

**Commission d'enquête
sur les actions des
responsables canadiens
relativement à Maher Arar**



**Commission of Inquiry into
the Actions of Canadian
Officials in Relation to
Maher Arar**

Audience publique

Public Hearing

Commissaire

L'Honorable juge /
The Honourable Justice
Dennis R. O'Connor

Commissioner

Tenue à:

Salon Algonquin
Ancien hôtel de ville
111, Promenade Sussex
Ottawa (Ontario)

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Held at:

Algonquin Room
Old City Hall
111 Sussex Drive
Ottawa, Ontario

Tuesday, August 2, 2005

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1 Ottawa, Ontario / Ottawa (Ontario)

2 --- Upon commencing on Tuesday, August 2, 2005 at
3 2:00 p.m. / L'audience reprend le mardi 2 août
4 2005 à 14 h 00

5 THE REGISTRAR: Please be seated.
6 Veuillez vous asseoir.

7 THE COMMISSIONER: Good afternoon.

8 MR. DAVID: Good afternoon,
9 Mr. Commissioner.

10 We have Chief Superintendent Dan
11 Killam this afternoon to provide testimony.

12 Do you wish to be sworn or
13 affirmed, Mr. Killam?

14 THE COMMISSIONER: We will just
15 wait until the cameras are finished.

16 MR. DAVID: Oh, I'm sorry.

17 THE COMMISSIONER: Okay?

18 SUPT. KILLAM: Sworn is fine.

19 THE COMMISSIONER: Thank you.

20 SWORN: DANIEL PETER KILLAM

21 THE COMMISSIONER: Your full name?

22 SUPT. KILLAM: Daniel Peter

23 Killam, K-I-L-L-A-M.

24 THE COMMISSIONER: Thank you. You
25 may be seated.

1 EXAMINATION

2 MR. DAVID: So Mr. Commissioner, I
3 remind you of your ruling of last week, July 28,
4 2005, as concerns the scope of Mr. Killam's
5 testimony today.

6 It will be focused and it will be
7 pertaining to an issue that occurred on the 21st
8 of January 2003, at which time Mr. Killam, at the
9 request of his superior, Assistant Commissioner
10 Proulx, requested Mr. Killam to participate in a
11 course that was being offered to various public
12 servants of the Canadian government. It is in
13 that context that Mr. Killam will be providing his
14 testimony.

15 I will also be briefly asking
16 Mr. Killam to provide his basic understanding of
17 the Arar file, Project A-OCANADA, and the state of
18 the investigation as it occurred -- as it stood at
19 that time.

20 If we could file Mr. Killam's
21 curriculum vitae at this time?

22 THE COMMISSIONER: This is
23 Exhibit P-203.

24 EXHIBIT NO. P-203:
25 Curriculum vitae of Daniel

1 Peter Killam

2 MR. DAVID: Thank you.

3 Let me just briefly bring you
4 through certain of the highlights of your career
5 with the RCMP, Mr. Killam.

6 First of all, you joined the Force
7 in 1975?

8 SUPT. KILLAM: Correct.

9 MR. DAVID: I note that in 1987
10 you had experience with a counterterrorist team,
11 and that was the Special Emergency Response Team,
12 SERT, and this was based in Ottawa?

13 SUPT. KILLAM: That's correct.

14 MR. DAVID: After six years with
15 SERT you moved on and actually collaborated as an
16 investigator with two Commissions of Inquiry set
17 up by the federal government?

18 SUPT. KILLAM: That's correct.

19 MR. DAVID: One was the Krever,
20 the blood inquiry, and the other was the Somalia
21 Inquiry?

22 SUPT. KILLAM: That's right.

23 MR. DAVID: I understand at
24 that time you had occasion to meet and work with
25 Ms Edwardh?

1 SUPT. KILLAM: Yes, I did.

2 MR. DAVID: Okay. Then in 1998,
3 you were seconded to head what was called the
4 Sensitive Investigation Section, which was a newly
5 created group, or a unit I should say, within the
6 Military Police with the Department of National
7 Defence?

8 SUPT. KILLAM: Correct.

9 MR. DAVID: And that in June of
10 1999 you returned to the RCMP and you managed and
11 set up a program called the Critical Incident
12 Program, which fell under the auspices of CID at
13 that time?

14 SUPT. KILLAM: Correct.

15 MR. DAVID: More relevant to your
16 testimony today -- and I have divided it into two
17 different phases -- from May 2002 to June 2003 you
18 were appointed within headquarters, within CID,
19 Director-General of the Criminal Intelligence
20 Support?

21 SUPT. KILLAM: Correct.

22 MR. DAVID: You were reporting to
23 Assistant Commissioner Proulx at that time?

24 SUPT. KILLAM: Yes.

25 MR. DAVID: So really, and in

1 terms of your testimony, in terms of the course
2 that you offered in January of 2003, this is the
3 position that you were occupying within
4 headquarters structure --

5 SUPT. KILLAM: That's right.

6 MR. DAVID: -- at that time.

7 You then, from June of 2003 to
8 January of 2005, were appointed or became
9 Director-General of the National Security Unit
10 within CID, which is the Criminal Intelligence
11 Directorate of Headquarters?

12 SUPT. KILLAM: Yes.

13 MR. DAVID: Since January of 2005,
14 you are the CROPS officer of "A" Division?

15 SUPT. KILLAM: Correct.

16 MR. DAVID: If I could just
17 briefly refer you to Exhibit P-12, Mr. Greffier.
18 I would like to refer you to two tabs very
19 quickly. One is Tab 11.

20 Just for the record, to explain
21 that you were occupying -- this is an org chart as
22 of April of 2003, and you were occupying the box
23 called Direct-General National Security?

24 SUPT. KILLAM: That's correct.

25 MR. DAVID: Then if we go to tab 5

1 for the period as of April of 2004, we see your
2 name on this chart, Dan Killam, Chief
3 Superintendent, Direct-General, National Security?

4 SUPT. KILLAM: That's right.

5 MR. DAVID: In both positions you
6 were reporting to Assistant Commissioner Proulx?

7 SUPT. KILLAM: Yes.

8 MR. DAVID: Let's focus a few
9 moments on the time that you are Director-General
10 of CIS, I guess you would call it, or Criminal
11 Intelligence Support, that is the time between
12 May 2002 and June 2003.

13 SUPT. KILLAM: Yes.

14 MR. DAVID: Was this a permanent
15 position? Was this a newly created position?

16 Could you just give us the
17 background for that position and what was your
18 role in that position?

19 SUPT. KILLAM: Well, it was my
20 understanding that the position was created as a
21 result of -- Assistant Commissioner Proulx had
22 quite a bit of extensive travel that he was
23 required to do to fulfil his obligations in the
24 job, and they required someone back at the helm,
25 so to speak, in his absence, and therefore they

1 created that position of Director-General,
2 Criminal Intelligence Support in order to fulfil
3 that function.

4 MR. DAVID: So essentially, in
5 Mr. Proulx's absence, you were the Acting
6 Assistant Commissioner of CID?

7 SUPT. KILLAM: In his presence I
8 would be second in command.

9 MR. DAVID: So people that would
10 normally report to him would be referring to you
11 for guidance and direction?

12 SUPT. KILLAM: When he wasn't
13 there.

14 MR. DAVID: When he wasn't there.

15 SUPT. KILLAM: That's right.

16 MR. DAVID: Mr. Killam, can you
17 indicate roughly how many days in a calendar year,
18 365 days, how many days would you be occupying
19 that position for that time period --

20 SUPT. KILLAM: I haven't
21 calculated specifically, but roughly in a year I
22 probably did 150 working days, somewhere around
23 that. A considerable amount.

24 MR. DAVID: Okay. Finally,
25 in terms of your CV, you have a Bachelor of Arts.

1 You graduated in 1993 from the University of
2 Waterloo?

3 SUPT. KILLAM: Correct.

4 MR. DAVID: You also have a
5 Master's in Public Administration. This is from
6 Queens University, and this you obtained in 2001?

7 SUPT. KILLAM: Yes.

8 MR. DAVID: Is it a fair
9 statement, Mr. Killam, to say that
10 Director-General CIS, this was a position
11 essentially created to support Mr. Proulx in
12 his mandate?

13 SUPT. KILLAM: I would say so.

14 MR. DAVID: When you were Acting
15 Assistant Commissioner during that time period,
16 were you authorized to sign briefing notes on
17 Mr. Proulx's behalf?

18 SUPT. KILLAM: Yes.

19 MR. DAVID: Were you briefed
20 in terms of national security investigations in
21 his absence?

22 SUPT. KILLAM: Yes.

23 MR. DAVID: So is it fair to say
24 that your knowledge of national important --
25 components of national security investigations was

1 part of your responsibility?

2 SUPT. KILLAM: Yes.

3 MR. DAVID: Is it fair to say that
4 you were aware of what A-OCANADA -- the state of
5 the investigation, the important elements of
6 investigation were at any given time?

7 SUPT. KILLAM: Yes.

8 MR. DAVID: Is it also fair to
9 say, Mr. Killam, that you had personal knowledge
10 of the highlights, put it that way, of the Arar
11 affair, of the Arar fact line, as they existed in
12 that time period?

13 I remind you, just for the record,
14 Mr. Arar arrived in New York City on September 26,
15 2002, and was deported from New York City on
16 October 8, 2002. You were in that position from
17 May 2002 to June of 2003.

18 SUPT. KILLAM: As it became more
19 evident in the media, I became aware of Mr. Arar.

20 MR. DAVID: Okay. So can you
21 situate us in time, approximately, when you would
22 say that media attention brought your attention to
23 the Arar affair?

24 SUPT. KILLAM: No, not
25 specifically, but it would have been prior to that

1 January presentation.

2 MR. DAVID: Okay.

3 SUPT. KILLAM: So prior to
4 January 2003.

5 MR. DAVID: Certainly the
6 controversy certainly erupted in the month of
7 October 2002, at which time it was confirmed that
8 Mr. Arar had been deported from the U.S.

9 SUPT. KILLAM: Yes.

10 MR. DAVID: So is it fair to say
11 that from that point on you were briefed --

12 SUPT. KILLAM: As need be, yes.

13 MR. DAVID: -- as need be in your
14 position? Okay.

15 Mr. Killam, before we come to the
16 crux of your testimony, which concerns January of
17 2003, I understand that by way of a lead-up, if I
18 could say, if I could so say, on November 15,
19 2002, you were asked by Mr. Proulx to provide a
20 similar presentation in similar circumstances to
21 the same group. That group I will identify at
22 this point as being the CCMD, which is the
23 Canadian Centre for Management Development.

24 Do you recall providing a
25 presentation, or giving a presentation, in the

1 month of November 2002 to a group that was similar
2 to the group that you addressed in January?

3 SUPT. KILLAM: Yes.

4 MR. DAVID: If you could just tell
5 us the circumstances how that came about, and what
6 was the content of the course? How did you go
7 about giving that presentation?

8 SUPT. KILLAM: It was an
9 invitation that was first offered to Assistant
10 Commissioner Proulx, and as he was not available
11 on that date I was asked to handle the duties.
12 This one was different from the second one because
13 it was in French.

14 I don't recall if it was identical
15 in terms of the topic. It seemed to be similar in
16 the sense that I provided an overview of the
17 program. There are a lot of similarities in the
18 presentation, but I think the second presentation
19 had a little more information as I was a little
20 more familiar with what they might be looking for.

21 MR. DAVID: Okay. I would like to
22 file, Mr. Killam -- at this point you have
23 personal notes. They are not very extensive, but
24 there is a reference to that course in November,
25 and if we could just review that briefly.

1 So this would be Exhibit P-204.

2 THE COMMISSIONER: Exhibit P-204.

3 MR. DAVID: Thank you.

4 EXHIBIT NO. P-204: Personal
5 notes of Daniel Peter Killam

6 MR. DAVID: I refer you to page
7 one of Exhibit P-204, Mr. Killam, and if you could
8 just identify that document for us?

9 SUPT. KILLAM: Yes that is --

10 MR. DAVID: These are based on
11 your personal notes?

12 SUPT. KILLAM: Yes.

13 MR. DAVID: The reference to:

14 "It has been busy for the
15 last couple of days, what
16 with the OMB and CCMD french
17 presentation. Today is the
18 Araar concern that the Force
19 supported the US deportation,
20 not true."

21 Let's just pause on that for a
22 moment.

23 "It has been busy for the
24 last couple of days ..."

25 Is that in terms of the

1 presentation for giving the CCMD course?

2 Is that your reference?

3 SUPT. KILLAM: No, it is a
4 reference to the general workload in that
5 particular directorate.

6 MR. DAVID: Okay. Then the
7 reference that you have in your notes:

8 "Today is the Araar concern
9 that the Force supported the
10 US deportation, not true."

11 Could you just explain what that
12 refers to?

13 SUPT. KILLAM: Usually one of the
14 first things I do in the morning when I come in is
15 review what is being presented in the media with
16 respect to the Criminal Intelligence Directorate
17 or national security, and I am making the
18 assumption that on this day that would have been a
19 newsworthy item, or a title that would have come
20 out in the media. That is how it would have been
21 headlined.

22 MR. DAVID: Okay.

23 SUPT. KILLAM: And the "Not true"
24 would be my position.

25 MR. DAVID: Okay. This would have

1 been a response basically to media reports?

2 SUPT. KILLAM: Yes.

3 MR. DAVID: Or notes or comments
4 of yours to media reports?

5 SUPT. KILLAM: Yes.

6 MR. DAVID: Okay. Do you recall,
7 Mr. Killam -- I don't know if this refreshes your
8 memory -- there was a context where in
9 mid-November Minister Graham had met with
10 Mr. Powell from the State Department. Was that,
11 in reference possibly to the meeting between
12 Mr. Graham and Mr. Powell?

13 SUPT. KILLAM: I couldn't say.

14 MR. DAVID: Okay. We come now to
15 your presentation, the second presentation, and
16 this was on the 21st of January.

17 We can go to your personal notes
18 at this point, and there is a reference to this
19 event. There is a reference, first of all, to
20 climatic conditions. I guess these are old habits
21 from the days you were on patrol, and it says:

22 "Paper and prepare for
23 0999 CCMD presentation. Went
24 well despite being late.
25 Spot on, superb was the

1 comment from Sonia."

2 So if you could just tell us what
3 those notes are about?

4 SUPT. KILLAM: Well, obviously the
5 first one relates to the temperature that
6 day, minus 34 with the wind chill.

7 "Paper." I came into the office
8 and I did paperwork and then I was preparing for
9 the 9 o'clock presentation that I was required to
10 do. Then "It went well", despite the fact I was
11 about 10 minutes late, the cab got lost. But at
12 the end of it the comment from Sonia Paquette, who
13 was the course administrator, as it were, she said
14 it was "Spot on" in terms of what they were
15 looking for in terms of material.

16 MR. DAVID: Okay. Obviously these
17 notes, you wrote them after the presentation,
18 after the day's events.

19 SUPT. KILLAM: Yes.

20 MR. DAVID: Let's go to the course
21 content per se. I would like to refer you to a
22 few documents now. If you could first of all,
23 maybe go to Exhibit P-69 -- no, you will have to
24 change volumes, Mr. Killam.

25 --- Pause

1 MR. DAVID: As well, if you could
2 pull out, Mr. Bresson, Exhibit P-73.

3 Thank you.

4 I refer you to Exhibit P-69,
5 Mr. Killam, and there you have what are described
6 as being the objectives of this course. The
7 course is identified in the top left-hand corner
8 as being "Canada in the World."

9 Do you recall that being the
10 general theme?

11 SUPT. KILLAM: Yes.

12 MR. DAVID: Okay. How did the
13 RCMP fit into this day's presentation? What was
14 your understanding of what was to occur that day
15 in terms of the RCMP's participation?

16 SUPT. KILLAM: Well, with respect
17 to this document, I hadn't seen this. I have no
18 recollection of seeing the document. I had
19 several telephone and e-mail conversations with
20 Sonia Paquette around the content, generally
21 speaking, what did she want me to speak about.

22 MR. DAVID: Expectations?

23 SUPT. KILLAM: Expectations. It
24 was based on those discussions that I had the
25 presentation put together in the way it was put

1 together.

2 MR. DAVID: So you were actually
3 responsible for compiling the content of the
4 presentation?

5 SUPT. KILLAM: Well, I think I had
6 somebody prepare it for me.

7 MR. DAVID: But in terms of
8 direction, it was --

9 SUPT. KILLAM: Yes.

10 MR. DAVID: -- your direct
11 involvement that made the content of the course
12 what it was?

13 SUPT. KILLAM: Yes.

14 MR. DAVID: Okay. What was the
15 focus of the RCMP's participation? I understand
16 that there were many different agencies involved
17 and that the actual course lasted three days and
18 that the RCMP component was just one of the facets
19 of that.

20 If you wish, you can go to
21 Exhibit P-73 and maybe we could just briefly look
22 at the program.

23 --- Pause

24 If you go to the seventh page,
25 Mr. Killam, of Exhibit P-73. You may have

1 separate tabs there, I'm sorry, I don't have the
2 tabs.

3 MS EDWARDH: Tab 3.

4 MR. DAVID: Tab 3. Thank you.

5 You see there are three days'
6 events that are described, and your event is
7 module 6. It's on day 2.

8 Again, I'm asking you just to
9 describe what was your understanding of the reason
10 for being there and what was the request made of
11 the RCMP in terms of the RCMP's participation?

12 SUPT. KILLAM: Well, it was my
13 understanding that the course was made up largely
14 of public servants from various government
15 departments and that my segment dealt with our
16 particular agency, how it is we have structured
17 yourself since 9/11, and how is it that we work --
18 do we complement one another in terms of our work?

19 For some government agencies it is
20 not always clear to them to what extent they might
21 be involved in something we are doing and it was
22 to show the partnerships, the integrated aspect of
23 it and the need to work together. That is
24 essentially it.

25 MR. DAVID: So it was clear in

1 your mind that you were not addressing a police
2 audience. It was a civilian-based audience in
3 terms of the Government of Canada, but other
4 agencies than the RCMP?

5 SUPT. KILLAM: I wouldn't go so
6 far -- civilian in the sense they weren't in the
7 RCMP, but they were -- as I understood it, there
8 were security clearances required for some of the
9 places they were going to visit. They were
10 colleagues from within the federal government so
11 they are all working together for a similar
12 objective, that had different parts to play that
13 may not have necessarily understood where we would
14 fit in with them and vice versa and how we could
15 complement one another's activities.

16 MR. DAVID: Was this essentially a
17 bridge-building exercise with these other Canadian
18 government agencies?

19 SUPT. KILLAM: That would be one
20 of the objectives, I'm sure.

21 MR. DAVID: How many people
22 attended this program, a rough estimate of what
23 you recall?

24 SUPT. KILLAM: Twenty-ish to 30.

25 MR. DAVID: Okay. How long was

1 your presentation, Mr. Killam, in all? You were
2 there for --

3 SUPT. KILLAM: It was probably 40,
4 45 minutes. I think they had a coffee break at
5 the end. I came in, I gave my presentation, they
6 asked a few questions, and then I left. I didn't
7 stay for the coffee.

8 MR. DAVID: You explained already
9 that part of the presentation was explaining the
10 role of the RCMP and the activities of the RCMP in
11 the post-9/11 environment?

12 SUPT. KILLAM: Yes.

13 MR. DAVID: That is one of the
14 components.

15 You were also explaining how the
16 RCMP fits into the overall government approach to
17 responding to the crisis brought on by 9/11?

18 SUPT. KILLAM: Well, yes. I
19 mean, I had given them a broad overview of
20 Interpol, our liaison officers overseas, the way
21 we work in terms of organized crime and those
22 types of issues.

23 MR. DAVID: Okay. You had a
24 PowerPoint presentation for your talk?

25 SUPT. KILLAM: Yes.

1 MR. DAVID: Again, if I can refer
2 you to Exhibit P-73, and that would be, I believe,
3 the next tab.

4 Could you just identify if those
5 are the actual slides that were shown that day.

6 THE COMMISSIONER: I think
7 it's tab 5.

8 MR. DAVID: Tab 5. Thank you.

9 SUPT. KILLAM: Thank you, sir.

10 --- Pause

11 SUPT. KILLAM: That appears to be
12 correct.

13 MR. DAVID: I'm not going to bring
14 you through each of those tabs, but they reflect
15 the course content of your presentation?

16 SUPT. KILLAM: Yes.

17 MR. DAVID: Did you have
18 additional talking notes, talking points, other
19 than these slides?

20 SUPT. KILLAM: I believe I did. I
21 was unable to find the notes.

22 MR. DAVID: Was this the first
23 time in your career with the RCMP that you were
24 giving a presentation to this kind of group, this
25 kind of audience. Apart from the November 15th,

1 obviously, but terms of experience, is this
2 something that was common to your experience or is
3 this a new thing for you?

4 SUPT. KILLAM: No, I wouldn't
5 say it was a new thing. I have given it to
6 universities, I have given it to no end of
7 different types of law enforcement. I have
8 given it internationally. So, no, it is not the
9 first time.

10 MR. DAVID: Okay. We are going to
11 come now to your actual interaction with one of
12 the participants in this group. That person has
13 provided testimony before this Commission already.
14 Her name is Roberta Lloyd.

15 Did the name Roberta Lloyd mean
16 anything to you on this date?

17 SUPT. KILLAM: No.

18 MR. DAVID: Since this time you do
19 understand who Ms Lloyd is?

20 SUPT. KILLAM: Yes.

21 MR. DAVID: Do you recall,
22 Mr. Killam, having had any discussions or any
23 questions being put to you from the participants
24 at this conference on this day?

25 SUPT. KILLAM: I recall questions

1 being asked, yes.

2 MR. DAVID: Okay. The questions
3 that were being asked of you, were they being
4 presented to you during your presentation or was
5 it more towards the end? If you can just --

6 SUPT. KILLAM: I do it rather
7 informal. I don't recall any questions through
8 the course. There are no questions that stick to
9 my mind. At the end there is an opportunity to
10 ask questions and one particular individual's
11 question remains with me.

12 MR. DAVID: Okay. Do you recall
13 if there were any other questions or interventions
14 from other people than this person that remained
15 with you, as you say?

16 SUPT. KILLAM: Were there any
17 other questions?

18 MR. DAVID: Yes. Were there
19 other people --

20 SUPT. KILLAM: I believe there
21 were other questions, but there was nothing that
22 reminds me of what the question was.

23 MR. DAVID: Okay. So could you
24 describe that intervention from the person?

25 First of all, why don't

1 you describe for us who this person was, as
2 you recall?

3 SUPT. KILLAM: I just recall it
4 was a lady sitting to the left of me, deep within
5 a table of individuals. I know I had been
6 responding to questions throughout, but this
7 question -- when a question was asked, and I can't
8 remember the specific words, but it was something
9 to the effect -- because I think that I had
10 finished my presentation.

11 If you could turn to the last
12 slide before the question?

13 MR. DAVID: You are referring now
14 to the PowerPoint presentation?

15 SUPT. KILLAM: That's correct.

16 MR. DAVID: The last slide is
17 entitled "Question". The before-last slide is
18 called "Conclusion".

19 SUPT. KILLAM: So the fourth point
20 bullet on the bottom says:

21 "The RCMP will be steadfast
22 in not only maintaining safe
23 homes and safe communities
24 for all Canadians, but for
25 the global community as

1 well." (As read)

2 Then I opened it up to questions.

3 MR. DAVID: Well, before maybe
4 talking about the questions, talk about this
5 point. What was the message that was being
6 delivered here that you were trying to
7 communicate?

8 SUPT. KILLAM: That the RCMP is
9 going to be steadfast in maintaining safe homes
10 and safe communities for everyone.

11 MR. DAVID: Did you give any
12 further content to this --

13 SUPT. KILLAM: No.

14 MR. DAVID: -- the point that you
15 were trying to make?

16 SUPT. KILLAM: No.

17 MR. DAVID: So this brought on,
18 you were saying, somebody's intervention?

19 SUPT. KILLAM: Yes. A lady, later
20 I guess identified as Roberta Lloyd, made a
21 comment something to the effect, "How can
22 Canadians feel safe when Mr. Arar has been
23 deported to Syria?", or words to that effect.
24 Mr. Arar's name was mentioned and "deported", and
25 that was my impression of the message, my

1 perception of it today. Word for word, I
2 couldn't -- can't remember it.

3 MR. DAVID: What was the tone
4 of the question? How was it presented to you?
5 How did you perceive it I guess is what I am
6 asking you?

7 SUPT. KILLAM: I guess it was --
8 it was not a question, "Well, tell us how we can
9 feel safe?" There was more of a confrontational
10 edge to it, "How can we feel safe when ..." and so
11 on. So there was a bit of a challenge in that.

12 MR. DAVID: What was your reaction
13 to this question or statement by Ms Lloyd?

14 SUPT. KILLAM: Well, I was
15 surprised initially because it was completely out
16 of context with what I was talking about.

17 MR. DAVID: Had the name of Maher
18 Arar at any point arisen during your presentation?

19 SUPT. KILLAM: Not once.

20 MR. DAVID: Had any references
21 been made to particular investigations of the RCMP
22 during your presentation?

23 SUPT. KILLAM: No.

24 MR. DAVID: So there was clearly
25 no reference to actual operations or actual events

1 unfolding within the national security domain?

2 SUPT. KILLAM: No.

3 MR. DAVID: So my question to you,
4 Mr. Killam, was your reaction. You felt that it
5 was out of place?

6 SUPT. KILLAM: I believe first of
7 all, it was out of place.

8 Second of all, presumably I was in
9 an area with middle managers from various
10 government departments that were being groomed to
11 move on to higher positions within the federal
12 government and were learning the ropes, as it
13 were, people that are used to gathering an awful
14 lot of information from a wide variety of sources
15 in order to make a balanced decision on
16 situations, and I'm being asked a question about a
17 situation that is very complex and dealing with
18 international entities.

19 Clearly, in my view, it would be
20 on the strength of media reporting solely and,
21 therefore, I thought it was surprising that
22 someone from this room would have taken such a
23 firm position. It wasn't quizzical. It was a
24 position was taken and a conclusion had been drawn
25 and only half the information was available, only

1 the media portion. So that kind of surprised me.

2 MR. DAVID: You are referring to
3 media reports. I mean, did the question refer to
4 media reports or is this just something that you
5 are presuming it was based on how the situation
6 had been portrayed --

7 SUPT. KILLAM: I don't know of any
8 other reporting on Mr. Arar that was in the public
9 domain beyond what I was reading in the media. As
10 you mentioned previously, there were media reports
11 with respect to this situation that were floating
12 around in the media at that time.

13 MR. DAVID: Yes.

14 SUPT. KILLAM: It was not clearly
15 from a knowledge of the national security side nor
16 from, in my view, knowledge of what was going
17 internationally and that type of thing.

18 Additionally, it was speaking of
19 deportation and things that the RCMP has no
20 control, ability to influence, or otherwise.

21 MR. DAVID: So with this
22 statement, with this question being asked of you:
23 "How is it that we can feel safe when you look and
24 see what happened to Maher Arar?", which is
25 essentially the gist of what she was saying.

1 How do you respond, Mr. Killam?

2 SUPT. KILLAM: The number one
3 thing to remember is, I am not going to discuss an
4 operational investigation in any forum, publicly
5 or otherwise. I was trying to find a way to
6 gently step away from the question and move on.

7 But I think my comment to Ms Lloyd
8 was -- because when I heard the question and the
9 content of it, I said, "You can't believe
10 everything that you read in the media." I think I
11 made further comments to the effect, "There are
12 two sides to every story." At some point I made a
13 comment with respect to, "Not to worry. The RCMP
14 will continue to look after the safety of
15 Canadians."

16 MR. DAVID: Did she make further
17 comments to you?

18 SUPT. KILLAM: I don't believe so.
19 I think the entire dialogue, if it lasted
20 30 seconds I would be surprised.

21 MR. DAVID: Did anybody else sort
22 of come in on this discussion? Did anybody else
23 pick up on the themes that you and Ms Lloyd were
24 developing in this regard?

25 SUPT. KILLAM: No.

1 MR. DAVID: So essentially you had
2 a message of -- and I don't want to paraphrase
3 you, I don't want to misquote you, but
4 basically -- do you want to just repeat what you
5 have said? I don't want to -- like I say, I want
6 to be -- you are saying that basically you can't
7 believe everything that you read in the media.

8 Is that the message that you are
9 trying to express?

10 SUPT. KILLAM: Again, you are
11 sitting in a room with senior managers who are
12 trained to look for all sorts of information,
13 informed decision-making, and here we had an
14 individual who had reached a conclusion on a
15 situation which, in my view, would be clearly a
16 part of the story, and was moving forward in a
17 less-than-neutral fashion and making allegations
18 about the RCMP, because I seemed to be
19 representing the RCMP at that point.

20 MR. DAVID: Is it fair to say
21 that you felt -- maybe "attacked" is too strong,
22 but you were asked to defend maybe actions, or how
23 the Force had been involved in the Arar affair?

24 SUPT. KILLAM: That is essentially
25 what I felt coming from Ms Lloyd.

1 MR. DAVID: So in referring to the
2 fact that, you know, you have to -- would it be
3 fair to say that you have to be careful with media
4 reports and what you understand of a situation?

5 Is that a --

6 SUPT. KILLAM: I think it is more
7 before you make a decision you should try to get
8 as much information as possible.

9 MR. DAVID: From that statement,
10 before you make a decision you should have all
11 the facts or as much information as possible,
12 could a person not infer from that that you were
13 implying that maybe there was something to the
14 story, that you were in a way indirectly
15 confirming that there was smoke in this file and
16 that somehow Mr. Arar perhaps was involved in some
17 sort of terrorist activity?

18 SUPT. KILLAM: I can't speak to
19 what she was thinking, but that wasn't the intent
20 of the comment.

21 MR. DAVID: So do you want to
22 tell us about what you intended in replying as
23 you did?

24 SUPT. KILLAM: As I just mentioned
25 previously, it was in a defence of the RCMP in a

1 sense, because I was being asked to defend
2 something that it was clearly well beyond the
3 control of one agency or multiple -- it was a very
4 complex issue, and that this individual had based
5 an opinion solely on media reporting and had a
6 part of the story. Therefore, it was more the
7 attack on myself may have been unwarranted until
8 she had all the facts.

9 MR. DAVID: Okay. Did you in any
10 way insinuate or intimate or say anything that
11 would have led somebody to understand that
12 basically what happened was justified, that the
13 actions of the Americans in deporting Mr. Arar
14 were somehow explainable or justified?

15 SUPT. KILLAM: That wasn't the
16 intent of my comments.

17 MR. DAVID: Okay. And let me ask
18 you your personal position, Mr. Killam.

19 When you found out that Mr. Arar
20 had been deported in October of 2002, how did you
21 personally, as a police officer within the RCMP,
22 what was your reaction to this occurrence?

23 SUPT. KILLAM: Surprise.

24 MR. DAVID: Anything else that you
25 would like to say about -- I mean, other than

1 surprise. I understand. But did you pass -- make
2 a judgment on what had happened?

3 SUPT. KILLAM: Well, I was not
4 aware of what information anyone else possessed to
5 make their decisions. I was only aware of the
6 information that I had, so therefore I was a
7 little surprised at their decision.

8 MR. DAVID: Okay. Those are
9 essentially my questions, Mr. Commissioner.

10 This is with accord with
11 correspondence that was exchanged between
12 Mr. Fothergill and myself, I would like to read
13 into the record a letter that I sent
14 Mr. Fothergill which was a pursuance, basically,
15 of the events surrounding this conference.

16 Let me read the letter and this
17 will form part of the record.

18 "I refer to your letter dated
19 January 11, 2005. Thank you
20 for sending another copy of
21 the list of participants.
22 Between July 13 and July 15,
23 2005, I communicated with a
24 sample group of attendees."

25 (As read)

1 We have heard, as you know,
2 testimony from Mr. Killam today and also from
3 Ms Lloyd that there were approximately 25 to
4 30 people there. I identify them in my letter.
5 They are Terry Byrne(ph), Maureen Katz(ph), Cobra
6 Murmanesh(ph), Edward Pozmanski(ph), Pierre
7 Roberge(ph), Peter Wallace(ph) and Sylvain
8 Wilson(ph).

9 "In no case did any of these
10 attendees recall a discussion
11 concerning Maher Arar during
12 Mr. Dan Killam's
13 presentation. All were
14 cooperative and forthcoming
15 with this information.

16 In conclusion, we will
17 not be calling additional
18 evidence in this regard other
19 than Dan Killam's."

20 (As read)

21 So those are my questions.

22 Thank you.

23 THE COMMISSIONER: Ms Edwardh?

24 MS EDWARDH: Thank you very much.

25 I just have a few questions.

1 EXAMINATION

2 MS EDWARDH: Chief Superintendent,
3 I wonder if I could go over a number of points
4 that you have made.

5 First is to start with your
6 presentation as it is set forth under tab 5 in the
7 exhibit we have. I am just going to look at the
8 third-last page, if I could, with you.

9 In talking about the post-9/11
10 environment, would it be fair for us to glean from
11 this slide and your probable comments, if you can
12 recall, that you talked to the group about the
13 need for effective information-gathering and
14 sharing with all the partners?

15 SUPT. KILLAM: That would be fair.

16 MS EDWARDH: And it is also
17 the case that you certainly invited anyone in
18 the audience who had a question of you to pose
19 their questions?

20 SUPT. KILLAM: Yes.

21 MS EDWARDH: Now, in asking you to
22 recall, as Commission counsel has done, your
23 language and Ms Lloyd's language, I think it is
24 been fair to say you have been quite candid, you
25 cannot today, many months later, quote with any

1 accuracy the precise question posed to you or your
2 precise answer?

3 SUPT. KILLAM: No.

4 MS EDWARDH: Now, I just want to
5 turn to a little bit more of the context and see
6 whether your memory of events will be refreshed.

7 We have certainly heard a great
8 deal of evidence about certain issues that were
9 occurring in the fall of 2002. We know that
10 Mr. Arar is sent to Syria, and then sometime in
11 October, in a well-publicized series of
12 statements, the U.S. Ambassador, Ambassador
13 Cellucci, started to make comments that implicated
14 the RCMP. He made comments at various functions,
15 and we have seen them throughout the record, where
16 he said things like, "Canadian officials should
17 know why Mr. Arar was sent to Syria or was
18 deported", "That the U.S. was acting only on
19 Canadian information", and in effect, ultimately
20 on October 16th made the statement that Canadian
21 officials approved of his being sent to Syria.

22 I would take it that those kind of
23 statements generally, which were well-reported in
24 the media, would have come to your attention?

25 SUPT. KILLAM: Yes.

1 MS EDWARDH: Certainly it is also
2 our understanding that at this time the RCMP made
3 a decision that their media response to the
4 Ambassador's utterances would be to say that they
5 would not confirm or deny an ongoing investigation
6 in respect of Mr. Arar.

7 Does that sound familiar?

8 SUPT. KILLAM: Yes.

9 MS EDWARDH: Now, just to
10 remind you of the nature of the media publicity,
11 it would be fair to say that in this time period
12 it was intense?

13 Indeed, I am going to suggest that
14 by the end of October significant numbers of
15 details had emerged, indeed Corporal Randy
16 Buffam's name had even been printed in the
17 newspaper as one of the officers who had attended
18 at Mr. Arar's residence.

19 Do you recall that?

20 SUPT. KILLAM: Yes.

21 MS EDWARDH: Were you aware, sir,
22 that in addition to these comments by the
23 Ambassador -- I take it those comments would have
24 been of concern to you as a senior officer?

25 SUPT. KILLAM: Yes.

1 MS EDWARDH: In November of 2002
2 another significant event occurred and I want to
3 just see whether you were aware of it.

4 There was a document that we
5 have described as a bout de papier -- I'm sure I'm
6 pronouncing that wrong and Commission counsel can
7 correct me later -- but it was a three paragraph
8 document that had been brought by Ambassador
9 Pillarella back to Canada, provided for
10 translation to the Canadian Security Intelligence
11 Service, and then a copy of which was given to the
12 RCMP.

13 Broadly it was described as a
14 confession or statement of Mr. Arar where it was
15 said that he admitted to spending time in
16 Afghanistan and that he had trained in Mujageddin
17 camps in 1993.

18 Would you be aware of that kind of
19 information flowing through to A-OCANADA around
20 that time?

21 SUPT. KILLAM: I can't say when I
22 became aware of it, but I don't believe I was
23 aware of it when it initially came.

24 But I am aware of the document.

25 MS EDWARDH: Would you have become

1 aware of it, let's say within a couple of months,
2 of its arrival back? Because we gather it was the
3 subject of a multi-departmental meeting that
4 ultimately ended with a decision that it would be
5 appropriate for CSIS to travel to Syria.

6 SUPT. KILLAM: I can't say for
7 sure, ma'am. I know that I wasn't involved in any
8 of those discussions because, as I mentioned
9 before, when Richard Proulx was back, Assistant
10 Commissioner Proulx, he would be involved in a lot
11 of those discussions and so then you end up with
12 gaps where I was not involved in these --

13 MS EDWARDH: Fair enough.

14 It would be correct for us to
15 conclude, though, when Commissioner Proulx took
16 over from you, and then you had to reassert
17 yourself if he had to disappear and go on to other
18 duties, that you would have to generally keep
19 yourself well-informed of what had happened in
20 case you were put into a decision-making mode?

21 SUPT. KILLAM: Yes.

22 MS EDWARDH: In addition to the
23 good Ambassador's remarks that seem to indicate
24 that certainly information had been provided, on
25 November 14th -- and we have heard a lot about

1 this date -- Secretary of State Powell met with
2 Minister Graham and, among other things, left a
3 clear message that the RCMP had been complicit in
4 Mr. Arar's rendition to Syria.

5 You would have become aware of
6 that fact?

7 SUPT. KILLAM: Yes.

8 MS EDWARDH: Now, that kind of
9 statement would obviously have been of
10 considerable concern to you as well?

11 SUPT. KILLAM: Yes.

12 MS EDWARDH: So if you were to
13 look at your note on November 15th, might it be
14 that -- I have to find your note again here.

15 SUPT. KILLAM: I have it.

16 --- Pause

17 MS EDWARDH: This is the day after
18 Secretary of State Powell made these remarks,
19 which were also publicized.

20 Would this kind of note perhaps be
21 a function of building a response to the
22 information put into the public domain by
23 Secretary of State Powell?

24 SUPT. KILLAM: Well, the reason I
25 would make that comment, ma'am, is because when I

1 read the media in the morning, we go to a meeting
2 at 8:15, and they will say, "This has come out in
3 the media. Get further information on it."

4 It would be my recollection that
5 that comment would be with respect to a media
6 article that came out and that we are going to
7 have to find out more about it.

8 MS EDWARDH: Fair enough. The
9 media that probably was out November 15th, the day
10 after Secretary Powell spoke --

11 SUPT. KILLAM: Probably.

12 MS EDWARDH: -- and saying that
13 the RCMP was complicit, that would be the kind of
14 thing that would draw your attention to an issue.

15 Might I suggest that this is
16 not so much an answer to it but a need to
17 investigate it?

18 SUPT. KILLAM: Not necessarily.

19 MS EDWARDH: Would it be the case
20 that you would just conclude "Not true," without
21 having made further inquiries?

22 We know ultimately you did do a
23 review. But as of this date, I'm going to suggest
24 you would not have been in a position to exclude
25 the possibility. Indeed, that is why you were

1 subsequently tasked with the review.

2 SUPT. KILLAM: I wouldn't share
3 that view, ma'am.

4 I think that I had possession of
5 sufficient detail to understand what it is we had
6 done, and I don't know how they would come to that
7 determination.

8 I couldn't speak to why they said
9 what they said. I knew what our position was.

10 MS EDWARDH: All right. Certainly
11 subsequently your superiors did give you the task
12 of conducting a review.

13 SUPT. KILLAM: Yes.

14 MS EDWARDH: I can't go into that.

15 Now, in this same month we begin
16 to see -- and this is all leading up to your
17 discussions in January.

18 In November, again, we have the
19 Ottawa Citizen, which is an eager publisher of
20 information, on November 18th indicating that
21 Arar -- I think this is a fair synopsis -- that
22 the RCMP had received information from the United
23 States which did, in fact, show or support the
24 conclusion that Mr. Arar was a member of al-Qaeda.

25 This is all in November. I just

1 want to establish this, because I think the
2 record, in all respects, supports this. At that
3 time, the RCMP had not received information from
4 the United States.

5 Is that fair?

6 SUPT. KILLAM: Yes.

7 MS EDWARDH: So this little bit of
8 information, that somehow was put into the public
9 domain through the newspaper is not accurate?

10 SUPT. KILLAM: Not in my view.

11 MS EDWARDH: Right. Now, you will
12 agree with me, sir, that at this time, because in
13 part of the comments made publicly by the
14 Secretary of State and also the Ambassador, there
15 was very considerable public concern about whether
16 the RCMP had any role?

17 SUPT. KILLAM: Excuse me,
18 "had any ...?"

19 MS EDWARDH: Had any role in
20 Mr. Arar's rendering to Syria?

21 You will agree there was
22 considerable public concern?

23 SUPT. KILLAM: Yes.

24 MS EDWARDH: That concern
25 certainly was reflected in the amount of media on

1 this issue?

2 SUPT. KILLAM: Yes.

3 MS EDWARDH: I assume, sir --
4 and we have heard it in respect of a later
5 date -- that members of the RCMP would have been
6 concerned about what the apparent criticism of the
7 Force was?

8 SUPT. KILLAM: Yes.

9 MS EDWARDH: Looking specifically
10 at your words, if I could for a moment?

11 Essentially, when you were
12 first asked a question, you made the statement
13 that a person can't believe everything that they
14 read in the media and there are indeed two sides
15 to every story."

16 Do you recall that?

17 SUPT. KILLAM: Words to that
18 effect, yes.

19 MS EDWARDH: Yes. I'm just going
20 to put to you that certainly in the context of all
21 the press that had been going on about the RCMP's
22 involvement and the use of information from the
23 Canadian Force, that the suggestion that there are
24 two sides to every story, or some idea that is
25 similar, sir, could have led a reasonable person

1 to draw the inference that there was information
2 about Mr. Arar that was different from the side of
3 the story that was being put forward? Indeed,
4 that is what the newspapers were saying.

5 SUPT. KILLAM: So is your question
6 that that is what I conveyed?

7 MS EDWARDH: No, that it would
8 be reasonable for the listener to draw that
9 conclusion.

10 SUPT. KILLAM: Not in the way I
11 said it that day, I didn't believe.

12 MS EDWARDH: All right. So a
13 reasonable person couldn't have misunderstood you?

14 SUPT. KILLAM: Well,
15 "reasonable" --

16 MS EDWARDH: Reasonable --

17 SUPT. KILLAM: You can always be
18 misunderstood, ma'am.

19 MS EDWARDH: Right. And
20 reasonable people may disagree?

21 SUPT. KILLAM: Yes, ma'am.

22 MS EDWARDH: But as soon as you
23 import the idea that there are these two sides to
24 a story, then it certainly would indicate to
25 someone listening that there is a side that is

1 part of the public -- certainly Mr. Arar's family
2 had protested his innocence -- and you are the
3 senior officer saying "But there is another side
4 to this."

5 So it is very reasonable, I'm
6 going to suggest, that someone would conclude from
7 that that there was information or evidence that
8 you had that may tell a different story.

9 SUPT. KILLAM: Yes.

10 MS EDWARDH: Thank you.

11 I say that because when I look at
12 other comments that have been made subsequently --
13 and they are not attributed to you, Chief
14 Inspector, at all -- but we have looked at and
15 filed before this inquiry comments that are
16 attributed to senior intelligence sources, senior
17 government officials, whoever they may be, but
18 they have clearly made it -- put into the public
19 domain that Mr. Arar isn't the innocent, Mr. Arar
20 was in fact at a training camp -- and for
21 everyone's reference I'm looking at the CTV story
22 and also the Juliet O'Neill article. But those
23 kinds of things have been put into the public
24 domain, if one accepts the papers, by Canadian
25 officials or by members of the Force, whichever.

1 But it is not dissimilar to the message that
2 Ms Lloyd heard you give, except yours, of course,
3 lacked any specifics.

4 MR. FOTHERGILL: Commissioner, to
5 the extent that we are placing any reliance on the
6 O'Neill article in this context, I think it is
7 after the date of Chief Superintendent Killam's
8 presentation, unless I'm mistaken.

9 MS EDWARDH: Oh, absolutely,
10 it is.

11 THE COMMISSIONER: The other one
12 was, too, yes.

13 MS EDWARDH: Yes. They are all
14 after. But I'm just talking about the similarity
15 of the message.

16 THE COMMISSIONER: Right.

17 SUPT. KILLAM: Could you run that
18 by me one more time, please?

19 MS EDWARDH: Sure, I will. I will
20 be more specific so that I don't mislead.

21 Could you please provide to the
22 Chief Inspector Exhibit P-80?

23 I was hoping to do this the really
24 fast way.

25 SUPT. KILLAM: Exhibit P-80?

1 MS EDWARDH: Yes, Exhibit P-80.

2 --- Pause

3 MS EDWARDH: This is a bundle of
4 documents that are newspaper articles taken from
5 the Ottawa Citizen. It doesn't actually have the
6 Juliet O'Neill article in it, but this is the gist
7 of the kinds of statements.

8 If I could take you to the bottom
9 of the left-hand column on the first page?

10 "With the approval of
11 Canada's police and spy
12 agency, the U.S. deported
13 Maher Arar, a Syrian-born
14 Canadian citizen, who U.S.
15 authorities say has ties to
16 al-Qaeda, to Syria after he
17 was detained while returning
18 to Canada from a vacation in
19 Tunisia last September."

20 (As read)

21 Then if you go over to the
22 right-hand column, second paragraph:

23 "One official would only tell
24 CanWest News Service that
25 Mr. Arar, a 36-year-old

1 Ottawa engineer, is a `very
2 bad guy' who apparently
3 received military training at
4 an al-Qaeda base. The
5 official refused to provide
6 further detail, suggesting
7 ongoing intelligence
8 operations are behind the
9 secrecy." (As read)

10 Then if you just go over to
11 page -- this is just a sampling. We have lots of
12 these. I'm sorry, the O'Neill article is in here.

13 I want to go to page 7 of this.
14 Again we have an Ottawa Citizen article, again by
15 Robert Fife, source CanWest News Service.

16 In the right-hand column, third
17 paragraph -- I'm sorry, second full paragraph:

18 "`This guy is not a virgin,'
19 said a senior Canadian
20 intelligence source speaking
21 on background. `There is
22 more than meets the eye
23 here.'" (As read)

24 Then going down that same
25 page, skip over the paragraph below to the

1 next paragraph:

2 "Mr. Martin has access to a
3 minute-by-minute day-by-day
4 file on Mr. Arar, including
5 evidence that the RCMP, while
6 it shared information on
7 Mr. Arar with the U.S., did
8 not encourage the Americans
9 to deport him." (As read)

10 But my only point here is,
11 certainly there were officials in the government,
12 and/or in the RCMP, who were prepared to say
13 publicly -- later than it is attributed to you,
14 sir -- that Mr. Arar was not to be simply
15 understood as an innocent but really was a bad guy
16 who had connections to terrorist activity.

17 SUPT. KILLAM: Well, I'm not aware
18 of any RCMP officials that have made any such
19 statement. I have read the other articles, as you
20 have, from the other sources, but I'm not
21 personally aware of anyone that has done that.

22 MS EDWARDH: Well, all of these
23 people who are speaking as government officials or
24 intelligence officers are speaking either on
25 background or on a promise of confidentiality.

1 So one wouldn't necessarily expect
2 you to be aware, sir.

3 Is that fair?

4 SUPT. KILLAM: That's fair.

5 MS EDWARDH: Now, given the
6 similarity of these messages I want to give you an
7 opportunity to just comment on Mrs. Lloyd's view
8 of what you were saying.

9 I mean, there really is a
10 consistent message sent out through these various
11 statements and I want you to have the opportunity
12 to comment on that similarity.

13 MR. FOTHERGILL: Commissioner,
14 before the witness answers, can we just make it
15 absolutely clear for the purposes of the record
16 that each one of the articles that have just been
17 referred to was published after the date that
18 Ms Lloyd asked her question?

19 THE COMMISSIONER: Right.

20 MS EDWARDH: I should add one more
21 dimension of this, and my friend can put this in
22 the -- I don't have the date in front of me,
23 Mr. Commissioner, but I know that Ms McDonough
24 testified as well that in the fall period she met
25 with and spoke with Minister Graham and that over

1 the period from the fall to the spring she
2 certainly got the message that she interpreted as
3 there is more to be seen -- or more to know about
4 this situation than is being seen and to be
5 concerned about getting involved in the case.

6 So I think the message being sent
7 to various individuals at various times certainly
8 falls both before and after, as I recall
9 Ms McDonough's evidence.

10 But I want the officer to have an
11 opportunity to comment on the similarity of that
12 and whether an inference can be drawn that that
13 really was a message being put out into the
14 domain, the public domain -- "public" by, I mean,
15 government officials.

16 SUPT. KILLAM: Well, the message I
17 was intending to communicate that day was, "Get
18 all the facts before you condemn the RCMP" more or
19 less, because there are a lot of different people
20 involved, and notwithstanding any issues or facts
21 around Mr. Arar or anyone else, the actions of the
22 RCMP, before she makes -- draws a conclusion, she
23 could get -- she could get more information.

24 Now, that is not speaking about
25 any of the other facts that may be out there by

1 the media.

2 MS EDWARDH: Fair enough. But I
3 think you agreed with me, though, that having
4 referred to the other side of the coin or the two
5 sides of the coin, somebody listening to you might
6 have drawn the conclusion that you were saying
7 that there was evidence on the side of his
8 involvement in criminal or terrorist activities.

9 SUPT. KILLAM: No, there was
10 evidence to support that the RCMP was acting as it
11 should on -- it was doing its job as appropriate.
12 There wasn't necessarily evidence to support one
13 thing or another, we were conducting our
14 activities as would be expected.

15 MS EDWARDH: Yes, but I'm trying
16 to understand, Chief Superintendent, this
17 language. "You can't believe everything in the
18 media" and "There are two sides to every story."

19 Certainly we know that Mr. Arar's
20 wife very publicly had proclaimed his innocence
21 and lack of involvement in any activities. That
22 is part of the media record in this case. We also
23 have information that other things were said by
24 Ambassador Cellucci about the RCMP's involvement.

25 So when you say to people "there

1 are two sides to every story", all I'm asking
2 you to agree with me is that someone listening to
3 that may well have understood that there was
4 evidence linking Mr. Arar to criminal or
5 terrorist activities.

6 SUPT. KILLAM: I can't say what
7 she would have thought. That wasn't the intent,
8 if that is what was taken away from it.

9 MS EDWARDH: I don't think I can
10 go any further with that.

11 Thank you, Chief Inspector. Those
12 are my questions.

13 THE COMMISSIONER: Thank you,
14 Ms Edwardh.

15 Mr. Fothergill ...?

16 MR. FOTHERGILL: I have no
17 questions. Thank you.

18 THE COMMISSIONER: Mr. David?

19 MR. DAVID: No questions.

20 THE COMMISSIONER: Thank you very
21 much, Chief Superintendent, for coming and giving
22 your evidence. I appreciate the time and effort
23 you devoted to it.

24 SUPT. KILLAM: Thank you, sir.

25 THE COMMISSIONER: We are going

1 into camera tomorrow morning, and we are back in
2 public on Monday, August 22nd -- is that right --
3 at 10 o'clock?

4 Mr. David, you are master of the
5 schedule I take it.

6 MS EDWARDH: We will all check the
7 website.

8 THE COMMISSIONER: Okay. We will
9 rise until then. Thank you.

10 THE REGISTRAR: Please stand.
11 Veuillez vous lever.

12 --- Whereupon the hearing adjourned at 3:00 p.m.,
13 to resume in public on Monday, August 22,
14 2005, at 10:00 a.m. / L'audience est ajournée
15 à 15 h 00, pour reprendre en publique le lundi
16 22 août 2005 à 10 h 00

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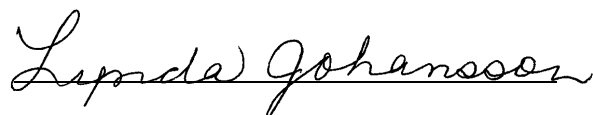
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Lynda Johansson,

C.S.R., R.P.R.

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