

**PROCEEDINGS AT HEARING
OF
APRIL 7, 2021**

COMMISSIONER AUSTIN F. CULLEN

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Discussion re procedural matters

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April 7, 2021

(Via Videoconference)

(PROCEEDINGS RECONVENED AT 11:51 A.M.)

THE REGISTRAR: Thank you for waiting the hearing is resumed. Mr. Commissioner.

THE COMMISSIONER: Thank you, Madam Registrar. Yes, Mr. Davis.

MR. DAVIS: Mr. Commissioner, the next witnesses will be Staff Sergeant Hussey and Superintendent Stephen Cocks testifying as a panel on behalf of the Joint Illegal Investigation Team, or JIGIT.

I can advise that Staff Sergeant Hussey will not have his video displayed on the livestream or recorded today pursuant to your ruling 30. And Superintendent Cocks is currently unavailable on video because of technology reasons. So we'll proceed today with those caveats in mind.

THE COMMISSIONER: All right. Thank you.

MR. DAVIS: Madam Registrar, both Staff Sergeant Hussey and Superintendent Cocks will affirm.

THE REGISTRAR: Please state your full name and spell your first name and last name for the record. I'll start with Staff Sergeant Hussey.

THE WITNESS: (JH) Joel Hussey, H-u-s-s-e-y.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 THE REGISTRAR: Thank you. And Superintendent Cocks.

2 THE WITNESS: (SC) Stephen Cocks.

3 THE REGISTRAR: And please spell your first name and
4 last name for the record.

5 THE WITNESS: (SC) S-t-e-p-h-e-n.

6 THE REGISTRAR: And last name.

7 THE WITNESS: (SC) C-o-c-k-s.

8 **JOEL HUSSEY, a witness**
9 **for the commission,**
10 **affirmed.**

11 **STEPHEN COCKS, a witness**
12 **for the commission,**
13 **affirmed.**

14 THE COMMISSIONER: Yes, Mr. Davis.

15 MR. DAVIS: Thank you.

16 **EXAMINATION BY MR. DAVIS:**

17 Q Thank you. Staff Sergeant Hussey and
18 Superintendent Cocks, I'm going to begin with an
19 overview of your backgrounds and policing
20 histories. Staff Sergeant Hussey, I'll begin
21 with you. Can you see and hear me okay?

22 A (JH) I can, yes.

23 MR. DAVIS: Madam Registrar, if I could ask that you
24 please pull up the document "CV Staff Sergeant
25 Hussey" from the list of documents, please.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 Q Staff Sergeant Hussey, please let me know when
2 you see that on the screen in front of you.

3 A I do.

4 Q And is this a recent version of your CV?

5 A Yes, it is.

6 MR. DAVIS: If I could have ask this be marked as the
7 neck exhibit, please.

8 THE COMMISSIONER: Very well.

9 THE REGISTRAR: Exhibit 807.

10 **EXHIBIT 807: Curriculum Vitae of Joel Hussey**

11 THE COMMISSIONER: Thank you.

12 MR. DAVIS:

13 Q Staff Sergeant Hussey, you've served as a member
14 of the RCMP since June of 1997; is that correct?

15 A (JH) That's correct.

16 Q And you've been with the CFSEU-BC JIGIT unit
17 since 2016; is that correct?

18 A (JH) Yes, it is.

19 Q You've currently hold the rank of Staff Sergeant
20 and the role of unit commander within that unit?

21 A (JH) Correct, yes.

22 Q And what are your responsibilities as unit
23 commander of JIGIT?

24 A (JH) It's all administrative and operational
25 oversight of the team and ensuring it meets

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 its -- meeting a mandate for the provincial
2 contractor.

3 Q And, Staff Sergeant Hussey, prior to your work
4 with JIGIT you were a member of the CFSEU covert
5 asset support team from 2014 to 2016?

6 A (JH) Yes, it is.

7 Q And I don't intend to take through all of your
8 diverse policing experience, Staff Sergeant, but
9 is it fair to say you've also worked for the
10 CFSEU firearms team?

11 A (JH) Correct, yes.

12 Q You've worked for RCMP "E" Division support
13 services?

14 A (JH) Yes.

15 Q You've worked in the Greater Vancouver drug
16 section?

17 A (JH) Yes.

18 Q And you've worked in the Penticton detachment?

19 A (JH) Correct, yes.

20 Q Thank you. Superintendent Cocks, I'm going to
21 have some similar questions of you. Can you see
22 and hear me okay?

23 A (SC) Yes.

24 MR. DAVIS: Madam Registrar, if you could please pull
25 up the document CV Superintendent Cocks from the

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 list of documents, please.

2 Q Superintendent Cocks, please let me know when
3 you see that on the screen in front of you.

4 A (SC) I see the document.

5 Q And is this a copy of your CV?

6 A (SC) Yes, it is.

7 MR. DAVIS: Mr. Commissioner, if I could ask that
8 please be marked as exhibit 808, please.

9 THE COMMISSIONER: Very well. That will be 808.

10 THE REGISTRAR: Exhibit 808.

11 **EXHIBIT 808: Curriculum Vitae of Stephen Cocks**

12 MR. DAVIS:

13 Q And, Superintendent Cocks, you've served as a
14 member of the RCMP for 27 years since about
15 1994; is that correct?

16 A (SC) Yes, that's correct.

17 Q And you currently are the superintendent in
18 charge of "E" Division RCMP special
19 investigative and operational techniques; is
20 that correct?

21 A (SC) Yes, it is.

22 Q What can you tell the Commissioner about what
23 you do in that role?

24 A (SC) in My current role I oversee several units
25 for support services to policing operations in

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 British Columbia.

2 Q And what units are those?

3 A (SC) Special "O" surveillance, air services, the
4 "E" Division emergency operations centre, the
5 confidential informer and agent unit, undercover
6 operations, "E" Division exhibits, sensitive
7 expenditure unit and the protective technical
8 services section.

9 Q And those are those eight bullets that we see
10 there, now looking at your résumé?

11 A (SC) Yes, it is.

12 Q And what's your interaction with JIGIT in your
13 current role as superintendent of special
14 investigative and operational techniques?

15 A (SC) I provide support services to the JIGIT
16 investigative team such as undercover
17 operations.

18 Q Thank you. And prior to this role from
19 April 2019 until February 2021, Superintendent
20 Cocks, you were the Inspector in charge and at
21 points the Assistant Superintendent of multiple
22 units in CFSEU, one of those included JIGIT; is
23 that right?

24 A (SC) Yes. Acting Superintendent. Yes.

25 Q Sorry, not assistant but Acting Superintendent?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

- 1 A (SC) Yes.
- 2 Q And is JIGIT the only unit that you've worked
3 in, Superintendent Cocks, that deals with the
4 proceeds of crime and money laundering files?
- 5 A (SC) Yes, it is.
- 6 Q And what can you tell the Commissioner about
7 your experience joining your role as Inspector
8 in charge in 2019, what was it like getting up
9 to speed on money laundering and understanding
10 JIGIT's work?
- 11 A (SC) There was a lot of reading and discussions
12 to understand the mandate and the way that the
13 different partners interacted such as GPEB and
14 BCLC.
- 15 Q And so did you receive any specialized training
16 or what did that look like?
- 17 A (SC) No, I did not receive any specialized
18 training.
- 19 Q Okay. And prior to that role, Superintendent
20 Cocks, you were the Inspector in charge of
21 "E" Division major crimes, the integrated
22 provincial unsolved homicide and special
23 projects units; is that right?
- 24 A (SC) That's correct, yes.
- 25 Q And like I did with Staff Sergeant Hussey, I'm

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

- 1 not going to take you through all of them, but
2 you've also held a number of roles in policing,
3 one of those was with the general investigation
4 unit at the Surrey detachment; is that correct?
- 5 A (SC) Yes, it was.
- 6 Q You've also worked with the integrated homicide
7 investigation team; is that correct?
- 8 A (SC) Yes, that's correct.
- 9 Q And as well the Burnaby serious crime section?
- 10 A (SC) Yes. That is correct.
- 11 Q Thank you. Superintendent Cocks.
- 12 MR. DAVIS: Madam Registrar, I don't need that
13 document displayed for the time being. Thank
14 you.
- 15 Q Staff Sergeant Hussey and Superintendent Cocks,
16 I wanted to ask you few questions about events
17 that preceded the formation of JIGIT in 2016.
18 Staff Sergeant Hussey I'll start with you. Were
19 you involved with CFSEU in discussions that took
20 place between BCLC and CFSEU in 2014 involving
21 information sharing about casinos?
- 22 A I was not, no. I joined the unit in April 2016.
- 23 Q Do you have any knowledge of those discussions?
- 24 A (JH) No, I do not.
- 25 Q Superintendent Cocks, how about you?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

- 1 A (SC) No, I was not involved in those
2 discussions.
- 3 Q Do you have any awareness of the discussions?
- 4 A (SC) No.
- 5 Q Okay. Well, then I suppose I'll ask you a
6 question that I was saving for the end of this
7 line of questioning but neither of you is aware.
8 So, Staff Sergeant Hussey, what happens if JIGIT
9 gets a referral outside of its mandate?
- 10 A (JH) If JIGIT receives a referral outside of its
11 mandate?
- 12 Q Correct.
- 13 A (JH) I assume you mean something that not
14 relevant to illegal gaming and organized crime.
- 15 Q That's -- I leave the interpretation of what
16 that would mean towards your mandate open to
17 you, but yes, broadly speaking.
- 18 A (JH) We would generally look to assist the
19 provider of that information in the right
20 direction of where to go.
- 21 Q And do you have a sense of how that was
22 occurring in 2014 when the Commissioner heard
23 evidence that these discussions were taking
24 place, how those sorts of referrals would have
25 happened?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 A (JH) I don't have any information about any of
2 those discussions, no.

3 Q Right. But hypothetically, not these
4 discussions in particular, in 2014 were a CFSEU
5 unit to be contacted by a casino with
6 information that might relate to proceeds of
7 crime or suspicious cash, where would that --
8 what would have been done with that information
9 by CFSEU in 2014?

10 A (JH) Well, it's hard for me say because I wasn't
11 part of the discussions. I'm not sure what
12 discussions took place, so I don't think I'm the
13 right person to provide input on that.

14 Q Well, how about on the hypothetical that I just
15 posed to you?

16 A (JH) Well, I suppose if you're talking about
17 information on illegal gaming that was given to
18 CFSEU that the decision maker in a higher
19 ranking -- of higher rank within CFSEU would
20 have the systems in place to be able to make
21 sure that goes to the right person or right
22 group or team.

23 Q Superintendent Cocks, is that consistent with
24 your understanding?

25 A (SC) Can you restate the question please.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

- 1 Q Sure. I've asked Staff Sergeant Hussey what
2 would happen now if a unit such as JIGIT within
3 CFSEU gets a referral outside of its mandate?
4 What's the procedure there?
- 5 A (SC) To direct the individuals to the
6 appropriate agency that would be able to assist
7 them.
- 8 Q And is that your understanding that was the
9 procedure in 2014 as well? Has that changed
10 over time?
- 11 A (SC) No, I can't speak to what happened in 2014
12 or what was the process then.
- 13 Q Okay. On a sort of unrelated note I'd like to
14 turn now to ask you guys some general questions
15 about the structure and mandate of JIGIT.
- 16 MR. DAVIS: Madam Registrar, if I could ask that you
17 please pull up the document CAN-001803 from the
18 list of documents, please.
- 19 Q Staff Sergeant Hussey, please let, me know when
20 you see this document on the screen?
- 21 A (JH) I see it, yes.
- 22 Q And what is it.
- 23 A (JH) That would be a document that I put
24 together to discuss the overview of JIGIT and
25 our responsibilities and our achievements.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 MR. DAVIS: Mr. Commissioner, if I could ask that
2 this please be marked as exhibit 809.

3 THE COMMISSIONER: Yes, very well. 809.

4 THE REGISTRAR: Exhibit 809.

5 **EXHIBIT 809: Slide deck - The Combined Forces**
6 **Special Enforcement Unit BC JIGIT - April 7,**
7 **2021**

8 MR. DAVIS: Madam Registrar, if you could please
9 scroll to page 6 of the PDF.

10 Q Superintendent Cocks or Hussey, whoever -- or
11 Staff Sergeant Hussey, whoever feels capable of
12 answering this, what can you tell the
13 Commissioner about the JIGIT mandate? What is
14 the JIGIT mandate?

15 A (JH) I can speak to that. It's essentially is
16 that, if you like me to read it. It's providing
17 a dedicated coordinated multijurisdictional
18 investigational and enforcement response to
19 unlawful activities within BC gaming facilities,
20 of course emphasizing money laundering and
21 organized crime.

22 Q And, Staff Sergeant Hussey, how do you balance
23 the legal gaming venues aspect with the illegal
24 gaming houses aspect of your work?

25 A (JH) Well, we look to -- when we -- when the

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 unit began, we looked to make sure that we cover
2 off our mandate by attacking all of the threats
3 to illegal gaming in the province and we
4 dedicated the resources accordingly to
5 investigations involving illegal gaming houses
6 but as well as the illegal activities that were
7 happening attached to legal casino facilities.

8 MR. DAVIS: Madam Registrar, if you could please
9 scroll, I believe, up to page 4 of this PDF,
10 please.

11 Q Staff Sergeant Hussey, you've just given some
12 evidence about the early days of JIGIT. I'm
13 hoping you can review this slide and comment on
14 some of the challenges that were facing the unit
15 at the outset.

16 A (JH) Yes. Well, I wasn't on the team at that
17 time, but I do have some general knowledge on
18 what Staff Sergeant Dadwal was doing when he
19 was -- or he had done initially when the unit --
20 when he formed this team.

21 Q Please elaborate.

22 A (JH) Well, just such as the document is. He --
23 Staff Sergeant Dadwal sought to identify the
24 problems and gaps that existed in illegal
25 gaming. He traveled across the country to see

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 what -- how other similar teams investigating
2 illegal gaming would be successful -- were
3 successful, including meeting with various
4 stakeholders, Ontario Provincial Police and
5 FINTRAC.

6 And then also there was -- he identified
7 that there was a lack of current intelligence in
8 relation to gaming-related offences and noted
9 historical conflicts between GPEB and BCLC that
10 existed. And also with knowledge of the
11 integrated illegal gaming enforcement team,
12 known as IIGET, had a look at their mandate and
13 their effectiveness and also the importance of
14 incorporating major case management structure
15 into the success -- to be successful and in
16 complex investigations.

17 Q On the IIGET point there, there's no confusion
18 within JIGIT that the -- JIGIT's mandate is to
19 look into legal and illegal gaming facilities.
20 Is that -- do I have that correct?

21 A (DL) That's correct, yes.

22 Q And what can you tell the Commissioner about the
23 step that is JIGIT took to address these
24 problems that are listed in the four bullet
25 points on the slide?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 A (JH) In reference to the four bullet points at
2 the bottom?

3 Q Yes, the four indented bullet points under "the
4 following was identified and/or reviewed."
5 Thank you.

6 A (JH) Yeah, you bet. So with regards to the
7 current intelligence -- lack of current
8 intelligence, we did recognize that and we took
9 steps through in consultation with the executive
10 director of GPEB. We noted a lack of
11 coordinated collaborative intelligence model and
12 we sought to change that and that's -- we looked
13 and we did form a team called the gaming
14 intelligence and investigation unit, which
15 was -- which allowed timely, actionable
16 intelligence and combined the GPEB resources
17 with our JIGIT resources. And today that allows
18 us to -- it's an intelligence hub that's
19 effective in guiding law enforcement and GPEB in
20 their regulatory and criminal investigations as
21 well. So we feel we are a centralized hub for
22 gaming intelligence that is very effective and
23 we're very proud of that.

24 Also as far as the historical conflicts GPEB
25 and BCLC, we feel that -- myself, I don't have

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 bookmaking, all investigations, all aspects of
2 it, we ensure that we have that structure to
3 ensure that we have an effective and successful
4 investigation with full accountability for all.

5 Q Superintendent Cocks, do you have anything to
6 add on that point?

7 A (SC) No, I do not.

8 MR. DAVIS: Thank you. Madam Registrar, if you could
9 scroll to page 10 of this PDF, please.

10 Q Staff Sergeant Hussey, I'm hoping you can
11 explain to the Commissioner what's described in
12 this slide, the earlier operations of JIGIT and
13 what you are seeing in terms of typologies,
14 threats and the like. Have I cut out or are you
15 reading?

16 A (JH) No, I'm still here. Sorry, I'm just
17 reading it here.

18 Q Thank you.

19 A (JH) So what we found through our evidence-based
20 findings of our investigations, we determined
21 and through evidence and also through our
22 intelligence that was coming in we got a very
23 clear picture and what was happening. And what
24 was happening is that casinos -- legal casinos
25 and illegal casinos, but focusing on the legal

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 casinos was the exploitation of -- that the
2 greatest threat to the legal casinos was
3 underground banking systems. And what was noted
4 was the essentially professional money
5 laundering organizations. And how it would work
6 was the criminal abuse of the informal value
7 transfer system, also known as hawala, and those
8 organizations were -- through that typology were
9 taking advantage of vulnerabilities in the
10 banking industry and at the casinos.

11 Q What was the results of this early work? Was it
12 substantive investigations or was it just
13 intelligence?

14 A (JH) It was investigations but also at the same
15 time it was intelligence that was coming in
16 regarding those networks and the typology, how
17 they worked and how they were effective.

18 Q Where were you getting the information from,
19 Staff Sergeant Hussey. Sorry, when I say "you"
20 I mean where was JIGIT getting the information
21 from, Staff Sergeant Hussey?

22 A (JH) Through our money laundering investigations
23 that we were conducting.

24 Q And were you being sent information, for
25 example, from BCLC and GPEB?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 A (JH) We were getting -- well, at this point when
2 we were engaged in money laundering
3 investigation a lot -- when we start, it starts
4 generally with a lot of intelligence from covert
5 assets, some from BCLC, GPEB. That information
6 initially just is kind of a beacon for the
7 activity and identifying targets and where the
8 money -- where it touches the casinos.

9 So once we start our investigation of course
10 a great deal of where we gather our evidence is
11 outside of the casinos. It's not in the casinos
12 because there's a need of course to able to at
13 that point -- when the money gets to the
14 casinos, it's usually the end point of the money
15 laundering process. And in the case of bank
16 drafts, the money has generally already been
17 laundered by the time it arrives at the casinos.
18 So a great deal of our investigation is away
19 from the casinos at that point once we engage
20 fully into a money laundering investigation.

21 Q I'm hoping, Staff Sergeant Hussey, you can help
22 us understand what those beacons look like.

23 MR. DAVIS: Madam Registrar, if I could ask that you
24 please pull up BCLC81 from the list of
25 documents, please.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 Q Staff Sergeant Hussey, have you seen these
2 emails before? It looks like an email from Ross
3 Alderson to you. It's undated.

4 A (JH) Yes, I've seen these.

5 MR. DAVIS: Mr. Commissioner if I could ask this be
6 marked as exhibit 810, please.

7 THE COMMISSIONER: Very well. 810.

8 THE REGISTRAR: Exhibit 810.

9 **EXHIBIT 810: Email chain re money exchange**
10 **receipts (redacted)**

11 MR. DAVIS: Madam Registrar, if you wouldn't mind
12 scrolling down a bit when you have a moment.

13 Q And, Staff Sergeant Hussey, what can you tell
14 the Commissioner about what you were seeing from
15 BCLC and Ross Alderson in this email?

16 A (JH) This was specific information regarding a
17 patron that had some suspicious activity with
18 regards to buying in with all cash.

19 Q And would this information be provided, like you
20 said, as a beacon or would this have been
21 information provided to you mid
22 investigation? Are you able to tell from this
23 email?

24 A (JH) I can't answer that just with regards to --
25 it gets into technique somewhat.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 Q Understood. Yes. So maybe I'll ask you a
2 different question, Staff Sergeant Hussey.
3 What's the value of this sort of information
4 that you're getting from BCLC like we see here
5 in exhibit 810?

6 A (JH) Well, it provides information on a person
7 that has possession of bulk cash and providing
8 bulk cash such as that at a casino is -- it was
9 obviously enough for them to feel that it was
10 suspicious enough to report it. And it is
11 certainly something that is suspicious to me as
12 well, so we would obviously look into that
13 deeper into some of our holdings and our
14 databases and other intelligence we have to see
15 if that's -- if we're able to progress that
16 further in an investigation.

17 Q Well, I'd like to ask you about the structure
18 and the staff that are dealing with these
19 investigations, Staff Sergeant Hussey.

20 MR. DAVIS: And, Madam Registrar, if I could ask that
21 you please pull up CAN-000148 from the list of
22 documents, please. And if I could ask, Madam
23 Registrar, that you scroll to the very last
24 page, that should be page 13 of the PDF, please.

25 Q Staff Sergeant Hussey, do you recognize this as

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 a JIGIT organizational chart from 2020?

2 A (JH) Yes, I do.

3 MR. DAVIS: Mr. Commissioner, if I could ask that
4 this be marked as exhibit 811, please.

5 THE COMMISSIONER: Very well. 811.

6 THE REGISTRAR: Exhibit 811.

7 **EXHIBIT 811: Organizational Charts,**
8 **"E" Division Criminal Operations Combined Forces**
9 **Special Enforcement in BC, 2010-2017**

10 MR. DAVIS:

11 Q And, Staff Sergeant Hussey, starting very
12 broadly, what are the two branches that we see
13 here? How is JIGIT structured?

14 A (JH) So within JIGIT itself we had received a --
15 those are the substantive positions within
16 JIGIT. The actual -- by 2020 we had -- without
17 adding or taking away any positions, the same
18 substantive positions existed; however, we were
19 split into an operations team and then the other
20 team was the intel side, which was the GIIU, as
21 I discussed.

22 However, you can see there, it is -- the
23 unit commander, which is myself, and then the
24 two sergeants one which is in charge of the
25 operational side and then the other sergeant,

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 which is in charge of the intelligence component
2 of JIGIT. And also as indicated here there's
3 GPEB members, which are within the intelligence
4 side and also there's analysts. And then within
5 there, analysts on each side, one on ops and one
6 on intel. And then also within there we have
7 investigators, which are police officers.

8 Q And so what is the role of those GPEB members
9 that are in JIGIT? Is it just on the
10 intelligence side?

11 A (JH) Yeah, as the unit stands now -- as I
12 mentioned, upon GIIU being created we discovered
13 that that would be the best use for our GPEB
14 members within JIGIT due to their knowledge but
15 also due to their limitations with their
16 designation and use of force options, but they
17 have been effective in the intelligence
18 component and the -- there are currently -- I
19 believe it's eight members on JIGIT that are --
20 there are eight GPEB members within JIGIT.

21 Q And who made the decision to split into this new
22 operational and intelligence format?

23 A (JH) Who made the decision?

24 Q Yeah.

25 A (JH) Well, it was GPEB and JIGIT that came up

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 effectiveness. And we were providing updates as
2 we progressed and eventually in February 2020 it
3 received formal approval.

4 Q And so when did it begin full-time operations,
5 if it has yet?

6 A (JH) Well, we have been -- we had been testing
7 it throughout 2019 and then into 2020 but formal
8 approval of it was in February 2020.

9 Q And so that's when the GIU started full-time
10 operations in February 2020?

11 A (JH) Yes, that's correct.

12 Q And so what's been the actionable intelligence
13 that's produced to date? I understand that it
14 produces enforcement reports. Is that correct?

15 A (JH) It produces enforcement reports. It
16 provides intelligence that they receive from a
17 wide variety of sources. There's an asset
18 recruitment and management component to it as
19 well. And it works closely with the holdings of
20 GPEB as well. And it also works with the
21 realtime intelligence centre and it has gained
22 wide -- its mandate through presentations and
23 through effective presentation of what this
24 coordinated intel hub can provide, it continues
25 to receive information regarding the illegal

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1 gaming industry but also on a larger scale
2 transnational money laundering. Transnational
3 money laundering/organized crime networks.

4 Q Superintendent Cocks, do you have anything to
5 add on the formation or approval or the utility
6 of the GIIU?

7 A (SC) Yes, I do. So Joel is correct that we were
8 given what would be later construed as tacit
9 approval to put together GIIU and function as
10 GIIU. We later learned that there were concerns
11 about it not being in writing formally being
12 presented to PSB. So that process took place
13 where a final letter was produced at the end of
14 June. And approval was given thereafter by PSB
15 for us to officially call ourselves GIIU and
16 adopt the organization chart, which is different
17 than the one seen here on the screen which
18 representing GIIU as being one half of JIGIT.

19 MR. DAVIS: Thank you. Madam Registrar, I don't need
20 that document displayed any longer. I
21 believe -- and I'd just like to clarify that is
22 it is marked as exhibit 811. Do I have that
23 correct?

24 THE REGISTRAR: Yes, that's correct.

25 MR. DAVIS: Thank you. I won't need that displayed

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1 any longer.

2 Q Staff Sergeant Hussey, I'd like to ask you and
3 Superintendent Cocks about some of your work in
4 legal gaming venues from 2017 onwards. And I'll
5 begin by asking you what can you tell the
6 Commissioner generally about the work that JIGIT
7 has done with respect to legal casinos and
8 gaming venues. What does that look like?

9 A (JH) Well, we look to -- just the question is --
10 can you just rephrase the question. Do you
11 mean, like, what have we done for investigations
12 or initiatives, or ...

13 Q Well, investigations and information sharing
14 what have you been seeing with respect to your
15 performing work with respect to your mandate of
16 looking into legal gaming venues?

17 A (JH) Well, we looked for -- the biggest part of
18 our -- I would say the large part of our mandate
19 of course is understanding money laundering and
20 also providing education to those when we find
21 out that typologies that are related to legal
22 gaming facilities. So we work closely with
23 BCLC, GPEB. We work with BCLC to -- as they
24 have anti-money laundering initiatives, we look
25 to educate them on what we are finding from our

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1 investigations. And in turn from BCLC through
2 our GIG meetings and also through a good working
3 relationship we have with them, we are able to
4 get timely information from them as well on
5 activity that's happening, suspicious activity
6 at the casinos and we endeavour to -- of course
7 when we feel we have someone that we can target
8 effectively for money laundering to expand on
9 that and obviously be able to link the
10 activity -- the illegal activity or suspected
11 illegal activity that's happening at the casino
12 to be able to prove the offence of money
13 laundering and related predicate offences.

14 Also -- we also work with the casino
15 providers as well, the service providers who run
16 the day-to-day operations of course. We have a
17 working relationship with them as well. We have
18 a casino coordinator who -- that we make sure
19 has regular -- regularly -- you know, has a
20 relationship and has -- the communication is
21 open for discussion at the major casinos. I
22 would say the ones that -- we have someone
23 that's attached to that.

24 And yes, the information does flow one way
25 as far as obviously we can't extend as much as

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1 However, it essentially just touched on our
2 identification of illegitimate lenders,
3 underground banking schemes that we were aware
4 were happening and how we look to -- we had a
5 plan to coordinate the resources within BCLC,
6 our JIGIT resources and GPEB to provide
7 effective timely enforcement at the casinos.

8 MR. DAVIS: Mr. Commissioner, if I could ask that
9 this be marked as exhibit 812 before I go on,
10 please.

11 THE COMMISSIONER: Very well, 812.

12 THE REGISTRAR: Exhibit 812.

13 **EXHIBIT 812: Draft RCMP Investigational**
14 **Planning and Report - January 19, 2017**
15 **(redacted)**

16 MR. DAVIS:

17 Q Staff Sergeant, you mentioned that this didn't
18 go ahead. Do you know if -- or I'll ask you
19 first why to your understanding did it not go
20 ahead?

21 A (JH) We were -- there was another investigation,
22 a more priority issue that came up that we ended
23 up acting on, so we did not -- we did not
24 actually submit this plan. We decided to go in
25 another direction. However, the fundamentals of

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1 this plan we did execute within a month or two
2 of this. We just didn't -- it wasn't in the
3 context of this plan.

4 Q Okay. And what was the other matter that came
5 up that took priority?

6 A (JH) It was a major money laundering
7 investigation that required all of our
8 resources.

9 Q Is that E-Nationalize?

10 A (JH) I can't speak to which investigation it
11 was.

12 MR. DAVIS: Okay. Madam Registrar, if you could
13 please pull up GPEB990 from the list of
14 documents, please.

15 THE WITNESS: (JH) And when I say -- I'm sorry, when
16 I say I can't speak to it, I mean it's an
17 ongoing investigation that I can't speak about.

18 MR. DAVIS:

19 Q No, no.

20 A (JH) It's got some sensitivities.

21 Q YES. Thank you, Staff Sergeant. That's quite
22 all right. Do you see this document before you
23 now, GPEB990?

24 A (JH) Yes, I do.

25 Q And have you seen this before? Are you aware of

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1 what this document is?

2 A (JH) I have seen it before, yes.

3 MR. DAVIS: Mr. Commissioner, I'm going to ask that
4 this be marked as exhibit 813.

5 THE COMMISSIONER: Very well. 813.

6 THE REGISTRAR: Exhibit 813.

7 **EXHIBIT 813: Ministry of Finance Briefing**

8 **Document titled: "Police Presence in BC Casinos**
9 **- Start Date January 28, 2017"**

10 MR. DAVIS: And, Madam Registrar, if you could just
11 scroll down so we can see even -- just the front
12 page there there's a section that says
13 "Comments." It says:

14 "This note is a provide awareness of a
15 planned police presence in BC casinos
16 outlining --

17 Madam Registrar, do you mind scrolling just a
18 little bit. Sorry.

19 And, Mr. Commissioner, I've just received a
20 note that I have to ask that this document not
21 be livestreamed as it has contact information,
22 including phones and email contact. So if I
23 could seek that direction at this time, please.

24 THE COMMISSIONER: Yes, all right. I'll make that
25 direction.

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1 MR. DAVIS: Thank you.

2 Q Staff Sergeant Hussey, sorry I was cut off
3 because I couldn't see. The comment here reads:
4 "This note is to provide awareness of a
5 planned police presence in BC casinos
6 outlining the agencies involved, who has
7 been briefed and a planned communication
8 strategy subsequent to the event."

9 So what is this document, a planned police
10 presence in casinos? How does this relate to
11 that first proposal?

12 A (JH) So this was what was the initial plan
13 for -- that initial plan which was an
14 operational plan was a plan for ongoing live
15 joint operations. When I say operations,
16 involving BCLC, JIGIT and GPEB. That was
17 planned to be an ongoing thing. And that was --
18 the initial -- this document from GPEB to the
19 ADM, John Mazure, was essentially talking about
20 the plan that we actually did follow through on,
21 it's just we never submitted that previous ops
22 plan because it was only a one-time-only thing
23 that we ended up doing. So we essentially --
24 there wasn't a second time because of that large
25 scale money laundering investigation that came

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1 up, but the -- but I was explaining the reason
2 why the ops plan did not go through.

3 In this case, Len Meilleur describes what we
4 ended up doing, which was actually a very
5 successful operation at the casino which
6 involved some live time enforcement and seizure
7 of the large amount of money that was in
8 coordination with -- as proposed in the ops plan
9 was a coordination of BCLC, JIGIT and GPEB
10 resources.

11 Q And that was -- that seizure took place as a
12 result of this plan that's outlined in this note
13 here?

14 A (JH) That's correct.

15 Q And would you classify that seizure as a kind of
16 a quick hit file, Staff Sergeant Hussey, or was
17 that more of a major investigation?

18 A (JH) It was more of a quicker hit, as you say.
19 I would say that's a good way of describing it.
20 And it also demonstrated the collaboration of
21 BCLC, GPEB and JIGIT.

22 Q And, Superintendent Cocks, I'm going to move on
23 from this legal gaming venues. Do you have
24 anything to add in regards to JIGIT's approach
25 to investigations involving legal casinos?

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1 management when it comes to these illegal gaming
2 houses because of course they are complex with
3 many people found in these search warrant
4 executions. And many of these investigations
5 have led to charges as well and convictions.

6 Q And have your targets been -- you know,
7 generally speaking are they lower end targets?
8 Have you been able to pursue the higher end
9 targets with connections potentially to
10 organized crime?

11 A (JH) Yeah, it's -- how it works essentially is
12 because of our mandate of reaching out to
13 education, reaching out to police of
14 jurisdiction, we have given many presentations
15 on not only what we do, but how we can be of
16 help to various police of jurisdiction who
17 frankly don't have the expertise on gaming-type
18 offences and similarly to most places they
19 don't -- they're short on resources and yet what
20 happens is they stumble across during their
21 calls for service illegal gaming houses or
22 victims of illegal gaming. Extortion,
23 intimidation, threats. Types of offences that
24 relate to illegal gaming.

25 So due to our education and the efforts

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1 we've made, we do get lots of calls to assist
2 with these types of investigations and we provide
3 a response to that. Sometimes we take the
4 entire file and sometimes we just assist,
5 provide guidance on affiant writing or warrant
6 writing. It varies on our level of assistance
7 depending on how much we have on the go at the
8 time.

9 But -- so what this results in is it results
10 in -- sometimes we end up assisting on a gaming
11 house that is low to mid level, not necessarily
12 high level; however, what that does is it allows
13 for us to be able to assist other units. At
14 times sometimes they are not high level, but it
15 does -- in performing our mandate I think that
16 tackling all levels of illegal gaming is
17 important and we've been effective at that.
18 When we -- those are the reactive situations.

19 When we take a proactive approach and we get
20 intelligence on high-level gaming houses, that's
21 when we take a very measured approach and make
22 sure we put together a solid investigation that
23 we build our evidence up to search warrant
24 execution and interviewing and we put our case
25 together for charges. And when we do that

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1 proactive targeting at a high level, that's
2 where we've been very successful with that, like
3 I say, with many convictions.

4 So you'll see our illegal gaming house
5 results will be a range of low, medium and high.
6 Most of the low to medium are going to be the
7 reactive type of files that we assist on, but
8 also -- but it should be noted that the ones
9 that we have done enforcement on that are
10 targeted of high-level targets, high-level
11 gaming house, those have been the result of our
12 investigations that we work on exclusively at
13 JIGIT.

14 Q Thank you. But there have been -- of all of
15 those convictions you mentioned, none of them
16 have been for money laundering; is that correct?

17 A (JH) That's correct.

18 Q And the only case involving money laundering
19 charges that JIGIT has worked on is still with
20 the Crown. Is that correct?

21 A (JH) No, that's not correct.

22 Q Okay.

23 A (JH) If you could restate that. Can you restate
24 that question again.

25 Q I'll just rephrase it entirely because I'm not

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- 1 happy with it either. How many files have you
2 worked on that involved potential money
3 laundering charges or an investigation into
4 money laundering at JIGIT?
- 5 A (JH) Well, I wouldn't want to give the exact
6 amount, but -- nor could I, but there have been
7 several that we have -- several money laundering
8 investigations that we have done and are
9 currently doing.
- 10 Q And how many of those files resulted in a report
11 to Crown Counsel recommending money laundering
12 charges?
- 13 A (JH) One of those so far.
- 14 Q And that's --
- 15 A (JH) Actually, I'm sorry. We have one that's
16 currently at charge assessment right now.
- 17 Q Thank you. I'm hoping, Staff Sergeant Hussey,
18 we can get a better understanding of what these
19 illegal gaming houses look like by looking at --
- 20 MR. DAVIS: Madam Registrar if you could please pull
21 up CAN-1283 from the list of documents, please.
22 And scroll out, if you're able.
- 23 Q Staff Sergeant Hussey, please let me know when
24 you see that.
- 25 A (JH) I'm sorry, which document is that? It's

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- 1 CAN- ...
- 2 Q 1283, Staff Sergeant.
- 3 A (JH) I do see it, yes.
- 4 Q The title in italics is "Baccarat"?
- 5 A (JH) Yes, I see it.
- 6 Q And what is this document?
- 7 A (JH) This is not a document that was originated
- 8 from JIGIT, but it appears to be a document
- 9 discussing a business plan for how to run a
- 10 baccarat gaming house.
- 11 Q Was this document ever brought to your attention
- 12 prior to it being identified by commission
- 13 counsel? Are you familiar with it?
- 14 A (JH) No, I'm not -- it had not -- I had not been
- 15 aware of it before I was shown it.
- 16 Q Have you had a chance to review it today or
- 17 before today?
- 18 A (DH) I've had a look, yes.
- 19 MR. DAVIS: Mr. Commissioner, if I could ask that
- 20 this please be marked as exhibit 814.
- 21 THE COMMISSIONER: Very well. 814.
- 22 THE REGISTRAR: Exhibit 814.
- 23 **EXHIBIT 814: Baccarat, Business Plan for**
- 24 **Richmond Private Clubhouse**
- 25 MR. DAVIS:

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
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1 Q And, Staff Sergeant Hussey, appreciating that
2 this wasn't a document that originally came to
3 your attention, can you give the Commissioner a
4 sense of what -- you know, how this proposed
5 facility compares to the ones you've seen in
6 terms of sophistication and cash volume?

7 A (JH) Well, like I say, I don't have familiarity
8 with the -- I don't think I have enough
9 information within here to be able to say what
10 level this is at. I mean, high level gaming
11 houses are frequently a game of baccarat.

12 MR. DAVIS: Okay. Well -- no, that's okay.

13 Madam Registrar, let's go to page 3, then,
14 of this document, please.

15 Q And, Staff Sergeant Hussey, do you see here
16 under "Entertainment" there's some descriptors
17 here. Main floor, three VIP gambling rooms,
18 each with a baccarat table. One Karaoke room
19 for 30 people. Dining area for honoured guests.
20 Outdoor swimming and a jacuzzi tub. Do you see
21 all that there?

22 A (JH) You said page 3?

23 Q Yeah, at the bottom of page 3 under
24 "Entertainment."

25 A (JH) Oh, I have page 2. Okay. Yes, I see that.

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Stephen Cocks (for the commission)
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1 Q So are -- these amenities we see here, just as
2 an example, is this typical of what you're
3 seeing in the illegal gaming houses?

4 A (JH) Similar to that, yes. I mean, a lot of
5 keepers of these gaming houses -- it is
6 competitive so a lot of keepers of these gaming
7 houses look to add other amenities to improve
8 customer satisfaction outside of the gaming.

9 Q So, sorry, for clarity this is typical or this
10 is not typical?

11 A (JH) Well, I mean, there's different -- there's
12 other -- there's lots of different options when
13 it comes to other things outside of the gaming
14 itself that, you know, is provided to be able to
15 improve the comfort or other amenities to be
16 able to increase the enjoyment, I guess. And
17 this would not be, I guess -- it depends on the
18 level, but, I mean, I'm not surprised by that.

19 MR. DAVIS: Madam Registrar, maybe we can go to the
20 next page briefly to further explore that.

21 Q And how about on this page, Staff Sergeant
22 Hussey? We've got a descriptor of the planned
23 employees and bad debts. Is all of this typical
24 for an illegal gaming house? Have you seen this
25 sort of planning before?

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1 A (JH) Yes. I mean, the organized high-level
2 games, they have these type of business roles
3 with schedules for all the different roles. So
4 it is similar to what we've seen, yes.

5 MR. DAVIS: And without -- sorry, Mr. Commissioner,
6 just give me one moment. I'm just reading
7 through my notes here.

8 So I guess to either panelist -- I'm going
9 to move on from this. Madam Registrar, I don't
10 need this document displayed any longer. Thank
11 you.

12 Q Staff Sergeant Hussey or Superintendent Cocks,
13 is it true that RCMP CFSEU provides BCLC with
14 their provincial tactical enforcement priority
15 roster each year?

16 A (JH) Yes, we have a -- it's within our
17 agreement and yes, we have provided the PTEP, as
18 it's known, list.

19 Q And that PTEP list or roster, my understanding
20 is it's a list of high-profile offenders who are
21 suspected to be active in the drug trade,
22 organized crime or gangs. Is that correct?

23 A (JH) Yeah, that's correct, with an important
24 element of the violence. That it has to involve
25 violence as well.

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- 1 MR. DAVIS: Madam Registrar, if you could please pull
2 up BCLC278 from the list of documents, please.
- 3 Q Staff Sergeant Hussey, I'd ask -- let me know
4 when you see this on the screen, please.
- 5 A (JH) I do see that. I have a different document
6 that's 278 but I do see it, yes.
- 7 Q But you're able to see this 278 PTEP overview
8 here on the screen?
- 9 A (JH) I am sorry, PTEP or BCLC 278. Okay. Yeah,
10 I haven't seen this document before now, but I
11 do see it.
- 12 Q Do you recognize it despite not having seen this
13 document before?
- 14 A (JH) No, I don't recognize it, but I could have
15 a quick read of it depending on how long it is.
- 16 Q No, I don't think that will be necessary. I
17 bring this document to your attention, Staff
18 Sergeant Hussey, to ask you about the
19 E-Nationalize investigation. And the
20 Commissioner has heard evidence that, in short,
21 JIGIT chose or decided not to share with BCLC
22 the names of those nine persons arrested as a
23 result of E-Nationalize. What can you comment
24 on that for the Commissioner?
- 25 A (JH) So we -- that investigation which was --

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1 which culminated to the arrests in June 2017, it
2 was a major complex investigation. So we wanted
3 to make sure obviously we have a good working
4 relationship with BCLC and always look to share
5 information where we can especially when it
6 comes to public safety. So with the lens on
7 ensuring the integrity of that investigation,
8 our ISA with BCLC does state that if we -- in
9 the case of where it could cause harm to the
10 integrity of an ongoing investigation, we would
11 not provide that. However, we felt that it
12 required -- due to our good working
13 relationship, we should -- it required an
14 analysis to determine whether or not we should
15 release those names and of course that had to do
16 with the public safety aspect.

17 So we decided to make -- in order to make
18 sure that we were sound with that decision and
19 sound in protecting that -- the investigation,
20 we conducted an in-depth analysis of whether or
21 not that would -- whether or not it would
22 provide a risk to public safety by not providing
23 it, and we conducted that analysis and we made
24 the decision to not provide the names at that
25 time.

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Stephen Cocks (for the commission)
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1 Q And, Staff Sergeant, is that the normal process
2 when you're dealing with a situation like this
3 to do a case-by-case analysis and determine, you
4 know, using those balancing of factors that
5 you've described, is that the regular process?

6 A (JH) Yeah, I mean in this case of course due to
7 the fact that, you know, providing the names may
8 cause harm to integrity of an investigation.
9 You have to remember that because there are
10 arrests, it doesn't mean that that is the --
11 there's still lots of investigative steps that
12 need to take place. That's just the arrest. So
13 there was an ongoing investigation. It was a
14 bit of an unusual circumstance because, you
15 know, we would look to normally share those
16 names with BCLC. But in that particular case we
17 did an analysis and determined that providing --
18 not providing those names in our opinion, based
19 on everything we knew, would not be a risk to
20 the public safety.

21 Q And that was the case providing the documents,
22 you made that assessment based not only on
23 providing the documents to the public but was
24 that the same, only providing it to BCLC that
25 there was a risk of compromising the

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1 investigation?

2 A (JH) Sorry, can you repeat that question.

3 Q That wasn't very clear. So was your assessment
4 made on the basis of releasing these names to
5 the public or releasing them only to BCLC?

6 A (JH) To BCLC. Well, to the public -- we
7 wouldn't release them to the public because they
8 have been charged.

9 Q Right.

10 A (JH) So it was to BCLC.

11 Q And did JIGIT share the names with GPEB?

12 A GPEB members within our team would have known
13 the names. They worked on the file itself.

14 Q And so I guess is the difference there, is it
15 that GPEB members have a special constable
16 status? What is the difference there besides,
17 you know, they're embedded in your team?

18 A (JH) Well, GPEB has -- I mean, GPEB are able to
19 invest criminal matters, they are able to invest
20 *Criminal Code* investigation, *Gaming Control Act*
21 investigations. It's quite a different function
22 from BCLC. Very different, actually.

23 They are special police constables and our
24 MOUs, ISAs are different when it comes to
25 sharing information with GPEB versus sharing

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1 BCLC.

2 Q Okay.

3 A (JH) And as I mentioned, they were active
4 investigators on the file, but of course there
5 were non-disclosure agreements within and those
6 members from GPEB within our team that worked on
7 it had -- obviously had that trust.

8 Q Thank you. I would like to ask you some
9 conclusory questions, Staff Sergeant Hussey.
10 And Superintendent Cocks, I'll direct these to
11 you as well. The Commissioner heard evidence
12 this morning from Mr. Doug LePard who I'm
13 assuming you know conducted the JIGIT review.

14 Staff Sergeant Hussey were you involved in
15 the JIGIT review at all?

16 A (JH) Yes, I was.

17 Q What was your involvement?

18 A (JH) I ensured that -- for this review that
19 Mr. LePard and anyone working on that -- within
20 PSB working on that review had access to our
21 data, had access to business cases, financial
22 structure, resources and also -- I also had an
23 interview that I provided to Mr. LePard and I
24 also facilitated interviews of current and past
25 members of JIGIT.

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1 Q And, Staff Sergeant, do you have any comments
2 for the Commissioner's benefit on the review,
3 assuming you've had a chance to review it?

4 A (JH) It was -- overall I felt that it was
5 positive. Of course we received endorsement for
6 continuing our mandate and continuing to --
7 continuing our operations.

8 And then out of the recommendations I'd been
9 working with our -- the compliance and
10 performance unit that's attached to PSB in
11 providing responses to those recommendations,
12 some of which we have implemented already. Some
13 of which we plan to implement. Others which are
14 not within our control. They're outside of our
15 control. And then others where we've done an
16 analysis and we feel that we're not going to
17 implement. There's a few of those as well. Of
18 which all of these have the -- we're working
19 with, again, as I mentioned, the compliance
20 performance unit to move forward on.

21 Q Do you know which recommendations have been
22 decided not to move forward with? Appreciating
23 that you might not off the top of your head, but
24 are there any that you can elaborate on?

25 A (JH) Yes, I do. One sec here.

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- 1 Q Staff Sergeant, while you're looking for that
2 maybe, Superintendent Cocks, I'll ask you, were
3 you involved in the JIGIT review at all?
- 4 A (SC) Yes, I was.
- 5 Q What was your involvement?
- 6 A (SC) I worked with Joel to support him to
7 facilitate the review with Mr. LePard and his
8 partner and I also participated in an interview.
- 9 Q And like I asked Staff Sergeant Hussey, I'll ask
10 you if you have any comments on the review from
11 your perspective in policing.
- 12 A (SC) Yes. Overall I felt it was positive and
13 thorough.
- 14 Q Thank you. And, Staff Sergeant Hussey, have you
15 been able to find what you were looking for?
- 16 A (JH) Yes, I have. You're looking for which ones
17 we planned not to take further steps on
18 following announcements?
- 19 Q Yes. Sorry for interrupting. You mentioned in
20 your evidence that decisions had been made not
21 to proceed with some of the investigations. And
22 if those decisions had been made, I'd ask which
23 recommendations those are.
- 24 A (JH) So those would be recommendation 14. And I
25 guess that would be within -- I don't know which

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 document, if you were going to pull up a
2 document. You have the recommendations.

3 Q Sure. That would be exhibit ...

4 THE COMMISSIONER: I think that's 803, isn't it?

5 MR. DAVIS: 803. Yes, it is. Thank you,
6 Mr. Commissioner. And let me see if I can find
7 the page with the recommendations. I'm sorry,
8 Mr. Commissioner and Madam Registrar. Just give
9 me one moment.

10 Q Which number was that, Staff Sergeant?

11 A (JH) Starting with number 14.

12 MR. DAVIS: Okay. Madam Registrar, that is on
13 page 29 of the PDF, please. Thank you. Yes.
14 Thank you.

15 Q Go ahead, Staff Sergeant.

16 A (JH) Yes. So number 14 states that the CFSEU
17 consult with the Assistant Deputy Attorney
18 General about the potential to create a WorkSafe
19 model of a group of pre-assigned Crown
20 prosecutors for access to expert legal advice.

21 So our stance on that is that essentially we
22 don't have an issue with Crown prosecutors in
23 getting advice. We have good relationships
24 within Crown for advice while the investigation
25 is happening. The reason why I thought that it

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 wouldn't really be a prudent or necessary
2 recommendation because it's not -- the problem
3 is not with the advice because we can have that.
4 It's -- what we need is we need Crown
5 representatives that have a willingness and a
6 commitment to prosecute it. So that's what is
7 more, I think, what we would hope is addressed
8 rather than just having someone that could give
9 advice.

10 Q Is your perception that Crown involved in these
11 sorts of files are not willing and enthusiastic
12 to prosecute these sorts of cases?

13 A (JH) Well, I wouldn't make a sweeping comment
14 like that, no. But there are with regards to
15 the offence and the complexities of the offence,
16 it is a more difficult endeavour, the
17 prosecution of such. And my police experience
18 as well investigating other offences, I am aware
19 of that as well.

20 Q Thank you. Were there any other recommendations
21 that you're aware of that will not be followed?

22 A (JH) Yes. Number 19.

23 MR. DAVIS: Madam Registrar, I think we can just
24 scroll down there. Yeah. Thank you.

25 THE WITNESS: (JH) So that's that an advisory

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 committee for JIGIT be established that involves
2 CFSEU, GPEB, PSB. A committee would advise on
3 JIGIT's mandate, roles and priorities for the
4 team itself and as it relates to the broader
5 anti-money laundering strategy of the province.
6 It would provide updates and recommendations,
7 consideration by the board of governance.
8 Provision of the advisory committee would
9 include renewed letters of understanding of
10 JIGIT.

11 So we decided -- and this is with
12 consultation of the performance and compliance
13 unit within PSB that another -- an additional
14 advisory committee would be redundant in
15 addition to other reporting that's happening
16 within police services.

17 Q So number 19 won't be followed. Okay. Are
18 there any others?

19 A (JH) Recommendation 37.

20 MR. DAVIS: That's page 32, Madam Registrar. Thank
21 you.

22 Q Go ahead, Staff Sergeant, please.

23 A (JH) so That's JIGIT seeking more opportunities
24 for communication, collaboration with BCLC and
25 gaming service providers. So we have regular

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Davis

1 formal collaboration with BCLC through the GIG
2 already. We have casino liaison officers that
3 have a good and formal working relationship with
4 the service providers at the casinos. As I
5 mentioned, we've provided training. We speak
6 with them regularly.

7 So with regards to the BCLC, obviously we
8 can share some information there as we go. But
9 with regards to service provider as it outlines
10 there, we would not be able to -- there's
11 been -- within the review itself it speaks about
12 the service providers, being -- although being
13 very supportive of JIGIT, but they asked for
14 receiving more information about customers
15 involved in illicit activity. That's certainly
16 something we would never be able to provide.

17 And also they make mention -- there's
18 mention of the high level of interaction with
19 OPP members and the service providers there in
20 Ontario. Similar to that -- my awareness of how
21 that works in Ontario, it's no different. The
22 information does flow one way and one way only
23 when it comes to police and regulators. So
24 it's -- for those reasons we would say that
25 that's not something we would move forward on.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Ms. Harlingten

1 Q And that one way is from regulator to police and
2 not the other way around; right?

3 A (JH) That's correct, yes.

4 MR. DAVIS: Thank you, Staff Sergeant. Thank you
5 Superintendent Cocks.

6 Mr. Commissioner, those are my questions for
7 this panel. I note we've got approximately an
8 hour and a half of participant questions. I
9 leave it in your hands as to whether we take a
10 five- or ten-minute break before we get started,
11 Mr. Commissioner.

12 THE COMMISSIONER: All right. Why don't we get
13 started and we'll see how things move along and
14 we'll take a break along the way.

15 MR. DAVIS: I've been advised -- sorry, Mr.
16 Commissioner, it will be less than an hour and a
17 half, just for your notes.

18 THE COMMISSIONER: All right. Thank you. I'll start
19 with Ms. Harlingten on behalf of the province,
20 who's been allocated 15 minutes.

21 MS. HARLINGTEN: Thank you, Mr. Commissioner. I
22 don't anticipate requiring the entire time.

23 THE COMMISSIONER: Thank you.

24 **EXAMINATION BY MS. HARLINGTEN:**

25 Q Staff Sergeant Hussey and Superintendent Cocks,

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Ms. Harlingten

1 I'd like to start off sort of where my friend
2 Mr. Davis left off with Mr. LePard's 2020 JIGIT
3 review. The recommendation that I would like to
4 get your thoughts on is -- if you still have
5 that document handy, is recommendation number 3.

6 MS. HARLINGTEN: Madam Registrar, I don't think I
7 need it pulled up.

8 Q And if you have that there, that:

9 "Once recommendations of the Cullen
10 Commissioner are known, consideration be
11 given to expanding JIGIT's mandate to
12 other key sectors if deemed appropriate."
13 I suppose maybe, Staff Sergeant Hussey, if I can
14 ask you first. Do you have a view on sort of
15 benefits or limitations to expanding JIGIT's
16 mandate broader than illegal gaming?

17 A (JH) Well, certainly, yes, I do. Certainly
18 resources of course. I believe even in our team
19 as it stands with the gaming mandate that our
20 resources -- we could use more resources. So
21 obviously if we were to expand to other sectors
22 such as real estate, luxury vehicles to name a
23 couple, obviously that would not be -- we would
24 need to expand greatly to be able to be
25 effective in meeting that mandate.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Ms. Harlingten

1 So, you know, I -- of course within JIGIT we
2 have -- we are the only provincial -- we are the
3 only unit that's mandated for -- provincially
4 for money laundering but of course we deal
5 specifically with gaming. I do feel that by
6 expanding off of what we've worked on in our
7 team and some of the expertise within our team,
8 that we would be well positioned to be able to
9 expand our unit and have a good working
10 knowledge on the typologies that cross over
11 because a lot of these money laundering
12 typologies do cross sectors.

13 Q So you feel from gaining experience over the
14 last four years or so that your team has sort of
15 developed some expertise that could be used in
16 other areas. Is that fair?

17 A (JH) Yes, that's correct.

18 Q All right. And in terms of the JIGIT model
19 having subject matter experts, the GPEB
20 investigators embedded within the unit, is at
21 that something that you see being useful in
22 those other sectors?

23 A (JH) Well, that's a bit of a different story
24 because of course the GPEB members are specific
25 to the gaming industry. Of course there would

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Ms. Harlingten

1 be -- such a unit would involve a gaming
2 component and -- but I believe their expertise
3 would lie specific to gaming.

4 Q Yes. Sorry. I don't think my question was very
5 clear. That model, if you extend it into other
6 sectors, do you see the value in having other
7 types of subject matter experts embedded within
8 a policing unit to assist police in fulfilling
9 its mandate, say, real estate or luxury
10 vehicles?

11 A (JH) Yes, absolutely.

12 Q All right. And you've already spoken to the
13 need for additional resources should you expand
14 into those areas. I noted in Mr. LePard's
15 report that he also indicated more resources are
16 necessary for CFSEU's intelligence gathering; is
17 that correct?

18 A (JH) Yes, I believe he did touch on that. Yes.
19 I know there's -- I believe he touched on
20 surveillance resources. But the intel guys as
21 well, yes, expansion on that.

22 Q I have your evidence earlier, Staff Sergeant
23 Hussey, regarding the GPEB investigators
24 specifically in the GIIU as being of great value
25 to the JIGIT team; is that correct?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Ms. Harlingten
Exam by Mr. Leung

1 A (JH) Yes.

2 Q And is that, as I've just mentioned earlier,
3 because of their knowledge and subject matter
4 expertise that they're bringing to the team?

5 A (JH) Yes. That's correct.

6 MS. HARLINGTEN: All right. Thank you, Staff
7 Sergeant Hussey. Those are all my questions.

8 Thank you, Mr. Commissioner.

9 THE COMMISSIONER: Thank you, Ms. Harlingten.

10 I'll turn now to Mr. Leung on behalf of the
11 BC Lottery Corporation, who has been allocated
12 15 minutes.

13 MR. LEUNG: I have some questions for Staff Sergeant
14 Hussey regarding the different types of
15 information BCLC practically shares with JIGIT.

16 I'm seeking a direction, Mr. Commissioner,
17 the documents I'll refer to not be shown on the
18 livestream.

19 THE COMMISSIONER: All right. I'll make that
20 direction.

21 MR. LEUNG: Madam Registrar, can we please turn up
22 BCLC 0015450.

23 **EXAMINATION BY MR. LEUNG:**

24 Q If you can scroll down to page 2, please. Staff
25 Sergeant Hussey, do you recognize this email

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

- 1 exchange from July 2017?
- 2 A (JH) I recognize it from viewing it since I was
3 handed it, yes.
- 4 Q You'll agree with me that --
- 5 A (JH) I'm sorry. I'm sorry, I just have a
6 different document for that. Can you just hold
7 on one second, please.
- 8 Q Absolutely. It's 15450 BCLC, if that is of
9 assistance.
- 10 A (JH) Yeah, I'll just read it off the screen. Go
11 right ahead. Yeah.
- 12 Q Okay. You'll agree me that the very first
13 email, so the one is that is prominently
14 displayed right now, that's a email from
15 Mr. Ross Alderson to Ken Ackles, you and copying
16 Paul Dadwal and Daryl Tottenham. Do you see
17 that?
- 18 A (JH) Yes, I do.
- 19 Q Can you tell us again what Mr. Dadwal's role was
20 in JIGIT?
- 21 A (JH) His role was the unit commander. He was
22 the staff sergeant when the unit started in
23 April 2016. And he later became the line
24 officer, so the inspector in charge that oversaw
25 the unit.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

1 Q Okay. And what was Ken Ackles's role?

2 A (JH) Ken Ackles was the manager of all the GPEB
3 members within JIGIT.

4 Q Okay. I'm just going to read from the passage
5 beginning at the very end of this page actually.

6 So Mr. Alderson writes:

7 "While clearly we are a little nervous of
8 the [named patron], we have no evidence of
9 any criminal activity or that these funds
10 are tainted in any way. It is BCLC's
11 intention to continue to receive the bank
12 drafts from --"

13 MR. LEUNG: Madam Registrar, if you'd scroll down.

14 "-- [the name patron] unless of course we
15 are provided with additional information
16 which would confirm they are illicit
17 funds, or that [the named patron] is
18 involved in criminal activity and we would
19 be happy to ban him and/or [another named
20 patron] for that matter."

21 Q Did I read that correctly?

22 A (JH) Yes.

23 MR. LEUNG: Madam Registrar, if you could scroll now
24 all the way to the bottom of page 1.

25 Q You reply to -- you see that you reply to

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

1 Mr. Alderson's email, saying:

2 "Ross, much appreciated for this
3 information."

4 Do you see that?

5 A (JH) Yes, I see that. Yes.

6 Q So am I correct that information like this about
7 casino patrons and their activities is one of
8 the categories of information BCLC would
9 routinely share with JIGIT?

10 A (JH) Yes, they would share activity like this.
11 This is a bit of a different case. I don't
12 recall getting similar emails like this but they
13 vary in how much and how little is given to us.
14 Yes.

15 MR. LEUNG: Fair enough. Can I please have this
16 document entered as the next exhibit.

17 THE COMMISSIONER: Yes, very well. That will be -- I
18 think we are at --

19 THE REGISTRAR: 815. Exhibit 815.

20 **EXHIBIT 815: Email exchange between Ross**
21 **Alderson and Joel Hussey and others, July 6,**
22 **2017**

23 MR. LEUNG: Thank you. Madam Registrar can you --

24 THE COMMISSIONER: I'm sorry to interrupt. It has
25 not been shown on the livestream. Is it your

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

1 intention to have it redacted and subsequently
2 posted to the website or are you seeking a
3 direction that it not be posted to the website?

4 MR. LEUNG: We'll be redacting it and posting it on
5 the website.

6 THE COMMISSIONER: All right. Thank you.

7 MR. LEUNG: And the same applies to the other
8 documents I'll be referring to, the next one
9 being BCLC0012953.

10 Q Staff Sergeant Hussey, do you recognize the
11 first email in this chain?

12 A (JH) I don't, but I can have a read on the -- I
13 have a different document for that. Sorry, can
14 you give me one second here.

15 Q Sure.

16 A (JH) Yeah, we can carry on it with. I'll have a
17 read. Yes, I see this one. Yes.

18 Q Okay. This is another email from Mr. Alderson.
19 This one's dated November 2nd, 2016, to a pretty
20 similar distribution list. That's to you,
21 Mr. Dadwal and Mr. Ackles. Is that right?

22 A (JH) Yes.

23 Q And you'll agree with me that this appears to be
24 an example of Mr. Alderson sharing details from
25 a patron interview with you?

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

1 A (JH) Yes, that's correct.

2 Q Am I correct that information like this from
3 patron interviews is another category of
4 information BCLC would routinely share with
5 JIGIT?

6 A (JH) Yes, at that time that was what was being
7 shared. Yes.

8 MR. LEUNG: Can I please have this document entered
9 as the next exhibit. I believe 816.

10 THE COMMISSIONER: Yes, very well. 816.

11 THE REGISTRAR: Exhibit 816.

12 **EXHIBIT 816: Email from Ross Alderson to Paul**
13 **Dadwal, re Interview Summary - November 2, 2016**
14 **(redacted)**

15 MR. LEUNG: Madam Registrar, could you please display
16 on the Zoom feed only BCLC0012954.

17 Q Staff Sergeant Hussey, do you see this email?

18 A (JH) Yes, I do.

19 Q And do you recognize the first email in the
20 chain dated September 22nd, 2016, from
21 Mr. Alderson to Ken Ackles --

22 A (JH) Yes, I do.

23 Q Copying you and Mr. Dadwal. And you'll agree
24 with me that in this email Mr. Alderson appears
25 to be passing on intelligence regarding a

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

1 potential illegal gaming house in Vancouver to
2 you?

3 A (JH) Yes.

4 Q And is that a third category of information BCLC
5 would typically share with you in information
6 about illegal gaming houses?

7 A (JH) Yes, when they had information on that,
8 that would be -- I recall that being passed on.

9 MR. LEUNG: Perfect. Could I please have this
10 document enter as the next exhibit.

11 THE COMMISSIONER: 816.

12 THE REGISTRAR: 817.

13 MR. LEUNG: 817.

14 **EXHIBIT 817: Email from Ross Alderson to Ken**
15 **Ackles, re Intel - September 22, 2016**

16 MR. LEUNG:

17 Q Staff Sergeant Hussey, to conclude, would you
18 agree with me that these three emails that we
19 have reviewed are all examples of BCLC
20 proactively providing intelligence to JIGIT?

21 A (JH) Yes. At the time I recall Ross Alderson
22 sending those types of emails. It wasn't a lot,
23 but it was -- but I do remember these times for
24 sure.

25 Q And I am paraphrasing, but do you recall

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. Leung

1 testifying earlier in response to my friend
2 Mr. Davis's questions about the value of
3 information like this?

4 A (JH) Do I recall telling you about the value?
5 Do I recall --

6 Q Sorry. Do you recall my friend Mr. Davis asking
7 you questions about the value of information
8 from BCLC like this?

9 A (JH) Yes.

10 Q And I'm paraphrasing your answer but I believe
11 you said that the value of this information is
12 that it allowed you to take a deeper look into
13 suspicious activity; is that correct?

14 A (JH) Yeah, every time we would receive this
15 information we would follow up and see if there
16 are viable investigative avenues for each.

17 MR. LEUNG: Great. Thank you. Those are my
18 questions.

19 THE COMMISSIONER: Thank you, Mr. Leung. I'll now
20 call on Ms. Harmer on behalf of Great Canadian
21 Gaming Corporation who has been allocated
22 five minutes.

23 MS. HARMER: Thank you, Mr. Commissioner. Great
24 Canadian does not have any questions for this
25 witness.

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee

1 THE COMMISSIONER: Thank you, Ms. Harmer.

2 Mr. McFee on behalf of Mr. Lightbody has
3 been allocated 20 minutes.

4 MR. McFEE: Thank you.

5 **EXAMINATION BY MR. McFEE:**

6 Q Staff Sergeant Hussey, I gather that you were
7 with the JIGIT unit basically right from the
8 outset in April of 2016?

9 A (JH) That's correct, yes.

10 Q And in terms of the initial orientation, I take
11 it there would be a fair bit of a learning curve
12 for you and members of your team to understand
13 the gaming industry and how the money laundering
14 typologies may impact upon the gaming industry?

15 A (JH) Yes. I mean, many of us have never worked
16 gaming-type investigations. Obviously there was
17 a wide variety of policing expertise with
18 regards to all investigative techniques. Of
19 course, yes, it did take time to be able to get
20 the proper training and seek the advice of those
21 subject matter experts and we achieved that
22 fairly quickly. And the illegal gaming
23 landscape was -- we were able to follow through
24 and provide effective investigations, yes.

25 Q But in terms of climbing that learning curve,

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee

1 did BCLC and in particular the members of BCLC's
2 anti-money laundering unit make a commitment to
3 and provide orienting and training to you and
4 the other JIGIT members with respect to the
5 legal gaming industry?

6 A (JH) Yeah, what they were able do -- absolutely.
7 They were able to tell us about the -- what they
8 were able to help us with was how the gaming
9 industry works. As you know, it takes a while
10 to learn about how the reporting works. How --
11 you know, their thresholds for certain
12 reporting, is there a reporting entity. The
13 different levels of -- the differences in
14 responsibilities of service providers. That
15 kind of -- providing us a good backdrop on that.
16 Of course it was interesting to me, the makeup
17 of BCLC and their role and how they -- their
18 role in the gaming industry. But yes, it did
19 take a while to learn all that stuff and BCLC
20 was helpful in providing our members with that
21 background.

22 Q And did that training and orientation of your
23 members continue as the JIGIT unit evolved in
24 terms of BCLC assisting and orienting new
25 members when there was turnover in the JIGIT

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee

1 team?

2 A (JH) Well, no. The team within JIGIT -- of
3 course when subject matter expertise on the
4 gaming industry was learned and of course GPEB
5 members helped a lot with that as well being we
6 had in-house GPEB members. We provided a
7 training process for when new members come to
8 our team to be able to gain understanding of all
9 the intricacies of the gaming industry.

10 Q And was that training that your JIGIT team was
11 able to provide based in part on what you and
12 the initial members had learned from BCLC's
13 presentations?

14 A (JH) I suppose in part, yes.

15 Q Switch topics a little bit, and I'll address
16 this for both you and Staff Sergeant Hussey and
17 Superintendent Cocks. We were provided by --
18 when I say participants were provided by
19 commission counsel with a witness summary in
20 preparation for your evidence. Did you receive
21 a copy of that?

22 A (JH) I believe I did, yes. I would have to see
23 the document, but I'm sure I did.

24 Q I don't know it's necessary to bring it up, but
25 one sentence in it said the panel will describe

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee

1 the early work done by JIGIT, including
2 analytical work to understand the enforcement
3 gap related to legal and illegal gaming venues
4 and related intelligence and information sharing
5 issues.

6 Now, I appreciate these are not necessarily
7 exacting, but I didn't hear any evidence about
8 understanding the enforcement gap related to
9 legal and illegal gaming venues. And I take it
10 that's preceding JIGIT. Was any analysis done
11 of that at the outset of JIGIT that either of
12 you were involved in?

13 A (JH) I'm sorry, could you repeat the question
14 there. I'm just not quite clear what you're
15 asking.

16 Q Well, this witness statement -- I'm sorry, it's
17 more a witness summary would seem to indicate
18 that the panel would describe analytical work
19 done by JIGIT to understand the enforcement gap
20 related to legal and illegal gaming venues.
21 Were either of you involved in any of that
22 analytical work?

23 A (JH) No. I didn't -- well, to be frank I didn't
24 write the summary, but if you ask -- if there's
25 a specific question you have with regards to the

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee

1 analytical work, I'd be able to answer.

2 Q When you joined JIGIT, did you -- had JIGIT
3 identified an enforcement gap related to legal
4 and illegal gaming venues that existed prior to
5 the formation of JIGIT?

6 A (DH) Well, yes. I mean, that was the -- yeah,
7 so that was the reason for the formation of
8 JIGIT was because there was no dedicated
9 enforcement -- law enforcement response to
10 high-level gaming. And as we gained
11 information, intelligence on -- and the
12 typologies and how the legal and illegal gaming
13 market were being exploited and the various
14 ways, yeah, it became evident to me that there
15 were analytical gaps and we looked to close
16 those gaps.

17 Q Now, when you say analytical gaps can you expand
18 on that? What you mean by analytical gaps?

19 A (JH) Well, I should actually -- let me rephrase
20 that. Intelligence gaps.

21 Q And so can you expand a little bit for the
22 Commissioner and the participants' benefit on
23 what type of intelligence gaps in a general
24 sense you're talking about?

25 A (JH) Yes. Well -- so I have experience in

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee

1 wide-ranging areas of policing and I am aware
2 that in certain areas of policing such as
3 homicides, drugs, firearms investigations there
4 is quite a bit of intelligence on that that's
5 out there. You know, like assets report on it.
6 It's very common.

7 Gaming related offences are distinctly
8 different in so much that there's just not a lot
9 of knowledge on not only what questions -- what
10 people would want -- law enforcement would want
11 to know to investigate but also what questions
12 to -- like, what are the areas of interest for
13 law enforcement and what are the effective ways
14 to -- and which teams to give that information
15 to.

16 So that's why we sought to not only build a
17 dedicated intelligence team but also to present
18 to a wide range of teams, police of
19 jurisdiction, to say that this is what we're
20 looking for, specifically what we're looking
21 for, information on high-level gaming houses,
22 book making, money laundering that's exploiting
23 legal and illegal facilities, and we're the team
24 to go to to provide your enforcement.

25 Q Did you have any sense when you identified this

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Mr. McFee
Exam by Ms. Mainville

1 analytical gap how long the gap had existed
2 preceding the formation of JIGIT?

3 A (JH) No, I don't have visibility on that. No.

4 Q And, Superintendent Cocks, do you have anything
5 to add to that?

6 A (SC) No. My involvement with JIGIT started in
7 April of 2019 so the dates reference for prior
8 to JIGIT are well distanced from my involvement.

9 MR. McFEE: Those are my questions for you. Thank
10 you very much.

11 THE COMMISSIONER: Thank you, Mr. McFee.

12 I'll turn now to Ms. Mainville on behalf of
13 Robert Kroeker, who has been allocated
14 ten minutes.

15 MS. MAINVILLE: Thank you, Mr. Commissioner.

16 **EXAMINATION BY MS. MAINVILLE:**

17 Q Mr. Hussey, could I first ask about current
18 trends you've identified in gaming facilities.
19 And perhaps I can bring your attention to -- if
20 we could pull up document CAN-1802 which IS a
21 PowerPoint presentation, I believe, that was
22 prepared for this commission. I take it you
23 prepared this presentation.

24 A (JH) I did, yes.

25 Q Okay. If I could bring you to page 4 or

Joel Hussey (for the commission)
Stephen Cocks (for the commission)
Exam by Ms. Mainville

- 1 slide 4. So you see here these are what you
2 have identified as gaming sector specific money
3 laundering methods; correct?
- 4 A (JH) Correct, yes.
- 5 Q And the first that you list here is structuring
6 at BC casinos consisting of multiple buy-ins
7 below the \$10,000 reporting thresholds; right?
- 8 A (JH) Correct. Yes.
- 9 Q And structuring, just to clarify for the record,
10 is effectively buying in below reporting
11 thresholds in order -- in an attempt to avoid
12 those thresholds effectively?
- 13 A (JH) Yes, in an attempt to avoid detection of
14 that, to trigger the threshold. Correct.
- 15 Q Right. And am I correct that there was an
16 increase or this became a trend, if I could put
17 it that way, following the implementation of the
18 source of funds declaration in 2018; is that
19 correct?
- 20 A (JH) Yes. That was when Peter German
21 provided -- yeah, following the recommendations
22 of Peter German.
- 23 Q Right. And is it fair to say that structuring
24 behaviour was relatively rarely observed prior
25 to the implementation of that recommendation?

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- 1 A (JH) I would not say that. I don't have that
2 kind of information to say whether it was or
3 wasn't.
- 4 Q Do you have the statistics or any data
5 indicating an increase at least?
- 6 A (JH) No, I don't have that. No.
- 7 Q Okay.
- 8 A (JH) I am aware, though, that it's a typology
9 that is common in casinos as it is a
10 vulnerability to casinos.
- 11 Q Right. Is it fair to say that in some cases it
12 can be done in an effort not so much to avoid
13 detection but to avoid certain requirements such
14 as proof of source of funds that apply when you
15 meet the \$10,000 threshold? In other words, is
16 it possible that in some of these instances of
17 structuring or potential structuring, you've
18 observed that in fact the intent is not to
19 structure the money?
- 20 A (JH) Well, I mean, the indicators for us that it
21 is structuring is pretty clear when there's
22 multiple ones that are just below, so I would
23 say that that's not the case.
- 24 Q Just to be clear, are you talking about -- can
25 you clarify that answer, basically? Is it that

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1 in any case where players are buying in below
2 \$10,000 you are considering it to be structuring
3 or are you trying to differentiate between an
4 attempt to avoid detection?

5 A (JH) Well, no, I mean what triggers the
6 awareness of structuring is multiple buy-ins
7 that are just below the 10,000 that are -- that
8 seem to be clear indicators of activity where
9 they're not trying -- where they're trying to
10 avoid detection. So it's not -- I'm getting
11 from what you're asking me is that it's a single
12 buy-in, but that's not the case. I would say
13 that multiple buy-ins just below that reporting
14 threshold is going to be an indicator of someone
15 who's trying to structure to avoid detection.

16 Q Yes, a hundred percent it would be an indicator
17 and should be looked into and investigated.
18 What I'm suggesting is that in not all of these
19 cases is the intent a criminal one, to avoid
20 detection effectively for criminal purposes. Is
21 that fair?

22 A (JH) I suppose it's possible that, yeah, that
23 would be the case. Yeah.

24 MS. MAINVILLE: Okay. I believe this hasn't been
25 filed yet as an exhibit, if we could do that.

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1 THE COMMISSIONER: Very well.

2 THE REGISTRAR: Exhibit 818, Mr. Commissioner.

3 **EXHIBIT 818: Presentation - Money Laundering**
4 **Enforcement CFSEU-BC JIGIT - April 7, 2021**

5 MS. MAINVILLE: And we can bring it down, please.

6 Q I just have a brief question about what was then
7 called Project Athena for -- again for you,
8 Mr. Hussey. Am I right that the main change
9 that was brought about by Project Athena was in
10 respect of how banks issue bank drafts?

11 A (JH) Yes. So Project Athena was to focus on the
12 stakeholders that had an anti-money laundering
13 interest that was affecting BC casinos. And so
14 we brought together the stakeholders. It
15 started with BCLC, GPEB, JIGIT, major banks and
16 the credit unions and it culminated to an excess
17 of probably 35 organizations and units and
18 agencies.

19 And yeah, we focused on underground banking
20 specifically dealing with the vulnerability that
21 bank drafts brought to casinos and banks. And
22 the banks all individually have their own stance
23 on it and I'm happy to say that our work within
24 Athena has culminated to banks making procedural
25 changes that have resulted in more effective

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1 ways for the banks and casinos to provide due
2 diligence and to confirm source of funds.

3 Q Right. And is it fair to say, then, that the
4 main change and the main gap identified was at
5 that level on the financial institution side to
6 provide more information on those bank drafts?

7 A (JH) Yeah, well, the gap was mostly the fact
8 that both sides, the banks and the casinos, felt
9 were -- were assuming that each were doing the
10 due diligence, but this way, putting the
11 remitter's name on the face of the bank draft,
12 puts BCLC in a good position to be able to
13 source the funds.

14 Q Right. But you accept that BCLC and casinos had
15 limited ways of obtaining that information when
16 presented with a bank draft?

17 A (JH) Yes, that's right. The bank draft, the
18 casinos assume that the banks were doing the due
19 diligence. That's right. Is that what you're
20 asking me?

21 Q Yeah.

22 A (JH) Yeah.

23 Q Yeah. And as you've stated already today,
24 you've indicated that the bank drafts -- the
25 money had already been laundered by the time it

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1 arrived at the casino?

2 A (JH) In the case of the bank drafts, yes.

3 Q Following the arrests of the nine individuals,
4 we've discussed not providing their names to
5 BCLC. So in respect of that, those arrests, are
6 you aware of a meeting that subsequently took
7 place between BCLC, GPEB and Paul Dadwal and
8 Kevin Hackett [phonetic] of JIGIT on July 5th,
9 2017?

10 A (JH) No, I'm not aware of that particular
11 meeting.

12 Q If I indicate that it was acknowledged at that
13 time by the JIGIT members in attendance that in
14 the context of that investigation and to the
15 extent you can confirm this for me, it was
16 acknowledged that no customer had -- no casino
17 customer had laundered proceeds of crimes
18 through a casino to make the funds appear as
19 winnings. Is that fair to say? Is that
20 accurate to say in the context of that
21 investigation?

22 A (JH) I'm sorry, I thought you were asking me
23 about that meeting.

24 Q Well, I'm just saying, if it was conveyed at
25 that meeting by the members of JIGIT that the --

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1 in effect, in respect of those arrests that --
2 or that investigation did not identify that
3 money was laundered through the casino in the
4 sense of the funds being -- or proceeds of crime
5 being brought into a casino and taken out to
6 make them appear legitimate. Is that an
7 accurate -- is that an accurate statement from
8 your --

9 A (JH) I'm sorry I'm really confused by your
10 question.

11 MS. FRENCH: Mr. Commissioner, this is Olivia French
12 for Canada. I would just ask that perhaps
13 Ms. Mainville can again rephrase her question.
14 And to the extent that it deals with a meeting
15 that Staff Sergeant Hussey wasn't a part of,
16 acknowledge that he's already limited his
17 knowledge on that front. And to the extent that
18 it asks for details and conclusions regarding
19 the E-Nationalize investigation, I would just
20 ask that those details -- remind Ms. Mainville
21 that those details are currently before Crown
22 counsel and cannot be shared.

23 THE COMMISSIONER: All right. I think that's a fair
24 comment, Ms. Mainville. I'm uncertain whether
25 you're asking Staff Sergeant Hussey about the

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1 details of E-Nationalize or whether you're
2 asking him about the details of a conversation
3 that he wasn't present for. So it's a little
4 confusing. I wonder if you could just clarify
5 what it is you're seeking to.

6 MS. MAINVILLE: I was asking about details of
7 E-Nationalize. If I'm not allowed to go there
8 that's fine.

9 THE COMMISSIONER: I think that's probably -- it's an
10 in-progress investigation.

11 MS. MAINVILLE: Okay. Fair enough.

12 Q Can I -- please do tell me, Mr. Hussey, if
13 you're able to answer this or not. In respect
14 of not providing the names of the arrestees to
15 BCLC, you testified that based on all you knew
16 or JIGIT knew, it was assessed that it would not
17 be a risk to public safety not to provide the
18 names; correct? That's what you've testified to
19 up to now?

20 A (JH) That's right.

21 Q And can I -- if you're able to answer, is it
22 fair to say -- is that conclusion based on the
23 fact that the actual casino patrons that may
24 have been related to this investigation did not
25 present a public safety issue?

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1 A (JH) Well, I'm not going to say who -- which
2 particular people we arrested and what role they
3 played in it, but we made the assessment based
4 on maintaining the integrity of an ongoing
5 investigation. And the central focus of our
6 analysis was to maintain public safety, which
7 was what BCLC was requesting. It was
8 essentially they were looking to maintain the
9 safety and prevent undesirables from within
10 their casino, and we made the determination by
11 not providing that that the public would not be
12 at any harm -- risk of harm.

13 Q Correct. And effectively I'm just trying to see
14 if you are able to -- on this public safety
15 issue if you're able to provide any further
16 clarification. And if you're not, that's fine,
17 but in terms of whether the basis for saying
18 there was no public safety issue is because
19 casino patrons did not -- because it was -- any
20 public safety issue was separate and apart from
21 legal gaming facilities, is effectively what I'm
22 trying to ask.

23 MS. FRENCH: Mr. Commissioner, this is Olivia French
24 for Canada again. I believe this question has
25 already been answered by the witness and it is

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1 probing into more details of an ongoing charge
2 assessment by Crown counsel.

3 THE COMMISSIONER: Yes. I think that's right.
4 Unless you can persuade me there's something
5 else you're getting at Ms. Mainville.

6 MS. MAINVILLE: Well, it's just from my perspective
7 there are many reasons that not providing the
8 names could have not presented a public safety
9 issue, and I was just trying to see if we are
10 able to flesh it out at all a bit more. But if
11 the constraints that apply don't allow for that,
12 then that's fine.

13 THE COMMISSIONER: I think the constraints really
14 don't permit you to go any further than you
15 have.

16 MS. MAINVILLE: Okay.

17 Q And then my last question is simply in terms of
18 that conclusion that it would not present a
19 public safety risk not to provide the names, was
20 that something that was conveyed to your
21 knowledge to BCLC?

22 A (JH) Yes, I believe it was. I can't recall the
23 specifics of it. We did have -- as I mentioned,
24 through the gaming integrity group we had
25 regular meetings with BCLC. Certainly there was

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1 no -- I want to make it clear there's no
2 mal-intent in not providing the names, so should
3 it have been brought up in any of the meetings
4 with BCLC after that, I would surely have just
5 been upfront about the reasoning. But I don't
6 recall any specific conversations that we had
7 with anyone within BCLC about that, so I
8 believed it to be a non-issue for the longest
9 time until this came up.

10 Q But you were not involved or you did not receive
11 specific communications from BCLC afterwards
12 because, to be fair, we've seen in the context
13 of this commission evidence that there were
14 repeated express concerns about the public
15 safety of patrons, staff, but you're not able to
16 assist one way or another in terms of confirming
17 that JIGIT did not have public safety concerns?
18 In respect of --

19 A (JH) Yeah, I was the one involved in the
20 analysis, and there was no public safety
21 concerns.

22 MS. MAINVILLE: Okay. Those are my questions. Thank
23 you.

24 THE COMMISSIONER: Thank you, Ms. Mainville.

25 MR. DAVIS: Mr. Commissioner, you may be muted.

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1 THE COMMISSIONER: Thank you. I'll now ask
2 Ms. Tweedie on behalf of the British Columbia
3 Civil Liberties Association to commence her
4 questioning, and Ms. Tweedie has been allocated
5 ten minutes.

6 MS. TWEEDIE: Thank you, Mr. Commissioner. I can
7 advise that we no longer have questions for this
8 panel.

9 THE COMMISSIONER: Thank you, Ms. Tweedie.
10 And finally Ms. French on behalf of Canada,
11 who has been allocated 15 minutes.

12 MS. FRENCH: Thank you, Mr. Commissioner.

13 **EXAMINATION BY MS. FRENCH:**

14 Q So just to begin, Superintendent Cocks, making
15 sure you are still with us.

16 A (SC) I am.

17 Q Can you confirm that you have over 27 years of
18 police and law enforcement experience?

19 A (SC) Yes, that's correct.

20 Q And when you were brought on as the managing
21 officer for JIGIT what expertise did you bring
22 with you into that role?

23 A (SC) I brought forward experience in major case
24 management, long-term investigations as well as
25 an accreditation as a team commander.

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1 MS. FRENCH: Thank you. Madam Registrar, can we
2 please bring up exhibit 811.

3 Q And, Staff Sergeant Hussey, this is a document
4 that Mr. Davis brought up for you earlier and it
5 is a series of org charts for JIGIT. Do you
6 recall having a discussion about this document?

7 A (JH) Sorry. Yes, I do. Muted.

8 MS. FRENCH: Thank you. Can we see the last page of
9 this document, please, Madam Registrar.

10 Q So, Staff Sergeant Hussey, I understand that
11 this represents the old structure of JIGIT. Can
12 you explain for the Commissioner how JIGIT was
13 originally structured?

14 A (JH) Yes, so it was originally structured where
15 we had a two-team structure, two operational
16 teams. The way we thought it would be most
17 effective at the time was to have one team
18 engaged in more long-term investigations, which
19 would be of course money laundering. And then
20 the other would be for more short-term projects,
21 short-term files, more response such as, let's
22 say, legal gaming houses as an example. And we
23 believed at that time that would be the most
24 effective way. And of course, you know, there
25 was a sergeant on each team, there was an

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1 analyst on each team and status support and a
2 team of investigators and GPEB investigators
3 split accordingly.

4 As we engaged in our operations, we realized
5 that money laundering investigations, when we
6 were engaged in them, involves the entire team,
7 not to mention hiring other resources on
8 contracts in various part-time roles. So we --
9 and this was also around the time where we made
10 the determination, as I discussed earlier, about
11 the coordinated intelligence model that was --
12 that we felt was missing and having the
13 intelligence components.

14 So as we developed the intelligence
15 component and developed GIIU, that's when we
16 determined that without loss of any resources we
17 could effectively move who we would need to over
18 to the GIIU side, the intelligence side, and we
19 would remain with our operations side that would
20 work different types of investigations covering
21 off all of our mandates to do with illegal
22 gaming. And that has been an effective
23 transition and effective going forward.

24 Q Thank you. And so when it comes to your
25 staffing and resources, can you speak a little

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1 bit about the level of turnover at JIGIT?

2 A (JH) Well, yes, I would say -- so my experience
3 in different units, obviously there is turnover
4 in the RCMP where there is -- you know, you lose
5 people to lateral movement, you know, people
6 have different goals in their career and they
7 move on to different areas and also there's
8 promotion. So there's movement that happens.

9 I would say that the average retention of a
10 member within JIGIT is three years. I would say
11 that that is average. Myself I've been here for
12 the full five years and there's another member
13 that has been there for five years and
14 everything in between. So I mean, I would say
15 that compared to other units I've been on the
16 retention of JIGIT is longer than most, but I
17 would say that approximately three years is the
18 average. And we try to retain people as long as
19 we can but of course people have other career
20 aspirations and other opportunities that are
21 encouraged within our organization.

22 MS. FRENCH: Thank you. And, Madam Registrar, can we
23 now please bring up Canada document 919.

24 Q Staff Sergeant Hussey, just let me know when
25 you're with us.

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1 A (JH) I have it here.

2 Q Do you recognize this document?

3 A (JH) I do, yes.

4 Q Can you explain what it is.

5 A (JH) I was requested via Project E-Neutralize,
6 it was a request from the Cullen Commission for
7 numerous requests with regards to our resourcing
8 structure, file information, org charts,
9 et cetera, and this was my response.

10 Q Thank you. And you wrote this document?

11 A (JH) I did, yes.

12 MS. FRENCH: Thank you. Mr. Commissioner, can I have
13 this entered as the next exhibit, please.

14 THE COMMISSIONER: Very well.

15 THE REGISTRAR: Exhibit 819, Mr. Commissioner.

16 **EXHIBIT 819: Responses from CFSEU for Cullen**

17 **Commission Requests 4(2)(A), (B) and (C)**

18 MS. FRENCH: And, Madam Registrar, when you can, if
19 we can scroll to the bottom of the first page.
20 There's the letter (b) and then (i) and a number
21 of bullet points. And maybe we can cross the
22 two pages so we can see the top of the next
23 page as well. Thank you. That's fine.

24 Q Staff Sergeant Hussey, can you explain what this
25 section is. It starts with a number of

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1 positions, staffed versus vacant. What does
2 that set out?

3 A (JH) So for this year, I broke it down by year
4 and I was asked to determine how many positions
5 were dedicated to money laundering and proceeds
6 of crime, how many were vacant for the year and
7 how many positions were vacant for part of the
8 year. And if so, how many months that totalled
9 for the ones that were for part of the year
10 vacant.

11 MS. FRENCH: Thank you. And scrolling down a bit
12 further, Madam Registrar, on the next page.

13 Q It's the sort of second main bullet, third
14 bullet down, it starts with "for JIGIT." Do you
15 see that Staff Sergeant Hussey?

16 A (JH) Yes, I do.

17 Q And you note that these vacancies were usually
18 filled within 2 to 3 months. Do you see that?

19 A Yes, that's correct.

20 Q And is that fairly average, again, based on your
21 experience in law enforcement?

22 A (JH) I would say that's more than average. We
23 worked hard to try to get people transferred
24 from other sections, teams as quick as possible.
25 Of course it's not always possible, but we tried

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- 1 to expediate that as much as possible. And from
2 my experience from lateral movement in our
3 organization, two to three months is very fast.
- 4 Q Thank you. And not to belabour the point, but,
5 Superintendent Cocks, you also have extensive
6 and expansive experience in law enforcement.
7 Would you agree with Staff Sergeant Hussey's
8 description of what the average length of a
9 position within a unit might be and turnover
10 rates with JIGIT?
- 11 A (SC) Yes. For JIGIT, yes.
- 12 Q Thank you. So turning now to some questions
13 that you received, Staff Sergeant Hussey, from
14 commission counsel and also from Ms. Mainville
15 earlier, you were asked about the E-Nationalize
16 investigation and arrest. Do you recall that?
- 17 A (JH) Do I recall the conversation? Yes, I do.
- 18 Q And you were asked by commission counsel about
19 whether your analysis of the decision to share
20 the names of those arrested was done
21 particularly with regard to BCLC. Do you recall
22 that?
- 23 A (JH) Yes, I do.
- 24 Q Just to sort of fill out that conversation,
25 what would have been the risk of sharing that

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1 information with BCLC?

2 A (JH) Well, my concern was connecting -- as I
3 mentioned, the investigation, although it led to
4 arrests which was what prompted the press
5 release, it does not mean it's the -- there is
6 still plenty of work that needs to be done on
7 the investigation. That was one component of
8 the investigation. My worry was that providing
9 those names, there would be some consequences
10 that would -- potential for -- obviously for
11 action by BCLC, potential for restrictions or
12 banning that may cause some effect or harm to an
13 investigation that has not yet been tested in
14 court.

15 MS. FRENCH: Thank you. Madam Registrar, we can pull
16 down this document now. The next document I
17 would like to bring up I did not provide ahead
18 of time of my intention to bring up, it's in
19 response to questions asked today, but I did
20 provide participants with some notice during the
21 course of testimony today. So this is GPEB1002.
22 But before we bring it up, Mr. Commissioner, I'd
23 like to seek your leave or the input of other
24 participants.

25 THE COMMISSIONER: All right. I take it everyone has

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1 received notice now of what this document is.

2 Is there any objection that any of the

3 participants wants to raise to the document?

4 I'll start with you Mr. Davis.

5 MR. DAVIS: No issue from commission counsel. Thank

6 you, Mr. Commissioner.

7 THE COMMISSIONER: All right. Thank you.

8 Ms. Harlingten?

9 MS. HARLINGTEN: No objection, Mr. Commissioner.

10 Thank you.

11 THE COMMISSIONER: And again, I don't what the

12 document is, but -- Mr. Leung?

13 MR. LEUNG: No objection.

14 THE COMMISSIONER: Ms. Harmer?

15 MS. HARMER: No objection. Thank you.

16 THE COMMISSIONER: Mr. McFee?

17 MR. McFEE: No objection, Mr. Commissioner.

18 THE COMMISSIONER: Ms. Mainville?

19 MS. MAINVILLE: No, thank you.

20 THE COMMISSIONER: Ms. Tweedie?

21 MS. TWEEDIE: No objection.

22 THE COMMISSIONER: All right. Well, I think you're

23 in the clear, then, Ms. French.

24 MS. FRENCH: Thank you, Mr. Commissioner, for your

25 understanding.

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1 Please bring up GPEB1002, please, Madam
2 Registrar.

3 Q And, Staff Sergeant Hussey, are you familiar
4 with this document?

5 A (JH) I am, yes.

6 Q And is it your understanding that it's the media
7 protocol for JIGIT between the Minister of
8 Public Safety, Solicitor General and the
9 Minister of Finance dated February 7th, 2017?

10 A (JH) Yes, it is. Yeah. I'm familiar.

11 MS. FRENCH: Can I ask that this be entered as the
12 exhibit, please.

13 THE COMMISSIONER: Very well.

14 THE REGISTRAR: Exhibit 820, Mr. Commissioner.

15 **EXHIBIT 820: Media Protocol for JIGIT**
16 **subsequent to Section 8 of the Operation and**
17 **Funding Agreement between the Minister of Public**
18 **Safety and Solicitor General and Minister of**
19 **Finance, February 7, 2017**

20 MS. FRENCH:

21 Q If you need to, you can refer to this document
22 of course, Staff Sergeant Hussey, but I'll just
23 ask you what is your understanding of the
24 protocol for JIGIT to follow when making a media
25 statement or release?

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1 A (JH) So our -- when it comes to any
2 forward-facing media releases to do with any of
3 our investigations, our responsibility as per
4 our mandate letter and media protocol that has
5 been set is for us to provide any information to
6 do with that release to police services, and
7 then from there they will provide communications
8 through the Ministry of Finance.

9 Q Is it your understanding that the responsibility
10 for communications about JIGIT activity or JIGIT
11 press releases, the responsibility for
12 communicating that to BCLC, does that rest with
13 JIGIT?

14 A (JH) Yeah. That was my understanding, and my
15 understanding is that does not rest with JIGIT.

16 MS. FRENCH: Thank you. Madam Registrar, we can take
17 down that document now, please.

18 THE COMMISSIONER: Sorry, I may have misunderstood.
19 Could you ask that last question again. I may
20 have misunderstood your question.

21 MS. FRENCH: Yes. Thank you, Mr. Commissioner. It
22 was a poor question.

23 Q My question to Staff Sergeant Hussey was, to
24 rephrase it more clearly, does the
25 responsibility for communicating about upcoming

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1 arrests or press releases to BCLC rest with
2 JIGIT?

3 A (JH) Yeah, it does not. And my recollection
4 from the reason why is solely to do with the
5 fact that BCLC -- the spirit of this was that
6 BCLC is to remain at the arm's length of police
7 and that any discussions, any further -- any
8 information on any releases to do with an
9 investigation will be worked out between
10 communications between PSB and the Ministry of
11 Finance.

12 Q If that is sufficiently clear, I think we can
13 take down that document now and turn to
14 exhibit 818 which Ms. Mainville took you to
15 earlier. Document 1802, the money laundering
16 enforcement presentation, Staff Sergeant Hussey.
17 Do you see that on your screen, Staff Sergeant
18 Hussey?

19 A (JH) I do, yes.

20 Q So earlier in response to questions from
21 Mr. Davis, you noted that the E-Nationalize
22 investigation was a complex money laundering
23 investigation. I think it would assist
24 the Commissioner if could you expand on why
25 money laundering investigations generally are

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1 complex and resource intensive?

2 A (JH) Yes, certainly. I think in order for me to
3 go through this it would be most effective,
4 Madam Registrar, if you could go to slide 8
5 where I could perhaps start.

6 Okay. So money laundering, as I've said
7 throughout my testimony thus far, the problems
8 with investigating have to do -- a lot to do
9 with the fact that it is a highly complex
10 offence to investigate. It involves concealing
11 the converting of funds, but most importantly we
12 need to be able to show the knowledge or belief
13 that the funds come from criminal origins. So
14 if I'm going to be able to compare to other
15 offences, which I think is good way of doing it,
16 for example, a murder investigation, there is
17 evidence that exists such as weapons, forensics,
18 eyewitnesses.

19 But another -- a good comparison is through
20 other investigations to do specifically with
21 commodities. So I'm going to use drugs or
22 firearms of course which primarily -- for the
23 most part cannot be possessed legally and
24 certainly for the most part cannot be trafficked
25 legally, obviously. They are illegal to be

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1 trafficked.

2 Both of those commodities require hands-on
3 possession and drugs and firearms also are not
4 worth anything unless they're sold. So they're
5 commodity-based offences, do allow for easier
6 facilitation of covert techniques and evidence
7 gathering. So unlike a commodity-based
8 investigation, money laundering -- money can be
9 exchanged. But absent of the knowledge of its
10 origin, money laundering -- it makes money
11 laundering that much harder to be proven.

12 Q Thank you. Staff Sergeant Hussey. I'm mindful
13 of time and staying within the confines of my
14 redirect, so I'll just take you now to slide 10
15 of that presentation, if that's all right,
16 because you mentioned the mental element or the
17 knowledge of. And can you just explain why you
18 have included these elements in your
19 presentation.

20 A (JH) Yes. So the *mens rea* for money laundering
21 is of course we need to be able to show the
22 guilty mind, *mens rea*. So we need to be able to
23 show either direct knowledge as the *Criminal*
24 Code outlines. We need to provide -- sorry,
25 direct knowledge, willful blindness or

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Stephen Cocks (for the commission)
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1 recklessness. So direct knowledge of course
2 that's -- when you're dealing with -- at the
3 highest level of organized crime which course is
4 what we're mandated to do. All of these things
5 are difficult because professional money
6 launderers, organized crime at the highest
7 level, will always go out of their way not only
8 to distance themselves from predicate crime but
9 to get the opportunity to be able to have that
10 knowledge or belief is difficult.

11 So the three main elements within *mens rea*
12 of which -- three areas of which *mens rea* can
13 originate from can be direct knowledge, can be
14 willful blindness. And when I say willful
15 blindness, it is essentially a substitute for
16 knowledge. So that would be when a person has
17 become aware of the need for an inquiry but
18 consciously declines to make that inquiry
19 because they do not wish to know the truth. Or
20 recklessness. Recklessness is essentially
21 having knowledge of the risk but continues to
22 carry out that prohibited activity. So it's
23 seeing the risk but still taking the chance.

24 Q And perhaps now slide 13, please, Madam
25 Registrar. Just going on to some other points

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1 that were touched on with the complexities of
2 money laundering investigation and collecting
3 evidence. And we also know that money
4 laundering investigations can take a long time,
5 so I'm wondering if you can explain to us what
6 this slide sets out?

7 A (JH) Yes, certainly. So obviously in a money
8 laundering investigation there's going to be a
9 great deal of physical and electronic
10 surveillance. With the electronic surveillance
11 of course and other techniques there's going to
12 be a great deal of judicial authorizations, so a
13 lot of transition, data recorders, tracking
14 warrants, general warrants, search warrants,
15 production orders and Part 6 interceptions.

16 The current state of receiving production
17 orders from banks is generally three months.
18 And of course, as mentioned here on an active
19 undercover operation, such evidence can be --
20 critical evidence can be missed due to these
21 delays.

22 We must allow for asset recruitment of
23 course. As mentioned, the knowledge or belief
24 being a big need for the application of that.
25 And of course the pre-approval processes for

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Stephen Cocks (for the commission)
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1 that, not only the recruitment but the approval
2 process is very lengthy, the approval process
3 alone being 9 to 12 months. Since money
4 laundering is transnational, it involves many
5 different countries, includes other countries.
6 Obviously money laundering investigations vary
7 in size and scope, but we are frequently called
8 upon to inquire internationally and the MLAT
9 treaty and the applications and the likely
10 process that takes place with that for
11 international evidence gathering is often not
12 possible to explore.

13 I look at also FINTRAC disclosures in
14 collecting the evidence. Although helpful when
15 they do come, they do require -- they do come
16 with a lot of complex information and high
17 volume. That must be analyzed and it does take
18 a while for it to come because there is a lot of
19 work that goes into this. And it is helpful, as
20 I mentioned, because it does make links about
21 you the time delays we deal with in our
22 investigations.

23 The interviews of suspects and witnesses,
24 translation and analysis of intercepted private
25 communications is also lengthy. I should note

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Stephen Cocks (for the commission)
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1 that translation, when there is an issue to come
2 with translation, that is always complicated.

3 Maybe we can go to -- Madam Registrar, can
4 we go to slide 16.

5 This is continuing now on from some of these
6 difficulties and it deals with the file
7 management disclosure. Downloads and analysis
8 of devices that get seized. I touched on the
9 translation and transcription. Just to
10 demonstrate the amount of work that goes into
11 the translation of one hour of material when you
12 consider translating, transcribing and proofing.
13 One hour of translation equates to approximately
14 30 hours of work. So as an example one of our
15 money laundering investigation had approximately
16 1,000 hours of a foreign language. So you can
17 imagine the amount of support staff that would
18 be required for that.

19 Also when you achieve a large holdings and
20 data evidence such as what I've mentioned of
21 course you then have to deal with the analysis
22 and correlation of that evidence and synthesis
23 of the evidence and incorporation into your
24 Report to Crown Counsel the charges that you are
25 seeking.

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1 Disclosure management and electronic
2 facilitation to Crown is obviously a big
3 endeavour, not only by the police but also the
4 Crown. And obviously managed by a file
5 coordinator to fill out a disclosure team. And
6 of course there is often multiple disclosure
7 packages that go forward with the large amount
8 of electronic and a lot of stages of the
9 investigation that take place after the arrests
10 and submission of that RTCC.

11 Large amounts of human resources are
12 required to compile and review and vet as most
13 of you know. One piece of evidence that's not
14 vetted can have negative -- grave negative
15 implications to the file.

16 I mentioned the RTCC preparation, which is
17 voluminous.

18 *R v. Jordan*. Of course that's likely been
19 mentioned before. That is the framework that
20 sets the length of time post-charges to -- a
21 timely -- to allow for a timely trial. That has
22 a big effect on disclosure timelines and charge
23 approval process.

24 And of course once we do provide those
25 multiple disclosure -- the number of disclosure

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Stephen Cocks (for the commission)
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1 packages to Crown, there is the amount of time
2 that is needed for extensive review by Crown in
3 their consideration of charges.

4 MS. FRENCH: Thank you. Mr. Commissioner, I
5 recognize that I have exceeded my time limit.
6 There's one more document that I would like to
7 take the witnesses too I don't expect to be more
8 than five more minutes, if I can have your
9 permission to do so.

10 THE COMMISSIONER: Yes, all right.

11 MS. FRENCH: Thank you. Madam Registrar can we
12 please bring up Canada document 001800.

13 Q Staff Sergeant Hussey, do you have this document
14 in front of you?

15 A (JH) Yes, I do.

16 Q And do you recognize this document?

17 A (JH) I do, yes.

18 Q And can you briefly explain how this document
19 was prepared, where it came from.

20 A (JH) Yes. This was the great work of an analyst
21 within CFSEU who provided a -- wanted to give an
22 overview of money laundering investigations and
23 it was a research of several different money
24 laundering investigations. Of course they are
25 all different -- they all vary and none are the

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Stephen Cocks (for the commission)
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1 same, but of course she wanted to be able to
2 find some -- do an analysis on investigative
3 resources particular to the impact of money
4 laundering -- the impact of resources that take
5 place in an average money laundering file.

6 MS. FRENCH: Thank you. And so I don't forget, can
7 we please mark this as an exhibit,
8 Mr. Commissioner.

9 THE COMMISSIONER: Very well.

10 THE REGISTRAR: Exhibit 821, Mr. Commissioner.

11 **EXHIBIT 821: A Resourcing Overview of Major**
12 **Money Laundering Investigations in BC, prepared**
13 **by RCMP E-Division in partnership with**
14 **CFSEU-BC's Strategic Research Office**

15 THE COMMISSIONER: Thank you.

16 MS. FRENCH: Madam Registrar, can we please turn to
17 page 4 of this document, which I imagine is PDF
18 page 5.

19 Q Thank you. Staff Sergeant Hussey, you see these
20 two tables here at the top of this document?

21 A (JH) Yes, I do.

22 Q And one of them I understand sets out the total
23 number of hours a money laundering file requires
24 compared to a drug file investigation. And
25 likewise table 2 sets out the total hour cost of

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Stephen Cocks (for the commission)
Exam by Ms. French

1 a money laundering file compared to a drug file.
2 Could you explain these numbers a little bit and
3 just let us know in your experience if this is
4 accurate.

5 A (JH) Yes. So I have been a part of many drug
6 investigations in various capacities, so I can
7 speak to both the amount of resources and time
8 and effort that go into both types of
9 investigations. And although I don't know
10 obviously the intricacies of the amount of work
11 that went -- the amount -- like, the actual data
12 analysis that took place, I would say that it is
13 an accurate depiction when you consider the
14 number of hours that go into a money laundering
15 investigation compared to a drug investigation.
16 And I think it is accurate in saying that it is
17 commensurate with approximately ten times the
18 amount of hours for money laundering compared to
19 drugs as it outlines here. And then also the
20 costs, I would say, are -- that is accurate, in
21 my opinion.

22 MS. FRENCH: Madam Registrar, if we could go to the
23 next page, please.

24 Q The top of this page is another table which sets
25 out some of the authorizations which speak to

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1 the disclosure -- the volume of disclosure that
2 you are speaking to earlier in your
3 presentation, Staff Sergeant Hussey. But just
4 below that you see a heading that says "Summary
5 of Takedown Days and Resources." Do you see
6 that?

7 A (JH) Yes, I do. Yes.

8 Q Very briefly can you just explain what a
9 takedown day is?

10 A (JH) A takedown day would be the day where you
11 plan to perform overt enforcement, which would
12 involve -- in the case of multiple accused, it
13 involves a lot of planning and a lot of
14 resources to be able to coordinate that. It
15 involves both a uniform and non-uniform
16 presence. It involves often multiple search
17 sites of which there has to be accounting for
18 safety of the public and the police, accounts
19 for many resources. It requires interview
20 resources. It requires a large number of
21 people. It requires -- often when it comes
22 to -- when I speak of uniform, it often can
23 require translation resources.

24 And the days following and days and weeks
25 following requires a lot of followup as well

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Stephen Cocks (for the commission)
Exam by Ms. Harlingten

- 1 MS. HARLINGTEN: Could you bring that up. Thank you
2 very much, Madam Registrar.
- 3 Q Staff Sergeant Hussey, in response to my friend
4 Ms. French's question, I understood your
5 answer to be that it was not JIGIT's
6 responsibility to release information to BCLC.
7 Do I have that right?
- 8 A (JH) That's correct, yes. With regards to --
9 yes, with regards to media releases.
- 10 Q Right. So that was the question of
11 clarification I had, Staff Sergeant Hussey. Did
12 you understand this to be relating only to media
13 releases, not to all information sharing
14 generally?
- 15 A (JH) Specifically for media releases.
- 16 Q All right. And so the information if it's not
17 related to a media release within JIGIT's
18 discretion as to whether to disclose something
19 or not?
- 20 A (JH) Well, I mean, we followed this as outlined
21 by the province with regards to the media
22 release, yes.
- 23 Q All right. So information that's not subject to
24 media release wouldn't be covered by this
25 agreement, is what I understand.

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Stephen Cocks (for the commission)
Exam by Ms. Harlingten
Exam by Mr. Davis

1 A (JH) That's correct. That would be covered with
2 within our information sharing agreement with --
3 in reference to BCLC, this would be through our
4 ISA that we have with BCLC with regards to info
5 sharing outside of media releases.

6 MS. HARLINGTEN: That's very helpful. Thank you,
7 Staff Sergeant Hussey.

8 Thank you, Mr. Commissioner. Those are all
9 my questions.

10 THE COMMISSIONER: Thank you. Mr. Davis?

11 MR. DAVIS: Yes. Thank you, Mr. Commissioner. Just
12 a few matters arising.

13 **EXAMINATION BY MR. DAVIS (continuing):**

14 Q Staff Sergeant Hussey, I'm a little -- require a
15 little bit of clarification on my friend
16 Ms. Harlingten's question. What entity made the
17 decision not to share the names with BCLC? Was
18 it PSG or was it JIGIT?

19 A (JH) To not share the names, that would have
20 been JIGIT. That would have been our decision.

21 Q Okay. So the reference to PSG and media
22 releases had no applicability to what was going
23 on with BCLC and the names there?

24 A (JH) That was -- that media protocol and my
25 understanding of that had to do with the media

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Stephen Cocks (for the commission)
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1 release. The release of the names was a
2 separate issue from our perspective that we had
3 discretion on.

4 Q So it had -- so that document has no
5 applicability to the RCMP to BCLC's information
6 sharing? It's not applicable; is that correct?

7 A (JH) Yes, the -- yeah, the ISA with BCLC has to
8 do with the info sharing of names.

9 Q Okay. And Ms. French took you to a document
10 that spoke to the resources required for major
11 money laundering investigations. How many money
12 laundering investigators would be necessary for
13 a file of the size that is 10,000-plus hours?

14 A (JH) It would be hard for me to give you an
15 accurate number for that. It would depend on
16 the -- if you're talking about a file of 10,000
17 hours, that could be any -- it depends on the
18 type of -- what you're investigating, it depends
19 on -- I assume you're talking about a money
20 laundering investigation, but it would be hard
21 for me to say what kind of money laundering
22 investigation that would involve.

23 Q Well, a 10,000-plus hour major money laundering
24 investigation, let's break this down. How many
25 hours can an investigator work every year? Do

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Stephen Cocks (for the commission)
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1 you have a sense of the maximum hours that some
2 of your investigators work?

3 A (JH) I have an idea of how many hours, yeah, my
4 investigators would work. For money laundering
5 investigations we frequently have to go to -- we
6 rely on seconded resources, resources that we
7 hire. We use the support teams within CFSEU.
8 Of course there's a lot of support teams,
9 surveillance teams, legal application teams to
10 name a couple. There are a lot of supporting
11 teams. So it would be difficult to speak in --
12 to speak with any kind of level of preciseness,
13 but I would say that in excess of -- are you
14 talking about the 10,000 hours?

15 Q My question for you, Staff Sergeant Hussey,
16 right now is what is the maximum number of hours
17 that one of your investigators in JIGIT will
18 work a year? Do you have an estimate of that?
19 Roughly.

20 A (JH) On one particular investigation or their
21 man hours in a year?

22 Q Just total. Just total the number of hours that
23 they've worked for the RCMP JIGIT in a year.
24 The maximum. Not on one investigation, just the
25 hours per year.

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Stephen Cocks (for the commission)
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1 A (JH) Well, an average member I believe works
2 about -- on a 40-hour a week -- based on 40 hour
3 week I believe it's about 2,500 hours that they
4 work regular hours, but of course that doesn't
5 include overtime.

6 Q Okay. And so is your evidence that to deal with
7 those sorts of investigations that JIGIT is
8 relying on other sources, other RCMP resources
9 for surveillance and otherwise?

10 A (JH) Yeah, that's correct.

11 MR. DAVIS: Okay. Thank you, Mr. Commissioner. I
12 think those are all my questions.

13 Thank you, Staff Sergeant Hussey.

14 THE COMMISSIONER: All right. Thank you. And thank
15 you to Staff Sergeant Hussey and Superintendent
16 Cocks for your time and sharing your experience
17 and expertise with us. It has been helpful to
18 the commission. You are excused now from
19 further evidence.

20 And I think we can adjourn now until
21 tomorrow morning at 9:30, Mr. Davis.

22 MR. DAVIS: Yes, correct, Mr. Commissioner. Thank
23 you.

24 THE COMMISSIONER: Thank you.

25 THE WITNESS: (SC) Thank you, Mr. Commissioner.

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Stephen Cocks (for the commission)
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1 THE WITNESS: (JH) Thank you, Mr. Commissioner.

2 THE REGISTRAR: The hearing is now adjourned to

3 April 8th, 2021 at 9:30 a.m. Thank you.

4 **(WITNESSES EXCUSED)**

5 **(PROCEEDINGS ADJOURNED AT 2:15 P.M. TO APRIL 8,**

6 **2021)**

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