

IN THE MATTER OF: Law Enforcement Review Act  
Complaint No. 3601

1260

AND IN THE MATTER OF: An application pursuant to ~~s.13(2)~~  
of The Law Enforcement Review Act  
R.S.M. 1987, c L75

BETWEEN:

H| E  
Complainant,

- and -

CONSTABLE B. G| S  
Respondent.

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TRANSCRIPT OF PROCEEDINGS had and taken before The Honourable Acting Chief Judge Miller, held at the Law Courts Complex, 408 York Avenue, in the City of Winnipeg, Province of Manitoba, on the 21st day of January, 2002.

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APPEARANCES:

MS. H. E In Person.

CONSTABLE B. S In Person.

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2

3 THE JUDGE: Ms. E

4 Constable S , good afternoon, sir.

5 I will ask both of you to bear with me. This is  
6 the issue relative to the ordering of a penalty as a result  
7 of the finding that I made in respect of the hearing that  
8 was conducted some time ago. And I apologize to you both  
9 for the delay in bringing this matter to this point. It is  
10 purely my responsibility and my fault. I wasn't absolutely  
11 certain and aware of exactly what steps had to be followed  
12 in order to bring it to this point and that was my  
13 responsibility and oversight and I apologize for that delay.

14 Thankfully things have been straightened out to  
15 the point where I am now very much aware of and familiar  
16 with the process that has to be undertaken and we're at that  
17 point now.

18 Mr. Wright, the Commissioner, I see is present in,  
19 in the courtroom, as is, I believe, Sergeant S , an  
20 individual who is here as a result of a summons that was  
21 issued to him to attend this afternoon and to present for  
22 the court's benefit, and for the benefit of Mrs. E ,  
23 the service record of Constable S . It is by  
24 virtue of the legislation of The Law Enforcement Review Act,  
25 a piece of the puzzle, if you will, and information that is  
26 required to be shared with the court and with yourself in  
27 this particular instance, Mrs. E . And that's why  
28 Sergeant S is here.

29 So unless either you or Constable S  
30 have any preliminary comments or thoughts I would suggest  
31 that we can proceed to hear from Sergeant S and carry on  
32 from there.

33 Is there anything that you wish to say at this  
34 point, Mrs. E ?

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1 MS. E : No.

2 THE JUDGE: Constable S is there  
3 anything you wish to say, sir?

4 CONSTABLE S No, Your Honour.

5 THE JUDGE: And again, I will call in Sergeant  
6 S in just a moment but perhaps as much for the benefit  
7 of the parties as anything, I'll indicate what I understand  
8 the process to be.

9 As you know, Mrs. E , my written decision in  
10 respect of my ultimate determination of the matter that I  
11 heard was provided to both yourself and Constable  
12 S . You will recall that at the conclusion of the  
13 hearing and at the conclusion of my reasons I did, indeed,  
14 find clear and convincing evidence of a disciplinary default  
15 on the part of Constable S , namely in the form of  
16 his being discourteous or uncivil towards you in the course  
17 of that particular exchange that you had with him at the  
18 community police office on the date in question when you  
19 were accompanied by your son.

20 Having preceded then to that point and submitted  
21 my written decisions, or decision, it is now incumbent upon  
22 me in the circumstances to hear submissions from both  
23 yourself, Mrs. E , and Constable S should  
24 either or both of you choose to make submissions. And then  
25 it becomes my responsibility to order one or more of a  
26 number of penalties that are available to me in the course  
27 of my determination of the appropriate disposition of this  
28 matter.

29 And for your benefit, Mrs. E , and Constable  
30 S , the, the range of penalties that I have  
31 available to me to consider are as outlined in The Law  
32 Enforcement Review Act, particularly at Section 30(1). And  
33 again, I'm not sure if you're familiar with this, Mrs.  
34 E or Constable S , but in any event I

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1 will very briefly outline for you the provisions of that  
2 section.

3 That particular section indicates;

4

5 "A member who admits having  
6 committed or is found to have  
7 committed a disciplinary default is  
8 liable to one or more of the  
9 following penalties, set out in  
10 diminishing order of seriousness:

- 11 (a) dismissal;
- 12 (b) permission to resign and in  
13 default of resignation within seven  
14 days, summary dismissal;
- 15 (c) reduction in rank;
- 16 (d) suspension without pay up to a  
17 maximum of 30 days;
- 18 (e) forfeiture of pay up to a  
19 maximum of 10 days pay;
- 20 (f) forfeiture of leave or days off  
21 not to exceed 10 days;
- 22 (g) a written reprimand;
- 23 (h) a verbal reprimand; or
- 24 (i) an admonition."

25

26 So that's the range --

27 MS. E : What is an admonition?

28 THE JUDGE: And admonition, for your benefit and  
29 mine, is as defined in Webster's New Collegiate Dictionary  
30 as the following.

31

32 Admonition, gentle or friendly  
33 reprove. Counsel or warning  
34 against fault or oversight. To

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1                   admonish is to indicate duties or  
2                   obligation to, to express warning  
3                   or disapproval to, especially in --  
4                   or in a gentle, earnest or  
5                   solicitous manner, to give  
6                   friendly, earnest advice or  
7                   encouragement to.

8

9                   So that's the definition of admonish and  
10                  admonition as --

11                 MS. E.                   I see you came prepared.

12                 THE JUDGE: I, I came prepared in anticipation of  
13                  certain inquiries from either yourself or Constable  
14                  S                   or both.

15                 MS. E.                   Thank you.

16                 THE JUDGE: Having had the benefit of your company  
17                  on the earlier occasion when I heard from you both as the  
18                  complainant and then under oath as a witness, I felt that I  
19                  had some inclination perhaps as to the, the basis for your  
20                  pursuing the complaint. There was some particular concern  
21                  about the events of that day and the fact that they did,  
22                  indeed, unfold in the presence of your then 16 year old  
23                  son -- or then 14 year old son, who was 16 at the time. I  
24                  heard from him as a witness as well. And so that's why I've  
25                  come prepared with a dictionary.

26                 MS. E.                   : Thank you.

27                 THE JUDGE: So perhaps I could hear from Sergeant  
28                  S                   . He is present and, and is available to provide his  
29                  evidence under oath, as I understand it. And so I would ask  
30                  Madam Clerk perhaps to administer the oath to Sergeant S  
31                  at this time.

32                 THE CLERK: Take the Bible in your right hand,  
33                  please, and state your full name to the court.

34                 THE WITNESS: A.    A.                   S                   .

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A. S - EX. BY THE JUDGE

1 THE CLERK: Can you spell your full name, please?

2 THE WITNESS: A is A , A ,

3 A- S is S-

4

5 A A S being first

6 duly sworn, testified as follows:

7

8 THE CLERK: Thank you.

9 Can you go around the microphone, please? Thank

10 you so much. That's okay. Thanks.

11

12 EXAMINATION BY THE JUDGE:

13 Q Sir, I understand that you are a member of the  
14 Winnipeg Police Service; is that correct?

15 A That is correct.

16 Q And you've been employed in that capacity for  
17 approximately how long, sir?

18 A Twenty-five years now.

19 Q You presently hold the rank of sergeant, do you?

20 A It's actually Staff Sergeant, Your Honour.

21 Q Staff Sergeant?

22 A Yes.

23 Q My apologies for my --

24 A It's quite all right.

25 Q -- earlier error. So -- and you've held the rank  
26 of staff sergeant for how long, sir?

27 A Five years now, Your Honour.

28 Q All right. I understand that you are a supervisor  
29 within the ranks of the Winnipeg Police Service; is that  
30 fair to say?

31 A Yes, I'm currently the Unit Commander in charge of  
32 the Professional Standards Unit and at present the Acting  
33 Executive Assistant to the Chief of Police.

34 Q Okay. And in that capacity then you have access

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1 to the service records of all Winnipeg Police personnel?

2 A That's correct.

3 Q All right. Have you, yourself, had personal  
4 supervisory experience with Constable S

5 A No, I have not.

6 Q Okay. So it is in your capacity of the overseer  
7 of these records -- is that fair to say, that you are the  
8 overseer of these records?

9 A That would, that would be fair to say. We -- no  
10 one else has the access that we have.

11 Q Okay. You have responded to the summons that was  
12 served upon you and today have brought with you, by order of  
13 the court, the service record of Constable S ; is  
14 that correct?

15 A That's correct, Your Honour.

16 Q And can you tell us what, if anything, it reveals,  
17 Staff Sergeant S ?

18 A Yes, I can. Would you like a copy to follow  
19 through? And I made one for everybody.

20 Q All right.

21 A Is that all right?

22 Q That would, that would be fine. Thank you.

23 We'll receive it and mark it as Exhibit 1 in these  
24 proceedings then.

25 THE CLERK: Exhibit 1, Your Honour.

26 THE JUDGE: And for the record, I should in  
27 fairness to Constable S offer and afford him the  
28 opportunity to review the material and, and to determine if,  
29 if to the best of his knowledge and recollection it relates  
30 to him and is accurate in its content.

31 It's accurate and it does, indeed, relate to  
32 you?

33 All right.

34 And you are badge number sir?



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1           CONSTABLE S                   : Yes, Your Honour.  
2           THE JUDGE: All right. Then we'll receive it and  
3 mark it as Exhibit 1.

4

5                           **EXHIBIT 1:       SERVICE RECORD OF**  
6                           **CONSTABLE S**

7

8 BY THE JUDGE:

9           Q    Yes, Staff Sergeant S       if I could prevail upon  
10 you just to indicate what these various references are.

11           A    All right. The first entry is dated the 10th of  
12 May, 1976. It details that Constable S                   commenced  
13 duties with the Winnipeg Police Department as a probationary  
14 constable, 4th class, and attended recruit class number 88.

15                   The next entry refers to the 10th of May, 1977,  
16 Constable S                   was advanced from 4th class to 3rd  
17 class.

18                   The next entry is the 16th of June, 1977,  
19 Constable S                   received a conduct form for good work  
20 performed.

21                   The next entry, 10th of May, 1978, he was advanced  
22 from 3rd class to 2nd class constable.

23                   The 18th of June, 1978, Constable S  
24 received a conduct form again for good work performed.

25                   15th of August, 1978, he again received a conduct  
26 form for good work performed.

27                   On the 10th of May, 1979, Constable S  
28 was advanced from 2nd class to 1st class constable.

29                   On the 13th of May, 1979, Constable S  
30 received another conduct form for good work performed and  
31 was awarded one day weekly leave with pay.

32                   On the 5th of November, 1979, Constable  
33 S                   received another conduct form for good work  
34 performed.

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A. S - EX. BY THE JUDGE

A. S - EX. BY MS. E

1 On the 10th of February, 1983, he again received a  
2 conduct form for good work performed.

3 On the 4th of December, 1983, he received a  
4 conduct form for good work performed.

5 On the 24th of May, 1987, he received a conduct  
6 form for good work performed.

7 And on the 1st of September, 1990, he received a  
8 conduct form for good work performed, Your Honour.

9 And that is the totality of his service record.

10 Q Can I ask you, to his credit there are several  
11 notations of conduct forms submitted re: good work  
12 performed. Who is it that submits these forms as a rule,  
13 Staff Sergeant?

14 A As a rule it's his immediate supervisor --

15 Q Okay.

16 A -- or a supervisor who would have noted the good  
17 work.

18 Q And did you delve in a more detailed fashion into  
19 the forms that had been submitted?

20 A All the forms are on file and -- but I did not  
21 delve into them in detail, Your Honour.

22 Q Okay. All right. But you're satisfied that the,  
23 the conduct forms which had been submitted were in all  
24 likelihood submitted by his supervisory personnel as a  
25 result of their being very pleased and feeling that he  
26 warranted this special recognition?

27 A That's correct, Your Honour.

28 THE JUDGE: Okay. Mrs. E , do you have any  
29 questions of Staff Sergeant S in relation to --

30 MS. E: I only actually have one.

31 THE JUDGE: Go ahead, please.

32

33 EXAMINATION BY MS. E

34 Q You did take note that this -- the last time that

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1 he had his conduct form submitted was 1990. That's 12 years  
2 ago.

3 THE JUDGE: Yeah. Staff Sergeant S is --  
4 we're all well aware of that. He's not here to respond to,  
5 to that --

6 MS. E : Well, no, I just wanted you to take  
7 note of it.

8 THE JUDGE: It's --

9 MS. E Just --

10 THE JUDGE: I've taken note of that.

11 MS. E Yeah.

12 THE JUDGE: I'm sure that he has as well.

13 MS. E Just one, one more quick question.

14 THE JUDGE: Yes.

15 MS. E I'm not familiar with this side of  
16 the table but anyway --

17 THE JUDGE: No, no.

18

19 BY MS. E

20 Q Do, do they submit it just because that's what  
21 they want to do? Like if he performs really, really well  
22 they do that as a, a -- I would say as a recognition for his  
23 work; right? They submit these forms?

24 A That's correct.

25 Q Okay.

26 A If they feel the work is above, above average and  
27 above what is normal.

28 Q Okay. So that's not just regular performance  
29 reviews?

30 A No. No, no. These are conduct forms which are  
31 specific to an incident, Your Honour, where --

32 Q He's performed above and beyond?

33 A Above, above average work. Yes.

34 Q Okay. Do you guys perform reviews? Like, once

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1 every year or --

2 A Yes, we do.

3 Q None of those are on record?

4 A They don't form part of the service record as  
5 described in The Law Enforcement Review Act.

6 Q Okay.

7 THE JUDGE: Anything further Mrs. E ?

8 MS. E : Well, it's just I, I, in my job I'm  
9 reviewed every year.

10 THE JUDGE: Oh, sure. And they do that here as  
11 well, but --

12 MS. E : And it's part of my record --

13 THE JUDGE: Yeah.

14 MS. E -- as, as my job. I'm just  
15 wondering 'cause it's been like 12 years since there was any  
16 other conduct form submitted. That's why I was asking.

17 THE JUDGE: Okay. But you are, I take it now,  
18 having heard from Staff Sergeant S , satisfied that the  
19 Winnipeg Police Service has a process whereby on an annual  
20 basis there are performance --

21 MS. E : The officers are reviewed.

22 THE JUDGE: -- appraisals. They're reviewed.

23 MS. E Yes.

24 THE JUDGE: And, and if there were any issues or  
25 what have you, Staff Sergeant S , I gather those also  
26 would not necessarily form part of the service record as, as  
27 is presently defined in the -- under the Act?

28 THE WITNESS: No, they would not, Your Honour.

29 THE JUDGE: Okay. But between 1990 and 2001, at  
30 least, it can safely and fairly be said that Constable  
31 S performance on the job would have been  
32 appraised and evaluated on an annual basis by his then  
33 immediate supervisors? Is that --

34 THE WITNESS: That's correct, Your Honour.

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1 THE JUDGE: That's correct. Okay.  
2 Constable S , do you have any questions  
3 of Staff Sergeant S

4 CONSTABLE S . No, Your Honour.

5 THE JUDGE: Okay.

6 Mrs. E , you have nothing further of Staff  
7 Sergeant S

8 MS. E No. I was just wondering about the  
9 processes they go through.

10 THE JUDGE: Sure. All right.

11 Thank you very much, sir.

12 THE WITNESS: May I be excused, Your Honour?

13 THE JUDGE: Yes, you may, sir.

14 THE WITNESS: Thank you.

15 THE JUDGE: Thank you very much.

16

17 (WITNESS EXCUSED)

18

19 THE JUDGE: Mrs. E , I will certainly now  
20 afford you the opportunity to make whatever submission and  
21 representations you might wish in respect of this particular  
22 matter.

23 MS. E : The only, the only real thing  
24 that -- I guess I have to stand, eh?

25 The only real thing that I have to say is even in  
26 my job I have a code of conduct. And that code of conduct  
27 states that I'm not to yell, be aggressive or otherwise  
28 towards the kids that I work with. And a lot of the same,  
29 same conduct -- I have to follow the same as an officer. I  
30 deal with the police every day in my job.

31 THE JUDGE: And what exactly is your job again?

32 MS. E I work in a group home, sir.

33 THE JUDGE: Okay.

34 MS. E And I deal with young offenders.

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1 THE JUDGE: Sure.

2 MS. E : And I'll give you an example. I  
3 just had the police there this weekend. A child tried to  
4 set me on fire. Now if I don't maintain my calm and my  
5 collectiveness in my job it reflects in my work. And I  
6 guess I look at it the same way with a police officer. I  
7 realize that they go through a lot. I'm in a very high  
8 stress job myself. And it's -- we all have bad days. But  
9 that can't be brought into our workplace.

10 THE JUDGE: Okay.

11 MS. E : That's basically all I wanted to  
12 say.

13 THE JUDGE: Would -- Mrs. E , you've struck  
14 me as a very reasonable and responsible person from the  
15 moment that --

16 MS. E I have my days, too.

17 THE JUDGE: Oh, sure. We all do. The moment that  
18 this process began, at least, or the interaction between you  
19 and I began, and you, again in fairness to you, simply asked  
20 me as I read to you the range of penalties that can apply,  
21 you asked me the definition of admonition. Is that  
22 something that you would certainly be content with at this  
23 point in time? That, just that he be reminded of -- I'm  
24 sure that Constable S' can speak and will speak  
25 for himself, but just to get some kind of idea of, of what  
26 your thoughts are in that respect.

27 MS. E I, I've had quite a bit of time.  
28 It's been three years since this --

29 THE JUDGE: Yes.

30 MS. E -- well, three and a half years  
31 about, since this, this incident. And like I've said when I  
32 was in court with you before, everybody has a bad day. And  
33 it's very hard -- and I can see Constable -- I seen that  
34 he's -- has a very good record. And, and that's good and

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1 that's great for him. I have a very good record at my work,  
2 too. And like I said, I'm in a very high stress job myself.  
3 And I have bad days. But that doesn't come into my  
4 workplace.

5 To me, I would think -- over the last 12 years  
6 there, there isn't any conduct form submitted for good work  
7 performance but I'm sure he does a good job. I know that a  
8 lot of the police are frustrated with a lot of things that  
9 they come across. And I've always said even to the  
10 residents that I work with, it depends on who they come  
11 across before you. They might have had a really, really bad  
12 experience with somebody who's treating them like a piece of  
13 garbage. And I can certainly sympathize with that in the  
14 job that I do 'cause I get called a lot of names.

15 THE JUDGE: Yeah.

16 MS. E And a lot of things happen.

17 But I, I would just like the Constable to  
18 recognize that it was not appropriate. It really was not  
19 appropriate, not in his job place, especially the job that  
20 he does. And in front of my son especially, that was not  
21 appropriate. I am his parent and the only thing that I  
22 wanted to do was see that something was done for my son  
23 after he was assaulted.

24 THE JUDGE: Okay. Thank you.

25 MS. E I, I would trust your decision and  
26 your choice of what should happen from here.

27 THE JUDGE: Okay. Thank you very much.

28 MS. E You're welcome.

29 THE JUDGE: Constable S is there  
30 anything that you wish to say, any submission or  
31 representations you wish to make, sir?

32 CONSTABLE S No, Your Honour.

33 THE JUDGE: Constable S, you've had the  
34 opportunity on two occasions now, the first one being when

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1 we were together and I heard from Mrs. E and her son  
2 and yourself under oath and then again today, and I just  
3 wonder what, what your, your response and reaction and  
4 thoughts are to the comments, particularly that Mrs.  
5 E has, has made today. Her observations about stress  
6 and what have you, and she certainly has been very  
7 reasonable in my view and responsible in respecting and  
8 accepting that you have a high stress job. There's no doubt  
9 about that. And that we do, indeed, all have our days and  
10 our moments when, when things might seem to be overwhelming  
11 us and we act out from time to time in a fashion that is not  
12 appropriate or acceptable.

13 Do you have any, any comment or anything that you  
14 might wish to offer to Mrs. E at this point in time  
15 in response to, to her comments?

16 CONSTABLE S: No, Your Honour. No.

17 THE JUDGE: All right.

18 CONSTABLE S: Or maybe just, just one  
19 comment. Your Honour, in my job I don't feel no stress at  
20 all in my job. I -- on that particular day I wasn't having  
21 a bad day at all. And as far as me not getting a  
22 commendation between -- is it --

23 MS. E: It wasn't so much a commendation as  
24 there is no documentation of your last 12 years.

25 CONSTABLE S: Well, I can -- I don't  
26 have it here with me but my last evaluation report --  
27 there's four categories in the evaluation report. I  
28 exceeded all standards in every category. Or there's below  
29 standard, standard, above standard, exceeds standards. And  
30 there's about 15 categories. On the exceeds standards -- or  
31 I was marked on exceeds standards on all 15 categories. And  
32 I can produce that to the court if you need it.

33 THE JUDGE: I, I accept that, Constable  
34 S: And I am satisfied Mrs. E would accept



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1 that as well. And --

2 CONSTABLE S: And as far as no  
3 commendations between now and then, well it's all up to the  
4 sergeant who --

5 THE JUDGE: I, I understand that. And I am, I am  
6 thankful to hear the results of the most recent performance  
7 appraisal that, that was conducted, Constable --

8 CONSTABLE S: I can produce that if, if  
9 required.

10 THE JUDGE: If Mrs. E thought it was  
11 necessary I would be prepared to make that order.

12 MS. E: No, I don't think it's -- in my --  
13 the question that I was seriously trying to ask was that  
14 there is just no other documentation over the last 12 years.  
15 That's why I was wondering.

16 THE JUDGE: Yeah. And, and that's -- that was a  
17 very good question and one that was fairly brought forward.

18 And it's not your responsibility, Constable  
19 S:

20 CONSTABLE S: Yeah. I guess --

21 THE JUDGE: Don't, don't get us wrong. We're not  
22 suggesting --

23 CONSTABLE S: I guess anything I've  
24 done in the last 13 years, or 11 years, hasn't -- in the  
25 eyes of my supervisor, hasn't warranted a conduct form.

26 THE JUDGE: Yeah.

27 MS. E: Okay. Thank you.

28 THE JUDGE: Okay. No, that's, that's understood  
29 and, and accepted.

30 And I, I can't help but think, having heard from  
31 Mrs. E in particular, that again, she has reinforced  
32 in my mind my, my assessment of, of her as a person. And I  
33 think she's a very reasonable and responsible and respectful  
34 person who appreciates the nature of the work generally that

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1 is performed by law enforcement personnel in our community  
2 and, in fact, comes into contact with them on a fairly  
3 regular basis.

4           And I, I only hope and can say with all sincerity  
5 that this experience has had a salutary impact upon  
6 Constable S           that he recognizes and, and accepts  
7 and respects the comments that Mrs. E           has made  
8 because I would endorse them. I think she's been very  
9 articulate and has, I think, quite aptly set out a  
10 reasonable person's expectations.

11           And I, I hope -- Constable S           you've  
12 been on this job now for 26, 25 years. And you've  
13 encountered many, many situations that I'm sure have caused  
14 you particular angst and anguish and upset. And we -- Mrs.  
15 E           and I certainly appreciate the nature of the job  
16 that you and your colleagues perform in rendering safety and  
17 security and assistance in our community.

18           At the same time it's absolutely imperative that  
19 we be respectful, courteous and civil to one another in our  
20 day to day affairs and, and work. And I'm sure, Constable  
21 S           that you appreciate and recognize and respect  
22 that. This whole exercise, I think, as I say, hopefully had  
23 a salutary impact upon you and, and has reinforced in your  
24 mind the need when one is in a position such as yours that  
25 comes into contact with the general public on a daily basis,  
26 the need to be as absolutely courteous and civil as one can  
27 humanly be in the circumstances.

28           So having said that and having read for all  
29 concerned the definition of admonish and admonition, I am  
30 of the view that in all of the circumstances, and indeed --  
31 Constable S           you're a family man, are you not,  
32 sir?

33           CONSTABLE S           Yes, I am, Your Honour.

34           THE JUDGE: Yeah. You have family?

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1                   CONSTABLE S                   Yes, I do.

2                   THE JUDGE: Yeah. Okay. So in that context as  
3 well I trust, as a parent, you can appreciate some of the  
4 concern that Mrs. E            had about the fact that her, her  
5 son was privy to this interaction. And as I recall, when he  
6 was on the stand and he was asked the question he turned to  
7 his mother and said, I'm sorry, Mom, but --

8                   MS. E                    He actually wanted me to mention  
9 that to you.

10                  THE JUDGE: Yeah. Well, I remind, I reminded --

11                  MS. E                   : Say he was -- he apologized.

12                  THE JUDGE: I reminded myself of it but he said,  
13 I'm sorry, Mom, but -- actually he was surprised that you --

14                  MS. E                    Shut up?

15                  THE JUDGE: Exactly.

16                  So in all of the circumstances and, and in  
17 reviewing the applicable legislation I'm of the view that  
18 the matter is best resolved by way of the admonition.

19                  I like to think, Constable S                   that our  
20 discussion here today, and in particular the comments of  
21 Mrs. E                    as reinforced by myself, have had the  
22 salutary impact of that that I have mentioned and that we  
23 can now move forward and put this behind us.

24                  Mrs. E                    anything further, Madam?

25                  MS. E                   : No. I, I would like to say that  
26 it's nothing -- I was very upset that day and that was why I  
27 did shut up, because I know sometimes I can get really,  
28 really. . . .

29                  THE JUDGE: Sure.

30                  MS. E                   : So it's just -- it's a code of  
31 conduct and I realize that, just as I have a code of conduct  
32 in my job.

33                  THE JUDGE: Okay. I want to thank you for taking  
34 the time.

1 MS. E Yeah. You're welcome.

2 THE JUDGE: It's much appreciated and again, my  
3 sincere apologies for the delay. It's solely my fault  
4 and --

5 MS. E That's okay.

6 THE JUDGE: And --

7 MS. E : As long as it came to a conclusion.  
8 That's all that matters.

9 THE JUDGE: Better late than never, I guess.

10 MS. E Yes, yes. Truly.

11 THE JUDGE: It is now officially concluded and I  
12 want to thank you again and as well, perhaps if you could  
13 convey my thanks to your young son.

14 MS. E : I will.

15 THE JUDGE: Thank you.

16 MS. E : He just wanted you to know he was a  
17 little embarrassed of what --

18 THE JUDGE: I understand. Thank you so much.

19 MS. E You're welcome. Thank you.

20 THE JUDGE: Constable S. thank you,  
21 sir.

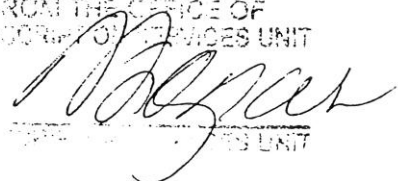
22 (PROCEEDINGS CONCLUDED)

CERTIFICATE OF TRANSCRIPT

I, **Jody Brown**, hereby certify that the foregoing pages of printed matter, numbered 1 to 18, are a true and accurate transcript of the proceedings recorded by a sound recording device that has been approved by the Attorney-General and operated by court clerk/monitor, Monique Navitka, and has been transcribed by me to the best of my skill and ability.

  
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