

Sworn Video Statement

INTERVIEW OF LINDA BELAND

MARCH 3, 2005

Location:

Chateau Laurier Hotel, Room 512
Ottawa, Ontario

Present:

Linda Beland, Joseph DiLuca, Louis Strezos, Ian Smith, Teresa McQuade (sp?)

LS: The time is 9:15 a.m. on Thursday, March 3rd; this is a test of the audio visual system to see if it can pick up voices and can accurately record video

IS: Testing 1-2-3

LS: Ian can you hear me?

IS: Yes I can

JD: Okay, good morning. My name is Joseph DiLuca. Present in the room with me today and it is Thursday, March 3, 2005. We are in Ottawa in at the Chateau Laurier Hotel in room 512. Present with me today are Mr. Louis Strezos and Mr. Ian Smith. The three of us are lawyers appointed by the Court of Appeal to act as friends of the Court on behalf of Rob Stewart. Also present here is Linda Beland. Correct?

LB: Yup

JD: And Ms. Teresa McQuade (sp?) who is here as a support person. Ms. Beland I just have a few questions I wanted to ask you before we start the substance of the interview. I understand that you are here today voluntarily. No one is forcing you to be here is that correct?

LB: Correct

JD: You are here because you want to provide a statement for Rob Stewart's case. Is that correct?

LB: Yes

JD: You do not have to answer any of the questions we ask you. Do you understand that?

LB: Yes

JD: If you want to stop the interview at any point in time, feel free. You can stop. We can get up and leave at any point in time. No one wants to keep you here unless you want to stay

LB: Okay

JD: If you want to have advice from a lawyer at some point; if you feel like you shouldn't answer a question, stop us and we will see what we can do to get you that advice

LB: Yup

JD: I am going to ask you to take an oath in a few moments. I want you to understand how important it is once you take an oath to tell the truth and you understand that it is a very important...

LB: Yes

JD ...thing to do right. You also understand it is a criminal offence to lie under oath

LB: Yes

JD: Ah, you are here today. You are going to tell us the truth I take it

LB: Yes

JD: Alright. So I have a bible here (*hands LB bible*); so I am going to ask you that you take that in your right hand and I will ask you do you swear that this statement that you are about to provide today is true so help you God?

LB: I do

JD: Okay. Thank you. (*takes back bible*)

LS: Thank you. Good morning Ms. Beland. It's Lou Strezos. I am not on the camera but I am sitting next to you in this room and the microphone will amplify my voice as well as yours. Umm...just briefly as an introductory matter can you please sp...say your name and your date of birth

LB: Linda Beland. 13 of July, 1961

LS: Where were you born?

LB: In Ottawa

LS: Okay. Do you currently live in the Ottawa area?

LB: Yes I do

LS: Okay. Now in preparation of this interview I had sent down to you by courier your trial testimony in the *Trudel and Sauve* trial um...you have two books in front of you...well you have one currently. Do you have the second one Ms. Beland?

LB: Ummm...

LS: I believe your...

LB: Ms. Mc...

LS: Its just over, over there. Can you have that brought over (*book brought over*)

LB: Thank you

LS: The first book that just been handed to you is entitled Trial Testimony of Linda Beland and the first index note is *Trudel and Sauve*, that's April 15th, 1996 and that tab one contains your trial testimony from those proceedings in 1996. In addition, at tabs 2, 3, 4, and 5 is your trial testimony from the trial of Mr. Stewart and Mr. Mallory. Okay?

LB: This here?

LS: Yes

LB: Okay

LS: Okay, just of the record we have removed any references to proceedings in your absence. So this is just your trial testimony and there is no discussions about any objections. So that is your trial testimony and do you recall today...this...having looking through that, do you agree with those are the dates roughly that those are the dates that you testified?

LB: Yes

LS: Okay. In addition, the second document...the second bound volume of material contains eleven tabs and you got it there?

LB: Hmm hmm

LS: You have had a chance to go through some of that

LB: Up to 5 (*chuckle*)

LS: Okay. If at any point you need additional time to review it we are here all day. We can stop and you can go through it if at any time you want. We may have some questions about it so we have a day here but just to confirm, and the index will be filed with this transcript but there are nine interviews or 9/8 interviews in addition to some preparation notes of Ms. Bair (sp?) dated April 9th, 1999 that are tabbed there. In addition, there is an affidavit of Linda Beland contained in Tab 10, dated June 21, 2004. That is tab 10. Now you before we started these proceedings had a chance to look at that affidavit?

LB: Yes I did

LS: And is that your affidavit?

LB: Yes it is

LS: And is that the one you swore in Ottawa ...on June 21st, 2004

LB: Yup

LS: Okay. There is a series of questions that I now am going to ask you Ms. Beland based on your review of the disclosure it would appear that you have spoke or you have been approached or interviewed or talked to the police approximately seventy times about the Cumberland murders; Does that, does that sound about accurate?

LB: You said seventy?

LS: Sixty or seventy contacts with the police

LB: There was lots

LS: Okay

LB: I am not-sure about number but there was lots (*laughing*)

LS: Alright and you testified both at the *Trudel and Sauve* trial and at that time you were called as a defence witness correct?

LB: Yes

LS: Alright, and who called you? Do you remember testifying at Rob Stewart's trial?

LB: Yes

LS: Alright and who called you as a witness in those proceedings?

LB: Vicky Bair

LS: Okay. Have you ever been interviewed by Heather Lamarche, Vicky Bair, Rick Rodell, Christina Benson, Ian Davidson, Al Spaduccini, Gary Doherty and Don Balto

LB: Yes

LS: Okay and all those interviews are in the binders of materials you have there; their notes?

LB: Yes

LS: Okay and have you ever been interviewed by a defence lawyer?

LB: No

LS: Okay. Were you asked at any time during your interviews by the police or during your trial testimony or prior to your trial testimony the five people including Denis Gaudreault who came running into your house in Orleans at 10PM on a school night?

LB: Not in those words

LS: Okay. Did that ever happen?

LB: No

LS: Were you ever asked at any time in any of the statements you have given to the police or testimony if Rick Trudel was "running around like a chicken with his head cut off" in your house in Orleans at 10PM on a school night?

LB: No

LS: Did that ever happen?

LB: No

LS: Were you ever asked at any time in those interviews or testimony if you ever heard in your house in Orleans at 10PM on a school night, Rick Trudel who while running around...running into your house saying "he got it twice and the bitch got done in the back"?

LB: No

LS: Did that ever happen?

LB: No

LS: Were you ever asked at any time in those interviews that you had before you or your testimony if Rick Mallory was sweating at your kitchen table in your house in Orleans at 10PM on a school night

LB: No

LS: Did that ever happen?

LB: No

LS: I am going to pose a hypothetical here to you. If five people came running into your house on a school night and Rob Stewart told you drive Denis Gaudreault home, would you have done this?

LB: No

LS: Would you have done this at night?

LB: No especially not at night

LS: Would you have done it on a foggy evening?

LB: No

LS: Would you have done this without asking Mr. Stewart any questions about that?

LB: No

LS: Would you have don this and gotten into your car and only talk to Mr. Gaudreault about Rhonda, about taking Rhonda to bingo

LB: No

LS: What would your reaction have been or actions if you had seen Mr. Gaudreault grab a bag of guns out of the backseat of your car?

LB: I would have panicked. Got upset

LS: Did you ever observe that happen?

LB: No

LS: If such a thing happened, would you have forgotten about it?

LB: No

LS: Do you remember Denis Roy's suicide?

LB: Yes

LS: Did you go to Mr. Gaudreault's house and get drugs off him?

LB: No

LS: If so ... so that never happened?

LB: No

LS: Could you ever see or did you ever see Rick Mallory getting in the back seat of a car sitting in between Jim Sauve and Rick Trudel?

LB: No

LS: If five people came running into your house talking about "he got it twice and the bitch got done in the back", would you have went to the police?

LB: Of course

LS: Would you have disclosed that to the police?

LB: Yes

LS: A few months after you testified at the Cumberland murder trial, did you testify at another murder case?

LB: Umm...I don't understand what you mean by that

LS: Did you testify in any other murder cases?

LB: Yes I did

LS: Okay. Do you remember the name of that case?

LB: No. I remember was a neighbour across the street from Newport

LS: Okay. Did you go to the police by yourself on that murder case?

LB: No. They were going door to door and when they came to my door I told them what I thought

LS: Okay do you recall testifying in Mr. Stewart's trial in 1999 before Justice McWilliam?

LB: Yes

LS: Okay. After you finished testifying did you want to go back to court?

LB: Yes

LS: Okay. Who? Why did you not go back to court?

LB: Because Heather Lamarche, Rick Rodell and Vicky Bair which was the Crown Attorney and O.P.P....

LS: Hmm...

LB: ...they told me I was not allowed to go there in court to sit because I was a witness

LS: Okay. Did you want to continue to testify?

LB: I was finished testifying

LS: Okay

LB: And they still did not want me to go

LS: Okay and you always told the police, the Court and the Court the truth in dealing with them

LB: Yes

LS: What happened when you went to see Mike Edelson? First of all, did you ever go to see Mike Edelson (sp?)

LB: Yes

LS: Okay. What happened there?

LB: Well it was a waste of my time. I went there on my own to... I wanted to know what was going on with Robert, why he was arrested, what kind of proof they had and dot dot and then Mr. Edelson told me that he could not speak to me. That he

could not talk to me about anything so I left. That was the only lawyer I ever talked to...

LS: Okay

LB: ...only conversation I ever had

LS: Have you had discussions with Mr. Stewart about this case?

LB: I don't understand your question

LS: For example, there is a conversation on Mr. Stewart's website about this case

LB: Oh yeah

LS: Yeah, okay. Have you ever tried to contact the Crown Attorneys and the police in regards to your trial testimony in Mr. Stewart's trial after you testified

LB: After yes I did because they told me because I wanted to go to court and they wouldn't let said I wasn't allowed and they had promised me that once everything was finished when Mr. Stewart was umm...umm accused or when the trial finished and he was whatever the decision was made that they were going to sit with me and explain everything to me which they never did and every time I tried to contact them I could never contact ...they never returned my call. I have no clue where they are. Ms. Vicky Bair many times I went to Court on Elgin

LS: Hmm hmm. Is this...

LB: This year...

LS: When was that roughly?

LB: Oh I really...*(shaking her head)*

LS: What did you want to tell Ms. Bair

LB: Well at the beginning I wanted to know why they never sat down with me and where was Rick Rodell and all them...

LS: Said what with you?

LB: To tell me what happened; why they put Robert away

LS: Okay

LB: What was the evidence they had to put him away

LS: Okay and what are you specifically referring to about being told about these things and what didn't they tell you that you now know?

LB: First of all, about me driving Dennis Gaudreault and all these people running around with their heads cut-off like a chicken...

LS: Okay

LB: These things and the evidence that they had to put Mr. Stewart away, Robert away

LS: Did you ever drive Denis Gaudreault home?

LB: No I didn't

LS: In your attempts to contact the police did anybody ever call you back?

LB: Umm..like the O.P.P. you mean?

LS: Yes

LB: Yes they always called me back if I called them not at the end though

LS: Not at the end?

LB: No. Since the trial has been over no...

LS: Okay

LB: ... none of them ever called. I tried numerous of time and ... never

LS: This morning we played a tape for you that we took possession of from Mr. Stewart's prior counsel Ms. Mulligan. You confirm first of all that you listened to that tape?

LB: Yes I did

LS: And we also have a transcription of that tape did you review that?

LB: Yes I did

LS: Is that your voice on that tape?

LB: Yes it is

LS: And the comments that you make on that tape have you reviewed it thoroughly?

LB: Yes, yes I did

LS: Were you telling the truth in that conversation

LB: Yes I was

LS: I think we are going to take a break right now. Those are the questions that Mr. Stewart asked us to ask you. I think we are going to take a break. I think there is some material that Mr. Smith and I and Mr. DiLuca would like to go through briefly if we can just take a 20 minute or ½ hour break

LB: Yup

LS: Is that fine?

LB: Yup

LS: Time is now 10:20.

After Break

LS: Thank you Ms. Beland we have had a bit of a break. Some follow up questions..

JD: Lou let me interrupt you there. It is a quarter to twelve. Ms. Beland I just want to go over two brief things. You have come back to the hotel room you are here voluntarily again

LB: Yup

JD: No one is forcing you to come back and continue answering any of our questions

LB: No

JD: And again if you feel like you want to stop, or not answer any questions or speak to a lawyer, or just get up and leave the room say so and that's fine with us. Just want to be clear about that

LB: Yes

JD: We administered an oath earlier this morning. I just want to be clear that you are still under oath. You understand that?

LB: Yes

JD: Okay you are sworn to tell the truth in the answers that you are going to give us now, is that correct?

LB: Correct

JD: Okay. Thank you.

LS: Thank you Ms. Beland. Earlier I asked...I referred to an audiotape that you listened to and I referred to a transcript and just for clarity sake that transcript is a conversation between you and Rob Stewart and it appears at Tab 11 in the binder entitled Statements of Linda Beland. Okay?

LB: hmm hmm

LS: Okay. You have listened to that audiotape...

LB: Yeah

LS: ... and you listened to...and you have read that transcript? Correct?

LB: Yes

LS: Okay. If I can take you to Tab 1 please. Tab 1 is an interview report that was taken on October 18th, 1993 commenced at 10:30 and concluded at 11:53 and it would appear that it was taken by Sergeant Ian Davidson and Constable Benson. If I could turn to page 7 of that interview. Okay?

LB: hmm hmm

LS: Middle of the page

LB: Yup

LS: Question by one of the officers "did Rob ever discuss the case?". Can you read me the answer that you gave please

LB: "Yup at Jail. He showed me he showed that I drove Denis home the night of the murder. I never drove him home."

LS: Okay. Were you telling the truth to the police?

LB: Yes I was

LS: Have you ever been interviewed by Sue Mulligan?

LB: No

LS: Have you ever been interviewed by any of her associates at the firm she was working with?

LB: No

LS: I would like to now have you pick up the second binder that is entitled Trial Testimony Linda Beland, in *Trudel and Sauve* and *R. versus Stewart*; and firstly I would like you to go to Tab 1. On April 15, 1996 you testified as a Crown as sorry as a defence witness at the *Trudel and Sauve* trial and if you could go to page 20 please and this is cross-examination by Ms. Vicky Bair

LB: Okay

LS: Okay. And if you could please start reading the middle of the page with the following question, Q: "the first time that you were asked by the police about whether you could remember driving Denis Gaudreault anywhere was in October of 1993 does that seem about right?" Okay can you start reading there please m'am

LB: Okay, "the first time you were asked by the police about whether you could remember driving Denis Gaudreault anywhere was in October of 1993..."

LS: Right

LB: "does that seem right?"

LS: Okay yes that's the question now what I have asked you to do is read from page 20 commencing there to page 22. Okay can you read that?

LB: Out loud?

LS: No

LB: No

LS: No you do not have to read it out loud just make sure you read it. I take it you are fully conversant with reading English. I know you also speak French but...

LB: Yeah but I'm okay. Just when I talk sometimes I think French and it comes out not right

LS: Okay. But you can read English you don't have any difficulty?

LB: Yes; (*Reading transcript*); Okay

LS: Okay. And just to confirm you have read through to the end of page 22?

LB: Yes

LS: And in particular that entire page?

LB: Any comment?

LS: Lets go through your entire testimony in proceedings...so that's the first issue I would like to go through with *Trudel and Sauve* I will ask you for comments and then I will ask you some questions. Now please turn to Tab 5. And in particular ma'am if you could go to page 11799. Okay?

LB: Okay

LS: Let's just make sure we have it on the correct page. 11799 yes. And this is your trial testimony in the proceedings of *Stewart and Mallory* on April 28, 1999 and you were called by the Crown as a witness correct?

LB: Yes

LS: This particular passage commencing 11799 is Ms. Mulligan's cross-examination of you and if you can start reading from line 16...17 please.

LB: That would be the police were...

LS: In question "the police had talked to you..."

LB: Okay

LS: "...as we went through a good number of times have they not?". And I have asked you to read through to page 11803

LB: To what page you want me to read again? 802?

LS: Umm... yes 802. Sorry no 803 I apologize

LB: Okay

LS: Right to the end please

LB: I notice one thing here, when I keep saying I don't remember reason why I was saying that I don't remember is because like in the way beginning I know that I never drove that guy and I was certain of it

LS: What guy are you referring to?

LB: Denis Gaudreault

LS: Okay

LD: From the beginning I know I never drove that guy but the reason I keep saying I don't remember is because throughout my interview they would say to me well if you are not sure its best to say you don't remember than saying yes or no

LS: Who would say that to you?

LB: Heather Lamarche, Rick Rodell and Vicki Bair at time I was at Crown Attorney in her office

LS: Okay

LB: These questions are always said that to me that's why I kept saying I don't remember

LS: Okay

LB: Because I thought to me it is better saying that than to cause they kept saying that to me; you know its best to say that you don't remember if you don't remember

LS: How often would they say things like that to you?

LB: Lots of times

LS: You had that often

LB: Often

LS: Okay

LB: Often they would say most of the time is when especially when it came down to driving Denis Gaudreault

LS: Okay

LB: That was one of the parts that they would say that. If you think you are not sure it is best to say you don't remember

LS: Okay. In that specific area about driving Denis Gaudreault is a particular area do I understand it that they were focusing on

LB: Yeah. Yeah.

LS: Alright. So you have read through to page 11803?

LB: No I am at page 11800

LS: Oh Okay.

LB: Sorry (*reading transcript*); okay

LS: If you could turn over just one more page there, there is a jury break there. Commence reading at page 11807 and continue reading to 11813 again this is continued cross-examination by Ms. Mulligan counsel of Mr. Stewart; 118013 okay

LB: Yup I am at 11811. I am not fast

LS: No, no take your time; be very careful

LB: That's what I'm doing

LS: Okay you have read up to 11813.

LB: Yes

LS: Would you please move forward to page 11872 this is under continued cross-examination by Ms. Mulligan; commencing at line 9

LB: 9?

LS: Yeah you will see it

LB: Sorry your book is losing stuff and I am full of it. 9?

LS: Yeah page 11872 commencing at line 9 question by Ms. Mulligan

LB: Okay

LS: "Lets go back to driving Mr. Gaudreault"

LB: hmm hmm

LS: Can you please read from that page through to 11882. And I'd ask you to stop at 11874 because I just want to point out something

LB: Okay

LS: When you get to line 25 at page 11873

LB: That's where I am right now

LS: Could you read ...um...actually just read on please

(Linda Beland reading transcript)

LB: I am at 11874 and you wanted to point out something

LS: Yes alright. Now at this point there is a break in the proceedings because there is some legal jargon that's going to be raised and at this point the jury is sent out. Okay. And just to confirm in this material that we have before you, you don't have that material, we have taken it out correct. So that you will agree with me now that the next...what I would like you to do now is you will see that from 11874 to 11881 are not in your materials. Correct

LB: Correct

LS: Alright. Now I would like you to read page 11882

LB: Now

LS: Yeah and just up to line 10

LB: Okay

LS: Okay you read that

LB: No

LS: Oh sorry

LB: I am just saying okay *(laughing)*

LS: Okay I would ask you now to go to page 11895

LB: Okay

LS: And you are now being re-examined by Ms. Vicky Bair...

LB: hmm hmm

LS: ...and she is Crown counsel and if you could start reading Ms. Beland at the beginningof the...if you start with the last question on page 11895 beginning with...

LB: ...this morning nobody provide them to you...

LS: ...No are you on page 11895?

LB: Oh 119...oh sorry...

LS: 11895

LB: 895...I don't have that. I got 11896, 897, 11885

LS: Okay well I have it in my copy. Here then sorry.

LB: Oh this is all mixed up; hold on, why is it 119...

LS: The photocopier we used

LB: Oh its right here

LS: Okay there you go...

LB: Its because it...

LS: Is it out of order?

LB: Yeah

LS: Okay well use my copy. Mine seems to be in order and I'd ask you to begin...

LB: Sorry

LS: ...with the question by Ms. Bair on the point of whether you drove Denis Gaudreault "that night have you said anything today" question. Can you read from there on

LB: Okay

LS: And continue over the next page

LB: Okay

LS: Okay. Could you just for our benefit please and for the tape could you read the questions and answers commencing at 89..11895 that I asked you to read beginning with that first question by Ms. Bair

LB: Out loud?

LS: Yes

LB: On the point whether you drove Denis Gaudreault that night have you said anything different today? Answer: the only different is that I said, I say that I am not 100% sure if I did drove him or not

LS: On the next page please

Reading transcript out loud

LB: Question: And is that what you said then that you weren't sure?

Answer: No not back then

Question: When?

Answer: Back when I was sure that I didn't drive him

Question: When were you sure that you didn't drive him?

Answer: When I was first asked

Question: Okay but when you testified the last time...

Answer: Hmm Hmm

Question: When the defence lawyer called you and when I cross-examined you

Answer: Hmm Hmm

Question: Were you sure then?

Answer: Yes I was

Question: You were sure?

Answer: I was, I wasn't sure. What I am sure of is that I am 100% not sure if I drive him or if I did or if I did drove him or if I did or if I did drove him dorve

Question: You're sure you are 100% sure not percentage sure if you drove him that's clear. Got it

Answer: Sorry okay

LS: Okay thank you, umm, why did you testify that you were not sure that you drove him

LB: Because I was told over and over and over that you didn't remember. I get...they kept saying because I know. I knew from the beginning I did not drove that guy and I know today right I am sitting here I never drove that guy

LS: Where

LB: After to his house after apparently the murder...

LS: ...okay...

LB: ...Because they are saying that they all came to my house

LS: Hmm hmm

LB: Which that never happened and I knew that

LS: Okay, okay

LB: And they said that I had drove Denis Gaudreault home. I did not drove that guy. I never drove that guy anywhere...

LS: Okay now...

LB: And I am positive and I am sure; I am 100 percent sure I did not drive him

LS: Now has the Crown Attorney in this matter. Did the Crown Attorney, Ms. Vicky Bair, have any discussions with your about this?

LB: Yes she did

LS: Can you please tell us what those discussions were?

LB: Well we were. I was asked a lot of questions to start with and a lot of time I did not remember things and then when she came to Denis Gaudreault, me driving him, I kept saying no didn't drive that guy. I know I didn't drive him...

LS: ...and who were you telling that to?

LB: but...to Vicky Bair

LS: ...okay...

LB: ...and also when I was doing this interview with Vicky Bair, Rick Rodell and Heather Lamarche was also sitting in that room there

LS: Okay

LB: They were in that room but...

LS: Did they say anything to you during these meetings?

LB: No it was here who did all the questions

LS: Okay

LB: And every time they would ask me about that driving Denis Gaudreault. Well, at that time, from hearing them all the time telling me, well its best, you know, I had confident in these people. I believe in these people...

LS: Can you tell us a little bit before we go to that specific conversations with them. Can you tell us a little bit about you're the relationship that you developed with the police and the Crown in this case

LB: I was very close to them. I trusted them and I had very I had confident with them...

LS: Alright. Now when you say them can you identify people by name...

LB: Yes

LS: ...in particular...

LB: There was Vicky Bair which was the criminal Crown Attorney. There was Heather Lamarche who is an OPP/Officer

LS: Hmm hmm

LB: There was Rick Rodell another OPP officer; Chris Benson, she was the one that I was the closest to of all them though

LS: Hmm hmm

LB: Ms. Benson. She was another OPP officer

LS: Hmm hmm

LB: And then there was Doherty. I didn't see him that much that guy but...

LS: Did you ever leave them a Christmas card or something like that. Do you remember?

LB: I could have

LS: Okay go ahead please continue

LB: Well I, like I said I, I um., I got a friendship with these people. Like because they were very like to me the law is the law and...

LS: Hmm hmm

LB: I believe in these people I didn't think you know anything bad of them and like they say to me lot of time, they would ask me question like I kept saying I didn't remember or they would ask me things that had nothing to do with the murders so I would tell them why you asking you know its got nothing to do with the murder. Why you asking me that?

LS: Hmm hmm

LB: And they kept, she, Vicky Bair, kept saying to me well sometime there may be maybe there is something you must of heard you probably heard or you know heard of a conversation and to you it doesn't mean nothing but to us it is a piece of the puzzle

LS: Hmm hmm

LB: So that's why she said she kept asking me all these question and they come again, well, I, they, most of the time any time I was asked question with them they I was oh I don't know I guess I was told so many time that it was best to say that I don't remember than saying I am not sure

LS: Hmm hmm

LB: Which ... I was always saying that. I don't remember, I don't remember because there was obviously things I didn't remember. There's a lot of years in between them. But I will tell you one thing I know I did not drive Denis Gaudreault home I did not drive that guy. I know I didn't

LS: Can you tell me a little about when you were testifying in *Stewart and Mallory* trial did you have any contact with Ms. Bair during your trial testimony?

LB: Yes, every time we break we would go into her office which is the Crown Attorney's office and I am not quite sure what day it was or but I know that we were breaking for lunch at one time and we went to her office and I not sure what happened but she had to go home and she brought me with her. I went with her to her house

LS: Did anybody else go with you?

LB: No it was just me and her

LS: How long did you stay there?

LB: Umm...we were not there that long. She had to do something she had to go get. I am not sure what she was doing there

LS: Hmm hmm

LB: But we went in. I entered into the house. I went into the house with her and she went done whatever she had to do and then we left

LS: Can you describe her house a little bit?

LB: Well I know when you come in it's a huge...I don't remember what it looks like outside but I know its in front of a big park. Like there's a big park there. When you come in there's stairs you go up. As soon as you come in that door it's her kitchen

LS: Hmm hmm

LB: And then there's stairs going downstairs and to your right it was her living room then and to the left it was her sink and there was a window there and I guess upstairs she didn't show me the rest of the house but when you came in that's the way it was

LS: Were any of the police officers there with you?

LB: No

LS: Alright then. What happened after you were at the house? Did you go back to Court?

LB: We went back to her office at Court

LS: Do you recall what happened then?

LB: Well we went through my the paper that I had to go through and then we were called and I had to go on the stand

LS: I ask you earlier some questions on behalf of Mr. Stewart as to whether you drove Mr. Gaudreault on a school night. If Mr. Stewart asked you to do so and you said no why is that? Why wouldn't you do that?

LB: Oh a school night?

LS: Yeah

LB: First of all if there was five men in my house I would never leave my kids alone with these people if they were running around like with there head cut off like a chicken first of all and second of all I never had anybody and Rob never asked me to drive anybody. He would never have done that

LS: Just going back to your testimony at this trial can you explain a little more about the dynamic of why you said you didn't. Can you explain why you said these things under oath

LB: First of all Rick Rodell, Heather Lamarche which are OPP that were officer in Robert's case and Vicky Bair through our interview to these people like I said

I...developed a friendship with these people. I was very close to them I believed in them and a lot of time I didn't remember a lot of things they would ask. I didn't remember, I wasn't sure. So they kept saying to me if you its always better to say if you are not sure about something its always best to say you don't remember. Instead of saying as of saying yes or no or I'm not sure. So that's why to me that stayed with me. So every time I wasn't sure or whatever like I just kept saying that. I don't remember, I don't remember; I don't know why I said that but I said that a lot

- LS: Okay well with respect to Mr. Gaudreault you are very clear about that today?
- LB: Yes I am. Very clear
- LS: And when police first spoke to you on in October
- LB: I was clear there too
- LS: In *(inaudible)* 1993
- LB: Yes I was and I was clear as we went along the interview. It was just I guess from years of being Rob and Rob and told you know I just said what they said to me
- LS: Did you tell Vicky Bair that you did not drive Denis Gaudreault home?
- LB: Yes I did
- LS: Okay Ms. Beland I think that conclude our interview unless there ware any follow up questions by my co-counsel
- LB: Well I have a question, is the...
- LS: Sorry, let me first follow up on that um...what was Ms. Bair's response? I asked you did you tell Vicky Bair that you did not drive Denis Gaudreault home. What was her response to that? Do you recall? Do you know what she said? *(inaudible)*
- LB: I've told her no. I remember that and she kept insisting are you sure, are you sure about that are you sure you did not drive him. She kept always saying are you sure, are you sure, are you sure maybe you're not sure. She kept saying that to me
- LS: When you finished testifying in the *Stewart and Mallory* trial...um...can you describe what happened after you got off the stand?
- LB: Well after I got off the stand, I ... I hugged Ms. Vicky Bair and...
- LS: Where did that happen?

LB: That was in outside the Court

LS: Hmm hmm

LB: When you came out of the Court

LS: Hmm hmm

LB: I gave her a hug of course because I was close to her and you know and then we talked and then that's when I asked...I said well I said now can I go and sit in the Court so I can.. you know because I wanted to know and she said no I wasn't allowed and then at that time that's when Rick Rodell and Heather Lamarche came out and I approached them with that and I said well how come I can't go sit there and then they also said well its best you don't because you are still a witness and maybe we'll need you to come back. Well I said well I just testified why would I have to come back and that's when they said well its best you don't because if you do then we might need you again so they didn't want me to go into the courtroom and um...I told them it was important to me not to me mostly for my son Douglas because I want to know for him because he believed in his dad. As a matter of fact they offered Robert a plead. If he plead guilty they would let him go. Robert approached Douglas our son with that...

LS: Hmm hmm

LB: ... and Douglas looked at Robert and he said Dad you are innocent and I believe in you and he said you stay and fight and that is why Robert stayed and he refused it. And he is fighting

LS: Has Mr. Stewart in any way pressured you, threatened you...

LB: Never

LS: ...to be here today?

LB: No, no

LS: To come and speak to us?

LB: No, I am here on my own free will

LS: Okay, time now is 12:35. I believe that conducts our interview --- We are back on the record, Ms. Beland because no its 12:31p.m. and you continue to be under oath and I forgot you had mentioned you had a question or you wanted to indicate something else can you please go ahead?

LB: Well to start with umm... this thing about me driving Denis Gaudreault... first of all I don't drive at night, I don't ... if I don't I mean I shouldn't say I don't drive at night I do only if I really have to because my vision I have a hard time seeing at night so I don't like driving at night especially if there is a snow storm or if its foggy or if its raining because I had an accident in these type of weather and I am very scared to drive when its in those weather

LS: I think that concludes our interview. Thank you very much

Interview concluded

The videotaped statement of Linda Beland of March 3, 2005 was accurately and truthfully transcribed to the best of my ability.

C. Sandy Gravina
Law Clerk

My amicus will not give me the video, just the transcript when I get the video I will send you a copy

Crown Scott Hutchinson quit's
Crown law office. why?