

Commission of Inquiry
Into the Wrongful
Conviction of David Milgaard
before
THE HONOURABLE MR. JUSTICE
EDWARD P. MacCALLUM

Transcript of Proceedings
and
Testimony before the Commission
sitting at the
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Saskatoon, Saskatchewan

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Volume 74

Inquiry Proceedings



Commission Staff:

Mr. Douglas C. Hodson,	Commission Counsel
Mr. Jordan Hardy, Esq.,	Assistant Commission Counsel
Ms. Candace D. Congram,	Executive Director
Ms. Sandra Boswell,	Document Manager
Ms. Kara Isabelle,	Document Assistant
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Mr. Jerry Wilde and	Security Officers
Mr. Hugh Esson,	
Mr. Larry Prehodchenko,	Inland Audio Technician



Appearances:

Mr. Hersh Wolch, Q.C., **for** Mr. David Milgaard
Ms. Joanne McLean, **for** Ms. Joyce Milgaard
Ms. Lana Krogan, **for** Government of Saskatchewan
Ms. Catherine Knox, **for** Mr. T.D.R. (Bobs) Caldwell
Mr. Garrett Wilson, Q.C., **for** Mr. Serge Kujawa
Mr. Rick Elson, Esq., **for** the Saskatoon Police Service
Mr. Aaron Fox, Q.C., **for** Mr. Eddie Karst
Mr. Bruce Gibson and Ms. Rochelle Wempe, **for** the RCMP
Mr. Brian Beresh, Esq., **for** Mr. Larry Fisher
Mr. David Frayer, Q.C. **for** Minister of Justice
and Ms. Jennifer Cox, (Canada), The Hon. Irwin Cotler



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Transcript of Proceedings

(Reconvened at 9:00 a.m.)

COMMISSIONER MacCALLUM: Good morning.

ALL COUNSEL: Good morning.

LARRY EARL FISHER, continued:

BY MR. BERESH:

Q Mr. Fisher, I want to ask you some questions of substance this morning which are within the Commission's mandate and the first I want to ask you about is when you lived at 330 Avenue O South, and I take it you have a recollection of living in that house?

A Yup.

Q You lived there for a fair amount of time, so you knew the structure. I'm interested in the structure. First of all, it doesn't appear as though it was a very large house; is that fair to say?

A Yes.

Q In fact, we have a photo of it, please. While that's being called up, are you able to estimate the square footage of the house, let's say the top floor?

A No, I couldn't.

Q It doesn't look like --



1 A Not offhand. Not offhand I couldn't recall.

2 Q Are we talking about a house that's probably less
3 than a thousand square feet on the main floor?

4 A Possibly, yes.

09:06 5 Q Rough?

6 A Roughly, yeah.

7 Q Okay. And I understand there was only one floor,
8 the ground level, and then of course the basement?

9 A Yes.

09:07 10 Q And the basement in comparison to upstairs, was it
11 the same sort of dimensions or was it smaller;
12 that is, a thousand square feet?

13 A It was pretty well the same size all the way
14 along.

09:07 15 Q About the same?

16 A Yeah.

17 Q Okay. And do we have the photo?

18 MR. HODSON: Yes.

19 BY MR. BERESH:

09:07 20 Q Barely bigger than the tree. That's the house?

21 MR. HODSON: The tree was smaller in 1969.

22 MR. BERESH: Okay, fair enough. I take it
23 that's not an objection, but a clarification?

24 MR. HODSON: Yes.

09:07 25 MR. BERESH: Thank you.



1 COMMISSIONER MacCALLUM: Mr. Beresh, there
2 looks like a second floor.

3 BY MR. BERESH:

4 Q Let me ask about that, thank you. Was there a
09:08 5 second floor on it?

6 A Yup.

7 Q Okay, I'm sorry. Tell us about that, what was the
8 size of the second floor?

9 A I really couldn't tell you from the looks of the
09:08 10 peak on the house.

11 Q It looks like it's smaller to me.

12 A Yeah.

13 Q Okay. I guess my question is this -- and we're
14 looking at the photograph from the street view?

09:08 15 A Yeah.

16 Q Avenue O?

17 A Yeah.

18 Q Looking east?

19 A Yes.

09:08 20 Q It's on the east side of the street, it looks like
21 it's from the street, it must be the photographer
22 is looking east?

23 A Yeah.

24 Q And I take it although the photograph may have
09:08 25 been taken sometime after, it looks generally to



1 be the same physically, no additions on it,
2 nothing like that?

3 A No.

4 Q Okay. So there was an upstairs and then a second
09:08 5 floor, but I take it a smaller second floor?

6 A Yeah.

7 Q Okay. So my question is, in terms of the entrance
8 that you or your family used, are you able to show
9 us in the photograph where the entrances were?

09:09 10 A On the left side.

11 Q Okay. So in around here?

12 A Yeah.

13 Q Was one entrance?

14 A One.

09:09 15 Q Yesterday you said there was an entrance which
16 took you, once you entered the home, either
17 upstairs or downstairs?

18 A At the back.

19 Q Was that at the back?

09:09 20 A Yeah.

21 Q So the entrance on the left-hand side took you
22 only downstairs?

23 A Yeah.

24 Q Okay. And then at the back somewhere an entrance
09:09 25 both upstairs, downstairs?



1 A Upstairs, downstairs.

2 Q Am I correct that the only other entrance then or
3 exit would be the front door?

4 A Yup.

09:09 5 Q Okay. I take it it was an older house?

6 A Yup.

7 Q Obviously. And do you recall whether it was very
8 soundproof or not?

9 A No, it wasn't.

09:09 10 Q Not very?

11 A No.

12 Q So, for example, let's say that somebody was
13 watching television upstairs or had a radio on,
14 could you hear it downstairs?

09:09 15 A Yup.

16 Q Even though you might not be able to make it out,
17 but you hear that it's on?

18 A Yup.

19 Q If people walked around upstairs, could you
09:10 20 generally hear it?

21 A Yeah.

22 Q So if there was a commotion upstairs, say a number
23 of people arrived, could you generally hear that
24 downstairs?

09:10 25 A Yes.



1 Q Okay. Without any difficulty?

2 A Without any difficulty.

3 Q Okay. Sir, my recollection of the area, having
4 worked on the case for a number of years, is that
09:10 5 there was no sort of parking lot for the house?

6 A No.

7 Q Is that correct?

8 A No.

9 Q It's at the end of the street; for example, this
09:10 10 is sort of the end?

11 A Yeah.

12 Q There. There's no parking area?

13 A No.

14 Q So the only parking would be in the front of the
09:10 15 house?

16 A Yeah.

17 Q If you had a vehicle, the only place to park
18 generally would be at the front of the house on
19 Avenue O?

09:10 20 A Yeah.

21 Q Okay. Now, you were asked by a number of people
22 about Albert Cadrain who lived upstairs. Do I
23 gather you didn't have much to do with Cadrain?

24 A No.

09:10 25 Q You helped him get work once, but apart from that,



1 did you socialize with him at all?

2 A No.

3 Q Did you know whether he had a special relationship
4 with the police at all?

09:11 5 A No.

6 Q But when you knew him in 1969, 1970, did he appear
7 to suffer from any problems? Psychiatric problems
8 I'm interested in.

9 A I can't really say.

09:11 10 Q Anything that struck you?

11 A No.

12 Q Okay. And I want to go if I can to the map,
13 031006. This map of the area was shown to you
14 yesterday and I think is familiar to you from
09:11 15 other proceedings. Sorry, that's not one. Let's
16 try 091215. Thank you. Do you see that map, sir?
17 Do you see that?

18 A Which one?

19 Q This map? Can you just enlarge that area, please.
09:12 20 Is that better?

21 A Yup.

22 Q Okay. Sorry, can we have it enlarged -- reduced
23 again. Thank you. There, we'll try that, please.
24 Thank you. You see the location where you lived?

09:12 25 A Yup.



1 Q Okay. During the time you lived there, obviously
2 St. Mary's school was in operation?

3 A Yup.

4 Q Were you aware of that from seeing children coming
09:13 5 and going to the school?

6 A Yeah.

7 Q Okay. And generally I take it children from all
8 over the neighbourhood went to that school or
9 appeared to?

09:13 10 A Yeah.

11 Q And I take it from your observations, many of them
12 would come down here and go to school there?

13 A Yeah.

14 Q That is, come down Avenue O?

09:13 15 A Yeah.

16 Q Or have access to Avenue O?

17 A Or access to it, yeah.

18 Q Access to it, okay. Thank you. Would you please
19 pull up document 183170. Sir, before you look at
09:13 20 the document --

21 MR. HODSON: Sorry, I think we just need to
22 shut down the document system for a moment and
23 back up, so just a minute before a document can
24 come up.

25 BY MR. BERESH:



1 Q Overload. While we await that technical problem,
2 let me ask you, sir, you were asked yesterday and
3 the day before about taking a bus to work.

4 A About what?

09:14 5 Q Taking the bus to work?

6 A Yeah.

7 Q Okay. Tell me, sir, do you know approximately how
8 many busses could you take to get you to work on
9 time just from your general observation around
09:14 10 that time in 1969, please?

11 A Three or four.

12 Q How many?

13 A Three or four.

14 Q Three or four?

09:14 15 A Yup.

16 Q Okay. And I take it, depending upon the time that
17 you got to the bus stop, you could take one of
18 those busses and get to work?

19 A Yup.

09:14 20 Q Okay. Now, I want to ask you, sir, you were asked
21 about February 3rd and meeting with the police at
22 the bus stop.

23 A Yeah.

24 Q Do you recall that?

09:14 25 A Yeah.



1 Q My question, sir, is after February 3rd did you
2 continue to work at the university?

3 A Yup.

4 Q And did you continue to take the bus?

09:15 5 A Yup.

6 Q Did you ever avoid that bus stop where you met the
7 police?

8 A No.

9 Q That is, in the week following in February, on
09:15 10 into February, on into March, did you ever avoid
11 the bus stop because the police had been there?

12 A No.

13 Q Okay. You continued to take the same bus?

14 A Yeah.

09:15 15 Q Okay. Could I have the document, please, 183170.
16 If we can go to the next page. And the next page.
17 Sorry, can we go back. Let's look at the second
18 paragraph, first full paragraph as we see it, sir.
19 The police spoke to you, you appear to have
09:16 20 provided your name; is that correct?

21 A Yup.

22 Q Provided it accurately?

23 A Yup.

24 Q Okay. And just so we know, you knew you were
09:16 25 talking to the police at this time?



1 A Yeah.

2 Q Okay. Provided your address?

3 A Yup.

4 Q All right. Works at Masonry Contractors?

09:16 5 A Yup.

6 Q And at that point in 1969, for about how long had
7 Masonry Contractors been working in the city, not
8 you working with them, but them generally
9 operating?

09:16 10 A I couldn't really tell you. I spent four years
11 with them and that was it.

12 Q Okay. But when you started obviously the company
13 was in operation?

14 A Yup.

09:16 15 Q Did you ever learn from anyone how long Masonry
16 Contractors had been working in Saskatoon?

17 A No.

18 Q Okay. But I take it it had been around for some
19 time?

09:17 20 A Yes.

21 Q And you mentioned a Jake Kepler?

22 A Yeah.

23 Q Was one of the owners?

24 A Yes.

09:17 25 Q Okay. So if I want -- let's say in 1969 I wanted



1 to find Masonry Contractors, could I find their
2 phone number in the phone book, for example?

3 A Yup.

4 Q So they were a company known in Saskatoon?

09:17 5 A Yeah.

6 Q Easily contactable?

7 A Yup.

8 Q Yes. And that's who you worked for?

9 A Yup.

09:17 10 Q Okay. Then you said to the police, at the
11 education, I think that word is, it says building,
12 it's cut off but I think on one copy I've seen
13 building?

14 A Yes.

09:17 15 Q University of Saskatchewan?

16 A Yup.

17 Q Right. I take it that that's where you were
18 working?

19 A Yes.

09:17 20 Q If someone wanted to go and check whether you were
21 at the work site, had been at the work site, they
22 could have gone to the work site and found people
23 who were working there with Masonry Contractors?

24 A Yup.

09:17 25 Q Who kept track of your time when you worked for



1 Masonry Contractors?

2 A Jake or whoever my boss was on the job site.

3 Q Whoever the boss was?

4 A Yup.

09:18 5 Q And do you know how time was recorded then?

6 A No, I couldn't tell you.

7 Q I gather it wasn't recorded by way of a machine
8 stamp?

9 A No cards, nothing, no.

09:18 10 Q But just a hand recording probably?

11 A Yup.

12 Q And were you paid according to the time you
13 worked?

14 A Yes.

09:18 15 Q And did it appear, and that is when you got a
16 cheque you thought back about the time you worked
17 and it appeared the time was recorded accurately?

18 A Yeah.

19 Q By whoever was in charge of that?

09:18 20 A Yeah.

21 Q Okay. You are aware, sir, that for the purposes
22 of your trial we tried to find those work records?

23 A Yes.

24 Q And that they had been destroyed?

09:18 25 A Yes.



1 Q Okay. And were you of the belief that had those
2 records been found they would have indicated that
3 you were at work on the morning of January 31st?

4 A Yes.

09:18 5 Q All right. And just so we're clear, those
6 records, did they record when you, the individual
7 arrived at work; that is, the hour they arrived
8 and the hour they left?

9 A The hour they left, but not when we arrived.

09:19 10 Q Okay. But I take it somebody had to calculate how
11 long a person was working?

12 A Yup.

13 Q Okay. So there would be some record of that?

14 A Yeah.

09:19 15 Q Okay. Then you said to the police last Friday you
16 caught the bus, 6:30, Avenue O and 20th?

17 A Yup.

18 Q Correct?

19 A (Nods head).

09:19 20 Q All that was provided to the police on that day
21 without being compelled from you I take it?

22 A That's right.

23 Q It wasn't forced from you?

24 A No.

09:19 25 Q Okay. I take it you had a choice as to whether to



1 answer their questions or not?

2 A Yes.

3 Q Okay. Sir, you were asked about Roy Pambrun, and
4 I gather from what you said over the last two days
09:20 5 that you knew him, obviously?

6 A Yes.

7 Q But you didn't spend much time with him?

8 A No.

9 Q Did you have any great relationship with him?

09:20 10 A No.

11 Q What sort of individual did you find him to be,
12 please?

13 A I don't know, drunkard, always --

14 Q Pardon me?

09:20 15 A Always drinking.

16 Q Always drinking?

17 A Never spent much time with him, just too busy
18 doing other things.

19 Q Okay. Cliff Pambrun, did he also suffer from
09:20 20 alcohol consumption, or excessive alcohol
21 consumption?

22 A Yes.

23 Q Okay. These were individuals who appeared not to
24 be working for the most part; is that correct?

09:20 25 A Pardon?



1 Q They appeared to be individuals who weren't, in
2 '69, employed on a regular basis?

3 A Clifford was working with us.

4 Q Okay. For what period of time?

09:20 5 A I don't know, for the four years I was there.

6 Q Okay. So he'd know, he'd know when you had
7 arrived at work?

8 A Yeah.

9 Q You'd know when he arrived at work, generally?

09:21 10 A Not generally, no.

11 Q Okay. I want to go back please, if we can, to
12 Linda Fisher. What was the situation with her
13 when you lived together? You said there were lots
14 of arguments?

09:21 15 A Yeah.

16 Q Generally, what were those arguments about?

17 A Not feedin' the kid, not changin' the kid, and
18 gettin' out of bed, and not cleanin' the house up,
19 not doing the kid's laundry.

09:21 20 Q Okay. So Tammy was born in April of 1968?

21 A Yeah.

22 Q Correct? So she was with you in '68 on into '69?

23 A Yup.

24 Q What were some of the disputes about not caring
09:21 25 for Tammy, please?



1 A Oh, me coming home having to cook the kid supper,
2 change her, wash her down, wash her clothes, you
3 know, stuff like that.

4 Q And were there any disputes about her not getting
09:22 5 up in the mornings?

6 A There was that too.

7 Q Pardon me?

8 A There was that too.

9 Q And what was her habit in that regard, please?

09:22 10 A Staying in bed until around 4:00 in the afternoon.

11 Q And did that cause arguments between the two of
12 you?

13 A Yes.

14 Q What about alcohol use by her?

09:22 15 A She drank.

16 Q Tell us to what extent she drank?

17 A Umm, she was drinkin' before I met her and she was
18 still drinkin' afterwards.

19 Q Okay. And was it a problem?

09:22 20 A At times.

21 Q Okay. You were asked about this statement that
22 she alleges you made, or she made to you about
23 killing the nurse, and you said that you had some
24 recollection of that; do you recall whether or not
09:22 25 that argument was on a weekday, on a weekend?



1 A That I couldn't say.

2 Q And I guess my question is you didn't work on
3 weekends?

4 A Nope.

09:23 5 Q So --

6 A Yeah, yes I did.

7 Q Okay. Saturday and Sunday what was the general
8 practice, though?

9 A Umm, usually just get up, cook the kid breakfast,
09:23 10 and --

11 Q Okay, but what was the practice about going to
12 work, generally?

13 A Maybe leave later on during the day.

14 Q Okay. So, if we were to take say three out of
09:23 15 four Saturdays, would you be at home or at work?

16 A Usually I'd be at work.

17 Q Okay. And Sunday, what would the general practice
18 be there?

19 A Just relax, take it easy.

09:23 20 Q So you'd be home on a Sunday?

21 A Yup.

22 Q So this conversation that she suggests occurred
23 could have happened on a Sunday?

24 A Could have.

09:23 25 Q Okay. But I guess my question is, after this, she



1 continued to live with you?

2 A Yes.

3 Q She continued to live with you as man and wife?

4 A Yes.

09:24 5 Q Do I understand, when you were incarcerated in
6 Winnipeg, she went to see you?

7 A Yes.

8 Q As your wife?

9 A Yes.

09:24 10 Q When you were incarcerated in Prince Albert she
11 still went to see you?

12 A Yes.

13 Q Okay. And there was some talk about the divorce;
14 who sought the divorce?

09:24 15 A Pardon?

16 Q Who brought the divorce action?

17 A Me.

18 Q You did?

19 A Yup.

09:24 20 Q Not her?

21 A Not her.

22 Q Okay. You were asked yesterday, I believe, about
23 discussions with authorities in the 19 -- I think
24 it was the late 1980s/early 1990s, about providing
09:24 25 statement, blood sample, and polygraph; do you



1 remember those questions?

2 A Yes.

3 Q And there were the names of two lawyers mentioned,
4 Mr. Carter and Mr. Pick?

09:25 5 A Yup.

6 Q You remember that? And I guess my question is, in
7 terms of dealing with the authorities, who was
8 dealing with them; was it you or was it the two
9 lawyers on your behalf?

09:25 10 A On whose behalf?

11 Q The two lawyers on your behalf?

12 A The two lawyers.

13 Q Okay. So I take it, if there were discussions
14 with the police, you left that to the lawyers?

09:25 15 A Yup.

16 Q And your -- generally, they were left to look
17 after your interests?

18 A Yes.

19 Q Okay. So if any conditions were imposed by them,
09:25 20 that was within their discretion, or you left it
21 within their discretion?

22 A Yes.

23 Q You answered questions yesterday to Commission
24 Counsel, and then later to Mr. Fox, that you had
09:26 25 never been in trouble before being arrested in



1 Winnipeg?

2 A That's right.

3 Q Okay. And this may be obvious, but let's get it
4 clear for the record, I take it you didn't have
09:26 5 much knowledge about law?

6 A No.

7 Q Umm --

8 COMMISSIONER MacCALLUM: Just a second,
9 Mr. Beresh. Was your question never been in
09:26 10 trouble before Winnipeg?

11 MR. BERESH: That's right.

12 COMMISSIONER MacCALLUM: I think the
13 evidence was that he didn't have a criminal
14 record before.

09:26 15 MR. BERESH: You're right. Okay. Let's
16 back up.

17 BY MR. BERESH:

18 Q There had been the occasion with the landlady?

19 A Yes.

09:26 20 Q Okay. I think that's what Your Lordship is
21 referring to?

22 COMMISSIONER MacCALLUM: No, I wasn't.

23 MR. BERESH: Okay.

24 COMMISSIONER MacCALLUM: Go ahead. I just
09:26 25 wanted to have it phrased properly.



1 BY MR. BERESH:

2 Q Yes. In relation to your understanding of the law
3 in Winnipeg, did you have any understanding about
4 law or procedure, or what evidence could be used
09:26 5 or not used?

6 A No.

7 Q Did not?

8 A No, I did not.

9 Q Now, in particular, did you have any knowledge of
09:26 10 whether or not a statement made by someone who is
11 a suspect to the police could be admitted into
12 Court, under what circumstance it could be
13 admitted, under what circumstance it might be
14 excluded?

09:27 15 A No.

16 Q None at all?

17 A None at all.

18 Q Okay. I heard you say to Commission Counsel that,
19 in part, part of the reason that you spoke to the
09:27 20 Winnipeg Police about some of the offences was
21 because of certain violence that had occurred to
22 you; is that correct?

23 A Yes.

24 Q Okay. I wonder if we could look at document
09:27 25 042960. Now, you didn't write this letter, but



1 there is a portion I want to ask you about. In it
2 the comment is made:

3 "Without his confession in Winnipeg we
4 had no case at all against him and the
09:28 5 confession would not likely be held to
6 be voluntary."

7 I take it at that point you didn't know, you had
8 no idea that this is a principle of law, is that
9 fair?

09:28 10 A Yes.

11 Q Okay. You didn't know?

12 A I didn't know.

13 Q Okay. But I take it the police that took
14 statements from you obviously would have had some
09:28 15 recall about the circumstance under which they
16 took the statements?

17 A I couldn't say.

18 Q Should have?

19 A Should have, --

09:28 20 Q Okay.

21 A -- but I really couldn't say.

22 Q Okay. Further, sir, do I gather that you didn't,
23 at the time you were in Winnipeg, know anything
24 about what generally would be given as a sentence
09:28 25 in any case?



1 A No I didn't.

2 Q You talked yesterday about, with Mr. Wolch I
3 think, about a life sentence and lashes, and I
4 wondered, when I looked at that, whether or not
09:29 5 that was something that other prisoners talked
6 about as opposed to it being any legal advice that
7 you received?

8 A Not where I was, no.

9 Q Do you know how you got that information?

09:29 10 A No.

11 Q Okay. That is would you be aware that the general
12 sentences in Manitoba at the time for sexual
13 assault would be about the two to three-year mark;
14 did you have any knowledge of that?

09:29 15 A No I didn't.

16 Q Okay. And I take it what you are telling us is
17 that you left this up to Mr. Greenberg?

18 A Yeah.

19 Q And he was, if I gather the chronology correctly,
09:29 20 every -- you wanted everything packaged together
21 and dealt with at one time?

22 A Yes.

23 Q In hindsight, your preference would have been to
24 have had all matters dealt with in Winnipeg at one
09:30 25 time?



1 A Yes.

2 Q You didn't choose dividing them between provinces?

3 A No.

4 Q And in fact given your knowledge of the sentencing
09:30 5 system, having been in prison this number of
6 years, it's a disadvantage to divide them, or can
7 be; is that fair?

8 A Yes.

9 Q That is there is an advantage to pleading to
09:30 10 everything, globally having them all dealt with by
11 one judge?

12 A Yeah.

13 Q Okay. So it wasn't to your advantage to have them
14 separated?

09:30 15 A No.

16 Q And I take it it wasn't by your request that some
17 matters were dealt with in Saskatchewan, some in
18 Manitoba?

19 A No.

09:30 20 Q It wasn't with your request or your desire to have
21 things dealt with in Regina as opposed to
22 Saskatoon or Prince Albert?

23 A No.

24 Q Could have been dealt with in Prince Albert I take
09:30 25 it?



1 A Yes.

2 Q If those had been the arrangements you'd have
3 appeared in Court in Prince Albert, a few miles
4 from the penitentiary, had them dealt with?

09:31 5 A Yeah.

6 Q Didn't matter to you?

7 A Didn't matter.

8 Q Okay. Could I ask you, sir, you have a sister
9 whose name is Sylvia?

09:31 10 A Yes.

11 Q Her surname is Poitras?

12 A Yes.

13 Q Okay. In 1968, '69, and onward, did she have
14 contact with your family, that is did she come to
09:31 15 see you, did she see you and Linda --

16 A Umm, --

17 Q -- from time to time?

18 A Yeah. We were living right below them at one
19 time.

09:31 20 Q Okay. Right below her?

21 A Yeah.

22 Q Okay. So I take it she kept in contact with the
23 family and she would have a general idea of what
24 Linda was like or the relationship was like; is
09:31 25 that fair?



1 A Yup.

2 Q Okay. Now you said yesterday that, in answer I
3 think to Mr. Hodson, that when there was some
4 publicity about potential of being charged, that
09:32 5 at some point you went to Calgary; do you remember
6 saying that? You were in Saskatoon, you'd gone to
7 see the police, they didn't have a warrant, then
8 you left for Calgary?

9 A Yeah.

09:32 10 Q Okay. Tell us why you went to Calgary at that
11 time, please?

12 A That was in the makings for about two months.

13 Q Okay. So --

14 COMMISSIONER MacCALLUM: What was the
09:32 15 answer?

16 BY MR. BERESH:

17 Q It was in the makings for two months?

18 A Yeah.

19 Q Is that correct?

09:32 20 A Yeah.

21 Q Okay. So it wasn't something that you decided to
22 do simply because you were being harassed by the
23 media or anything else?

24 A No.

09:32 25 Q Were you running from the police at that point?



1 A No.

2 Q Okay. And did they know where you had gone to in
3 Calgary, to your knowledge?

4 A No, they didn't.

09:32 5 Q Okay.

6 COMMISSIONER MacCALLUM: And would you give
7 me a date for that, please, approximately?

8 MR. BERESH: That was 1997.

9 MR. HODSON: July 25.

09:33 10 MR. BERESH: July 25, 1997, thank you.

11 COMMISSIONER MacCALLUM: Thank you.

12 MR. BERESH: A wealth of information.

13 BY MR. BERESH:

14 Q So you weren't running from the police on that
09:33 15 occasion?

16 A No.

17 Q And you had been to the police to see if there was
18 a warrant for your arrest?

19 A Yes.

09:33 20 Q Okay. You were asked, sir, yesterday, I believe
21 yesterday morning, about Brett Morgan. What sort
22 of person was Morgan as you observed him, please?

23 A Umm, smooth talker, great manipulator, and he
24 hides behind that.

09:34 25 Q Okay.



1 A I --

2 Q The reason I ask it is not because I'm totally
3 interested in information about him, but your
4 response to him; did you ever trust him?

09:34 5 A No.

6 Q Okay. John Patterson; did you ever trust
7 Patterson?

8 A No.

9 Q Okay. McIvor?

09:34 10 A No.

11 Q And, finally, Dodge?

12 A No.

13 Q Okay. And you will confirm, sir, that Morgan,
14 McIvor, and Dodge were never called at your
09:34 15 preliminary or trial in relation to the charges
16 you finally faced in Yorkton, Saskatchewan?

17 A No.

18 Q Finally, sir, were you ever part of any conspiracy
19 or coverup to cover any information in relation to
09:35 20 the death of Gail Miller?

21 A No.

22 Q Have you ever known of any conspiracy or coverup?

23 A No.

24 Q Did you play any role whatsoever in preventing or
09:35 25 obstructing any re-opening of any case against



1 David Milgaard?

2 A No.

3 Q Okay. Those are my questions. Thank you, Mr.
4 Commissioner.

09:35 5 MR. HODSON: I do not have any further
6 questions on re-examination and I think they are
7 --

8 COMMISSIONER MacCALLUM: Thank you very
9 much. Mr. Fisher, you are excused into the
09:35 10 custody of the constable, and thank you for your
11 evidence, thank you for coming.

12 A Okay.

13 MR. HODSON: And if I may also thank the
14 RCMP and their counsel for their assistance in
09:36 15 having Mr. Fisher attend.

16 COMMISSIONER MacCALLUM: Thanks, officer.

17 MR. HODSON: And Mr. Commissioner, if we
18 could have a short adjournment now, probably 15
19 minutes, we'll arrange to have our next witnesses
09:36 20 here.

21 COMMISSIONER MacCALLUM: That will be fine,
22 thank you.

23 *(Adjourned at 9:36 a.m.)*

24 *(Reconvened at 10:01 a.m.)*

10:01 25 MR. HODSON: The next witness is Clifford



1 Pambrun. I would ask Mr. Pambrun to come up to
2 the front, please.

3 **CLIFFORD RODERICK PAMBRUN, sworn:**

4 **BY MR. HODSON:**

10:02 5 **Q** Good morning Mr. Pambrun. Thank you for agreeing
6 to testify before the Commission.

7 I understand that you currently
8 reside in Glaslyn, Saskatchewan; is that correct?

9 **A** Yup.

10:02 10 **Q** And your current age?

11 **A** 65. 66, sorry.

12 **Q** Six. And you are married to -- Anita Pambrun is
13 your wife?

14 **A** Right.

10:02 15 **Q** And I believe, sir, that your niece is Linda
16 Fisher; is that correct?

17 **A** Yes.

18 **Q** I'm wondering, just to go over a couple of family
19 connections, we've put together a chart, I'll just
10:03 20 have it up on the screen, and we'll start with
21 you, Mr. Pambrun, you and your wife Anita, and I
22 think your sister is or was Irene McDonald who is
23 Linda's mother; is that correct?

24 **A** That's correct.

10:03 25 **Q** And then Roy is your brother?



1 A Yes.

2 Q And Doris, your sister?

3 A Yes.

4 Q And I think we see that another connection between
10:03 5 the Pambrun and Poitras family is that Larry
6 Fisher's sister Sylvia married Herb Poitras whose
7 brother James married your sister Doris; is that
8 right?

9 A Right.

10:03 10 Q If everybody followed that. It took us a long
11 time to get this on a chart. And so again Larry's
12 relationship to you then back in 1968, 1970, he
13 was married to your niece Linda; is that correct?

14 A Correct.

10:04 15 Q And when did you come to know Larry Fisher then,
16 can you tell us approximately when and under what
17 circumstances?

18 A When he was going with my niece.

19 Q Was it through Linda that you met him then?

10:04 20 A Yeah. Well, I knew him before when he was -- I
21 knew his family, like --

22 Q He was from Battleford?

23 A His mom, yeah, because we used to live in
24 Battleford before that.

10:04 25 Q And then I think the evidence indicates they got



1 married in December of 1967; does that sound
2 right?

3 A I think so, yeah.

4 Q And you would have been a few years older than
10:04 5 Larry, is that right, about 10 years older?

6 A Yeah.

7 Q And I understand, sir, that when Larry and Linda
8 first moved to Saskatoon in or about 1967 they
9 lived with you and Anita; is that right?

10:04 10 A Yes.

11 Q And do you recall where, what address or what
12 street that was on?

13 A That was on Avenue H, 818 I think. I'm not sure.

14 Q Right. I'll just call up a document, 067059, it
10:05 15 might help us with some of these addresses.

16 A I can't see this.

17 Q We'll make it larger for you, sir. And this
18 says -- this is a document that the RCMP prepared
19 based upon interviews with a number of people and
10:05 20 it suggests that Larry and Linda got married in
21 December of 1967 and that they lived with you and
22 Anita at 818 Avenue H for a few months until they
23 found their own apartment, and do you recall them
24 living with you when they initially got married
10:05 25 for a few months?



1 A Yeah.

2 Q And then their information suggests that they
3 moved to 512 Avenue F South. Do you remember
4 Larry and Linda living on Avenue F South? Is that
10:05 5 familiar?

6 A Avenue F South? I don't --

7 Q Pardon me?

8 A I don't remember when they lived there, but -- or
9 where it is.

10:06 10 Q Okay. Maybe just go to the right side of that
11 slide. I'll maybe just get your microphone a bit
12 closer there, Mr. Pambrun.

13 A Okay.

14 Q So in 1968 it suggests that Larry and Linda lived
10:06 15 at 1530 Avenue C North. Do you have a
16 recollection of them living on Avenue C?

17 A Avenue C North?

18 Q Yeah.

19 A I think he lived with his sister. I'm not sure.

10:06 20 Q Okay. And then next to 334 Avenue O South, do you
21 have a recollection of the Fishers living at 334
22 Avenue O South?

23 A Yeah, I do.

24 Q And they lived in a basement suite of the Cadrain
10:07 25 house; is that --



1 A Right.

2 Q And you are familiar, sir, with the date
3 approximately of Gail Miller's murder? Do you
4 remember that event happening?

10:07 5 A I sort of remember it, yeah.

6 Q And at that time I think the evidence, we've heard
7 from a number of people, is that Larry and Linda
8 lived in the basement of the Cadrain house at that
9 time.

10:07 10 A Yes.

11 Q If we can go to the next page of that document,
12 please, and it looks like after the Cadrain house
13 Larry and Linda moved to 1824 Avenue D North. Do
14 you have a recollection of them living on Avenue D
10:07 15 North?

16 A Avenue D North? No, I don't remember. Vaguely.
17 I don't know. I've never been there I don't
18 think.

19 Q And then just one slide over, please, finally 120
10:07 20 Adelaide Street I think is where they moved when
21 Larry went to Winnipeg.

22 A Uh-huh.

23 Q Do you remember them living on Adelaide Street?

24 A Yes.

10:08 25 Q Okay. If you could again just -- we're done with



1 that document. Just back in 1967 to 1970, in that
2 time frame, it's my understanding, did you work
3 with Larry Fisher at the same place of employment?

4 A Oh, off and on. The same employer, but different
10:08 5 jobs we worked on off and on.

6 Q So you worked at Masonry --

7 A -- Contractors.

8 Q And Larry worked at Masonry Contractors?

9 A Yeah.

10:08 10 Q And I take it that Masonry Contractors had more
11 than one job going on at a time?

12 A Yes.

13 Q And did you and Larry work together on the same
14 job on occasion?

10:08 15 A Yeah.

16 Q And were there times when you would be working on
17 different jobs?

18 A Right.

19 Q And back in 1969 I have read documents that
10:08 20 suggest that Mr. Fisher was working at the
21 university at the education building. Do you know
22 if that was a job that he worked on?

23 A Yes, I think so. I'm not sure.

24 Q Did you work at the university?

10:08 25 A Not when he worked there, no.



1 Q And you worked at Walter Murray Collegiate?

2 A Right.

3 Q And there's a document, I will probably get to it
4 later this morning, that suggested that in January
10:09 5 of 1969, which would be the date of the murder,
6 that you would have been working at the Walter
7 Murray job site --

8 A Right.

9 Q -- is that correct? And Larry Fisher would have
10:09 10 been working at the university job site?

11 A I don't remember.

12 Q Okay, that's fine. But you are sure, sir, that
13 you were at the Walter Murray site?

14 A Right.

10:09 15 Q And Walter Murray is a high school in the city;
16 correct?

17 A Right.

18 Q Can you tell us, again just generally, how
19 frequently did you see Larry and Linda Fisher?

10:09 20 A Pretty near every other day or so. They used to
21 come down to our place all the time.

22 Q And so again '67 to '70, by 1970 you went to
23 Winnipeg with Larry Fisher to work on a job site
24 there; is that correct?

10:10 25 A Yeah.



1 Q And were you in Winnipeg at the time Mr. Fisher
2 was arrested?

3 A Right.

4 Q So again let's take from the time that Larry and
10:10 5 Linda got married and moved into your house until
6 the time you went to Winnipeg, during that time
7 you spent a fair bit of time with Larry and Linda;
8 is that fair?

9 A Yeah.

10:10 10 Q And at work, you worked with him on occasion, with
11 Larry Fisher?

12 A Yes.

13 Q And on a social basis did you spend a fair bit of
14 time?

10:10 15 A Yeah.

16 Q What -- as far as your attendance at work, how did
17 you travel to and from work at that time?

18 A Well, I drove all the time pretty well.

19 Q And do you recall what vehicles you would have
10:10 20 had, let's take 1969, what vehicles you would have
21 owned?

22 A 1969? That's a good question. I think I had a
23 '58 Chevy.

24 Q There's a document, I'll show you this a bit
10:11 25 later, but I'll just -- a 1958 Chev, a 1958



1 Pontiac Strato Chief?

2 A Yeah.

3 Q And a Chev truck. Does that sound --

4 A Yes.

10:11 5 Q So you had three vehicles at the time?

6 A No, because when -- the Strato Chief, I had an
7 accident with it, it was writ off, so then I got
8 the truck from where we worked.

9 Q Yes.

10:11 10 A And I put the motor out of the Pontiac into that
11 truck.

12 Q So is it fair to say, sir, that any given time you
13 only had one operating vehicle; is that right?

14 A Yeah, pretty well, yeah.

10:11 15 Q And did you ever take the bus to work?

16 A No.

17 Q Did you ever pick up and take Larry Fisher to
18 work?

19 A I did, yeah.

10:11 20 Q And how would that come about?

21 A Well, when I would go to work, when we worked
22 together I would pick him up.

23 Q So if you were working at the same --

24 A Same job, yeah.

10:12 25 Q So if you were working at the same job site, did



1 you always pick him up to take him to work?

2 A Pretty well.

3 Q And if you were not working on the same job site?

4 A He took a bus then or something.

10:12 5 Q And I take it at the time that you were I guess
6 not only a relative through marriage, but
7 socialized with him. If you were working on the
8 same job site then, on all occasions or most
9 occasions you would travel together in your
10:12 10 vehicle?

11 A Yeah.

12 Q And what sort of worker was Larry when you worked
13 with him?

14 A He was a hard worker.

10:12 15 Q Do you recall whether he missed work on occasion?

16 A Not too much.

17 Q What about Mr. Fisher's drinking habits at the
18 time, anything that you noticed unusual, again '67
19 to '70?

10:12 20 A Not really. He didn't drink all that much.

21 Q I'll call up 164351 and this is a map, Mr.
22 Pambrun, and I want to talk about January of 1969,
23 and at that time Mr. Fisher, I think you told us,
24 was living on 334 Avenue O South. Do you recall
10:13 25 where you were living at the time?



1 A We were living on Avenue C.

2 Q And I think we've got an X here. Do you remember
3 the block or was it between 23rd and --

4 A I can't remember. It was right beside -- I think
10:13 5 it was the 300 block or something. We were right
6 next to the, right behind the old train station
7 there.

8 Q Okay. So the CPR was right there, so you think
9 where that X is is pretty close?

10:13 10 A Yeah, that's pretty close.

11 Q And you would be a block away from the rail line;
12 is that correct?

13 A Yeah, something like that.

14 Q And do you recall -- and I think we note here that
10:14 15 the Fishers lived on Avenue O, you lived on Avenue
16 C?

17 A Uh-huh.

18 Q Do you recall how Larry and Linda would -- I take
19 it Larry and Linda would come and visit you from
10:14 20 time to time?

21 A Yeah.

22 Q Do you recall how they would get to your house,
23 what route they would travel?

24 A No, I couldn't tell you what he travelled.

10:14 25 Q We've heard some suggestion, at least from Larry



1 Fisher, that he would walk down the train tracks
2 to get --

3 A Yeah, he probably did. I don't know --

4 Q Okay.

10:14 5 A -- how he came down. I know they used to come up
6 to our house then anyway.

7 Q And again, back in 1969, do you recall whether
8 Larry Fisher had a vehicle?

9 A Umm, I'm sure he had a '57 Ford, I'm not sure if
10:15 10 it was '69 or '70, I forget. It was in the spring
11 anyway, and when I worked at Walter Murray he came
12 over there and worked with us and he had a car
13 then, so --

14 Q Okay, so it was in the springtime, and you were
10:15 15 working at Walter Murray?

16 A Yeah. If it was spring, I don't know, I know it
17 was muddier than --

18 Q Okay.

19 A We could hardly get through it so --

10:15 20 Q And he had a vehicle that was operating at the
21 time?

22 A Yeah, at the time.

23 Q And it was a '57 Meteor?

24 A No, '57 Ford Fairlane, I think it was.

10:15 25 Q Okay. And do you recall what colour it was?



1 A Black and red.

2 Q And I'm going to show you a photograph back from
3 1969, 091118. Is that you, Mr. Pambrun?

4 A Yes.

10:16 5 Q And is that Mr. Fisher?

6 A Yes.

7 Q And that's your vehicle?

8 A That's my vehicle.

9 Q And that's the '58 Chev; is that right?

10:16 10 A '58 Chev, yeah. I think that's taken on Avenue C,
11 too, I'm not sure.

12 Q Pardon me?

13 A I said I think that's taken on Avenue C.

14 Q Okay. That's your house on Avenue C?

10:16 15 A No, well we were beside that apartment there.

16 Q So the apartment here is where you lived on Avenue
17 C?

18 A Yeah.

19 Q Okay.

10:16 20 A But we didn't stay in an apartment, we had a house
21 there, beside that apartment.

22 Q Okay, I see, okay.

23 A We had a park -- driveway between the apartment
24 and the car is probably on the driveway there.

10:16 25 Q Okay. If we could call up --



1 A We lived in a house.

2 Q Pardon me?

3 A I thought they were apartments. That's the house,
4 I'm pretty sure.

10:16 5 Q Yeah. So you think that house looks -- that's
6 fine, so you think that was --

7 A Uh-huh.

8 Q And are you able to give us, I believe this photo
9 was around 1968-'69, is there anything --

10:16 10 A I don't know. It had to be during the time I had
11 that car, so I don't know, I can't remember when
12 that was.

13 Q Okay. If we could call up 024935 and go to the
14 next page, please. Just call out the bottom. And
10:17 15 this is a police record, Mr. Pambrun, that talks
16 about a vehicle that was seen in the vicinity of
17 Gail Miller's home, and it was described as:

18 "... a 1963 or 64 Pontiac with redist
19 bottom, light coloured top, with
10:17 20 considerable damage to left rear fender
21 or quarter panel."

22 Did you ever -- did you know anybody at that time
23 who had a vehicle, a '63 or '64 Pontiac, with red
24 bottom, light-coloured top?

10:17 25 A No, I don't.



1 Q Okay. I'm done with that document. Again, in the
2 time frame the winter of 1968-'69, in that time
3 frame would Larry Fisher borrow your car or ask to
4 borrow your vehicle from time to time?

10:18 5 A Yeah, he did.

6 Q And under what circumstances?

7 A Oh, when he wanted to get groceries or something,
8 or sometimes if they wanted to borrow it to go
9 someplace.

10:18 10 Q And I believe you had told us, sir, at that time
11 you only had one vehicle; is that right?

12 A I think so, yeah.

13 Q Or one op -- one vehicle?

14 A One operating, yeah.

10:18 15 Q Yeah. And so how frequently would Mr. Fisher
16 borrow your car?

17 A Oh, I don't remember.

18 Q Was it once a month?

19 A Yes, well a lot more often than that, I think.

10:18 20 Q Did he ever borrow your vehicle overnight?

21 A No, never.

22 Q Did you ever notice anything unusual about your
23 vehicle when it was returned by Mr. Fisher?

24 A No, I didn't.

10:18 25 Q Umm, I think you said, did you know the Cadraings



1 at the time, back in 1960 --

2 A No I didn't.

3 Q Did you spend much time at Larry and Linda's
4 house?

10:19 5 A No. They were pretty well over at our place most
6 of the time, unless I was driving them home after
7 they came over to visit, but that's about it.

8 Q Did you know Albert Cadrain at all?

9 A No.

10:19 10 Q And again just the 1967-1970 period, just your
11 general observations of Mr. Fisher, how would you
12 describe his personality and manner at that time,
13 anything that sticks out?

14 A No. He was pretty, I don't know, seemed to be a
10:19 15 nice guy as far as I knew. He was always laughing
16 and --

17 Q Okay. Was he into any trouble of any sorts that
18 you were aware of prior to going to Winnipeg?

19 A No.

10:19 20 Q What about the relationship between Larry and
21 Linda; did you observe anything unusual 1967 to
22 1970?

23 A No, they got along pretty good.

24 Q And --

10:19 25 A They --



1 Q I'm sorry, go ahead?

2 A They'd argue once this a while, but that's --

3 Q Yeah.

4 A Everybody does that, eh. (*Laughs*)

10:19 5 Q Right. Do you recall learning about the Gail
6 Miller murder in January of 1969?

7 A Pardon?

8 Q Do you recall hearing about the Gail Miller --

9 A Yeah, I -- yes I do.

10:20 10 Q And do you remember how you heard about that and
11 where and when?

12 A We heard it on the news or something, we heard it
13 one night.

14 Q Anything stick out in your mind at that time about
10:20 15 the murder, about hearing about it?

16 A No, not really.

17 Q Just one last question about the work that you
18 did. Were there occasions when you were working,
19 when it was very cold, that the job site would be
10:20 20 shut down?

21 A Umm, not really. We pretty well worked right
22 through, that I remember anyway.

23 Q Okay. Now there's been some, or there is, has
24 been evidence that a couple of days, three days
10:20 25 after the murder Larry Fisher was questioned by



1 police officers at the bus stop on his way to work
2 on the Monday morning after the murder. I'm just
3 wondering whether Larry Fisher ever talked to you
4 about that?

10:21 5 A No.

6 Q Now I understand in 1970 you travelled to Winnipeg
7 for a job; is that right?

8 A Right.

9 Q And it was at Masonry construction?

10:21 10 A Yes, contractors, yeah.

11 Q And Larry travelled -- Larry went with you?

12 A No, he went before I did.

13 Q Okay. And did you live together in Winnipeg?

14 A Yeah, we stayed together. We rented a house up
10:21 15 there together, there was four of us, or
16 something, that lived in a --

17 Q And --

18 A -- rented house.

19 Q And I take it before he was arrested -- or you
10:21 20 became aware that he was arrested for some crimes
21 in Winnipeg or Fort Garry?

22 A Yeah, after, when -- after he was arrested.

23 Q Yes.

24 A Yeah.

10:21 25 Q Prior to that time did you notice anything unusual



1 about Larry Fisher --

2 A Not really.

3 Q -- in Fort Garry?

4 A No.

10:21 5 Q Now tell us your recollection of what, when and
6 how did you find out that Larry Fisher had been
7 arrested?

8 A Well when I came back, we came back from Saskatoon
9 that weekend, we went back to Winnipeg and we
10:22 10 heard that Larry was in jail. So he, umm, he
11 phoned, he had phoned and -- co-workers of ours,
12 right, --

13 Q Yes?

14 A -- and told them, he told me, and he says that,
10:22 15 not to worry, that he had to see Larry -- or one
16 day or something, I forget, next day or something
17 he had to go see Larry.

18 Q Okay. I'm sorry, can you say that again, please?

19 A He said he had to go see Larry the next day or
10:22 20 something.

21 Q This was a co-worker?

22 A Yeah.

23 Q Okay. And did you subsequently talk to Larry
24 while he was in prison?

10:22 25 A Yes, I went and visited him one day.



1 Q And did you ask him about what he was in for or
2 what happened?

3 A Yeah, and he just said "nothing", he said, he just
4 said "don't even worry about it, I will be out in
10:22 5 a few days", that's what he told us.

6 Q Okay. Did you know what he was in for at that
7 time?

8 A No I didn't.

9 Q And did he tell you what he was in for?

10:23 10 A No.

11 Q Did you subsequently find out what he was in jail
12 for?

13 A Yeah.

14 Q And from who and when?

10:23 15 A Well we found out through, what do you call it,
16 his wife Linda when she said that he was charged
17 with that.

18 Q So Linda told you. Now he was arrested September
19 19th, 1970?

10:23 20 A Uh-huh.

21 Q So within, what, a few weeks after that?

22 A Yeah, a week or something we were there.

23 Q And what did Linda tell you?

24 A Well she said he had been arrested for rape, or
10:23 25 something, and they were holding him. That's all



1 I knew.

2 Q Did that surprise you?

3 A Yeah.

4 Q Okay. Did you go back and talk to Larry Fisher
10:23 5 after that?

6 A No.

7 Q Did you have any further discussions with Linda,
8 Linda Fisher, about Larry's -- Larry Fisher being
9 in jail and the charges?

10:24 10 A Not -- I don't know, I wouldn't say that. But we
11 used to talk about stuff, like he was in there,
12 that's all, not really -- I don't remember exactly
13 what we were talking about.

14 Q Okay. After Larry Fisher was arrested in
10:24 15 September of 1970 I take it at some point you
16 finished the job in Winnipeg and returned to
17 Saskatoon?

18 A Right.

19 Q And did you and your wife Anita continue to
10:24 20 socialize with Linda Fisher?

21 A Yeah.

22 Q And I take it that -- would you have remained as
23 close to her as you were before?

24 A Oh yeah.

10:24 25 Q And did you, from time to time, talk to Linda



1 about Larry Fisher's troubles and his --

2 A Yeah, we did.

3 Q And do you have any recollection of what was
4 discussed?

10:24 5 A Yeah, we talked about what he was doing in there
6 and what happened in Winnipeg and that.

7 Q Did you become aware at some point, sir, that Mr.
8 Fisher was also charged with three rapes and an
9 attempted rape in Saskatoon?

10:25 10 A Not until after he was sentenced on that.

11 Q Okay. So he was sentenced in Manitoba in May of
12 1971 to 13 years?

13 A Uh-huh.

14 Q Did you become aware of that --

10:25 15 A Yeah.

16 Q -- from Linda?

17 A Yeah.

18 Q And then in December of the same year he was
19 convicted for four Saskatoon offences and received
10:25 20 concurrent time, which means that he didn't have
21 to serve --

22 A Uh-huh.

23 Q -- any additional time to the 13 years. Did you
24 become aware, around that time, that he had some
10:25 25 additional charges in Saskatoon?



1 A Yeah, we heard it on the news, that's all. Like

2 --

3 Q Okay.

4 A -- that's what we heard from it.

10:25 5 Q And what did you hear, sir?

6 A Well, that he was charged for rape in Saskatoon,
7 but we never really knew what he was charged with
8 or what for.

9 Q Okay.

10:26 10 A So --

11 Q Was this on the television news?

12 A It was on the radio or probably the television,
13 yeah.

14 Q And did you talk to Linda about that?

10:26 15 A Well we talked to Linda quite a bit, but --

16 Q And would Linda have been -- would Linda have told
17 you about Larry's charges for the Saskatoon
18 offences?

19 A Yeah, she did.

10:26 20 Q Yeah. And these offences, sir, would have been, I
21 think, in 1968 and 1970 --

22 A Uh-huh.

23 Q -- at or about the time you would be working with
24 and socializing with Larry Fisher; is that right?

10:26 25 A Right.



1 Q And do you recall anything, from that time,
2 unusual -- let me rephrase that.

3 A Yeah.

4 Q When you heard about Mr. Fisher being charged for
10:26 5 the Saskatoon rapes did you think back and think
6 of anything unusual that you might have observed
7 at that time?

8 A No.

9 Q And so did you become aware, then, that Mr. Fisher
10:27 10 was convicted for the Saskatoon rapes?

11 A Yeah, when we heard it, yeah.

12 Q Okay. And then did you have any further
13 discussion with Linda Fisher -- or let me back up
14 -- did you have any discussion with Linda Fisher
10:27 15 about the Gail Miller murder or the murder of a
16 nurse in the area?

17 A Not really, because we didn't really expect him at
18 the time.

19 Q Pardon me?

10:27 20 A We didn't really expect him, but we never talked
21 about it at the time.

22 Q Okay. Was there a point in time later on when you
23 would have discussed with Linda Fisher anything to
24 do about the Gail Miller murder, or the murder of
10:27 25 a nurse, and Larry Fisher's potential involvement?



1 A Yeah.

2 Q Tell us about that?

3 A Well Linda said that, she told us one time that,
4 when he came home that morning that she had told
10:27 5 him that -- they got in a fight and he said -- or
6 that she said "you must have, might have been the
7 one that did it", because he didn't come home that
8 night or something, and she said he turned pale,
9 and that was it.

10:28 10 Q Okay. And so who was present when Linda told you
11 this; do you remember?

12 A Oh, I don't know, probably Anita.

13 Q Okay. And do you remember where this was?

14 A No. That's 36 years ago.

10:28 15 Q Yeah, that's --

16 A I can't remember all of it.

17 Q That was my next question, to try and determine
18 when that would have been in relation to, --

19 A Uh-huh.

10:28 20 Q -- I think December of '71 Mr. Fisher was
21 convicted for the Saskatoon offences. Can you
22 help us out as to a time frame, if you can, as to
23 when, when you think Linda Fisher would have told
24 you about her accusations to Larry Fisher?

10:28 25 A Oh, it was quite a few, after he was sentenced and



1 all that, and I don't know, it would be a couple
2 of years or so.

3 Q So sometime after 1971?

4 A Yeah.

10:28 5 Q And did you become aware, sir, that Linda Fisher
6 went to the Saskatoon City Police in August of
7 1990 and gave a statement?

8 A Not at the time, but I heard later that she did.

9 COMMISSIONER MacCALLUM: What year?

10:29 10 MR. HODSON: Aug -- did I say -- August of
11 1980, did I say 1990 again?

12 COMMISSIONER MacCALLUM: Yes.

13 MR. HODSON: That's the second time. I
14 apologize.

10:29 15 BY MR. HODSON:

16 Q August 28th, 1980 she went in to the city police,
17 and when did you find out about that?

18 A Oh, well, she told us that one time, I don't know,
19 it was quite a while after.

10:29 20 Q Okay. Umm, the -- when she told you about her
21 argument with Larry Fisher on the morning of the
22 murder would that have been -- I'm trying to
23 understand, Mr. Pambrun, the date -- would that
24 have been before or after you found out about her
10:29 25 going to the city police in 1980?



1 A Repeat that again, please?

2 Q Sure. I'm just trying to get a time frame.

3 A Yeah.

4 Q I think you told us in 19 -- well we know in 1980

10:29 5 Linda Fisher went to the police?

6 A Uh-huh.

7 Q And I think you said, at some point after that,
8 Linda told you that she went to the police; is
9 that right?

10:30 10 A Right, right.

11 Q Yeah. And how much after; do you remember when
12 that was?

13 A Oh, I don't remember.

14 Q Okay. So it could have been a few days, weeks,
10:30 15 years after?

16 A Oh, it was quite a while after anyway.

17 Q Quite a while after?

18 A Yeah.

19 Q Okay, and I'm trying to understand, so we have
10:30 20 that incident where Linda Fisher tells you about
21 going to the police?

22 A Yeah.

23 Q Prior to her telling you that she went to the
24 police had she already told you about her
10:30 25 confrontation with Larry on the morning of the



1 murder?

2 A Umm, I think so, I'm not sure.

3 Q Okay. And so, again, I think -- and please

4 correct me if I'm wrong -- I think you said that

10:30 5 Linda told you about the accusation with Larry on

6 the morning of the murder, I think you said a

7 number of years after --

8 A Right.

9 Q -- Larry was sentenced; is that right?

10:30 10 A Right.

11 Q And at some point, Mr. Pambrun, did you, in your

12 mind, connect or think that Larry Fisher might

13 have been involved in the Gail Miller murder at

14 some point?

10:30 15 A Yeah, after he got picked up in Winnipeg I

16 thought, well, he wouldn't -- he could have done

17 it.

18 Q Okay. And what caused you to think that?

19 A Oh, I don't know, he was just -- that when he got

10:31 20 connected with all that I knew that he was up

21 there, and somebody said he is -- or yellow hard

22 hat, or something like that, and he caught a bus,

23 and they kind of all more or less filled in.

24 Q Okay. Are you talking about information that you

10:31 25 learned later?



1 A Yeah.

2 Q Okay. Let me try this again. I'm talking back in
3 1970, --

4 A Uh-huh.

10:31 5 Q -- when Mr. Fisher was arrested back in 1970, did
6 you, at that time, think that Mr. Fisher might
7 have been involved in the Gail Miller murder?

8 A Yeah, I guess so.

9 Q Okay. And based on what?

10:31 10 A From the information that happened that he was
11 doing that, so --

12 Q And what information did you have?

13 A Well, all these rapes that he was doin', so --

14 Q Okay. So at the time he was arrested in Winnipeg,
10:32 15 though, did you know about the fact that he had
16 committed the rapes?

17 A No.

18 Q And so I think you said that you heard about those
19 later?

10:32 20 A Right.

21 Q The next year. So at that time then, when you
22 heard about the rapes, did you think that Mr.
23 Fisher may have been involved in the murder?

24 A Well I thought that it could have been possible.

10:32 25 Q Okay. Did you talk to anybody about that?



1 A Well we -- a lot of people, we'd talk about it,
2 like when we got together relations would talk
3 about stuff like that and trying and figure it
4 out.

10:32 5 Q Okay. Were you aware that David Milgaard had been
6 convicted of the murder of Gail Miller?

7 A Yeah.

8 Q Okay. And it would it have been after he was
9 convicted, then, that you thought Larry Fisher
10:32 10 might have been --

11 A Yeah, right, it was after.

12 Q Okay. And you say you talked to relatives or
13 other people about that?

14 A Right.

10:32 15 Q And before Linda told you about her argument with
16 Larry the morning of the murder, okay, before she
17 told you about that did you, in your own mind,
18 have thoughts that maybe Mr. Fisher might have
19 been involved in a murder?

10:33 20 A Yeah, I guess I did, sort of.

21 Q Okay. And, again, that was based on the rapes
22 that he had committed?

23 A Right.

24 Q And then anything else, just from what you knew at
10:33 25 that time, --



1 A Yeah.

2 Q -- not from what you learned later?

3 A No, just from what I knew then, that's all.

4 Q I see. Did you ever talk to any police officer --

10:33 5 A Excuse me.

6 Q Oh, no, you go ahead. Did you ever talk to any
7 police officer or anybody in authority about your
8 thoughts?

9 A No.

10:33 10 Q And any reason that you didn't?

11 A I didn't think, at the time, that there was any
12 reason for it. I mean he was convicted, I didn't
13 think it was him, I didn't know it would matter,
14 like, for me to bring that up.

10:34 15 Q Okay. When you say when 'he' was convicted are
16 you referring to Mr. Milgaard?

17 A No, to --

18 Q Oh, to Larry?

19 A Yeah.

10:34 20 Q Okay. So you knew Larry was convicted of some
21 rapes?

22 A Yeah.

23 Q And you thought he might have been involved in the
24 murder?

10:34 25 A Yeah. Just a thought, yeah, thinking, I never --



1 Q Okay. So the thought, Mr. Pambrun, would it be
2 something that, you know, 'that's odd, maybe he
3 was involved', or would it be something stronger,
4 saying 'I think he did it'?

10:34 5 A No, probably odd, more or less.

6 Q 'Odd' did you say?

7 A Yeah.

8 Q Okay. And then at some later point did your
9 thought process go to thinking that it was maybe
10:34 10 stronger, that once you learned more information,
11 that --

12 A Right.

13 Q And then, when you talked to Linda about her
14 argument with Larry, did that cause you to --

10:35 15 A Yeah, it caused me to think a bit.

16 Q And when Linda told you this did you talk to her
17 about going to the police with her thoughts or did
18 you get the impression that she might go to the
19 police?

10:35 20 A No, I didn't think of that at the time.

21 Q Did you form any impression, just again when Linda
22 told you about this, did you in your mind believe
23 that Linda thought that Larry was the killer of
24 Gail Miller? And, again, I'm asking --

10:35 25 A No, I think it was just, she just -- that thought



1 of it. That's all. I never really thought of it,
2 that it could happen. She didn't, I don't think
3 she even knew at the time, she was just saying it,
4 eh. Said, like she said it was more or less to --
10:35 5 they were in an argument and she just -- a comment
6 back to him, I guess.

7 Q Yeah. After she went to the police and then she
8 told you about that, when she -- and I think that
9 would have been after 1980?

10:35 10 A That was years after.

11 Q Years after?

12 A She told me, yeah.

13 Q Could that have been as late as 1990, then, when
14 you --

10:36 15 A Yeah, I think so.

16 Q You think it was around that time frame?

17 A Yeah.

18 Q And do you recall, around the late '80s and early
19 1990s, that David Milgaard's attempts to set aside
10:36 20 his conviction was in the media a fair bit; do you
21 remember that?

22 A Right.

23 Q Yeah. Would it have been around that time frame,
24 when it was in the news, that Linda would have
10:36 25 told you about going to the police; are you able



1 to --

2 A I don't remember when she told me, really.

3 Q I want to call up 058026, please. And this is an
4 account to Larry Fisher for some matters that
10:36 5 appear to have taken place in April or May of
6 1970, and we've heard some evidence already from
7 Mr. Fisher that it may have involved some dispute
8 with his landlady, and the lawyer's account talks
9 about attendance with Mrs. Fisher, who I believe
10:37 10 was Linda Fisher, and Mr. and Mrs. Pambrun, which
11 I understand was you and your wife Anita. Do you
12 have any recollection of being involved in a
13 matter back in 1970?

14 A Yeah, they subpoenaed me and told me to go to
10:37 15 Court, but I didn't know what it was about.

16 Q Okay. Who subpoenaed you?

17 A I -- district attorney or whatever, whoever it
18 was. It was a hearing I think.

19 Q Okay. And do you remember what it related to?

10:37 20 A Yeah. He was supposed to have been beat up his
21 landlord or something like that.

22 Q You say 'landlord'; was it a landlady?

23 A Landlady or whatever, yeah.

24 Q And were you a witness to that?

25 A Well, no. I was supposed to be, but they didn't



1 take my -- I didn't know what was going on, they
2 just called me and --

3 Q Okay.

4 A -- I didn't know what they were talking about, so
10:37 5 they just let me go. I --

6 Q And do you have any recollection of Larry Fisher
7 having a dispute with his landlady?

8 A No, I don't, but I heard that, like, she was beat
9 up and that, eh.

10:38 10 Q Okay. And did you understand that Larry Fisher
11 was charged with something?

12 A Well he was -- I went to Court and they said he
13 was charged, but I didn't know what he was charged
14 for, so --

10:38 15 Q And what happened in Court?

16 A Well they, on the witness stand they started
17 asking me questions, I didn't know what they were
18 talking about.

19 Q So you did get called to the witness stand?

10:38 20 A Yeah.

21 Q Okay. And then do you know if the charges were
22 dismissed?

23 A They were dismissed, yeah.

24 Q Okay. Do you remember, did you have a meeting
10:38 25 with Mr. Fisher's lawyer at the time, do you



1 remember that?

2 A For -- I wasn't home, I don't think, when they had
3 the meeting.

4 Q Pardon me?

10:38 5 A I don't think I had one with him.

6 Q Okay. Do you remember meeting Mr. Fisher's lawyer
7 at the time?

8 A Not until I went to Court.

9 Q Okay. Do you remember meeting him after Court?

10:38 10 A I don't know.

11 Q Okay. Do you remember the name of the lawyer?

12 A No.

13 Q Was it Ian Disbury? Does that name sound
14 familiar?

10:39 15 A Sounds familiar. I don't know if it was him or
16 not.

17 Q Okay. And, again, did you -- do you know what
18 Larry Fisher's position was about this incident
19 with the landlady, do you remember anything about
10:39 20 that?

21 A Well I heard he was supposed to have beat her up,
22 and that's all I remember, like that --

23 Q That --

24 A That's what we heard in Court.

10:39 25 Q Pardon me?



1 A That's what we heard in Court there. When he
2 questioned me I didn't know, even, nothing about
3 it.

4 Q Okay. Do you remember if there was any suggestion
10:39 5 or allegation that there was a sexual assault
6 involved in the incident?

7 A No.

8 Q You say you don't recall or that it wasn't?

9 A No, I don't recall.

10:39 10 Q Okay. Now I understand sir, if we go ahead to
11 1990, that you had occasion to meet with Joyce
12 Milgaard and a fellow by the name of Paul
13 Henderson, an investigator?

14 A Right.

10:39 15 Q And I think Linda Fisher was present?

16 A I'm not sure if she was or not. No, I don't think
17 she was.

18 Q And do you remember how that came about?

19 A Well they phoned me up, the -- her lawyer phoned
10:40 20 me up and said that they wanted to talk about
21 this --

22 Q Okay.

23 A -- and we -- they had a meeting with us at our
24 house.

10:40 25 Q Okay. And they asked you questions, I take it,



1 about your dealings with Larry Fisher and --

2 A Right.

3 Q And do you recall if they tape-recorded the
4 conversation?

10:40 5 A I don't recall.

6 Q Okay. We have a transcript of a tape, in fact we
7 may also have the tape. If we can call up 265185,
8 please, and go to page 265246. And this is
9 follow-up after they interviewed Linda Fisher, and
10:40 10 it's got Joyce Milgaard and Paul Henderson, and
11 Linda Fisher may have been there. Do you remember
12 who was there during --

13 A Just Anita and I, I think, and Mrs. Milgaard and
14 --

10:41 15 Q Do you remember --

16 A -- her lawyer.

17 Q A lawyer? Do you remember a fellow by the name of
18 Paul Henderson?

19 A I think that's who it was, it wasn't a lawyer, it
10:41 20 was Paul Henderson that was there.

21 Q And was this at your home that the interview took
22 place?

23 A Right.

24 Q And I take it at that time, sir, you would have
10:41 25 given Mrs. Milgaard and Mr. Henderson your best



1 recollection of events?

2 A Right.

3 Q If we could go to page 265247, we're just going to
4 go through some of these, Mr. Pambrun, and ask you
10:41 5 about them. Mrs. Milgaard asks you about, 'I
6 know, but just Larry did have access to your' --
7 sorry, right there -- 'your car', and you answer,
8 'well actually he lived with us half the time.'

9 And that, is that truthful?

10:41 10 A Uh-huh, yes it is.

11 Q And then it talks about your car, the '58 Chevy,
12 and that's what you have told us?

13 A Uh-huh.

14 Q If we could go to the next page, please. And then
10:42 15 you say on the next page, 'See, they could have
16 been, they could have seen though, like I used to
17 go out and pick him up from work and take him to
18 work and bring him home from work, and we worked
19 at the place at the university.'

10:42 20 And so I take it, sir, at some
21 point you worked with him at the university?

22 A Yeah, but that was, I think it was before --

23 Q Okay.

24 A -- that he had worked, and then after I left
10:42 25 there.



1 Q And then you go on to say here, 'I didn't know
2 anything about that ... that Larry had anything to
3 do with it,' which I think is referring to the
4 Gail Miller murder, "or even after, knew anything
10:42 5 about it until after that deal in Winnipeg there.
6 Well that's the first time I ever heard anything
7 about it .." and I think that was about Larry
8 going to work when the girl was found.

9 If you could just scroll down,
10:42 10 please, and it says, 'then you found out about it,
11 so at that time that the girl was murdered you
12 didn't remember anything that happened at that
13 time really just around that time. O.K. But
14 during that period of time you two worked together
10:43 15 and sometimes you would drop him off and maybe if
16 ... occasionally did he drop you off and then take
17 your car...' and you answer 'no well it was my car
18 so either I dropped him off or he borrowed my car
19 maybe for something like that but that's about all
10:43 20 ya..' and is that accurate?

21 A Right.

22 Q And then the next page, and then you are asked,
23 'ya right.' This is by Mrs. Milgaard. 'So that
24 he would certainly have access to your car at that
10:43 25 time.' Mr. Henderson says, 'wait a minute, that



1 didn't explain why he would have access to your
2 car. Did he have keys to your car.' And you
3 answer 'no no. I would even borrow it to him ...
4 he'd say well I got to use it to do something you
10:43 5 know.' Mrs. Milgaard, 'he would borrow it. He
6 would have ... and he would let him have it so he
7 wold have access to the car. 'You didn't hesitate
8 to loan him your car?' Answer, 'no.'

9 Just pause there. Did Mr.
10:44 10 Fisher have the keys to your car or did you give
11 them to him when he asked for them?

12 A I gave them to him when he asked for them.

13 Q To your knowledge, he didn't have his own set of
14 keys?

10:44 15 A No.

16 Q And then Mrs. Milgaard says, 'so you see one of
17 the things that the police were asking him at that
18 time, questions, and he didn't have a car ... they
19 thought possibly ...' and then inaudible, 'would
10:44 20 have not even clicked. But that fact that he had
21 access to that kind of car is very helpful to
22 know. It may not ... it may not even be anything
23 but then you've got a few of these.' And then
24 Henderson says, 'you loaned him your car all the
10:44 25 time.' You answer, 'no not all ... well whenever



1 he wanted it ... quite often, you couldn't say all
2 the time ... because I drove it most of the time.'
3 And then 'ya because sometimes he'd go out at
4 night with it,' and you answer 'ya. Well not
10:44 5 really at night, mostly during the day ...'

6 And is that truthful and
7 accurate?

8 A True.

9 Q And then carrying on, and Linda appears to be
10:44 10 there, 'if he borrowed it it would be just ... it
11 wouldn't be very long.' And is that accurate?

12 A Right.

13 Q And then Linda said, scroll down a bit, and then
14 you say, 'if he borrowed it during the day it
10:45 15 wouldn't belong,' and then Linda said he never had
16 a license. Is that right?

17 A I don't know.

18 Q Then the next page, and then Mr. Henderson asks
19 you, 'could you ever imagine a situation where it
10:45 20 was a working day and you were planning on going
21 to work and Larry had your car,' and you answer
22 'oh I'd remember something like that.' And is
23 that correct, sir?

24 A I don't remember.

10:45 25 Q Do you ever remember a morning where you had to go



1 to work and you didn't have your car because Larry
2 had your car?

3 A I remember one time he dropped me off at work and
4 then he used the car for the morning, but he
10:45 5 couldn't come to work that morning. He said he
6 was sick or something.

7 Q And was that winter, summer? Do you remember?

8 A I don't remember.

9 Q And what time did you start work at?

10:45 10 A About 7:30, eight o'clock.

11 Q What time would Mr. Fisher have to pick you up to
12 get you to work on time?

13 A Oh, probably around seven, 7:30.

14 Q Okay. And again -- so would he have had your car
10:46 15 then or did you go pick him up and then leave him
16 the car?

17 A I would pick him up and leave him the car.

18 Q So that one incident, you would have picked him up
19 at home. Do you remember where he lived at the
10:46 20 time?

21 A I don't remember.

22 Q Was there ever an occasion where he would have had
23 your car overnight?

24 A No, not that I know of. Not that I remember
10:46 25 anyway.



1 Q And if we go to the next page, please, full page,
2 please -- sorry, the next page -- actually, sorry,
3 just back up. I think what you said back in 1990,
4 Mr. Henderson, 'does it sound ... is it possible
10:46 5 that Larry could have had your car?' And I think
6 that's talking about when you were planning to go
7 to work. You say, 'oh ya. He could have borrowed
8 it ... said he had to do something ... you know he
9 dropped me off at work and took my car ... that
10:47 10 could have very well have happened.' I think
11 that's what you've told us. 'What time did you go
12 to work?' And you said, 'we'd be at work most
13 times by seven o'clock.' And then Henderson says,
14 'seven or eight. So he might have taken your
10:47 15 car?'

16 You said seven o'clock, Mr.
17 Henderson said seven or eight. Can you tell us
18 which?

19 A Well, it depends when we worked. Sometimes we
10:47 20 worked early, sometimes we go to work at eight
21 o'clock.

22 Q Okay. Go to the next page, please, Mr. Henderson
23 asks you, 'did Larry ever saying anything to you
24 that in retrospect, think back on it made him make
10:47 25 ... make sense now in terms of he's a psychopathic



1 rapist ...' and your answer, 'I never I never even
2 suspicious.. suspected anything like that like I
3 said until I heard the news,' and there's a blank,
4 'after I heard ... after I heard all what happened
10:47 5 well you know I'd never believed it because he so
6 ..'

7 And do you recall saying
8 something like that? Is that accurate?

9 A Not accurate. I don't really know. I can't
10:48 10 remember.

11 Q When you say until I heard the news, was that what
12 you told us earlier about the news --

13 A Probably, yeah.

14 Q -- of his convictions?

10:48 15 A Right.

16 Q And would that be for the rapes in Saskatoon?

17 A Yeah.

18 Q Just go to the next page, please. It says, 'did
19 you go with Larry. Did you socialize with him?'

10:48 20 Answer, 'oh ya we used to drink and everything
21 together. But he never drank that much. I don't
22 think he ever drank. I was telling Linda he never
23 really that drunk like you know.' And is that
24 accurate?

10:48 25 A Right.



1 Q Next page, please, and you are asked by
2 Mrs. Milgaard, 'whoever did that I think must have
3 been very strong.' And I think she's talking
4 about the murder. 'And the other thing is the
10:49 5 person that saw headlights in the alley at about
6 seven o'clock that morning shortly after seven
7 that morning saw headlights in the alley and he
8 saw a short man walk in front of the headlights.
9 That was the caretaker of the church..." and your
10:49 10 answer. 'Ya that was another think too, though,
11 like at seven o'clock in the morning, shortly
12 after seven see if we went to work we had probably
13 be there by seven. We had to be at work by
14 seven.'

10:49 15 And is that truthful and
16 accurate?

17 A Right.

18 Q And then the question, 'ya but if he borrowed your
19 car and he went back and he could have been
10:49 20 there,' and you answer, 'but he'd have time to get
21 back so I wonder if he dropped me off at 6:30.'

22 Can you tell us what you meant
23 by that?

24 A Just that we started early sometimes, like, it's a
10:49 25 contractors job, eh, sometimes you have to get



1 there early to do, get ready for the brick layers
2 and that.

Q Okay. Go to the next page, please, and then Mr. Henderson says, 'what I'm thinking is he might have taken the car out that night. Borrowed the car from you that night. The car was seen ...' and then Linda says, 'no. Never overnight. I don't think he ever borrowed the car ...' and then you say, 'I don't think he ever borrowed my car, my vehicle overnight. I don't think he ever did.' And then inaudible. '... always brought it home. He never kept it overnight, never ever kept my vehicle overnight.'

And is that truthful and

accurate?

A True.

Q And then you go on to say, Linda says, 'cause he used it for work.' And did you use your car for work?

A I used it to go to work.

Q Yeah. And then you say, 'he either borrowed it
for the day or maybe after work for an hour or
something like that.'

And then again down at the bottom, it says, 'I don't think he ever ever



1 borrowed my vehicle overnight really.'

2 And is that something you would
3 have said at the time?

4 A Right.

10:50 5 Q And that's accurate and truthful?

6 A True.

7 Q The next page, please, and then again the
8 question, it says, 'ya whatever if you are at a
9 party or something around 3:30 or 4:00' and then
10:51 10 you say 'I can't see him having my car at that
11 time of the morning.' I think that's around seven
12 a.m.

13 Is that accurate and truthful?

14 A True.

10:51 15 Q Next page, please -- and actually the next page,
16 265258, please, and at the top Mr. Henderson says,
17 'what I'd.. what we had like to do with, with your
18 permission is just take a statement that says ...
19 that ... that you recall ... you don't recall any
10:51 20 dates, but Larry would sometimes borrow your car.
21 That's all ... basically. Is that O.K.' and you
22 say, 'it doesn't matter to me. I don't care.'

23 And if you could call up 012090,
24 please, and this is a statement of Clifford
10:52 25 Pambrun dated March 10, 1990, and if we can just,



1 at the bottom, is that your signature over Cliff
2 Pambrun?

3 A Right.

4 Q And it's witnessed by Joyce Milgaard?

10:52 5 A Uh-huh.

6 Q And Irene McDonald. Is Irene your sister?

7 A Yeah.

8 Q Pardon me?

9 A Yes.

10:52 10 Q And that's Linda's mother?

11 A Right.

12 Q And whose handwriting -- go back to the full page.
13 Whose handwriting is the statement in?

14 A I don't know.

10:52 15 Q I think -- I'm going to suggest --

16 A Probably Paul Henderson or something.

17 Q Paul Henderson, yeah. It's not your writing?

18 A No.

19 Q And do you remember how the statement came about,
10:53 20 did he write it out for you or did you --

21 A I don't even remember Irene being there when I
22 made the statement. I don't recall this.

23 Q And -- but that's your signature?

24 A Right.

10:53 25 Q And the transcript suggests that Mr. Henderson



1 asked you if you would sign the statement and you
2 said yes.

3 A Yeah.

4 Q And did you write out a statement there for you to
10:53 5 sign do you remember?

6 A Right, but I don't remember Irene being there.

7 Q Okay.

8 A She might have been. I don't know. I just don't
9 remember.

10:53 10 Q That's fine. Apart from that -- so these would be
11 Mr. -- Mr. Henderson would have written this out?

12 A Right.

13 Q And then did you read it over before you signed
14 it?

10:53 15 A I'm not a very good reader, so he read it over to
16 me.

17 Q Okay. Let me just go over part of this.
18 Actually, we'll go through the whole statement and
19 it says:

10:53 20 "I, Clifford Pambrun, declare as
21 follows:

22 I am Linda Fisher's uncle. My
23 sister, Irene McDonald, is Linda's
24 mother. When Linda was married to Larry
10:54 25 Fisher and living with him here in



1 Saskatoon, I worked with Larry in
2 construction and socialized with him a
3 great deal. We went duck and deer
4 hunting and sometimes drank together in
10:54 5 the bars and partied at night.

6 In the late 1960s, I was
7 driving a 1958 Chevrolet. It was dark
8 red in color and had a dark vinyl top."
9 And that's all accurate isn't it?

10:54 10 A Right.

11 Q It says:

12 "Larry Fisher did not own a car at this
13 time and sometimes asked to borrow mine.
14 I recall that I let him use my car a
10:54 15 number of times. I have no recollection
16 of letting him borrow my car on any
17 specific date. But it is possible that
18 he could have been driving the car with
19 my permission either during the daytime
10:54 20 or at night."

21 If I can pause there. Is that accurate?

22 A Well, not really because -- or at night. I never
23 lend him my car at night really.

24 Q Okay. And I think --

10:54 25 A Not for the night anyway. Like, maybe for the



1 evening.

2 Q Now, in the transcript that I went through that I
3 think immediately preceded this statement, you
4 said, I think a couple of times when asked, that
10:55 5 he would never use the car overnight?

6 A Right.

7 Q Is that right? Do you know why that wouldn't be
8 in the statement?

9 A I don't know. Just different times I guess.

10:55 10 Q Okay. It says:

11 "I recall that Larry was a hard worker
12 who very, very seldom would miss a day
13 of work."

14 And is that truthful and accurate?

10:55 15 A True.

16 Q And then:

17 "I have given this statement bona fide
18 without being offered anything in
19 return."

10:55 20 And that's accurate is it?

21 A Right.

22 Q And then shortly following your meeting with Joyce
23 Milgaard and Paul Henderson, it appears that you
24 met with a Sergeant Pearson of the RCMP. Do you
10:55 25 remember that?



1 A Right.

2 Q And anything stand out about this meeting?

3 A No, not really.

4 Q If we could call up 301895. Go to the next page,

10:55 5 please. Again, we'll just go through parts of

6 this. Again, this is typed, and did Mr. Pearson

7 ask you some questions and then prepare a

8 statement for you to sign; is that --

9 A I'm not sure. I don't remember it.

10:56 10 Q Pardon me?

11 A I don't remember it.

12 Q Do you remember meeting him though?

13 A Yeah.

14 Q And it says here that you got a job with Masonry

10:56 15 Contractors in Saskatoon in the fall of 1966 and

16 Larry moved to Saskatoon, he worked for them, and

17 then it says:

18 "Larry and I worked together on several

19 projects all within the city of

10:56 20 Saskatoon. There were approximately 40

21 guys with the company and the crews

22 mixed and we did not work with the same

23 people all the time."

24 I think that's what you told us this morning; is

10:56 25 that right?



1 A Right.

2 Q And then:

3 "Larry and Linda spent a lot of time at
4 our place. Larry and I hunted and
10:56 5 fished and we were good friends. When
6 Larry moved to Saskatoon I owned 1958
7 Pontiac Strato-Chief 4 door sedan, brown
8 or tan. I believe but I'm not sure,
9 that it was late 1967 or early 1968 I
10:57 10 smashed the Pontiac up when I hit a
11 parked car. The car was written off. I
12 replaced that car with a 1958 Chev,
13 model unknown. The car had imitation
14 black vinyl top with a dark red body. I
10:57 15 think it was a 2 door, but I'm not
16 positive. I had the car about one year,
17 but I'm not sure. I sold the Chev to a
18 fellow in North Battleford, I don't
19 remember his name."

10:57 20 Is that truthful and accurate?

21 A Well, it wasn't hitting a parked car, I hit a tree
22 I think.

23 Q Okay. Apart from that it's accurate and truthful?

24 A True.

10:57 25 Q Next page, please, it says:



1 "During the time Larry worked for
2 Masonry Construction, he had a car of
3 his own. During the time he worked on
4 the Walter Murray High School,
10:57 5 Saskatoon, Larry had his car, 1957 Ford
6 Fairlane, black top, white stripe in the
7 middle with red bottom. Larry blew the
8 transmission out and the car is parked
9 at Linda's mother's place in Cando, SK.
10:58 10 After Larry's car was out of working
11 order, I loaned him my 1958 Chev pretty
12 well whenever he wanted."

13 And I think that's similar to what you told us
14 this morning; is that right?

10:58 15 A More or less, yeah.

16 Q And the car, '57 Ford Fairlane, it sounds like the
17 transmission blew on that at some point?

18 A Right.

19 Q Do you know when that would have been? Would that
10:58 20 have been before Gail Miller's murder?

21 A I don't recall.

22 Q When Mr. Fisher had his 1957 Ford Fairlane in
23 operation, did he ever ask to borrow your car?

24 A I don't remember.

10:58 25 Q It says:



1 "I recall Larry as being just an
2 ordinary fellow. I liked him and we got
3 along well. He would do anything for
4 you. If Larry and I worked on the same
10:58 5 job, I picked him up at his residence
6 and I know he caught the city bus often
7 to get to work."

8 And then talks about where he lived. If we can
9 just scroll down. Again, this talks about in
10:59 10 Winnipeg and then at the bottom:

11 "I don't recall anything unusual about
12 Larry during this time. The weekend
13 that Larry got arrested in Winnipeg, my
14 brother Roy, Linda Fisher and I returned
10:59 15 to Saskatoon. Linda had been staying
16 with us at the house for two weeks as we
17 usually came home every second weekend."

18 And is that right, had Linda been up to see Larry
19 the two weeks before he got arrested?

10:59 20 A Right.

21 Q "After Larry got arrested, he phoned Ken
22 Shoemaker at our Winnipeg house. Larry
23 apparently told Ken not to say anything
24 and we found out what happened when we
10:59 25 returned to Winnipeg."



1 Is that correct?

2 A Yes.

3 Q And then it talks about visiting him which you
4 told us about, and then the bottom:

10:59 5 "I recall Linda mentioning her
6 suspicions that Larry may have been
7 involved in the death of the nurse in
8 Saskatoon, but she said very little and
9 did not give any details of why she was
10:59 10 suspicious."

11 Can you tell us what that's referring to?

12 A Well, about that fight, that's where they -- the
13 argument they had that morning.

14 Q Okay. So that -- you are referring to the fight?

11:00 15 A Yeah.

16 Q Yeah. And I think you've told us about that
17 already. Now, you were not called to testify at
18 the Supreme Court of Canada, were you, in the
19 David Milgaard reference? You didn't go to Ottawa
11:00 20 to testify?

21 A No, no, no.

22 Q In 1993 do you remember being contacted by the
23 RCMP again?

24 A Right.

11:00 25 Q And if we could call up 049561, please, doc ID,



1 and if you go to page 049567, go to the next page,
2 and then this talks -- do you remember, it's a
3 Constable Cunningham meeting with you in
4 Saskatoon.

11:00 5 A I remember one time, yeah. I think so.

6 Q The name is familiar?

7 A Right.

8 Q And then it goes on:

9 "In particular he stated the following:"

11:01 10 Actually, let me just back up. I think they say
11 that you read your statement which you provided
12 to Joyce Milgaard and Sergeant Pearson which are
13 the two I just went through, adopted them as
14 being correct, and then stated the following.

11:01 15 "- he and his wife had been contacted by
16 Paul Henderson on at least two occasions
17 and reported that he was treated well by
18 Mr. Henderson."

19 Let me pause there. These are notes prepared by
11:01 20 an RCMP officer. Would that accurately record
21 what you would have told them at that time?

22 A Probably, yeah.

23 Q And what you say here, that you were treated well
24 by Paul Henderson and you met him on two
11:01 25 occasions. Is that true?



1 A Right, true.

2 Q And then at the bottom:

3 "- he believes he resided on Avenue C
4 North during 1968 - to 1969. Pambrun
11:01 5 added though that he moved around a
6 great deal during that period.

7 - he hasn't spoken to Larry Fisher since
8 1980."

9 Is that correct?

11:01 10 A Correct.

11 Q And down at the bottom, scroll down:

12 "- he did loan his vehicle to Larry on
13 various days but he cannot recall if
14 anything was missing from it when it was
11:02 15 returned. Pambrun was asked
16 specifically if he ever remembered a
17 blanket or any clothing that may have
18 been missing from his vehicle after
19 Larry Fisher would have returned it.
11:02 20 But Pambrun could not recall missing any
21 such item."

22 Is that correct?

23 A Correct.

24 Q And then:

11:02 25 "Mr. Pambrun does not remember if Larry



1 or Linda Fisher would have taken the
2 trucks to or from their residence back
3 in those days. He said it would have
4 been possible but cannot say for sure."

11:02 5 Do you know what that's referring to?

6 UNIDENTIFIED SPEAKER: Tracks.

7 BY MR. HODSON:

8 Q Oh, I'm sorry, tracks.

9 A It doesn't say trucks. Okay.

11:02 10 Q It says, "If Larry and Linda Fisher would have
11 taken the tracks to or from their residence back
12 in those days," and I had asked you that earlier
13 and you said you didn't know whether they did or
14 not?

11:02 15 A No. Just whatever way they come I guess.

16 Q And then if we can go to, just for the record,
17 022849, and this is a statement of the same date,
18 just go to the next page -- and the next page.
19 And this is just a typed version of a signed
11:03 20 statement. It appears that you would have signed
21 this statement; is that right? Do you remember
22 that?

23 A What does this say?

24 Q I'm sorry, just go back to the earlier page.

11:03 25 Yeah, this is a statement taken by Dressler,



1 Sergeant Dressler at your residence in the
2 presence of Constable Cunningham. So the notes
3 that I read to you were Constable Cunningham's
4 notes of the interview.

5 A Okay.

6 Q And I think they just put together, or I believe
7 the statement that you would have signed based on
8 what you told them.

9 A Right.

11:04 10 Q I want to skip ahead to 1997. I take it you
11 became aware at some point in 1997 that Larry
12 Fisher was charged for the rape and murder of Gail
13 Miller?

14 A Right.

11:04 15 Q And that you would have had contact with the RCMP?

16 A Yeah.

17 Q In that -- in connection with that. Call up
18 072939, please, and this is Hopkins, December
19 18th, 1997, sitting in a police car in front of
11:04 20 Mendel Street with Hopkins, Constable Stringfellow
21 and Cliff Pambrun. Do you remember that
22 interview?

23 A Correct.

24 Q And they would have asked you questions?

11:04 25 A Yeah.



1 Q I just want to go through a couple of those. So
2 this would be 1997 then; correct?

3 A Right.

4 Q And you are asked, 'do you actually recall the
11:04 5 date or the day that Gail Miller was working, or
6 pardon me Gail Miller was killed,' you say, 'oh
7 yea, I heard it on the news and all that, yea.'
8 'What do you remember about that day?' 'Nothing
9 especially, like it's something you hear on the
11:05 10 news that's all.'

11 And is that truthful and
12 accurate?

13 A Probably, yeah, truthful.

14 Q Go to the next page, please, and you are asked --
11:05 15 call out the bottom, it says, 'on the day that
16 Gail Miller was murdered. Was Larry at work that
17 day?' and your answer, 'well, I don't know for
18 sure but like I said I think he came in the
19 afternoon.' Question, 'you think he came in the
11:05 20 afternoon? Answer, 'yep.' 'What would you make
21 you think that?' 'cause he said he phoned me in
22 the morning and said he wouldn't be at work and
23 then he showed up in the afternoon.' Question,
24 'he phoned you morning?' 'Not that morning but he
11:05 25 always phoned me and tells me not to pick him up I



1 used to give him a ride once in a while.'

2 Question, 'do you remember him phoning you that
3 morning?' 'No.' 'What makes you think he wasn't
4 at work that day?' Answer, 'I was working there,'
11:06 5 and then laughing. 'You were working.' 'Yea.'

6 'So your pretty sure that he wasn't at work on the
7 morning that she was killed?' Your answer, 'well
8 that far that amount of time it's hard to say but,
9 I'm sure.' 'Your sure.' 'Pretty sure yea.' 'And
11:06 10 the reason that your sure is because you - you
11 remember him not being at work' 'yea' 'is that
12 correct'.

13 Now, do you remember giving that
14 information to the RCMP?

11:06 15 A I remember giving them some information, yeah.

16 Q And do you have a recollection today, Mr. Pambrun,
17 of whether or not Larry Fisher was at work on the
18 morning of the murder?

19 A I'm not really sure.

11:06 20 Q And I think you told us earlier, and please
21 correct me if I'm wrong, that at the time of the
22 murder you believed you were working at Walter
23 Murray?

24 A Right.

11:06 25 Q And, Mr. Fisher, you said you didn't know where he



1 was working, but --

2 A Yeah, right, I didn't know if he was working there
3 or at the university. I don't know.

4 Q Okay. Do you know how -- so today you are not
11:06 5 able to tell us whether or not Mr. Fisher was at
6 work on the morning of the murder?

7 A Not really.

8 Q Do you know what would have caused you to tell the
9 RCMP in 1997 that you thought he wasn't at work
11:07 10 and only went to work in the afternoon?

11 A Because I always picked him up and dropped him off
12 because I passed by the university and I used to
13 drop him off at the university.

14 Q Okay. And so when he worked at the university and
11:07 15 you worked at Walter Murray, you would still pick
16 him up, drop him off at the university?

17 A Right.

18 Q And would you do that on every morning or --

19 A Pretty well, yeah.

11:07 20 Q So again, do you have a recollection of a morning
21 then that you didn't pick him up that he called
22 you?

23 A Not really. I don't remember that.

24 Q Go to page 072944, and you are asked again by
11:07 25 Hopkins, 'you have been interviewed by the police



1 several - several times in the past and the last
2 several years right.' 'Oh yea,' 'did you ever
3 make reference to the fact that - Larry or you
4 believed that Larry was not at work the morning
11:08 5 before - have you ever mentioned that before, to
6 anybody,' and you say 'yea, I think I did it,
7 Milgaard's investigator I think I did.' Question,
8 'the Milgaard investigator, how about the police
9 when they were doing investigations?' Answer,
11:08 10 'oh, I might have told them to - I probably did.'
11 And, 'would have been - in your statement if you
12 did tell them do you think?' Probably yea.'

13 Do you have a recollection --
14 what are you referring to about telling the
11:08 15 Milgaard investigators about this or do you know
16 what that refers to?

17 A No, I don't.

18 Q Go to the next page, please, 072946, and at the
19 bottom, 'Cliff why would you remember - Larry not
11:08 20 showing up for work that day? As opposed to any
21 other day?' And you answer, 'what you mean rest
22 of any other day.' 'No, I'm saying - why would
23 you remember.' Answer, 'well, I don't know.'
24 Question, 'this isn't just uh,' and you answer,
11:09 25 'it that I have been asked so many times, about



1 it.'

2 And is that correct, you've been
3 asked --

4 A Yeah.

11:09 5 Q And then page 072948 -- actually, go to the
6 previous page, please, and you are asked again,
7 'is there anybody else that you spoke to in the
8 recent time who you knew about that time, friends
9 or relatives or anybody else and say in the last
11:09 10 five or ten years or two or three weeks or
11 anything like that,' and you say, 'not in two or
12 three weeks but back in - back a few years ago,'
13 and then you say, 'we often wondered if he did it
14 or not.' Question, 'is that right' 'yea' 'and who
11:10 15 were you talking about that?' 'Linda, brother
16 Roy, some of the other relations.' And, 'why, why
17 would you talk about that, why would you consider
18 that,' and you say 'because of what Linda said.'
19 'Which was what?' And you say, 'hey, some about -
11:10 20 she got in a fight with one day there or that
21 morning something and she said your probably -
22 your the one that killed Gail Miller, and she said
23 his face turned white she said.' And then you go
24 on to say, 'she said I wouldn't doubt if your the
11:10 25 one so we started talking about that, and the last



1 year he got caught for this rape and stuff in
2 Winnipeg we just - I wouldn't put it past him
3 that's all.' Question, 'so are you saying that
4 you and Linda - had a conversation about where
11:10 5 Linda confronted Larry - like soon after, Gail was
6 killed?' Your answer, 'no, no this is a long
7 time.' Question, 'long time?' 'Yea a long time
8 after - I don't remember when - I know it was a
9 long time after,' and then, 'I never heard this -
11:10 10 till a long time after, I would say.' Never heard
11 what?' 'What Linda said, them telling him.'

12 And again, can you help us out
13 with what you meant by a long time?

14 A Well, a few years after anyway.

11:11 15 Q Two years --

16 A Oh, more.

17 Q -- 10 years?

18 A Probably four or five years.

19 MR. HODSON: Okay. Those are all my
11:11 20 questions, Mr. Pambrun. I expect that there will
21 be some questions by counsel. I'm not sure if
22 you want another break this morning or just carry
23 on.

24 COMMISSIONER MacCALLUM: Well, perhaps we
11:11 25 can take 10 minutes.



1 MR. HODSON: Sure. Mr. Pambrun, during the
2 break, until you are done, you shouldn't discuss
3 your evidence with anyone.

4 (Adjourned at 11:11 a.m.)

11:25 5 (Reconvened at 11:25 a.m.)

6 MR. HODSON: I've canvassed with counsel,
7 Mr. Beresh indicates that he wishes to
8 cross-examine, and Mr. Wolch, who will be here
9 momentarily, said he is not sure so -- and I
11:25 10 think --

11 COMMISSIONER MacCALLUM: Mr. Beresh, would
12 you like to start?

13 MR. HODSON: Did you want -- I think
14 Mr. Beresh believed he should be going -- oh,
11:25 15 here's Mr. Wolch. It's Mr. Beresh and Mr. Wolch,
16 Mr. Beresh wishes to cross-examine, and Mr.
17 Wolch?

18 MR. WOLCH: Not at this time.

19 MR. HODSON: Not at this time?

11:25 20 MR. WOLCH: Unless he says something.

21 MR. HODSON: Well, I think Mr. Beresh is
22 the only one who has indicated he wishes to
23 cross-examine.

24 COMMISSIONER MacCALLUM: Okay.

11:25 25 **BY MR. BERESH:**



1 Q Mr. Pambrun, I represent Larry Fisher, as you are
2 probably aware.

3 A Okay.

4 Q I have some questions for you this morning,
11:26 5 please. I take it, if we look back at things this
6 morning, that one thing is pretty clear, that
7 we're talking about events from a long time ago?

8 A Right.

9 Q And I take it your memory, like mine, gets worse
11:26 10 with the passage of time, not better?

11 A Really.

12 Q Yes?

13 A Yes.

14 Q And particularly this long a period of time; would
11:26 15 you agree?

16 A Right.

17 Q And would you agree with me also that the, one of
18 the difficulties in this particular case is you
19 have been questioned by so many people, spoken to
11:26 20 by so many people, that some of the events might
21 be actually confused in your present memory
22 unconsciously?

23 A Right.

24 Q Like I looked at an interview you had with Mrs.
11:27 25 Milgaard and Centurion Ministry representatives,



1 some things were suggested to you, I'm not saying
2 improperly, but some things were suggested to you
3 which you appeared to know nothing about?

4 A Right.

11:27 5 Q And so sometimes, would you agree with me that
6 what happens with our memory is that we sort of
7 buy into something that someone might suggest to
8 us because it sounds reasonable?

9 A I probably would, yeah.

11:27 10 Q So your memory today is probably not a pure memory
11 but a mixed memory of what others have told you,
12 some of which, and other things that you do
13 remember; is that fair?

14 A Right.

11:27 15 Q Okay. So let's try and do this, I know it's very
16 hard and maybe it's impossible, let's try to set
17 aside anything else that anyone has told you and
18 let's just go to the pure fact, and if you don't
19 remember, please tell me you don't remember.

11:28 20 A Okay.

21 Q It seems to me you have this memory; you knew
22 Larry Fisher, obviously?

23 A Right.

24 Q You knew Linda Fisher?

11:28 25 A Right.



1 Q Those are givens.

2 A Yeah.

3 Q You knew Larry worked at Masonry construction, or
4 contractors, in Saskatoon?

11:28 5 A Right.

6 Q You knew he worked at different locations?

7 A Right.

8 Q You knew he was a good worker?

9 A Right.

11:28 10 Q Reliable person?

11 A Right.

12 Q Appeared to go to work whenever he was required to
13 be at work?

14 A Right.

11:28 15 Q You knew a person by the name of Jake Kepler?

16 A Right.

17 Q That's not somebody, something that someone
18 suggested to you that you just remember, --

19 A No.

11:28 20 Q -- you remember Jake?

21 A He was our foreman.

22 Q Pretty solid guy?

23 A Right.

24 Q I talked to him a few times, pretty solid guy?

11:28 25 A Right.



1 Q Ran a pretty solid company?

2 A Right

3 Q Treated you fairly?

4 A Right.

11:28 5 Q Recorded your time properly?

6 A Right.

7 Q When you were on a job site for Masonry
8 construction or contracting they recorded your
9 time?

11:28 10 A Yeah.

11 Q Correct? That is either Jake recorded it or a
12 supervisor on his behalf?

13 A Right.

14 Q Correct?

11:28 15 A Right.

16 Q The only way you can pay somebody, to pay them
17 properly, --

18 A Right.

19 Q -- is if you record their time?

11:29 20 A Right.

21 Q So when you arrived at a job site your time would
22 be recorded, time of arrival?

23 A Yes.

24 Q Okay.

25 A Yeah.



1 Q If you didn't get there until noon, --

2 A Right.

3 Q -- you were docked pay, and you didn't receive
4 pay?

11:29 5 A Right.

6 Q Everyone understood that in 1969?

7 A Right.

8 Q Correct?

9 A Right.

11:29 10 Q Okay. So you did work at the university site?

11 A Right.

12 Q For a period of time?

13 A Right.

14 Q At the Education Building?

11:29 15 A Right.

16 Q That work, I understand, was in the construction
17 of the new Education Building as it was then?

18 A Right.

19 Q That work included outside work and some inside
11:29 20 work?

21 A Right.

22 Q If it was too cold to work outside you'd work
23 inside?

24 A Well, I never worked there in the wintertime, I
11:29 25 worked there in the summer.



1 Q Fair enough, okay. But you knew generally, on any
2 location where Masonry worked, that if there was
3 work, --

4 A Right.

11:29 5 Q -- if there wasn't work to be done outside you
6 would work inside?

7 A Right.

8 Q Too cold to work outside you would work inside?

9 A Right.

11:30 10 Q Okay. And time was recorded properly?

11 A Right.

12 Q And you knew that Masonry kept a record of that
13 time?

14 A Right.

11:30 15 Q Okay. And you knew Larry Fisher was subjected to
16 the same rules of timekeeping as you were?

17 A Right.

18 Q Okay. Sir, you were surprised that Mr. Fisher was
19 charged in Winnipeg, is that fair to say?

11:30 20 A Yeah.

21 Q In fact it shocked you?

22 A Yeah, when they -- yeah.

23 Q Okay. That would be sometime in 1970 or so; is
24 that fair?

11:30 25 A Yeah.



1 Q Now from 1969, the year 1969, through that year up
2 to the year 1970 you would have contact with Mr.
3 Fisher?

4 A Right.

11:30 5 Q Yes?

6 A Yes.

7 Q You lived in the same neighbourhood not far apart?

8 A Yeah, not too far apart.

9 Q You saw each other, you said you talked to each
11:30 10 other?

11 A Right.

12 Q Okay. And during that time that you lived there
13 Linda Fisher never once said to you "you know, I
14 have this suspicion about him being involved in
11:31 15 the death", or anything like that, did she?

16 A Never when we were there, no.

17 Q Never mentioned it?

18 A No.

19 Q Okay. In fact, isn't it correct that you and
11:31 20 Linda and Anita were together at times when there
21 was talk about the job in Winnipeg?

22 A Right.

23 Q Going to Winnipeg?

24 A Right.

11:31 25 Q And you knew the prospect was there?



1 A Right.

2 Q Okay. And you, there was times when you heard
3 Linda say that she did, she preferred Larry not
4 take the job in Winnipeg?

11:31 5 A I don't remember.

6 Q Would you remember the general sentiment about
7 that?

8 A Pardon me?

9 Q Do you remember the general feeling about that?

11:31 10 A No I don't.

11 Q Okay. But I take it it might have been discussed?

12 A Might have been. I don't know.

13 Q Okay. But I take it the job was there?

14 A The job was there.

11:31 15 Q Okay. And you went to Winnipeg shortly after
16 Larry took his job there?

17 A Right.

18 Q Okay. Now the best recollection you have, setting
19 aside what other people have told you, is that,
11:31 20 although you say Larry may have borrowed your car,
21 he never borrowed it overnight?

22 A No.

23 Q Okay. So he would not have had it at any point,
24 particularly in the wintertime when you needed it?

11:32 25 A Right.



1 Q Okay. Summertime I take it it would be easier for
2 you to hop a bus than it would be to take the car?

3 A I never caught a bus, I always took the car.

4 Q Sure. And you got to work, if you had to get to
11:32 5 work at 7:00, say well --

6 A Anywhere from 7:00 to 8:00 --

7 Q Okay.

8 A -- I had to be at work, so --

9 Q Okay. But I gather you'd generally get up about
11:32 10 6:00?

11 A Right.

12 Q Get ready for work?

13 A Right.

14 Q Pack your lunch, that sort of thing?

11:32 15 A Yeah.

16 Q And then you would leave about 6:30?

17 A Yeah, 6:30, 7:30, whatever.

18 Q Okay.

19 A We had to be there by 8:00 or 7:00, whatever.

11:32 20 Q And then you drove to work?

21 A Right.

22 Q And then you had your car at work?

23 A Right.

24 Q Now Walter Murray is not directly on the way
11:32 25 between your house and the university; is it?



1 A Not a directly, no.

2 Q Walter Murray, the shortest way from your house to
3 Walter Murray would be over Idylwyld?

4 A Umm, or to university.

11:32 5 Q Well that's --

6 A You can go that way.

7 Q I appreciate you could, --

8 A That's --

9 Q -- but it would be out of the way, wouldn't it?

11:33 10 A Well maybe a little bit, yeah, a little more
11 traffic.

12 Q Okay. And I take it this car you had, minus 40
13 you'd generally plug it in, wouldn't you?

14 A Probably, yeah.

11:33 15 Q Difficult to start if it wasn't plugged in?

16 A Right.

17 Q Yeah, okay. There was never any time, sir, in the
18 past when you and Larry were in trouble together;
19 is that correct?

11:33 20 A No.

21 Q Okay. And you said to Mr. Hodson this morning
22 that there was a time when you spoke to Linda and
23 she said something about confronting Larry about
24 the death; remember that?

11:33 25 A Right.



1 Q Okay. Now I just want to -- a couple of questions
2 about that. I take it, first of all, you can't
3 tell us when she may have ever mentioned that to
4 you?

11:34 5 A No, I can't tell you exactly, no.

6 Q Okay, and I appreciate that, but even in terms of
7 decades. You are not sure, from the answers you
8 gave this morning, whether it was 1980, could have
9 been 1990?

11:34 10 A Right.

11 Q Okay. And from one of the last documents you were
12 shown by Mr. Hodson, I think it was an interview
13 with Sergeant Pearson, you said she didn't give
14 you any details?

11:34 15 A No.

16 Q Okay. And I gather, from that, she didn't give
17 you any details as to the day that she said that
18 occurred?

19 A Probably not. I don't know, can't remember.

11:34 20 Q Probably not?

21 A Yeah.

22 Q Okay. That is she didn't say what day she spoke
23 to --

24 A No, she didn't.

11:34 25 Q -- Mr. Fisher, whether it was '69 or 1970 or when



1 he --

2 A No, she didn't say that.

3 Q -- or when he was in jail?

4 A Right.

11:34 5 Q Okay. But I see, from looking at all the
6 statements that you've given, you never once said
7 that Linda Fisher said to you "we were missing a
8 knife from the house"?

9 A No.

11:35 10 Q Never said that?

11 A No.

12 Q Okay. Now were you aware, at some point, that
13 there was some sort of reward being offered in
14 relation to this case?

11:35 15 A Not really, not until quite a while after.

16 Q I appreciate that.

17 A Yeah.

18 Q But at some point you learned that there was --

19 A Yeah, I heard there was one, yeah.

11:35 20 Q Okay.

21 A Later on.

22 Q Do you know, when Larry went to jail, how did
23 Linda support herself?

24 A I think she was on welfare, I'm pretty sure.

11:35 25 Q On welfare? So she didn't have a job outside the



1 home?

2 A No. I don't remember.

3 Q Well is your best recollection today --

4 A Yeah.

11:35 5 Q -- that she was on --

6 A Probably on welfare, yeah.

7 Q Receiving social assistance?

8 A Right.

9 Q Okay. Sir, we've heard evidence already that

11:36 10 Linda had some problems with alcohol; were you
11 aware of that?

12 A Yeah.

13 Q Were you aware that she, in fact, went to an
14 addiction centre for treatment?

11:36 15 A Nope.

16 Q Well you were -- did you ever learn that?

17 A No, I don't --

18 Q Did she ever tell you that?

19 A No, she never.

11:36 20 Q She went to AADAC or --

21 A No.

22 Q -- Alcoholic Anonymous?

23 A I heard she went to some, what do you call it,
24 therapy or something.

11:36 25 Q Some what?



1 A Some therapy for her nerves and that.

2 Q Okay. When was that that you heard that?

3 A Oh, I don't know, that was back years ago. I
4 don't remember --

11:36 5 Q Okay. Was that in 19 --

6 A -- exactly the day.

7 Q After Larry was convicted?

8 A Yup.

9 Q Okay. And do you know who looked after Tammy at
11:37 10 that time?

11 A Well, she was left at our place, pretty well.

12 Q Left Tammy at your place?

13 A Yeah, when she went.

14 Q And so how old would Tammy have been,
11:37 15 approximately, then?

16 A Oh, I don't remember.

17 Q Well take a minute and think about it, were you --
18 3 or 4 years old, or preschool, in school?

19 A She would be 2, 3 years old I guess.

11:37 20 Q So before Tammy started school?

21 A Yeah.

22 Q Sometime before she was 6?

23 A Uh-huh.

24 Q So, if Tammy was born in 1968, this would put it
11:37 25 sometime between '68 and --



1 A Uh-huh.

2 Q -- '72-'73?

3 A Something like that, yeah.

4 Q Is that fair?

5 A Right.

6 Q And how long was Linda away?

7 A Well she wasn't away at all, she'd go to it for an
8 hour or so or -- to it, and then she'd be back.

9 Q So you would look after --

11:37 10 A That's all I remember.

11 Q So you'd look after Tammy during those times?

12 A Well, the wife would, yeah.

13 Q Okay. One final question, sir. You said to the
14 police that, if Mr. Fisher borrowed your car,
11:38 15 there never were any items missing when it was
16 returned?

17 A Not that I recollect, no.

18 Q Okay. I take it, likewise, there was never
19 anything, if he borrowed your car it was never
11:38 20 returned in any condition which caused you to be
21 suspicious?

22 A No, it wasn't.

23 Q Never returned with any staining on it, anything
24 in the --

11:38 25 A No.



1 Q -- car which caused you to be suspicious?

2 A Not that I noticed.

3 Q It was always returned in mint condition, the
4 condition you lent it to him in?

11:38 5 A Well the condition I lent it to him in, yeah.

6 Q Sure. And I take it when you did lend, it was for
7 a short time, like getting groceries?

8 A Right.

9 Q An hour, that sort of thing?

11:38 10 A Approximately that, yeah, whatever.

11 Q Yeah, okay. Those are my questions, thank you,
12 sir.

13 A Uh-huh.

14 MR. WOLCH: I have some.

11:38 15 BY MR. WOLCH:

16 Q Mr. Pambrun, I'm Hersh Wolch, I'm David Milgaard's
17 counsel.

18 Mr. Beresh asked you about any
19 difficulties you may have had in company with Mr.
11:39 20 Fisher?

21 A Yeah.

22 Q If I could bring up 020179, this is a letter that
23 Mr. Fisher wrote to Linda Fisher back in March
24 when he was in custody, and if I can have this
11:39 25 portion here highlighted. He's talking about one



1 of the offences --

2 A Can you --

3 Q -- and he says -- sir?

4 A Can you read that out for me or what?

11:39 5 Q Yeah, I will. It says:

6 "It happened the same way again except

7 that it was just an assault charge.

8 After this happened I wanted to tell you

9 but with the trouble Cliff and I were

11:40 10 getting into I didn't think you'd be

11 able to take it so I didn't bother

12 telling you."

13 Do I take it you have no knowledge of getting

14 into any trouble --

11:40 15 A No, --

16 Q -- with --

17 A -- I never had trouble with Larry ever.

18 Q Pardon me?

19 A No, I've never had any trouble with him, it --

11:40 20 Q So that would be not truthful, would it?

21 MR. BERESH: Well with respect, My Lord,

22 that's most unfair. The statement doesn't

23 identify who 'Cliff' is.

24 COMMISSIONER MacCALLUM: Well, that's all

11:40 25 right.



1 MR. BERESH: Well no, it's not untruthful,
2 if it's Clifford Smith it's not untruthful, so
3 let's be fair to the witness and let's be fair to
4 the evidence.

11:40 5 MR. WOLCH: I don't -- did Mr. Fisher deny
6 that that was referring to him, to Clifford?

7 MR. BERESH: It wasn't asked.

8 MR. WOLCH: It certainly was.

9 MR. BERESH: No, he was asked whether or
11:41 10 not he was in any trouble with this individual.

11 COMMISSIONER MacCALLUM: Oh, I had the
12 impression from Mr. Fisher's evidence that it was
13 Cliff Pambrun.

14 MR. BERESH: I didn't have that impression.

11:41 15 COMMISSIONER MacCALLUM: Well, I did.

16 MR. BERESH: Well --

17 COMMISSIONER MacCALLUM: Go ahead.

18 BY MR. WOLCH:

19 Q So you were not getting into any --

11:41 20 A No.

21 Q -- difficulty at all, and that would be
22 untruthful, as far as you know?

23 A Right.

24 Q Okay. I would like to highlight this portion
11:41 25 here. Now Mr. Fisher says, this is referring to



1 being caught:

2 "Now I finished and I'm sure glad I told
3 you because this was the other reason
4 for me not sleeping at night also I'm
11:41 5 very afraid of losing you now more than
6 I ever was before. If I lose you to
7 anyone else I'd just as soon be dead."

8 Do you see that?

9 A Uh-huh.

11:42 10 Q Was that the attitude that he showed to you
11 then --

12 A I don't remember any of that.

13 Q -- that you recall?

14 A No I don't.

11:42 15 Q That is you don't recall him saying "I don't want
16 you back, you are not a good housekeeper", --

17 A No, I don't remember that.

18 Q -- sorry, let me finish -- that "you drink too
19 much" or "you get up too late"; you don't recall
11:42 20 those kind of complaints?

21 A No, I never.

22 Q Okay. And finally, in terms of when you lent your
23 car to Mr. Fisher, the first time you were really
24 asked to focus on that was about 20 years after
11:42 25 the fact?



1 A Right.

2 Q And whether Larry Fisher took a car at night and
3 didn't bring it back in the morning, or took it in
4 the evening or whatever, was something you were
11:42 5 thinking back 20 years to try to figure out?

6 A Right.

7 Q And it could have been almost anything?

8 A Sure.

9 Q Thank you.

11:43 10 MR. HODSON: I think that is all for Mr.
11 Pambrun.

12 COMMISSIONER MacCALLUM: You are excused,
13 Mr. Pambrun, thank you very much for coming.

14 A Okay.

11:43 15 MR. HODSON: The next witness is Anita
16 Pambrun, and I'm prepared to start her now.

17 COMMISSIONER MacCALLUM: Sure.

18 **ANITA GERTIE PAMBRUN, sworn:**

19 **BY MR. HODSON:**

11:44 20 Q Good morning, Mrs. Pambrun, thanks for agreeing to
21 testify before this Commission. I understand that
22 you reside in Glaslyn; is that correct?

23 A Right.

24 Q And that you are married to Cliff Pambrun?

11:44 25 A Right.



1 Q And that you are Linda Fisher's aunt by marriage;
2 is that correct?

3 A Right.

4 Q And did you know Linda and Larry Fisher in the
11:44 5 late 1960s?

6 A I did.

7 Q And did you socialize with them at that time?

8 A I did.

9 Q I'm just going to go and -- to 067059, please.

11:44 10 And I just want to ask you a few questions, Mrs.
11 Pambrun, about residences where you and your
12 husband Clifford resided, and the Fishers. This
13 document was prepared by the RCMP based on
14 information from various sources, and it suggests
11:45 15 that after Larry and Linda got married they moved
16 into your house at 818 Avenue H for a few months,
17 is that correct?

18 A Yes.

19 Q And then they moved to 512 Avenue F South; do you
11:45 20 remember that?

21 A Yes.

22 Q And then, as far as the dates, I think it says end
23 of '67/beginning of '68, do you remember the time
24 frame, it would be after they were at your house
11:45 25 they went to Avenue F; is that right?



1 A Right.

2 Q And if we could just scroll to the right, please.

3 And then after Avenue F they moved to Avenue C
4 north; do you remember that?

11:45 5 A Yes.

6 Q And then they moved out after a toaster fire. Was
7 there a fire at --

8 A Right. They were living in the basement of his
9 sister's house.

11:45 10 Q Of Larry's sister's house?

11 A Right.

12 Q And then they moved out from there to Avenue O
13 South, 334 Avenue O; is that correct?

14 A Right.

11:45 15 Q And do you remember ever visiting Larry and Linda
16 at that house?

17 A Well, no. I mean I had six small kids, and they
18 were over at our house just about every night, so
19 --

11:46 20 Q Okay. When you say 'they' you are talking about
21 Larry and Linda?

22 A Right.

23 Q So they would spend quite a bit of time with you
24 and your husband Clifford?

11:46 25 A Right.



1 Q If we could go to the next page, please. This
2 chart suggests that, after 330 Avenue O South,
3 they moved to 1824 Avenue D north; do you remember
4 them moving there?

11:46 5 A I remember them being on D but I don't know what
6 the address was.

7 Q Was it D north, do you remember?

8 A Yes.

9 Q And do you remember why they moved from the
11:46 10 Cadrain house at 334?

11 A No, I don't.

12 Q Did you ever meet any of the Cadrain's back at
13 that time?

14 A I knew 'em by name, that's about it.

11:46 15 Q Okay.

16 A I didn't know any of them really.

17 Q Okay. When you say 'by name', did you know Albert
18 Cadrain at all?

19 A I knew him by name, but I didn't know him
11:46 20 personally.

21 Q Okay. If we can just call up 164351. In 1969,
22 January of 1969, do you recall where you and
23 Clifford lived?

24 A On Avenue C.

11:47 25 Q And we'll just call out this map. And do you



1 remember, what, was it the 300 block of Avenue C;
2 do you remember?

3 A I think it probably was the 2, it was in between
4 23rd and 24th.

11:47 5 Q So -- and the tracks, very close to the tracks?

6 A Right.

7 Q So you think it was the 300 block. And at that
8 time you would have known Larry and Linda lived at
9 334 Avenue O South?

11:47 10 A Right.

11 Q Do you recall whether they would, when they
12 travelled to your place or walked to your place,
13 would they use the tracks as a route?

14 A They could have. I don't know.

11:47 15 Q Did you ever use that when you went to their
16 place?

17 A No. I never walked.

18 Q I want to turn your attention to January 31, 1969.
19 Do you have a recollection of hearing about the
11:47 20 Gail Miller murder?

21 A I did.

22 Q And what do you remember about that time?

23 A I remember hearing it on the news in the morning.

24 Q Okay. Anything about it stands out in your mind?

11:48 25 A No.



1 Q Did you put it together at that time that the body
2 was found very close to where Larry and Linda
3 Fisher lived?

4 A Well, I heard it was by St. Mary's school, but I
11:48 5 didn't suspect nothing else.

6 Q St. Mary's church possibly?

7 A Or church, yes.

8 Q What about when Larry Fisher was arrested, you
9 became aware at some point I presume that Mr.
11:48 10 Fisher was arrested in Winnipeg?

11 A Yes.

12 Q And how did you find out about that and what did
13 you hear?

14 A Probably when Cliff must have phoned home and told
11:48 15 me. I don't remember. I remember hearing it, but
16 I don't remember how.

17 Q And did you find out when you first heard about it
18 what he was arrested for?

19 A Yes, I was told what he was arrested for.

11:48 20 Q For rape?

21 A Yes.

22 Q And did you have any discussion with Linda at that
23 time about Larry's charges in Winnipeg?

24 A Could have. I don't know.

11:48 25 Q Pardon me?



1 A I said I could have. I can't remember.

2 Q Now, did you become aware at some point that Larry
3 Fisher also faced charges in Saskatoon for some
4 rapes?

11:49 5 A Yes, I heard about that when he was going to Court
6 in Regina for rapes.

7 Q And what did you hear?

8 A Well, just what you heard on the news, that he was
9 charged with these, going to court for these rapes
11:49 10 and that he was charged for them.

11 Q And where did you hear that?

12 A On the news or in the paper.

13 Q And I think the record suggests that it was
14 December of 1971. Does that sound about right?

11:49 15 A Oh, I couldn't even tell you.

16 Q And did you become aware that those charges were
17 for rapes that would have been committed in 1968
18 and 1970 in Saskatoon?

19 A Oh, I didn't know when they were committed. I
11:49 20 just knew he was going up for rape charges.

21 Q And did you become aware that Mr. Fisher had been
22 sentenced to prison for a lengthy time period?

23 A Yes.

24 Q Do you have a recollection of talking to Linda
11:50 25 Fisher about anything related to the Gail Miller



1 murder and Larry Fisher's involvement in that
2 murder?

3 A I remember talking to her, but I couldn't tell you
4 when.

11:50 5 Q Okay. Let's -- what did she tell you, what was
6 the nature of the discussion?

7 A Oh, I couldn't remember what --

8 Q Did she -- okay, sorry. Did she ever tell you
9 about confronting Larry on the morning of the
11:50 10 murder?

11 A Yes.

12 Q And what did she tell you?

13 A She said that when she told him when they were
14 arguing and it came on the news, that Gail Miller
11:50 15 was killed, and she said I suppose you did that,
16 and she said he just turned pale.

17 Q Did she use the words, when she told you, did she
18 say Gail Miller or did she say a nurse?

19 A I can't remember.

11:50 20 Q And so can you tell us when -- when Linda would
21 have told you that?

22 A No, I couldn't.

23 Q Would it have been around the time of the Gail
24 Miller murder or would it be --

11:51 25 A Oh, long after that. I think it was probably when



1 they started questioning about Milgaard being
2 innocent I think.

3 Q Now, would that have been in the late '80s, early
4 '90s?

11:51 5 A Probably. I couldn't really remember.

6 Q Or could it have been in the early '80s?

7 A Could have been.

8 Q You think it was when a time -- or let me ask you
9 this. Was it a time when you heard somewhere in
11:51 10 the media that David Milgaard was claiming he was
11 innocent?

12 A Right.

13 Q And it was around that time that you would have
14 had the discussion with Linda?

11:51 15 A Yes.

16 Q And back in 1970, would you have been aware at
17 that time that Mr. Milgaard had been convicted of
18 the murder of Gail Miller?

19 A I was aware of it, yes.

11:51 20 Q And was that through the media?

21 A Yes.

22 Q Did you become aware that Mr. Fisher was convicted
23 of attempted murder of a lady by the name of (V10)
24 (V10)- in North Battleford in 1980?

11:52 25 A Yes.



1 Q And when and how did you become aware of that?

2 A On the news probably the next morning.

3 Q Did you ever talk to Linda about that at the time?

4 A No. They were separated at that time already.

11:52 5 Q Did you become aware at any point that Linda
6 Fisher had gone to the Saskatoon City Police in
7 1980 and gave a statement?

8 A Yes.

9 Q And who told you about that?

11:52 10 A She did.

11 Q And do you know when that would have been?

12 A No, I couldn't tell you.

13 Q Would it have been around the time she went in?

14 A Probably, yes.

11:52 15 Q Probably around the time?

16 A Yeah.

17 Q And why do you say that?

18 A That's -- I don't know.

19 Q Oh.

11:52 20 A It probably was around that time. I can't
21 remember the time, I just remember.

22 Q Were you, in 1980, were you still in close contact
23 with Linda Fisher?

24 A Yes.

11:52 25 Q And talked to her about a lot of things?



1 A Yes.

2 Q And so is that something that you think she would
3 bring up with you, if she went into the police and
4 said my ex-husband may have been involved in the
11:53 5 murder, is that something you would expect her to
6 tell you?

7 A Linda was then already quite in the alcohol at
8 that time.

9 Q Okay.

11:53 10 A And she didn't go into alcohol until after Larry
11 was sentenced. She wasn't drinking before that.

12 COMMISSIONER MacCALLUM: Would you say that
13 again, ma'am? I misunderstood you I think.

14 A Linda didn't drink before Larry went to jail.

11:53 15 COMMISSIONER MacCALLUM: Okay.

16 BY MR. HODSON:

17 Q So before Larry went to jail in September of 1970
18 when he was arrested in Winnipeg?

19 A Right.

11:53 20 Q And your evidence is Linda didn't drink?

21 A No.

22 Q And did she start to drink after that?

23 A Yes, after he was sentenced she started.

24 Q Okay. And then I was talking about 1980, at that
11:53 25 time did you observe Linda Fisher having problems



1 with alcohol?

2 A Yes.

3 Q And just briefly, what were those problems?

4 A Well, she drank lots.

11:53 5 Q And then I think you said something about that was
6 before she went into -- did she go in for some
7 treatment?

8 A Yes, she did.

9 Q And do you know where and when that was?

11:54 10 A She went to that -- it was a building behind
11 St. Paul's there, the AA.

12 Q Larson House?

13 A (Nods head).

14 Q And do you remember when that would have been?

11:54 15 COMMISSIONER MacCALLUM: What did you call
16 that?

17 MR. HODSON: Larson House.

18 A I couldn't tell you for sure when that was.

19 BY MR. HODSON:

11:54 20 Q Was it in relation to the 1980 charge of (V10)
21 (V10)- in North Battleford, was it before or after
22 that do you know?

23 A I couldn't really -- I couldn't even tell you.

24 Q Do you remember how old her daughter was at the
11:54 25 time?



1 A She was I think -- Tammy was already gone. Her
2 other son Kim was I think about 13 years old.

3 Q And Tammy would have been what, in her 20s maybe?

4 A I can't -- I don't know how old.

11:54 5 Q When you say gone, would she have been older than
6 13?

7 A Yeah.

8 Q So that would put it sometime in the '80s; does
9 that sound right?

11:54 10 A It could have been, and why she went in there is
11 her sons were getting into trouble, so she had to
12 go in there to get her sons back.

13 Q I'm going to ask you about, just a few questions
14 about vehicles. Back in January of 1969 did you
11:55 15 have a vehicle, a family vehicle?

16 A Yes, we always had a family vehicle.

17 Q And do you remember what kind of vehicle it was?

18 A No, I don't.

19 Q Did you drive at the time?

11:55 20 A I did drive, yes.

21 Q And how many kids did you have?

22 A Six.

23 Q Six. And did you use -- you used a vehicle to
24 transport your kids around?

11:55 25 A Well, yeah. If we went anywhere, we always took



1 the kids.

2 Q Did Larry Fisher ever borrow your car back at that
3 time?

4 A Yes.

11:55 5 Q And do you recall in what circumstances he would
6 borrow it?

7 A No, I don't know.

8 Q Did he ever borrow the car overnight?

9 A No.

11:55 10 Q If we could call up 043661, please. This is an
11 account for some legal work done for Larry Fisher
12 in 1970 and it relates to an appearance before His
13 Honour Judge King and it talks about an attendance
14 with Mrs. Fisher and Mr. and Mrs. Pambrun. Do you
11:56 15 have a recollection of what this is about? Do you
16 remember going with your husband in matters
17 related to a matter that Mr. Larry Fisher may have
18 been before the courts in 1970?

19 A Just for his land lady.

11:56 20 Q Okay. And tell us what you remember about that?

21 A Well, we got summonsed to go to court because he
22 was supposed to have assaulted his land lady.

23 Q Okay. And did you go to meet with his lawyer or
24 did you go to court?

11:56 25 A We went to a hearing, I don't think it ever went



1 to court, and I don't know who he -- who we met
2 with.

3 Q Okay. And were you witnesses to this assault do
4 you know?

11:57 5 A Well, we were called for witnesses, but we never
6 ever seen what happened or heard anything.

7 Q And do you know what land lady it was or what the
8 circumstances were?

9 A That was supposed to be the land lady when they
11:57 10 lived on Avenue D North.

11 Q Okay. And what did you understand -- what were
12 the allegations against Mr. Fisher?

13 A That he was supposed to have assaulted her.

14 Q Okay. Do you know if it was a sexual assault or
11:57 15 physical assault?

16 A I have no idea.

17 Q And do you have a recollection, do you have a
18 recollection of going to court then?

19 A Well, I don't -- I don't think we went to court.
11:57 20 I know there was a hearing.

21 Q Or a hearing?

22 A I don't think there was enough evidence for him to
23 go to court.

24 Q I see. And do you remember meeting with a lawyer
11:57 25 of Larry Fisher's?



1 A I don't know who it was. We met with somebody.

2 Q And does the same Ian Disbury --

3 A No.

4 Q Any recollection of that name?

11:57 5 A No.

6 Q If we could call up 063159, please, and these are
7 notes of a Sergeant Pearson, go to the next page,
8 please, and this is an interview it appears in
9 1991 that he had with you and he says:

11:58 10 "During my conversation with Anita, she
11 began telling me about herself, Linda
12 and Cliff being subpoenaed to court to
13 get Larry off a charge regarding an
14 assault on an elderly lady. Apparently
11:58 15 Larry and Linda had rented a house from
16 a lady who lived on Avenue D North,
17 exact address unknown. Some indication
18 Larry ended up being charged for
19 molesting this lady, she is not sure if
11:58 20 the offence was sexual in nature. The
21 matter did not end up in a conviction,
22 however there were court proceedings,
23 Anita did not know much more. Anita
24 stated the lawyer wanted to know if
11:59 25 Anita, Cliff and Linda had seen anything



1 different about Larry after the assault,
2 and there is some indication that the
3 victim may have been choked."

4 Again, does that accurately record what you would
11:59 5 have told Sergeant Pearson?

6 A Yes.

7 Q He mentions here the charge for molesting this
8 lady. Do you have any recollection of that being
9 the charge?

11:59 10 A I couldn't tell you.

11 MR. HODSON: Those are all of my questions,
12 Mrs. Pambrun. I will see if there are any
13 cross-examination.

14 COMMISSIONER MacCALLUM: It is noon. Are
11:59 15 you going to be long?

16 MR. BERESH: I might be more -- it might be
17 best to have it after lunch. I don't think I'll
18 be long, but --

19 MR. HODSON: We're fine as far as the
12:00 20 schedule is concerned.

21 COMMISSIONER MacCALLUM: All right. And
22 there's one person cross-examining, that's all?

23 MR. HODSON: I believe so.

24 MR. BERESH: I think they should declare
12:00 25 whether or not --



1 COMMISSIONER MacCALLUM: Yes, I don't want
2 to have people sitting back waiting to see what
3 develops before they commit to cross-examination,
4 I want the order settled between you by
12:00 5 agreement. If it can't be settled by agreement,
6 make representations to me and I will decide.
7 All right?

8 MR. HODSON: Thank you, Mr. Commissioner.

9 *(Adjourned at 12:00 noon)*

01:31 10 *(Reconvened at 1:30 p.m.)*

11 COMMISSIONER MacCALLUM: Is there any
12 cross-examination? Oh.

13 MR. BERESH: I assume I'm the only person,
14 My Lord, or I'm advised I'm the only person. Is
01:31 15 there anyone else that wishes to cross-examine,
16 because I believe my client's interests are at
17 stake here and I should go last.

18 COMMISSIONER MacCALLUM: Let's find out.
19 Anybody else want to cross-examine?

01:32 20 MR. WOLCH: If I could address that a bit.
21 I have no questions of this witness now, I'm
22 content, but I don't know what Mr. Beresh is
23 going to ask.

24 COMMISSIONER MacCALLUM: No.

01:32 25 MR. WOLCH: And he may raise things I



1 haven't heard yet, and I don't want to get into a
2 long debate as to who should go first or last, it
3 may be totally academic, but I don't think Mr.
4 Beresh should be last in any event because My
01:32 5 Friend says his client is most affected. He is
6 not. I have no idea how his client is affected
7 at all by this witness based on any legitimate
8 interest his client has in the proceedings. That
9 is, maybe he talks about his client, but in terms
01:32 10 of his client's interest, what interest? I can
11 see My Friends from the police service saying
12 they have an interest more than mine because of
13 the investigation aspects of her, but what
14 interest does Mr. Fisher have, what legitimate
01:33 15 interest in the Inquiry does he have to hide it
16 behind the idea that she talks about my client.
17 That does not mean it's a legitimate interest.
18 It doesn't affect his client, his client is not
19 affected by her evidence one iota, and My Friend
01:33 20 may want to raise that his client was a good
21 worker or looked after his children or whatever,
22 I have no idea what that's got to do with the
23 purpose of the Inquiry, and in fact I'm getting
24 the feeling My Friend's purpose is really to
01:33 25 interrupt me whenever I'm asking questions, as he



1 did this morning with Cliff and everything else,
2 but I don't know what he's going to ask the
3 witness. He will within bounds of your ruling,
4 but if he raises something that I can't foresee,
01:33 5 then I think I should be able to question, but I
6 don't think he has the automatic right to be last
7 when he can't establish what his interest is.

8 COMMISSIONER MacCALLUM: Well we haven't
9 heard from him what he has to say on that
01:34 10 subject.

11 MR. WOLCH: Yes. Thank you, sir.

12 COMMISSIONER MacCALLUM: But you know that
13 for a long time now we have operated on the basis
14 that counsel whose client's interest is most
01:34 15 directly engaged has the advantage of going last.

16 MR. WOLCH: Absolutely.

17 COMMISSIONER MacCALLUM: And part of the
18 purpose of that ruling is to avoid requests for
19 re-examination if we possibly can.

01:34 20 MR. WOLCH: That's right.

21 COMMISSIONER MacCALLUM: And so that's the
22 basis upon which we operate, and you are simply
23 submitting now that that is not the case, that
24 Mr. Beresh's client does not have an interest
01:34 25 that is more directly engaged than that of



1 anybody else?

2 MR. WOLCH: Well, that's right, I don't
3 know what interest he has at all.

4 COMMISSIONER MacCALLUM: Mr. Beresh?

01:35 5 MR. WOLCH: But, since I haven't got any
6 questions right now, I didn't want to tie up your
7 time with that kind of debate.

8 COMMISSIONER MacCALLUM: Right, but at the
9 same time we don't want to hear from people who
01:35 10 are simply waiting to see how the wind blows
11 before they decide whether they wish a
12 cross-examination.

13 MR. WOLCH: Oh, no, a whole new issue. For
14 example this morning nobody had raised with Mr.
15 Pambrun the 'Cliff', and that's why I went at it,
16 because Mr. Beresh was the first person to raise
17 that. I'm not sure why but he did.

18 COMMISSIONER MacCALLUM: Okay, Mr. Beresh,
19 just speak to the objection?

01:35 20 MR. BERESH: Thank you, My Lord. As I
21 understand your ruling some time ago, the benefit
22 of counsel going last was to cover off any issues
23 where their clients' interests were engaged, and
24 as I understand it in this phase there can be no
01:35 25 doubt that Mr. Fisher's interests are engaged the



1 most, therefore, I think I'm entitled to go last.

2 And I raise that at this point
3 because, with the greatest respect, what I saw
4 happen with Mr. Pambrun was an attempt to undo my
01:36 5 cross-examination of him. Had Mr. Wolch returned
6 from the washroom, been in the counsel -- in the
7 room when we started, I would have insisted he
8 had gone first.

9 And I simply think it's
01:36 10 absolutely clear, when Mr. Milgaard testifies
11 Mr. Wolch will of course go last because his
12 interest, client's interests are engaged. So
13 with the greatest of respect, during this phase
14 of it, I don't think there's any question that
01:36 15 Mr. Fisher should be permitted to go last.

16 That's always subject to some
17 re-examination, so when Mr. Wolch says "well
18 something might arise", well with your leave we
19 now have a procedure, if something arose that we
01:36 20 could not foresee, you have already stated that
21 you will be -- you will use your discretion. But
22 it should be only in that exceptional
23 circumstance and not that we see a repeat of what
24 occurred this morning.

01:37 25 MR. WOLCH: Mr. Commissioner, if I could



1 reply, Mr. Beresh has still not identified what
2 his interest is. The fact they speak about
3 Fisher is one thing, what interest, that is the
4 difficulty? I haven't heard articulated what
01:37 5 particular interest.

6 MR. BERESH: Sir, we take issue with the
7 evidence that this witness and others have
8 provided and the evidence that we contemplate
9 from Linda Fisher, that's where our interest is
01:37 10 in terms of you getting the facts correctly.

11 And as I understand your
12 previous ruling, --

13 COMMISSIONER MacCALLUM: Uh-huh.

14 MR. BERESH: -- which I thought was clear,
01:37 15 we then get to go last.

16 COMMISSIONER MacCALLUM: Well I -- it's
17 clear enough to me that the interest of the
18 Fisher counsel is the most directly engaged by
19 the Pambrun evidence, speaking collectively and
01:38 20 including Anita Pambrun, so go ahead Mr. Beresh.

21 MR. BERESH: Thank you.

22 COMMISSIONER MacCALLUM: And I take it,
23 therefore, that you will not have any
24 cross-examination?

01:38 25 MR. WOLCH: Subject to what I said earlier,



1 yes, i will apply for leave if there is something
2 new arises.

3 COMMISSIONER MacCALLUM: Okay.

4 **BY MR. BERESH:**

5 **Q** Ms. Pambrun, very quickly, I take it you would
6 agree with me that some of these events you were
7 asked about this morning were difficult to
8 remember simply because of the passage of time?

9 **A** Right.

01:38 10 **Q** For example, if I asked you today when Linda and
11 Larry Fisher lived at Avenue O South whether they
12 had a telephone, would you remember that or not?

13 **A** Umm, yes, they did have a telephone at some time,
14 probably not all the time, but they did have.

01:38 15 **Q** I appreciate that. At that house, when they lived
16 there, do you have a recall of whether or not they
17 had a --

18 **A** No, they used the upstairs one.

19 **Q** Okay. But apart from that they didn't have a
01:38 20 personal phone, as I understand it?

21 **A** No.

22 **Q** Okay. Now I want to ask you quickly, you said
23 that you saw in the news, and it was either radio
24 or newspaper I gathered, reports that Mr. Fisher
01:38 25 had pled guilty in Regina to the offences you



1 spoke of this morning?

2 A Right.

3 Q Okay. And I take it you have a clear recollection
4 of that?

01:39 5 A Yes.

6 Q And that would have been something that, of
7 course, would have caught your interests because
8 you would have known the family?

9 A Right.

01:39 10 Q That is more than if John Smith, unbeknownst to
11 you, had had his or her name in the paper?

12 A Right.

13 Q Okay. And that's your clear recollection, that
14 around the time of the pleas, you saw it in some
01:39 15 form of media?

16 A Or heard it, yes.

17 Q Heard it?

18 A Yes.

19 Q Okay. And that was, I take it then, sort of known
01:39 20 in the neighbourhood or known to anybody who
21 listened to those reports?

22 A Right.

23 Q Okay. Secondly I want to ask you please, quickly
24 if I can, you said something about Linda Fisher
01:39 25 saying -- telling you that one day she said to



1 Larry "I suppose you did that"?

2 A Yes.

3 Q I wrote those words down.

4 A Yes.

01:39 5 Q Okay. Now were those -- is that the best
6 recollection of what she said to you when she
7 related the conversation?

8 A Yes.

9 Q Okay.

01:39 10 A Yes.

11 Q "I suppose you did that"?

12 A Yes.

13 Q And I take it it was in reference to some sort of
14 news item?

01:40 15 A On the radio, right.

16 Q So the context would be set by the news item and
17 then these words, "I suppose you did that"?

18 A Right.

19 Q Okay. Now I take it she didn't tell you when she
01:40 20 said that to him?

21 A Well she said later, I don't know exactly when she
22 told me, but she said she told him that the
23 morning of the incident.

24 Q Okay. Now let's assume for a minute -- the
01:40 25 morning of what incident, by the way?



1 A The murder of Gail Miller.

2 Q Okay. The best record we have is that the soonest
3 that there was any publicity of this was at
4 noon-time?

01:40 5 A Well, whenever it was, that's when she --

6 Q Yeah. Did she --

7 A When she heard it on the radio.

8 Q Did she say in the morning to you, she said this
9 in the morning to him?

01:40 10 A Oh, I can't remember.

11 Q Did you ask her what time of day?

12 A No. Why would I ask her.

13 Q Okay. Did you ever ask her the specific day
14 though?

01:40 15 A Well, no, why would I.

16 Q Okay. Fair enough. And you say she didn't tell
17 you this until years later?

18 A No.

19 Q Sorry?

01:41 20 A She didn't, no.

21 Q Okay. I just want to be clear, because your "no",
22 my question was a negative. She told you this
23 years later?

24 A Yes.

01:41 25 Q Okay. But, in the interim, you had seen her



1 often?

2 A Yes.

3 Q And she never mentioned it?

4 A No. Why would she. She never expected it.

01:41 5 Q Okay. Oh, I see, okay. And I take it she never
6 mentioned to you, in that context, that she had
7 ever lost a paring knife in the house?

8 A No, not then.

9 Q That's never been mentioned?

01:41 10 A Not until years later.

11 Q Okay. Did you understand, at some point, that
12 there was a reward connected to this case?

13 A Yes.

14 Q And when did you learn that?

01:41 15 A When Mrs. Milgaard put the reward out, --

16 Q Okay.

17 A -- said there was a reward.

18 Q And I understand you talked to Linda about that?

19 A Umm, well it could have been mentioned, I don't
01:41 20 know. I never mentioned it to her then. I didn't
21 even know she went to the cop station until later
22 on.

23 Q Okay. So you didn't know until later on that she
24 had gone to the police?

01:42 25 A No, until she told me she went.



1 Q And when you say "later on" you mean years later?

2 A No, not later, not years later, but I don't know
3 if it was weeks, two weeks, three weeks, I can't
4 remember.

01:42 5 Q Okay. But as I understand it you say that she was
6 seriously addicted to alcohol from, what are we
7 talking about, 1970, for I thought I heard you say
8 ten years or so but I wasn't sure?

9 A I don't know how long, but I wouldn't say '70, but
01:42 10 it was after Larry went to jail --

11 Q Okay.

12 A -- she started drinking.

13 Q Okay. So in the '70s for about ten years?

14 A I would -- I can't remember how long.

01:42 15 Q Okay.

16 A But she did --

17 Q Well does this help; Tammy was born in 1968?

18 A Right.

19 Q So 1978 she'd be 10 years old; Linda still had a
01:42 20 problem with alcohol then?

21 A No, not too much, she was already living with
22 Lester Villeneuve.

23 Q Okay. This morning I thought I heard you say that
24 she had a problem until Kyle?

01:43 25 A No.



1 Q Kim?

2 A Kim.

3 Q Kim? Sorry.

4 A He was 13.

01:43 5 Q Until he was 13? When was Kim born; do you know?

6 A I couldn't really remember.

7 Q Well, in relation Tammy how old is Kim, how much
8 younger?

9 A I couldn't even say. He'd be probably five, six
01:43 10 years at least, maybe even more.

11 Q So '72-'73 that he was born?

12 A Could be.

13 Q Okay.

14 A I don't know.

01:43 15 Q Okay. Well if we, let's assume he was born in
16 1973 for a minute, if, as I heard you say, this
17 continued until Kim was 13, you said that this
18 morning?

19 A Well he got, he was getting into trouble, yes.

01:43 20 Q Okay?

21 A And then she went to AA.

22 Q Then she quit?

23 A But she had quit drinking in between time because
24 she had the little kids.

01:43 25 Q I understand. But in 19 -- if Kim was 13, and he



1 was born in '73, that would be about '86?

2 A Could be, I --

3 Q It could be that long? Okay. Finally with regard
4 to this charge involving the landlady, whatever it
01:44 5 was about, you had no personal knowledge of it --

6 A No.

7 Q -- at all? But what you do know is that, having
8 gone to see some lawyer, the case was dismissed?

9 A Right.

01:44 10 Q Never went to Court?

11 A Nope.

12 Q You never testified?

13 A Just at the hearing, we just --

14 Q Some sort of hearing, okay, but apart from that
01:44 15 the case was thrown out?

16 A Yes.

17 Q Okay. Those are my questions. Thank you very
18 much.

19 MR. HODSON: There is no re-examination.

01:44 20 COMMISSIONER MacCALLUM: Thank you. You
21 are excused, Mrs. Pambrun.

22 MR. HODSON: And I believe the next witness
23 is Bill Simington.

24 **WILLIAM THOMAS SIMINGTON, sworn:**

01:45 25 **BY MR. HARDY:**



1 Q Good afternoon, Mr. Simington. I understand that
2 you currently reside in Edmonton?

3 A That's correct.

4 Q And you -- can you tell us your age, sir.

01:45 5 A 63.

6 Q And I understand that you were previously a member
7 of the RCMP?

8 A That's correct.

9 Q And can you tell us, please, what your years of
01:45 10 service were?

11 A 1961 until 1987.

12 Q And perhaps, very generally, can you just outline
13 the course of your career with the RCMP, perhaps
14 in terms of the locations where you worked, the
01:45 15 years, and perhaps your rank at each location?

16 A Okay. I trained in Regina, I went to Ottawa and
17 rode on the horses for two years, then I came back
18 to Saskatoon, Humboldt, umm, Watrous, Biggar,
19 Punnichy, Mossbank I was a corporal, North
01:46 20 Battleford, Saskatoon, Shellbrook I was a
21 sergeant, and then I went to pension.

22 Q And you mentioned Shellbrook; when were you at the
23 Shellbrook detachment?

24 A From 1979 until I went to pension.

01:46 25 Q Okay. And then I understand Shellbrook is near



1 Prince Albert; is that correct?

2 A That's correct, it's 26 miles east -- or west.

3 Q And an hour or so north of Saskatoon?

4 A Yes.

01:46 5 Q And how many officers worked, then, at the
6 Shellbrook detachment when you were there?

7 A Nine.

8 Q And what area was covered by that detachment?

9 A Half-way to Prince Albert, south to the river,
01:47 10 north to approximately half-way to Big River, and
11 west about half-way to Blaine Lake.

12 Q Okay. And when -- where was the next nearest RCMP
13 office?

14 A Prince Albert.

01:47 15 Q And was the Prince Albert office, then, a
16 subdivision?

17 A It was a detachment and the subdivision
18 headquarters, that's correct.

19 Q Okay. And what was the nature of the
01:47 20 relationship, then, between the Shellbrook
21 detachment and the Prince Albert Subdivision?

22 A Subdivision? In those days the subdivision, or
23 the detachments were responsible to certain
24 subdivision headquarters, and everything we did
01:47 25 was funneled through them.



1 Q So you, in effect, were reporting to the Prince
2 Albert Subdivision?

3 A That's correct.

4 Q And would you have a superior there, then, working
01:47 5 at the --

6 A Yes.

7 Q -- Prince Albert Subdivision?

8 A Yes.

9 Q And who would that have been for the 1979 to 1987
01:47 10 time period?

11 A Umm, it was a staff sergeant, it was called, what
12 they called them in those days was Section NCOs,
13 they were staff sergeants. The last one was Wally
14 Strauss, he was there most of the time.

01:48 15 Q Okay. And in terms of the Shellbrook detachment,
16 then, am I correct you were the senior officer at
17 that detachment for the years that you have
18 mentioned?

19 A That's correct.

01:48 20 Q And nine officers reporting to you then?

21 A That's correct.

22 Q And just very generally then, sir, what were your
23 day-to-day duties in that position?

24 A Well I would administrate both the actual work
01:48 25 that the other members did and responsible for



1 that the administration and correspondence that
2 left the office all came across my desk.

3 Q And do I take it, then, that you were working in
4 the office for the most part?

01:48 5 A Yes.

6 Q Okay. Some fieldwork?

7 A Yes.

8 Q And during the time period that we've discussed,
9 and in your position as sergeant at the Shellbrook
01:48 10 detachment, do you recall ever receiving
11 information relevant to the Gail Miller murder
12 which had occurred in 1969 in Saskatoon?

13 A No.

14 Q And during the 1980s would you have been aware of
01:49 15 the name David Milgaard?

16 A Yes.

17 Q And what would that name have meant to you at that
18 time?

19 A Well the Milgaard alleged murder conviction was
01:49 20 probably one of the more high profile in
21 Saskatchewan when I was a younger constable at
22 Watrous, that and two other major things were very
23 high profile, and basically in everyone's mind.

24 Q And so you would have generally been aware, then,
01:49 25 of Mr. Milgaard's circumstances at that time?



1 A Yes.

2 Q Okay. And while you were at the Shellbrook
3 detachment do you ever recall receiving
4 information relevant to Mr. Milgaard's situation?

01:49 5 A No.

6 Q Do you recall, during that time, becoming familiar
7 with the name Larry Fisher?

8 A No.

9 Q And we've heard in evidence that Mr. Fisher was
01:49 10 convicted of rape and attempted murder relating to
11 an attack on a woman that took place in North
12 Battleford in 1980; do you think you would --
13 might have been aware of that incident at or
14 around that time?

01:50 15 A I don't recall it.

16 Q Okay. Possible that you may have?

17 A Possible.

18 Q And possible that you may have become familiar
19 with the name Larry Fisher in that context?

01:50 20 A Slightly, but very slight, yeah.

21 Q Something you don't recall though?

22 A No.

23 Q Do you recall, during the same time period that
24 we've been discussing, being familiar with the
01:50 25 names Arnold Poitras, Doris Poitras, or Linda



1 Fisher?

2 A No.

3 Q Those names mean nothing to you?

4 A Nothing.

01:50 5 Q Okay. Do you recall becoming familiar with the
6 name Bruce Lafreniere during that same time period
7 we've discussed?

8 A No.

9 Q You don't recall that name at all?

01:50 10 A I don't know him.

11 Q And I understand you have become familiar, though,
12 with an account that has been provided by
13 Mr. Lafreniere at different times respecting a
14 meeting he indicates took place between himself
01:51 15 and you in approximately 1986?

16 A That's correct.

17 Q When did you learn of Mr. Lafreniere's account?

18 A I believe I, when I was contacted in '93 by
19 members of the Mounted Police it was brought to my
01:51 20 attention.

21 Q And do you think that was the first time, perhaps?

22 A Yes.

23 Q I'm going to refer you to an RCMP report firstly
24 relating to Mr. Lafreniere's information relating
01:51 25 to his story. The document is 045146. And again,



1 Mr. Simington, this is some notes of an RCMP
2 officer relating to a meeting which took place in
3 1993 relating to an investigation that the RCMP
4 was conducting into the David Milgaard matter, and
01:51 5 again this relates to the meeting with

6 Mr. Lafreniere, and I'm just going to show you a
7 couple of portions. You will see the date at the
8 top is June 10th, 1993, and again reference to a
9 meeting with Bruce Lafreniere, and if we could
01:52 10 turn, please, to page 045148. Okay, beginning the
11 bottom of the page, I'll read this portion to you.

12 "- prior to 1985-1986 or near that time,
13 he was informed ...",

14 'he' being Mr. Lafreniere:

01:52 15 "... was informed by Arnold Poitras
16 (related to Doris Poitras who is an
17 acquaintance of Linda Fisher) that Linda
18 had apparently said that on the morning
19 of the murder on January 31st, 1969
01:52 20 Larry came home with blood on his
21 clothing. This information concerned
22 Lafreniere so in or around 1986, he
23 decided to do something about it."

24 Moving down the page:

01:52 25 "- he was in Shellbrook, Sask during



1 1986 and attended Shellbrook Detachment
2 where he states that he spoke to Sgt.
3 Bill Simington. Lafreniere stated that
4 he informed Sgt. Simington of the above
01:53 5 information and his suspicions but he is
6 unaware of any action taken. He liked
7 Sgt. Simington and was treated well by
8 him, but again, was not made aware of
9 any action taken."

01:53 10 And does that, any of that information refresh
11 your memory, Mr. Simington?

12 A No.

13 Q And I'm also going to refer you to
14 Mr. Lafreniere's testimony as recently given at
01:53 15 the Commission of Inquiry. If we could turn,
16 please, to, it was given on September 15th, and if
17 we can turn to page 14057 and move forward to page
18 14063, please. Beginning at the bottom of the
19 page, again I'll read some of this to you,
01:54 20 Mr. Simington. Again, this is Mr. Lafreniere
21 giving evidence at this Inquiry, Mr. Hodson,
22 Commission Counsel, is examining:

23 "Q Okay. I understand that at some point,
24 sir, you had an occasion to discuss Mr.
25 Fisher with Arnold Poitras or Poitras;



1 is that correct?

2 A That's correct.

3 Q And can you tell us about that?

4 A Umm, I'm not remembering the -- I
5 can't remember the exact date. The
6 conversation went somewhat that he
7 told me that someone had told him that
8 his wife, at the time the -- when Gail
9 Miller was murdered, that he ...",

10 I believe they are referring to Larry Fisher:

11 "... came home, changed his clothes, he
12 had blood on his clothes, and went back
13 to work again."

14 I'll move forward to page 14066, and continuing
01:54 15 at the bottom of the page:

16 "Q Okay. So then after you had this
17 information from Mr. Poitras what did
18 you do, what did you do with this
19 information?

20 A Umm, I went to -- I happened to be
21 working up in Shellbrook and I went to
22 the RCMP in Shellbrook, told them what
23 I had heard, and left it at that."

24 If we can move down the page starting here:

25 "Q And what caused you to go in to the



1 Shellbrook RCMP?

2 A Well I worked there at the time and it
3 was, it was convenient, and I also
4 knew the officer there somewhat
5 through work because of our safety
6 liaison with our company and the RCMP.

7 Q And who was the officer that you knew at
8 the Shellbrook detachment?

9 A It would have been Simington.

10 Q Would that have been Bill Simington?

11 A I couldn't tell you his first name.

12 Q And prior to going in to the detachment
13 you had met Mr. Simington before; is
14 that correct?

15 A Yes, he -- through work, some of our
16 safety meetings, yeah."

17 I'm just going to pause there for a moment,
18 Mr. Simington. We've heard in evidence that
19 Mr. Lafreniere worked with SaskEnergy at the
01:56 20 time. Would it be possible that the Shellbrook
21 detachment would be having safety liaisons with
22 SaskEnergy?

23 A No.

24 Q You don't believe that would have been the case?

01:56 25 A It never occurred when I was there.



1 Q Okay. And I'll just continue reading from that
2 point:

3 "Q Tell us about your meeting with the
4 RCMP?"

5 Next Page:

6 "A Umm, I had just got in there, I asked to
7 speak with him, told him that I had some
8 information that might be important. I
9 told him what I had heard, I can't
10 remember if he took any notes, and that
11 was pretty much it.

12 Q And so you would have told -- did you
13 tell him where you got the information
14 from, for example, Arnold Poitras?

15 A Yeah, I believe I must have, I -- like
16 we're talking several decades ago so
17 --

18 Q Right. Any reason you wouldn't have
19 told him everything that Arnold Poitras
20 told you?

21 A No, I would have told him exactly what
22 I heard.

23 Q And, again, would you have told him that
24 it related to the Gail Miller murder?

25 A Yes.



1 Q And do you think you would have
2 mentioned the name David Milgaard in
3 that discussion?

4 A Yes.

5 Q And at that time, when you went in,
6 again -- and you may have answered this
7 already -- did you have a view, at that
8 time, as to whether or not Mr. Fisher
9 either was or may have been responsible
10 for the death of Gail Miller?

11 A Well I thought that there was a
12 definite possibility that he was
13 responsible, yes.

14 Q And is that what prompted you to go in
15 to the police?

16 A Absolutely.

17 Q And then how did you leave it with
18 Mr. Simington?

19 A I just assumed that he would follow up
20 on it and the correct action would be
21 taken."

22 Again, Mr. Simington, does any of this refresh
23 your memory as to a possible meeting with
24 Mr. Lafreniere?

01:57 25 A No.



1 Q Okay. And is it possible that a meeting of this
2 nature took place but that you simply don't
3 remember it today?

4 A It's possible, anything is possible, but I don't
01:58 5 recall.

6 Q And I'm going to ask you, for the next series of
7 questions, Mr. Simington, to assume that the
8 meeting did take place and that the information
9 was relayed as Mr. Lafreniere has indicated. And
01:58 10 again, taking us back to that time period, your
11 position with the Shellbrook detachment at that
12 time, what would you have done upon receipt of
13 information of that nature?

14 A A file would have been opened and those, that was
01:58 15 just when the computers were coming in, we still
16 used file index cards, his name would have
17 probably been put on a card along with Milgaard's
18 and Fisher's, so they would cross-reference the
19 file, and a copy of the file would have been sent
01:58 20 to Prince Albert Subdivision.

21 Q Okay. So I just want to move slowly, here, you've
22 indicated a file would be opened?

23 A Yes.

24 Q And separate and apart from that, though, certain
01:58 25 names would be entered on an index card?



1 A Yes.

2 Q And can you explain, perhaps, the index card
3 system?

4 A Well it was before computers, really, it was you
01:59 5 put down the name of the accused if there was an
6 accused in the event, the name of the complainant
7 if there was a complainant in the event, and a
8 file number so that it -- down the road you had to
9 find it and someone could come up with either the
01:59 10 event or the persons involved, you could find the
11 file.

12 Q Okay. And was that index card system specific to
13 the Shellbrook detachment, meaning that was that
14 solely maintained for your use at the Shellbrook
01:59 15 detachment?

16 A That's correct.

17 Q Okay. And you've mentioned a file would be
18 opened --

19 A Correct.

01:59 20 Q -- as well? And would there be -- what would be
21 the content of the file?

22 A Whatever the information that was brought in from
23 someone who made a complaint or an allegation or
24 something like that.

01:59 25 Q So there would be some sort of form that would be



1 included in the file?

2 A Yes. It would be similar to what you've shown on
3 the thing here, it's a -- they were called 237s
4 and 238s, I don't know what they call them now.

02:00 5 Q Okay. I think we have seen reference to that
6 previously --

7 A Yeah.

8 Q -- with some RCMP officers, but C237s and C238s?

9 A Yeah, correct.

02:00 10 Q Okay. And that is what would be included in the
11 file?

12 A You're right.

13 Q And where would that file be kept, then, at that
14 time?

02:00 15 A Shellbrook detachment.

16 Q And would you have any written notes, yourself,
17 again assuming that meeting took place?

18 A Yes.

19 Q And where would those notes --

02:00 20 A They would have been in my notebook.

21 Q Okay. And do you have any of your notebooks from
22 that time period?

23 A Not any more, no.

24 Q Okay. And I've heard reference to a complaint
02:00 25 form; is that the same report that --



1 A That's a 238.

2 Q Okay.

3 A A 238 was usually initiated, and then it would be
4 transferred over if a report was put in on a 237,
02:00 5 it would be almost sort of like a duplicate. It
6 would be a copy that was kept on, in a book right
7 on the detachment, and then the file would be
8 opened and it would be put, you know, like in the
9 file compartment.

02:00 10 Q Okay. And again, assuming the meeting took place
11 as Mr. Lafreniere has indicated, what do you
12 expect would have been included in terms of
13 content on the form that would have been included
14 in the file?

02:01 15 A Umm, Lafreniere's name and what he had alleged,
16 and then what was done with that information.

17 Q And I think you mentioned that it would be passed
18 on, then, that information would be passed on?

19 A Yeah, everything was required to go to
02:01 20 subdivision.

21 Q And that would have been to the Prince Albert --

22 A Prince Albert.

23 Q -- Prince Albert Subdivision?

24 A Yes.

02:01 25 Q And what, exactly, would be passed on to the



1 Prince Albert Subdivision?

2 A Any information in that regard, the information
3 that he had provided me and anything that, you
4 know, any pertinent things that he had provided
02:01 5 for me, and it would have been passed on to
6 subdivision.

7 Q As to a copy of the file content --

8 A Yes.

9 Q -- for example?

02:01 10 A Yes, there would be a copy.

11 Q And you would maintain --

12 A The original.

13 Q -- the contents of the file at the detachment?

14 A Yes.

02:01 15 Q And in terms of sending that information on to
16 Prince Albert, what would have been the
17 expectation, again continuing on with your
18 hypothetical, what would have been -- what would
19 have been the expectation as to what Prince Albert
02:01 20 would have done with that information?

21 A Well, once they received it and there was
22 something to indicate that further action could be
23 taken, I would have imagined, if this was the
24 case, they would have sent it on to Saskatoon City
02:02 25 Police.



1 Q Was there -- would there be any possibility of
2 direct follow-up by yourself or by the Shellbrook
3 detachment, and when I say that, I mean perhaps
4 contacting the Saskatoon City Police?

02:02 5 A I wouldn't have, no, but I would have contacted
6 Lefreniere with what I had done.

7 Q Okay. Would there have, for example, been any
8 direct follow-up by yourself in terms of
9 contacting any of the individuals that Mr.
02:02 10 Lefreniere mentioned?

11 A No.

12 Q Okay. You mentioned that you would have expected
13 though some sort of follow-up from yourself to
14 Mr. Lefreniere?

02:02 15 A That's correct.

16 Q In what form, what do you mean when you say that?

17 A I would have to indicate on my 238 what I had done
18 as a result of the complaint.

19 Q Okay. And so if we think longer term for a moment
02:03 20 and if you were to look back on that a few years
21 past the event, what sort of paper record then
22 would you have expected to exist in relation to
23 that attendance by Mr. Lefreniere?

24 A There should have been file cards concerning
02:03 25 Lefreniere, probably Milgaard and Fisher, but



1 certainly Lefreniere. There would have been a
2 file, an active file that would have been
3 forwarded to subdivision, and in the complaint
4 book where the 238s were kept there would have
02:03 5 been a copy of the original complaint.

6 Q And in terms of your file material at the
7 Shellbrook detachment, where would that material
8 have been stored?

9 A Right in the filing room there.

02:03 10 Q And do you recall what the file or record
11 retention policy would have been at the Shellbrook
12 detachment at that time?

13 A I'm not absolutely sure, but I think it was
14 between two to five years depending on the type of
02:04 15 case that was there. The, like, provincial
16 statutes and things like that, or accidents and
17 that had a shorter retention file, or retention
18 time than *Criminal Code* or more important files
19 had to be longer, I think it was five years, but
02:04 20 I'm not sure on that now.

21 Q Okay. And again, taking the information as we've
22 discussed from Mr. Lefreniere relating to his
23 suspicions, what would you have expected for
24 information of that nature in terms of a retention
02:04 25 policy?



1 A Well, it was -- the name Milgaard would have rung
2 a bell right off the bat, so it would have
3 been obviously under a *Criminal Code*
4 investigation. It would have probably maintained
02:04 5 at least five years.

6 Q Okay. And you say at least five years. Is it a
7 possibility that it would have been maintained by
8 policy longer than that?

9 A Yes, it may have been in subdivision, especially
02:04 10 -- our file, I think the longest we kept files on
11 a detachment level was five years.

12 Q Okay. And are you aware of the subdivision's
13 retention policy at that time?

14 A No, I'm not.

02:05 15 Q And again, accepting this information as
16 Mr. Lefreniere has indicated it to be, is it
17 possible that you could have dismissed the
18 information as third or fourth-hand hearsay?

19 A Anything is possible, but with the name Milgaard
02:05 20 attached to it I would have been very, very
21 doubtful that it wouldn't have been followed --
22 followed up with a report.

23 Q And going through the discussions that we've had,
24 do you think it's possible that everything
02:05 25 happened as you've indicated, but the records that



1 would have resulted would have been destroyed?

2 A I don't recall any -- I don't recall the incident.
3 I don't recall putting a file in, I don't recall
4 doing anything with regard to it.

02:05 5 Q Okay. And when I say destroyed, I mean in the
6 regular course of the retention policy.

7 A If it was there, yeah, it would be destroyed I'm
8 sure.

9 Q And just in terms of your own position then, Mr.
02:06 10 Simington, do you think that the meeting that
11 Mr. Lefreniere has described took place?

12 A No.

13 Q That's your position?

14 A Yes.

02:06 15 Q And do you recall meeting yourself with the RCMP
16 in 1993?

17 A Via phone.

18 Q Okay. I'm going to refer you to a document
19 relating to that, it's document ID 051295, and
02:06 20 we'll turn to page 051297, again a similar report
21 as we looked at previously, the date being June
22 15th of 1993, these being one of the RCMP
23 officer's notes, and starting here, I'm going to
24 read some of this to you, Mr. Simington, and get
02:07 25 your comment. It indicates:



1 "I spoke to Bill Simington by telephone
2 and explained the circumstances relating
3 to Lefreniere. He was told of
4 Lefreniere's background in terms of
02:07 5 apparently reporting the Fisher
6 information, but Bill could not recall
7 the incident. He did say that had the
8 name Milgaard been used at the time he
9 would have remembered. Mr. Simington
02:07 10 stated that Lefreniere could have come
11 in but he can't recall."

12 And that would fit with what you told us thus far
13 today, Mr. Simington?

14 A Yes.

02:07 15 Q Just reading on:

16 "Apparently, Simington was doing some
17 inquiries on behalf of Calgary on
18 another murder but it in no way related
19 to this file. He said he would give the
02:07 20 discussion more thought and let me know
21 if he remembered anything of
22 consequence."

23 And do you recall whether there was any follow-up
24 with the RCMP subsequent to this telephone
02:08 25 discussion? Did you recall anything further of



1 significance?

2 A No.

3 Q So there was no further contact as best you can
4 recall?

02:08 5 A No.

6 Q Reading on to the next paragraph, it indicates,
7 again the RCMP writing:

8 "I spoke to Sgt. Corbett, in charge of
9 Shellbrook Detachment. He was not
02:08 10 familiar with Bruce Lefreniere and had
11 no knowledge of the incident. An
12 indices check was conducted and I was
13 told the results were negative. Had
14 there been a file, it would have been
02:08 15 destroyed some time ago. No record of
16 the file exists."

17 And would you agree with that, Mr. Simington, if
18 there had been a file it would have been
19 destroyed some time ago according to the
02:08 20 retention policy?

21 A Yes.

22 Q Just reading on:

23 "This area of investigation will now be
24 concluded. Should Bill Simington recall
02:09 25 anything, the file will be reopened."



1 And if we just move down the page, there's a
2 follow-up on June 17th, again one of the RCMP
3 officer's writing:

4 "We have no reason to doubt that
02:09 5 Lefreniere did in fact tell Simington
6 about the "blood on Fisher".

7 It appears no record was made
8 and that no enquiries were conducted by
9 Shellbrook Det."

02:09 10 And would you take any issue with that summary
11 provided at the conclusion of that report, Mr.
12 Simington?

13 A Other than the fact that I don't recall the --
14 Lefreniere at all.

02:09 15 Q Okay. I'll refer you briefly for reference as
16 well to an internal memo, it's document 061262,
17 internal RCMP memo written by Inspector Sawatzky,
18 the date being June the 18th, and I'm just going
19 to refer to the second page, if we can turn to the
02:10 20 second page, please, just at the top here. Again
21 this is Inspector Sawatzky writing:

22 "Our investigators have conducted
23 enquiries with Shellbrook Detachment and
24 it appears that no file was created as a
02:10 25 result of Lefreniere speaking with Sgt.



1 Simington in 1986 nor were any enquiries
2 conducted. Sgt. Simington is now
3 retired. He has been contacted and does
4 not recall this incident. He feels that
02:10 5 if the name Milgaard had been used, he
6 would recall speaking with Lefreniere.
7 We certainly have no reason to
8 disbelieve Lefreniere when he says he
9 reported this information to Shellbrook
02:10 10 Detachment."

11 And again, would that be an accurate account at
12 least in terms of the information you had
13 provided up to that point in time, Mr. Simington?

14 A That's correct.

02:10 15 Q And apart from having no recollection of
16 Mr. Lefreniere, would you have any other reason to
17 disbelieve his account?

18 A I don't even recall Mr. Lefreniere, so I don't
19 know -- like, I can't dissociate anything he said.
02:11 20 I just don't recall him at all.

21 Q Okay.

22 A At any time.

23 Q Okay. And you've shared with us everything you
24 can in that regard?

02:11 25 A That's right.



1 Q Okay. And were you ever contacted by anyone else
2 in relation to this matter, Mr. Simington, and
3 when I say anyone else, any other authority or
4 individual dealing with the David Milgaard matter?

02:11 5 A No.

6 Q You had no involvement in the Larry Fisher legal
7 proceedings?

8 A No.

9 Q And no one on behalf of the Milgaards had any
02:11 10 contact with you through the years?

11 A No.

12 MR. HARDY: Those are all the questions I
13 have for you, Mr. Simington. My Friends may have
14 some follow-up questions for you.

02:11 15 COMMISSIONER MacCALLUM: Who wishes to
16 cross-examine?

17 MR. HODSON: I think Mr. Fox. Mr. Elson?

18 MR. ELSON: No.

19 COMMISSIONER MacCALLUM: Mr. Gibson.

02:12 20 MR. HODSON: I believe Mr. Fox and Mr.
21 Gibson.

22 BY MR. FOX:

23 Q Mr. Simington, I'm Aaron Fox, I'm the lawyer for
24 Eddie Karst. He was one the detectives involved
02:12 25 in the investigation of David Milgaard. Just a



1 couple of questions.

2 You indicated when you answered
3 Mr. Hardy's questions that you recalled the David
4 Milgaard trial, when it took place, that that was
02:12 5 a fairly high profile trial or high profile case
6 in the Province of Saskatchewan at that time?

7 A Yes.

8 Q And I think you indicated you were stationed at
9 Watrous at that time?

02:12 10 A That's correct.

11 Q Do you remember what your term was at Watrous,
12 when you started there? Tough questions I know,
13 but --

14 A 1967 to 1970.

02:12 15 Q Okay. And do you have a recollection when the
16 Gail Miller murder took place on January 31st,
17 1969, it would have been reported in the media and
18 that shortly after that do you have any
19 recollection of sort of hearing about the murder
02:13 20 itself?

21 A Oh, yes, it was -- like, it was probably the high
22 profile case for a number of years.

23 Q Okay. And would you ever have had any involvement
24 in that file?

02:13 25 A No.



1 Q Just that you would have been aware of it?

2 A That's right.

3 Q Okay. And Watrous, for the record, I think is a
4 little over an hour's drive out of --

02:13 5 A 70 miles.

6 Q 70 miles east of Saskatoon?

7 A Yeah.

8 Q Right. We know that there were a series of
9 incidents that took place in the fall in
02:13 10 Saskatoon, a rape of one victim on October 21st,
11 '68, a rape of another victim, November 13th, '68,
12 and an indecent assault on November 28th of '68.
13 Looking back, thinking back to 1968 at that time
14 and into 1969, do you have any recollection of
02:14 15 being aware of those offences at that time?

16 A No.

17 Q And any recollection of sort of being aware that
18 there might be a serial rapist in and about
19 Saskatoon at that time?

02:14 20 A No.

21 MR. FOX: Thank you. Those are all the
22 questions I have.

23 BY MR. GIBSON:

24 Q Mr. Simington, for the record, my name is Bruce
02:14 25 Gibson. Just a couple of brief points with you.



1 You were taken through some RCMP
2 reports by Mr. Hardy and there was a reference
3 where the RCMP went out in 1993 and spoke to a
4 Sergeant Corbett who was in charge of the
02:14 5 Shellbrook detachment, at least on June 15th of
6 1993. Do you recall if that was the individual
7 that took over command of that detachment from you
8 after you retired?

9 A That's correct.

02:15 10 Q And just for the record, again, and we've had
11 evidence from Mr. Lefreniere who was not able to
12 pinpoint the exact time that he may have come in
13 to speak with you, and it says here that Sergeant
14 Corbett indicates that he was not familiar with
02:15 15 the name Bruce Lefreniere either. Did you ever
16 have a discussion yourself with Sergeant Corbett
17 about that name, Bruce Lefreniere?

18 A No.

19 Q And one other point, and again you've mentioned
02:15 20 that it's possible that you may have had a
21 discussion with Mr. Lefreniere and the RCMP went
22 out and spoke with Mr. Lefreniere, he seemed very
23 genuine about going in to see you, and of course
24 they had no reason to disbelieve what he told
02:15 25 them, and as far as you can go in your memory on I



1 guess a percentage basis or best estimate as you
2 can, if the name Milgaard was mentioned to you and
3 the circumstances surrounding the Gail Miller
4 murder, you indicated that you likely would have
02:16 5 remembered that and followed up on that with
6 subdivision as you've indicated. Can you give us
7 some idea as to what's the likelihood, if that
8 name had been mentioned, that you would have
9 forwarded it on?

02:16 10 A 100 percent.

11 Q And why would you say that, and again, you touched
12 on it a little bit, but maybe you can help the
13 Commissioner on this.

14 A Well, two things; one, I say the high profile
02:16 15 murder trial of Milgaard, and anything that came
16 up on something like that -- like, there was three
17 major things basically when I was in the force
18 there, there was Thatcher, Milgaard and Brian
19 King, and those things sort of stuck right in your
02:16 20 mind. Like, anything that would come as a result
21 of any one of those, they would have made the --
22 you would have made note of them.

23 Q Now --

24 A Personally you would have remembered them, but I
02:17 25 would have also made note of it.



1 Q Now, we know that the Milgaard trial, I guess the
2 preliminary steps and the trial of David Milgaard
3 took place in the latter part of 1969 through to
4 1970 and I believe you indicated that you were
02:17 5 posted at Watrous at that time?

6 A That's correct.

7 Q And how far is Watrous from Saskatoon?

8 A 70 miles.

9 Q And any newspapers that you would have received
02:17 10 out there, would that have been the *StarPhoenix*
11 that you would have received out in Watrous?

12 A Yes. They have a local paper, but yeah, it would
13 have been the *Star Phoenix*.

14 Q And press coverage then at that time, television,
02:17 15 radio, would that be something that you would pick
16 up from Saskatoon as well then?

17 A Oh, yes.

18 MR. GIBSON: Thank you very much.

19 MR. HARDY: No questions or re-examination.

02:18 20 COMMISSIONER MacCALLUM: Mr. Simington,
21 thank you very much, you are excused.

22 MR. HARDY: We'll next call Mr. Roy
23 Pambrun.

24 **PETER ROY PAMBRUN, sworn:**

02:18 25 **BY MR. HARDY:**



1 Q Good afternoon, Mr. Pambrun. I'll allow you to
2 get a glass of water there. I notice that your
3 voice is quite soft and you might need to move
4 forward and close to the microphone.

02:19 5 I understand that you are
6 currently a resident of Saskatoon?

7 A Yes.

8 Q And what is your age, sir?

9 A 74.

02:19 10 Q Am I correct that you are an uncle to Linda
11 Fisher?

12 A Yes.

13 Q A brother to Clifford Pambrun?

14 A Yes.

02:19 15 Q And Irene McDonald as well who has recently
16 passed?

17 A Yes.

18 Q And Irene is Linda Fisher's mother?

19 A Right.

02:19 20 Q Perhaps I'll direct your attention to a chart that
21 we've put together for purposes of the Inquiry
22 relating to the family connections. If we could
23 put the chart up, please, just have you briefly
24 look at that, Mr. Pambrun, it's on your screen in
02:20 25 front of you there.



1 A I don't read anyways.

2 Q No, I won't ask you to read it. I'm just going to
3 -- it looks like we have here in the pink colour
4 your family, it looks like you have an older
02:20 5 sister Doris who I understand is deceased?

6 A Actually, younger sister Doris.

7 Q I'm sorry, younger sister. And as well a brother
8 Cliff and as we've mentioned sister Irene, and
9 Linda is the offspring of Irene McDonald, and
02:20 10 there's some connection I see there to the Poitras
11 family through a couple of marriages?

12 A Yes, she's my sister too.

13 Q Sorry?

14 A Doris is my sister too.

02:20 15 Q Yes, okay. And I understand, Mr. Pambrun, that
16 your family is originally from the North
17 Battleford area?

18 A Yeah.

19 Q And we can take this off the screen now. And am I
02:20 20 correct that you resided in Saskatoon in the 1968
21 to 1970 time period?

22 A Yeah, in and around there someplace.

23 Q And you would have known Larry Fisher at that
24 time?

02:21 25 A Yeah.



1 Q And I understand that would have been through
2 Larry's marriage to your niece Linda?

3 A Well, I had known him from before from around
4 Battleford, like, his mom and all.

02:21 5 Q I'm sorry, you knew him from before from the
6 Battleford area?

7 A Yeah.

8 Q And would that have been when Larry was a younger
9 individual then?

02:21 10 A About five or six years old.

11 Q Okay. And again referring to that later 1960s
12 time period, if we can cast our minds back to the
13 1967 to 1970 time period where you've indicated
14 that you were living in Saskatoon, Larry and Linda
02:21 15 Fisher are living in Saskatoon, what was the
16 nature of your relationship with Larry at that
17 time?

18 A Well, not very much. I didn't -- like, I didn't
19 chum around with him or anything like that.

02:21 20 Q So you didn't socialize with Larry?

21 A Not very much, no.

22 Q I understand perhaps your brother Clifford did
23 spend quite a bit more time with Larry?

24 A Yeah, a little bit more time.

02:22 25 Q And did you work with Larry Fisher at that time?



1 A I worked on jobs where he worked, but not regular
2 work right alongside of him.

3 Q Okay. So was your employer Masonry Contractors at
4 the time?

02:22 5 A Yeah, Leonard Jones.

6 Q Okay. And -- but that's correct, it was with
7 Masonry Contractors?

8 A Right.

9 Q But you are saying you didn't actually work at any
02:22 10 particular projects with Larry Fisher?

11 A No.

12 Q At least in Saskatoon?

13 A Not in Saskatoon, except for Winnipeg, we worked
14 up there for a couple of weeks with him.

02:22 15 Q Okay. And we'll talk about that in just a moment.
16 And again, I want to talk about this later 1960s
17 time period. You've indicated that you didn't
18 necessarily chum around very much with Larry. How
19 often would you see Larry Fisher?

02:22 20 A Maybe a couple of times a year or so.

21 Q Okay. And do you recall Larry and Linda Fisher
22 living at 334 Avenue O South?

23 A Well, I knew they were living in that area, but I
24 didn't know what house they were living in
02:23 25 actually to tell you the truth.



1 Q But that sounds familiar?

2 A Yeah.

3 Q An Avenue O residence?

4 A Right.

02:23 5 Q Okay. And where would you have been living at
6 that time?

7 A I was living in Greystone just off Idylwyld Drive
8 off of 33rd.

9 Q And perhaps we'll look at a map and see if we can
02:23 10 pinpoint that a little more precisely. If we can
11 bring up 164351, please. I'll let you get
12 familiar with that map, Mr. Pambrun. Perhaps I'll
13 focus in on this area first. And there's an X
14 marked here noting Fisher beside it and that's on
02:24 15 Avenue O which we understand to be 334 Avenue O
16 South?

17 A Yeah.

18 Q And if we move up a bit, you'll see a further X
19 with Clifford Pambrun noted beside that X and
02:24 20 that's on Avenue C. Do you recall your brother
21 Clifford and his wife Anita living at an Avenue C
22 residence in or around that time period?

23 A Yeah, at one time I was at their place on Avenue
24 C, yes.

02:24 25 Q Okay. And if we move up the map, and perhaps if



1 we could bring out -- you'll see, and maybe what
2 we can do is focus in on this section here, and
3 your name is noted here beside an X which appears
4 it be on Grey Place just off of Idylwyld Drive?

02:24 5 A Yes.

6 Q Would that be the address that you were speaking
7 of?

8 A Yeah.

9 Q And that would have been your residence again
02:25 10 during that later 1960s time period?

11 A Yes.

12 Q Okay. And again talking of that time period,
13 would Larry Fisher ever have occasion to visit you
14 at your residence?

02:25 15 A He was there a couple of times.

16 Q You have a recollection of him attending at least
17 a couple of times?

18 A Yeah, I think for sure twice.

19 Q And what would have been the purpose of those
02:25 20 visits?

21 A Oh, just stopped in and visit for a while and
22 played a couple of games of cards.

23 Q Okay. For example, would he have been with Linda
24 on those occasions?

02:25 25 A Yeah, I think a couple of times, yeah, he was with



1 Linda.

2 Q You believe Linda was with him?

3 A Yeah.

4 Q And do you know how he would travel to your house
02:25 5 when he would attend at your house?

6 A He would come in cabs or bus once in a while to
7 33rd and then he would get off and walk from there
8 most times.

9 Q Do you know whether Larry had a vehicle himself at
02:26 10 that time or had access to a vehicle?

11 A When we were living on -- I don't think he had one
12 myself. I'm pretty sure I never seen him drive
13 one anyway.

14 Q You never seen him drive a vehicle himself?

02:26 15 A Yeah.

16 Q And you are pretty sure he didn't own one?

17 A Well, I don't know if he owned one or not, but he
18 never had one around there anyway.

19 Q Okay. And again during this time period, or
02:26 20 referring to this time period, what would have
21 been your general impression of Larry Fisher?

22 A I don't know, just didn't get along with him,
23 that's all.

24 Q I'm sorry, you said we didn't get along very well?

02:26 25 A I didn't get along with him very well, no.



1 Q Can you --

2 A Just some reasons, like -- well, we didn't talk
3 very much or said anything.

4 Q You didn't talk very much?

02:26 5 A No, not very much.

6 Q And in terms of not getting along very well, was
7 there anything else to that?

8 A Well, no, he was just -- if he couldn't play a
9 good game of cards, he used to get grouchy.

02:27 10 Q I'm sorry, he used to what?

11 A He used to get mad if he lost in a game of cards,
12 that's all I know. That's why him and I didn't
13 get along very good.

14 Q And the two of you had some words over a situation
02:27 15 of that nature?

16 A Yeah, a few times.

17 Q Okay. Do you recall learning of the Gail Miller
18 murder, Mr. Pambrun, in 1969?

19 A Yeah, I heard of it a few days after.

02:27 20 Q Okay. And do I understand correctly, and you made
21 reference a little bit earlier to this, that you
22 attended in Winnipeg to work where Larry Fisher
23 was working as well?

24 A Yeah, at the school.

02:27 25 Q And would that have been in the fall of 1970?



1 A Yeah, it probably was 1970.

2 Q Sorry?

3 A I think so.

4 Q Okay. And do you recall while you were working in
02:28 5 Winnipeg Larry being picked up by the police?

6 A Well, not when we were working. When we came home
7 on the weekend, he got picked up after that
8 weekend.

9 Q Maybe just tell me how you found about it.

02:28 10 A Oh, we didn't find out until we got back there.

11 Q So you had come home for the weekend?

12 A Come home for the weekend and then we went back to
13 Winnipeg and then where we were staying in the
14 house there, the boy said he was picked up.

02:28 15 Q Okay. So you learned about that when you came
16 back to Winnipeg?

17 A Yeah.

18 Q And am I correct, Mr. Pambrun, that you have a
19 particular memory of Larry attending at your home
02:28 20 one winter morning which you've been asked to
21 recount previously?

22 A Yes.

23 Q And can you share with us your recollection of
24 that morning and what happened?

02:28 25 A Oh, it was in the morning, it was about, I would



1 say, around eight o'clock or something, it was a
2 cold morning anyway, he said he come and knocked
3 on the door but I didn't hear him, and all of a
4 sudden he knocked again he said and I opened the
02:29 5 door for him and he says -- I asked him what
6 happened to him, he said, "Oh, somebody stole his
7 clothes," and stuff like that, and I asked him,
8 "Do you want a coffee?" He said no, and stuff
9 like that. And then he asked if he could get a
02:29 10 pair of shoes and I gave him an old pair of
11 Oxfords, and he had no coat, so I gave him an old
12 suit that I had there. He stayed there for about
13 five or 10 minutes and then he took off to his
14 brother's place I think, walking.

02:29 15 Q And any other recollection of --

16 COMMISSIONER MacCALLUM: I'm sorry, they
17 took off to whose place?

18 A Eh?

19 COMMISSIONER MacCALLUM: He took off for
02:30 20 whose place?

21 A I think to his brother, or brother-in-law's place,
22 to his sister's and --

23 COMMISSIONER MacCALLUM: His
24 brother-in-law's place.

02:30 25 A At least that's where he said he was going, to me,



1 anyway.

2 BY MR. HARDY:

3 Q And maybe I'll just back up and we can move slowly
4 through this. You thought that that happened
02:30 5 maybe about 8:00 a.m.?

6 A It was sometime just before the kids went to
7 school, around 8:00 when he stopped in at my
8 place, and --

9 Q And who else was living in your home at the time?

02:30 10 A Umm, Joan, but she was sleeping, she didn't even
11 talk to Larry that morning.

12 Q And children as well?

13 A Yeah.

14 Q Okay. And the children were still home at that
02:30 15 time?

16 A Yeah, they were getting ready to go to school, we
17 were getting them up to go to school.

18 Q Okay. And you indicated that he knocked at the
19 door a couple of times?

02:31 20 A Well that's what he said. I only heard him knock
21 like the once, and I opened the door for him, but
22 --

23 Q And correct me if I summarize any of this wrongly,
24 but you indicated that you went to the door, asked
02:31 25 him what happened?



1 A Yeah.

2 Q He didn't have shoes or a jacket?

3 A Right.

4 Q Okay. And did you notice anything else in the
02:31 5 back yard?

6 A Well then after, when he left I looked out the
7 back and I could see a garbage burn -- barrel
8 burning, eh.

9 Q And --

10 A And I, "what did you do", he was still there when
11 I seen the garbage barrel, like "oh", he says, "I
12 was cold, I tried to knock on your door and you
13 didn't answer so I lit it up and kept warm."

14 Q So he indicated he had knocked on one occasion,
02:31 15 you hadn't answered, --

16 A Yeah.

17 Q -- so he had lit the burning barrel?

18 A Right.

19 Q To keep warm?

20 A To keep warm, yeah.

21 Q Okay. And he had borrowed a suit coat from you
22 and a pair of shoes as well?

23 A Yeah.

24 Q And stayed for five or ten minutes, you indicated?

02:32 25 A Not too long, no, it was not much longer than



1 that.

2 Q Do you recall, did he actually come into the
3 house?

4 A He was in the house, yeah.

02:32 5 Q And do you recall, when this took place, what year
6 it took place?

7 A Oh, I didn't go by the year or by the day or what,
8 I just -- it was in the wintertime, and it was in
9 that year around -- cold winter morning anyway.

02:32 10 Q And what possible years could it have taken place
11 in then?

12 A Eh?

13 Q What possible years could it have taken place in?
14 Just from your recollection, if you had to select
02:32 15 some years where it may have taken place, what
16 would those be?

17 A Umm, I don't know, '69 it could be too.

18 Q Okay. And do you recall whether it was a week, a
19 weekday, or a weekend day?

02:32 20 A I think it was in the middle of the week. I'm not
21 quite sure.

22 Q And were you going to work that day or were you
23 working at that time?

24 A I think I was laid off at around that time there.

02:33 25 Q Do you recall whether Larry said anything about



1 going to work?

2 A No, he never said anything about going to work.
3 Couldn't go to work anyway, didn't have enough
4 clothes.

02:33 5 Q Okay. Do you recall, when he was at the door, was
6 it light out or was it dark out?

7 A Umm, it was still kind of dark out, yeah.

8 Q That's a recollection you have?

9 A Yeah.

02:33 10 Q Any further discussion with Larry, that you
11 haven't shared with us, that you can remember?

12 A No, I never hardly ever talked to him, I never
13 asked him anything.

14 Q Okay. And what was your reaction to the incident
02:33 15 overall?

16 A Over what?

17 Q After Larry had left, what was your reaction to
18 this incident, what did you think about it?

19 A I think I thought he got, I thought he got rolled
02:33 20 someplace and had his clothes took off, that's
21 all. He said he was at a party.

22 Q Okay.

23 A Yeah.

24 Q And did this event take on any further
02:34 25 significance for you at some later point in time?



1 A Oh later on in the years, yeah, when you start
2 thinking, umm, you know, thinking after about
3 that, like how come the guy come without clothes
4 at that time, wintertime you know, thinking about
02:34 5 actually a girl was murdered there makes a guy
6 think. That's about it.

7 Q And when you say in later years you started to
8 think about this, when -- or at some later point
9 in time, when was this that you thought --

02:34 10 A Oh --

11 Q -- further or reflected further upon this
12 incident?

13 A Oh, about maybe six months or so I started
14 thinking about it and then let it go, and then
02:34 15 after about ten years after it come up again and a
16 person starts thinking, starts thinking about it
17 again and wondering how come he, you know, come
18 with no clothes on there, and wondering if that
19 could have happened about the same time when that
02:35 20 girl was murdered, so --

21 Q You started to wonder whether it happened at the
22 same time as the girl?

23 A Yeah.

24 Q And are you referring -- who are you referring to?

02:35 25 A Oh, it was myself, just more or less thinking



1 about it.

2 Q These are thoughts that you are having, and are
3 you referring to Gail Miller when you say "the
4 girl"?

02:35 5 A Yeah.

6 Q Okay. And when you said you started to think
7 about it when it all came up again what were you
8 referring to?

9 A It all sort of come back. Like since, you know,
02:35 10 winter night and wonder how come, you know, around
11 there. And at that time I didn't keep track of
12 the day or what, it didn't come to my mind at that
13 time, so -- but I was thinking why would a guy
14 come there and having a fire going in a barrel
02:36 15 after, figured well maybe he burnt his clothes
16 there as far as -- I don't know.

17 Q Is there any way you can help us sort of track
18 through the years and try to determine when you
19 were having these thoughts or suspicions?

02:36 20 A Not really.

21 Q Was there anything else happening that caused you
22 to think further upon the --

23 A No, I just went through the -- no, I, just
24 thinking about it, and I was always thinking. I
02:36 25 used to wonder how things -- like for the -- oh --



1 Q Well let's just talk about in terms of you said at
2 some point you made some connection to the girl,
3 and we've determined that that was Gail Miller?

4 A Yeah.

02:37 5 Q Let's just talk about that thought alone. Is
6 there any way that you can assist us --

7 A Not really.

8 Q -- in determining when that thought took place?

9 A Oh, that was a year or so after, I was thinking
02:37 10 about it.

11 Q For example, would it have been after Larry had
12 been picked up in Winnipeg?

13 A Umm, yeah, it probably was.

14 Q Okay.

02:37 15 A Yeah.

16 Q And were you talking to anyone else about these
17 suspicions --

18 A No I --

19 Q -- at that time?

02:37 20 A No.

21 Q Did you ever talk to anybody about those
22 suspicions in the years that followed?

23 A No, not except for when Mrs. Milgaard, and I don't
24 know if it was somebody else, or another --

02:37 25 Q Okay.



1 A -- policeman or not, but I don't quite remember
2 that.

3 Q Okay. And we will refer to some discussions you
4 had I think in perhaps 1991 with some individuals,
02:37 5 but I want to stay before that point in time.

6 A Well you can't say before points when you don't
7 remember before points, you know what I mean?

8 Q No, that's fair enough Mr. Pambrun, and I
9 appreciate you being patient with me.

02:38 10 A Okay.

11 Q It's just important for us to try as best we can
12 to determine when you were having any of these
13 suspicious thoughts?

14 A Well, I think if you exactly, you think about it
02:38 15 today, and three, four, five years after you
16 forget when it was when you were thinking about
17 it.

18 Q Okay. Do you recall, apart from meeting with
19 Mrs. Milgaard or a police officer, did you ever
02:38 20 have discussions with family members or friends
21 about --

22 A No.

23 Q -- this incident?

24 A It had nothing to do with me so I didn't worry
02:38 25 about it too much.



1 Q Sorry?

2 A It was nothing to do with me so I didn't worry
3 about it too much.

4 Q You --

02:38 5 A Didn't think about it too much, you know how a
6 person thinks, cause he is living with my niece,
7 but I never talked to her about it or anything
8 like that.

9 Q Okay. So the incident itself, Larry's attendance
02:38 10 at your place that morning, do you think you
11 relayed that incident on to Linda Fisher, or to
12 Clifford, or to anybody of that nature?

13 A Umm, no, I --

14 Q You don't think?

02:39 15 A Oh, I told Linda that Larry came up there looking
16 for clothes that one time, it was about a year
17 after, so I -- could have been longer, even, but
18 that was just about her.

19 Q Okay. So you told Linda a little bit about that
02:39 20 incident at some point?

21 A At some point I think I told Linda he come,
22 because I said -- I --

23 Q And after Larry was arrested in Winnipeg I assume
24 you continued to have a relationship with Linda
02:39 25 Fisher, continued to see her from time to time?



1 A Oh, I talked to her and see her now and then,
2 right.

3 Q Okay. And continued to have a relationship with
4 Clifford and Anita Pambrun?

02:39 5 A Oh yeah.

6 Q Okay.

7 A Yeah.

8 Q And do you recall discussions amongst the group of
9 you about Larry at any point?

02:39 10 A No, I never talk about Larry, I -- out of my way.

11 Q Okay, so that's a 'no' to that question?

12 A Right.

13 Q Did you ever talk with that same group about the
14 Gail Miller murder?

02:40 15 A No.

16 Q Okay. Were you ever a part of a discussion with
17 that group where suspicions relating to Larry
18 Fisher and the Gail Miller murder were discussed?

19 A No.

02:40 20 Q Did Linda ever relay any suspicions she may have
21 in that regard --

22 A No, I --

23 Q -- on to you?

24 A No.

02:40 25 Q And did you ever report this incident to an



1 authority yourself or on your own accord?

2 A No.

3 Q Okay. And you referred to a meeting with a police
4 officer, and I've mentioned that we have a
02:40 5 document which would indicate that you met with an
6 RCMP officer, Mr. Pambrun, in 1991. I'm going to
7 refer you to a document in that regard, and it's
8 049662. This is the handwritten portion, there's
9 a transcribed version of it, but you will note at
02:41 10 the top it's -- indicates Statement of Roy
11 Pambrun, I believe your date of birth likely, July
12 21st, 1931, notes an address of 822 Avenue J
13 South; would that have been your address in 1991?

14 A Yes.

02:41 15 Q Okay. Date being, of the interview I guess,
16 December 16th of 1991. If we could turn, please,
17 to page 049668 of that document, you will see a
18 signature on that page, Mr. Pambrun; do you
19 recognize that signature?

02:41 20 A Yeah, that's mine.

21 Q That is your signature?

22 A Yup.

23 Q And this was an interview that took place with
24 Mr. Pearson of the RCMP, and I'm going to turn to
02:42 25 a transcription of the handwritten version, it's



1 page 049669. Again this is Statement of Roy
2 Pambrun, same information that I mentioned to you
3 previously, and it's set up in a question and
4 answer format, and I understand you had an
02:42 5 opportunity to review this prior to testifying
6 today, Mr. Pambrun?

7 A Yeah.

8 Q This document?

9 COMMISSIONER MacCALLUM: Yes.

02:42 10 BY MR. HARDY:

11 Q Okay. I'm sorry. Thank you. Do you recall
12 meeting with Sergeant Pearson?

13 A Oh, I didn't remember for a while 'til now I
14 started, when I talked to you there today and it
02:42 15 sort of struck my mind there, I --

16 Q Did you understand, at this time, why they had an
17 interest in talking to you?

18 A Well, I really didn't know for sure, but he was --
19 we were talking, he come over and then he asked me
02:43 20 questions about -- and that was it, about it, and
21 what he was here about and --

22 Q Okay. Well let's review this statement, and I'm
23 going to go through the entire statement, Mr.
24 Pambrun, and ask you some questions in relation to
02:43 25 it. And we'll just take our time as we move



1 along. And, again, it's set up in a question and
2 answer format with Sergeant Pearson asking the
3 question and then the answer being provided by
4 yourself, and we'll just start at the top of the
02:43 5 page:

6 "Q I am investigating the activities of
7 Larry Fisher during the time period in
8 1969 and 1970, how can you assist me?

9 A Larry, through marriage, is my nephew.
02:43 10 He married Linda McDonald, my niece.

11 Q Where did you know Larry from?

12 A My family and his family lived in the
13 Battlefords.

14 Q Do you know when Larry and Linda got
02:43 15 married?

16 A No I didn't even go."

17 Just pause there for a moment. Would that be
18 true and accurate information that you provided
19 to Sergeant Pearson?

02:43 20 A Yes.

21 Q Okay. And just reading forward:

22 "Q When did you move to Saskatoon?"

23 And you answer:

24 "A In 1960, we lived lots of different
02:44 25 houses.



1 Q Do you know when Larry and Linda moved
2 to Saskatoon?

3 A Maybe ten years or so after us.

4 Q Gail Miller was murdered on the 31st of
02:44 5 January 1969, do you recall anything
6 about that time period?

7 A Not really. I heard about it, it may
8 have been a week after or less, it's
9 hard to say now."

02:44 10 And, again, is what I just read to you, was that
11 true and accurate information that you were
12 providing to Sergeant Pearson?

13 A Yes.

14 Q Okay. Reading forward from there:

02:44 15 "Q You mentioned to me that Larry came to
16 your house one winter's day, tell me
17 about it?

18 A Larry came to the house, that's what
19 he said. He then said he made a fire
02:44 20 in the burning barrel to keep warm.

21 Q When was this, do you know the year?

22 A It was sometime after that girl was
23 murdered, but I don't know the time, I
24 think it was after.

02:45 25 Q Could it have been the same day as the



1 murder?

2 A It's hard to say, it could have been,
3 how can a guy remember."

4 And, again, would that be true and accurate
02:45 5 information that you provided as I've just read
6 to you?

7 A Yes.

8 Q I'll read forward from there:

9 "Q Do you remember Larry knocking on your
02:45 10 door at this time?

11 A Yes, I was still laying in bed. I got
12 up and let him in.

13 Q What time of the day was this?

14 A Around 8:00 a.m. cause the kids had to
02:45 15 go to school and they weren't up yet.

16 Q What time of the year was this?

17 A It was winter time.

18 Q Was it before or after New Years?

19 A I'm not sure, but it was cold and
02:45 20 windy that day."

21 And again, that fits with your recollection, Mr.
22 Pambrun?

23 A Yes.

24 Q That was true information that you were providing?

02:45 25 A Yeah.



1 Q And you have a memory of it being a cold and windy
2 day when Larry attended that morning?

3 A Yes.

4 Q Okay. Just reading forward:

02:46 5 "Q When you answered the door, did you talk
6 to Larry?

7 A Yes.

8 Q What did you say?

9 A I said something like, "what the hell
02:46 10 happened to you." Larry had no jacket
11 or shoes on when he came into the
12 house.

13 Q What did Larry say?

14 A He said he was at a party and he lost
02:46 15 his shoes and jacket, somebody had
16 stolen them.

17 Q What did Larry have on his feet when you
18 let him in the house?

19 A He had socks on.

02:46 20 Q Was he complaining of frozen feet?

21 A No, he didn't, but he said he was
22 cold.

23 Q Did Larry have a shirt or sweater on?

24 A He had clothes on, just no jacket and
02:46 25 shoes."



1 And would that be accurate information, as best
2 you can recall, Mr. Pambrun?

3 A Yes.

4 Q I'll read forward from there:

02:46 5 "Q What else did Larry say?

6 A When I let him in he told me that he
7 had knocked on the door and nobody
8 came so he went to the burning barrel
9 and started a fire to keep warm. Then
02:47 10 he came back and knocked on the door,
11 I don't know how long he was out
12 there.

13 Q What kind of clothes was Larry wearing?

14 A Probably jeans. I didn't pay that
02:47 15 much attention.

16 Q Was he wearing anything on his head?

17 A That I couldn't tell you.

18 Q What address was this at?

19 A It was on Greystone Avenue, just off
02:47 20 33rd - it was "Grey" something, we
21 lived there about a year."

22 And that's the Grey place address that we looked
23 at on the map?

24 A Yes.

02:47 25 Q Okay. Just reading forward from there:



1 "Q Where was Larry living at that time?

2 A He was living on Avenue "O" South.

3 Q How did Larry get to your place that
4 morning?

02:47 5 A He never said, he must have walked.

6 Q Did you see a car?

7 A No, there was no car around.

8 Q How long was Larry at your place?

9 A About 10 minutes, he was in a hurry to
02:47 10 leave."

11 And, again, does that fit with your recollection,
12 Mr. Pambrun?

13 A Yes.

14 Q And that's true and accurate information that you
02:48 15 provided?

16 A Yeah.

17 Q And do you recall what had given you the sense
18 that Larry was in a hurry to leave?

19 A Oh, he said he had to go to work or something like
02:48 20 that.

21 Q Oh, he did say he had to go to work or --

22 A Right, he had to go to work, yeah.

23 Q You remember him saying that?

24 A I remember him saying he had to go to work, that's
02:48 25 why he got the clothes to run -- make --



1 Q Okay. And I just, I hadn't seen that indicated in
2 the materials previously, Mr. Pambrun, is why I
3 ask you whether that's a recollection you have
4 today?

02:48 5 A Well that's what I remember now, that's what he
6 said, "I got to go to work" or something, eh.

7 Q Okay.

8 A Yeah.

9 Q I'm going to read forward from there:

02:48 10 "Q Did Larry said why he came to your
11 place?

12 A He came to pick up some clothes to
13 wear home, I guess. He asked if he
14 could borrow some shoes and a coat.

02:48 15 Q Did you give him any?

16 A I gave him an old pair of lace-up
17 black leather oxfords and a black suit
18 jacket.

19 Q Where did Larry go from your place?

02:48 20 A He said he was going home.

21 Q Do you know how he went home?

22 A There was no car around, but I think
23 he said he was going to catch the bus.

24 Q Did Larry come to your place often in
02:49 25 those days?



1 A No, he was only there a couple of
2 times before.

3 Q Did Larry wash up?

4 A No, he said he had to go. I asked if
02:49 5 he wanted a coffee and he said he had
6 to go home."

7 And I guess that differs a little bit from what
8 you have just told us, Mr. Pambrun. Is it
9 possible that Larry had indicated to you that he
02:49 10 had to go home or is your memory today that he
11 indicated that he needed to go to work?

12 A No, he -- I -- well he had to go home and get
13 clothes first, and then go to work, I think
14 something like that, I mean.

02:49 15 Q Okay. And is this information otherwise accurate
16 that you provided to Sergeant Pearson and what I
17 have just read to you, that section?

18 A Yes.

19 Q Okay. I'll read forward from there:

02:49 20 "Q Did you see a fire in the burning barrel
21 that morning?

22 A After I got up, I went to the back
23 door and I could still see smoke
24 coming out of the barrel.

02:50 25 Q What kind of barrel was it?



1 A It was a 45 gallon gas barely.

2 Q Did Larry have any other conversation
3 with you that morning?

4 A He was in a hurry.

02:50 5 Q Did Larry say how he got to your place?

6 A No.

7 Q Did you ever check the burning barrel to
8 see what Larry used for a fire?

9 A No I didn't, it was usually full of
02:50 10 papers anyway.

11 Q Did Larry have mitts or gloves when he
12 arrived at your place?

13 A I don't remember."

14 Next page:

02:50 15 "Q Did Larry say how long he had been
16 beside the burning barrel before coming
17 to the door?

18 A No, he didn't say."

19 And, again, is that true and accurate information
02:50 20 that you provided to Sergeant Pearson at that
21 time, Mr. Pambrun?

22 A Yes.

23 Q And so you never looked into the burning barrel or
24 checked the burning barrel that morning, as best
02:50 25 you can recall?



1 A No.

2 Q Okay. Read forward from there:

3 "Q Do you know if Larry was employed at
4 this time?

02:50 5 A Yes, he was working.

6 Q Do you know where?

7 A For Masonry Contractors.

8 Q Were you employed at this time?

9 A I don't remember, I think I was laid
02:51 10 off.

11 Q Did Larry ever mention he was supposed
12 to be at work?

13 A No he didn't.

14 Q Did you ever ask Larry what happened
02:51 15 that night?

16 A No, over the years I never talked to
17 him much. I didn't care much for
18 him."

19 And, again, was that accurate information that
02:51 20 you were providing to Sergeant Pearson at that
21 time?

22 A Yes.

23 Q And you've explained to us already why perhaps you
24 and Larry didn't get along very well?

02:51 25 A Well I just didn't like the guy, that's all.



1 Q Okay. I'll just read forward from there:

2 "Q Did you ever talk to Linda about this?

3 A No much. I've forgotten what she said
4 about it."

02:51 5 And that would again fit with what you have told
6 us today, Mr. Pambrun?

7 A Right.

8 Q Do you believe there was some discussions with
9 Linda relating to the matter that you no longer
02:52 10 recalled at the time that you were meeting with
11 Sergeant Pearson?

12 A Well I never, I didn't talk with Linda I don't
13 think, I don't remember ever talking to Linda
14 about anything.

02:52 15 Q Okay. I'll just read forward from there:

16 "Q Do you know what job Larry was on, with
17 Masonry Contractors, during the time he
18 came to your house?

19 A No I don't.

02:52 20 Q Did Larry have access to any vehicles in
21 those days?

22 A I don't really know if he had one or
23 not.

24 Q Did you ever work on a site with Larry?

02:52 25 A In Winnipeg.



1 Q What job was that?

2 A A school.

3 Q Did you live with Larry?

4 A Yes, we all lived in the same house.

02:52 5 Q Do you remember when Larry got into
6 trouble in Winnipeg?

7 A That Friday his wife, I, Cliff and an
8 old fellow, Frank Ketler, came back to
9 Saskatoon and it was the same night
02:52 10 Larry got caught.

11 Q Who did Larry hang around with in those
12 days?

13 A Not many that I can think of, he was
14 kind of a loner."

02:53 15 And, again, that section of questions and answers
16 that I have just read to you, Mr. Pambrun, does
17 that fit with your recollection?

18 A Yes.

19 Q That would be true and accurate information that
02:53 20 you were providing to Sergeant Pearson?

21 A Yes, yeah.

22 Q Okay. If we move to the last or second-last page,
23 next page, starting at the top:

24 "Q Can you give me the names of anyone else
02:53 25 who can help me find out about Larry's



1 activities during the time of Gail
2 Miller's murder?

3 A No I can't.

4 Q Did you ever see Larry carrying a knife
02:53 5 or weapon of any kind?

6 A I never saw him carrying any weapon,
7 but he used a double edged knife on
8 the work site for cutting siding and
9 shingles.

02:53 10 Q Did Larry ever borrow vehicles from
11 anyone when he lived in Saskatoon?

12 A I don't know. He never borrowed any
13 of mine.

14 Q Did Larry ever drive a green half ton
02:53 15 truck?

16 A I don't know.

17 Q Who else was present when Larry came to
18 your house that cold morning?

19 A Joan, the woman I was living with, but
02:54 20 she never even got out of bed.

21 Q Did you ever talk to Larry about this?

22 A No I didn't. It never struck my mind
23 what Larry was doing until he got
24 caught in Winnipeg. I didn't know
02:54 25 Larry good and never hung with him



1 that much."

2 And, again, would this be true and accurate
3 information that you were providing, Mr. Pambrun?

4 A Yes.

02:54 5 Q And just in terms of that last answer I've read to
6 you the question was:

7 "Q Did you ever talk to Larry about this?"
8 And you responded:

9 "A No I didn't. It never struck my mind
10 what Larry was doing until he got caught
11 in Winnipeg. I didn't know Larry good
12 and never hung with him that much."

13 In terms of your comment that you didn't know
14 what he was doing until he got caught in
02:54 15 Winnipeg, do you recall what you meant by that
16 response?

17 A Well, I really wouldn't know, just that when I was
18 in Winnipeg some -- I think there was some kind of
19 a guy was looking for him, eh, and I thought -- he
02:55 20 come and talked to me one day, and he never told
21 me nothing, but then he said, well, he asked who
22 his -- who were living, who was all living there,
23 and I told him. And then when we come back, about
24 when Larry was caught for rape there and that, I
02:55 25 figured maybe that's what they were looking for



1 him for. That's what I meant to say.

2 Q So somebody, before you went home that weekend
3 from Winnipeg that you have mentioned to us,
4 you're -- are you indicating that somebody was
02:55 5 looking for Larry?

6 A Yeah, somebody was looking for Larry.

7 Q And do you know that -- whether that was a police
8 officer?

9 A Well, I figured it was, like it was a plainclothes
02:55 10 with a suit on, eh, but I figured he was an
11 officer or something.

12 Q And that's something you considered after you
13 learned that Larry had then been picked up that
14 weekend?

02:56 15 A I figured well yeah, a stranger knocking, --

16 Q Okay.

17 A -- picked him up.

18 Q Okay. There is a short further section of your
19 statement, and I'll read that to you as well, and
02:56 20 it's further question and answers. It starts off:

21 "Roy, I just have a few more questions.

22 Q What kind of footwear did Larry use in
23 those days?

24 A He wore workboots at work and he used
02:56 25 to wear mukluks, he had a nice pair of



1 mukluks.

2 Q Did Larry tell you he had his boots or
3 mukluks stolen or did he ever use those
4 terms?

02:56 5 A He just said he had his shoes stolen.
6 It seemed funny that a guy would come
7 to your place and make a fire in the
8 burning barrel. Even if he would have
9 kept knocking, someone would have
02:56 10 heard him. Thinking of it after, it
11 seems strange what he did that
12 morning.

13 Q Did you notice any cuts or blood on
14 Larry that morning?

02:56 15 A No, but I didn't bother to look. He
16 just said he was at a party and got
17 his shoes and jacket stolen.

18 Q Did Larry ever give you the shoes and
19 jacket back?

02:56 20 A No! "

21 And would that be an accurate account of the
22 information you provided to Sergeant Pearson in
23 terms of that last section that I have just read
24 to you?

02:57 25 A Yes.



1 Q True and accurate information?

2 A Yes.

3 Q And is that still your recollection today?

4 A Yeah.

02:57 5 Q Okay. I'm going to refer you briefly to Sergeant
6 Pearson's notes as well, Mr. Pambrun, that went
7 along with this statement. If we could turn,
8 please, to document ID 063163. Again, these are
9 his typed notes of various attendances, and there
02:57 10 is a date noted there, December 13th, 1991. And
11 the second item under that date indicates:

12 "I again placed a call to Roy Pambrun's
13 residence, there was no answer, I left a
14 message on the machine to call. I have
02:58 15 called numerous times in the past, he is
16 not an easy fellow to catch."

17 And do you recall receiving messages from
18 Sergeant Pearson before you met with him, Mr.
19 Pambrun?

02:58 20 A Not really.

21 Q Okay. Do you recall whether there was any
22 reluctance on your part to meet with an authority
23 in relation to this particular matter?

24 A No. I don't know, I really couldn't say about
02:58 25 that, I don't know.



1 Q Okay. Sorry, if we could put that document back
2 up, just another short portion I wanted to refer
3 to. If we could turn to page 063164. These are
4 the same notes I was referring to, Mr. Pambrun,
02:58 5 there's another date entry, December 15th, 1991,
6 indicating that he had finally reached you and
7 talked to you directly. And then just at the
8 bottom of the page there is a summary of that, and
9 I'll just read a short portion, at the beginning
02:59 10 it indicates:

11 "I attended at 822 Avenue J South and
12 interviewed Roy Pambrun. He had a very
13 poor recall of the late 1960's or early
14 1970's."

02:59 15 Then he goes on to summarize what we've already
16 read in your statement, but in terms of his
17 comment that you had a very poor recall of the
18 late 1960s or the early 1970s, would you agree
19 with that comment Mr. Pambrun?

02:59 20 A Yes.

21 Q Yes you would?

22 A Yes.

23 Q Okay. Mr. Commissioner, I see the time, this is
24 probably a good time to break.

02:59 25 COMMISSIONER MacCALLUM: Yes.



(Adjourned at 2:59 p.m.)

(Reconvened at 3:20 p.m.)

BY MR. HARDY:

Q Before the break, Mr. Pambrun, we were discussing
your meeting with Sergeant Pearson of the RCMP and
I have no further questions for you relating to
that meeting, although, Mr. Commissioner, I would
refer to a further document being 056639 which is
a report by Sergeant Pearson and there's some
mention in summary given relating to his meeting
with Mr. Pambrun, and I'll mention the page is
056645. And, Mr. Pambrun, I'm not sure whether
you would have been aware of it at the time or
not, but there were discussions with other
individuals in and around the time with Sergeant
Pearson or conducted by Sergeant Pearson and as
well conducted by Joyce Milgaard and certain
individuals that were assisting her, and we know,
and again the time period I'm referring to is that
1991 time period, the same year that you would
have met with Sergeant Pearson, and I just want to
refer you to a couple of statements provided by
Linda Fisher at or around the same time because
she mentions some information relating to yourself
and I'll get you to comment on that; first of all,



1 a statement that she provided I believe to Joyce
2 Milgaard and Paul Henderson and that was in
3 March actually of 1990, and if we could refer,
4 please, to document 050603, just at the top,
03:22 5 Mr. Pambrun, it indicates statement of Linda
6 Fisher, and then perhaps we could turn to the last
7 page, please, which is 050610, what purports to be
8 Linda Fisher's signature, and there is a witness
9 there, I'm not sure what that name is, but the
03:22 10 date is March 11th, 1990 and that's at Cando,
11 Saskatchewan, and if we could turn, please, to
12 page 050606 of that statement, focus on this
13 middle paragraph, and I'll read this to you again,
14 Mr. Pambrun. This is Linda providing information
03:22 15 in her statement.

16 "After Larry went to prison, I was
17 talking to my uncle, Roy Pambrun, and he
18 told me that something strange had
19 happened at his house involving Larry.
03:23 20 Roy said he was burning garbage in a
21 barrel in his yard and that Larry threw
22 a pair of work boots into the barrel.
23 Roy said this seemed like a strange
24 thing for Larry to do because the boots
03:23 25 appeared to be in good shape."



1 I think you mentioned earlier, Mr. Pambrun, that
2 you may have given some information to Linda
3 respecting the incident involving Larry that
4 morning. In terms of what I've just read to you,
03:23 5 though, do you recall providing that information
6 that I've just read to Linda?

7 A Actually, I never talked to Linda about anything
8 like that.

9 Q You don't recall talking to her about anything
03:23 10 relating to that?

11 A Well, just I told her that Larry bought -- he
12 burnt, dumped to the fire. I never said anything
13 about shoes or anything to her, I didn't know,
14 because how am I supposed to know what he dumped
03:24 15 in the fire.

16 Q So what Linda has indicated here, there's some
17 inaccurate information in terms of what you recall
18 of that incident?

19 A I would say, yeah.

03:24 20 Q Okay. And maybe we can just look at that for a
21 moment. I think it indicates, it does indicate,
22 "Roy said he was burning garbage in a barrel in
23 his yard," and would that be incorrect in terms of
24 what was happening that morning?

03:24 25 A That's incorrect too because I don't think I would



1 be burning garbage at 40 below outside and windy.

2 Q Okay. So that's inaccurate?

3 A Right.

4 Q And then Miss Fisher indicates:

03:24 5 "Larry threw a pair of work boots into
6 the barrel. Roy said this seemed like a
7 strange thing for Larry to do because
8 the boots appeared to be in good shape."

9 And I take you never saw Larry throw a pair of
03:24 10 work boots in the burning barrel?

11 A No.

12 Q Okay. I refer you as well to a statement provided
13 in and around the same time to Sergeant Pearson,
14 the document is 063204, again this is a statement
03:25 15 of Linda Fisher dated March 14, 1990 provided to
16 Sergeant Pearson of the RCMP, and if we could turn
17 to the last page, 063209, please. You see, Mr.
18 Pambrun, again what purports to be Miss Fisher's
19 signature and witnessed by Sergeant Pearson, and
03:25 20 if we could turn back one page to 063208, this
21 paragraph in the middle of the page I direct your
22 attention to, I'm going to read this again to you,
23 Mr. Pambrun, it indicates, again Linda speaking:

24 "About two years after the murder, my
03:26 25 Uncle Roy told me he had seen Larry burn



1 a good pair of work boots in Roy's
2 burning barrel, I'm not sure where they
3 lived at the time. The other day,
4 Mrs. Milgaard and I talked to Roy on the
03:26 5 phone, all Roy recalls is that Larry
6 came to the door without boots and
7 borrowed a pair of Roy's. It was
8 wintertime, year unknown."

9 Maybe just to divide that paragraph up into two
03:26 10 parts. In terms of the first sentence, "My Uncle
11 Roy told me he had seen Larry burn a good pair of
12 work boots in Roy's burning barrel, I'm not sure
13 where they lived at the time," would there be the
14 same inaccuracy there as we pointed out in the
03:26 15 other statement insofar as you never saw Larry
16 burning a pair of boots in the barrel?

17 A Yeah.

18 Q Okay. In terms of the second portion of that
19 paragraph, it indicates the telephone call that
03:26 20 took place between yourself and Mrs. Milgaard and
21 Linda, that it indicates -- first of all, do you
22 remember a discussion of that nature with
23 Mrs. Milgaard?

24 A No, not over the phone.

03:27 25 Q Okay. And I want to talk to you about that in a



1 moment. It indicates that you stated at that time
2 that all you recalled was that Larry came to the
3 door without boots and borrowed a pair of Roy's,
4 and is it possible that that telephone call had
03:27 5 taken place at that time, that that would have
6 been the information that you would have provided?

7 A I don't think so.

8 Q And why do you say that?

9 A Well, I don't remember talking to anybody about
03:27 10 that, with anybody.

11 Q So you are saying you don't recall the telephone
12 discussion taking place?

13 A Right.

14 Q With Mrs. Milgaard and Linda Fisher?

03:27 15 A That's right.

16 Q Do you recall a meeting taking place with
17 Mrs. Milgaard?

18 A Just once at the house.

19 Q So she did meet with you at your house?

03:27 20 A Yes, by myself, her and that other guy came there.

21 Q And do you recall what information you provided at
22 that time?

23 A Oh, the same about that burning barrel and stuff.

24 Q So the same story that we've reviewed in your
03:28 25 statement to Sergeant Pearson earlier on?



1 A Right.

2 Q Okay. Do you have any idea when that meeting with
3 Mrs. Milgaard took place?

4 A Not really, no, but it was in the fall or
03:28 5 summertime.

6 Q And do you recall whether there was anyone else in
7 attendance?

8 A Just me and her and the lawyer or something, I
9 don't know, or somebody.

03:28 10 Q But there was another individual you remember
11 being there as well?

12 A Well, it was just three of us there I think.

13 Q Okay. Do you remember whether that would have
14 happened before your meeting with the RCMP
03:28 15 officer?

16 A That I couldn't tell you. I don't know, after or
17 before.

18 Q Okay. And I don't believe, just bear with me for
19 a moment, Mr. Pambrun, but we know in the course
03:28 20 of the Inquiry that in 1993 the RCMP conducted a
21 separate investigation into the David Milgaard
22 matter, and I say separate, separate and apart
23 from the investigation we've been referring to
24 thus far, but I don't believe that you were
03:29 25 contacted by the RCMP in 1993. Would that fit



1 with your recollection?

2 A No, just that as I say, I don't know if he did or
3 not. I don't think he did. I don't remember it
4 anyway.

03:29 5 Q You don't remember a second meeting with RCMP
6 officers shortly after 1991?

7 A I think I might have talked to them. I don't know
8 if it was after or before. I think maybe it was
9 somebody. I know somebody came there. It could
03:29 10 have been an RCMP, yes.

11 Q Okay. And I'm probably confusing you because
12 there's one further attendance that we'll refer to
13 in a moment in 1997. But let me show you a
14 document, Mr. Pambrun, it's an RCMP continuation
03:29 15 report from 1993, the document is 049653. Could
16 we turn to the second page of that document,
17 please, and you'll see the date. This is some
18 notes by an RCMP officer, it's indicated at the
19 top Pambrun, you'll see the date, April 26, 1993,
03:30 20 and it's simply a synopsis, and I'm going to read
21 that to you, if we could start at the top, please.
22 It indicates:

23 "Roy Pambrun is Linda Fisher's uncle.

24 He related a story concerning Larry

03:30 25 Fisher arriving at his door step one



1 winter morning with no boots or coat.
2 Fisher had apparently had these items
3 stolen whilst at a party earlier in the
4 evening. Fisher had lit a fire in a
03:30 5 burning barrel to keep warm. Pambrun
6 did not think much about this incident
7 until some time later when Fisher got
8 into trouble for sexually assaulting
9 women. Pambrun is uncertain when this
03:30 10 incident occurred, however, believes it
11 was after the Miller murder and that it
12 was around 8:00 AM and on a very cold
13 winter morning.

14 Due to the fact that Cliff
03:31 15 Pambrun, his brother, said that Roy will
16 not speak to anyone else about this
17 whole issue, coupled with the fact he
18 really has no valuable information to
19 pass on, he will not be interviewed.
03:31 20 Pearson's statement from Pambrun is on
21 this file, and no further action is to
22 be taken with reference to Roy."

23 So it would appear, Roy, that a decision was made
24 at that time that a meeting would not be required
03:31 25 with you, and in terms of the information and the



1 summary of the information that's provided in
2 this document, would you agree that that was an
3 accurate summary of the information that you had
4 previously provided?

03:31 5 A Not -- I don't quite understand what you mean by
6 that.

7 Q I'm sorry. I read to you a bit of a summary of
8 information that you had previously provided to
9 the RCMP and it related to that incident that
03:32 10 morning and what you recalled of that incident,
11 and in terms of what I just read to you, was there
12 anything that struck you as inaccurate or anything
13 that struck you -- concerned you?

14 A Not really. I don't know. Just --

03:32 15 Q Okay. I can read it to you again if you like. I
16 think it fits basically with the information that
17 you had previously provided. I do note that in
18 this summary it indicates that you believed that
19 it was after the Miller murder that this incident
03:32 20 of Larry Fisher attending that morning, that you
21 believe it was after the Miller murder, around
22 8:00 a.m., and again today do you have a
23 recollection of whether that incident took place
24 after the Gail Miller murder or not?

03:32 25 A Yeah.



1 Q You think it was after?

2 A It was after.

3 Q Okay. And in terms of what you had previously
4 indicated to Sergeant Pearson in 1991, and we can
03:32 5 go back to the statement if need be, but I think
6 what he had put -- the possibility that it had
7 occurred on the same morning as the Gail Miller
8 murder to you. You indicated that you couldn't
9 remember, it was possible, but how was a guy to
03:33 10 remember.

11 A Oh, yeah. No. Didn't know what day it was
12 actually, whether it was the day of the Miller
13 murder or what.

14 Q Okay.

03:33 15 A Yeah.

16 Q And again, it's not necessarily --

17 A I didn't hear until I think the next day or
18 something, or a couple of days after.

19 Q And for our purposes then, and for the purposes of
03:33 20 the Inquiry, what would be your position on that
21 particular aspect, Roy?

22 A What do you mean by that?

23 Q Well, I guess I had indicated to you two
24 possibilities, either that you are certain that
03:33 25 that visit by Larry that morning happened on a



1 date after the Gail Miller murder or that it's
2 possible that it happened on the same day and you
3 just can't remember.

4 A I would say it was the same day more or less.

03:34 5 Q Okay. Would it be fair to say that you have no
6 real ability to pinpoint exactly when that had
7 occurred, that visit from Larry Fisher for us
8 today?

9 A Well, I couldn't tell you the day because I never
03:34 10 looked to see or anything, but it was cold outside
11 and storming and -- that morning he come to the
12 house.

13 Q Okay.

14 A Yeah.

03:34 15 Q And lastly, Mr. Pambrun, I think you were
16 approached in 1997 by a couple of officers in
17 relation to the investigation that was ongoing
18 relating to Larry Fisher's potential
19 responsibility for the Gail Miller murder, and
03:34 20 again that would have been 1997. Do you recall a
21 short discussion with officers in or around that
22 time period?

23 A Yeah, it seems like a couple of them came when I
24 was working out in my back yard and I think they
03:35 25 come out there and I had a little talk with them.



1 It wasn't very long.

2 Q Okay. And maybe I'll refer you real briefly to
3 some notes in that respect. The document is
4 081117, and if we can turn to -- it's a task
03:35 5 report, you'll see, and it's some notes and
6 various other pages included in this five page
7 document by the RCMP, Corporal Hopkins in
8 particular, and if we could turn to page 081121,
9 and the bottom half of the page, again notes by
03:35 10 one of the RCMP officers, I'll just read these to
11 you again, Roy. It indicates:

12 "During this time Cpl. Hopkins & Cst.

13 Appleton spoke with Roy Pambrun at his
14 res at 822 Ave J S.

03:36 15 - Roy says that he and Fisher were never
16 friends although they worked for the
17 same company.

18 - Roy never ever loaned Fisher his car.
19 Roy had a blue Chev in 1969.

03:36 20 - Roy says that his brother Clifford
21 hung around with Fisher.

22 - Roy that Fisher was a smart ass &
23 didn't like him."

24 Would that be an accurate account of information
03:36 25 that you provided to the RCMP in 1997, Mr.



1 Pambrun?

2 A Yes.

3 Q And am I correct that you were not called to
4 testify at any the Larry Fisher legal proceedings
03:36 5 in 1999?

6 A No.

7 Q You didn't testify?

8 A No, and I was never asked to.

9 Q And have we otherwise covered any information that
03:36 10 you may otherwise have that's relevant to the
11 David Milgaard matter, Mr. Pambrun?

12 A That I can remember anyway.

13 Q As far as you can remember?

14 A Yeah.

03:36 15 MR. HARDY: Okay. Thank you, Mr. Pambrun,
16 those are all the questions I have. My Friends
17 may have some questions for you.

18 A Okay.

19 MR. HODSON: I think we have a yes from Mr.
03:37 20 Beresh, Mr. Elson is considering.

21 **BY MR. ELSON:**

22 Q Just short. Mr. Pambrun, my name is Richard Elson
23 and I represent the Saskatoon Police Service in
24 this Commission of Inquiry.

03:37 25 I was just a little curious, you



1 recall the statements that were put to you that
2 you had made earlier when you had been interviewed
3 by the RCMP; namely, that you recalled or believed
4 that the incident at your home with Mr. Fisher and
03:37 5 the burning barrel occurred after Gail Miller's
6 murder. Would you believe that you were -- that
7 was the statement that you had given to the RCMP
8 earlier, notably in 1991. Do you recall that
9 statement having been put to you by Mr. Hardy?

03:38 10 A After the murder you mean?

11 Q Yes, that you had told the RCMP in 1991 --

12 A Yeah.

13 Q -- that you believed the burning barrel incident,
14 the incident at your home with Mr. Fisher and the
03:38 15 barrel had occurred after Gail Miller's murder,
16 not the same day?

17 A Well, I said I didn't know if it was the same day
18 or after, but it was a stormy morning, that's all
19 I know.

03:38 20 Q Right. Now, did I understand you to say in
21 answering Mr. Hardy's questions that you believe
22 today, in 2005, that the burning barrel incident
23 occurred the same day as Gail Miller's murder?

24 A It seemed to me it would be like the same day. I
03:38 25 don't know.



1 Q All right. I had earlier understood your
2 testimony to be that you believed Mr. Fisher came
3 to your home in the middle of the week; is that
4 correct?

03:39 5 A Sometimes in the middle of the week, yeah.

6 Q All right. Are you aware that Gail Miller's body
7 was found on the morning of Friday, January
8 31st --

9 A No.

03:39 10 Q -- 1969? So when you said middle of the week --

11 A I said it could be the middle of the week. I know
12 the kids were going to school. I didn't say what
13 day it was.

14 Q So it's a school day. So it could have been a
03:39 15 Wednesday, a Thursday or a Friday?

16 A No.

17 Q I'm sorry, no?

18 A It could have been I guess. I don't know. It was
19 one week day anyway, that's all I know. It was a
03:39 20 school day for the kids. I didn't pick what day
21 it was or what.

22 Q All right. Now, Cliff Pambrun is your brother;
23 correct?

24 A Right.

03:39 25 Q And you were -- I don't mean to pry, but in 1969,



1 you were fairly close to your brother in 1969,
2 close as meaning you socialized with your brother?

3 A Not too much. I didn't associate that much.
4 Still don't.

03:40 5 Q All right. It would be fair to say, though, that
6 in January of 1969 you were aware of the type of
7 vehicle your brother was driving, in January of
8 1969?

9 A No.

03:40 10 Q No?

11 A Not really. It didn't bother me what kind of
12 vehicle he was driving.

13 Q I'm sorry?

14 A It didn't bother me what kind of vehicle he was
03:40 15 driving.

16 Q But you would have been aware at the time what
17 kind of --

18 A Well, how are you supposed to be aware when you
19 don't see him half the time.

03:40 20 Q All right. Were you aware that he at the time was
21 driving a red 1958 Chevrolet?

22 A I couldn't say for sure. It could be.

23 Q Put it this way, in January of 1969, if you saw
24 Cliff Pambrun's car on the street, you would have
03:40 25 recognized it wouldn't you?



1 A Not really. I didn't come around, I didn't go
2 around their place to see what kind of cars they
3 were driving. Sometimes I hadn't talked to him
4 for years.

03:40 5 Q To your knowledge, though, at the time that Mr.
6 Fisher showed up at your home on the occasion of
7 the burning barrel incident that you've described
8 in your testimony, you did not believe that Mr.
9 Fisher was operating a motor vehicle on that
03:41 10 occasion, you believed he walked to your home?

11 A Well, he walked -- I can't say he walked there,
12 but he walked into the house and he walked out of
13 the house and he walked down the street. That's
14 all I remember.

03:41 15 Q So he walked down the street. So you saw him
16 leave down the street?

17 A Yeah. When I looked out the door he was going
18 towards Idylwyld walking.

19 Q Now, I know that neighbourhood, Grey Place is a
03:41 20 cul-de-sac; is that correct?

21 A *(Makes circular motion with hand)*

22 Q It's a circle?

23 A A circle, yeah, from Idylwyld this way, from -- so
24 he's walking down that way.

03:41 25 Q And did you actually see him walk down the



1 cul-de-sac toward Idylwyld?

2 A Well, I seen him walking out that way, yeah.

3 Q All right. So to your knowledge, he did not have
4 a car that morning?

03:41 5 A No.

6 Q And to come from his home to your place by foot,
7 you would agree that that's a substantial hike?

8 A Oh, it would be, yeah, if you are going to come
9 that far. He didn't come from there, he came from
03:42 10 a party he told me, he said -- that's what he told
11 me, I come from a party and got robbed and had no
12 shoes, that's all he told me. I didn't know where
13 he come from.

14 Q I appreciate that. You really didn't know where
03:42 15 he came from?

16 A That's right.

17 Q And when you saw him, he certainly did not look as
18 if he was dressed for work?

19 A That's right.

03:42 20 Q And when he would be dressed for work he would
21 typically have a hard hat with him?

22 A Well, not necessarily, you can leave it at the job
23 site.

24 Q But -- now, when you were working with Masonry
03:42 25 Contractors, did you have a hard hat?



1 A Yeah.

2 Q Now, we've heard evidence that in January of 1969
3 Masonry Contractors was working on two projects in
4 Saskatoon at that time, one project at the
03:42 5 Education Building at the University of
6 Saskatchewan and another project at Walter Murray
7 Collegiate. Do you recall those two projects in
8 which Masonry Contractors was the contractor at
9 the same time?

03:43 10 A Well, Mr. Jones had a lot of contracts. He had
11 more than one or two jobs going that year. He had
12 jobs going pretty well all over town.

13 Q All right. Do you recall in the winter of
14 1968-'69 whether you had spent any time working on
03:43 15 the Education Building or on the Walter Murray
16 Collegiate project?

17 A Not them ones, no, I was working on a different
18 job for them.

19 Q So you had no occasion to work on the Education
03:43 20 Building project?

21 A No.

22 Q Or the Walter Murray project?

23 A No.

24 Q My understanding is that there was a fair amount
03:43 25 of work at that time and you've already indicated



1 that. I'm a little surprised then you would be
2 laid off given the amount of work that Masonry
3 Contractors had in January of '69.

4 A Well, probably I got laid off because I didn't go
03:43 5 to work for a few days.

6 MR. ELSON: All right. Thank you very
7 much. I have no further questions.

8 **BY MR. BERESH:**

9 Q Mr. Pambrun, I'm Brian Beresh, I represent Mr.
03:44 10 Fisher.

11 You were asked by counsel about
12 being called to Mr. Fisher's trial, I -- trial or
13 preliminary inquiry. I take it you weren't even
14 subpoenaed, were you?

03:45 15 A No.

16 Q You --

17 A And I wasn't asked for anything like that, nobody
18 brought any papers around there for me.

19 Q No one talked to you about that, did they?

03:45 20 A No.

21 Q No. Mr. Pambrun, I'm curious, how did your
22 involvement ever come to the attention of anybody?
23 This story you've told us, how did it get to
24 anybody's attention?

03:45 25 A Well I just, when he got in trouble in Winnipeg



1 there I was thinking that --

2 Q Sorry, I can't hear you very well, I'm going to
3 have to ask you to speak up please?

4 A I said in Winnipeg I started thinking, could be he
03:45 5 was in trouble too, I don't know.

6 Q Well no, but if I listen to your story you tell us
7 that this event occurred and then you sort of seem
8 to think, or seemed to leave me with the
9 impression you put it out of your mind?

03:45 10 A Yeah.

11 Q Is that, do I have the right impression?

12 A Yeah. That's --

13 Q Did that occur? I'll repeat the question. Did
14 the event that you claim occurred, did you just
03:46 15 put it out of your mind after it happened?

16 A Well I didn't even worry or think about it, what's
17 happening about it, just that it was -- it had
18 nothing to do with me so I didn't think anything
19 about it.

03:46 20 Q Okay. Well then how did it come to anybody else's
21 attention?

22 A Oh, after I was thinking and, I don't know, I just
23 come in my mind thinking about it. That's all.

24 Q Well I don't understand that?

03:46 25 A Well you just think about something, right.



1 Q Yeah.

2 A I don't understand either because I don't read,
3 but I'll tell you, I was just thinking about, it
4 and it come to my mind, and that's the way it
03:46 5 goes.

6 Q So how did it come to somebody's attention? You
7 were thinking about it --

8 A Well attention, well you hear stories on the news
9 and stuff, and you start thinking, right?

10 Q Yes, and that --

11 A Okay.

12 COMMISSIONER MacCALLUM: I didn't
13 understand that.

14 BY MR. BERESH:

03:46 15 Q Okay. Let me repeat that. You say it's in your
16 mind; how did somebody else find out about this
17 story?

18 A How somebody else, well I guess same way, I guess,
19 everybody else found out.

03:47 20 Q Well but --

21 A How did you find out.

22 Q Okay. So we know this.

23 A So it --

24 Q I often read things, but I don't always believe
03:47 25 what I read, so here's what I am going to ask you.



1 At some point you met with Mrs. Milgaard and
2 somebody else, you thought maybe a lawyer?

3 A Yes.

4 Q Remember that?

03:47 5 A Yes.

6 Q Okay. Now my understanding is that that would
7 have been the first meeting you had before talking
8 to the police; is that correct?

9 A Well I said there I couldn't say for sure cause
03:47 10 it's, I could have talked to the police first or
11 her first, I don't know.

12 Q Okay. Let's --

13 A I didn't put no dates down in books or anything.

14 Q We won't hold you to that.

03:47 15 A No.

16 Q But how is it you went to speak to Mrs. Milgaard
17 or she went to speak to you?

18 A Well she got ahold of me when she was in town and
19 that's --

03:47 20 Q Oh, okay. So do you know, now, how she got your
21 name?

22 A Well she could have got it from anybody, as far as
23 that goes, from my --

24 Q I suspect --

03:47 25 A -- niece and stuff.



1 Q I suspect she got it from Linda Fisher?

2 A Well, probably, yeah.

3 Q Probably? Uh-huh.

4 A Yeah.

03:48 5 Q So the woman who says you told her that you saw
6 boots being burned; same woman?

7 A Yes.

8 Q Yeah, but you never saw boots being burned?

9 A No, --

03:48 10 Q No.

11 A -- I said I never seen boots being burned.

12 Q Sure. So you talked to Linda Fisher, she's
13 probably the person who --

14 A I never talked to Linda Fisher or told her
03:48 15 anything about boots or anything.

16 Q Well, --

17 A I said that already once.

18 Q -- if we were to guess, would she be the likely
19 person, the likely connect between you, and what
03:48 20 you believed happened, and the outside world?

21 A No.

22 Q Well who?

23 A I --

24 Q Your brother?

03:48 25 A No, I don't know, it just come in, just come in my



1 mind and just thinking about it, could be.

2 Q Do you understand, I'm asking how the spark got
3 between the two spark plugs?

4 A Well I don't know.

03:48 5 Q You didn't --

6 A I don't remember that.

7 Q How --

8 A How it happened.

9 Q You didn't go out and take an ad in *The*
03:48 10 *StarPhoenix* and say 'I know this'?

11 A Well, if I'd have known I would have went up and
12 said something about it, but I didn't know, I
13 just -- what you think, and what you think in your
14 mind.

03:49 15 Q Okay. So --

16 A And then what I seen what he done at the house,
17 that's just all I told, so what's the -- what's
18 the -- what's that about.

19 Q The question is who did you tell?

03:49 20 A The stuff here I just, what I seen, that's what I
21 told.

22 Q Who did you tell?

23 A Who did I tell?

24 Q Yes?

03:49 25 A When they come and asked me, when the RCMP and



1 Mrs. Milgaard and there.

2 Q Okay.

3 A When they come and asked me, I just told them what
4 I -- what happened at my place at that one winter
03:49 5 night there.

6 Q Okay. But Mrs. Milgaard, I don't think, went door
7 to door asking people questions, she must have
8 gotten your name from somebody?

9 A Well she must have got it from somebody else, but
03:49 10 how am I supposed to know who she got it from.

11 Q Well, when she came along, didn't she --

12 A I ain't a detective to go and check that out
13 myself.

14 Q Didn't you say to her "how did you get my name?"

03:49 15 A No, I never asked her anything.

16 Q Well when the police came to see you did you ask
17 them "how did you get my name?"

18 A No. Get your name anyplace. They talked with
19 somebody they talked with somebody, how am I
03:50 20 supposed to know who they talked to.

21 Q Well, Mr. Pambrun, this is pretty serious stuff.

22 A I know, but --

23 Q Did you ever ask the police how they got your
24 name?

25 A No.



1 Q Okay. So the likely person --

2 A I never asked them anything.

3 Q -- is Linda Fisher?

4 A I never asked them anything like that.

03:50 5 Q But would the likely person be Linda Fisher?

6 A I don't know.

7 Q You see, Mr. Pambrun, I'm con -- the reason I'm, I
8 have to press you about this is I'm concerned

9 about what you are telling us, because if I heard
03:50 10 you this afternoon what you have said is this: 'I
11 never really liked Larry Fisher'; correct?

12 A Well, do you, I imagine you got some people you
13 really don't care for yourself sometimes.

14 Q Of course there are.

03:50 15 A Yeah. Well --

16 Q Some here.

17 A -- same way.

18 Q But the point is did you say it this afternoon,
19 you didn't like Larry Fisher?

03:50 20 A I never said I really didn't like him, I don't get
21 along with him, that's for sure, I never got along
22 with him at any time.

23 Q You thought he was a smartass, I think you said to
24 somebody?

03:50 25 A Well, kinda.



1 Q Okay. It wasn't you didn't like how he played
2 canasta, you didn't like the guy, isn't that
3 right?

4 A Well, he wasn't much of a friend, let's put it
03:51 5 that way.

6 Q Mr. Pambrun, I'm going to press you on this
7 because I heard you say it this afternoon, you
8 didn't like Larry Fisher?

9 A I didn't like Larry Fisher?

03:51 10 Q Is that right?

11 A Well I just said I didn't care for Larry Fisher.

12 Q Okay. And he didn't care for you?

13 A Right.

14 Q If you talked about lending, someone asked you
03:51 15 about whether you would lend him, have lent him a
16 car, you wouldn't have lent him a car if he asked
17 you?

18 A No.

19 Q Isn't that right?

03:51 20 A That's right.

21 Q No, of course you wouldn't have. You wouldn't
22 have invited him into your house if you didn't
23 want him in?

24 A That's right.

03:51 25 Q He only came to your house twice a year at best?



1 A If that, yeah.

2 Q You hardly visited with him?

3 A That's right.

4 Q You never went to his house?

03:51 5 A Nope.

6 Q But all of a sudden one morning he shows up at
7 your house?

8 A Well he was there before twice and then he comes
9 over and --

03:51 10 Q Well Mr. Pambrun, you know, in all this time he
11 just shows up at your house?

12 A Right.

13 Q But he -- you knew Clifford, of course, your
14 brother?

03:51 15 A Well yeah.

16 Q And you knew Clifford and Larry worked together?

17 A Right.

18 Q For the same person, not necessarily the same
19 site, but at different times together; correct?

03:52 20 A I imagine so.

21 Q Yeah. You must have known that Larry and Clifford
22 were closer together than, certainly, you and
23 Larry were?

24 A Yeah.

03:52 25 Q If Larry wanted something, of the two of you, he



1 probably would choose to go to Cliff, not you,
2 isn't that fair?

3 A Well he came to the house, that's all I know, --

4 Q Well, but sir --

03:52 5 A -- and he knocked on the door, and that's what
6 happened, and I let him in.

7 Q But here's the problem, sir, repeating it doesn't
8 make it more truthful. My question is you are
9 telling us that, out of the blue, he just showed
03:52 10 up?

11 A Not out of the blue. He knows who I was.

12 Q No, no. He didn't phone in advance to see if you
13 were home?

14 A Well no.

03:52 15 Q He didn't -- you didn't --

16 A I don't think we even had a phone.

17 Q He didn't --

18 A I don't think we even had a phone anyway.

19 Q Okay. But he -- you didn't know he was coming?

03:52 20 A No.

21 Q So he arrived out of the blue; yes?

22 A No, he didn't arrive out of the blue.

23 Q Is that what you are telling us?

24 A He came over, yeah.

03:53 25 Q Okay. And it's minus 40?



1 A Right.

2 Q And he has got no shoes on?

3 A Yeah.

4 Q Is that what you are telling us?

03:53 5 A Well --

6 Q And he walked from a party?

7 A Well he said he was at a party close to there and
8 he -- that's all I know.

9 Q But, sorry, he walked?

03:53 10 COMMISSIONER MacCALLUM: Just --

11 A From a party, he said, and got robbed, and that's
12 where he left his shoes, and that's where he -- I
13 gave him shoes to go home. I wouldn't let anybody
14 go out without anything in the wintertime in the
03:53 15 cold anyway, didn't matter if I didn't like him or
16 not.

17 COMMISSIONER MacCALLUM: Okay. Mr. Wolch?

18 MR. WOLCH: It seems to me that some of
19 these questions are getting somewhat abusive, and
03:53 20 to put in a witness' mouth that he said it was 40
21 below, it may be that Mr. Fisher told Mr. Beresh
22 that it was 40 below when he burnt his clothes
23 but it wasn't this witness who said that.

24 MR. BERESH: I heard him say it this
03:53 25 afternoon.



1 MR. WOLCH: I didn't hear 40 below.

2 BY MR. BERESH:

3 Q Well, listen to the evidence, it was said this
4 afternoon.

03:53 5 A I said -- nobody said -- if it is 40 below he said
6 if I was making a fire in the barrel, I said I
7 wouldn't go out and make a fire in a barrel at 40
8 below.

9 COMMISSIONER MacCALLUM: That's right.

03:54 10 Okay.

11 BY MR. BERESH:

12 Q But that morning was 40 below?

13 A Well, I don't know, I --

14 Q This is the second time --

03:54 15 MR. WOLCH: He didn't say that.

16 BY MR. BERESH:

17 Q Sorry. Did you say this afternoon the
18 temperature, by your estimation that morning of
19 this event, was 40 below?

03:54 20 A I would say it was at least cold anyway.

21 Q Pardon me?

22 A It was cold.

23 Q That cold?

24 A Yeah, I'd say around there.

03:54 25 Q Sorry, around, okay. So you are saying it was



1 minus 40, he's in his stocking feet?

2 A Yeah.

3 Q Is that what you are saying?

4 A Well, that's the way it was.

5 Q And --

6 A Stocking feet.

7 Q And no coat on?

8 A And no coat on.

9 Q Uh-huh. Well what did he have on the top part of
03:54 10 his body then?

11 A He had a shirt and jean jacket on, a jean shirt
12 on, like a jean pant.

13 Q Pardon me?

14 A He had pants and a shirt on.

03:54 15 Q And he just happened to be in your neighbourhood;
16 is that what you are telling us?

17 A Well, that's what he said.

18 Q Well did you ask him what he had lit the fire
19 with, that --

03:54 20 A I just asked him where he come from, he said he
21 was at a party and got robbed and he needed them
22 shoes to get home, and the coat, so I give him it.

23 Q So then how did he light the fire?

24 A How in the hell am I supposed to know.

03:55 25 Q Well did you ask him?



1 A Why would I ask him.

2 Q Well, you see, part of the story starts to fall
3 apart when you look at it in the details.

4 A Yeah, well why would you go ask him how he started
03:55 5 a fire, it's none of my business how he started a
6 fire. If he wants to set a garbage barrel on
7 fire, well that's his business I guess, no
8 difference to me.

9 Q And you are saying this barrel was sort of out in
03:55 10 the open, was it?

11 A It was in the back alley.

12 Q I appreciate that, but it wasn't in the shed?

13 A It was a burning barrel in the back alley.

14 Q It wasn't in a shed?

03:55 15 A No.

16 Q That's what you are telling us?

17 A No. It wasn't in a shed, no, it was outside in
18 the yard.

19 Q Mr. Pambrun, it's correct, is it not, that when
03:55 20 you worked for Masonry Contractors or construction
21 they actually fired you from work?

22 A No.

23 Q Isn't it correct they fired you, sir?

24 A I never been fired.

03:55 25 Q Sorry, did you work with Jake Kepler?



1 A Yes.

2 Q Okay. Was Jake Kepler your supervisor?

3 A He was our foreman, yeah.

4 Q Yes. Did he fire you, sir?

03:56 5 A No.

6 Q Is that recollection as good as the rest, your
7 recollection of the rest of the evidence?

8 A Right.

9 Q Okay. Is it correct, sir, that you had a serious
03:56 10 alcohol problem in the late 1960s and into the
11 '70s?

12 A Well, I don't know about serious, but I drank
13 some.

14 Q Sorry; so serious, Mr. Pambrun, I'm suggesting
03:56 15 that you lost work because of your problem with
16 alcohol, either not showing up or it having other
17 effects on your work?

18 A Well, never told that, so --

19 Q Sorry; is it correct, Mr. Pambrun?

03:56 20 A I don't know.

21 Q Well --

22 A Never fired off a job, I was off for a few days,
23 so I don't know.

24 Q Because of alcohol?

03:56 25 A No.



1 Q So did you tell Linda Fisher that you lit the fire
2 in the barrel?

3 A No.

4 Q Did you ever tell her that?

03:57 5 A No.

6 Q But Linda Fisher --

7 A You're just trying to put words in my head, and I
8 never lit the fire, why would I go out and lit a
9 fire outside when it's sleeping time and I didn't
03:57 10 get out of bed yet.

11 Q But you see, Mr. Pambrun, this isn't my suggestion
12 now, this is what Linda Fisher told other people
13 or the authorities.

14 A I guess what she told other people is her
03:57 15 business.

16 Q Well --

17 A She wasn't there, I was there.

18 Q Just a 'sec. She told other people that you said
19 to her that you lit the fire?

03:57 20 A Well I never said that to anybody, and I never
21 told that to anybody, I just said that he's
22 fire -- I never even know that Larry lit the fire
23 in the garbage barrel, but he said that he was out
24 there warming up in that garbage barrel, and so
25 I --



1 Q So the best --

2 A I didn't --

3 Q So your best recollection today is he said he was
4 warming up, but you don't know who started any
03:57 5 fire?

6 A Well right, he was warming up in the garbage
7 barrel, the fire barrel.

8 Q And I saw that you said to the police that this
9 could have happened in the '60s or could have
03:58 10 happened in the '70s; is that correct?

11 A I don't know, don't remember that far back.

12 Q Okay. My question is could it have happened in
13 the winter of 1970?

14 A It was in the wintertime anyways.

03:58 15 Q In the wintertime?

16 A Yeah.

17 Q That's your best recollection?

18 A Right.

19 Q Yes, okay. Thank you, sir.

03:58 20 MR. HODSON: I don't think there's any
21 re-exam.

22 COMMISSIONER MacCALLUM: Thanks, Mr.
23 Pambrun, you are excused.

24 MR. HODSON: And that is all of witnesses
03:58 25 for today.



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For tomorrow we will have
Arnold Poitras, Ken Wagner, and Sylvia Poitras.

COMMISSIONER MacCALLUM: Thanks.

(Adjourned at 3:58 p.m.)



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Official Queen's Bench Court Reporter



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