relationships and whether you're  
24 familiar that other groups have similar concerns.

25 MR. WARMAN: But just to restate an

1 objection with regard to relevance is --

2 THE CHAIRPERSON: The relevance is  
3 that we have to determine whether it exposes people to  
4 hate.

5 MR. WARMAN: Yes, but that's your  
6 decision.

7 THE CHAIRPERSON: That is my decision  
8 but we want to establish a factual basis. Are there  
9 other people out there who share these views? That's  
10 what he's asking.

11 MR. WARMAN: Mr. Fromm is welcome to  
12 call his own evidence in that regard.

13 THE CHAIRPERSON: He can ask the  
14 question. Don't argue with me, Mr. Warman. Are you  
15 able to answer that question? Are you personally  
16 familiar with any such opinions held by other groups?

17 MR. WARMAN: I'm sure that within the  
18 broader Jewish community there are individuals within  
19 that community that oppose same-sex marriage.

20 MR. FROMM: It wasn't about same-sex  
21 marriage. It was about marrying outside of the Jewish  
22 community.

23 MR. WARMAN: I do not personally know  
24 any such individual.

25 MR. FROMM: In laying this complaint,

1           you have made a broad range of accusations about the  
2           complainant having made statements or likely to expose  
3           a number of groups to hatred or contempt. One of the  
4           groups that you did mention, and there was some comment  
5           about this yesterday, were Rastafarians.

6                           Do you present yourself here today as  
7           being offended by that material on the basis that you  
8           yourself are a Rastaman or Rastafarian?

9                           MR. WARMAN: Mr. Chair, if I may,  
10          just be explicit about what the nature of the objection  
11          is to this line of questioning. What Mr. Fromm does at  
12          these hearings is that he always comes up and he says,  
13          Mr. Warman, are you gay, are you black, are you  
14          disabled. I give whatever my answer is. Then Mr.  
15          Fromm attempts to argue later that because Mr. Warman  
16          is not X, Y and Z, therefore he has no right to  
17          complain. Whereas under section 40(1) of the Canadian  
18          Human Rights Act it states specifically:

19                                   "Any individual or group of  
20                                   individuals having reasonable  
21                                   grounds for believing that a  
22                                   person is engaging or has  
23                                   engaged in a discriminatory  
24                                   practice may file with the  
25                                   Commission a complaint in a form



1 THE CHAIRPERSON: Apparently he is  
2 not a member of any of these groups that have been  
3 referred to. Are you saying that, Mr. Warman? You say  
4 it's happened before in other questions.

5 MR. WARMAN: What I'm actually doing  
6 is objecting to the entire line of questioning because  
7 that is what this is attempting to do, where it has no  
8 legal relevance or factual relevance whatsoever in the  
9 matter before this Tribunal.

10 MR. FROMM: It goes to victimhood.  
11 For instance, to be relatively neutral, suppose he were  
12 seriously disabled and Ms Beaumont had named him as  
13 that despicable retarded cripple so and so, he would be  
14 obviously a victim named on specific grounds and very,  
15 very personal. All I wish to establish is that his  
16 victimhood is somewhat ethereal.

17 THE CHAIRPERSON: I understand, but I  
18 think we can move on. Mr. Warman.

19 As I said, when you have a sense that  
20 I understand your point, move on, and I understand your  
21 point, Mr. Warman. Let's move on.

22 MR. FROMM: Do you believe that --  
23 fervently believe that Christians should have the right  
24 to quote the Bible and express their views on the  
25 Internet even if these views may be offensive?

1                   MR. WARMAN:  Objection.  What's the  
2                   relevance to these proceedings as to what my belief is?  
3                   I am not the decision maker.  The decision maker here  
4                   is the Tribunal.  There is no relevance whatsoever as  
5                   to whether I believe that people should be able to say,  
6                   you know, the moon is made of blue cheese of whatever.

7                   We are straying so far away from  
8                   whether Ms Beaumont communicated or caused to be  
9                   communicated hate messages, which is a determination of  
10                  the Tribunal, and into my personal belief, which are  
11                  completely and utterly irrelevant to these proceedings.

12                  THE CHAIRPERSON:  You have filed a  
13                  complaint, Mr. Warman, and your complaint included  
14                  material which cited the Bible.  In your opinion, were  
15                  those references to the Bible permissible?  Is that the  
16                  question?

17                  MR. FROMM:  That's the question, sir.

18                  MR. VIGNA:  Mr. Chair, can I add  
19                  something?  We have to also be mindful of the fact that  
20                  Mr. Warman is not being called here as an expert  
21                  witness.  The documents that have been filed speak for  
22                  themselves.

23                  THE CHAIRPERSON:  But he is the  
24                  complainant.  We are talking about evidence coming in.  
25                  Afterwards, the debate can ensue on what role this

1 evidence should make in the final outcome of this  
2 decision.

3 Mr. Warman, do you see any problem  
4 with the fact that the Bible was cited in those web  
5 pages that you -- the extracts of which you entered  
6 into evidence yesterday?

7 MR. WARMAN: The context in which it  
8 was cited and the surrounding material led me to  
9 believe that it should be included in a complaint  
10 pursuant to section 13 of the Canadian Human Rights  
11 Act.

12 MR. FROMM: Almost all of the  
13 documents you cited here came from the website  
14 Stormfront. Is that correct?

15 MR. WARMAN: I believe there are a  
16 number of websites involved, but Stormfront appears to  
17 be the prominent one.

18 MR. FROMM: You testified earlier  
19 that you've monitored Stormfront for some period of  
20 time, a number of years?

21 MR. WARMAN: That's correct.

22 MR. FROMM: Can you state where the  
23 website Stormfront is located?

24 MR. WARMAN: On the Internet, as in  
25 the World Wide Web?

1 MR. FROMM: Is it Canadian based?

2 MR. WARMAN: I believe it's based in  
3 the United States.

4 MR. FROMM: You know that?

5 MR. WARMAN: That's my belief.

6 MR. FROMM: Have you at any time,  
7 when you were working for the Canadian Human Rights  
8 Commission or since, attempted to communicate with the  
9 ISP hosting Stormfront to get that service ceased?

10 MR. VIGNA: Mr. Chair, I would like  
11 to know if there's a relevance to this case. The  
12 question being asked is pretty large.

13 MR. FROMM: It's very narrow. Did he  
14 in his role either at the Human Rights Commission or  
15 since, whatever role that might be, communicate with  
16 the ISP hosting Stormfront to try to get it removed?

17 THE CHAIRPERSON: Given that you  
18 filed a complaint against Ms Beaumont, did you try to  
19 get the ISP to shut down?

20 MR. WARMAN: No.

21 MR. FROMM: At any time when you were  
22 an employee of the Human Rights Commission or since,  
23 did you communicate with any ISPs in the United States  
24 with a view to getting the service shut down?

25 THE CHAIRPERSON: Which one,

1 Stormfront?

2 MR. FROMM: No.

3 THE CHAIRPERSON: Any other ones?

4 MR. FROMM: Yes.

5 THE CHAIRPERSON: That's broad. The  
6 issue here is Stormfront. Because I'm familiar with  
7 other things going on, Mr. Fromm, that might be an  
8 issue that will be addressed in another hearing. I  
9 know that's where it's going, but it's not this one and  
10 you know that.

11 MR. FROMM: No, I don't know that.

12 THE CHAIRPERSON: You participated in  
13 the other hearing with the broader issues about ISPs  
14 and so on that are being dealt with, and I won't let  
15 you try to do indirectly through this hearing what's  
16 going on through another hearing. So, go ahead.

17 MR. FROMM: I guess you can confirm  
18 that you did file a section 13.1 complaint against  
19 Glenn Bahr and Western Canada For Us?

20 THE CHAIRPERSON: That was already  
21 said. I'm mindful of the decision.

22 MR. FROMM: Did you file a complaint  
23 with the Edmonton Police Service against Glenn Bahr  
24 under section 319 of the Criminal Code?

25 MR. WARMAN: At the risk of sounding

1           like a broken record, there is no even arguable  
2           relevance to this question to whether Ms Beaumont  
3           communicated or caused to be communicated hate  
4           messages.

5                           THE CHAIRPERSON:   But on the other  
6           issue of your activities to the extent of which you're  
7           involved in reviewing this type of conduct on the  
8           Internet, it has some relevance.  But I get the  
9           message.  I've told you, Mr. Fromm, he's filed  
10          complaints against numerous people.  They're all on the  
11          record.  Go to the Canadian Human Rights Tribunal  
12          website and they're all there.

13                          Are you going to cite every single  
14          case that he's filed a human rights complaint now?

15                          MR. FROMM:  No.  Perhaps I'm being  
16          overly cautious, having been ambushed on previous  
17          occasions:  No foundation was laid, you can't say that,  
18          you didn't lead any evidence yet, and so on.  I'm  
19          trying to establish a factual basis for final  
20          arguments.  I know, sir, that you know these things but  
21          can I assume you know them for the purposes of this  
22          case?

23                          THE CHAIRPERSON:  Mr. Vigna, can we  
24          have an acknowledgement so we can advance on this point  
25          because it's going to be a legal debate later on and

1           you will have the full opportunity to debate the legal  
2           issue on sections 54 and 53. Are you prepared to  
3           acknowledge that Mr. Warman has filed numerous  
4           complaints, well, more than a handful of complaints, I  
5           think it's at least more than ten that I'm familiar  
6           with.

7                           MR. VIGNA: Mr. Chair, I was going to  
8           propose that as a matter of fact I would say that it's  
9           public knowledge, your decisions by Mr. Warman which  
10          are even in my case book.

11                          THE CHAIRPERSON: That's right,  
12          they're even in your case book.

13                          MR. VIGNA: I don't think it's a big  
14          mystery. To belabour the point would be pointless.

15                          THE CHAIRPERSON: I am going to ask  
16          you, Mr. Fromm, to move on.

17                          MR. FROMM: Those are my questions,  
18          sir.

19                          THE CHAIRPERSON: Thank you. On  
20          those questions, anything you would like to re-examine,  
21          Mr. Vigna, or that you, Mr. Warman, would like to add?

22                          MR. VIGNA: Not for me, Mr. Chair.

23                          THE CHAIRPERSON: Mr. Warman?

24                          MR. WARMAN: If I could just have a  
25          moment to speak with my colleague, please.

1 --- Pause

2 MR. FROMM: I object. He's under  
3 cross-examination, is he not?

4 THE CHAIRPERSON: That's an  
5 interesting point that you raise, Mr. Fromm.

6 MR. WARMAN: Cross-examination is  
7 over.

8 THE CHAIRPERSON: Cross-examination  
9 is over but he's not your colleague. He's another  
10 party.

11 MR. WARMAN: My colleague in the  
12 sense of lawyer. I am a party, the Commission is a  
13 party. Parties are permitted to speak. There is no  
14 prohibition on parties speaking with one another. I am  
15 not under cross-examination.

16 THE CHAIRPERSON: Go ahead, but if  
17 there's an argument you wish to make on the point, you  
18 can bring it up later, Mr. Fromm. Things like this go  
19 to weight, not evidence.

20 MR. WARMAN: No, nothing, thank you.

21 MR. VIGNA: Mr. Chairman, he was just  
22 asking me --

23 THE CHAIRPERSON: It's okay. There  
24 was nothing said.

25 MR. VIGNA: I have no other questions

1 and he wanted to make sure that that was the case.  
2 That's all.

3 --- Witness Excused

4 THE CHAIRPERSON: Okay, thank you.  
5 It's conveniently just before lunch. Mr. Warman,  
6 you're rising. Is there anything in particular?

7 MR. WARMAN: I assumed we were  
8 breaking for lunch.

9 THE CHAIRPERSON: Ms Beaumont will  
10 testify right after lunch. Can we try to shorten it up  
11 to ensure we have time. So, let's say 1:30. I see  
12 12:20 on my watch. So, 1:30. Is that okay with  
13 everyone?

14 MR. WARMAN: If I could just say,  
15 there is no objection to that whatsoever, it's just  
16 sort of a housekeeping matter. If the hearing is to go  
17 till tomorrow morning, I just wanted to inform the  
18 Tribunal or ask, I guess, if there would be any  
19 objection to me simply submitting written final  
20 arguments either through Mr. Vigna or simply by  
21 e-mailing them tonight or tomorrow morning?

22 THE CHAIRPERSON: Will Mr. Vigna be  
23 making oral arguments tomorrow? I can't see how we're  
24 going to finish before the end of the day.

25 MR. VIGNA: I will be submitting oral

1 arguments, but I won't be very long. Maybe I could  
2 subsequently make a request to have some written  
3 arguments, more particularly on the point of 54 --

4 THE CHAIRPERSON: I want some oral  
5 arguments on this case considering the way it's  
6 developing. So, if Mr. Warman will not be available  
7 for some reason and would like to submit them in  
8 writing afterwards, I don't necessarily have an  
9 objection because the Commission is here to present  
10 that side of the story.

11 Mr. Fromm, you will be making oral  
12 arguments, or would you like to make written arguments  
13 as well? I like written arguments too, don't get me  
14 wrong, I think that they're very helpful, but I think  
15 in the context of this debate it will be important that  
16 I speak at least to each of the sides, if you will.

17 MR. FROMM: I would very much like to  
18 make oral arguments, sir.

19 MR. VIGNA: Mr. Chairman, we're  
20 different parties, but I will consult Mr. Warman and I  
21 will relay any concerns in my oral arguments that he  
22 has so he can actually be liberated.

23 THE CHAIRPERSON: With the condition  
24 that if written arguments are made afterwards, that Mr.  
25 Fromm and the Commission be afforded the opportunity to

1 answer those written arguments later on.

2 MR. WARMAN: Mr. Chair, with regard  
3 to that, and it's not a firm, I don't know exactly  
4 whether I have to leave tomorrow morning or not, but if  
5 written arguments are to be brought in by the other  
6 parties, I would ask the Tribunal to make it clear that  
7 that's explicitly for that purpose only, that they're  
8 not to then subsequently be redistributed or copied or  
9 posted to the Internet. Actually, it doesn't matter  
10 because they become part of the public record, so it's  
11 fine.

12 THE CHAIRPERSON: If they get posted,  
13 I think you should be pleased that they be posted.

14 MR. WARMAN: It's unfortunate that  
15 usually the context around them is not quite so  
16 complimentary.

17 THE CHAIRPERSON: I understand. We  
18 will take a break until 1:30 and we will be back.

19 --- Luncheon recess at 12:25 p.m.

20 --- Upon resuming at 1:30 p.m.

21 REGISTRY OFFICER: Order, please.  
22 Please be seated.

23 THE CHAIRPERSON: The Commission's  
24 case is closed, Mr. Vigna?

25 MR. VIGNA: Yes, Mr. Chair.

1 THE CHAIRPERSON: As well as Mr.  
2 Warman's?

3 MR. WARMAN: Yes.

4 THE CHAIRPERSON: Thank you, Mr.  
5 Warman.

6 MR. WARMAN: Thank you.

7 THE CHAIRPERSON: So, Mr. Fromm, yes,  
8 please.

9 MR. FROMM: I wish to call the  
10 respondent, Jessica Beaumont.

11 SWORN: JESSICA ANN BEAUMONT

12 MR. FROMM: May I ask is that a fresh  
13 glass of water over there?

14 REGISTRY OFFICER: I just poured it.

15 MR. FROMM: Ms Beaumont continues to  
16 have a bad cold and scratchy throat.

17 EXAMINATION-IN-CHIEF BY MR. FROMM

18 MR. FROMM: Ms Beaumont, is this your  
19 first time testifying in a court or a Tribunal?

20 MS BEAUMONT: Yes.

21 THE CHAIRPERSON: Maybe it might be  
22 helpful to put that microphone closer to you, Ms  
23 Beaumont.

24 MR. FROMM: I'm going to be asking  
25 you to refer to that blue book of exhibits. So if you

1           can perhaps get that in a comfortable place for  
2           yourself.

3                           I was wondering if you could open it  
4           to -- before you do that, could you tell us a little  
5           bit about yourself, your education, what you're doing?

6                           MS BEAUMONT: My education, I  
7           graduated from grade 12, St. Paul's Academy in Okotoks,  
8           Alberta. Right now I'm doing retail, currently working  
9           in Calgary, Alberta.

10                          MR. FROMM: Quite a bit has been made  
11           of your relationship with Ciaran Donnelly. First of  
12           all, perhaps you might clarify for us how his name is  
13           pronounced.

14                          MS BEAUMONT: Ciaran.

15                          MR. FROMM: What is the nature of  
16           your relationship with him?

17                          MS BEAUMONT: We are  
18           boyfriend/girlfriend. We have been dating seriously  
19           for almost just about three years now, four years  
20           maybe.

21                          MR. FROMM: In some of the posts  
22           mention was made of religion. Would you consider  
23           yourself a religious person?

24                          MS BEAUMONT: Yes, very much so.

25                          MR. FROMM: Could you explain a bit

1 more about that for the Tribunal?

2 MS BEAUMONT: I was born into a  
3 protestant family and I've continue my upbringing that  
4 way.

5 MR. FROMM: In one of the posts you  
6 mention that you pray every day. Can you explain that?

7 MS BEAUMONT: I do pray every day,  
8 when I wake up, when I go to bed, when I'm eating. I  
9 pray all the time.

10 MR. FROMM: Does your religion have a  
11 major role in your life?

12 MS BEAUMONT: Yes, it does.

13 MR. FROMM: Does it inform you as to  
14 how you should treat other people?

15 MS BEAUMONT: Yes.

16 THE CHAIRPERSON: Mr. Fromm, some of  
17 those questions are bordering on leading. I am just  
18 suggesting it might be more helpful for the evidence by  
19 framing your questions in a different way.

20 MR. FROMM: Where I had originally  
21 wanted to go was to ask Ms Beaumont to look at tab 23A.

22 MS BEAUMONT: I only have tab 23  
23 here.

24 THE CHAIRPERSON: 24A? 23 doesn't  
25 have an A.

1 MR. FROMM: It's 22A. On page 2  
2 there's a post from you and it says:

3 "which is why my profile says  
4 'full time n-a-z-i...'"

5 Could you explain what you meant by  
6 that?

7 THE CHAIRPERSON: I want to find it  
8 first.

9 MR. FROMM: I am sorry. 22A.

10 THE CHAIRPERSON: Page 2 you said?

11 MR. FROMM: Page 2 of that.

12 THE CHAIRPERSON: Okay. Go ahead.

13 MR. FROMM: What did you mean by that  
14 "full-time Nazi?"

15 MS BEAUMONT: It was a profile on MSN  
16 and that was a fake job description. I don't get paid  
17 for my political beliefs.

18 MR. FROMM: Did you mean what you  
19 said there, that you are a believer in national  
20 socialism?

21 MS BEAUMONT: Yes, I am.

22 MR. FROMM: If you could turn to  
23 24G-2, do you see your post there, "What is with  
24 Hitler?"

25 MS BEAUMONT: Yes.

1 MR. FROMM: Could you explain the  
2 first line there, "Hitler did a LOT of good for  
3 Germany?"

4 MS BEAUMONT: What I meant by it?

5 MR. FROMM: Yes.

6 MS BEAUMONT: He got people out of  
7 the depression and started the economic system going  
8 again. There was a lot of good done.

9 MR. FROMM: So you wouldn't accept  
10 the criticism that you hear a lot in the mass media  
11 about national socialist Germany?

12 MS BEAUMONT: Can you say that again?

13 MR. FROMM: You would disagree with  
14 the criticism that you hear about a lot in the media  
15 about national socialist Germany?

16 MS BEAUMONT: Yes.

17 MR. WARMAN: Objection. What  
18 criticism?

19 THE CHAIRPERSON: That's one, and  
20 it's a leading question, sir. You have to phrase it  
21 differently. It was answered with a yes. That is a  
22 telltale sign that you have a leading question. So you  
23 have to phrase it differently.

24 MR. FROMM: I certainly appreciate  
25 all the help.

1                   In that same post on the second line  
2           you say, "As well, I am a skin-girl." Could you  
3           explain what that is?

4                   MS BEAUMONT: At the time I did have  
5           my head shaved and skin girl is, therefore, a female  
6           skinhead.

7                   MR. FROMM: Do skinheads all share  
8           the same world view?

9                   MS BEAUMONT: No. There are two  
10          different types of skinheads. One is a tradskin  
11          meaning traditional. They just shave their heads and  
12          do whatnot, and then the other ones are national  
13          socialist skinheads.

14                  MR. FROMM: Is being a skinhead a  
15          matter of shaving your head or wearing clothes or is  
16          there more to it?

17                  MR. WARMAN: Mr. Chair, objection.  
18          This is getting into the realm clearly of expert  
19          witness testimony. This is not fact evidence. This is  
20          not something I saw this or I did this, I posted this  
21          on to the Internet. It's asking questions about the  
22          subject what is in fact traditionally youth sub culture  
23          and asking for opinion evidence on it.

24                  THE CHAIRPERSON: Except that she  
25          said she was part of the movement; she may have been.

1 She said she was a skinhead. It's her own personal  
2 understanding, and you gave evidence of some of your  
3 personal understandings of how things work from the  
4 material that you've seen.

5 I don't have any problem with it. Go  
6 ahead. So the question was?

7 MR. FROMM: The question was.

8 THE CHAIRPERSON: There are two types  
9 of skinheads she testified.

10 MR. FROMM: Yes. Is there more to  
11 being a skinhead than shaving your head?

12 MS BEAUMONT: Yes, there is. There  
13 is common ideologies, beliefs. It's just a common  
14 gathering for people.

15 MR. FROMM: You indicated that you  
16 were a skin-girl back then in --

17 THE CHAIRPERSON: When this posting  
18 took place.

19 MR. FROMM: In 2004. Would you  
20 consider yourself such now?

21 MS BEAUMONT: I wouldn't, just the  
22 fact that I have hair. I wouldn't technically classify  
23 it as that.

24 MR. FROMM: Before we get more into  
25 the ideology, you indicated right now that you're in

1 the retail area. Were you worried about having to take  
2 the week off for this Tribunal?

3 MS BEAUMONT: Yes, I'm kind of afraid  
4 actually I might lose my job. I just started in  
5 September. So --

6 MR. FROMM: Is this a bad time of  
7 year to take time off?

8 MS BEAUMONT: In December, retail,  
9 yes, it really is.

10 MR. FROMM: Can you tell us what your  
11 financial position is?

12 MS BEAUMONT: Barely any. Not making  
13 rent. I'm living with my parents right now. I'm  
14 barely making rent as it is.

15 MR. FROMM: Without necessarily  
16 specifying the exact dollar, are you minimum wage or a  
17 lot above minimum wage?

18 MS BEAUMONT: Minimum wage. I'm  
19 getting a couple dollars over minimum wage in Alberta.

20 MR. FROMM: How were you able to come  
21 out to the hearing?

22 MS BEAUMONT: My mother bought my  
23 plane ticket.

24 MR. FROMM: What hotel are you  
25 staying at?

1 MS BEAUMONT: I'm not.

2 MR. FROMM: This complaint centres on  
3 a number of the views that you hold. One of them that  
4 has come up repeatedly is homosexuality. Could you  
5 tell us what your views are on homosexuality and why  
6 you feel that way?

7 MS BEAUMONT: I'm completely against  
8 it and it says so in the Bible, and I just think it's  
9 completely wrong.

10 MR. FROMM: So you base your feelings  
11 on homosexuality on the teachings of the Bible?

12 MS BEAUMONT: Yes.

13 MR. FROMM: Do you read the Bible?

14 MS BEAUMONT: Yes.

15 MR. FROMM: Related to that, Ms  
16 Beaumont, is the matter of I guess they call it  
17 same-sex marriage. What are your views on that?

18 MS BEAUMONT: I believe it's  
19 completely wrong. It's immoral to have same-sex  
20 relations; therefore, same-sex marriage is wrong.

21 MR. FROMM: An area that comes up a  
22 number of times in the postings that Mr. Warman has  
23 complained about involve interracial sex. What are  
24 your views on that?

25 MS BEAUMONT: Again, I think it's

1 wrong.

2 MR. FROMM: Why do you believe that?

3 MS BEAUMONT: Because of the way I  
4 was raised and the way my upbringing has been. It's  
5 just led me to believe that it is wrong.

6 MR. FROMM: At what point did you  
7 become interested in politics?

8 MS BEAUMONT: I was 15 when I started  
9 following national socialism.

10 MR. FROMM: What sort of things did  
11 you do to follow national socialism?

12 MS BEAUMONT: I've read books and  
13 essays.

14 MR. FROMM: What sort of books have  
15 you read?

16 MS BEAUMONT: I've read quite a few  
17 actually. You can rent them at the library. I don't  
18 know them off the top of my head.

19 MR. FROMM: Would they all be  
20 pro-national socialist?

21 MS BEAUMONT: No, I have read ones on  
22 the pro side and on the con side.

23 MR. FROMM: Having done some reading  
24 on the issue and having developed a belief, what sort  
25 of activities did you engage in?

1 MS BEAUMONT: I've been involved in,  
2 we had a protest in Edmonton for Ernst Zundel. I've  
3 been involved in that. And I have handed out flyers  
4 when I was younger as well.

5 MR. FROMM: At what point did you get  
6 involved on the Internet?

7 MS BEAUMONT: At what point did I  
8 start going on the Internet?

9 MR. FROMM: Yes.

10 MS BEAUMONT: Like on Stormfront?

11 THE CHAIRPERSON: Do you mean regular  
12 surfing or --

13 MR. FROMM: On political forums on  
14 the Internet?

15 MS BEAUMONT: I believe I joined in  
16 2003. I'm not certain.

17 MR. FROMM: Joined what?

18 MS BEAUMONT: It says here I joined  
19 Stormfront in October of 2003.

20 THE CHAIRPERSON: The "here" that  
21 you're referring to is what appears on the Jessy  
22 Destruction join date?

23 MS BEAUMONT: Yes.

24 THE CHAIRPERSON: On this particular  
25 exhibit that would have been 24G-2.

1 MR. FROMM: Have you been an active  
2 participant in other forums or is it --

3 MS BEAUMONT: It's generally just  
4 Stormfront.

5 MR. FROMM: Did you post regularly  
6 from the time you joined?

7 MS BEAUMONT: When I first joined I  
8 basically just read the site and then I started getting  
9 into the postings on Stormfront.

10 THE CHAIRPERSON: Sorry, you said you  
11 first just read the site?

12 MS BEAUMONT: Yes, I would just read  
13 it and then gradually I started posting and voicing  
14 myself.

15 THE CHAIRPERSON: Could you explain  
16 that to me now that you bring it up, if I may just ask.  
17 So, you read the site. The name here is Jessy  
18 Destruction but irrespective, there's other ones below  
19 it, would you have been able to read that as a  
20 non-member or only when you became a member you were  
21 able to read it?

22 MS BEAUMONT: I believe you're able  
23 to read it as a non-member. I haven't been on the site  
24 in a while.

25 THE CHAIRPERSON: But you can't

1 contribute to it unless you're a member?

2 MS BEAUMONT: Correct.

3 MR. FROMM: There are other forums  
4 you could have joined. Why did you feel comfortable on  
5 Stormfront?

6 MS BEAUMONT: Stormfront is a  
7 community of people with like-minded views. I felt  
8 extremely comfortable voicing myself there.

9 MR. FROMM: Would all of the posters  
10 from your experience be national socialists?

11 MS BEAUMONT: No.

12 MR. FROMM: I would like you to take  
13 a look at 25A. It may be a while since you've read  
14 that. It says "CRITICAL FACTS THAT YOUR KIDS WILL NOT  
15 LEARN AT SCHOOL." Did you post this?

16 MS BEAUMONT: Yes, I did.

17 MR. FROMM: As I say, you may not  
18 have read this for a while, so I would like you to take  
19 a moment just to scan it because I want to ask you a  
20 couple of questions about it. Have you been able to  
21 take a look at that?

22 MS BEAUMONT: Yes.

23 MR. FROMM: Did you write that?

24 MS BEAUMONT: No, I did not.

25 MR. FROMM: Did you post it?

1 MS BEAUMONT: Yes.

2 MR. FROMM: Having looked that over  
3 and I know maybe you haven't had an awful lot of time,  
4 but is there anything there that you would disagree  
5 with in those 16 points?

6 MS BEAUMONT: No.

7 MR. FROMM: You believe the  
8 information in all those points?

9 MS BEAUMONT: Yes.

10 MR. FROMM: Does number 14 concern  
11 you? Perhaps you could read that, number 14.

12 MS BEAUMONT: You want me to read it?

13 MR. FROMM: Yes, please.

14 MS BEAUMONT: "The number of Whites,  
15 as a percentage of world  
16 population, is now down into  
17 single digits and falling fast."

18 MR. FROMM: Do you believe that to be  
19 true?

20 MS BEAUMONT: Yes.

21 MR. FROMM: Does it concern you?

22 MS BEAUMONT: Yes.

23 MR. FROMM: Why?

24 MS BEAUMONT: Because I am a member  
25 of the white race.

1 MR. FROMM: Number 15, would you read  
2 that, please?

3 MS BEAUMONT: "Nearly all of the  
4 White nations on earth are now  
5 accepting large numbers of  
6 Nonwhite immigrants. The only  
7 one of the three major races of  
8 earth, that is in real danger of  
9 falling into a minority status  
10 in its own racial home, is the  
11 White race. This could easily  
12 lead to extermination of the  
13 White race."

14 MR. FROMM: Do you believe that to be  
15 true?

16 MS BEAUMONT: Yes.

17 MR. FROMM: What relevance does that  
18 have to you as a Canadian?

19 MS BEAUMONT: As a Canadian we have  
20 so many non-white immigrants coming in, taking jobs,  
21 pro-creating.

22 MR. WARMAN: Objection. This is  
23 clearly expert testimony with regard to immigration  
24 which is clearly a field which is far outside the scope  
25 of knowledge of Ms Beaumont.

1 THE CHAIRPERSON: But it's her  
2 opinion.

3 MR. FROMM: I asked her what it meant  
4 to her.

5 THE CHAIRPERSON: Her view. I'm not  
6 taking this as an expert opinion, Mr. Warman. Let's be  
7 clear about that. This is not in order to establish  
8 the truth. It's just to establish what she believes.

9 MR. FROMM: I would like to take you  
10 through a couple of other postings that Mr. Warman  
11 complained of, and I do hope I've got these right. If  
12 you could take a look at 22C. Did you put that posting  
13 up there on the thread "Let Muslim women keep hijabs  
14 on?"

15 MS BEAUMONT: The second post is  
16 mine, yes.

17 MR. FROMM: Sorry?

18 MS BEAUMONT: The second one on the  
19 page, yes.

20 MR. FROMM: Could you just explain  
21 again the problem you have with hijabs?

22 MS BEAUMONT: In this post I have  
23 just stated that I used to take permanent resident  
24 cards and visa cards and the fact that when you take a  
25 photo if your ears are covered by your hair, it won't

1 be qualified as a proper document photo. So, with your  
2 hijab on, it would therefore be covering your ears,  
3 which you would need to take it off for your photo to  
4 be qualified.

5 MR. FROMM: I would like you to look  
6 at 23A.

7 THE CHAIRPERSON: Again that would be  
8 one that doesn't have an A on it.

9 MR. FROMM: Sorry, 23.

10 THE CHAIRPERSON: Yes.

11 MR. FROMM: If you could look at page  
12 4 there, did you post that comment?

13 MS BEAUMONT: Yes.

14 MR. FROMM: What was your problem  
15 with the art work on the new bills?

16 MS BEAUMONT: I think it should be a  
17 representative of all of Canada, not just one section  
18 of it.

19 MR. FROMM: Why did you approve of  
20 the new 25 cent pieces?

21 MS BEAUMONT: Because it was  
22 remembering those who have died in a war.

23 MR. FROMM: There's a comment made  
24 yesterday during Mr. Warman's testimony about the word  
25 "chug" at the end of the first paragraph. What does

1 the word "chug" mean to you?

2 MS BEAUMONT: An Indian.

3 MR. FROMM: Turn to 24E, page 3.

4 That thread apparently began with comments about some  
5 Muslim parents not wanting their children to be taught  
6 about homosexuals but it seems to have veered off  
7 there.

8 You make a comment about why you  
9 wouldn't want to send your child to a public school.  
10 Could you elaborate on that?

11 MS BEAUMONT: I wouldn't want to send  
12 my child to a public school as what they are being  
13 taught.

14 MR. FROMM: Then you have an issue  
15 with public schools and Christmas. Could you explain  
16 what that is?

17 MS BEAUMONT: Well now, and for the  
18 last couple of years, a Christmas break has been called  
19 a winter break or a winter holiday. It should be  
20 called Christmas break as that is what we are  
21 celebrating.

22 MR. FROMM: Why is that important to  
23 you, that Christmas be celebrated at the school where  
24 you might have a child attending?

25 MS BEAUMONT: Because Christmas is

1 about the birth of Christ.

2 MR. FROMM: Thank you. We have  
3 touched on some of your views. You posted for quite a  
4 long time on Stormfront you said. I would like to call  
5 your attention, for instance, to a post that you made  
6 on 24D.

7 THE CHAIRPERSON: Isn't that just  
8 where we were?

9 MR. FROMM: No, I don't think so.

10 THE CHAIRPERSON: Yes, you're right.

11 MR. FROMM: Do you recognize that,  
12 "thought I'd introduce myself?"

13 MS BEAUMONT: Yes.

14 MR. FROMM: What sort of thread would  
15 that be, thought I'd like to introduce myself?

16 MS BEAUMONT: It was probably someone  
17 coming on to Stormfront to introduce themselves.

18 MR. FROMM: You were post number 11  
19 there. What would have motivated you to get in on this  
20 thread?

21 MS BEAUMONT: Probably to welcome  
22 them to the Stormfront community.

23 MR. FROMM: Would you do that quite  
24 often, welcoming people?

25 MS BEAUMONT: Yes.

1 MR. FROMM: I would like you to read  
2 your post there.

3 MS BEAUMONT: "Welcome, I'm living in  
4 Calgary... until Sunday. But  
5 you can always PM me, or other  
6 Calgarians. It's a nice city,  
7 if you get past all the ARA  
8 threats (which are just that ...  
9 empty threats\_ and homo loving  
10 retards. And, if you can, stay  
11 the f\*ck away from the North  
12 East and North West, filled with  
13 non-whites, best place is the  
14 good old south, still white."

15 MR. FROMM: Why is there an asterisk  
16 in that word?

17 MS BEAUMONT: Because it's a swear.

18 MR. FROMM: Did you put it there?

19 MS BEAUMONT: Yes.

20 MR. FROMM: Would you normally put it  
21 there?

22 MS BEAUMONT: Sometimes. It depends  
23 on how I'm feeling.

24 MR. FROMM: What would happen on  
25 Stormfront if you didn't put it there?

1 MS BEAUMONT: I believe it would put  
2 in symbols.

3 MR. FROMM: Would you in speech use  
4 that word without the asterisk?

5 MS BEAUMONT: Yes.

6 MR. FROMM: Who would you use words  
7 like that with?

8 MS BEAUMONT: My friends, family,  
9 depends.

10 MR. FROMM: So, saying "fuck" is not  
11 offensive in your circles?

12 MS BEAUMONT: No.

13 MR. FROMM: Would you say that to  
14 your mother?

15 MS BEAUMONT: No.

16 MR. FROMM: But you would say that to  
17 your friends?

18 MS BEAUMONT: Yes.

19 MR. FROMM: Would you use words like  
20 "chug" and "nigger" with your friends?

21 MS BEAUMONT: Yes.

22 MR. FROMM: Would you use them with  
23 your mother?

24 MS BEAUMONT: Yes.

25 MR. FROMM: I was wondering if you

1           could give Ms Beaumont a copy of the Bible on which she  
2           swore. I was wondering if you could open that to the  
3           Book of John, chapter 8, verse 44.

4                       MR. VIGNA: Mr. Chair, --

5                       THE CHAIRPERSON: There is no  
6           question yet. Let's hear a question first.

7                       MR. VIGNA: All right.

8                       MR. FROMM: Have you found chapter 8?

9                       MS BEAUMONT: Not yet. Run that by  
10          me again, what I'm looking for.

11                      MR. FROMM: Chapter 8.

12                      MS BEAUMONT: Chapter 8 in the book  
13          of?

14                      MR. FROMM: John. Perhaps we can  
15          come back to that a bit later.

16                      How were you first made aware that  
17          there was a complaint against you from Richard Warman?

18                      MS BEAUMONT: I received the  
19          information in the mail.

20                      MR. FROMM: What was your reaction  
21          when you received this complaint?

22                      MS BEAUMONT: Rather upset.

23                      MR. FROMM: Had you been expecting  
24          such a complaint?

25                      MS BEAUMONT: No.

1 MR. FROMM: Why was that?

2 MS BEAUMONT: Because I didn't think  
3 I had done anything wrong.

4 MR. FROMM: Why had you posted your  
5 views on the Internet?

6 MS BEAUMONT: Can you say that again?

7 MR. FROMM: Why had you posted your  
8 views on the Internet?

9 MS BEAUMONT: Because I was having  
10 discussion with people of like mind and I thought I was  
11 able to do so.

12 MR. FROMM: So, you said but after  
13 you received the complaint you were upset. Did you  
14 share the fact that you had been complained against  
15 with anybody?

16 MS BEAUMONT: Yes.

17 MR. FROMM: How did you do that?

18 MS BEAUMONT: On the phone or on the  
19 Internet.

20 MR. FROMM: So you posted the fact  
21 that you had been named in a complaint on the Internet?

22 MS BEAUMONT: Yes.

23 MR. FROMM: What forum did you use?

24 MS BEAUMONT: I did post it on  
25 Stormfront.

1 MR. FROMM: In that did you mention  
2 Mr. Warman?

3 MS BEAUMONT: I believe I had just  
4 said that a Canadian Human Rights complaint had been  
5 filed against me. I don't recall if I had mentioned  
6 Warman's name or not.

7 MR. FROMM: This morning you probably  
8 heard me ask Mr. Warman if he had made any contact with  
9 a reporter from a local paper. Were you contacted by a  
10 reporter named Jennifer Saltman?

11 MS BEAUMONT: Ciaran was. I wasn't  
12 at home at the time. I was at work.

13 MR. FROMM: What was Ciaran told by  
14 Ms Saltman?

15 MS BEAUMONT: That Mr. Warman had  
16 phoned and informed her that she should do an article  
17 on us as Ciaran was with the KKK.

18 MR. FROMM: To your knowledge was  
19 Ciaran with the Ku Klux Klan?

20 MS BEAUMONT: No, and he never has  
21 been.

22 MR. VIGNA: Mr. Chairman, hearsay.

23 THE CHAIRPERSON: Triple hearsay  
24 actually, but --

25 MR. FROMM: According to the rules of

1 the Tribunal that's allowed.

2 THE CHAIRPERSON: That's right. I'm  
3 mindful of the poor probative value of triple hearsay,  
4 but it's admissible in this Tribunal.

5 MR. FROMM: I will be less  
6 circumspect than I had to be with Mr. Warman. So I  
7 will intrude on your privacy. You have lived with Mr.  
8 Donnelly on and off for several years?

9 MR. WARMAN: Yes.

10 MR. FROMM: Have you ever seen  
11 anything around your residence that would suggest he is  
12 a member of the Ku Klux Klan?

13 MS BEAUMONT: No.

14 MR. FROMM: No bed sheets under the  
15 bed?

16 MS BEAUMONT: No.

17 MR. FROMM: No burning crosses on the  
18 back lawn?

19 MS BEAUMONT: No.

20 MR. FROMM: Did Ms Saltman in fact do  
21 an article on your case?

22 MS BEAUMONT: When she had contacted  
23 us about the article, she did not print that one, but  
24 she has since printed two.

25 MR. FROMM: What has been the effect

1 on you in the community -- well, when you still lived  
2 there in Coquitlam, what was the effect on you of the  
3 publicity that you received?

4 MS BEAUMONT: The publicity that we  
5 had received was rather negative but your neighbours  
6 and family and friends were positive towards us.

7 MR. FROMM: Have you ever heard the  
8 term outing?

9 MS BEAUMONT: Yes.

10 MR. FROMM: What does outing mean to  
11 you?

12 MS BEAUMONT: To me it would be a  
13 gathering or people going out.

14 MR. FROMM: Have you ever heard it  
15 used in the context we're going to out somebody?

16 MR. WARMAN: Clearly a leading  
17 question. If the question has already been answered,  
18 this is what I think outing is, then putting a  
19 suggestion to someone that this is in fact what it  
20 really means is clearly a leading question even if it's  
21 couched as a question.

22 THE CHAIRPERSON: But I can see where  
23 the question could be -- words have sometimes multiple  
24 connotations.

25 MR. FROMM: In fairness to Mr.

1 Warman, could I ask the witness be excluded for a  
2 moment.

3 THE CHAIRPERSON: Fine. Step  
4 outside, please.

5 MR. VIGNA: Mr. Chair, she's a party.

6 THE CHAIRPERSON: That's true, she  
7 is.

8 MR. FROMM: You can't be excluded.

9 THE CHAIRPERSON: Hold on. There was  
10 an objection to the exclusion last time of Mr. Warman.  
11 If she wishes to exclude herself, I don't have a  
12 problem, given especially that her representative is  
13 here. Mr. Fromm, do you wish her to stay?

14 MR. FROMM: No, I do wish her to  
15 stay.

16 THE CHAIRPERSON: She did not have to  
17 leave.

18 MR. FROMM: Outing, she understood it  
19 to be a noun. We're going for an outing with the  
20 family.

21 THE CHAIRPERSON: So you're asking  
22 the verb, to out?

23 MR. FROMM: The verb. I want to know  
24 if she heard it as a verb?

25 MS BEAUMONT: Yes.

1 MR. FROMM: We're going to out  
2 somebody.

3 MS BEAUMONT: Yes.

4 MR. FROMM: What does that mean to  
5 you?

6 MS BEAUMONT: It means either to get  
7 rid of somebody or we're going to prove someone is gay.

8 MR. FROMM: Had you lived in the  
9 Coquitlam community with Mr. Donnelly without  
10 publicity?

11 MS BEAUMONT: Yes.

12 MR. FROMM: After this publicity  
13 occurred in The Now newspaper did you feel outed?

14 MS BEAUMONT: No.

15 MR. FROMM: This past July your home  
16 was raided, was it not?

17 MS BEAUMONT: Yes, it was.

18 MR. FROMM: Can you tell the Tribunal  
19 what happened during that raid and why the raid  
20 occurred?

21 MS BEAUMONT: The raid had occurred,  
22 I can't remember what the actual legal reasoning of it  
23 was. I know it was a wilful promotion of hatred is  
24 what our search warrant had said.

25 MR. FROMM: So that would be section

1 319 of the Criminal Code?

2 MS BEAUMONT: I believe so. I think  
3 it's 319(2), I think.

4 MR. FROMM: Who raided your home?

5 MS BEAUMONT: We had the RCMP there,  
6 the B.C. Hate Group or something of that sort, and  
7 regular local police.

8 MR. FROMM: How long did this raid  
9 occur?

10 MS BEAUMONT: They had arrived at  
11 roughly 9:00 o'clock in the morning. We were sitting  
12 outside for roughly five hours.

13 MR. FROMM: You said you were sitting  
14 outside. Could you explain that?

15 MS BEAUMONT: We weren't allowed to  
16 be on the premises while they were searching the home.  
17 We were outside in your pyjamas.

18 MR. FROMM: When you say outside,  
19 outside where?

20 MS BEAUMONT: Sitting beside the  
21 garbage can in the complex.

22 MR. FROMM: You had only your pyjamas  
23 on?

24 MS BEAUMONT: Yes.

25 MR. FROMM: Did you have to sit like

1           that for five hours?

2                           MS BEAUMONT:   Yes.

3                           MR. FROMM:   What did the police take  
4           at the end of the raid?

5                           MS BEAUMONT:   Computers, jackets,  
6           work boots, my cross stitching, knitting, blankets,  
7           belts.

8                           MR. FROMM:   They took your knitting?

9                           MS BEAUMONT:   Yes.

10                          MR. FROMM:   What was on the knitting?

11                          MS BEAUMONT:   Nothing.  That was just  
12           knitting.  They took cross stitching I had done, celtic  
13           hearts that were intertwined, there was four of them.  
14           I had done a Totenkopf in cross stitch as well which  
15           was taken, patterns of mine for cross stitching were  
16           taken.

17                          THE CHAIRPERSON:   Sorry, patterns of  
18           what?

19                          MS BEAUMONT:   Patterns for cross  
20           stitching.

21                          THE CHAIRPERSON:   Sorry, what is  
22           cross stitching?

23                          MS BEAUMONT:   Cross stitching is a  
24           form of needle work.  It just makes an X on the fabric.

25                          MR. FROMM:   To the best of your

1 recollection, when did that occur?

2 MS BEAUMONT: I believe it was the  
3 27th.

4 MR. FROMM: Of?

5 MS BEAUMONT: July.

6 MR. FROMM: Have you received any of  
7 those goods back?

8 MS BEAUMONT: I believe we got five  
9 pictures back from what they had taken. They are all  
10 labelled so now the pictures are of no use.

11 MR. FROMM: Did you get your cross  
12 stitching back?

13 MS BEAUMONT: No.

14 MR. FROMM: Did you mention boots?

15 MS BEAUMONT: Yes, my work boots.

16 MR. FROMM: They were taken?

17 MS BEAUMONT: Yes.

18 MR. FROMM: Did you ask why they were  
19 taking your boots?

20 MS BEAUMONT: Because they have red  
21 laces.

22 MR. FROMM: You understood that to  
23 mean that you've just got bad fashion sense?

24 MS BEAUMONT: No. We had asked them  
25 to clarify and apparently red laces mean blood and

1 honour.

2 MR. FROMM: At the time did you have  
3 any indication as to why the police had a warrant to  
4 raid the residence where you were living?

5 MS BEAUMONT: No.

6 MR. VIGNA: Mr. Chair, I'm didn't  
7 object but --

8 THE CHAIRPERSON: She answered no.  
9 She had no indication. She anticipated your objection.

10 MR. VIGNA: Mr. Chair, I have two  
11 objections. First of all, I have never seen this  
12 document before. It's pretty lengthy and, looking at  
13 it in a cursory fashion, I don't see the relevance for  
14 this process. It seems like an affidavit for a  
15 criminal matter which is not what we're here to decide.

16 THE CHAIRPERSON: This is not a forum  
17 for criminal cases, that's for sure.

18 Mr. Fromm.

19 MR. FROMM: Indeed, this is --

20 THE CHAIRPERSON: It's not been  
21 disclosed first of all?

22 MR. FROMM: I only received it today.  
23 Ms Beaumont had it with her.

24 THE CHAIRPERSON: She's the party.  
25 But go on, beyond the disclosure issue, what's the

1 relevance?

2 MR. FROMM: This is an affidavit  
3 filed by the police in order to obtain a search  
4 warrant. As Mr. Vigna correctly says, we're not here  
5 to try the criminal case, which actually hasn't even  
6 been -- there have been no charges yet. But I would  
7 like to take her to paragraphs 14 and 15 of the  
8 affidavit.

9 THE CHAIRPERSON: Okay, let's look at  
10 that specifically.

11 MR. FROMM: Which answers the  
12 question she could not answer. She was asked did you  
13 know why they had a warrant. She said at the time she  
14 did not know, but she subsequently has learned.

15 THE CHAIRPERSON: And the reference  
16 there, I can see quickly looking at this, is a  
17 reference to the complainant?

18 MR. FROMM: Yes.

19 THE CHAIRPERSON: I see the relevance  
20 there, but it wasn't disclosed. Now, Mr. Vigna, it's  
21 only those two paragraphs that are at issue.

22 MR. FROMM: 14 and 15 on page 5.

23 THE CHAIRPERSON: Read them through.  
24 You will have the opportunity to cross-examine.

25 MR. VIGNA: Mr. Chair, other than the

1 fact that it's not been disclosed, that it's another  
2 process --

3 THE CHAIRPERSON: I know it's another  
4 process.

5 MR. VIGNA: I have another concern  
6 also, and I haven't had a chance to really fully think  
7 out the legal ramifications. But I don't want to have  
8 any impact on any future criminal proceedings because  
9 of questions being asked to the respondent in relation  
10 to a criminal procedure. I think that beyond this  
11 proceeding, I don't want questions that are related to  
12 another proceeding to be asked that can have an impact  
13 on other proceedings.

14 THE CHAIRPERSON: I can see that. I  
15 can see what you're saying there. But just reading  
16 those two paragraphs I don't know if it would have that  
17 kind of an impact. It goes to that broader issue that  
18 I have defined earlier. There's reference to the fact  
19 that the police apparently were in contact with Mr.  
20 Warman, which was addressed in his examination or  
21 cross-examination earlier as well.

22 MR. VIGNA: I think the question  
23 maybe can be asked, but we have to be very careful not  
24 to go into dangerous territory.

25 THE CHAIRPERSON: Let's be

1           circumspect about it.  Actually I think the person most  
2           in need of care here would be the witness because this  
3           is relating to charges that may or may not be laid  
4           against her.  So it's in her interest to be very  
5           circumspect, I would think, in her answers, Mr. Fromm.

6                           MR. FROMM:  I appreciate that.

7                           THE CHAIRPERSON:  The person who is  
8           exposed here perhaps in fact may be the person named in  
9           the criminal documentation.

10                          MR. FROMM:  I certainly appreciate  
11           Mr. Vigna's concern.  That could be alleviated by  
12           withdrawing the complaint.

13                          THE CHAIRPERSON:  That's not an issue  
14           before us, okay.

15                          MR. FROMM:  It was an invitation  
16           anyway.

17                          THE CHAIRPERSON:  Mr. Vigna has  
18           criminal law experience but not in British Columbia.

19                          MR. VIGNA:  That was not an  
20           invitation, just for the record.

21                          THE CHAIRPERSON:  Given that we're  
22           only focusing on two paragraphs, the disclosure issue  
23           I'm not overly concerned with.  I'll hear your question  
24           and, Mr. Vigna, it's open to you perhaps to raise a  
25           specific objection.  But let's hear the question

1 because the document doesn't really say all that much  
2 than what we had a sense of from Mr. Warman's own  
3 testimony earlier.

4 MR. FROMM: First of all, Ms  
5 Beaumont, how did you obtain this document?

6 MS BEAUMONT: I went down to this  
7 court house and asked them for the information they  
8 needed to obtain a search warrant.

9 MR. FROMM: On whose instruction did  
10 you do that?

11 MS BEAUMONT: I can't remember.

12 THE CHAIRPERSON: Let me interrupt  
13 here. It's been identified. Do you wish to have it  
14 produced?

15 MR. FROMM: Do you recognize this as  
16 the information that you obtained from the police?

17 MS BEAUMONT: Yes.

18 MR. FROMM: Where was that?

19 MS BEAUMONT: All I know is it was in  
20 Vancouver. There was a court house. I can't remember  
21 where it was exactly.

22 MR. FROMM: Could we have this  
23 marked? It's called "In the Matter of An Application  
24 Under Section 487.03(02) of the Criminal Code.

25 THE CHAIRPERSON: 487.03(02) of the

1 Criminal Code and it says "Attachment 1" at the top.

2 REGISTRY OFFICER: The document as  
3 described will be marked as respondent Exhibit R-4.

4 EXHIBIT NO. R-4: Document  
5 entitled "Attachment 1, In the  
6 Matter of An Application Under  
7 Section 487.03(02) of the  
8 Criminal Code."

9 MR. FROMM: Ms Beaumont, if I may  
10 take you to paragraph 15 on page 5, could you read the  
11 first sentence of that, please?

12 MS BEAUMONT: Paragraph 15?

13 MR. FROMM: Yes.

14 MS BEAUMONT: "That on December 22,  
15 2005 a criminal complaint was  
16 made by Richard WARMAN to the  
17 BCHCT regarding postings on  
18 Stormfront by DONNELLY while  
19 using the avatar 'Der\_Totenkopf'  
20 which wilfully promoted hatred  
21 as defined in section 319 of the  
22 Criminal Code. The content of  
23 the posts identified by WARMAN  
24 are primarily anti-black,  
25 anti-jew and anti-gay while at

1 the same time promoting a white  
2 nation. WARMAN states that he  
3 believes the content of some of  
4 the postings fall within the  
5 realm of the Criminal Code under  
6 Section 319."

7 MR. FROMM: So upon getting this  
8 document and reading it, did you have an answer to the  
9 question I had asked you earlier as to why it was the  
10 police raided you?

11 MS BEAUMONT: Yes.

12 MR. FROMM: And that answer was?

13 MS BEAUMONT: Because there was a  
14 criminal complaint filed by Richard Warman.

15 MR. FROMM: Thank you. Perhaps I  
16 could seek your assistance on this. My final question  
17 does have to do with the Bible, and --

18 THE CHAIRPERSON: Nothing prevents  
19 you from looking at it yourself.

20 MR. FROMM: Yes, I was wondering if I  
21 could do that.

22 THE CHAIRPERSON: Go ahead.

23 MR. FROMM: Would you read that verse  
24 from the Gospel of St. John, chapter 8, verse 44?

25 MS BEAUMONT: "Ye are of your father

1 the devil, and the lusts of your  
2 father ye will do. He was a  
3 murderer from the beginning, and  
4 abode not in the truth, because  
5 there is no truth in him. When  
6 he speaketh a lie, he speaketh  
7 of his own: for he is a liar,  
8 and the father of it."

9 MR. FROMM: In your understanding,  
10 who is John referring to?

11 MS BEAUMONT: John is referring to  
12 the devil as the father and Jews as the children.

13 MR. FROMM: Was that what you were  
14 referring to when you referred to them as the spawn of  
15 Satan yesterday?

16 MS BEAUMONT: Yes.

17 MR. FROMM: You were referencing, as  
18 you recall, the Bible?

19 MS BEAUMONT: Yes.

20 MR. VIGNA: Objection.

21 THE CHAIRPERSON: That's a very  
22 leading question, a very leading question, sir. It  
23 appears to be a key point and you've lead her  
24 completely through that question. I will let the  
25 answer stay as it is.

1 MR. FROMM: Is there anything else  
2 you would like to tell Member Hadjis?

3 MS BEAUMONT: Not that I'm aware of,  
4 no.

5 MR. FROMM: Are you given to  
6 exaggerating when you post on Stormfront, laying it on  
7 a bit thick?

8 MS BEAUMONT: Sometimes.

9 MR. VIGNA: Mr. Chair, it's a bit  
10 leading again.

11 THE CHAIRPERSON: I realize that -- I  
12 know you've had a lot of experience at a Tribunals, the  
13 more you lead the witness through the answer, the less  
14 value it has.

15 MR. FROMM: We have had brought to  
16 our attention yesterday many posts. I asked Mr. Warman  
17 for a number, he couldn't give it to me, but many posts  
18 that you have made over several years. What you  
19 posted, were they your sincerely held opinions?

20 MS BEAUMONT: Yes.

21 MR. FROMM: Thank you. Those are my  
22 questions.

23 Do you think it would be possible,  
24 because Ms Beaumont has a really scratchy throat, to  
25 maybe have a ten-minute break so she can have some

1 water?

2 THE CHAIRPERSON: I think so. Are  
3 you going to be long in your cross-examination?

4 MR. FROMM: I'm sorry, I forgot one  
5 thing, we were supposed to --

6 THE CHAIRPERSON: Yes, that's true,  
7 before we close.

8 MR. FROMM: Did I give you the -- it  
9 was just marked A for identification -- pictures from  
10 Citizens Against Hate.

11 MS BEAUMONT: Yes.

12 MR. FROMM: First of all, do you  
13 recognize this document?

14 MS BEAUMONT: Yes.

15 MR. FROMM: Can we now have this  
16 marked?

17 THE CHAIRPERSON: Just describe it to  
18 us.

19 MR. FROMM: It's pictures from --

20 THE CHAIRPERSON: I want to hear from  
21 the witness.

22 MS BEAUMONT: It's pictures from a  
23 website entitled "Citizens Against Hate." I believe  
24 the website is U.S. based.

25 THE CHAIRPERSON: And you're familiar

1 with this? Have you seen it?

2 MS BEAUMONT: Yes.

3 THE CHAIRPERSON: And you've been on  
4 the website?

5 MS BEAUMONT: Yes.

6 REGISTRY OFFICER: The document  
7 marked for Identification as A described as "Citizens  
8 Against Hate" website will now be marked as respondent  
9 Exhibit R-5.

10 EXHIBIT NO. R-5: Document  
11 previously marked as Exhibit A  
12 for Identification

13 MR. FROMM: What is your  
14 understanding of this document? What is it?

15 MS BEAUMONT: Citizens Against Hate  
16 is a website where they put up pictures of people they  
17 deem hateful, information, their addresses.

18 MR. FROMM: On the first page, do you  
19 see anybody you recognize?

20 MS BEAUMONT: Yourself.

21 MR. FROMM: Not a very good picture,  
22 but yes.

23 On the third page, do you recognize  
24 any of those people?

25 MS BEAUMONT: I believe I recognize

1 the one on the left.

2 THE CHAIRPERSON: Hold on, let me  
3 find that. On the first page it's Mr. Fromm.

4 Let me find the third page.

5 MR. FROMM: It's the group shot of  
6 five men.

7 THE CHAIRPERSON: Yes, go ahead.

8 MR. FROMM: Ms Beaumont, you said you  
9 did recognize one of those?

10 MS BEAUMONT: Yes, I believe that I  
11 know the gentleman on the left.

12 THE CHAIRPERSON: The person on the  
13 left?

14 MS BEAUMONT: Yes.

15 MR. FROMM: As you read it, who  
16 posted this or provided the information?

17 MS BEAUMONT: It says it was from  
18 Richard Warman.

19 THE CHAIRPERSON: We can read the  
20 document.

21 MR. FROMM: Then moving ahead, I  
22 guess that would be to page 5, do you recognize those  
23 pictures?

24 MS BEAUMONT: They're of myself.

25 MR. FROMM: Yes. Do you know how

1           those would have been obtained by Citizens Against  
2           Hate?

3                       MS BEAUMONT:  It says underneath the  
4           pictures that some of them were taken from the WCFU  
5           forums and from Stormfront.

6                       MR. FROMM:  Moving ahead to page 6,  
7           do you recognize any of the pictures there?

8                       MS BEAUMONT:  All except one would be  
9           of me or me and Ciaran.

10                      MR. FROMM:  Again, do you know the  
11           source of those pictures?

12                      MS BEAUMONT:  Again, underneath it  
13           says that they were taken from WCFU or Stormfront.

14                      MR. FROMM:  Was there anything else  
15           posted on Citizens Against Hate in regards to you that  
16           was of concern to you?

17                      MS BEAUMONT:  Underneath our pictures  
18           they had our address posted, and I had told them to  
19           remove it or I would be seeking legal action.

20                      MR. FROMM:  When you say "our  
21           address," that was--

22                      MS BEAUMONT:  Mine and Ciaran's.

23                      MR. FROMM:  Do you have any knowledge  
24           as to how Citizens Against Hate in the United States  
25           obtained your address?

1 MS BEAUMONT: No.

2 MR. FROMM: You did communicate with  
3 them, telling them to take them down or else, and did  
4 they?

5 MS BEAUMONT: Yes.

6 MR. FROMM: They took down the  
7 address and took down the pictures?

8 MS BEAUMONT: I believe they took  
9 down the address. I'm not sure if they've taken down  
10 the pictures. I haven't seen the site since.

11 MR. FROMM: Thank you. Those are my  
12 questions.

13 THE CHAIRPERSON: My earlier question  
14 was do you think you'll be long in your  
15 cross-examination?

16 MR. VIGNA: Not particularly long but  
17 I would like to ask a few questions, about 45 minutes.

18 THE CHAIRPERSON: Okay, we'll take a  
19 break. We'll take ten minutes until quarter to 3:00.

20 --- Upon recessing at 2:38 p.m.

21 --- Upon resuming at 2:50 p.m.

22 REGISTRY OFFICER: Order, please.  
23 Please be seated.

24 THE CHAIRPERSON: Yes.

25 CROSS-EXAMINATION BY MR. VIGNA

1 MR. VIGNA: Good afternoon, Ms  
2 Beaumont. In your testimony you mentioned that you  
3 work in the retail industry in Calgary. Correct?

4 MS BEAUMONT: Yes.

5 MR. VIGNA: You agree that in Calgary  
6 the economy is fairly booming and there is not enough  
7 people to fill the jobs that are out there?

8 MS BEAUMONT: Yes.

9 MR. VIGNA: As a consequence, you  
10 agree that the salaries of employees in general are  
11 higher than the rest of Canada because of the economic  
12 boom?

13 MS BEAUMONT: Not everywhere, no.

14 THE CHAIRPERSON: Hang on a sec, Mr.  
15 Vigna, there is an objection.

16 MR. FROMM: I am not sure that Ms  
17 Beaumont is really able to give expert evidence about  
18 the economic state of Calgary or the province of  
19 Alberta.

20 THE CHAIRPERSON: I appreciate that.  
21 But it's her view in the same sense that I mentioned  
22 earlier to Mr. Warman, just a sense of this person's  
23 perspective. I understand, of course, that she's not  
24 an expert who can testify on the state of the economy,  
25 just her perspective on what's going in Calgary. I

1 will accept it to that extent. Go ahead.

2 MR. VIGNA: In the retail industry in  
3 which you work, you mentioned that you work above the  
4 minimum wage. Correct?

5 MS BEAUMONT: Yes.

6 MR. VIGNA: What is your salary?

7 MS BEAUMONT: My salary, I'm getting  
8 \$9.25.

9 MR. VIGNA: And you work full time.  
10 Correct?

11 MS BEAUMONT: Yes.

12 MR. VIGNA: And you do what, 40 hours  
13 a week?

14 MS BEAUMONT: No.

15 MR. VIGNA: Thirty-eight?

16 MS BEAUMONT: Generally I do 34.  
17 Because of Christmas I've been doing 34, but full time  
18 is anything over 24 hours.

19 MR. VIGNA: I understand that you're  
20 in Calgary now but at one point you were in Coquitlam?

21 MS BEAUMONT: Yes.

22 MR. VIGNA: You are in Calgary since  
23 when?

24 MS BEAUMONT: September 1st.

25 MR. VIGNA: I presume that one of the

1 reasons you are in Calgary is for your job and for your  
2 family?

3 MS BEAUMONT: Yes.

4 MR. VIGNA: Prior to September did  
5 you have any income?

6 MS BEAUMONT: No. I was on EI for  
7 six months out here.

8 MR. VIGNA: You were on EI because  
9 you had work and then you had been laid off, I suppose?

10 MS BEAUMONT: Yes.

11 MR. VIGNA: Now, I understand you're  
12 20 years old now?

13 MS BEAUMONT: Twenty-one.

14 MR. VIGNA: Your familiarity with the  
15 Internet I would say is fairly good. Correct?

16 MS BEAUMONT: Somewhat, yes.

17 MR. VIGNA: People of your generation  
18 in schools, they're exposed to the computers and the  
19 Internet much more than perhaps people of another  
20 generation?

21 MS BEAUMONT: Now a days, yes. When  
22 I was in high school there was a computer course which  
23 I did not take.

24 MR. VIGNA: But you have a good  
25 familiarity of the Internet?

1 MS BEAUMONT: Yes, I would say so.

2 MR. VIGNA: How would you describe  
3 the Internet? For you what is the Internet?

4 MS BEAUMONT: The Internet is a place  
5 where you can talk about anything and everything.

6 MR. VIGNA: And you understand  
7 there's a difference between the Internet, for example,  
8 and a discussion in your living room at home, that the  
9 Internet is public?

10 MS BEAUMONT: As is a discussion in  
11 my home. A discussion is with more than one person,  
12 making it public.

13 MR. VIGNA: Making it public.  
14 Correct?

15 MS BEAUMONT: If there's more than  
16 one person, yes.

17 MR. VIGNA: But it's not something  
18 that -- it's a place where people can actually go  
19 mainly to read, like Stormfront. Correct?

20 MS BEAUMONT: You can read, yes.

21 MR. VIGNA: And it's accessible to  
22 just about anybody?

23 MS BEAUMONT: Yes.

24 MR. VIGNA: If you want to  
25 participate you have to join?

1 MS BEAUMONT: Yes.

2 MR. VIGNA: You have to perform a  
3 certain operation in terms of putting a user name and a  
4 password. Correct?

5 MS BEAUMONT: Yes.

6 MR. VIGNA: But it's fairly easy?

7 MS BEAUMONT: Yes.

8 MR. VIGNA: And it's free?

9 MS BEAUMONT: Yes.

10 MR. VIGNA: Stormfront is a site you  
11 mentioned you've been on. Correct?

12 MS BEAUMONT: Yes.

13 MR. VIGNA: Many times?

14 MS BEAUMONT: Yes.

15 MR. VIGNA: And you agree that  
16 there's over 1,000 postings from yourself on  
17 Stormfront?

18 MS BEAUMONT: If it says I have over  
19 1,000 postings, then I would say so. I don't know how  
20 many I have.

21 MR. FROMM: In fairness to Ms  
22 Beaumont, she didn't testify how many postings she had.

23 THE CHAIRPERSON: Okay.

24 MR. VIGNA: I will refer you to a  
25 tab, then, Ms Beaumont. I would refer you to tab 6,

1 page 5.

2 MS BEAUMONT: Yes.

3 MR. VIGNA: Do you see the posting  
4 Jessy Destruction?

5 MS BEAUMONT: Yes.

6 MR. VIGNA: You agree that's  
7 yourself?

8 MS BEAUMONT: Yes.

9 MR. VIGNA: Underneath it says join  
10 date of October 2003, and then it says posts 990?

11 MS BEAUMONT: Correct.

12 MR. VIGNA: You agree with me that at  
13 least at that date at that point in time you had 990  
14 postings?

15 MS BEAUMONT: According to this, yes.

16 MR. VIGNA: This is from your posting  
17 Jessy Destruction?

18 MS BEAUMONT: Yes.

19 MR. VIGNA: If I understand correctly  
20 from your testimony, and correct me if I'm mistaken,  
21 you're not disputing the exhibits that have been put  
22 forward before this Tribunal, but you're basically  
23 saying that you have the right to do so because of your  
24 political beliefs. Correct?

25 MS BEAUMONT: Yes.

1 MR. VIGNA: You mentioned in your  
2 testimony that you went to a certain website and you  
3 were referring to those basic principles there from I  
4 believe the White Future site. I'll refer you to the  
5 proper tab.

6 THE CHAIRPERSON: Please mention the  
7 tab.

8 MR. VIGNA: 25A. You testified about  
9 this earlier and you had went to this website and did  
10 this posting from yourself. Correct?

11 MS BEAUMONT: Yes.

12 MR. VIGNA: When you look at these  
13 different principles which you have posted on this  
14 posting, these you got them, if my understanding is  
15 correct, from White Future site or another website?

16 MS BEAUMONT: I believe so. I think  
17 somewhere on page number 3 it will have a link which  
18 would be the site I had gotten them from.

19 MR. VIGNA: What kind of site is  
20 that, whitefuture.com?

21 MS BEAUMONT: I'm not sure of the  
22 date I posted this was in 2004. That was two years  
23 ago.

24 MR. VIGNA: But what kind of site is  
25 it? What does it talk about?

1 MS BEAUMONT: I'm not certain. It's  
2 been two years ago.

3 MR. VIGNA: When you took these  
4 different, I don't know if you can call them principles  
5 or facts, they're called 16 facts, you basically read  
6 the material on the other website and you agreed with  
7 the statements?

8 MS BEAUMONT: Yes.

9 MR. VIGNA: Because you agreed, you  
10 posted them for public consumption on the postings.  
11 Correct?

12 MS BEAUMONT: For other people to  
13 read.

14 MR. VIGNA: Yes. You didn't  
15 necessarily ask yourself whether what was written in  
16 this material would have an impact on certain  
17 individuals or not. Correct?

18 MS BEAUMONT: Correct. I didn't  
19 really care. I thought it was interesting and that  
20 someone else might enjoy reading it.

21 MR. VIGNA: You didn't really care.  
22 You don't care if some people might be hurt by some of  
23 these comments. Correct?

24 MS BEAUMONT: I don't see why they  
25 would be going to a website like this if they would be

1 hurt.

2 MR. VIGNA: But you realize that  
3 Stormfront is a public website?

4 MS BEAUMONT: If there's something  
5 out there that I don't want to read, I'm not going to  
6 go out of my way and read it.

7 MR. VIGNA: But the question I'm  
8 asking you is very simple: Stormfront is a public  
9 website?

10 MS BEAUMONT: Yes.

11 MR. VIGNA: The Internet is public?

12 MS BEAUMONT: Yes.

13 MR. VIGNA: When such material or any  
14 type of material is made public, you understand that  
15 there's ramifications. It's not going to be isolated  
16 like when you have a conversation in your living room?

17 MS BEAUMONT: I guess so.

18 MR. VIGNA: But you didn't really  
19 care that this might be the case. Correct?

20 MS BEAUMONT: Correct.

21 MR. VIGNA: Are you familiar with the  
22 Canadian Human Rights Act? I know you're not a lawyer,  
23 but you've been brought before a Tribunal. I guess you  
24 had -- did you do anything to inquire about what the  
25 Canadian Human Rights Act is all about?

1 MS BEAUMONT: No.

2 MR. VIGNA: Do you know what the  
3 Canadian Human Rights Act has for principles or what is  
4 your knowledge of the Canadian Human Rights Act?

5 MS BEAUMONT: Not much.

6 MR. VIGNA: Do you think it wouldn't  
7 have been appropriate for you to find out about the  
8 Canadian Human Rights Act, particularly that you're  
9 before the Tribunal here today?

10 MS BEAUMONT: I don't understand many  
11 of the words used.

12 MR. VIGNA: Particularly that you  
13 don't understand, what efforts did you make to try to  
14 understand?

15 MS BEAUMONT: I tried to figure it  
16 out according to my own and, as it stands at the  
17 moment, I don't have anything in front of me that I can  
18 look over.

19 MR. VIGNA: You're not a lawyer.  
20 Right?

21 MS BEAUMONT: Correct.

22 MR. VIGNA: And you don't have  
23 necessarily legal understanding of certain laws?

24 MS BEAUMONT: Yes.

25 MR. VIGNA: What do you do to inform

1           yourself?

2                           MS BEAUMONT: Try and figure it out  
3           and if I can't, then, oh well.

4                           MR. VIGNA: But when you're writing  
5           stuff public like this, you realize that you're  
6           exposing yourself, that it's not as if you're writing a  
7           private letter to a friend or talking to somebody in  
8           your living room. Correct?

9                           MS BEAUMONT: I'm writing stuff that  
10          many of my friends will read.

11                          MR. VIGNA: But also other people can  
12          read publicly?

13                          MS BEAUMONT: Yes.

14                          MR. VIGNA: So, why don't you concern  
15          yourself with the possible impact that such material  
16          can have on the public and society?

17                          MS BEAUMONT: Because no matter what  
18          you say, someone is always going to be offended by it.

19                          MR. VIGNA: Knowing that, don't you  
20          care that somebody will be offended by it?

21                          MS BEAUMONT: By me just saying that  
22          somebody might be offended by -- if I say now someone  
23          might be offended by something I say or you say or  
24          anybody says, someone is always going to be offended by  
25          a statement no matter what it is. So, I'm always going

1 to be offending someone no matter what I say.

2 MR. VIGNA: So you don't care about  
3 that?

4 MS BEAUMONT: No.

5 MR. VIGNA: If you look at the same  
6 tab and 6.

7 MS BEAUMONT: Page 6?

8 MR. VIGNA: At the same tab you're on  
9 right now but principle 6.

10 THE CHAIRPERSON: I've lost it now.  
11 What is that tab?

12 MR. VIGNA: It's 25A. Can you tell  
13 us what's your understanding of paragraph 6?

14 THE CHAIRPERSON: You mean of those  
15 facts?

16 MR. VIGNA: Yes, fact number 6.

17 MS BEAUMONT: You want me to read it?

18 MR. VIGNA: Read it and then tell us  
19 what your understanding of it is.

20 MS BEAUMONT: "All great societies of  
21 the past which were White as  
22 they rose to power, when they  
23 changed from being dominantly  
24 White, to a dominantly mixed  
25 race society, they fell

1 permanently into decay. (e.g.  
2 Egypt, Greece, Rome, Spain,  
3 Portugal.)"

4 MR. VIGNA: What's your understanding  
5 of that?

6 MS BEAUMONT: My understanding of  
7 that is they were great societies until they were  
8 changed hands and then they fell.

9 MR. VIGNA: Changed hands, what do  
10 you mean?

11 MS BEAUMONT: It says here, "when  
12 they changed from being dominantly White, to a  
13 dominantly mixed race society, they fell permanently  
14 into decay." So when they went from being a white  
15 society to a mixed race society they fell into decay.  
16 That's my understanding of it.

17 MR. VIGNA: And you agree with that  
18 statement?

19 MS BEAUMONT: Yes.

20 MR. VIGNA: Do you realize that  
21 that's against the fundamental principles that the  
22 Canadian Human Rights Act and our Canadian society is  
23 all about, multiculturalism and integration and  
24 accepting one another?

25 MS BEAUMONT: That's nice for the

1 Canadian society.

2 MR. VIGNA: But you don't agree with  
3 that?

4 MS BEAUMONT: No.

5 MR. VIGNA: And you don't care if you  
6 hurt people in the process of putting such things  
7 publicly. Correct?

8 MS BEAUMONT: Like I said earlier, no  
9 matter what I say, someone is going to be offended. I  
10 can sit here and say I don't like your suit. You may  
11 not be offended but someone else might be.

12 MR. VIGNA: But I can change my suit,  
13 but can you change the colour of the skin or the  
14 religion or whatever? Do you realize there's a  
15 difference?

16 MS BEAUMONT: Yes, I do. But I'm  
17 saying no matter what you say, someone is always going  
18 to be offended. So there's no point in trying to tiptoe  
19 around things. Someone is always going to be offended.

20 MR. VIGNA: I would refer you to tab  
21 22A, page 2 where it talks about Nazis in the middle of  
22 the page.

23 THE CHAIRPERSON: 22A, page 2, "MSN  
24 are commies?" Is that the one?

25 MR. VIGNA: Yes. Do you see that

1 posting, Ms Beaumont?

2 MS BEAUMONT: Yes.

3 MR. VIGNA: You sort of testified  
4 earlier, but I'm not sure that I quite understood what  
5 you provided as an answer for the term full-time Nazi.  
6 Can you tell us again?

7 MS BEAUMONT: It was my MSN profile  
8 and under job description it says full-time Nazi. I  
9 don't get paid for my political beliefs. That's what I  
10 stated earlier and that's what I will state again.

11 MR. VIGNA: You know what Nazi means?

12 MS BEAUMONT: Yes.

13 MR. VIGNA: It's associated to  
14 Hitler, Germany and the war. Correct?

15 MS BEAUMONT: Yes.

16 MR. VIGNA: And when you wrote that  
17 you knew what it meant. Right?

18 MS BEAUMONT: Yes.

19 MR. VIGNA: So, when you wrote it  
20 what did you mean by Nazi?

21 MS BEAUMONT: It was a joke as in  
22 full-time, non-stop. I don't get paid for it.

23 MR. VIGNA: I don't quite understand  
24 your answer, Ms Beaumont, when you say it's a joke.

25 You understand that the word Nazi --

1 MS BEAUMONT: I understand that.  
2 That's not what the joke was about. The joke was about  
3 the fact that it's full time. You don't get paid for  
4 political beliefs.

5 MR. VIGNA: And you associate -- you  
6 want to be associated when you use the moniker Jessy  
7 Destruction to the word Nazi?

8 MS BEAUMONT: That was for my MSN  
9 profile.

10 MR. VIGNA: You mentioned in your  
11 testimony that you went to the Zundel protest and you  
12 were distributing flyers. Correct?

13 MS BEAUMONT: On two separate  
14 occasions, but, yes.

15 MR. VIGNA: You know now that the  
16 Zundel trials and hearings are over, that Mr. Zundel  
17 has been found liable for the material that he was  
18 promoting. Correct?

19 MS BEAUMONT: Yes.

20 MR. VIGNA: And you --

21 MR. FROMM: Well, I've got to object  
22 as to Mr. Vigna's characterization. During the time in  
23 question, Ernst Zundel was in solitary confinement not  
24 because of things he posted but because he was the  
25 subject of a national security certificate, and that

1 was subsequently upheld. I don't think Mr. Vigna is  
2 correctly putting the facts to Ms Beaumont.

3 THE CHAIRPERSON: Except that she  
4 said yes to his question. Perhaps you can be specific.

5 My understanding is that there have  
6 been numerous Zundel proceedings, Mr. Vigna. So  
7 perhaps you should be more specific on which one. Were  
8 you referring to the human right case, Canadian Human  
9 Rights Act case, Citron v. Zundel?

10 MR. VIGNA: Yes.

11 MR. FROMM: Again, the decision in  
12 Citron and the Toronto Mayor's Committee on Community  
13 and Race Relations v. Ernst Zundel came down in 2002.  
14 At the risk of testifying, the protests in question  
15 were in 2004.

16 THE CHAIRPERSON: I didn't get that  
17 evidence at all, so you are testifying there. Let him  
18 ask his question and we'll hear what the answer is.

19 MR. VIGNA: We heard from your agent  
20 that the protests were in 2002. Is that the case?

21 THE CHAIRPERSON: No, the agent said  
22 '04.

23 MR. VIGNA: '04, sorry.

24 MS BEAUMONT: Yes.

25 MR. VIGNA: You're aware that the

1 subject matter which was heard in relation to the  
2 Zundel Canadian Human Rights Tribunal, at least, was  
3 found to be in violation of the Canadian Human Rights  
4 Act?

5 MS BEAUMONT: I know he was deported.  
6 I don't know the majority of the legal proceedings that  
7 happened.

8 MR. VIGNA: Without going to the fine  
9 minute details of the legal proceedings, you have from  
10 public knowledge knowledge of the fact that he was  
11 found liable for the material he was posting?

12 MS BEAUMONT: I know that he was  
13 deported. I don't know --

14 THE CHAIRPERSON: Do you have any  
15 knowledge of postings by Mr. Zundel on the Internet and  
16 his legal battles related thereto?

17 MS BEAUMONT: Not all of them, but  
18 tiny snippets here and there I have read.

19 MR. VIGNA: Ms Beaumont, if you were  
20 passionate enough and interested enough to go there and  
21 protest, you must have had an interest in finding out  
22 what it's all about?

23 MS BEAUMONT: At the time I did, but  
24 I do not know whatever you said about liable. I know  
25 he was deported and that was the end of that.

1 MR. VIGNA: Do you know why he was  
2 deported?

3 MS BEAUMONT: No, I haven't been  
4 keeping updated in current events lately. I've had  
5 more stuff on my mind.

6 MR. VIGNA: Is it correct to say that  
7 by the frequency of your postings by the fact that you  
8 were distributing flyers, by the fact that you were  
9 involved in politics as you have mentioned in your  
10 testimony, that you were an active person in promoting  
11 what you call your political beliefs?

12 MS BEAUMONT: I was, yes.

13 MR. VIGNA: And you still are?

14 MS BEAUMONT: Not as of late. As of  
15 late I have just been going to work for the past year  
16 and a half, just going to work, coming home and going  
17 to bed.

18 MR. VIGNA: But you still have the  
19 same beliefs and you still have no difficulty with  
20 posting the kind of stuff you posted?

21 MS BEAUMONT: I haven't been on  
22 Stormfront in quite a while, since the police raid  
23 because we had no computer, and now that I am working I  
24 have no time to do anything but come home, go to bed,  
25 get up and go to work.

1 MR. VIGNA: So you've not been  
2 participating since July of this summer when you  
3 mentioned the police raid taking place and, therefore,  
4 you haven't been posting because of that impediment of  
5 not having a computer. Correct?

6 MS BEAUMONT: Correct. I do have a  
7 computer where I'm living now, but I don't have time.

8 MR. VIGNA: But if you would have  
9 time you wouldn't have any problems in terms of  
10 continuing to post on Stormfront. Correct?

11 MS BEAUMONT: Correct.

12 MR. VIGNA: Because, in your view,  
13 this is just political belief. Correct?

14 MS BEAUMONT: It is.

15 MR. VIGNA: It doesn't matter whether  
16 there's people that are offended or that there's  
17 comments which you consider political beliefs, but can  
18 incite people -- can expose people to contempt in terms  
19 of having feelings of being hurt? You don't care if  
20 people are hurt because you're saying that basically  
21 they're in your political beliefs?

22 MS BEAUMONT: They're political  
23 beliefs but people's feelings get hurt no matter what.

24 MR. VIGNA: In terms of the websites  
25 you've been on Stormfront, you've been on My Space?

1 MS BEAUMONT: Yes.

2 MR. VIGNA: And you've been also on  
3 another website, I believe, Everyones Space?

4 MS BEAUMONT: Yes.

5 MR. VIGNA: Can you distinguish the  
6 three websites and what was your purpose on those three  
7 websites?

8 MS BEAUMONT: Stormfront was a forum  
9 for only discussion, where My Space and Everyones Space  
10 would be a group where you can get together with  
11 friends and talk to them and see how their day has  
12 been.

13 MR. VIGNA: Stormfront, you agree  
14 with me, is a website that is, to use your language,  
15 people of like-minded ideas that particularly share  
16 nationalist socialist views like you say?

17 MS BEAUMONT: Not everybody --

18 MR. FROMM: That's not what she's  
19 testified to.

20 THE CHAIRPERSON: She was about to  
21 say that. Thank you. She did not testify that  
22 everybody on that website -- she specifically said  
23 there are people who are not of nationalist socialist  
24 views on that website. She did say that in her  
25 evidence.

1 MR. VIGNA: On the website  
2 Stormfront, do you agree that the predominant ideas of  
3 the participants are primarily in the same direction,  
4 maybe minus certain nuances?

5 MS BEAUMONT: Not predominantly, no.  
6 I would say maybe half of the people, maybe.

7 MR. VIGNA: What is the ideology  
8 that's on Stormfront? What is the purpose? What is  
9 this website all about? If you look at the emblem  
10 White Pride World Wide, what is that all about?

11 MS BEAUMONT: It's for people who are  
12 white and proud. Some people are against immigration,  
13 that's it; some people are against abortion, and that's  
14 it.

15 MR. VIGNA: Would you say that it's a  
16 website that's promoting a society that is not  
17 multicultural?

18 MS BEAUMONT: No.

19 MR. VIGNA: You're saying no. Would  
20 you say it's a website that promotes multiculturalism?

21 MS BEAUMONT: No.

22 MR. VIGNA: So does it or does it not  
23 promote multiculturalism?

24 MS BEAUMONT: I wouldn't say it does  
25 not promote multiculturalism. It depends on the people

1 on that website you talk to.

2 THE CHAIRPERSON: Double negatives  
3 there. I have lost it. Is it a site that promotes  
4 multiculturalism?

5 MS BEAUMONT: It depends on the  
6 people you talk to on that site.

7 THE CHAIRPERSON: So, some people may  
8 promote multiculturalism on that site?

9 MS BEAUMONT: Yes.

10 MR. VIGNA: And the White Pride World  
11 Wide is that, in your view, a slogan that promotes  
12 multiculturalism?

13 MS BEAUMONT: Again, it depends on  
14 the people you talk to.

15 MR. VIGNA: But the slogan itself,  
16 the slogan?

17 MS BEAUMONT: The slogan to me?

18 MR. VIGNA: Yes.

19 MS BEAUMONT: It might.

20 MR. VIGNA: How?

21 MS BEAUMONT: You can be white and  
22 proud and still have friends of other races and  
23 colours, or you can be white and proud and not. Just  
24 because you're white and proud doesn't mean anything.  
25 You could be black and proud.

1                   MR. VIGNA: But other than the fact  
2                   that you're white and proud, when comments such that we  
3                   have seen in the postings to which you abide by saying  
4                   that you're against interracial marriages, that, as you  
5                   said earlier in your testimony, you're against  
6                   homosexual relationships, would you agree that that  
7                   kind of belief is not inclusive, it's not the type of  
8                   ideology that's in conformity with Canadian values?

9                   MS BEAUMONT: To me, my ideology is  
10                  not the most of many Canadians.

11                  MR. VIGNA: If you look at 24G-2 that  
12                  you testified about earlier, "WHAT IS WITH HITLER," do  
13                  you have it before you?

14                  MS BEAUMONT: Yes.

15                  MR. VIGNA: First of all, the moniker  
16                  you're using is Jessy Destruction. Why that choice of  
17                  the words Jessy Destruction?

18                  MS BEAUMONT: Since I've been young  
19                  my nickname has been Jessy, which is the short version  
20                  of Jessica. Destruction was just a name that was given  
21                  to me by a friend.

22                  MR. VIGNA: Why would Destruction be  
23                  something that would be given to you by a friend? Is  
24                  that something that characterizes you?

25                  MS BEAUMONT: No, it was a joking

1           nickname and it just stuck.

2                           MR. VIGNA:  The comment if you read  
3           it:

4                                   "Hitler did a LOT of good things  
5                                   for Germany and the German  
6                                   people.  Aswell, I am a  
7                                   skin-girl, and proud of it; but  
8                                   I salute Hitler like any other  
9                                   NS."

10                                   In your testimony you said that you  
11           agree with Hitler because he did a lot of good, and you  
12           mentioned the depression and the economy.  Is that what  
13           you said in your testimony?

14                                   MS BEAUMONT:  I believe so, yes.

15                                   MR. VIGNA:  Do you realize that  
16           Hitler is also responsible for some serious atrocities  
17           in history and that it's public knowledge that he was  
18           responsible for the holocaust?

19                                   MS BEAUMONT:  I don't believe it to  
20           the extent you probably do.

21                                   MR. VIGNA:  To what extent do you  
22           believe it?

23                                   MS BEAUMONT:  I don't believe that  
24           there were six million Jewish people dead.

25                                   MR. VIGNA:  Even if that wouldn't be

1 six million, then you agree that there was a lot of  
2 Jewish people that were exterminated?

3 MS BEAUMONT: I don't believe it's to  
4 the terms you believe it is, regardless.

5 MR. VIGNA: What difference does it  
6 make?

7 MS BEAUMONT: Regardless, he still  
8 did good things and that's what this post is saying.

9 MR. VIGNA: But he also did bad  
10 things, wouldn't you agree?

11 MS BEAUMONT: A lot of people do bad  
12 things and they also do good things.

13 MR. VIGNA: But he exterminated  
14 thousands and thousands of Jews.

15 MS BEAUMONT: That's not what this  
16 posting is about. If this posting is about dead Jewish  
17 people, it would say this posting is about dead Jewish  
18 people.

19 MR. VIGNA: Do you realize that  
20 Hitler is not somebody that is seen in history and by  
21 people and by Jewish obviously who are victims of his  
22 policies as somebody who was very humane?

23 MS BEAUMONT: From what Mr. --

24 MR. FROMM: I think Mr. Vigna is  
25 really trying to confuse the witness. I don't think he

1 can say how Hitler is perceived by history. The  
2 returns are not all in. There's ongoing historical  
3 debate. I mean, he may be able to say there are  
4 certain people that think very poorly of him, but I  
5 think really Mr. Vigna is trying to read an answer into  
6 the record that isn't there.

7 THE CHAIRPERSON: More importantly,  
8 there wasn't quite a question there; it was more like a  
9 statement.

10 MR. VIGNA: I'll rephrase my  
11 question, Mr. Chair.

12 THE CHAIRPERSON: Make it in the form  
13 of a question.

14 MR. VIGNA: Ms Beaumont, when you  
15 talk about Hitler, are you not concerned by the fact  
16 that there's people that might react negatively to the  
17 mention of the name Hitler because of what's known  
18 about him?

19 MS BEAUMONT: Yet, again, people will  
20 be offended no matter what I said.

21 MR. VIGNA: And you're considering  
22 that Hitler is just about anybody, like anybody else  
23 and that's it's not a major character in history that  
24 would have a serious impact on people?

25 MS BEAUMONT: He's a major character

1 in history. You learn about it in history class, but  
2 what the history books tell you isn't necessarily what  
3 I believe.

4 MR. VIGNA: What is it you believe?

5 MS BEAUMONT: That's neither here nor  
6 there. We've been through this. I don't believe that  
7 the amount of people who died during the holocaust were  
8 as purported in the history books and I don't believe  
9 half the stuff that went on supposedly actually  
10 happened.

11 MR. VIGNA: When you say you believe  
12 that and you put aside the history books and history  
13 classes, on what do you base that?

14 MS BEAUMONT: I base it on stuff that  
15 I've read and stuff that I've done.

16 MR. VIGNA: Read where?

17 MS BEAUMONT: Read everywhere. I've  
18 read it in books, not necessarily history books. I've  
19 read it in books from the library; I've read it on  
20 research; I've done research myself.

21 MR. VIGNA: Can you mention some of  
22 the books you've read that give you this knowledge?

23 MS BEAUMONT: Not off the top of my  
24 head, no.

25 MR. VIGNA: Can you give us one at

1           least?

2                           MS BEAUMONT:  No.  If you want to  
3           take me down to the public library I'll find some.

4                           MR. VIGNA:  But you've read so many  
5           books, you're saying, and so many Internet --

6                           MS BEAUMONT:  I've read a million  
7           books during my lifetime.  I read a new book every day.

8                           MR. VIGNA:  Did you read the Turner  
9           Diaries?

10                          MS BEAUMONT:  Yes.  I even owned it.

11                          MR. VIGNA:  What does it talk about,  
12           the Turner Diaries?

13                          MS BEAUMONT:  The Turner Diaries is a  
14           book based on some fanciful thing going on in some  
15           guy's head who he believes that one day in the far  
16           future there would be an all out race war.

17                          MR. VIGNA:  How do you find the  
18           language used in the Turner Diaries?

19                          MS BEAUMONT:  I don't remember the  
20           language used.  It's been years since I've read it.

21                          MR. VIGNA:  How long were you on the  
22           Internet prior to -- I understood that you went on  
23           Stormfront, correct me if I'm wrong, but the date I  
24           noted was 2003?

25                          MS BEAUMONT:  Yes.

1 MR. VIGNA: Prior to that, were you  
2 navigating websites on the Internet?

3 MS BEAUMONT: Prior to 2003?

4 MR. VIGNA: Yes.

5 MS BEAUMONT: I believe so. I don't  
6 know the exact date I got a computer.

7 MR. VIGNA: Now that you have no more  
8 computer, where do you use the computer?

9 MS BEAUMONT: I have a computer at  
10 the house I'm at now.

11 MR. VIGNA: You bought another  
12 computer?

13 MS BEAUMONT: Yes, in Alberta.

14 MR. VIGNA: And you have Internet  
15 access?

16 MS BEAUMONT: Yes.

17 MR. VIGNA: Do you go to Stormfront?

18 MS BEAUMONT: No. I don't have time.

19 MR. VIGNA: Do you go occasionally?

20 MS BEAUMONT: No, I haven't been on  
21 Stormfront since we've had the raid. I don't have  
22 time.

23 MR. VIGNA: What about other sites  
24 than Stormfront, Everyones Space?

25 MS BEAUMONT: No, I don't have an

1 account on there. I believe it's been deleted.

2 MR. VIGNA: You haven't gone on  
3 Everyones Space?

4 MS BEAUMONT: No.

5 MR. VIGNA: On My Space?

6 MS BEAUMONT: No.

7 MR. VIGNA: You testified earlier  
8 about 22C in particular, about the Muslim women at 22C.

9 THE CHAIRPERSON: Just a second,  
10 please. I have it. Go ahead.

11 MR. VIGNA: Do you have 22C, Ms  
12 Beaumont?

13 MS BEAUMONT: Yes.

14 MR. VIGNA: When you testified  
15 earlier about the posting there at the bottom that's  
16 associated to you, you mentioned about the fact that  
17 you consider that it drives you nuts when you take  
18 photos for citizenship or passports that they must be  
19 visible and I guess you have a problem with the fact  
20 that there's a veil. Is that what I understand?

21 MS BEAUMONT: Yes.

22 MR. VIGNA: But later you say:

23 "I don't care if it's a  
24 religious thing or not. If you  
25 don't want to follow our rules,

1                   even if it's taking off your  
2                   scarf thing for one lousy  
3                   picture, then stay out of my  
4                   effing country!"

5                   That's what you state?

6                   MS BEAUMONT: Correct.

7                   MR. VIGNA: With an exclamation mark?

8                   MS BEAUMONT: Correct.

9                   MR. VIGNA: Don't you agree that when  
10                  you say a statement like that, "stay out of my effing  
11                  country," particularly using the words "effing country"  
12                  and referring to people of Muslim faith, you will  
13                  necessarily offend them?

14                  MS BEAUMONT: If they're reading that  
15                  site, then they might be offended.

16                  MR. VIGNA: And you know that since  
17                  that site is public, there can be people of that faith  
18                  reading that site?

19                  MS BEAUMONT: It can be read.  
20                  Necessarily it may not have been.

21                  MR. VIGNA: But you don't care  
22                  whether that's the case or not?

23                  MS BEAUMONT: No, I don't.

24                  MR. VIGNA: You don't care even if  
25                  somebody is not of Muslim faith is influenced by that

1 kind of language and thinking about people of different  
2 faiths?

3 MS BEAUMONT: I don't understand what  
4 you're asking me.

5 MR. VIGNA: Even if somebody is not  
6 Muslim, if somebody was protestant like yourself, you  
7 said, other than yourself, would read that and acquire  
8 negative perceptions about people of Muslim faith,  
9 therefore, promoting such ideology. You don't care  
10 that that's the impact or effect you can have on  
11 society by using the Internet?

12 MS BEAUMONT: If somebody is going to  
13 base their life around something I have said, then so  
14 be it. If not, then so be it too.

15 MR. VIGNA: Is that your answer?

16 MS BEAUMONT: Yes. You didn't ask  
17 much of a question so there isn't much of my answer.

18 MR. VIGNA: Let me rephrase my  
19 question. If you influence people by making those kind  
20 of comments, do you care about the fact that people are  
21 going to have negative perceptions of Muslims?

22 MS BEAUMONT: I don't care what  
23 anybody makes their ideas to be. If they're basing  
24 their life around something I've said, then they've got  
25 a pretty crappy life.

1                   MR. VIGNA: But you say this on a  
2 public forum and you realize that there's people  
3 reading it and that people sometimes get influenced by  
4 what they read?

5                   MS BEAUMONT: Yes, I understand that.

6                   MR. VIGNA: One of the purposes you  
7 are participating in a discussion forum is to promote  
8 your ideas?

9                   MS BEAUMONT: It's to talk about  
10 ideas.

11                   MR. VIGNA: But you also want to  
12 promote them?

13                   MS BEAUMONT: I'm expressing myself  
14 to my friends.

15                   MR. VIGNA: You want your ideas to be  
16 adhered to?

17                   MS BEAUMONT: As in any conversation.  
18 You're talking to people and you want people to hear  
19 what you say.

20                   MR. VIGNA: Tab 23. You testified in  
21 your testimony in-chief that you recognize this posting  
22 at page 4 of 7. Correct?

23                   MS BEAUMONT: Yes.

24                   MR. VIGNA: You seem to be  
25 complaining there of the fact that there's a picture of

1 an aboriginal on dollar bills. Correct?

2 MS BEAUMONT: Correct.

3 MR. VIGNA: You said that the word  
4 "chug" meant Indian?

5 MS BEAUMONT: Yes.

6 MR. VIGNA: The word "chug," is that  
7 the word that's used in the dictionary?

8 MS BEAUMONT: Is it used in the  
9 dictionary?

10 MR. VIGNA: Yes.

11 MS BEAUMONT: No.

12 MR. VIGNA: Why wouldn't you say  
13 aboriginal or Indian? Why would you use the word  
14 "chug?"

15 MS BEAUMONT: Because that's the word  
16 I've used since I was young.

17 MR. VIGNA: You realize that's not a  
18 word that is very flattering?

19 MS BEAUMONT: Yes.

20 MR. VIGNA: You realize it's pretty  
21 much of an insult?

22 MS BEAUMONT: Yes.

23 MR. VIGNA: You realize if I were to  
24 call somebody chug and they were of aboriginal  
25 nationality, they wouldn't be flattered by my comments?

1 MS BEAUMONT: And?

2 MR. VIGNA: So basically you don't  
3 care. Is that what you're saying?

4 MS BEAUMONT: Your question is  
5 pretty --

6 MR. VIGNA: I'm asking the question.  
7 You chose the word "chug." Right?

8 MS BEAUMONT: Yes.

9 MR. VIGNA: And you know it's not in  
10 the dictionary?

11 MS BEAUMONT: Yes, I do.

12 MR. VIGNA: And you know it's  
13 derogatory?

14 MS BEAUMONT: Yes.

15 MR. VIGNA: You don't care if the  
16 derogatory choice of the word "chug" will offend  
17 somebody of aboriginal descent?

18 MS BEAUMONT: I did not go up to  
19 someone of aboriginal decent and call them a chug. I  
20 said that during a discussion I was having with  
21 friends. That's two completely different --

22 MR. VIGNA: On a public forum on the  
23 Internet which is public.

24 MS BEAUMONT: I don't know many  
25 natives who go on to a white pride website. Do you?

1 MR. VIGNA: I don't know because I  
2 don't go on white pride website. But that's not the  
3 question. The question I'm asking you is: When you go  
4 to the site anybody from the public can go also.  
5 Correct?

6 MS BEAUMONT: We've gone over this  
7 many times. Yes, anybody can read it.

8 MR. VIGNA: I would like to refer you  
9 to tab 24D. You testified about 24D.

10 MS BEAUMONT: Correct.

11 MR. VIGNA: And the choice of the  
12 word "f\*ck" which obviously means fuck?

13 MS BEAUMONT: Yes.

14 MR. VIGNA: If I read it, it says:

15 "Welcome, I am living in  
16 Calgary."

17 I guess at that time you were in  
18 Calgary again, then you came back and you returned?

19 MS BEAUMONT: I only lived in  
20 Vancouver for a couple of years. I lived in Calgary  
21 for 18 years and then moved out here for a couple of  
22 years and I'm living back in Calgary again.

23 MR. VIGNA: "But you can always PM."  
24 I guess that means --

25 MS BEAUMONT: Private message.

1                   MR. VIGNA: Private message me, "or  
2 other Calgarians." When you say PM me, it means that  
3 you realize that this is public and then there's  
4 private messaging?

5                   MS BEAUMONT: A private message is  
6 like an e-mail. I get it directly to my e-mail  
7 address.

8                   MR. VIGNA: But you realize that  
9 you're making a distinction that this is not an e-mail  
10 or a private message; it's public?

11                  MS BEAUMONT: Correct, but in that  
12 sense, anyone can read your e-mails if they get your  
13 password.

14                  MR. VIGNA: If they get your  
15 password?

16                  MS BEAUMONT: Yes.

17                  MR. VIGNA: Not the same thing as a  
18 posting in a public forum?

19                  MS BEAUMONT: Yes. But I'm saying I  
20 get my PM sent directly to my e-mail where no one can  
21 read them.

22                  MR. VIGNA: This posting wasn't  
23 meant --

24                  MS BEAUMONT: This posting was  
25 public.

1 MR. VIGNA: "It's a nice city, if you  
2 get past all the ARA threats  
3 (which are just that...empty  
4 threats) and homo loving  
5 retards."

6 Can you explain that phrase what you  
7 mean by that and what you're trying to --

8 MS BEAUMONT: What part do you want  
9 me to elaborate on?

10 MR. VIGNA: When you say "homo loving  
11 retards?"

12 MS BEAUMONT: A person who is  
13 retarded, therefore unstable mentally who loves gay  
14 people. It's pretty self-explanatory of what I meant.

15 MR. VIGNA: Can you explain to me  
16 what you mean by that because it seems to be a little  
17 bit difficult for me to --

18 MS BEAUMONT: Homo means gay; loving  
19 means the same thing; retard is someone who is mentally  
20 unstable.

21 MR. VIGNA: Are you saying that  
22 people who are homosexuals are mentally unstable?

23 MS BEAUMONT: No. I'm saying that  
24 there are people who are mentally unstable who love gay  
25 people. That's what it meant. I don't know, if you

1 can't understand that, then there might be something  
2 wrong because it's pretty self-explanatory.

3 MR. VIGNA: If it's self-explanatory,  
4 when you put the word retard next to homo --

5 MS BEAUMONT: It's after the word  
6 "loving."

7 THE CHAIRPERSON: I think I  
8 understand what her answer is, Mr. Vigna.

9 MR. VIGNA: I will move on, Mr.  
10 Chairman.

11 "And, if you can stay the f\*ck  
12 away from the North East and  
13 North West, filled with  
14 non-whites, best place is the  
15 good old south, still white."

16 What are you saying with that  
17 statement? What's your objective?

18 MS BEAUMONT: I grew up in the south  
19 of Calgary. It's a white neighbourhood. It's still a  
20 good neighbourhood. The northeast and northwest, the  
21 northeast is filled with Chinese people; the northwest  
22 is filled with Pakistani people. Both the northeast  
23 and the northwest have gone to complete decay.

24 MR. VIGNA: And that's because  
25 there's people of different origins that live there?

1 MS BEAUMONT: I didn't say that, did  
2 I?

3 MR. VIGNA: What are you saying?

4 MS BEAUMONT: I'm saying that they've  
5 gone to complete decay. If you want to stay in a nice  
6 neighbourhood stay in the south.

7 MR. VIGNA: The south, why in the  
8 south?

9 MS BEAUMONT: Because that's the area  
10 I grow up in. It's still a good area.

11 MR. VIGNA: You mentioned the word  
12 "non-whites" and you mentioned in your testimony  
13 Chinese and Pakistani?

14 MS BEAUMONT: Yes, I did.

15 MR. VIGNA: Is that the reason why  
16 it's not a good neighbourhood?

17 MS BEAUMONT: I never said that.

18 MR. VIGNA: What are you saying  
19 basically?

20 MS BEAUMONT: I'm saying the area I  
21 grew up in, the neighbourhood I grew up in is  
22 Queensland. It's a good neighbourhood that I grew up  
23 in in the southeast. I never lived in the northeast or  
24 the northwest. I have been there a couple of times and  
25 those neighbourhoods were complete shit. I'm not

1 saying it's because of the people that live there.  
2 It's because the whole area itself was just complete  
3 trash. The area I grew up in was a good area.

4 MR. VIGNA: Is it a good area because  
5 there's white only or is it because --

6 MS BEAUMONT: No, there are other  
7 races in the south.

8 MR. VIGNA: Why do you mention  
9 non-whites in your posting?

10 MS BEAUMONT: Because the northeast  
11 and northwest I think there are probably two white  
12 folks living in all of the north of Calgary.

13 THE CHAIRPERSON: When you described  
14 it earlier, what's wrong with it? Are the buildings  
15 falling apart?

16 MS BEAUMONT: Yes, it's completely in  
17 dismay. The whole north of Calgary is decaying.

18 THE CHAIRPERSON: I don't know  
19 Calgary.

20 MS BEAUMONT: I'm sorry, nobody here  
21 does.

22 MR. VIGNA: Yes, but look at the  
23 sentence itself.

24 THE CHAIRPERSON: I want an answer to  
25 my question. In what way is it in disarray?

1 MS BEAUMONT: The buildings are  
2 garbage. They buildings are up to codes. There is  
3 garbage everywhere on the streets. The same with  
4 downtown Calgary. There is garbage everywhere. At  
5 least in the south area where I live and work the  
6 streets are clean and there are not needles or syringes  
7 laying on sidewalks or in parks.

8 MR. VIGNA: What is your explanation  
9 for that?

10 MS BEAUMONT: What's my explanation  
11 for what, why there aren't syringes?

12 MR. VIGNA: Your explanation for  
13 saying that one part of the city seems to be better  
14 than --

15 MS BEAUMONT: Because the south area  
16 is still kept clean.

17 MR. VIGNA: I will refer you to your  
18 posting.

19 "And, if you can, stay the f\*ck  
20 away from North East and North  
21 West, filled with non-whites,  
22 best place is the good old  
23 south..."

24 And then you put "still white."

25 MS BEAUMONT: The neighbourhood I

1 live in is still generally white, yes.

2 MR. VIGNA: But right before that you  
3 said best place is the good old south, still white.  
4 You're saying basically because it's white.

5 MS BEAUMONT: I'm biased because I  
6 grew up in the southeast of Calgary, so I'm biased to  
7 the south of Calgary. No matter who I talk to I'm  
8 going to say Calgary is better than Edmonton or  
9 Vancouver because I grew up there.

10 MR. VIGNA: Ms Beaumont, let's be  
11 frank here. You put the words "still white." Why do  
12 you put those words?

13 MS BEAUMONT: Because the  
14 neighbourhood is generally still white. That's it.

15 MR. VIGNA: Does that make the reason  
16 why the place is better?

17 MS BEAUMONT: No. I'm biased to the  
18 southeast of Calgary, as I grew up there.

19 THE CHAIRPERSON: So you're not  
20 saying, to complete his question, you're not saying  
21 that because it's still white it's a better  
22 neighbourhood?

23 MS BEAUMONT: No.

24 THE CHAIRPERSON: But are you saying  
25 that the north is a bad neighbourhood because of the

1 racial mix there?

2 MS BEAUMONT: No, I'm saying it's a  
3 bad neighbourhood because of the decay in the city.  
4 Even downtown is a horrible place and everybody lives  
5 there.

6 MR. VIGNA: Ms Beaumont, what you're  
7 saying today you don't put that in your posting. You  
8 agree with me?

9 MS BEAUMONT: No, I don't. I say  
10 here stay away from the northeast and the northwest,  
11 it's filled with non-whites.

12 MR. VIGNA: "Best place is the good  
13 old south, still white."

14 MS BEAUMONT: Right. Like I said,  
15 the south area where I grew up in Queensland, my little  
16 cul de sac, is still generally white.

17 MR. VIGNA: I won't elaborate on  
18 that, but the comment you put there doesn't say as much  
19 as you're saying today?

20 MS BEAUMONT: This is what I'm  
21 saying, though. I'm explaining myself.

22 THE CHAIRPERSON: Your opinion of  
23 what you say there is simply an observation that the  
24 south is doing better than the north?

25 MS BEAUMONT: Yes.

1 THE CHAIRPERSON: The reading that  
2 one would make of what's being said there is the south  
3 is doing better than the north because the south is  
4 still good old white, but that the north has --

5 MS BEAUMONT: But that's why I'm  
6 trying to explain this because everybody has a  
7 different perception.

8 THE CHAIRPERSON: In your view, what  
9 is being said here is that the north is not doing as  
10 well as the south, end of story?

11 MS BEAUMONT: Yes.

12 THE CHAIRPERSON: The fact that you  
13 happen to mention races along the way is not relevant  
14 to the discussion?

15 MS BEAUMONT: No, it really isn't  
16 relevant.

17 THE CHAIRPERSON: You just threw that  
18 in there?

19 MS BEAUMONT: Like I said, downtown  
20 Calgary is just complete garbage and everyone of every  
21 race lives there. It doesn't matter who is living  
22 there, downtown Calgary is garbage, just like I find  
23 downtown Vancouver. Everyone lives there and downtown  
24 Vancouver is garbage.

25 THE CHAIRPERSON: I understand. But

1 plain English reading, as Mr. Vigna is putting it to  
2 you of this statement here, suggests otherwise, that  
3 you're making a linkage, what they call linkage between  
4 the origin of the people or the nature of the people  
5 that are there and the decay. But you're saying it's  
6 not?

7 MS BEAUMONT: I guess that's how you  
8 could read this, yes, okay. You could read it that  
9 way, go for it.

10 MR. VIGNA: Ms Beaumont, I will take  
11 you through the tabs briefly. I would like to go to  
12 tab 3. Can you tell us what is this FolkCom.com, A  
13 European Folkish Online Community?

14 MS BEAUMONT: It was a website. It's  
15 now not running any more. But it was again a  
16 networking community for friends where you can leave a  
17 message for someone or have someone leave you messages.

18 MR. VIGNA: This is a profile you've  
19 established, what we see here before you?

20 MS BEAUMONT: Yes.

21 MR. VIGNA: Basically it gives  
22 information on who you are?

23 MS BEAUMONT: Yes.

24 MR. VIGNA: The contacts, those are  
25 people who are your friends I suppose?

1 MS BEAUMONT: Yes.

2 MR. VIGNA: I see there's a little  
3 dog with a hat there. What's --

4 MS BEAUMONT: I honestly have no idea  
5 what the dog with the hat means.

6 MR. VIGNA: The Der Totenkopf, I  
7 believe that's Mr. Ciaran Donnelly?

8 MS BEAUMONT: That's not for me to  
9 say. It doesn't pertain to what's happening here  
10 today. This isn't a case about Ciaran Donnelly. This  
11 is a case about me.

12 MR. VIGNA: No, but I'm saying this  
13 is on your profile, the picture you have there. Is  
14 that your boyfriend?

15 MS BEAUMONT: I will let my boyfriend  
16 answer that when he has his trial with you guys.

17 THE CHAIRPERSON: There's a gentleman  
18 there named Totenkopf. I didn't see the photo earlier.

19 MR. VIGNA: Tab 3, Mr. Chair.

20 THE CHAIRPERSON: Yes, first page.  
21 Right?

22 MR. VIGNA: Yes. Ms Beaumont, in  
23 your testimony in-chief, your own testimony in-chief,  
24 you mentioned that you had a relationship with Mr.  
25 Donnelly. Correct?

1 MS BEAUMONT: Yes, I do.

2 MR. VIGNA: Not too long ago?

3 MS BEAUMONT: Pardon me?

4 MR. VIGNA: Just earlier?

5 MS BEAUMONT: Yes, I am in a  
6 relationship with Mr. Donnelly.

7 MR. VIGNA: In this website, on this  
8 tab here there's different pictures.

9 MS BEAUMONT: Yes.

10 MR. VIGNA: And you're admitting that  
11 this is a profile that you created?

12 MS BEAUMONT: This is a profile that  
13 I created, yes.

14 MR. VIGNA: We're trying to  
15 understand the document. I'm asking you, the picture  
16 of Der Totenkopf, that is your boyfriend, Mr. Donnelly?

17 MS BEAUMONT: Like I have said, I'll  
18 let him answer that himself. I'm not answering  
19 questions for other people.

20 THE CHAIRPERSON: That is a question  
21 you will answer because it's been asked of you. Is  
22 that a photo of Mr. Donnelly?

23 MS BEAUMONT: But I don't understand  
24 what this has to do with me.

25 THE CHAIRPERSON: It's in documents

1 in which you testified that are no evidence, and the  
2 Der Totenkopf individual has been referred to  
3 frequently throughout the material. You're being asked  
4 is that a photo of Mr. Donnelly?

5 I fail to see what the issue is. As  
6 you say, there will be a hearing conducted later on and  
7 his image will be seen at that point.

8 MS BEAUMONT: Yes, but I'm not going  
9 to be answering questions for other people.

10 THE CHAIRPERSON: So you're refusing  
11 to answer this question: Is this photo in this exhibit  
12 of your boyfriend?

13 MS BEAUMONT: I'm not speaking for  
14 other people. I'm speaking for yourself.

15 THE CHAIRPERSON: You are speaking  
16 for yourself. Is this your boyfriend?

17 MS BEAUMONT: I'm not going to answer  
18 this.

19 THE CHAIRPERSON: Why not?

20 MS BEAUMONT: Because I don't know  
21 what Ciaran is going to be doing during his trial, if  
22 his evidence is going to be the same. His evidence may  
23 be completely different.

24 THE CHAIRPERSON: You're being asked  
25 if this is a photograph of your boyfriend. That's all

1           that's being asked of you.

2                       MS BEAUMONT:   But I don't understand  
3           what this photograph has to do with me.

4                       THE CHAIRPERSON:  Mr. Vigna, you can  
5           proceed in any way you like.  Perhaps the answer in  
6           itself is telling.

7                       MR. VIGNA:   I will argue on the  
8           credibility.

9                       In the same document, Ms Beaumont, it  
10          says your height is five feet.  That's correct?

11                      MS BEAUMONT:  I believe so.  If you  
12          have a measuring tape you can double check.

13                      MR. VIGNA:  You wrote this.  Right?

14                      MS BEAUMONT:  It was a while ago.  I  
15          might have grown since.

16                      MR. VIGNA:  It mentions in here in  
17          the last page, general information about me, WP skin  
18          girl.  Does that mean white pride skin girl?

19                      MS BEAUMONT:  What page are you  
20          looking at?

21                      MR. VIGNA:  Page 3 of the document at  
22          tab 3.

23                      MS BEAUMONT:  Yes.

24                      MR. VIGNA:  That means white pride  
25          skin girl?

1 MS BEAUMONT: Yes.

2 MR. VIGNA: It says Books I Like  
3 Katastrophie: A novel. What is this book all about?

4 MS BEAUMONT: I actually don't  
5 remember at this point, but if you go down to the  
6 library you can read the book jacket.

7 MR. VIGNA: The Turner Diaries,  
8 that's what you were mentioning earlier?

9 MS BEAUMONT: Yes.

10 MR. VIGNA: These are your favourite  
11 books?

12 MS BEAUMONT: Yes.

13 MR. VIGNA: If I look at the picture  
14 on the side there, Aryan Woman with hands in the air?

15 MS BEAUMONT: Yes.

16 MR. VIGNA: That's a rifle?

17 MS BEAUMONT: I'm not too sure. I  
18 didn't post that picture. It was a comment left for  
19 me, so I'm not sure what that picture is on her  
20 shoulder or in her hand.

21 MR. VIGNA: Who put that picture on  
22 the profile?

23 MS BEAUMONT: If we look on the page  
24 previous, it was left by Viking Warrior, who I have no  
25 idea who that is.

1 MR. VIGNA: What about the emblem at  
2 the bottom, Der Totenkopf?

3 MS BEAUMONT: Actually that would  
4 have been left by a girl named Angela, who again I have  
5 no idea who that is.

6 MR. VIGNA: In your first page you  
7 have a picture of an Angela.

8 MS BEAUMONT: Then that would be the  
9 Angela who left that picture. I don't know her  
10 personally. I know her off the computer.

11 MR. VIGNA: When you put Jessy  
12 Destruction's contacts, isn't it yourself who puts in  
13 those contacts?

14 MS BEAUMONT: Yes, it's people from  
15 all over who I may have talked to once or may not have  
16 talked to and is a friend of a friend of mine.

17 MR. VIGNA: Are we to understand that  
18 Angela would be somebody who you would have contacted  
19 in your discussions and you put her in your contacts?

20 MS BEAUMONT: She has been put in my  
21 contacts, yes.

22 MR. VIGNA: In one of the emblems  
23 there's an emblem of a man and it says "Blood & Honour"  
24 right on top of Angela.

25 MS BEAUMONT: Yes.

1 MR. VIGNA: Why do you make that  
2 choice of choosing that person as a contact?

3 MS BEAUMONT: Because I know that  
4 person personally.

5 MR. VIGNA: Who would that be?

6 MS BEAUMONT: That's irrelevant.

7 MR. VIGNA: You refuse to answer that  
8 question?

9 MS BEAUMONT: Yes, I do.

10 MR. VIGNA: The words "Blood &  
11 Honour," do you know what that means?

12 MS BEAUMONT: It means that you fight  
13 for your blood and for your honour.

14 MR. VIGNA: Can you elaborate?

15 MS BEAUMONT: That's all I know about  
16 it is that you fight for your blood and for your  
17 honour. I'm not part of the group so I don't know what  
18 the group stands for.

19 MR. VIGNA: But you actually put it  
20 on your profile and you have an interest in putting it  
21 in your profile?

22 MS BEAUMONT: I don't where in my  
23 profile it says that I am part of a group. I have  
24 never been part of a group like that.

25 MR. VIGNA: I understand you're

1 saying you're not part of a group. But you put in one  
2 of your contacts somebody with the motto "Blood &  
3 Honour?"

4 MS BEAUMONT: Yes.

5 MR. VIGNA: Aren't you curious to  
6 know what "Blood & Honour" means?

7 MS BEAUMONT: I have glanced at their  
8 web page and I have written on their web page, but I am  
9 not part of their group.

10 MR. VIGNA: What is their web page  
11 all about?

12 MS BEAUMONT: I've glanced at it. I  
13 haven't read every detail on it.

14 MR. VIGNA: Generally speaking.

15 MS BEAUMONT: Generally speaking,  
16 their website that I have posted on is a forum for open  
17 discussion just as Stormfront is.

18 MR. VIGNA: Similar to Stormfront?

19 MS BEAUMONT: It's a forum for open  
20 discussion, yes. It's people from all over the world  
21 getting together and talking.

22 MR. VIGNA: So you're not unfamiliar  
23 with the motto "Blood & Honour?"

24 MS BEAUMONT: I'm not unfamiliar?

25 MR. VIGNA: Yes, that's my question.

1 MS BEAUMONT: The only thing I know  
2 about it is that you're fighting for your blood and  
3 honour. I don't know how that makes me familiar with  
4 it.

5 MR. VIGNA: Tab 4, page 7. I  
6 referred to this earlier when I mentioned about 990  
7 posts.

8 MS BEAUMONT: Yes.

9 MR. VIGNA: If you look at the middle  
10 of the page it says:

11 "We need all the help we can,  
12 either help, or sit on the side  
13 lines and watch Canada crumble  
14 farther than it allready has  
15 into multicultural,  
16 anti-freedom, faggot loving,  
17 white hating hell."

18 Can you tell us what you mean by  
19 that?

20 MS BEAUMONT: Either you help us with  
21 these cases and with everything that we are facing as a  
22 white race or Canada will decline rapidly.

23 MR. VIGNA: So you're basically  
24 against a multicultural society?

25 MS BEAUMONT: Yes.

1 MR. VIGNA: And you're against --  
2 well, when you use the words "faggot loving," you would  
3 agree with me that's a derogatory term?

4 MS BEAUMONT: Yes, I'm completely  
5 anti-homosexual. It's against my religious beliefs.

6 MR. VIGNA: Even if that would be  
7 your belief, when you make the choice of the words  
8 "faggot loving," you realize it's not the kind of words  
9 that's going to create -- that it's going to instill  
10 some fear and some ill feelings in people of homosexual  
11 orientation?

12 MS BEAUMONT: If they're going to be  
13 afraid by a word, then I guess so.

14 MR. VIGNA: But faggot is not a word  
15 that's necessarily in the dictionary. Correct?

16 MS BEAUMONT: Actually, I believe it  
17 is in the dictionary. It means a bundle of sticks.

18 MR. VIGNA: Is that what you meant by  
19 this?

20 MS BEAUMONT: No, but I believe that  
21 is the dictionary definition of it.

22 MR. VIGNA: When did you mean in  
23 here?

24 MS BEAUMONT: A faggot is a  
25 homosexual.

1 MR. VIGNA: Why didn't you say  
2 homosexual instead of faggot?

3 MS BEAUMONT: Because faggot is  
4 shorter than homosexual. It's easier to type.

5 MR. VIGNA: You're concerned about  
6 the length of the word?

7 MS BEAUMONT: Sometimes, yes.

8 MR. VIGNA: What about the fact that  
9 it might not be a word that's very -- anyways, I'll --

10 MR. FROMM: That's been asked at  
11 least a dozen times and answered.

12 MR. VIGNA: I will move on. Tab 5,  
13 if you look at page 5, can you tell us by looking at  
14 the posting there under the Jessy Destruction, what's  
15 in the box? That's something you wrote?

16 MS BEAUMONT: No, that's a quote that  
17 somebody else wrote. I was replying to it.

18 MR. VIGNA: So you reply "Good  
19 point." Right?

20 MS BEAUMONT: Yes.

21 MR. VIGNA: So that means you agree  
22 with it?

23 MS BEAUMONT: Yes, what they wrote I  
24 do agree.

25 MR. VIGNA: You mention later in that

1           reply, "SF," I believe is Stormfront?

2                           MS BEAUMONT:   Correct.

3                           MR. VIGNA:   "...is a US message  
4   board, yet, I am charged as I am  
5   a Canadian citizen.... who's  
6   next?"

7                           What are you trying to say by that?

8                           MS BEAUMONT:   I'm saying who is  
9           Warman going to go after next?

10                          MR. VIGNA:   Why do you mention that  
11           it's a U.S. message board and you're concerned with the  
12           fact that you're a Canadian citizen?  What's the point  
13           you're making?

14                          MS BEAUMONT:   Because I am a Canadian  
15           citizen and I was writing on a U.S. message board.  I  
16           just think it's kind of asinine that I'm here being  
17           charged as a Canadian citizen for writing on a U.S.  
18           message board.

19                          MR. VIGNA:   But you were writing on a  
20           Canadian forum?

21                          MS BEAUMONT:   A Canadian section but  
22           it still is a U.S. message board, whether it's a  
23           Canadian section or not.

24                          MR. VIGNA:   But the issues you're  
25           discussing in the Canadian section are Canadian issues.

1 Correct?

2 MS BEAUMONT: Not all of them.

3 MR. VIGNA: Most of them.

4 MS BEAUMONT: Some of them.

5 MR. VIGNA: The same-sex marriage  
6 issue, for example, is an issue that was in the news  
7 and that was of a judicial and political debate?

8 MS BEAUMONT: It's an issue  
9 everywhere.

10 MR. VIGNA: But in Canada in  
11 particular?

12 MS BEAUMONT: And everywhere else in  
13 particular.

14 MR. VIGNA: Why is it called Canadian  
15 forum?

16 MS BEAUMONT: Because some of it  
17 pertains to Canadian stuff or because some of the  
18 people who post there are Canadian.

19 THE CHAIRPERSON: Mr. Vigna, don't  
20 get into a debate. I think you're delving into areas  
21 that possibly are for final submissions.

22 MR. VIGNA: Sorry, I will move on.

23 Tab 7, in this tab 7 there's the  
24 mention Jessy Destruction and there's two quotes.

25 Correct?

1 MS BEAUMONT: Correct.

2 MR. VIGNA: After that there's your  
3 response to the two quotes. Is that the way we are to  
4 understand this?

5 MS BEAUMONT: On page 2, yes.

6 MR. VIGNA: Then it says:

7 "Cheers to both posts. And  
8 Coldstar, I'm with you on the  
9 Devil subject; except I believe  
10 that Jews are the literal spawn  
11 of Satan himself."

12 MS BEAUMONT: Yes.

13 MR. VIGNA: Before that, to  
14 understand your comment to what you're agreeing to, it  
15 says in quote under Coldstar:

16 "I often think that they are a  
17 representation of the Devil. If  
18 fact these days when somebody  
19 says Devil or Satan I only think  
20 of Jews."

21 Do you agree with that statement?

22 MS BEAUMONT: Yes, except I believe  
23 that Jews are the literal spawn of Satan himself.

24 MR. VIGNA: Are you not concerned by  
25 the fact that people of the Jewish community or of the

1 Jewish faith might be offended by this comment?

2 MS BEAUMONT: They might be offended  
3 by my ideas and? That's my idea. I'm allowed to think  
4 what I want.

5 MR. VIGNA: Tab 8, page 3 at Jessy  
6 Destruction, here again there's a quote.

7 MS BEAUMONT: Yes.

8 MR. VIGNA: And you're talking about  
9 some case I believe in Pennsylvania, not you, but the  
10 person in the quote. Is that the case?

11 MS BEAUMONT: Let me see.

12 MR. VIGNA: That's at page 3 of 4 in  
13 tab 8.

14 MS BEAUMONT: Yes, it is from in  
15 Pennsylvania.

16 MR. VIGNA: By the way, here we have  
17 post 1,009. Correct?

18 MS BEAUMONT: Yes.

19 MR. VIGNA: That means at this point  
20 in time you had posted at least 1,009 postings?

21 MS BEAUMONT: Yes, that is what it  
22 would mean.

23 MR. VIGNA: Below the posting, is  
24 that what you write?

25 MS BEAUMONT: Yes.

1 MR. VIGNA: Not below the posting but  
2 below the box.

3 MS BEAUMONT: Yes.

4 MR. VIGNA: "I understand why no-one  
5 believes them, I wouldn't either  
6 after learning this. But see,  
7 if it was racial hatred; I don't  
8 understand why someone would  
9 attack helpless dogs opposed to  
10 going after those dirty jewish  
11 animals directly."

12 Can you elaborate on what you mean by  
13 that?

14 MS BEAUMONT: I believe what it was  
15 was somebody attacked some dogs, animals, and I said I  
16 don't understand why they would attack the animals  
17 instead of the Jews.

18 MR. VIGNA: So you're saying that --

19 MS BEAUMONT: I value the lives of  
20 animals extremely high, more than my own.

21 MR. VIGNA: More than human beings if  
22 they're of Jewish faith?

23 MS BEAUMONT: More than my own even.

24 MR. VIGNA: You're saying here  
25 "helpless dogs opposed to going after dirty jewish

1 animals directly."

2 MS BEAUMONT: Yes.

3 MR. VIGNA: Don't you think that's a  
4 bit offending?

5 MS BEAUMONT: Yes, and I just even  
6 said I value the life of animals even more than my own.  
7 So I'm even putting the lives of animals above myself.

8 MR. VIGNA: Tab 10. Do you see the  
9 posting there at tab 10?

10 MS BEAUMONT: Yes.

11 MR. VIGNA: That's the 1,023 posting  
12 from you?

13 MS BEAUMONT: Correct.

14 MR. VIGNA: And there it says:

15 "Glad to hear that you are doing  
16 better."

17 That's your response to mathdokter?

18 MS BEAUMONT: Yes, I believe it was.

19 MR. VIGNA: Who was mathdokter?

20 MS BEAUMONT: Terry Tremaine.

21 MR. VIGNA: "Hopefully this  
22 b\*ll\*\*\*\*," I would suppose that means bullshit?

23 MS BEAUMONT: I imagine that's what  
24 it means.

25 MR. VIGNA: Well, you wrote it. Is

1           that what it means?

2                           MS BEAUMONT: I would imagine so.  
3           One of the asterisks would be where the u is and then  
4           there are four following the ls. That is what I would  
5           guess it would mean.

6                           MR. VIGNA: "...will stop before  
7                                       everyone knows what we've  
8                                       experienced. People have lost  
9                                       their family, jobs, and  
10                                      websites. (Among many other  
11                                      things) And all because of that  
12                                      retarded jew Warman. We all  
13                                      know he does this because he is  
14                                      a very low and disgraceful  
15                                      animal. He does this for his  
16                                      own personal gain (be it  
17                                      monetary or mentally)  
18                                      Regardless, I WILL NOT LET HIM  
19                                      DEFEAT ME!"

20                           When you wrote this posting you were  
21           basically attacking Mr. Warman?

22                           MS BEAUMONT: I wouldn't say that. I  
23           was extremely upset at the fact of what's going on so  
24           my emotions were on high.

25                           MR. VIGNA: When you wrote those

1           comments was there a complaint against you in the Human  
2           Rights Commission?

3                       MS BEAUMONT:  Yes, this was after it  
4           had been filed.

5                       MR. VIGNA:  And you realize that  
6           potentially if that complaint would be substantiated  
7           you would have legal consequences to it.  Correct?

8                       MS BEAUMONT:  I don't understand what  
9           you just said.

10                      MR. VIGNA:  You know there was a  
11           complaint at that point when you wrote the comment?

12                      MS BEAUMONT:  Yes.

13                      MR. VIGNA:  You're saying that you  
14           wrote it because you were upset.  Right?

15                      MS BEAUMONT:  Yes.

16                      MR. VIGNA:  Knowing that there was a  
17           complaint, there is some kind of legal consequence if  
18           the complaint is substantiated?

19                      MS BEAUMONT:  Right.

20                      MR. VIGNA:  Knowing that, why do you  
21           expose yourself and make other comments like that?

22                      MS BEAUMONT:  Because I was extremely  
23           upset at the situation.

24                      MR. VIGNA:  But you realize that  
25           potentially there could be a finding against you if

1           there's proof that is on the balance of probabilities?

2                       MS BEAUMONT:   Yes.

3                       MR. VIGNA:   Why would you not be more  
4 cautious and refrain from putting something publicly?

5                       MS BEAUMONT:   Because I was extremely  
6 upset.  I don't know how you don't understand this.  If  
7 I'm extremely upset I'm going to say a whole bunch of  
8 things.

9                       THE CHAIRPERSON:  Do you have long,  
10 Mr. Vigna?

11                      MR. VIGNA:   No.  I'm just about  
12 finished, 15 minutes.

13                      Tab 11.

14                      THE CHAIRPERSON:  Ms Beaumont, would  
15 you like some more water?

16                      MS BEAUMONT:   I'm fine, thank you.

17                      THE CHAIRPERSON:  Go on.  11?

18                      MR. VIGNA:   Ms Beaumont, the tab you  
19 just looked at was dated 02/05.

20                      MS BEAUMONT:   The tab I'm looking at  
21 now?

22                      MR. VIGNA:   No, the one earlier.

23                      MS BEAUMONT:   What tab was that?

24                      MR. VIGNA:   10.

25                      THE CHAIRPERSON:  Tab 10.  We were at

1 tab 10. Now we've gone to tab 11.

2 MR. VIGNA: Yes, but I'm just  
3 referring back. Was that January 5th?

4 MS BEAUMONT: If it was 02/05, would  
5 that not be February?

6 MR. VIGNA: February, sorry, you're  
7 correct. Is that it?

8 MS BEAUMONT: I guess so, yes.

9 MR. VIGNA: Okay, I will refer you to  
10 tab 11. There's a profile here.

11 MS BEAUMONT: Yes.

12 MR. VIGNA: Do you know when you did  
13 this profile?

14 MS BEAUMONT: No, I don't remember  
15 when I started it. Maybe I would say --

16 MR. VIGNA: What does it last mean  
17 "Last Login: May 23 2006?"

18 MS BEAUMONT: That was the date I  
19 last logged in to check my messages or to sign on and  
20 see who was on line, who I could talk with.

21 MR. VIGNA: When you log in do you  
22 actually go to your profile?

23 MS BEAUMONT: No.

24 MR. VIGNA: In this profile of yours,  
25 you're the one that basically puts the input in terms

1 of the contents. Correct?

2 MS BEAUMONT: I put in my own  
3 personal information. I don't control what other  
4 people say.

5 MR. VIGNA: But this is a profile  
6 that you create. Correct?

7 MS BEAUMONT: Yes, in my profile I  
8 write what I want.

9 MR. VIGNA: When you write what you  
10 want, if you look at page 2, you also add pictures like  
11 "Catholic Church, Church of the Dead Warman Society,  
12 Warman Haters Allways Welcome."

13 MS BEAUMONT: Yes.

14 MR. VIGNA: And you put that in.  
15 Right?

16 MS BEAUMONT: Yes.

17 MR. VIGNA: At this point you're  
18 still mad?

19 MS BEAUMONT: I'm still?

20 MR. VIGNA: You said earlier in  
21 relation to the other posting that you put it because  
22 you were mad?

23 MS BEAUMONT: Yes, and at this point  
24 I was even more mad.

25 MR. VIGNA: Did you ever become less

1 mad or did you ever calm down at any point in time?

2 MS BEAUMONT: Yes, I have calmed down  
3 and then something will happen again and escalate it  
4 even further.

5 MR. VIGNA: You put a picture which  
6 speaks for itself.

7 MS BEAUMONT: It was actually done as  
8 a joke, but the fact that everyone takes it seriously  
9 is whatever. The part here Dead Warman's Society was a  
10 play on the Dead Poet's Society.

11 MR. VIGNA: Ms Beaumont, you were the  
12 object of a complaint. I don't think that was a joke,  
13 was it?

14 MS BEAUMONT: It actually was. It  
15 was a joke between me and Ciaran. Most people don't  
16 joke like we do, but we joke.

17 MR. VIGNA: The profile was public?

18 MS BEAUMONT: The profile was public  
19 and, yes, I did put this picture up and it was public  
20 and everybody could read it. But the joke was started  
21 between me and Ciaran and we decided to put it on the  
22 Internet.

23 THE CHAIRPERSON: Yes.

24 MR. FROMM: I guess as Ms Beaumont is  
25 a participant, I won't ask that she be excluded, but

1 she has not had the benefit of legal advice. I think,  
2 sir, you know where Mr. Vigna is going with this and I  
3 think this line of questioning is unfair. He's asking  
4 her why -- she is already the subject of a complaint,  
5 why would she do this, didn't she know and so on. I  
6 have already submitted, and I think she has confirmed,  
7 she has not had the benefit of legal advice. She has  
8 no way of knowing what she's supposed to do or not  
9 supposed to do.

10 THE CHAIRPERSON: At the time.

11 MR. FROMM: Yes. He's asking her  
12 why, after the complaint, would you still put this up?  
13 Didn't you know that there could be legal liability?  
14 She doesn't have the benefit of --

15 THE CHAIRPERSON: I see what you're  
16 saying. I think it's something you certainly should be  
17 raising or could raise in your final submissions with  
18 regard to this part of the evidence. It's also  
19 something that you may wish to address on  
20 re-examination, if you will. But I don't think it is  
21 otherwise an incorrect line of questioning. But it's  
22 something that can be addressed by you in  
23 re-examination, Mr. Fromm, and in your submissions. I  
24 get your point.

25 Go ahead.

1 MR. VIGNA: Ms Beaumont, in relation  
2 to what's just been discussed, the sole issue about the  
3 complaint and you getting angry, you will agree with me  
4 that one of the reasons you're angry is because you  
5 know there could be consequences to a complaint?

6 MS BEAUMONT: And also this was  
7 probably either just before or just after the raid. I  
8 don't know what date this was on.

9 MR. VIGNA: The raid was in July you  
10 mentioned. This was in May the posting.

11 MS BEAUMONT: Okay, I wasn't sure,  
12 but I know after the raid I was extremely upset with  
13 things that were going on.

14 MR. VIGNA: But the posting is May.

15 MS BEAUMONT: Yes, I just told you I  
16 understand.

17 MR. VIGNA: I will refer you to tab  
18 12, the posting at page 4. I would like you to read  
19 that for yourself and then I will ask you some  
20 questions.

21 MS BEAUMONT: All right.

22 MR. VIGNA: In the posting, I'm  
23 reading it, you're obviously aware of another case with  
24 Tom Winnicki I believe. That's correct?

25 MS BEAUMONT: Vaguely, yes.

1 MR. VIGNA: You know that he's been  
2 sentenced to nine months in jail from your own posting.  
3 Correct?

4 MS BEAUMONT: Yes.

5 MR. VIGNA: You know that Mr.  
6 Winnicki was the object of a Canadian human rights  
7 complaint. Correct?

8 MS BEAUMONT: Yes.

9 MR. VIGNA: At that point it would be  
10 only logical for you to realize that there's serious  
11 consequences to a potential finding of liability or  
12 eventually contempt for a Canadian human rights  
13 complaint. Correct?

14 MS BEAUMONT: I believe he was in  
15 contempt of court because he was still posting during  
16 the trial.

17 MR. VIGNA: But you have such a good  
18 understanding that you're saying that it was because he  
19 didn't respect the Tribunal order that he was held in  
20 contempt. Correct?

21 MS BEAUMONT: Yes, but I'm not  
22 posting while I'm here.

23 MR. VIGNA: I understand that.

24 MR. FROMM: Actually, Mr. Vigna,  
25 you're misstating the law here. He was the subject of

1 an injunction prior to the Human Rights Tribunal.

2 MR. VIGNA: You're right.

3 THE CHAIRPERSON: I was going to  
4 correct him too, Mr. Fromm.

5 MR. VIGNA: You're totally right.

6 MR. FROMM: It's really outrageous,  
7 misleading a young woman who doesn't know the law.

8 MR. VIGNA: Mr. Chair, I made a  
9 mistake. You're totally right, there was a Federal  
10 Court --

11 MR. FROMM: You're experienced  
12 counsel for the Commission. We've got all the might of  
13 the federal government up against a young woman. It's  
14 really unfair.

15 MR. VIGNA: Mr. Chair, what's  
16 important is the evidence --

17 THE CHAIRPERSON: Everyone makes  
18 mistake. I don't know if it's a question of  
19 unfairness.

20 MR. VIGNA: I'll stick to the  
21 evidence and the posting itself.

22 THE CHAIRPERSON: Okay, do that.

23 MR. VIGNA: Ms Beaumont, you write in  
24 your posting:

25 "Nope, doesn't stop me. This



1 pay this. I knew walking in here I should have found  
2 myself guilty walking in the door yesterday morning.

3 MR. VIGNA: Sorry?

4 MS BEAUMONT: I said I knew walking  
5 in here I should find myself guilty already. There's  
6 really no point in me being here. Regardless, I don't  
7 have money to pay it, which is what I meant by this and  
8 why I said locking Tom up for nine months. It doesn't  
9 matter if they lock me up. I don't have money to pay  
10 this. It doesn't matter if I go to jail. That's the  
11 way life is.

12 MR. VIGNA: You say you have no money  
13 to pay. You don't even know what the amount is and  
14 you're working?

15 MS BEAUMONT: Regardless if the  
16 amount is \$500, \$5,000 \$5 million, I won't have money  
17 to pay it. I couldn't even pay a \$200 plane ticket out  
18 here.

19 MR. VIGNA: But you're saying, nope,  
20 that doesn't stop me. That means you're not going to  
21 be stopped because --

22 MS BEAUMONT: It's not going to stop  
23 my feelings towards anything, no. No one can ever  
24 change my mind. This is my ideas, my thoughts. You  
25 can't take it away from me; no one can.

1                   MR. VIGNA: Are you saying that if  
2 there's a Tribunal decision or a court decision, if  
3 your ideas are different than what the Tribunal  
4 decision is, you're going to abide by your ideas rather  
5 than by the Tribunal decision?

6                   MS BEAUMONT: If the Tribunal asked  
7 me to stop going on the Internet, so be it, I stop  
8 going on the Internet. I'm not going to have my  
9 thoughts stripped from me, though. These are mine. No  
10 one can take your ideas. It's not a tangible thing.

11                  MR. VIGNA: When you say nope, it  
12 doesn't stop me, what do you mean by that?

13                  MS BEAUMONT: It's not going to stop  
14 me from thinking the way I think. No one can take my  
15 ideas. They're not even tangible. I can take your  
16 coat because it is tangible. I can take this table  
17 because it is tangible. No one can take ideas.  
18 They're not tangible.

19                  MR. VIGNA: Can you look at the  
20 second page, page 5, the following page, that is. It  
21 says:

22                                 "ha ha. And boy oh boy would I  
23 appreciated 3 meals and a nice  
24 warm bed (without having to  
25 hearing Ciaran snore) lol. I

1                                   can't stop posting my hate  
2                                   filled messages, I think it is  
3                                   what I was born to do."

4                   MS BEAUMONT: That whole sentence  
5                   itself was a joke.

6                   MR. VIGNA: It's a joke?

7                   MS BEAUMONT: The only reason why I  
8                   would appreciate a nice warm bed is without having to  
9                   hear my boyfriend snore. Nobody here understands how  
10                  badly he snores.

11                  MR. VIGNA: Ms Beaumont, you talk  
12                  about somebody here in the posting being jailed for  
13                  nine months. Take the context of the posting and you  
14                  put it publicly on the Internet and you're saying, I  
15                  would appreciate three meals and a nice warm bed, and  
16                  then you mention I can't stop posting my hate filled  
17                  messages, and you're coming here today and saying it's  
18                  because of your boyfriend's snoring?

19                  MS BEAUMONT: Before the first  
20                  message it says "ha ha," as in I'm laughing. The  
21                  sentence "lol," laugh out loud. Both of those have a  
22                  laughing joking scent to them. One says ha ha; the  
23                  other one says I'm laughing out loud. It's all meant  
24                  as a joke. That whole message was a joke. Ha ha, If  
25                  somebody is laughing, they are joking.

1 MR. VIGNA: You're saying this is  
2 meant as a joke?

3 MS BEAUMONT: This message was meant  
4 as a joke, this one, yes.

5 MR. VIGNA: But you realize there was  
6 a court decision that jailed somebody for nine months?

7 MS BEAUMONT: Yes, I do.

8 MR. VIGNA: You realize that you're  
9 facing a complaint with the Canadian Human Rights Act  
10 which is not a contempt complaint, but it's  
11 nevertheless where there can be some consequences?

12 MS BEAUMONT: Yes, I do.

13 MR. VIGNA: And you have no concern  
14 with making a public statement in a posting showing  
15 that you don't really have much respect for --

16 THE CHAIRPERSON: Mr. Vigna, I get  
17 it; I also get her answer. I understand.

18 MR. VIGNA: Can you read also right  
19 underneath that, the posting right underneath it, what  
20 is that?

21 MS BEAUMONT: The quotation?

22 MR. VIGNA: Yes.

23 MS BEAUMONT: It says:

24 "Originally Posted by Canadian  
25 Hate Machine

1                   Jessy...We've been 'Warned'!!  
2                   You'd better stop posting your  
3                   vile, disgusting 'HATE' on the  
4                   Internet! Unless you want 3  
5                   squares and a cot for 9  
6                   months.... I 'HATE' you Warman.  
7                   I can only hope that I live long  
8                   enough to piss on your useless  
9                   grave, you kyke."

10                   MR. VIGNA: Canadian Hate Machine,  
11                   this is one of your contacts?

12                   MS BEAUMONT: Yes, this is someone I  
13                   know personally.

14                   MR. VIGNA: And this person is  
15                   telling you that you've been warned?

16                   MS BEAUMONT: Yes.

17                   MR. VIGNA: Despite that one of your  
18                   contacts tells you that you've been warned, you till  
19                   have the belief that you can continue to make postings  
20                   such as the ones that you were making?

21                   MS BEAUMONT: This whole post  
22                   itself -- I'm going to go over this once more with  
23                   you -- was a joke. I'm saying ha ha and lol, laughing  
24                   out loud. I don't understand what you don't get about  
25                   this. This whole post was a joke. I was responding to

1 him saying you better stop posting on the Internet  
2 unless you want three squares and a cot for nine  
3 months.

4 THE CHAIRPERSON: Mr. Vigna, I  
5 understand her answer.

6 MR. VIGNA: I will go on. Can you go  
7 to tab 19?

8 MS BEAUMONT: 19A or 19B?

9 MR. VIGNA: Sorry.

10 THE CHAIRPERSON: Do you have 19A and  
11 19B?

12 MR. VIGNA: I don't have A or B.  
13 That's tab 20.

14 THE CHAIRPERSON: Mr. Vigna, I told  
15 you that we're going to call the first part of tab 19  
16 19A because there was a B inserted afterwards. They  
17 were two different documents. You have one document  
18 that says page 1 of 2 and another one that's four  
19 pages.

20 MR. VIGNA: The first document where  
21 you have a lose page, I don't know if you have the same  
22 one.

23 THE CHAIRPERSON: Yes, that will be  
24 19A.

25 MS BEAUMONT: Yes.

1                   MR. VIGNA:  If you look at the second  
2                   page, this is a -- it says Jessy Destruction.  Is this  
3                   a profile?

4                   MS BEAUMONT:  Yes, this would be my  
5                   profile off Stormfront.

6                   MR. VIGNA:  On the second page  
7                   biography.

8                   MS BEAUMONT:  Yes.

9                   MR. VIGNA:  "Der\_Totenkopf's Woman."

10                  MS BEAUMONT:  It means that I'm  
11                  dating Der Totenkopf.

12                  MR. VIGNA:  And B, Mr. Chair, I don't  
13                  know if we have the same, I have "Gangs and Double  
14                  Standards."

15                  THE CHAIRPERSON:  That will be 19B.

16                  MR. VIGNA:  Do you have that, Ms  
17                  Beaumont?

18                  MS BEAUMONT:  Yes.

19                  MR. VIGNA:  "Anyone notice how a gang  
20                                is made up of white people they  
21                                are 'racist', and when a gang is  
22                                made up of non-whites  
23                                (Vietnamese or blacks for  
24                                example), they are not racist!"

25                  Can you tell us what you mean by

1           that?

2                               MS BEAUMONT:  That's not even my  
3           post.

4                               MR. VIGNA:  Sorry.  Your post is on  
5           page 2.  Is your post on page 2 in response to "Gangs  
6           and Double Standards?"

7                               MS BEAUMONT:  It would be on page 3,  
8           but I don't really recall writing this.  I don't know  
9           what the date was, but in all honesty I don't remember  
10          it.

11                              MR. VIGNA:  Okay, I will move on.  
12          Tab 20A.  You see page 3, Ms Beaumont?

13                              MS BEAUMONT:  Yes, and before you  
14          even start asking me questions, I wrote a letter to the  
15          Commission about which posts I recalled and which ones  
16          I did not, and I remember specifically this is one of  
17          the ones I did not recall.

18                              MR. VIGNA:  The fact you don't  
19          recall, though, doesn't necessarily mean that it wasn't  
20          one of your postings.

21                              MS BEAUMONT:  Because it's under my  
22          name doesn't mean it was me either.  Somebody could  
23          have hacked into my account.  I've written a letter to  
24          the Commission stating that I do not remember posting  
25          this message.

1                   MR. VIGNA: Did you do anything in  
2 terms of investigating who would have wrote this  
3 message?

4                   MS BEAUMONT: I don't know how I  
5 would find that out. If somebody hacked into my  
6 computer Stormfront account, what am I supposed to  
7 know? There is no message that pops up saying so and  
8 so hacked into your account. There is no way of  
9 knowing.

10                  MR. VIGNA: Did you contact  
11 Stormfront to ask to remove this posting?

12                  MS BEAUMONT: No, I didn't even know  
13 this was posted until this was sent to me.

14                  MR. VIGNA: What about when it was  
15 sent to you, like you say?

16                  MS BEAUMONT: When it was sent to me  
17 as Commission evidence or whatever you guys want to  
18 call it, I didn't ask Stormfront because I didn't even  
19 think about it. It's not something that crossed by  
20 mind.

21                  MR. VIGNA: You saw this statement?

22                  MS BEAUMONT: Yes, I saw this but I  
23 didn't think right away, hey, let's go contact  
24 Stormfront. I didn't even realize they would delete  
25 your posts.

1 MR. VIGNA: It says:

2 "...lets just cross our fingers  
3 and hope they all die off from  
4 AIDS."

5 MS BEAUMONT: Yes, and I don't  
6 remember this.

7 MR. VIGNA: But it was associated  
8 with Jessy Destruction. Did you make any steps to try  
9 to --

10 MS BEAUMONT: Yes, and here's a bunch  
11 of pictures that are associated with Richard Warman  
12 that he doesn't remember. So, what's your point?

13 MR. VIGNA: My point is simple. Did  
14 you do anything to try to disassociate yourself?

15 MS BEAUMONT: No, I didn't know I  
16 could.

17 MR. FROMM: She's answered that  
18 question several times.

19 MR. VIGNA: Okay, I'll move on.

20 THE CHAIRPERSON: Yes.

21 MR. VIGNA: I'll move on.

22 Ms Beaumont, at tab 23C you testified  
23 about it earlier.

24 MS BEAUMONT: I only have 23.

25 THE CHAIRPERSON: Yes.

1 MR. VIGNA: 22C.

2 MS BEAUMONT: Yes, I did testify  
3 about this earlier.

4 MR. VIGNA: You don't deny the  
5 contents. Correct?

6 MS BEAUMONT: No.

7 MR. VIGNA: When you say, "It's good  
8 to see a new member on this board, welcome."

9 MS BEAUMONT: You said 22C?

10 MR. VIGNA: Sorry, it's D. It's 22D.

11 THE CHAIRPERSON: 22D, is that what  
12 you said?

13 MR. VIGNA: Yes, page 4. When it  
14 says, "It's good to see a new member on this board,  
15 welcome," is it correct to say that you're basically  
16 acting like a host and saying welcome to our forum?

17 MS BEAUMONT: No, I'm saying it's  
18 nice to see someone new, welcome. As in if I was to  
19 meet you, it's nice to meet you, welcome to this  
20 gathering. I am not acting as a host or a hostess. I  
21 am not acting as I would when someone comes in my  
22 house. I'm just saying it's nice to see you here,  
23 welcome.

24 MR. VIGNA: But you're not a simple  
25 participate. You're saying welcome to our group

1 basically.

2 MS BEAUMONT: I'm saying welcome,  
3 that's it, as in welcome to the Vancouver Convention  
4 Centre. Do I work here, am I a hostess? No. I'm  
5 saying welcome, that's it.

6 MR. VIGNA: But you have a certain  
7 familiarity in this group, this forum discussion, you  
8 have a certain connection with the people in the group.  
9 Correct?

10 MS BEAUMONT: Some of us share the  
11 same ideas.

12 MR. VIGNA: You have over 1,000  
13 postings. We saw the posts. Right?

14 MS BEAUMONT: That doesn't make me  
15 any higher ranking anything. I'm saying welcome.  
16 That's it.

17 THE CHAIRPERSON: I understand her  
18 answer, Mr. Vigna. Please move on.

19 MR. VIGNA: Okay. Tab F.

20 THE CHAIRPERSON: Of 22, right?

21 MR. VIGNA: Yes. Ms Beaumont, your  
22 quote says, "Its not art," there's discussion about  
23 some kind of art.

24 THE CHAIRPERSON: What page?

25 MR. VIGNA: Page 2, Jessy

1 Destruction. There's a quote that says:

2 "Its not art, that was some sick  
3 mental defect fag getting off on  
4 the fact you guys have to watch  
5 it."

6 Is that what you wrote?

7 MS BEAUMONT: No, that's what I  
8 quoted.

9 MR. VIGNA: You quoted that?

10 MS BEAUMONT: Yes.

11 MR. VIGNA: That you put yourself?

12 MS BEAUMONT: No, I quoted something  
13 that someone else had said.

14 MR. VIGNA: But you took the positive  
15 step of putting it in your posting?

16 MS BEAUMONT: All I did was press the  
17 down button that says "Quote."

18 MR. VIGNA: And you associate it to  
19 your moniker?

20 MS BEAUMONT: No, my reply is on page  
21 3. It says:

22 "AGREED! f'ing perverts."

23 That's what I associated with my  
24 moniker.

25 MR. VIGNA: So you agree with the

1 quote?

2 MS BEAUMONT: Yes, I do.

3 MR. VIGNA: It won't be long, Mr.

4 Chair.

5 THE CHAIRPERSON: Thank you, Mr.

6 Vigna.

7 Mr. Fromm, do you have any questions  
8 on re-examination on the issues raised? First off, I'm  
9 sorry, Mr. Warman, do you have any questions to ask?

10 MR. WARMAN: I will make a final  
11 decision on that after Mr. Vigna is finished.

12 THE CHAIRPERSON: He just finished.  
13 He said he's finished.

14 MR. VIGNA: No, I just have a few  
15 questions.

16 THE CHAIRPERSON: Didn't you say you  
17 were finished?

18 MR. VIGNA: I said I'm almost  
19 finished; I won't be long.

20 THE CHAIRPERSON: I'm sorry, I  
21 understood you to say you're finished.

22 MR. VIGNA: I'm almost finished. I'm  
23 just reviewing my notes here.

24 Ms Beaumont, you understand that in  
25 the event there's a finding against you, there's a

1 possibility of a penalty. In that respect there's the  
2 possibility for an assessment of your financial  
3 ability?

4 MS BEAUMONT: Yes, I understand that.

5 MR. VIGNA: You mentioned that you  
6 make \$9 and something an hour.

7 MS BEAUMONT: As it stands now, yes,  
8 I do.

9 MR. VIGNA: For I don't remember how  
10 many hours.

11 THE CHAIRPERSON: I'm sorry?

12 MR. VIGNA: I don't know how many  
13 hours you mentioned, if it was 34.

14 MS BEAUMONT: It depends. Right now  
15 for Christmas I'm working more than I usually do.

16 MR. VIGNA: In that respect are you  
17 willing to provide financial information such as pay  
18 stubs?

19 MS BEAUMONT: When I get back to  
20 Alberta I can fax somebody something, but I don't carry  
21 my pay stubs with me.

22 MR. VIGNA: Mr. Chair, in the event  
23 of a finding of liability, because the Tribunal might  
24 have to consider the financial situation, in order to  
25 have reliable information, that she be allowed to or

1 she should produce some --

2 THE CHAIRPERSON: It's interesting  
3 what you're saying. Ordinarily the hearing is  
4 conducted here, but I hear the Commission saying that  
5 it's willing to look at the information and confirm the  
6 evidence of the witness.

7 MR. VIGNA: Yes.

8 THE CHAIRPERSON: Do you have any  
9 objection, anybody?

10 MR. FROMM: You have sworn testimony  
11 under oath.

12 THE CHAIRPERSON: Yes, and look at it  
13 from the other perspective, half full, half empty, Mr.  
14 Fromm. If this was evidence that the respondent wants  
15 before the Tribunal, the best evidence is a pay stub  
16 versus just her sworn testimony. We don't have that  
17 here. It would have been something that one would have  
18 perhaps liked to have seen the respondent bring with  
19 her. Yet, the Commission is saying that it's willing  
20 to view documents in support of her evidence that would  
21 reinforce her evidence, in effect.

22 I don't know how you wish to take it.

23 MS BEAUMONT: I can send a pay stub,  
24 that's not a problem, but I want taken into account  
25 that I'm paying rent and I'm paying for my own

1 groceries and paying for everything else.

2 THE CHAIRPERSON: Let me get your  
3 evidence clear on that point and then if something is  
4 filed later, I will allow that it be filed later. I am  
5 mindful of the fact that it's an unrepresented  
6 litigant, legal counsel, that is, and since it's a  
7 suggestion from the Commission. But let me just be  
8 clear on what you're saying as your evidence on this  
9 point.

10 You're working for minimum wage or a  
11 little above?

12 MS BEAUMONT: Above minimum wage.

13 THE CHAIRPERSON: A little bit above  
14 minimum wage. In the retail industry?

15 MS BEAUMONT: Yes.

16 THE CHAIRPERSON: And you work up to  
17 about 34 hours at Christmas time?

18 MS BEAUMONT: Depending on the week.  
19 I will probably be trying to pull as many hours as I  
20 can during this next week when I get back.

21 THE CHAIRPERSON: As a salesperson,  
22 is that what you mean?

23 MS BEAUMONT: Yes, because I've  
24 missed four days of work.

25 THE CHAIRPERSON: Right. And you

1           said that you pay rent. Does that mean you're --

2                       MS BEAUMONT: I pay rent to my  
3           parents. I'm living at my parents' place now.

4                       THE CHAIRPERSON: That's not  
5           something that would be documented?

6                       MS BEAUMONT: I could get my mom to  
7           write you guys a receipt, but I don't know what --

8                       THE CHAIRPERSON: Ordinarily, Mr.  
9           Vigna, we don't ask much more than that. Based on your  
10          suggestion, if the respondent wishes to confirm or  
11          somehow support her testimony by submitting the stubs,  
12          you have no objection, is that what you're saying?

13                      MR. VIGNA: That's what I'm saying.  
14          It's also important because if that kind of analysis  
15          has to be done by the Tribunal, it's always  
16          important --

17                      THE CHAIRPERSON: The Tribunal, as  
18          you know, has conducted this type of analysis for the  
19          purpose of section 54 with less than that.

20                      MR. VIGNA: That's the problem and  
21          that's why I would like some reliable information.

22                      THE CHAIRPERSON: The Tribunal can  
23          work with what it has. What I see here is a possible  
24          win/win. I see the Commission asking for more  
25          information that, from what the witness is saying,

1 would buttress her testimony. Is that what you're  
2 asking for?

3 MR. VIGNA: Yes.

4 THE CHAIRPERSON: Mr. Fromm.

5 MR. FROMM: Would it be acceptable, I  
6 understand that -- I think I understood this morning  
7 that there might be some written submissions.

8 THE CHAIRPERSON: Yes.

9 MR. FROMM: During the window of  
10 opportunity for those written submissions, in  
11 consultation with Ms Beaumont, if I could pull together  
12 those documents and send them in as a submission.

13 THE CHAIRPERSON: Yes, that might be  
14 the convenient time to do it. Mr. Warman hasn't come  
15 in on this, but does Mr. Vigna reflect how your  
16 position is on this?

17 MR. WARMAN: I certainly have no  
18 objection to what's proposed but only that it's turned  
19 out that tomorrow I will be making oral submissions. I  
20 don't anticipate -- it's up to the Tribunal if you wish  
21 to create a window solely for that.

22 THE CHAIRPERSON: Okay. So you can  
23 do it, but it might not be in the context of written  
24 submissions on the merits of the case, Mr. Fromm. We  
25 will set down some dates by which this could be done,

1 maybe in a couple of weeks.

2 MR. VIGNA: I have two more questions  
3 and that's it.

4 Tab 26A, Ms Beaumont you recognize  
5 saying:

6 "I was proud before, to say that  
7 Alberta was one of the only  
8 provinces to not allow Same sex  
9 'marriages' but now, it's all  
10 the same AIDS peddling sh\*t."

11 MS BEAUMONT: Is this page 5?

12 MR. VIGNA: Page 5, yes.

13 MS BEAUMONT: Yes, I do remember  
14 writing this.

15 MR. VIGNA: Tab 27, always on the  
16 same topic of homosexual marriages.

17 THE CHAIRPERSON: Which page?

18 MR. VIGNA: Page 2, tab 27. Do you  
19 see that, Ms Beaumont?

20 MS BEAUMONT: Yes.

21 MR. VIGNA: "I hope Alta never lets  
22 those degenerates marry, it's  
23 just vile!"

24 That's your statement with an  
25 exclamation mark. Correct?

1 MS BEAUMONT: Yes.

2 MR. VIGNA: Finally, there's one  
3 document which was given by Mr. Fromm, the document  
4 before you there.

5 MS BEAUMONT: This one here?

6 MR. VIGNA: Yes.

7 THE CHAIRPERSON: What's the number  
8 on it, Mr. Vigna?

9 MS BEAUMONT: I think it's R-5. I'm  
10 not too certain.

11 THE CHAIRPERSON: Fine, R-5.

12 MR. VIGNA: I would like you to look  
13 at the last page. There's a picture of you there.  
14 Correct?

15 MS BEAUMONT: There's quite a few.

16 MR. VIGNA: On the right side at the  
17 bottom.

18 MS BEAUMONT: The lower right?

19 MR. VIGNA: Yes.

20 MS BEAUMONT: Yes.

21 MR. VIGNA: That's you in the picture  
22 with a rifle?

23 MS BEAUMONT: Yes. It's a completely  
24 defunct rifle. It's hanging above the bar in my house.

25 MR. VIGNA: But if somebody looks at

1           that picture, they can't tell it's defunct. Correct?

2                       MS BEAUMONT: The firing pin is  
3           missing and there's quite a few pieces off that rifle  
4           missing. So, if somebody looks at a full size picture  
5           of it, they must be completely retarded to think it's a  
6           working rifle.

7                       MR. VIGNA: Look at the other page  
8           before that.

9                       MS BEAUMONT: Yes.

10                      MR. VIGNA: There's another picture  
11           of yourself on the bottom. Do you see it?

12                      MS BEAUMONT: Yes.

13                      MR. VIGNA: There's a gun.

14                      MS BEAUMONT: If you have a colour  
15           picture of that it's a cap gun. There's a big orange  
16           piece on the front which no real guns have. Only  
17           children's guns do.

18                      MR. VIGNA: You recognize yourself in  
19           those pictures though?

20                      MS BEAUMONT: Yes, that is me.

21                      MR. VIGNA: What's the message you  
22           want to portray with those pictures?

23                      MS BEAUMONT: It's pictures that were  
24           done in spoofs for the ARA. They have a patch where it  
25           says, hey, Nazi, go ram a bullet down your throat or

1 something to that extent, which was what the one on the  
2 left and the one on the bottom right were taken for.

3 MR. VIGNA: But you had those  
4 pictures taken of you?

5 MS BEAUMONT: Yes, I did. Those  
6 pictures are of me with the rifle that is completely  
7 defunct and a cap gun.

8 MR. VIGNA: Considering the image  
9 that that can portray, did you have any concerns for  
10 that?

11 MS BEAUMONT: I don't know what image  
12 it portrays, that somebody can go to a dollar store and  
13 buy a cap gun? I don't understand. What image is it  
14 portraying?

15 MR. VIGNA: Those pictures, do you  
16 know where they might have come from?

17 MS BEAUMONT: Where they might have  
18 come from?

19 MR. VIGNA: The original photo.

20 MS BEAUMONT: My camera.

21 MR. VIGNA: How would they have ended  
22 up on the Internet?

23 MS BEAUMONT: They were put there.

24 MR. VIGNA: I understand. But what's  
25 your explanation?

1 MS BEAUMONT: I had put them on the  
2 Internet.

3 MR. VIGNA: So you did put them on  
4 the Internet?

5 MS BEAUMONT: I put them on the  
6 Internet, yes.

7 MR. VIGNA: Where?

8 MS BEAUMONT: For an e-mail for  
9 Ciaran. That was the only place they were distributed  
10 on the e-mail. All these pictures were only sent to  
11 Ciaran. So, somebody has either hacked into my  
12 computer to get them or into his computer because  
13 neither of us have sent these pictures out to people.

14 MR. VIGNA: I don't have any further  
15 questions, Mr. Chairman.

16 MR. WARMAN: I have no questions.  
17 Thank you.

18 THE CHAIRPERSON: So, back to my  
19 earlier statement, rolling the tape back, would you  
20 like to ask any questions in re-examination, Mr. Fromm?

21 RE-EXAMINATION BY MR. FROMM

22 MR. FROMM: Did you have the benefit  
23 of any legal advice in terms of handling the Richard  
24 Warman complaint?

25 MS BEAUMONT: No.

1                   MR. FROMM: You spoke in terms of the  
2 post about being glad of if all blacks would catch AIDS  
3 or something like that, that you didn't remember it.

4                   MS BEAUMONT: Yes, and I did write a  
5 letter.

6                   MR. FROMM: You said that your  
7 computer may have been hacked?

8                   MS BEAUMONT: Yes. I don't remember  
9 writing that at all, so it could have easily been  
10 hacked and somebody could have wrote that under my  
11 name.

12                   MR. FROMM: During the spring of  
13 2004, when the Western Canada For Us was going strong,  
14 was this the time when you think your computer might  
15 have been hacked?

16                   MS BEAUMONT: I believe it is. I'm  
17 not too certain.

18                   MR. FROMM: In terms of the pictures  
19 that were in that exhibit that I showed you, R-5, it's  
20 your testimony that these personal pictures of you were  
21 ones that -- you say you did take them, but they were  
22 ones that you sent only to Ciaran Donnelly by e-mail?

23                   MS BEAUMONT: Yes, and he did have  
24 the negatives and the actual copies of the photos, but  
25 the cops never found them.

1 MR. FROMM: But you did not post  
2 these pictures on another forum?

3 MS BEAUMONT: No. I think the only  
4 ones that would have been posted are ones of my  
5 tattoos, which would have been on page 5, the bottom  
6 middle picture, and on page 4, the bottom and top  
7 middle pictures.

8 MR. FROMM: But beyond that, you  
9 don't know how they got on the Internet?

10 MS BEAUMONT: No, I don't.

11 MR. FROMM: You did not send them to  
12 Citizens Against Hate?

13 MS BEAUMONT: No, I definitely did  
14 not.

15 MR. FROMM: Those would be my  
16 follow-up questions.

17 THE CHAIRPERSON: Thank you. Thank  
18 you very much, Ms Beaumont.

19 --- Witness Excused

20 THE CHAIRPERSON: That's it for your  
21 witnesses. Right?

22 MR. FROMM: Yes.

23 THE CHAIRPERSON: Will you be calling  
24 any rebuttal evidence, Mr. Vigna or Mr. Warman?

25 MR. VIGNA: No, Mr. Chair.

1 THE CHAIRPERSON: Then we can proceed  
2 to final submissions tomorrow. They will be done  
3 orally. We will see how it goes. The need may arise  
4 or someone may ask for it, but ordinarily we will  
5 proceed with oral submissions tomorrow.

6 We will make a specific allowance for  
7 that proposal that Mr. Vigna put forward for pay stubs.  
8 Right?

9 MR. VIGNA: Yes.

10 THE CHAIRPERSON: Within the next two  
11 weeks to the Tribunal, and then the Tribunal will  
12 forward them to the other parties.

13 MR. VIGNA: I just wanted to mention,  
14 Mr. Chair, just for information of the parties and the  
15 Tribunal, I will be relying primarily on the Kouba case  
16 and the hallmarks of hate in terms of my submissions.  
17 I put it separately. It's not in those tabs. It's  
18 right next to your book of documents, underneath your  
19 papers.

20 THE CHAIRPERSON: I have Kouba, yes.  
21 And what's the other case you said you're relying on?

22 MR. VIGNA: Mostly that one. I will  
23 rely on the other ones too, but the case law at this  
24 point is fairly well known by the Tribunal and there  
25 has been a lot of developments to this day, so I will

1           rely mostly on the most recent one, but it has an  
2           element of novelty.

3                         THE CHAIRPERSON: This is not the  
4           most recent one. There was one that was issued even  
5           more recently?

6                         MR. VIGNA: There is the Bahr  
7           decision which came later.

8                         THE CHAIRPERSON: But you are relying  
9           mostly on Kouba?

10                        MR. VIGNA: Because of the criteria  
11           about the hallmarks of hate.

12                        THE CHAIRPERSON: So you're giving a  
13           head ups to the parties?

14                        MR. VIGNA: Yes.

15                        THE CHAIRPERSON: Do you have  
16           authorities also, Mr. Fromm?

17                        MR. FROMM: Yes, I did, and I  
18           distributed them. Perhaps I only gave them to the  
19           parties.

20                        THE CHAIRPERSON: It's important that  
21           I have them tomorrow. Is it a big book?

22                        MR. FROMM: No.

23                        THE CHAIRPERSON: We will need three  
24           copies.

25                        MR. WARMAN: Mr. Chair, in that

1           regard, just so that there is no shock tomorrow, a  
2           media report does not constitute judicial authority.  
3           So, if there is an attempt to rely on a media report,  
4           there will be an objection to that.

5                         THE CHAIRPERSON: This is the stuff  
6           that you've looked at, and it contains a media report?

7                         MR. WARMAN: There is five or six  
8           paragraphs that purports to be from some Chinese I  
9           presume it's a Chinese website, and that there will be  
10          an objection to that, any attempt to rely on that as a  
11          judicial authority.

12                        THE CHAIRPERSON: It's not normally a  
13          judicial authority.

14                        MR. VIGNA: It's from the California  
15          Supreme Court, I believe.

16                        THE CHAIRPERSON: Unless it's an  
17          extract from a Supreme Court decision.

18                        MR. WARMAN: In fact it is not. It  
19          is a media report that purports to describe a decision  
20          of the California Supreme Court.

21                        MR. VIGNA: I would suggest that  
22          maybe Mr. Fromm can get the case, but it's from another  
23          foreign country.

24                        THE CHAIRPERSON: That doesn't  
25          prevent authority from being used. The Commission

1 readily relies on that.

2 I want to take a look at it. I  
3 already have the two Books of Authorities from the  
4 Commission and the separate one. It's this one-page  
5 document that we're talking about. It is a reference  
6 to California Supreme Court.

7 I'm mindful of the fact that Mr.  
8 Fromm is not a lawyer and accessing American  
9 authorities can be difficult. He's gotten this excerpt  
10 which apparently refers to a decision of the California  
11 Supreme Court. What we could do is, under reserve,  
12 allow Mr. Fromm to deal with it. The Commission, if it  
13 wants, or I can certainly have legal counsel at the  
14 Tribunal go on Quick Law and get us the actual copy of  
15 this decision. Then if the article misrepresents what  
16 the decision states, I will discount it from legal  
17 submissions.

18 But it is not something that is  
19 referring to an interview or something. It's a  
20 reference to California Supreme Court upholds Internet  
21 free speech. It's a decision of the California Supreme  
22 Court.

23 MR. VIGNA: I agree.

24 THE CHAIRPERSON: I will let you  
25 refer to it tomorrow, Mr. Fromm, unless you're able to

1 get the actual decision of the California Supreme Court  
2 from now until tomorrow. I will look it up myself  
3 afterwards. If this is different from what the Supreme  
4 Court says, I will deal with it then.

5 MR. FROMM: I would like to thank Mr.  
6 Vigna for giving us a heads up about his decision to  
7 rely on the Kouba case, so that assists. I was  
8 wondering if you could give us some idea of the  
9 procedure for tomorrow for submissions.

10 THE CHAIRPERSON: I will let Mr.  
11 Vigna start, and then Mr. Warman or whichever order  
12 they may choose, and then yourself.

13 I will allow a little bit of leeway  
14 afterwards if they wish to comment on your argument.  
15 Perhaps if it is necessary, I will even give you some  
16 leeway in reply. I am flexible in terms of legal  
17 submissions.

18 MR. FROMM: In terms of timing, what  
19 are we looking at?

20 THE CHAIRPERSON: We have the whole  
21 day. Does anyone not think it's sufficient? If at  
22 some point you have to leave, then you will leave.

23 MR. WARMAN: I would certainly hope  
24 that it wouldn't take more than the morning for simple  
25 submissions.

1 THE CHAIRPERSON: One never knows,  
2 but I have the day. I don't know how much time you  
3 have, but I have the day. Does that answer your  
4 question, Mr. Fromm?

5 MR. FROMM: I think so. I have to  
6 leave at 3:00.

7 THE CHAIRPERSON: I said I have a day  
8 but you don't, so let's try to target that. If it  
9 means a shortened lunch hour, we will do that. Did you  
10 hear what I said, Mr. Fromm? I said if I have to  
11 shorten the lunch hour to accommodate you, I will.

12 MR. VIGNA: We can even go a bit  
13 longer and have no lunch.

14 THE CHAIRPERSON: Whatever. We will  
15 be flexible on that, but we will have that coffee break  
16 for you, though.

17 MR. FROMM: Perhaps just, again, can  
18 the other parties indicate their guesstimate as to how  
19 long they will take?

20 THE CHAIRPERSON: I have already  
21 heard from Mr. Warman. He thinks we will all be done  
22 by lunch.

23 MR. VIGNA: An hour maximum.

24 MR. FROMM: I think maybe an hour, a  
25 bit more.

1 THE CHAIRPERSON: You know what your  
2 problems is in your estimations, I will be asking  
3 questions and that always slows things down. So, be  
4 prepared for those.

5 --- Whereupon the hearing adjourned at 4:45 p.m.,  
6 to resume on Wednesday, December 13, 2006  
7 at 9:30 a.m.

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I hereby certify that I have  
taken down in Stenograph and  
transcribed the foregoing to  
the best of my skill and  
ability.



Barbara Neuberger

C.S.R., R.P.R.

StenoTran