

IN THE MATTER OF:

Commission of Inquiry into the Circumstances
Surrounding the Death of Phoenix Sinclair

CROSS-EXAMINATION OF: SHAVONNE HASTINGS

CROSS-EXAMINATION BY: MR. H. KHAN and
MR. L. BERNAS

CROSS-EXAMINATION DATE: WEDNESDAY, MAY 30, 2012

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ORIGINAL

The Cross-examination on Affidavit of **SHAVONNE HASTINGS**, viva voce, on oath, had and taken by Jill Proctor, an Official Examiner in this Honourable Court, at the offices of Aikins Law, in the City of Winnipeg, Province of Manitoba, on Wednesday the 30th day of May 2012 at 1:06 p.m.

APPEARANCES:

On behalf of the Witness:	Mr. J. Kroft, Ms B. Chisick,
On behalf of the Southern Chiefs Organization:	Ms J. Saunders
On behalf of MGEU:	Mr. G. Smorang
On behalf of CFS General, North, South, ANCR:	Mr. L. Bernas
On behalf of Intertribal Child and Family Service:	Mr. H. Khan, Mr. J. Benson
On behalf of Kim Edwards And Steve Sinclair:	Mr. J. Gindin, Mr. D. Ireland
On behalf of the Department Of Family Services and Consumer Affairs:	Ms T. Welsh

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WEDNESDAY, MAY 30, 2012 1:06 P.M.

SHAVONNE HASTINGS, BEING FIRST DULY AFFIRMED, TESTIFIED AS FOLLOWS:

CROSS-EXAMINATION

BY MR. KHAN:

1 Q Good afternoon, Ms Hastings, you have before you, I believe, a copy of your affidavit?

A I do.

2 Q Can you confirm, if you look at the last page, is that your signature?

A It is.

3 Q Can you confirm that this is your affidavit?

A Yes.

MR. KAHN: I would like to tender it as the first exhibit.

EXHIBIT # 1 - AFFIDAVIT.

BY MR. KAHN:

4 Q Ms Hastings, in the course of your

employment as a social worker, you have apprehended children?

A Yes. I have.

5 Q When would you say was your last personal apprehension?

A The year of 2008.

6 Q 2008. And you were working as a supervisor at that time?

A Correct.

7 Q At the present time, do you supervise workers that do apprehensions?

A Yes. I do.

8 Q And you discuss apprehensions with them?

A Yes.

9 Q Now, you would agree that front line social workers are essential to the, to the CFS system?

A Yes.

10 Q Front line workers obviously, they apprehend children?

A Yes.

11 Q They investigate allegations of abuse?

A They do.

12 Q They go to homes?

A They do.

13 Q From their own assessments, they decide whether or not to apprehend a child?

A Yes.

14 Q Am I correct to say that where possible, the goal is to maintain the family unit?

A Absolutely. Yes.

15 Q There is a high level of stress in the work they do?

A Yes.

16 Q Would you agree that without effective and quality front line workers, children could be placed at risk?

A Yes.

17 Q And would you agree that the inability of a front line worker to do his or her job could put children at risk?

A Could you repeat the question?

18 Q Would you agree that the inability of front line worker to do his or her job could put children at risk?

A Yes.

19 Q Mr. Kroft, I, one thing I would like to establish at the beginning is Ms Hastings being entered as an expert witness?

MR. KROFT: The, I believe that Ms Hastings

qualifies as an expert in the provision of child welfare services in Manitoba, Mr. Khan. I don't believe that there is anything in her affidavit that requires that she testify in terms of expert opinion. But if I did have to qualify her, I believe she would qualify as, as I said.

MR. KAHN: Thank you.

BY MR. KHAN:

20 Q If I could draw your attention to paragraph 8 of your affidavit. Ms Hastings, at paragraph 8, if I can paraphrase, you are essentially saying that there is a certain level of risk, in the work that a front line worker does?

A Yes.

21 Q And again, at paragraph 15 of your affidavit? Are you essentially saying the same thing, that there is a certain, I would say, perhaps standard level of risk in the work of a front line worker?

A Yes.

22 Q Efforts are made, of course, to assess the risk before entering a home?

A Correct.

23 Q If the assessment shows there is an

1 elevated level of risk, you would call the
 2 police to assist?
 3 A Yes.
 4 24 Q Or a security guard?
 5 A Most likely police.
 6 25 Q Now, of course, there are situations where
 7 there is an elevated level of risk?
 8 A Yes.
 9 26 Q Now, that may include where parents are
 10 known to abuse alcohol?
 11 A At times, yes.
 12 27 Q Where there is drug abuse in the home?
 13 A Correct.
 14 28 Q When the house in question is involved
 15 with, or associated with gang activity?
 16 A Yes.
 17 29 Q Where the parents or occupants of the home
 18 have a history of criminal violence?
 19 A Yes.
 20 30 Q Where there are mental health issues in
 21 the home?
 22 A Yes.
 23 31 Q So, then, of course, you would agree that
 24 there are factors that elevate the risk that
 25 are higher than the usual level of risk?

1 A Yes.
 2 32 Q Have you ever testified as a witness in an
 3 inquiry?
 4 A No, I have not.
 5 33 Q Have you ever testified as a witness in an
 6 inquest?
 7 A No.
 8 34 Q You have, of course, during the course of
 9 your work as a social worker, testified during
 10 a CFS trial?
 11 A I have.
 12 35 Q You testified as a worker?
 13 A Yes.
 14 36 Q This those particular trials, the Agency
 15 was seeking an order of guardianship?
 16 A Correct.
 17 37 Q Do you recall if any of those cases, in
 18 any of those cases, the decision was reported
 19 publicly?
 20 A They were not.
 21 38 Q So, was your name ever published in
 22 relation to one of your files?
 23 A In all of my years of front line work, or
 24 in this capacity?
 25 39 Q Capacity as a social worker, in all of

1 your years of front line work?
 2 A No.
 3 40 Q So, just to confirm, you have never had
 4 your name published in relation to a child in
 5 care?
 6 A No.
 7 41 Q So then, of course, your name has never
 8 been published in relation to death of a child?
 9 A No.
 10 42 Q Or murder of a child?
 11 A No.
 12 43 Q So you don't have any firsthand knowledge
 13 on what it is like to have your name published
 14 in the newspapers?
 15 A No, just in the capacity of a front line
 16 worker.
 17 44 Q Sorry just --
 18 A In the capacity of a front line worker.
 19 45 Q That you have experienced having your name
 20 published?
 21 A My name was not published. However, I
 22 have had experiences in the course of my work
 23 of situations where there have been child
 24 deaths where I was the primary worker.
 25 46 Q But in those cases your name has not been

1 published?
 2 A No.
 3 47 Q If I could bring your attention to
 4 paragraph 9, please? The first sentence reads,
 5 I have not been involved in any circumstance,
 6 and I am not aware of any circumstance where
 7 the fact that the identity of social worker, of
 8 the social worker was known in advance made any
 9 material difference to a volatile situation.
 10 A Mh-hmm.
 11 48 Q You have no personal experience in that,
 12 do you?
 13 A No.
 14 49 Q Have you had a chance to review the
 15 affidavit of Shirley Cochrane?
 16 A I have not.
 17 50 Q What I would like to do, is just bring to
 18 your attention a few comments published by the
 19 media. Mr. Kroft I don't know if you would
 20 like your witness to review the affidavit
 21 beforehand.
 22 **MR. KROFT:** Why don't you ask the question,
 23 and refer her to the particular document, and then
 24 the witness knows that she is entitled to review
 25 anything that she wants to, that she believes is

1 necessary for content. Because this is material she
2 has not reviewed.

3 **MR. KAHN:** Thank you.

4 **MR. KROFT:** Let's start by putting her
5 attention to what you want to ask her.

6 **MR. KAHN:** Ms Hastings, I am going to
7 bring to your attention readers' comments. This is
8 responses to articles published by the Sun. Okay?

9 **THE WITNESS:** Mh-hmm.

10 **BY MR. KHAN:**

11 51 Q The actual article is just before these
12 comments. And it is an article about Phoenix
13 Sinclair. Are you familiar with these
14 comments?

15 A I am not.

16 52 Q No? And I read out one comment here,
17 Whoever was the case worker that took that poor
18 kid back should be shot. Have you ever seen
19 that before?

20 A No.

21 53 Q Another comment, It should be looked at
22 already criminal charges. Have you seen that
23 before?

24 A No.

25 **MR. KROFT:** Maybe, I can stop you, now, she

1 hasn't seen the document or the comments, she has
2 testified to that. Perhaps you could just explain
3 where you are going with this, and how it is a
4 relevant question that this witness can answer?

5 **MR. KAHN:** Okay.

6 **MR. KROFT:** I am not objecting, I am just
7 asking, because it seems to me you are getting to
8 cross-examine on a document that the witness is not
9 familiar with.

10 **BY MR. KHAN:**

11 54 Q Again at paragraph 9 of your affidavit, Ms
12 Hastings. Second sentence you write, In fact,
13 it is difficult to imagine realistic
14 circumstances where prior publication of an
15 identity would make a material difference to
16 safety of a worker in an apprehension situation
17 given the nature and scope of our work.

18 A You have already stated that there are
19 elements where there are factors elevating the
20 risk?

21 A Yes.

22 55 Q When you apprehend, when you apprehend a
23 child, do you, do you know for sure if there is
24 any risk?

25 A If we have the prior knowledge of the

1 risk? Yes, we are aware of that.

2 56 Q Now, that prior knowledge would sometimes
3 be because you have dealt with the parents
4 before?

5 A Yes.

6 57 Q Or you are aware that the parents have,
7 have issues such as abuse issues?

8 A Correct.

9 58 Q Criminal issues?

10 A Yes.

11 59 Q But you also apprehend, children for the
12 first time?

13 A Yes.

14 60 Q And in those cases you might not know who
15 the parents are?

16 A In the capacity of front line work, under
17 what is called family service, we have risk
18 assessment tools that are attached to files
19 that are being transferred to our agency. It
20 is my job as supervisor and director to look
21 for the flags. If we are in a situation where
22 we need to apprehend a child, and we don't have
23 as much knowledge as we may have with a
24 previous client, my workers do not go alone,
25 they will go out accompanied by another worker.

1 61 Q Another worker?

2 A And we put safety measures in place.

3 62 Q But you don't send the police every time
4 there is a new apprehension?

5 A No.

6 63 Q Of course, unless you identify a safety
7 concern?

8 A Correct.

9 64 Q If someone told you a particular case
10 worker should be shot, would you consider that
11 a safety concern?

12 A Yes.

13 65 Q If your agency was going to apprehend a
14 child from a home where someone has said that,
15 would you take proper safety measures?

16 A Yes.

17 66 Q But there is no way of knowing if the
18 person, if the parent shares those views?

19 A There is no way of knowing. However it is
20 voiced to our agency in any way, shape or form,
21 my staff are going out coupled, and they are
22 going out with Winnipeg Police. And they are
23 told not to enter the home until they have the
24 services of Winnipeg Police and or RCMP if it
25 is in one of the communities.

13

1 67 Q You don't know if the next apprehension
 2 would involve a parent who shares these views?
 3 A No.
 4 68 Q Could you imagine that as being a risk?
 5 A We go in under the assumption there is
 6 always a level of risk. Whenever you are
 7 removing a child from the home.
 8 69 Q Again, at paragraph 9?
 9 A Mh-hmm.
 10 70 Q First sentence, first line, you say you
 11 are not aware of, I am not, I have not been
 12 involved in any circumstance and am not aware
 13 of any circumstance.
 14 A Mh-hmm.
 15 71 Q That means you don't know either way, do
 16 you?
 17 **MR. KROFT:** Pardon me?
 18 **THE WITNESS:** Can you repeat the question?
 19 **MR. KAHN:** I have not been involved in any
 20 circumstance, and I am not aware of any circumstance
 21 where the fact that the identity of the social worker
 22 was known in advance made any material difference to
 23 a volatile situation. When you use the term "not
 24 aware of", does that mean you don't know either way
 25 whether it has or hasn't?

14

1 **MR. KROFT:** That is -- before you answer
 2 that, I don't think you are making -- you can read it
 3 back, but if what has or hasn't happened, are you
 4 saying does she know if there has been a case, ever,
 5 anywhere, where that made a difference?
 6 **MR. KAHN:** Yes.
 7 **MR. KROFT:** Are you familiar with every
 8 case that you could answer that question?
 9 **THE WITNESS:** No.
 10 **MR. KAHN:** Thank you.
 11 **BY MR. KAHN:**
 12 72 Q Workers identify themselves on every
 13 apprehension?
 14 A Yes.
 15 73 Q And, they usually provide business cards?
 16 A Yes.
 17 74 Q And their names are on the business cards
 18 in?
 19 A Yes.
 20 75 Q At paragraph 10. The first sentence, I
 21 am aware of at least one instance during my
 22 career where an individual unhappy with an
 23 intervention or decision by staff behaved in a
 24 way that raised a safety concern. When you
 25 say at least one, do you mean that there has

15

1 been more than one?
 2 A Yes.
 3 76 Q At paragraph 11 of your affidavit, you
 4 make reference to a situation where there has
 5 been a physical encounter between a client,
 6 between a social worker, and a client?
 7 A Mh-hmm.
 8 77 Q Do you know if that particular social
 9 worker's name was ever published in relation to
 10 the death of a child?
 11 A No.
 12 78 Q In the course of your employment, you have
 13 familiarized yourself with various provisions
 14 of the Child and Family Services Act?
 15 A Correct.
 16 79 Q For example, section 38, which involves,
 17 guardianship orders?
 18 A Mh-hmm.
 19 80 Q Are you also familiar with the
 20 confidentiality provisions of the Act?
 21 A Yes.
 22 81 Q Are you familiar with section 75(2) which
 23 discusses the publication of witnesses?
 24 A Mh-hmm.
 25 82 Q You are aware that, when you testify in a

16

1 CFS trial, the Act provides that your name is
 2 not to be published.
 3 **MR. KROFT:** I object to the question.
 4 **BY MR. KHAN:**
 5 83 Q Has it been your, have you been told that
 6 your name could not be published due to the
 7 confidentiality provisions of the Act?
 8 A Can you repeat the question?
 9 84 Q Have you ever been told that your name
 10 would not be published by virtue of the
 11 confidentiality provisions of the Act?
 12 A No.
 13 85 Q Did you ever expect your name to be
 14 published?
 15 A I was always of the understanding, should
 16 anything have, for lack of better words, gone
 17 wrong on my case load, given that I was a
 18 public servant, I agreed to the capacity of my
 19 role and responsibility. I was never led to
 20 believe that my name would never be published.
 21 I always went on the assumption, and the guise
 22 that I would be held accountable for any
 23 decision that I had made.
 24 86 Q And that relates to in a file has gone
 25 wrong, you say?

1 A Correct.

2 87 Q Not in the regular course of work?

3 A In the regular course of my work as well.

4 Yes.

5 MR. KAHN: Thank you, those are my

6 questions.

7 (CROSS-EXAMINATION RECESSED BRIEFLY)

8 BY MR. BERNAS:

9 88 Q Good afternoon Ms Hastings, my name is

10 Luke Bernas, and I represent the Northern

11 Authority, Southern Authority, and the General

12 Authority, and ANCR, and I am going to be

13 asking you a few questions further to Mr. Khan.

14 First of all in paragraph two of your

15 affidavit, you referred to graduating from the

16 University of Manitoba Faculty of Social Work

17 in 2001, I take it that is a Bachelor of Social

18 Work?

19 A Yes.

20 89 Q You don't have a Masters in Social Work?

21 A I do not.

22 90 Q If I could refer you to paragraph 7 of

23 your affidavit, please. In that paragraph you

24 say, In my experience social workers who

25 provide child and family services in larger

1 communities such as Winnipeg are grouped in

2 teams which are assigned to specific geographic

3 areas, and they become well-known in those

4 communities.

5 Now, I take it that experience is your

6 experience with Winnipeg Child and Family

7 Services?

8 A Correct.

9 91 Q And you are not aware if that is the case

10 with any of the other agencies?

11 A I can't speak for the other agencies.

12 92 Q I believe you had answered to Mr. Khan

13 that you had never testified at an inquiry, or

14 an inquest, that's correct?

15 A Correct.

16 93 Q And the agency that you are currently

17 involved in NCN, has anyone at that agency ever

18 testified at an inquiry, or inquest while you

19 were working there?

20 A Not to my knowledge. However, I wouldn't

21 have their professional, I would not know

22 whether or not they actually had testified.

23 94 Q You don't know in other words is what you

24 are saying?

25 A Correct.

1 95 Q If I could refer you to paragraph 10 of

2 your affidavit, please. You you recall that

3 Mr. Khan had asked you in relation to where you

4 mention, I am aware of at least one instance

5 during my career where an individual unhappy

6 with an intervention or decision by staff of an

7 agency behaved in a way that has raised a

8 safety concern on the part of an agency, and

9 social worker. Your response was, yes, there

10 have, there has been more than one occasion?

11 A Yes.

12 96 Q How many occasions have there been?

13 A Are you asking specifically in my

14 supervisory capacity, or in a colleague

15 capacity?

16 97 Q In every capacity that you are aware of?

17 A In my career generally speaking?

18 98 Q Yes.

19 A Sorry, I am trying to count in my head the

20 number of names. I would have to give you an

21 approximate answer.

22 99 Q Okay.

23 A Approximately ten that I can recall at

24 this moment.

25 100 Q Okay. So, there could be more, but at

1 this moment you would say approximately ten?

2 A That I can recall at this moment.

3 101 Q And the particular instance that you are

4 referring to in paragraph 10, you mentioned

5 that an individual, and I am paraphrasing,

6 behaved in a way that has raised a safety

7 concern on the part of an agency, and a social

8 worker. Is that an instance that occurred at

9 your agency?

10 A Yes.

11 102 Q Under your supervision?

12 A Yes.

13 103 Q When you say behaved in a way, can you

14 describe that behavior?

15 A I believe it was via telephone. As well

16 as face to face.

17 104 Q And what was the behavior that you are

18 referring to?

19 A It was verbal threats.

20 105 Q Okay. And with respect to the

21 approximately nine other incidents that you

22 are, that you can recall at this point in time,

23 did those involve threats as well?

24 A Some had, yes. I would not be able to

25 provide you with an exact number without

1 actually having to detail every single one of
 2 them out.
 3 106 Q Okay. When you say threats, would it be
 4 threats of violence?
 5 A On a couple of occasions, yes. That I
 6 can recall.
 7 107 Q Would any of the threats have been threats
 8 of reprisal?
 9 A Yes.
 10 108 Q More than one of those occasions?
 11 A Yes.
 12 109 Q And I am just going to refer you to
 13 paragraph 11 of your affidavit now. The first
 14 sentence is, I have never been physically
 15 assaulted while providing social work services,
 16 and I am aware of only one situation where a
 17 social worker under my supervision has had a
 18 physical encounter with a client.
 19 So when you say the word "social worker
 20 under my supervision," I take it there that you
 21 -- or you can correct me if I am wrong, does
 22 that mean that you are aware of other
 23 situations of social workers that weren't under
 24 your supervision that have had physical
 25 encounters with clients?

1 A No, I am talking about specifically as
 2 their supervisor.
 3 110 Q So you are aware of other circumstances
 4 where there has been physical encounters with a
 5 client with social workers, they just went
 6 under your supervision?
 7 A I could not speak for their supervisors.
 8 111 Q Right.
 9 A I don't know -- the information that, a
 10 lot of what, is what you hear, whether it is
 11 factual or not. I couldn't speak to that.
 12 112 Q Okay. And so I take it then that you
 13 have heard of other physical encounters
 14 occurring between social workers and clients?
 15 A Direct physical contact? On one
 16 occasion, yes.
 17 113 Q On one occasion other than the one you are
 18 referencing in paragraph 11?
 19 A Correct.
 20 114 Q Can you, without giving names or
 21 identities, details of that physical encounter
 22 you heard?
 23 A I have to go back here. What was shared
 24 with me, again, this is third party
 25 information. What is was shared with me it was

1 under a circumstance where it was an assigned
 2 file, so the worker had previous knowledge with
 3 the client. Had some concerns was, attended
 4 the home with the assistance of four police
 5 officers, I do believe at the time. And, as
 6 far as I understood, and what was shared with
 7 me is the worker was physically assaulted by
 8 the client.
 9 115 Q Do you have any details with respect to
 10 what the physical assault was?
 11 A I do not.
 12 116 Q Going back to the approximately ten
 13 instances that you referred to in connection
 14 with paragraph 10, and the behavior involved,
 15 was there anything other than threats?
 16 A No.
 17 117 Q Sorry?
 18 A No.
 19 118 Q Okay. My understanding is that your
 20 agency NCN shares office space in Winnipeg with
 21 the KSMA agency?
 22 A That's correct.
 23 119 Q And my understanding is that in March of
 24 2011, those offices that you share were subject
 25 of a lock down?

1 A Yes.
 2 120 Q And that was as a result of threats made
 3 by a client to one of NCN social workers?
 4 A Correct.
 5 121 Q And I have an e-mail here. I will give
 6 you a minute to read it, and you can let me
 7 know when you are done. You have read it?
 8 A Okay.
 9 122 Q That is your name that is copied on this
 10 e-mail?
 11 A Yes.
 12 123 Q Do you recall receiving it?
 13 A Yes.
 14 124 Q And I guess the fourth line is that, A
 15 directive has been given that we send staff
 16 members home, and that our office is to
 17 remained closed for the remainder of the day.
 18 Did that, in fact, happen?
 19 A For KSMA it did.
 20 125 Q For NCN?
 21 A No.
 22 126 Q Did NCN remain open both days?
 23 A Yes.
 24 127 Q Why is it that KSMA closed, but NCN didn't
 25 because the threat was to NCN workers?

1 A I can't speak to KSMA.
 2 128 Q Can you speak for NCN?
 3 A I can speak for NCN.
 4 129 Q Can you advise why?
 5 A We remained open, we had the security
 6 officers there, the doors remained locked. In
 7 that course, what we did was we were screening
 8 our phone calls coming in and out. And when
 9 the security, when anyone was approaching the
 10 door we actually had them sign out, sign out,
 11 identify who they were prior to entry, why they
 12 were at the building.
 13 130 Q The threats that were received, what kind
 14 of threats were they, threats of violence?
 15 A Verbal threats.
 16 131 Q Sorry?
 17 A Verbal threats.
 18 132 Q Were they verbal threats of violence?
 19 A There were, how would I describe, indirect
 20 threats of violence. They were not overtly
 21 saying I would come and physically harm you.
 22 It was in the capacity of a mental health
 23 client. So the threats were more in the nature
 24 of I will make you pay for a decision you have
 25 made, those kinds of, they were not directly

1 related to the worker, more so the agency as a
 2 whole, so we took the precautions that we
 3 needed to.
 4 133 Q And my understanding was that the police
 5 were involved in this incident; is that
 6 correct?
 7 A We notified them. Yes.
 8 134 Q And the third last line, I guess, is that,
 9 The receptionist is changing the outgoing voice
 10 mail to state that callers should contact ANCR
 11 only in cases of emergency. That's correct?
 12 A Receptionist -- I believe so.
 13 135 Q And, that happened with respect to NCN and
 14 KSMA?
 15 A Yes.
 16 136 Q My understanding is that ANCR was
 17 providing those services for two days?
 18 A Yes.
 19 137 Q And the e-mail is from Marilyn Epp, that
 20 is an individual that works at KSMA?
 21 A She does.
 22 **MR. BERNAS:** Can I mark that e-mail as an
 23 exhibit, please.
 24 **EXHIBIT # 2 - E-MAIL.**
 25

1 **BY MR. BERNAS:**
 2 138 Q Just before Mr. Khan was finishing, he was
 3 asking you, he was asking you questions with
 4 respect to your knowledge, or if anyone had
 5 ever told you that your name cannot be
 6 published, at least in the context of child
 7 protection proceedings, do you recall that
 8 questioning?
 9 A Yes.
 10 139 Q And you can correct me if I am wrong, but
 11 I believe I heard your answer was that you were
 12 never led to believe that your name would never
 13 not be published, and that you were, I have the
 14 words down you always had an expectation that
 15 you would be held accountable for your actions,
 16 is that fair, what I am saying?
 17 A Yes.
 18 140 Q Can you tell me what you mean by "be held
 19 accountable"?
 20 A Because, my employment has, is in the
 21 public capacity. And, my employers, whether
 22 it be at previous or now, are in a public
 23 capacity. So in that event, I do not expect,
 24 that my name would be, would not be shared with
 25 people. I am to be held accountable for the

1 decisions that I make. I am to be held
 2 accountable not only to the communities that I
 3 serve with respect to the Nelson House, and
 4 South Indian Lake members, but the public at
 5 large. When I was a Winnipeg Child and Family
 6 Services worker I was a civil service employee,
 7 and I was well aware of that.
 8 141 Q When you say held accountable, you equate
 9 that with having your name, part of that is
 10 having your name published?
 11 A Yes.
 12 **MR. BERNAS:** I have no further questions.
 13 **MR. KAHN:** Anybody else?
 14 **MR. KROFT:** I have only one question in
 15 redirect. Mr. Bernas asked you about a situation
 16 that occurred in March of 2011.
 17 **THE WITNESS:** Mh-hmm.
 18 **MR. KROFT:** At your office, that resulted
 19 in certain measures being taken?
 20 **THE WITNESS:** Mh-hmm.
 21 **MR. KROFT:** You have to say yes or no for
 22 the record?
 23 **THE WITNESS:** Sorry. Yes.
 24 **MR. KROFT:** Is that the incident that you
 25 are referring to in paragraph 10 of your affidavit?


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THE WITNESS: Yes.
MR. KROFT: That is it, thank you.

(CROSS-EXAMINATION CLOSED)

REPORTER'S CERTIFICATE

I, Jill Proctor, Official Court Reporter, hereby certify that the foregoing pages are a true and accurate transcript of the proceedings taken down by me in shorthand and transcribed to the best of my skill and ability.



JILL PROCTOR
 Official Examiner Q.B.

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