

**PROCEEDINGS AT HEARING
OF
MARCH 10, 2021**

COMMISSIONER AUSTIN F. CULLEN

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March 10, 2021

(Via Videoconference)

(PROCEEDINGS COMMENCED AT 9:30 A.M.)

THE REGISTRAR: Good morning. The hearing is now resumed. Mr. Commissioner.

THE COMMISSIONER: Thank you, Madam Registrar.

And I think given the lapse of time between Mr. Meilleur's direct examination by commission counsel and today, it would be prudent to have him either resworn or reaffirmed, Madam Registrar

THE REGISTRAR: Yes.

**LEN MEILLEUR, a witness
called for the
commission, sworn.**

THE REGISTRAR: Please state your full name and spell your first name and last name for the record.

THE WITNESS: Yes. My full name is Joseph Emile Leonard Meilleur, Leonard, L-e-o-n-a-r-d, Meilleur, M-e-i-l-l-e-u-r, and I go by Len. Thank you.

THE REGISTRAR: Thank you.

THE COMMISSIONER: Thank you. And, Ms. Latimer, I understand that you have finished your examination of Mr. Meilleur. Is that correct?

1 MS. LATIMER: That's correct.

2 THE COMMISSIONER: All right. Thank you.

3 I'll call, then, on Canada, Mr. Simonneau,
4 who has been allocated 10 minutes.

5 MR. SIMONNEAUX: Thank you, Mr. Commissioner. We've
6 had a chance to review the evidence given by
7 Mr. Meilleur in direct and have no questions for
8 him at this time.

9 THE COMMISSIONER: All right. Thank you.

10 MR. SIMONNEAUX: Thank you.

11 THE COMMISSIONER: I'll then turn to Mr. Smart on
12 behalf of the British Columbia Lottery
13 Corporation, who has been allocated 30 minutes.

14 MR. SMART: Thank you.

15 **EXAMINATION BY MR. SMART:**

16 Q Mr. Meilleur, you assumed the executive director
17 position, you have told the Commissioner, at the
18 beginning of 2015?

19 A Executive director job position of compliance,
20 Mr. Smart?

21 Q Yes. I'm sorry, yes.

22 A Yes, Mr. Smart. No, that came in December of
23 2014.

24 Q All right. What did you understand -- we all
25 appreciate that GPEB's role was as the

1 regulator, but what did you see as GPEB's sort
2 of day-to-day responsibilities were in so far as
3 it relates to crime in casinos?

4 A Sorry, Mr. Smart, you cut out. The internet.

5 Q In so far as it relates to crime -- criminal
6 offences committed in casinos?

7 A Yeah, I apologize Mr. Smart, but your internet
8 connection fell off. I couldn't hear the
9 question.

10 Q Maybe I got my water glass in front of the mic.
11 When you assumed responsibilities, Mr. Meilleur,
12 what did you understand GPEB's responsibilities
13 were in relation to criminal activities in legal
14 casinos?

15 A In terms of legal casinos, GPEB's responsibility
16 was in terms of criminal activity, the -- if
17 there was a nexus to gaming, in other words
18 someone was investigating something around
19 gaming such as cheat at play or other matters
20 and something minor of a criminal nature came
21 along, then the investigators had reached out or
22 would reach out to law enforcement to seek
23 support permission and could do investigations
24 of some of those minor matters of the nexus to
25 the *Gaming Control Act*. Or it might not be a

1 *Gaming Control Act* offence as long as the police
2 or the Crown supported our investigation of
3 that. My understanding from the directors of
4 investigation was they would do that and then
5 Mr. Smart, submit a report to Crown counsel for
6 approval.

7 Q Yes. Did you understand GPEB -- one of its
8 responsibilities to be managing an investigation
9 program that includes investigating all
10 complaints and allegations of wrongdoing
11 relating to gaming and assisting law enforcement
12 agencies in all criminal investigations in
13 gaming facilities?

14 A Investigations of wrongdoing that applied to the
15 *Gaming Control Act* and assisting law enforcement
16 in terms of matters where law enforcement may be
17 investigating something and require our
18 assistance such as money laundering or proceeds
19 of crime, GPEB could offer assistance to them.
20 Similar to the IIGET model that was in place
21 years ago and the current model, Mr. Smart, with
22 JIGIT.

23 Q You were asked questions last day by
24 Ms. Latimer, Mr. Meilleur, about your -- the
25 investigators special police constable status,

1 and did I understand that you didn't believe
2 that the investigators that were special police
3 constables had the authority to investigate
4 criminal offences in relation -- criminal
5 offences that occurred in relation to gaming?

6 A As long as there was a nexus to gaming and, as I
7 said, with the approval of the police of
8 jurisdiction, they might be able to do minor
9 matters. But when it came to investigation of
10 *Criminal Code* matters, it wasn't a belief; it
11 was a legal opinion that we had received saying
12 that we cannot investigate *Criminal Code*
13 matters. It's not our responsibility. But
14 where there was a nexus to gaming, Mr. Smart --

15 Q Yes?

16 A -- and as I said, someone may be investigating
17 cheat at play or more maybe contacted about a
18 theft in a casino, the investigators would reach
19 out to the police, speak to their supervisor,
20 and my understanding was they would do those
21 minor matters and submit the reports to Crown
22 counsel because it was a nexus to something they
23 were doing in gaming. That's my understanding.
24 The legal advice I received from legal services
25 branch was clear to me about our authority under

1 the *Criminal Code of Canada*.

2 MR. SMART: Let me -- Madam Registrar, if you could
3 bring up a GPEB document P0066. This shouldn't
4 go on the public -- display to the public
5 because it's a privileged document.

6 MR. DELBIGIO: Mr. Commissioner, it's Greg DelBigio.
7 Is this one of these times when I should be not
8 looking at the screen?

9 THE COMMISSIONER: That's a good question,
10 Mr. DelBigio. I think this is a section 29
11 document, is it not, Ms. Latimer?

12 MS. LATIMER: Yes, Mr. Commissioner, this document
13 has been produced pursuant to section 29 of the
14 act, and the directions that we're seeking is
15 that it not be made public via the livestream
16 and it also be restricted from public
17 distribution and not published on the website.
18 This is not a document that's been produced to
19 Mr. Jin through his counsel, so I think it's
20 appropriate that he, yes, look away from the
21 monitor that is to be displayed.

22 THE COMMISSIONER: Thank you. If you would, then,
23 just turn away for the moment, Mr. DelBigio.

24 MR. DELBIGIO: I will. Thank you.

25 THE COMMISSIONER: Thank you. Thank you for raising

1 that.

2 MR. SMART:

3 Q I'm not going to go through this in any detail,
4 Mr. Meilleur, but it starts with the lawyer who
5 prepared the opinion for you stating the issue
6 that -- it says:

7 "You've asked us to consider the
8 proposition that employees of the Minister
9 of Finance's Gaming Policy and Enforcement
10 Branch have the lawful authority to
11 enforce part 7, disorderly houses, gaming
12 and betting of the *Criminal Code* of
13 Canada."

14 Do you recall that was the request that you made
15 to the solicitor?

16 A I recall at the time that Mr. Lightbody had
17 expressed some concern to GPEB around illegal
18 gaming houses and yes, that was a part of the
19 discussion with our counsel.

20 Q Is this the opinion you're referring to in your
21 affidavit and your evidence as to why you didn't
22 think that you saw the limitations on
23 investigators' powers to investigate criminal
24 offences?

25 A I relied on this opinion and conversations with

1 Mr. Dorian at various times throughout my years
2 of tenure at the GPEB around both this -- in
3 particular disorderly or gaming houses and also
4 money laundering. We had those conversations.

5 Q Right. I'll just -- if you just scroll up a
6 couple of lines, please, Madam Registrar.

7 He says at the second paragraph:

8 "The issue was brought to our attention at
9 this morning's meeting along with a
10 request that our analysis be provided to
11 you by 4:00 p.m. today."

12 Do you recall the reason for the urgency for the
13 opinion?

14 A I don't recollect that, Mr. Smart.

15 Q Okay. This was an important issue, though,
16 wasn't it, in a sense of GPEB's investigators'
17 ability to assist in dealing with these large
18 suspicious cash transactions, what is -- what
19 did GPEB's investigators -- what are their
20 powers. This is an important issue, wasn't it?

21 A The legal opinion was an important issue?

22 Q Well, the issue of what investigators' powers
23 were to address the concerns about these large
24 suspicious cash transactions that were coming
25 into casinos.

1 A Yeah, it had been a concern for years through
2 Mr. Vander Graaf and other various entities or
3 leaders at GPEB.

4 Q Yes.

5 A And continued to be a concern for years. Almost
6 from my time of arrival at GPEB in 2007 there
7 had been discussions about a concern as to how
8 GPEB could address that. We'd even gone to the
9 point, Mr. Smart, of asking various times for an
10 independent law enforcement unit to be approved
11 for GPEB, and most recently with the JIGIT unit
12 being formed we were advised by police services
13 that no such powers would be given to us, as it
14 would fall within the police and we could assist
15 the police much like we did in the IIGET model.

16 Q Right at the end of this opinion, the author --
17 and I'm not naming this person -- it's at
18 page 4, Madam Registrar. Paragraph 16.

19 A Yes.

20 Q He concludes by saying:

21 "GPEB employees who seek to enforce the
22 *Criminal Code* would not have authority to
23 do so and would be subject to serious
24 criminal sanction and potential civil
25 liability."

1 Insofar as GPEB employee investigators who are
2 special police constables seeking to enforce
3 criminal offences that occur in relation to
4 gaming, you know now that that opinion is
5 incorrect?

6 A Well, I wouldn't say the opinions are correct.
7 I wouldn't agree with that. I would agree that
8 he said in the opinion as well, similar to the
9 work that we did with IIGET, that there's an
10 appropriate part. He says in paragraph 13:

11 "It is our understanding that GPEB's SPCs
12 provided assistance to police officers as
13 part of this continued initiative known as
14 the IIGET. There is nothing inappropriate
15 about that."

16 So in terms of conducting investigations with
17 the police or supporting the police or with the
18 permission of the police or the Crown, I took
19 that to mean there's nothing appropriate about
20 that, but independently doing investigations of
21 *Criminal Code*, I was -- as you pointed out in
22 paragraph 16, it was made very clear to me as to
23 what my authority was -- GPEB's authority, not
24 mine.

25 Q Were you aware at this time that other

1 ministries of the provincial government had
2 investigators that have special police constable
3 status that were conducting *Criminal Code*
4 investigations in relation to issues that arose
5 within their jurisdiction?

6 A I don't know exactly what authority the powers
7 are provided to them, whether there were other
8 agreements. I can't answer that question.

9 Q For example, the Ministry of Health, they had
10 investigators with special police constables
11 that were investigating fraud and *Criminal Code*
12 offences in relation to billings to PharmaCare
13 or by doctors. Did you -- were you aware of
14 that?

15 A I was aware that there were other Special
16 Provincial Constables in government, but I have
17 never seen their designation or whether or not
18 they had memorandums or understanding or
19 agreements to provide that to them. I can't
20 answer that, sir.

21 Q I'm trying to understand given the GPEB are
22 special investigators or special police
23 constables, why didn't you seek an outside
24 opinion on this issue? Because it just seems so
25 central to the investigators' ability to

1 investigate matters such as money laundering,
2 proceeds of crime, loan sharking. Why didn't
3 you seek an outside opinion?

4 A Well, it seemed to be in my view consistent with
5 a previous opinion that was given prior to this
6 when GAIO existed that was provided as well.
7 And it seemed to be consistent with some of the
8 reporting or understanding. For example when
9 Mr. Kroeker wrote his report in 2011, he spoke
10 about the limited powers of GPEB in particular
11 around the investigations of money laundering.
12 And that seems to have been consistent
13 throughout Vander Graaf, Mr. Vander Graaf's
14 tenure under both Mr. Sturko and Mr. Scott, and
15 then under Mr. Mazure. So I was clear in
16 reading this opinion from our legal services
17 branch to go outside without having to get
18 approval, I was not going to get into conflict
19 with the legal services branch. I relied upon
20 the opinion and I believed it to be appropriate
21 and acted on it.

22 Q Okay. Have you had a chance to review a
23 transcript of your evidence, Mr. Meilleur?

24 A I have to -- yes, I have, Mr. Smart.

25 Q Yes. I just want to ask you a bit further about

1 a couple of the answers that you gave. Not to
2 challenge you, just to ask you to amplify them a
3 little bit. If I could get you to turn to
4 page 33.

5 A Okay. I'm there, Mr. Smart.

6 THE COMMISSIONER: Mr. Smart, I'm just going to
7 interrupt for a second. Are you done with the
8 letter at this point?

9 MR. SMART: I'm sorry. Thank you, Mr. Commissioner,
10 yes.

11 THE COMMISSIONER: All right. So, Mr. DelBigio, no
12 further need to avert your eyes. Thank you.

13 MR. DELBIGIO: Thank you.

14 MR. SMART:

15 Q At page 133 you're discussing moving to phase 3
16 of the AML strategy, and you say at line 3:

17 "But when it came to phase 3, the
18 enforcement piece, that's where the
19 difficulty came in terms of my lens around
20 how we solve that. So I felt the pressure
21 that the onus was being put upon myself
22 and my team to resolve any issue without
23 any clear support from the most senior
24 levels of government, and that caused me
25 stress, and I fully understood why the

1 frustration came that based on the data,
2 based on the police investigations, based
3 on the intelligence, there was more needed
4 to be done but as a regulator we had
5 limited authority to do that. And that
6 was very, very frustrating."

7 What do you mean when you say "senior levels of
8 government"?

9 A [Indiscernible].

10 Q Pardon me?

11 A Sorry, Mr. Smart for interrupting you. I am
12 referring to the office of the Associate Deputy
13 Minister, the deputy minister and the minister's
14 office in terms of opening up the *Gaming Control*
15 *Act*. That discussion had gone on for years
16 about bringing the *Gaming Control Act* to a more
17 current version to open it to allow us to review
18 what powers might be able to be applied to GPEB
19 in all areas, not just in compliance, whether it
20 be registration, whether it be licensing and
21 grants and those areas. But in particular with
22 that there was an expectation put upon GPEB by
23 government in terms of resolving and working
24 with police and BCLC who were doing the role
25 around money laundering to bring a resolution to

1 that. I was troubled by that because I had
2 legal opinions and I had limited authority under
3 the *Gaming Control Act* to ban people, no
4 authority at the time. I understand that exists
5 today, and I believe that's a very positive
6 change. Although I know that some of your --
7 maybe yourself or some of the other counsel
8 commented that GPEB hasn't used that to date.
9 And I think that's certainly a good result in
10 terms of what has happened with the review from
11 Mr. German that there is an opportunity to do
12 that. But the police had been absent for many
13 years from gaming, and in 2014 when I took the
14 job and 2015 when I worked with Mr. Desmarais
15 and Mr. Alderson on a frequent basis, we decided
16 to hold a workshop to at least get a foundation
17 as to what other entities were doing and what
18 could they do to support us. And even at that
19 point, Mr. Smart, in that presentation that I
20 made in the slides, I talked about that we did
21 not have the authority based on the advice we'd
22 received to investigate money laundering or
23 proceeds of crime. And that was very
24 frustrating because the corporation was trying
25 to deal with it. They had an expectation of the

1 regulator. We were trying to deal with it from
2 the perspective of a strategy that had gone on
3 for several years, so my view was we needed to
4 either have the act or we needed a directive or
5 some guidance from senior levels of government
6 to tell us what they wanted us to do to curtail
7 money laundering.

8 Q So was your feeling, Mr. Meilleur, was that GPEB
9 was given the responsibility to maintain the
10 overall integrity of gaming, and you didn't have
11 the resources to be able to fulfill that
12 responsibility or authority to fulfill that
13 responsibility?

14 A I interpret the overall integrity of gaming to
15 be associated to the *Gaming Control Act*.

16 Q Yes.

17 A And we have the responsibility for the *Gaming*
18 *Control Act*. And yes, integrity of gaming
19 overall would allow us through Section 86
20 Reporting to obtain information from the service
21 providers and we would be able to review that to
22 see if there was any concerns around the
23 integrity of gaming and what actions we could
24 take, whether it be policy or working with the
25 police to resolve these issues. And in phase 3,

1 that's when I had come into a new position. I
2 had a learning current, but as I provided in my
3 evidence, I moved our team to doing as much as
4 we could to support the police in terms of their
5 investigation. They had been gone for a very
6 long period in terms of working directly with
7 GPEB or BCLC in terms of that, and when they
8 came back, as Mr. Lightbody stated in his
9 evidence when E-Pirate started, he was shocked.
10 We equally were shocked as an organization, and
11 that changed things, Mr. Smart, because the
12 expectation from the leadership in GPEB, the
13 senior leadership was well, what are you folks
14 in GPEB going to do with about it and we had
15 limited options. We did do some things. In my
16 tenure we were able to bring in an MNP. I know
17 there's been lots of discussion about that, but
18 at the end of the day the MNP report did provide
19 some recommendations and did provide an
20 independent look at things. We also were able
21 to bring an intelligence component to our side.
22 We were working directly with the law
23 enforcement agencies. And we were also able to
24 form a partnership with BCLC through government
25 to bring in a full-time law enforcement team,

1 JIGIT. And I found those to be very, very good
2 things that we were able to do.

3 Q I don't think you disagree, Mr. Meilleur, that
4 Mr. Desmarais and eventually Mr. Kroeker and
5 Mr. Alderson, they all were concerned about
6 proceeds of crime coming into casinos. You just
7 had different views on how to deal with it; is
8 that fair?

9 A Well, maybe a little different view on how to
10 deal with it but also maybe different views,
11 Mr. Smart, on how it was occurring. I am not a
12 trained -- I mean, I'm not an expert; I've never
13 held myself out to be. I relied on people who
14 had expertise in this, mentors from outside,
15 government as well, to talk to and to say, you
16 know, in general terms, this is what I'm facing,
17 people who are at the summit in June of 2014 who
18 have experience in this, and what I learned was
19 it was the concern around the source of funds
20 where these people were accessing their money.
21 So that was a difference of opinion.

22 Q Yes. Well, that's why I was -- and Ms. Latimer
23 asked you about GPEB themselves, investigators
24 going and asking patrons who brought this cash
25 in about the source of funds, why GPEB

1 investigators couldn't do that.

2 A Well, I have heard that in evidence, and I have
3 heard that up until the point of my taking on
4 the position. As I was in a learning curve
5 reviewing things and we had the gaming summit in
6 June, it was very shortly after that work that
7 we were doing with BCLC that law enforcement
8 became involved. My view was we now have police
9 doing an investigation which ultimately flowed
10 into JIGIT coming into place full-time. Our
11 responsibility was to work with those police
12 officers, support them and let them bring some
13 results to government and BCLC to show what they
14 had uncovered in those casinos and to support
15 the information or allegations that were being
16 made to both organizations, BCLC and GPEB. And
17 that's where I put the resources with the
18 support of my General Manager and with the
19 deputy minister. We focused on that.

20 Q In 2015 you came to appreciate that BCLC was
21 concerned about the source of the funds and were
22 encouraging police to investigate. You knew
23 that?

24 A Yes, I knew that, but I also knew that
25 Mr. Mazure had asked in documentation of BCLC to

1 do further work around the source of funds and
2 that included possibly a source of funds
3 questionnaire. He also wrote documentation over
4 periods of time, which I know I'll be asked
5 further about, about thresholds and various
6 things. So he had concerns, and the OADM, she
7 had concerns about that. And as did the
8 minister in some of his directions that more
9 needed to be done about that. Yes I was aware
10 that BCLC had concerns as well.

11 Q Well, and they had been filing Suspicious
12 Transaction Reports with law enforcement for
13 months in 2014, 2013, 2015, and trying to engage
14 them to investigate the source of these funds.
15 You knew that?

16 A Correct.

17 Q And you were referred to an email from
18 Mr. Dickson where he said that he in December of
19 2014 had stopped even sending reports to law
20 enforcement because he wasn't getting any
21 action?

22 A Yes, I read that email and looked at it again in
23 terms of that. I'm not so clear as to what
24 entity he had stopped sending that, but I was
25 asked if I had a concern around that, and my

1 response to that was I ensured that if there was
2 any reporting that was stopping it continued.
3 So I don't know for what period of time that
4 information was stopped to -- there's a document
5 here. I'm aware CISBC was interested we stopped
6 doing this in December, but that didn't mean
7 that they still weren't meeting with and sharing
8 information with the police in terms of
9 information that they knew of and requests to
10 have the police look into matters much like BCLC
11 was doing a very good job through Mr. Desmarais
12 of trying to get the police to take some action
13 as well.

14 Q Well, and they did, didn't they? They got the
15 police -- I shouldn't say they got to -- they
16 encouraged the police, to CFSEU or the federal
17 serious crime unit to investigate Mr. Jin,
18 didn't they?

19 A I don't know of the details of how they did that
20 in specifics, Mr. Smart, but yes, I am aware
21 that Mr. Desmarais had meetings with
22 Mr. Chrustie, Inspector Chrustie, and also
23 Mr. Alderson had had meetings. I wasn't aware
24 those meetings were occurring. We weren't
25 invited to those meetings, but those meetings

1 were occurring with those entities to try and
2 get them to take some action.

3 Q Was it a concern to you that it was BCLC that
4 had prompted this or encouraged this criminal
5 investigation and GPEB didn't even know about
6 it? Was that a concern to you, an embarrassment
7 to you when you learned in July of 2015 about
8 this investigation?

9 A Not at all. I believed that GPEB through
10 Mr. Vander Graaf and his team, they were
11 constantly meeting with police and trying to get
12 police to take action, sharing information.
13 Mr. Desmarais, as myself, know Inspector
14 Chrustie on a long-term personal basis and I
15 took the role in 2015. I early had contact with
16 Mr. Chrustie about my new role and hoped that we
17 could move to work on some matters together.
18 But yes, Mr. Desmarais, who I respect, took that
19 opportunity to follow up with his contact with
20 Mr. Chrustie, and Mr. Chrustie found some time
21 to -- based on information provided, to do some
22 work on the file, which became known as
23 E-Pirate. But we were -- excuse me, sorry. We
24 were providing information as well, and we had
25 concerns as well, so no, I was not embarrassed.

1 Q The spreadsheet that you've given evidence about
2 that was done by investigators Ackles and Barber
3 in August 2015 setting out the suspicious, large
4 suspicious cash transactions in July of 2015,
5 that was a significant document to you?

6 A Yes, it was, Mr. Smart.

7 Q Yes. Do you think looking back that GPEB could
8 have done more to bring home their concerns
9 about the large suspicious cash transactions?
10 In other words, that kind of spreadsheet could
11 have been done in 2013, 2014, couldn't it have?

12 A Well, I mean, the information being put in that
13 format was something new. I'm not going to say
14 for a minute that GPEB wasn't aware. Mr. Vander
15 Graaf was regularly in the meetings where I was
16 Executive Director of Registrations, bringing up
17 concerns. He was having regular meetings with
18 his General Managers about this. There's
19 numerous documents that he provided around his
20 concerns.

21 The one thing I'll say, Mr. Smart, is that
22 as an executive member and the other people
23 sitting around in terms of the anti-money
24 laundering work under Minister McCrea, we had
25 never seen information provided to the group in

1 context. I should actually go back. At
2 page 135 you're starting an answer saying,
3 line 13:

4 "I've heard some of the evidence where it
5 seems to me there was a belief amongst
6 certain individuals that GPEB
7 investigators didn't do anything."

8 And then I'll just take you over to page 136,
9 the top of the page, you say:

10 "But if I could just add to the
11 Commissioner, it was not the personalities
12 as much as the issue. This issue had been
13 going on for almost a decade in terms of
14 concerns around suspicious cash \$20 bills.
15 And I believe that, as members of an
16 organization on both sides, there was a
17 failure to provide direction at the senior
18 levels to help us resolve that, and that
19 caused the most tension between the
20 organizations. Not the personalities.
21 The issue. And that was frustrating."

22 So let me just ask you about that answer. When
23 you say "both sides" you're referring to GPEB
24 and BCLC?

25 A Yes, Mr. Smart.

1 Q Yes. So let me just ask you:

2 "I believe that, as members of an
3 organization on both sides, there was
4 failure to provide direction at the senior
5 levels to help us resolve that, and that
6 caused the most tension between the
7 organizations."

8 And the issue being these large suspicious cash
9 transactions?

10 A That's correct. I believed that direction could
11 have come from the board of BCLC. In my tenure
12 at GPEB, I was never invited. We reached out,
13 myself and senior director Anna Fitzgerald to
14 the audit chair committee of BCLC's board to
15 come and give a presentation about some of our
16 work we were going to be doing around this issue
17 and that never materialized. I don't know the
18 reasons why. But we did extend an invitation.
19 I also know that there had been requests by my
20 boss and Mr. Vander Graaf through various
21 General Managers and through our deputy
22 minister, Cheryl Wenezenki-Yolland, to take
23 matters up to senior government, and we outlined
24 that in documents that we were hoping to have
25 some directions in terms of a threshold or some

1 change to the act or some other directive from
2 the minister that would allow us to take action.
3 I've heard also a conversation about
4 registration being used. That wouldn't have
5 been an appropriate use of registration because
6 it would have in my view gone into the conduct
7 and management piece. So we were looking for
8 direction around that in terms of someone from a
9 senior role within GPEB, within government,
10 providing a directive to us that we could give
11 to BCLC, much like is going on now with the
12 source of funds direction that's been provided
13 to the service providers. If there's a breach
14 of that, then that could be looked at by the
15 director of the registration under the terms and
16 conditions of registration, as not following an
17 operation agreement or service agreement or
18 direction from BCLC. That to me was
19 appropriate. And we didn't receive that
20 direction, and that to me was frustrating and
21 equally, I believe, frustrating for my
22 colleagues at BCLC.

23 MR. SMART: All right. I've run out of time.

24 Mr. Meilleur. Thank you.

25 THE WITNESS: Thank you, Mr. Smart.

1 THE COMMISSIONER: Thank you, Mr. Smart.

2 I'll now call on Mr. McFee on behalf of
3 James Lightbody, who has been allocated
4 30 minutes

5 MR. McFEE: Thank you, Mr. Commissioner.

6 **EXAMINATION BY MR. McFEE:**

7 Q Mr. Meilleur, can you hear me?

8 A Yes, good morning, Mr. McFee.

9 Q I'd like to start focusing with a few questions
10 on GPEB's three phase AML strategy that was
11 developed by GPEB's cross-divisional working
12 group.

13 A Okay.

14 Q And as I understood your evidence in the
15 previous day that cross-divisional working group
16 was established in 2011.

17 A That's correct. Around 2011 is my
18 understanding, Mr. McFee.

19 Q As I understand your evidence you were a member
20 of that cross-divisional working group basically
21 right from the outset with your capacity with
22 registration?

23 A Not from the outset. I may have had occasion to
24 go there, Mr. McFee, in an acting capacity for
25 Mr. Saviile, but after in late 2012 when I

1 became the registrar, I attended those meetings,
2 sir.

3 Q So you were basically a full-fledged member of
4 that group from the fall of 2012 on; is that --

5 A I was a participant of that and that working
6 group was led under the full-time work of
7 Mr. Bill McCrea, who reported to the General
8 Manager.

9 Q And if I could just ask you to look momentarily
10 at paragraph 15 of your affidavit, please. Do
11 you have that?

12 A Yes, sir.

13 Q Are you with me?

14 A Yes, Mr. McFee.

15 Q In paragraph 15 you're describing the creation
16 of the cross-divisional working group, and you
17 say at the end of the paragraph:

18 "It was a three-stage plan to address
19 money laundering under Mr. McCrea's
20 leadership of the AML cross-divisional
21 working group."

22 And phase 3 you refer to as:

23 "Regulatory intervention, including
24 enforcement and compliance."

25 Now, when you became a member of the group,

1 then, in the fall of 2012, what was contemplated
2 at that time to your recollection by way of
3 regulatory intervention, including enforcement
4 and compliance?

5 A Well, I don't know if that had ever been
6 determined, Mr. McFee, in terms of what the
7 regulatory intervention would look like
8 including enforcement. Because at the time
9 Mr. McCrea had departed, there was still work
10 being done on the cash alternatives piece that
11 there was still work to be done around some of
12 the requests that BCLC had made in terms of cash
13 alternatives, Mr. McFee, as well as credit. So
14 in terms of the regulatory intervention, from my
15 recollection with Mr. Vander Graaf, who was
16 involved at that time, it was continuing to
17 report up to the executive and working with the
18 police and providing information to the police,
19 and ultimately phase 3 would lead to at the
20 appropriate time regulatory intervention. Which
21 I took when I took the roll on to mean
22 enforcement and compliance and then of course
23 when compliance came through, the law
24 enforcement group work that we did through our
25 audit team in terms of some of the internal

1 reports they did to inform us internally, inform
2 our senior management, senior leadership and
3 government, as well as the intelligence reports
4 that were prepared and our ongoing meetings with
5 police.

6 So there were many things happening around
7 that after I took that position and working
8 directly with GPEB as well, Mr. Alderson, who
9 was quite engaged with me for the first few
10 years of providing updates in terms of what he
11 was doing, in terms of meetings or providing and
12 sharing information with our people, so that's
13 what I took regulatory intervention to mean.

14 Q And you -- in answer to Mr. Smart's questions
15 you clarified that you were appointed the
16 executive director of compliance in December of
17 2014?

18 A That's correct. It was around Christmas time
19 that Mr. Mazure recommended all those changes
20 and I hit the ground running in 2015, Mr. McFee.
21 I had many things to do because it was an
22 amalgamation, sir, of many units. So my work
23 wasn't just around money laundering. I had to
24 rely upon those regional directors who would
25 work, Mr. McFee with Mr. Vander Graaf for years,

1 who were seasoned police officers, seasoned
2 investigators, competent leaders. I had to rely
3 upon them to tell me what was going on around
4 this and a lot of them to carry it through until
5 I was able to comprehend. My comprehension of
6 this came from an understanding of Mr. Desmarais
7 in terms of some of the things he shared with me
8 and discussed with in his briefing to OADM
9 Wenezeki-Yolland in early January, and that
10 gave me some language. I heard those terms
11 before, but I had a better understanding of some
12 of those challenges through Mr. Desmarais and
13 through the cross-divisional working -- excuse
14 me, the Exploring Common Ground seminar that
15 Mr. Alderson and I joint put together with
16 Brad's support. I was learning. I was in a
17 learning curve.

18 Q I appreciate that. There's always a learning
19 curve when you take on a new job. When you took
20 on the responsibility of Executive Director
21 Compliance, as I understand it -- correct me if
22 I'm wrong -- the three-phased plan had not
23 advanced yet to the third phase, regulatory
24 intervention. You were still in phase 1 and 2;
25 is that correct?

1 A I would say phase 3 was the liaison with police
2 and the assessment of the information that
3 Mr. Barber and Mr. Ackles were collating with
4 Mr. Vander Graaf and Mr. Dickson, so the things
5 they were doing at that time as Mr. Vander Graaf
6 provided in his evidence, but not an
7 intervention of working with the police in terms
8 of the law enforcement component.

9 Q Yes.

10 A When I say "working with police," other than
11 sharing the information and working with them to
12 understand that we had a concern and we're
13 hoping they could assist both GPEB and BCLC.

14 Q Although I appreciate you were on a fairly steep
15 learning curve when you were appointed the
16 Executive Director of Compliance, was
17 implementation of this three-phase AML plan a
18 priority within GPEB at that time?

19 A It has always been a priority within GPEB. It
20 kind of -- kind of drove my life in terms of
21 work, you know, the money laundering issue in
22 terms of it came up and many times over the
23 years there were media leaks, there were
24 numerous requests for information through FOI.
25 This was always a priority of GPEB in terms of

1 that. Getting there, though, took some time and
2 took some work to implement some of these
3 things. And I know there was some frustration,
4 Mr. McFee from BCLC and under Mr. Lightbody's
5 leadership around, you know, the delay of work
6 in terms of cash alternatives. That was a
7 resourcing issue. Those people in policy have
8 few resources and that took some time to respond
9 to some of those things, but they were
10 addressing that. When Mr. Alderson was
11 providing documents and coming to meetings with
12 us, we were taking those things seriously and
13 working on them.

14 Q I want to take a bit of a step back to before
15 you became the Executive Director of Compliance
16 when you were -- it was Executive Director of
17 Registration; is that correct?

18 A That's correct.

19 MR. McFEE: And, Madam Registrar, if I could ask that
20 Mr. Meilleur be referred to the affidavit of
21 Mr. Scott, which is exhibit 4 -- I'm sorry,
22 exhibit 557, and in particular exhibit 20 of
23 Mr. Scott's affidavit. Yes. You've got the
24 affidavit of Mr. Scott there. Do you see that,
25 Mr. Meilleur?

1 A Yes, I see it, Mr. McFee.

2 MR. McFEE: If I could ask that exhibit 20 of that
3 affidavit be brought up. Thank you.

4 Q And you should have an email from Mr. McCrea to
5 various people, including yourself of May 9th,
6 2013. Do you have that?

7 A Yes, I see that Mr. McFee. I'll just read it.

8 Q Have you had a chance to read that email?

9 A Just about there, sir. Okay. Yes.

10 Q And you'll see that Mr. McRae's providing to you
11 and other members of the cross-divisional
12 working group a final version of GPEB's
13 "Anti-Money Laundering in BC Gaming – Measuring
14 Performance Progress" report. Do you see that?

15 A Yes. A version of it, yes.

16 Q If I could ask you to go to -- and, Madam
17 Registrar, if you could go over to the page
18 that's page 88 in the top right-hand corner of
19 the exhibit. If you go over to page 88, please?

20 Are you with me, Mr. Meilleur?

21 A Yes, sir.

22 Q And you'll see that here Mr. McCrea sets out --
23 it actually starts on the previous page, but
24 he's setting out the three phases. Do you see
25 that?

1 A Yes.

2 Q And I take it you would have read this at the
3 time you received it.

4 A I received it. I most likely would have read
5 it, Mr. McFee.

6 Q You see phase 3 is "regulator intervention
7 (GPEB)" in the middle of that page. Do you have
8 that?

9 A Yes.

10 Q It says:

11 "In this final phase GPEB will undertake
12 direct regulatory action as part of the
13 administrative process in preventing money
14 laundering in BC gaming. If required,
15 GPEB will respond to the remaining
16 suspicious currency inflows."

17 Then it goes:

18 "The final phase will result in achieving
19 the goal of limiting suspicious currency,
20 preventing money laundering and the
21 perception of money laundering in BC
22 gaming facilities."

23 And have I read that correctly?

24 A Yes, Mr. McFee.

25 Q What's your recollection as a member of this

1 cross-divisional working group as to what was
2 contemplated at this time when this report was
3 issued in May 2013 with respect to GPEB
4 undertaking direct regulatory action as part of
5 the administrative process?

6 A Well, I believe and I read that to mean that
7 GPEB would be seeking direction as they did from
8 the minister or others in terms of if necessary
9 providing a directive to talk further about, you
10 know, the currency, you know, the goal of
11 limiting it in terms of suspicious currency.
12 That was back in 2013, and that was the thinking
13 at the time. In 2015 the phase of that three
14 regulatory intervention changed significantly
15 because law enforcement were now investigating
16 and had told both BCLC and GPEB that they had
17 uncovered serious concerns around suspicious
18 cash. And that's why this was a flowing, as
19 Mr. McCrea used to say, this is a living
20 document; things may change throughout periods
21 of time.

22 So at that time I'm assuming that when he
23 wrote this it was advice to us that directive or
24 other guidance would come from senior
25 leadership.

1 Q You see the time frame for implementation of
2 phase 3 in this report is December 31st, 2013.
3 Do you see that?

4 A Yes, sir.

5 Q And as I understand it, when you became the
6 director of compliance in December of 2014,
7 phase 3 had not yet been implemented, had it?

8 A Well, as I mentioned to Mr. Smart, I believe
9 that there were ongoing regulatory actions in
10 terms of the authorities that Mr. Vander Graaf
11 had in terms of providing information, going to
12 intelligence meetings, sharing information with
13 the police. I believe that's ongoing regulatory
14 intervention. It is work that's being done
15 around that. There would be additions to that,
16 I would suggest, Mr. McFee, in addition to
17 direction from senior leadership in terms of a
18 directive from the minister or a directive from
19 the General Manager, if he could be provided
20 that authority from the minister, which
21 currently exists. I understand since my
22 departure the legislation has changed and the
23 General Manager now is able to implement those
24 things on his own. At least that's my
25 understanding, his or her own. So those things

1 came. But yes, it wasn't a fulsome
2 implementation of phase 3, but there were things
3 going on around that.

4 MR. McFEE: Madam Registrar, we can take down that
5 document. Thank you.

6 Q But in that context Mr. Meilleur, if I could ask
7 you to look at paragraph 48 of your affidavit,
8 please.

9 A Yes, sir.

10 Q Do you have that?

11 A Yes, sir.

12 Q And if you look at the third sentence in the
13 middle of that paragraph it says:

14 "In fall of 2015 our division moved to
15 phase 3 of the AML strategy and several of
16 the reports containing analysis and
17 intelligence were used to provide
18 situational awareness to police and helped
19 to inform AML decisions made by the deputy
20 minister or the office of the Associate
21 Deputy Minister."

22 Do you see that?

23 A I do.

24 Q So is that accurate, it was the fall of 2015
25 that compliance division moved to phase 3?

1 A Well, I wouldn't say that we moved to phase 3.
2 We had been participating in phase 3 as a
3 branch. What I'm saying there in the fall of
4 2015, my direction to our -- the entities I
5 identify here was that we were going to move to
6 use those resources to support phase 3 of the
7 strategy.

8 Q Sir, these are your words in your affidavit. It
9 says:

10 "In the fall of 2015, our division moved
11 to phase 3 of the AML strategy."

12 A Correct. That's correct. And phase 3 of the
13 AML strategy had been going on for some time,
14 and we were focusing specifically on phase 3 of
15 that strategy. That's what my words are:

16 "In the fall of 2015, our division moved
17 to phase 3 ... and several of the
18 reports."

19 So with a focus on that under my leadership.

20 Q Well, isn't it the case -- I mean, isn't it the
21 case that prior to the restructuring of GPEB,
22 the implementation of the AML strategy wasn't
23 given priority, the priority that was originally
24 contemplated, and therefore there was a two-year
25 delay in implementing phase 3?

1 ascertain the patron's source of funds?

2 A I don't recall a conversation about those types
3 of interviews at that time.

4 Q Do you recall Mr. Scott raising that prospect
5 and discussing that in terms of what was
6 contemplated moving forward?

7 A No, I don't recall Mr. Scott contemplating that.
8 I mean, it would be -- if Mr. Scott was
9 contemplating that it would have been
10 inconsistent with the advice that Mr. Vander
11 Graaf was providing that they didn't have
12 authority to interview patrons around money
13 laundering proceeds of crime because they didn't
14 have the authority to investigate *Criminal Code*
15 matters and it would have required, as I said --
16 and as I mentioned in evidence, in my opinion
17 and in the opinion of others from legal, it
18 would have required a directive or some
19 guidelines from above in terms of us doing that.

20 Q Well, to be clear, as director of compliance,
21 you understood that it was within GPEB -- did
22 you understand it was within GPEB's authority to
23 interview casino patrons?

24 A Where appropriate under authority of a
25 criminal -- or a *Gaming Control Act*

1 investigation, yes. Or -- or if working
2 alongside the police and the police were asking
3 or we were participating in supporting the
4 police, Mr. McFee, yes, we would interview with
5 the support of the police.

6 Q And we heard evidence that even prior to your
7 tenure as the director of compliance, some GPEB
8 investigators were in fact interviewing patrons.
9 You're aware of that?

10 A Interviewing patrons on what matters, sir?

11 Q Well, we heard from one of the investigators in
12 Kelowna that he was interviewing patrons with
13 respect to the source of their funds.

14 A Well, in answer to that, I do know that the
15 direction and the evidence that I heard from
16 Mr. Vander Graaf and also the direction I
17 provided that, if you're speaking of Mr. Skrine,
18 the direction that I provided under my tenure is
19 that we had no authority to investigate *Criminal*
20 *Code* matters and if it was interviewing someone
21 about source of funds, I was not aware of that.

22 Q But just to pin that down, you understood that
23 under the *Gaming Control Act* BCLC and service
24 providers were required to provide reports that
25 we have referred to as Section 86 Reports to

1 GPEB about any conduct, activity or incident
2 occurring in connection with a lottery scheme
3 that the conduct, activity or incident involves
4 commission of an offence under the provisions of
5 the *Criminal Code* that's relevant to a lottery
6 scheme or the commission of an offence under the
7 *Gaming Control Act*. You were well aware of
8 that?

9 A Yes.

10 THE COMMISSIONER: Mr. McFee, I'm sorry to interrupt
11 you. But we're sort of losing you. That is
12 your camera is just focused on the very top of
13 your head. I'm just wondering if you could
14 adjust that.

15 THE WITNESS: That could be a scary sight for you,
16 Mr. Commissioner.

17 MR. McFEE: I will, certainly. My staff has been
18 trying to move things around and I'm not sure
19 it's assisting, but ...

20 THE WITNESS: We fixed it. Is that better,
21 Commissioner?

22 THE COMMISSIONER: No, you're fine, Mr. Meilleur.

23 THE WITNESS: Oh, sorry, I thought you were talking
24 to me.

25 THE COMMISSIONER: It was Mr. McFee who we were

1 losing.

2 THE WITNESS: I apologize. I thought you were
3 talking to me.

4 MR. McFEE: Is that better.

5 THE COMMISSIONER: That's good. Thank you,
6 Mr. McFee.

7 MR. McFEE: My forehead gleams almost as much as
8 Mr. Butcher, so I can see that that can be a
9 problem.

10 THE COMMISSIONER: Not a problem at all. It's just a
11 bit distracting when we can hear your voice but
12 not see you.

13 MR. McFEE: Thank you. Okay.

14 THE WITNESS: Mr. McFee, to answer your question, I
15 was under the opinion when I got that legal
16 opinion that we were not to investigate *Criminal*
17 *Code* matters for various reasons. And one of
18 them that was pointed out to me on numerous
19 occasions was the responsibility I had in terms
20 of the safety of our employees and that they
21 weren't equipped to do certain things, i.e.
22 surveillance. We had no authority to work
23 surveillance and do the things that especially
24 all of the RCMP, which I worked for, were given
25 special designations and powers to do. It was

1 made clear to me. And when I read that legal
2 opinion and I go back to, sir, paragraph 16 from
3 our counsel, the GPEB employees who seek to
4 enforce the *Criminal Code* do not have authority
5 to do so and will be subject to serious criminal
6 sanction and potential civil liability, I took
7 that very seriously. My employees that I was
8 responsible for, should something happen in
9 whatever regard -- and yes, I know and I've
10 heard evidence that BCLC employees have
11 investigated or spoken with some of the patrons.
12 I hear that. But for us to do that on a
13 continuous basis but for the sole purpose of
14 enforcing the *Criminal Code* for money laundering
15 and proceeds of crime would have been
16 appropriate based on the advice I had, and I was
17 not going to live with that responsibility if
18 something happened. There are things that have
19 happened that I've read in the media since my
20 retirement that are serious grave concern to
21 individuals, and no similar was my concern to
22 employees and similar risk in my concern to
23 BCLC. But that guidance was given to me,
24 Mr. McFee, and I took it to mean based on that
25 guidance and the previous report that was

1 provided to GAIO, the legal opinion, to be clear
2 direction: Mr. Meilleur, your employees who
3 enforce the *Criminal Code* would not have the
4 authority to do so and would be subject to
5 serious criminal sanction and potential civil
6 liability. And that's the last thing I wanted,
7 and that was one thing that caused me some
8 concern and fear.

9 Q Well, let's just break it down a bit. I mean,
10 as we've established, BCLC and service providers
11 had to provide Section 86 Reports to GPEB under
12 the act; correct?

13 A Yes.

14 Q And BCLC and service providers were required to
15 file Section 86 Reports where the conduct may
16 involve money laundering or loan sharking;
17 correct?

18 A That's correct.

19 Q And that was the direction that came right from
20 the General Manager of your branch from GPEB
21 that those Section 86 Reports should be filed
22 where there's suspicion of money laundering or
23 loan sharking; correct?

24 A Yeah, that letter is devised, advice that was
25 given and back when those first letters were

1 devised Mr. Vander Graaf was providing direction
2 to the General Manager that it was important,
3 and I agreed with that and concurred when I took
4 the role, it was important for us to have that
5 in that letter so that those things were
6 reported to us so we were in the loop, we were
7 aware of what was going on in those casinos and
8 as responsible for the overall integrity of
9 gaming, we could look at that and take action as
10 necessary, and that action included reporting up
11 trying to get support from leadership, and also
12 influencing and working with the police as we
13 could and as we have.

14 Q But to be clear, GPEB investigators were in
15 power to investigate and examine the information
16 provided in Section 86 Reports; correct?

17 A In terms of investigating. "Investigate" is a
18 word that has many meanings, but in terms of
19 investigating the money laundering information,
20 that information was being examined, collated
21 and being reported to police. That was the
22 extent of it, and that -- that changed in 2015
23 with the arrival of E-Pirate and then the
24 arrival later on of JIGIT under the direction of
25 Minister de Jong, that we had a more substantial

1 role in terms of investigation.

2 Q Well, as part of the examination of the
3 Section 86 Reports, didn't you feel that GPEB
4 investigators could interview casino patrons and
5 ask the simple question, what's the source of
6 your funds?

7 A No. I believed that that would have been going
8 into the conduct and management portion of
9 gaming. The operating line of the casino is
10 BCLC, and if we were to go in and do things
11 around that, as I had mentioned in my evidence
12 and stated in my evidence, it would require some
13 directive for us to do that in terms of to go
14 and do that because my view is what's the
15 purpose of going in there. The purpose of going
16 in there to interview them is around *Criminal*
17 *Code* offences, proceeds of crime or money
18 laundering, and we did not have the authority to
19 do that.

20 Q Isn't it to protect the integrity of gaming and
21 if there were reasonable grounds to believe that
22 these funds were being sourced from illegitimate
23 areas that they wouldn't be allowed into the
24 casinos? I mean, that's not investigating money
25 laundering; that's just protecting the integrity

1 of gaming, isn't it?

2 A Well, protecting the integrity of gaming in
3 doing what was required at the time by
4 Mr. Vander Graaf, and that was pushing that
5 information up to seek support, as I've
6 mentioned and stated in my evidence to the
7 Commissioner. We were looking for some guidance
8 on both sides in terms of bringing some
9 solutions to that with direction from the most
10 senior levels. And to me that is how we would
11 have managed the integrity of gaming.

12 Q Well, but what you've just said is pushing that
13 information up, it's pushing that information up
14 to law enforcement; correct?

15 A And to senior people in government, correct.

16 Q Yeah. But if you don't ask the question, what's
17 the source of your funds, you don't have any
18 information to push up; correct?

19 A No, I disagree with that, Mr. McFee. Those
20 Section 86 Reports contained significant
21 information. That's good information to push up
22 in terms of the amount of money, the frequency
23 of it, how it's being bundled. That information
24 is being pushed up to the senior executive of
25 the organization and is being pushed up to

1 police and also in consultation with FINTRAC as
2 well. That's-- that's investigative action.
3 That's taking action to it. And the requirement
4 to -- in my view, and in the view of
5 Mr. Desmarais, was we needed the police to come
6 in and take action and to support those reports
7 that were coming in through FINTRAC to GPEB and
8 the action and the behaviour that was going on
9 in casinos. To me that was the best solution.
10 And that ultimately arrived.

11 Q And as you said, it ultimately arrived after law
12 enforcement being absent from your observation
13 for many years?

14 A With GPEB, that's correct. I do not know --
15 I've heard some evidence that law enforcement
16 were doing other things and I do not know what
17 RCMP, IPOC and those other organizations, I know
18 Mr. Vander Graaf had meetings with them, but I
19 was not involved in those meetings.

20 MR. McFEE: I think I'm out of time and those are my
21 questions for you. Thank you, Mr. Meilleur.

22 THE WITNESS: Thank you, Mr. McFee.

23 THE COMMISSIONER: Thank you, Mr. McFee. I'll now
24 turn to Ms. Henein on behalf of Rob Kroeker, who
25 has been allocated 45 minutes.

1 MS. HENEIN: Thank you, Commissioner.

2 **EXAMINATION BY MS. HENEIN:**

3 Q Mr. Meilleur, you testified just moments ago
4 that AML drove your life when you were at GPEB;
5 right?

6 A Yes, as in compliance, that's correct.

7 Q Those are your words. And you've told us a
8 great deal about all of the things that GPEB
9 could not do, but I'd like to spend some time
10 talking to you about what you thought you
11 actually could do in AML.

12 All right. So let's start first of all
13 with your reference to the Kroeker Report of
14 2011. Do you recall testifying about that a few
15 moments ago?

16 A I apologize, Ms. Henein. I lost you.

17 Q Okay. Do you recall testifying about the
18 Kroeker Report of 2011 a few moments ago?

19 A Yes.

20 Q All right. And you said that in that report
21 Mr. Kroeker had acknowledged that GPEB had
22 limited capacity to investigate criminal
23 offences. Do you recall that?

24 A Yes.

25 Q Okay. And you also recall that in that report

1 Mr. Kroeker concludes that to overcome that
2 problem, there had to be some form of a formal
3 agreement or arrangement between GPEB and the
4 police agencies with the jurisdiction?

5 A I don't have the report in front of me. I
6 can --

7 Q Can I ask -- can I ask for exhibit 141 to be
8 pulled up, please. Thank you. And can I ask
9 you to scroll down to page 14.

10 All right. So do you see that,
11 Mr. Meilleur? And if you see under "Police" in
12 that first paragraph there is the reference six
13 lines from the bottom about "GPEB's authority
14 and mandate to investigate criminal offences is
15 more limited than that of police agencies." Do
16 you see that?

17 A Correct.

18 Q All right. So Mr. Kroeker doesn't say you have
19 no authority or mandate. He says it is more
20 limited; right?

21 A To investigate criminal offences, more than that
22 of police agencies, yes.

23 Q All right. And if you can go down to the next
24 paragraph, two lines from the bottom of the
25 page, do see the words "despite this"? Do you

1 see the words two lines from the bottom of that
2 page, the words "despite this"?

3 A Yes.

4 Q Okay. Can you read along with me:

5 "Despite this, it will remain difficult to
6 assure an appropriate level to response
7 to, and investigation of, criminal
8 offences related to gaming, including
9 money laundering, without a formal
10 agreement or arrangement of some form
11 between the province (GPEB) and the police
12 agencies with jurisdiction."

13 Do you see that?

14 A Yes.

15 Q All right. So the recommendation is for GPEB to
16 be more effective in the investigation of
17 criminal offences, they had to have a formal
18 arrangement with the police; right?

19 A They say it will remain difficult for them to do
20 so.

21 Q My question to you is you know that the
22 recommendation that Mr. Kroeker makes in 2011 is
23 that for GPEB to be more effective on the
24 criminal investigations side, you need a formal
25 arrangement or agreement between the province

1 and the police agencies with jurisdiction;

2 right?

3 A One moment, please.

4 Q Do you see that recommendation there?

5 A Yes, I do. Yes, I see the recommendation.

6 Q All right. Thank you. All right. And can I
7 ask you, Mr. Meilleur, when a formal agreement
8 or arrangement was made with the police and
9 GPEB?

10 A A formal arrangement made with police and GPEB?

11 Q Yes.

12 A Well, there had always been informal work being
13 done, but formally in terms of an agreement with
14 police and GPEB there was the IIGET formal
15 agreement and then the JIGIT formal agreement,
16 which came in 2016.

17 Q Right. And this report was in 2011; right?

18 A This is in 2011, correct.

19 Q Okay. You can take that down. Thank you very
20 much.

21 In fact you had and became aware that BCLC
22 had a formal information-sharing agreement with
23 the RCMP; right?

24 A That's correct.

25 Q And as a result of your conversation with the

1 RCMP and your view that it was inappropriate,
2 that information-sharing agreement was
3 temporarily suspended; right?

4 A The agreement was temporarily suspended. My
5 comments were that the agreement had some issues
6 in terms of GPEB was not consulted when the
7 agreement was struck up. Also there was some
8 components in there, as I stated in my evidence
9 and provided in my affidavits and documents, I
10 was there discussing with the police about the
11 need for MOU or other arrangements as directed
12 in conversation with senior members of the RCMP,
13 so I provided some commentary about how things
14 might be improved upon, and as a result of that
15 Mr. -- the superintendent Inspector Colasacco at
16 the time cancelled the agreement.

17 Q Right. So as a result of your conversation and
18 the concerns you raised about information
19 sharing with the RCMP and BCLC, the agreement
20 gets cancelled for a period of time; right?

21 A My comments may have influenced some of the
22 decision making. I don't know what his thinking
23 was at the time.

24 Q Will you --

25 A Yes, it was cancelled.

1 Q I'm going to suggest to you you did know that
2 because there's communications between you and
3 Mr. Kroeker on precisely this issue. You knew
4 that your meeting was -- and your comments
5 caused the ISA to be temporarily cancelled;
6 right?

7 A Yes. The meeting and my comments may have had
8 some influence on Mr. Colasacco reviewing that
9 and making his decision to cancel.

10 Q Well, you raised concerns about the ISA; right?

11 A Yes, yes.

12 Q And then in the sequence of time, the next thing
13 that happens is it gets cancelled; right?

14 A Correct.

15 Q And then it gets reinstated; right?

16 A Correct. Within a couple of days.

17 Q Because the RCMP does not accept the concerns
18 that you raise; right? They don't change it.
19 You know that?

20 A I don't know. That I read in my documentation
21 here, Superintendent Colasacco's response, if I
22 can provide that.

23 Q Well, we've got a bit of a time constraint, so
24 tell me what your knowledge is. Do you know
25 whether the RCMP changed the agreement as a

- 1 result of your comments?
- 2 A Changed the agreement.
- 3 Q Yes?
- 4 A I'm not aware of that.
- 5 Q Okay. Did you negotiate a similar
- 6 information-sharing agreement with the RCMP
- 7 between GPEB and the RCMP?
- 8 A There was a memorandum of understanding that was
- 9 worked on by Director Bob Stewart with the RCMP.
- 10 Q And when was that put in place?
- 11 A I believe it was put in place around 2016. I'm
- 12 not certain.
- 13 Q Okay. So until 2016 am I right that there is no
- 14 formal arrangement that's put in place between
- 15 the RCMP and GPEB in terms of information
- 16 sharing; right?
- 17 A Well --
- 18 Q Around criminal activity?
- 19 A There is a fact that GPEB was a category 2 law
- 20 enforcement with Special Constable status.
- 21 There was an ability to share information back
- 22 and forth between the two organizations and
- 23 there were also green sheets, which are internal
- 24 policy in the RCMP, that directed RCMP about how
- 25 they can work with GPEB and what GPEB's

1 authorities are. So there was information
2 provided to clarify how that information can
3 share between the two organizations.

4 Q Do you accept there was no formal agreement
5 between RCMP and GPEB?

6 A I don't recollect there being a formal
7 agreement. I don't recollect.

8 Q You agree with me. Yeah. All right.

9 So I want to move away from your comments
10 about criminal investigation because I take it
11 you accept and you've just mentioned that GPEB
12 investigators had Special Constable
13 designations. Right?

14 A They did.

15 Q Okay. And I take it that you know a Special
16 Constable does more than provide information or
17 pass reports, that the duties of the Special
18 Constable are broader than that?

19 A Well, the duties of a Special Constable are
20 provided in terms of what the *Gaming Control Act*
21 allows them to do.

22 Q M'mm-hmm. And you focused on police
23 investigations, and one of the things you've
24 told us is there weren't a lot of them going on
25 in fact, right, in terms of money laundering?

1 A Well, I don't know what the police were doing.

2 But in terms of working with GPEB on money

3 laundering?

4 Q Yes.

5 A Information being shared from the period of

6 IIGET departing up until E-Pirate, I don't know

7 of any specific investigations that we were

8 working on directly with them.

9 Q Right.

10 A I heard evidence that some investigations had

11 started up and were terminated. And -- but I

12 wasn't involved in those investigations.

13 Q All right. So in terms of criminal prosecution

14 and *Criminal Code* offences being one of the ways

15 to deal with money laundering, at least for your

16 involvement with GPEB, it didn't seem that there

17 was a great deal of action being taken on that

18 front by the police; right?

19 A Well, I don't know what the police were doing.

20 I can't answer what the police were doing.

21 Q Well, you were aware of whether or not there

22 were convictions. You were aware whether or not

23 people were charged; right?

24 A I was aware of if there were any charges that

25 involved GPEB, and we weren't involved during

1 A Correct.

2 Q Okay. And so do you agree with me that the
3 regulatory scope of GPEB's authority in
4 assisting the deterrence of money laundering was
5 a very important part of the overall strategy of
6 anti-money laundering?

7 A Yes, I think the Commissioner has heard evidence
8 where we were trying to get guidance in terms of
9 the directive, the threshold, those types of
10 things from the senior leadership in terms of
11 doing that, opening up the *Gaming Control Act*,
12 looking at ways, if there were ways to enhance
13 that act in terms of that.

14 Q All right. So that's what I want to focus on,
15 what you did do on the regulatory side. You --
16 during your time there, you never received
17 approval from the government for a single
18 directive to be issued by GPEB on the regulatory
19 side; right?

20 A Directive, I don't recall a directive being
21 issued.

22 Q Or approved by the minister; right?

23 A I don't recollect that, no.

24 Q Okay. So in terms of regulatory compliance, I
25 want to also talk about what your investigators

1 can do. You said, you testified that an
2 investigator, if they asked about source of
3 funds for a patron, could not do that because
4 they would not be allowed to conduct a criminal
5 investigation; right?

6 A Correct.

7 Q Do you accept that having investigators ask
8 patrons about source of funds, the protocol that
9 they followed when they entered the casino and
10 gathering that sort of data could assist you in
11 recommending directives, recommending public
12 policy, or even engaging with BCLC about whether
13 or not the controls they had in place were
14 sufficient?

15 A I would say we didn't really need to interview
16 people to know what the concern was because we
17 were receiving thousands of Section 86 Reports
18 that was outlining what the concerns were in the
19 casinos, so in terms of a regulatory body with
20 limited authority, in terms of the *Criminal Code*
21 and responsible for -- not responsible for money
22 laundering and proceeds of crime, we had that
23 information. It was being provided to us by
24 BCLC, and our job was to analyze that, make the
25 police aware of it and report that up to see

1 whether or not we could get some advice and
2 direction from government in terms of trying to
3 deal with that.

4 Q So your evidence under oath is the investigators
5 had no role at all in speaking to patrons to
6 assist on the regulatory compliance side?

7 A Around money laundering and proceeds of crime, I
8 didn't believe that we would be doing that.

9 Q Did it occur to you or did you wonder why at all
10 they had a Special Constable designation or why
11 the government was funding so many
12 investigators?

13 A No, I never had any concern --

14 Q That never occurred to you?

15 A -- the question of that. Government provided
16 investigators because of the *Gaming Control Act*,
17 and we had offices throughout the province. And
18 they were doing investigations under the *Gaming*
19 *Control Act* or *Criminal Code* investigations
20 where the police would say hey, we're too busy
21 to take that on. So I had no concern around
22 that. The money laundering piece was a piece
23 that was complex, serious, it was a public
24 policy issue; it was a concern to the
25 government; it was a concern to the people in

1 the General Managers positions, and therefore we
2 were pushing that up to senior government to
3 say, if you would like your regulatory body to
4 do something, we need assistance in terms of
5 that. The minister was -- the minister was
6 providing direction to the General Managers and
7 the General Managers were writing letters to
8 BCLC outlining what the minister's expectations
9 were. I found that sufficient as a regulatory
10 body --

11 Q You found -- sorry, you found it's sufficient
12 for GPEB, who one of its mandates was to deal
13 with anti-money laundering, to write letters?
14 You thought that was a sufficient exercise of
15 your authority?

16 A And to continue to work with the police and try
17 to get the police to address the *Criminal Code*
18 provisions of that.

19 Q But, Mr. Meilleur, you know the police are not,
20 to your knowledge, really doing a whole lot with
21 the information you're sending across the way;
22 right? You know that?

23 A For a period of time they were not in terms of
24 casinos. Understood.

25 Q Okay. Right. So did you think that there was

- 1 anything else at all that GPEB should be doing
2 on the AML front such as getting directives from
3 the government to try to assist with prevention
4 of money laundering? Forget the investigation
5 and prosecution.
- 6 A Okay, well, to answer that question, Ms. Henein,
7 we did do things. We took an Exploring Common
8 Ground workshop with BCLC.
- 9 Q Sorry, let me get it down. I just want to go
10 through it. So you did a workshop?
- 11 A We did the workshop.
- 12 Q Yes. What else?
- 13 A We also in terms of our people creating a
14 spreadsheet, we brought immediate awareness to
15 senior leadership of government.
- 16 Q So you created -- sorry, let's just go through
17 it. You created a spreadsheet and you gave it
18 to the government?
- 19 A To bring awareness to them.
- 20 Q Okay. What else?
- 21 A We were given approval to do an audit by MNP, so
22 a third party entity to come in and do an audit.
- 23 Q Okay.
- 24 A We created an intelligence unit in our program
25 to work --

1 Q That did what?

2 A To work with police, created reports to inform
3 ourselves and the police and other law
4 enforcement entities about concerns around
5 casinos and the analysis that the intelligence
6 unit was doing. And also --

7 Q Okay. Sorry, the police -- we've already
8 discussed that the police weren't doing to your
9 knowledge much with the GPEB reports; right?

10 A But the question was what was I doing, what was
11 GPEB doing.

12 Q You continued doing that. All right. What
13 else?

14 A And GPEB also did the intelligence reports. We
15 also made recommendations which were supported
16 ultimately through the minister to bring in a
17 law enforcement group called JIGIT.

18 Q Yes.

19 A We supported the E-Pirate investigation,
20 provided resources to work on that.

21 Q Right.

22 A We made referrals to the police and worked with
23 the police on some of the illegal gaming houses
24 matters in terms of those types of
25 information-sharing components.

1 Q All right.

2 A And when JIGIT was implemented, government found
3 it sufficient concern to them to spend millions
4 of dollars and put a 27 approximate person unit
5 to investigate matters in casinos. So we did do
6 things. We did --

7 Q Is that the list of the things?

8 A And we continued working with the police in
9 doing our other functions as Special Constables
10 in GPEB. Yes, that's --

11 Q That's it. Okay. So let's talk a little bit
12 about what you knew BCLC was doing to deal with
13 anti-money laundering. One of the things that
14 you became aware that BCLC was doing is that
15 they had a criminal open source analyst; right?

16 A Yes.

17 Q In their AML unit?

18 A Yes.

19 Q Did you have criminal open source analysts in
20 your units?

21 A No.

22 Q Okay. So that was an expense -- sorry, let me
23 just finish my question. So that was an expense
24 and a person with a particular type of expertise
25 that GPEB did not have; right?

1 A Not until I brought in our intelligence analyst.

2 Q Right. Okay. And can I ask for document 4514
3 to be brought up. Of GPEB, sorry.

4 And right at the beginning there you see
5 this is "Talking Points, Len Meilleur, Executive
6 Director"?

7 A Yes.

8 Q These are your talking points. Can I ask you to
9 look at page 7. Thank you. And you see there
10 in the second paragraph you say:

11 "Why is further clarity necessary?"

12 Do you see that?

13 A M'mm-hmm.

14 Q And you say:

15 "A prolonged issue of scope creep, tension
16 in the relationship, duplicity of duties,
17 power struggle for resources and BCLC's
18 appetite for stature in the enforcement
19 community and overall gambling sector."

20 And then you say:

21 "Use the example of BCLC covert operation
22 in July 26 involving staff attending
23 MSB's."

24 Do you see that?

25 A Yes.

1 gathering and reporting to police, not GPEB. So
2 there you're annoyed that they're reporting
3 directly to the police and not GPEB; right?
4 That's the comment?

5 A Where are you at, Ms. Henein, please?

6 Q I'm sorry. I'm still at the same section there.

7 A Yes.

8 Q It says:

9 "Use the example of BCLC covert operation
10 in July 2016 involving staff attending
11 MSB's, intelligence gathering and
12 reporting to police not GPEB i.e. Sidaway
13 Civil Forfeiture. BCLC has built
14 intelligence unit, analyst SAS,
15 information-sharing agreement, all
16 modelling enforcement. They have been the
17 voice of AML for Province of BC through
18 white papers, press releases, BC Gaming
19 Industry Association, forums and
20 periodicals. Is their role not about
21 implementing policy, procedures, training
22 and ensuring the conduct and management of
23 that? My Air Canada experience tells me
24 so. We submit that their role should be
25 restricted to corporate security and

1 compliance which involves implementing
2 policy and guidelines for their contracted
3 service providers and other defined
4 responsibilities such as reporting to
5 FINTRAC. Reporting to FINTRAC, yes, but
6 should the compliance piece, meaning work
7 that is related to enforcement or
8 statutory obligation, needs to rest with
9 the regulator?"

10 And then you go on to say BCLC has a role in
11 providing information to GPEB. So am I right
12 that those are your notes?

13 A Yeah, and I go on to say that we wish to be
14 provided some clarity --

15 Q M'mm-hmm.

16 A -- in terms of that from the minister around
17 that. It was a balanced conversation other than
18 just the notes. And it's also -- in terms of
19 the notes where you say, used the example of
20 BCLC covert operation in July of 2016.

21 Q Right.

22 A If we could just talk about that. We were
23 notified of that operation occurring in which
24 BCLC sent personnel to a money service business
25 and had personnel from BCLC go into that money

1 service business to acquire information while
2 police were doing an ongoing investigation.

3 Q So you think that was problematic. That was not
4 a good probe or a nice job?

5 A I don't believe it was appropriate at the time
6 if the police were doing an investigation and
7 the police hadn't been notified. No, I don't
8 agree --

9 Q So you wouldn't say it was a good probe or you
10 wouldn't say it was a nice job at least?

11 A I said when I first received the information
12 from Ross Alderson that I thought hey, good
13 work, but I'd asked him, did you reach out to
14 the police, Ms. Henein, and the response was
15 when I talked to the police that they didn't.
16 So no, I didn't believe that was an appropriate
17 thing for BCLC to be doing at that time. Or
18 that I believed -- nor did I believe that it was
19 appropriate for BCLC to be out doing
20 investigations on the integrity of gaming or the
21 *Criminal Code*.

22 Q So you weren't doing them, and you were
23 concerned that BCLC was doing it?

24 A That's not appropriate. We were doing things in
25 terms of investigations. That's not a fair

1 analogy of what GPEB was or wasn't doing.

2 Q Do you accept that in this paragraph where
3 you're presenting talking notes for yourself,
4 this is all about your view that there is scope
5 creep by BCLC in the enforcement and dealing
6 with AML. Do you accept that?

7 A I accept at times there's scope creep, that
8 there are areas that I believe that they weren't
9 responsible for and that was one of my
10 commentaries in the information-sharing
11 agreement where BCLC held out that they said
12 under the *Gaming Control Act* they were
13 responsible for whatever the words are -- I can
14 pull up the agreement if we need to see it --
15 but that caused me concern too because that
16 authority didn't exist under the *Gaming Control*
17 *Act* under section 7 of the act in terms of their
18 power and their mandate.

19 MS. HENEIN: Commissioner, can that be marked, the
20 document I just put to the witness, as an
21 exhibit, please.

22 THE COMMISSIONER: Very well. That will be --

23 THE REGISTRAR: 707, Mr. Commissioner.

24 THE COMMISSIONER: 707. Thank you.

25 **EXHIBIT 707: AML Strategy - Has it worked? -**

1 **Talking points - Len Meilleur**

2 MS. HENEIN: Sorry, one second, please. You can take
3 that down. I don't need it anymore.

4 THE WITNESS: If I could also just further add,
5 Ms. Henein. There had been numerous documents
6 over several years about roles and
7 responsibilities in GPEB, and that conflict
8 remained, documents continued to do, BCLC agreed
9 with GPEB to bring in Dr. Peter German to do an
10 analysis of roles and responsibilities, and that
11 was reported on. And still there was at times
12 tension over what -- who was responsible for
13 what and what role. And scope creep, maybe not
14 in all cases, but yes there was in my view, in
15 my opinion, and I was seeking to get clarity,
16 the minister, as to what role he saw GPEB
17 playing in the future.

18 MS. HENEIN:

19 Q You also took issue with BCLC banning patrons;
20 right? You set that out in paragraph 112 --
21 paragraph 112 of your affidavit?

22 A Okay. I read that.

23 Q My question was you took issue with BCLC banning
24 patrons. Not investigating them, not criminally
25 charging them, just banning them?

1 A No, I took issue with the fact that GPEB didn't
2 have the authority to ban people and we -- my
3 understanding is they do now.

4 Q You were concerned that BCLC was issuing bans;
5 right?

6 A In terms of this, persons, special constables --
7 because GPEB were Special Constables I was
8 concerned that they may interfere with ongoing
9 police investigations by effectively giving
10 targets, notes, that's correct.

11 Q Did you have any basis for that conclusion, or
12 were you just guessing?

13 A No, I wasn't guessing. I believe because we
14 were responsible for the enforcement of those
15 bannings under the *Gaming Control Act* that it
16 would be better sat with us in terms of doing
17 those bannings and receiving that information
18 from police, and that's what I'd explained to
19 Inspector Colasacco as part of the conversation.
20 That was my opinion, my view on that.

21 Q Did you ever ban players?

22 A We didn't have the authority at the time. They
23 do now.

24 Q At the time BCLC was banning them, though;
25 right?

1 A Correct.

2 Q And you also took issue, am I right, with BCLC
3 conducting post-ban investigations? Right?
4 That also was a source of concern for you?

5 A Well, we had the authority [indiscernible].

6 Q I'm sorry?

7 MS. HENEIN: I'm sorry, I don't know,
8 Mr. Commissioner, is it freezing for you as
9 well?

10 THE COMMISSIONER: Yes.

11 MS. HENEIN:

12 Q I'm sorry, Mr. Meilleur. Just one second,
13 please.

14 THE COMMISSIONER: It did freeze for me as well,
15 Ms. Henein. Maybe if you wouldn't mind asking
16 the question again and we'll have the answer.

17 MS. HENEIN: Thank you.

18 Q You were concerned about the fact that BCLC was
19 also conducting post-banning investigations?

20 A I'm sorry. I'm getting static, Ms. Henein. I
21 apologize.

22 Q It's Ms. Henein. But let me try to repeat the
23 question again. You took issue with
24 post-banning investigations being conducted by
25 BCLC. Do you recall that?

1 A I took exception with the fact that we didn't
2 have the information on the bannings or the
3 authority to do that, we were the ones
4 responsible for doing the post-banning
5 investigations and the information would have
6 rested better with us in terms of doing that
7 investigation upfront on the individuals that
8 the police would provide the information on so
9 that wouldn't interfere with police
10 investigations, and then we could then have that
11 information as well in doing the post-follow-up
12 banning if somebody was to breach that after
13 having been served.

14 Q Is it your evidence that you can only ban a
15 player if they are being criminally
16 investigated?

17 A If they are only being criminally investigated,
18 no.

19 Q No. So BCLC could ban players that they were
20 suspecting of AML, that they had concerns about,
21 who they felt weren't compliant or weren't
22 giving them sufficient information. Those are
23 all things that are not necessarily a criminal
24 investigation; right?

25 A That's correct. For various reasons, yes.

1 Q Right. And those reasons, though, are factors
2 that impact on trying to prevent AML; right?
3 Trying to prevent money laundering?

4 A Yes, they may have had some impact on that to
5 some degree. I don't know how many individuals
6 were banned for the purposes of being associated
7 to AML or money laundering. It would be
8 interesting to see that statistic, but I've
9 never seen it.

10 MS. HENEIN: Can I ask for exhibit PG0569 to be
11 brought up, please.

12 Q All right. And this is a slide deck that's
13 prepared in 2017, a GPEB update for the Ministry
14 of the Attorney General; right?

15 A Correct. I'm just getting it here. Thank you.

16 Q Can I ask you to take a look at page 6 of that
17 document. And right at the top there you see it
18 says "Len:" So these are your notes or your
19 speaking notes?

20 A Yes, they are comments or notes that I may or
21 may not have referred to during the briefing
22 with the minister.

23 Q Right. And so in 2017 -- in 2017 when you're
24 making a presentation to the Ministry of the
25 Attorney General, if you look down at the very

1 last bullet point on that page. Do you see
2 there, again, you say:

3 "Roles, scope creep. In a recent
4 presentation to the Minister and Deputy
5 BCLC identified that they have what I
6 heard described as criminal open source
7 analysts in their AML unit. Again I am of
8 the view that BCLC needs to focus on their
9 role of conduct and manage and that AML
10 (outside of reporting to FINTRAC and their
11 guidelines/audits of service providers)
12 needs to be clearly defined as belonging
13 to GPEB, if that is government's wishes."

14 Right?

15 A That's correct.

16 Q All right.

17 A If that's government's wishes, it was a briefing
18 to the minister to provide him with background
19 and to make decisions or options.

20 Q Right. So you're not going to the minister --
21 Ministry of the Attorney General and saying you
22 know what, BCLC has all of these really
23 effective things in place; they're banning
24 players, they've hired criminal open source
25 analysts, they're doing all sorts of things that

1 are really beneficial to deal with money
2 laundering or to support our anti-money
3 laundering strategy; right? What you're
4 complaint is is that they're doing this and
5 there is scope creep and you would like GPEB to
6 have the authority to do that; right?

7 A Well, that's one point of a discussion. There
8 were more than that. And the minister -- going
9 to the minister and telling them all the things,
10 the good things that BCLC was doing, BCLC
11 provided that opportunity to the minister. They
12 advised the minister of those things. The
13 minister was asking for a frank briefing from
14 GPEB as to what GPEB felt were the gaps, some of
15 the issues that were of concern, and we provided
16 those comments to the minister and opinion for
17 the minister to make a decision on.

18 MS. HENEIN: Can I ask, Mr. Commissioner, that this
19 be marked as an exhibit.

20 THE COMMISSIONER: Yes, very well. That will be 708.

21 THE REGISTRAR: Yes, exhibit 708.

22 **EXHIBIT 708: Slide deck with notes - Ministry**
23 **of Attorney General GPEB Update October 26, 2017**

24 MS. HENEIN: You can take it down now. Thank you.

25 Q Let me go to something else that you were -- you

1 complained about. And that was that BCLC
2 conducted this MSB probe, which was an
3 undercover operation. Right?

4 A Yes. And I brought awareness to.

5 Q Right. And you say that you don't like them
6 conducting this, but I take it you accept that
7 you did send an email to Mr. Alderson telling
8 him that it was a good probe and a nice job.

9 A Yeah, I mentioned that in my evidence, too, that
10 I did say that to him and then I asked if the
11 police had been informed. And when I followed
12 up after, I was advised that the police hadn't
13 been informed, and there was a meeting with the
14 RCMP, GPEB and BCLC regarding that.

15 Q Okay. So just so we have it, just to summarize
16 where we are up to this point, you've told us
17 that GPEB really was effectively an organization
18 that provided information, passed information on
19 to the police; right?

20 A I said more than that, Ms. Henein. And with
21 respect, we were doing many things. We were
22 building a unit, doing intelligence. We got the
23 police investigation team to come in and work
24 with the E-Pirate unit. We had our intelligence
25 unit work on reports. We had our analysts doing

1 reviews and sharing information. We were
2 working with the police. We were going to
3 intelligence meetings, intelligence briefings.
4 We were briefing governments. We were having
5 meetings, the staff were, on occasions with BCLC
6 in various regions. So we were doing more than
7 that.

8 Q Okay. And you -- we've gone through the
9 concerns you had with respect to BCLC's
10 activity. The last area I wanted to talk to you
11 about was a complaint about ten bank drafts that
12 were suspicious. Do you recall that?

13 A I do.

14 Q Okay. And do you recall that GPEB refused to
15 provide the names of the bank draft or the
16 individuals who had passed those bank drafts
17 citing an ongoing investigation?

18 A Ms. Henein, I saw Mr. Kroeker's affidavit and
19 read that on that, and yes, the meeting did
20 occur in February. And we did have a
21 conversation about that.

22 Q All right. And you're aware that as a result of
23 the information that you provided that BCLC
24 inspected -- went back three years and inspected
25 all of their bank drafts, about 7,500 of them?

1 A I'm aware of that now, yes.

2 Q Were you aware of that then?

3 A I couldn't recollect that I was aware of it
4 then, but with this commission occurring, the
5 commission, I became aware of it, yes.

6 Q Is it possible that you were told and you've
7 forgotten?

8 A It may be.

9 Q Okay.

10 A And in terms of those names that were provided,
11 if I might expand on that. In January of 2017
12 from the Commissioner's -- I'd like to advise
13 the Commissioner that GPEB and BCLC work
14 collaboratively on working in casinos on a
15 project, and I received a phone call at home
16 from Mr. Ken Ackles, who was my manager of
17 JIGIT, who informed me that they had concerns
18 around the bank draft, that somebody was able to
19 obtain a bank draft at late hours of the
20 evening. So that was the first indication that
21 subsequent to that conversation I was informed
22 through conversations with Mr. Scott McGregor
23 that there was a concern around bank drafts and
24 a certain number of individuals who he didn't
25 provide the document or the names, but he

1 confirmed to me that there was a problem and
2 that the police were aware of that.

3 He also, Mr. McGregor, Commissioner, brings
4 that up -- if I can just find it -- the
5 intelligence report that he provided to me and
6 to GPEB. I think it's 17.

7 Q Okay. Well, what I'm interested in is your
8 knowledge of what BCLC's response was to this
9 information. So that's the question I've asked
10 you. And you've told me you don't recall
11 whether or not you were aware that they
12 conducted three years' investigation, going back
13 three years, looking at 7,500 bank drafts. You
14 don't recall one way or the other whether you
15 recall that?

16 A I didn't recall from that time, as I stated. I
17 am aware of it now.

18 Q Okay.

19 A I'm also aware that -- if I may finish,
20 please -- I've heard evidence in front of the
21 Commissioner from Mr. Lightbody that the Deputy
22 Solicitor General provided information that said
23 that GPEB never had the names. When I heard
24 that evidence, I took exception to that because,
25 A, the Deputy Solicitor General would not have

1 recall that the MNP report also made
2 recommendations regarding what GPEB should do in
3 terms of AML?

4 A Correct.

5 Q And one of the recommendations they made was
6 that GPEB should consider implementing a policy
7 requirement that service providers refuse
8 unsourced cash deposits exceeding a particular
9 dollar threshold?

10 A Correct.

11 Q Okay. Did GPEB ever do that?

12 A GPEB I know through the manager, General Manager
13 had made requests for support on that. I also
14 know that -- if we could have the document,
15 please, which is the MNP response provided by
16 BCLC to GPEB, please, so I can give a more
17 fulsome response to the Commissioner, please.

18 Q Sorry, I'm asking you whether GPEB ever
19 implemented such a policy requirement. That's
20 what I'm asking you. Did you --

21 A No. No, we didn't --

22 Q -- to your knowledge?

23 A No, but BCLC outlined in a document to us that
24 there was some concerns with GPEB doing such
25 things and I would like an opportunity, please,

1 to find that document and provide it to the
2 Commissioner to give a response.

3 THE COMMISSIONER: I think, Mr. Meilleur, at this
4 point you're being examined by Ms. Henein, and
5 you need to respond to her questions. But it
6 certainly will be open to your counsel at the
7 end of the day or to Ms. Rajotte on behalf of
8 the province to illicit evidence from you that's
9 explanatory of some of the things that's been
10 raised in the course of this examination. But
11 Ms. Henein has limited time and needs to ask the
12 questions that are germane to her brief.

13 THE WITNESS: Understood, Commissioner. I apologize.
14 Thank you.

15 THE COMMISSIONER: That's all right. Thank you.

16 MS. HENEIN: Thank you, Mr. Commissioner.

17 Q In terms of the source of funds inquiry, are you
18 aware that as a result of a number of protocols
19 that were put in place by BCLC that
20 Mr. Tottenham testified that there was an
21 immediate and steep decline in cash and total
22 number of STRs? Were you familiar with any
23 reduction in STRs as a result of source of
24 funds --

25 A Yes, I recollect that being reported on.

1 Q Okay. Thank you. And the last couple of
2 questions I have for you relate to Anna
3 Fitzgerald. I understand Anna Fitzgerald was
4 working in September of 2017. She became the
5 Director of Compliance. Would she have been
6 working at the time you were also in compliance,
7 or did she come on after you had moved on?

8 A No. Sometime in the summer of 2017 Mr. Mazure
9 had made -- had honoured my request to move out
10 of compliance and go into an advisory role for
11 the last few months so that I could provide some
12 aware -- acknowledgement, awareness of what was
13 going on in compliance to Ms. Fitzgerald and
14 work on other matters with Mr. Mazure.

15 Q Okay. Were you aware, then, when BCLC asked
16 that GPEB correct their report that indicated
17 that BCLC or casinos were knowingly accepting
18 cash from provincially banned cash facilitators?
19 Do you recall discussions around that or
20 complaints around that?

21 A I don't recall that. I don't recall that.

22 Q All right. That was not something that involved
23 you?

24 A I don't recollect that.

25 MS. HENEIN: Okay. Thank you. Those are my

1 questions.

2 THE WITNESS: Thank you.

3 THE COMMISSIONER: Thank you, Ms. Henein.

4 I think rather than adjourn now, we'll
5 perhaps go to Ms. Tweedie on behalf of the BC
6 Civil Liberties Association, who has been
7 allocated five minutes, and then we'll take your
8 break after that

9 MS. TWEEDIE: Thank you, Mr. Commissioner. I can
10 advice in light of the evidence we no longer
11 have questions for Mr. Meilleur.

12 THE COMMISSIONER: All right. Thank you,
13 Ms. Tweedie. That means, then, we will take our
14 15-minute adjournment at this point.

15 THE REGISTRAR: This hearing is adjourned for a
16 15-minute recess until 11:39 a.m.

17 **(WITNESS STOOD DOWN)**

18 **(PROCEEDINGS ADJOURNED AT 11:24 A.M.)**

19 **(PROCEEDINGS RECONVENED AT 11:38 A.M.)**

20 **LEN MEILLEUR, a witness**
21 **for the commission,**
22 **recalled.**

23 THE REGISTRAR: Thank you for waiting. The hearing
24 is resumed. Mr. Commissioner.

25 THE COMMISSIONER: Yes. Thank you, Madam Registrar.

1 I'll now call on Mr. Butcher on behalf of
2 Mr. Desmarais, who has been allocated
3 30 minutes. I just wonder if we've lost
4 Mr. Butcher.

5 IT SUPPORT: No, Mr. Commissioner. I believe he has
6 left the -- oh, he's unmuting himself.

7 THE COMMISSIONER: Thank you. Yes, Mr. Butcher, I
8 think if you can unmute yourself.

9 MR. BUTCHER: Thank you.

10 **EXAMINATION BY MR. BUTCHER:**

11 Q I'm sorry about that, Mr. Meilleur. As you've
12 heard I act for Brad Desmarais --

13 A [Indiscernible] Mr. Butcher.

14 Q -- and I want to begin by thanking you for
15 expressing your respect for Mr. Desmarais's
16 experience and knowledge in the area of money
17 laundering.

18 A Thank you.

19 Q I take it from several thing that you've said in
20 your evidence that you have either watched or
21 read most of the transcripts of the gaming
22 section of this commission. Is that fair?

23 A Yes. Several of them that relate to the
24 casinos, Mr. Butcher. The rest of it I just was
25 trying to be [indiscernible].

1 Q Certainly my client, Mr. Vander Graaf,
2 Mr. Kroeker, other people directly involved in
3 your field?

4 A Yes, Mr. Butcher.

5 Q Thank you. You worked at the RCMP at the same
6 time as my client, but I understand you didn't
7 know each other until you went to work for GPEB.
8 Is that correct?

9 A That's correct. I first met Brad when I was the
10 Executive Director of the Registration. We had
11 a great relationship. I want to believe we
12 still have a great relationship. I have a lot
13 of respect for him.

14 Q And he began his job as Vice President of
15 Corporate Security and Compliance in February
16 2013?

17 A I believe that's correct, yes.

18 Q And you at that time were the Executive Director
19 of Registration and Certification?

20 A That's correct, Mr. Butcher.

21 Q And the two of you would meet about once a
22 month, usually in your office in Victoria?

23 A Yes, usually there or I would come over to
24 Vancouver and we would have lunch together.

25 Q And you would discuss matters of overlapping

1 interest?

2 A Yes.

3 Q Correct?

4 A Yes.

5 Q You would have had a slightly different
6 relationship with him after you assumed your
7 position as the director -- Executive Director
8 for Compliance?

9 A That's correct, Mr. Butcher. It wouldn't have
10 been a long one. Brad moved on to other
11 responsibilities in the corporation, and we did
12 have some chats and some work together. He
13 helped support the Exploring Common Ground
14 piece, and he was busy working on setting up the
15 successor to his program and dealing with those
16 things. He was quite busy as well.

17 Q And that was Mr. Kroeker who took over in
18 September 2015?

19 A Yes, I believe around that time, Mr. Butcher.

20 Q So you and he shared the compliance
21 responsibility on both sides of this fence for
22 about nine or 10 months?

23 A Yes. About that, that's correct.

24 Q And one of the first things that you did
25 together was go to meet the ADM,

- 1 Ms. Wenezenki-Yolland, on January the 6th, 2015?
- 2 A Yes. There was a presentation made. I referred
3 to that.
- 4 Q The two of you went together. Mr. McCrea was
5 there and some people from government
6 communications and public engagement were there?
- 7 A That's correct, Mr. Butcher.
- 8 Q Do you remember how long that meeting was?
- 9 A I believe it was a couple hours maybe. I'm not
10 sure. I know some people came over from
11 Vancouver and they went back in the late
12 afternoon.
- 13 Q So I have looked at your notes, and they say
14 that the meeting started at 1 o'clock and your
15 next entry is at 4:10 and you leave at about
16 5:30 -- leave the area at about 5:30. So would
17 it be possible that this meeting is two to three
18 hours?
- 19 A It could be, Mr. Butcher. I don't recollect
20 that.
- 21 Q And you've said in your affidavit that you
22 learned a lot -- I think you used the phrase
23 in-depth knowledge about money laundering during
24 that meeting?
- 25 A That's correct. Brad has a great background in

1 that. Mr. McCrea also had had years of working
2 on the AML strategy, so me being new in the
3 position, it was an opportunity to listen in on
4 what was being said.

5 Q And I take it as well that you -- and you say
6 this in your affidavit -- that you learned a lot
7 about Asian money lending culture during that
8 meeting.

9 A That's correct.

10 Q What do you remember absorbing about Asian
11 financial business practices from that meeting?

12 A Well, for me, I found it complex. It was new
13 and it was, you know, in some regards so new to
14 me that I didn't understand how some of the
15 transactions would occur, but that was new
16 information, new area for me, and I certainly
17 absorbed at that time that I had a lot to learn.
18 I also know that -- and I think I mentioned that
19 in my evidence, that the Associate Deputy
20 Minister, she had several questions of
21 Mr. Desmarais, and he provided responses to her
22 around that.

23 Q And if I have this correctly, you've not been
24 able to locate a copy of the presentations made
25 to the deputy minister that day?

1 A I haven't -- I haven't seen those, Mr. Butcher.

2 Q The next event of significance was the Exploring
3 Common Grounds summit?

4 A That's correct.

5 Q That was on June the 4th, 2015?

6 A Correct.

7 Q And you prepared a briefing after that meeting,
8 which is your exhibit GG. Do you have your
9 affidavit with you?

10 A I do, yes. I'm there, Mr. Butcher.

11 Q If you can go to the second page, you'll see
12 that there you had listed as strengths a number
13 of things that BCLC had been doing under
14 Mr. Desmarais's direction, including the
15 investment of millions of dollars into SAS
16 software, the beginning of the process of KYC of
17 high-risks players, a surveillance regime that's
18 more comprehensive and not as restricted by
19 legislation that governs financial institutions,
20 a stronger audit trail and traceability, an
21 awareness of the difference between the source
22 of wealth and source of funds. I've read that
23 correctly?

24 A Correct.

25 Q And you were able -- you were able to take away

1 from the meeting that that's the state of
2 affairs of BCLC's AML efforts at that time?

3 A Yes. I'm not certain, but I have reason to
4 believe, Mr. Butcher, that this document was
5 prepared by the contractor that BCLC and we
6 engaged to close the meeting and she would have
7 taken various components and put that together
8 in here, so this may have been some compilation
9 of some information from the anti-money
10 laundering strategy that BCLC and GPEB were
11 working on as well.

12 Q I'm not sure you're correct about that for two
13 reasons. Firstly, if you look at the last page
14 and you'll see, page 5, you'll see that this is
15 submitted by yourself?

16 A Yes.

17 Q And that you've been assisted by Lisa Burke?

18 A Yes, Lisa Burke. She was working with the
19 contractor, that's correct.

20 Q And if you go to exhibit K, that is the document
21 prepared by the contractor to summarize the
22 state of affairs, if I can put it that way.

23 A KK?

24 Q No, just K.

25 A Okay, the concept paper. Yes, I see that,

1 Mr. Butcher.

2 Q And I'll quickly take you to page 9 because
3 there's a summary there of current state in
4 which the facilitator has written this:

5 "There is a sound AML policy and practice
6 framework in place in BC gaming
7 facilities. Research and consultations
8 show that the regime has the features of
9 an effective AML due diligence and
10 compliance framework. BCLC's AML program
11 is a compliance-plus, principle-based
12 model that is designed to be the leading
13 edge in understanding emerging issues and
14 attempting to mitigate and address those
15 developments through proactive practices.
16 In a recent examination FINTRAC
17 complimented BCLC as being 'best in class'
18 in the gaming industry."

19 I've read that correctly?

20 A Yes.

21 Q And that's certainly the takeaway that this
22 fellow had from that meeting?

23 A Yes. It was Ms. Thorau. That's the information
24 that she put together and compiled from that
25 meeting.

1 Q And there's a comment on page 7 in the middle
2 of -- or just towards the top of that page, and
3 another comment on page 8 about the importance
4 of information sharing between agencies and the
5 importance of particularly of enhanced and
6 coordinated collaborative intelligence analysis,
7 audit and enforcement between BCLC and the other
8 agencies. Do you agree that that's important,
9 that there be a collaborative sharing of
10 information between BCLC, GPEB and other
11 agencies who might be involved?

12 A Yes, where appropriate to do so, Mr. Butcher.

13 Q I'm going to come back now to this issue that
14 has been raised with you a number of times with
15 respect to the powers of your Special
16 Constables. You had a legal opinion put in
17 front of you this morning by Mr. Smart. It was
18 dated September 29th, 2015. Do you remember
19 seeing that document this morning?

20 A Yes. We're just trying to find it here,
21 Mr. Butcher.

22 Q I think it's GPEB0006, but I'm not sure if I
23 heard the number right?

24 MS. LATIMER: It's 0066.

25 MR. BUTCHER: 0066. If you could bring up that

1 quickly again, please?

2 THE REGISTRAR: Yes, and I want to make sure this

3 cannot be livestreamed.

4 MR. BUTCHER: You're right. I should have said that.

5 Q So this is the opinion that you say you relied

6 upon to form your views about the scope of

7 powers of your Special Constables?

8 A Yes. That one and the previous one that was

9 provided back to GAIO and also my conversations

10 in confidence, in person with both Mr. -- the

11 legal counsel for the government.

12 Q And without having to go back to the previous

13 opinion itself, if we could please go to

14 paragraph 7 on page 3. We have gone back to the

15 previous opinion.

16 A That's okay.

17 Q That's fair enough. That's even better. We

18 just saw the signature on the bottom. It's that

19 of a venerable solicitor from the AG's ministry

20 called Gordon Houston. It's dated October 2000,

21 and this opinion was provided with respect to

22 the powers of the gaming audit and investigation

23 office. Is that correct?

24 A Correct. And it was also attached and provided

25 to me by legal counsel during my tenure in GPEB.

1 Q And it's apparent that the solicitor who
2 provided you the opinion in 2015 relied on this
3 document, this opinion, the first opinion;
4 correct?

5 A Yes.

6 Q Well, in fact let's go back to the document 66,
7 please. And go to page 3.

8 A Yes.

9 THE REGISTRAR: Sorry, I don't have the page here.
10 Just give me one second, please.

11 THE WITNESS: I have the hard copy in front of me,
12 Mr. Butcher, if you --

13 MR. BUTCHER:

14 Q On page 3 it's clear that the 2015 solicitor is
15 relying on the October 2000 opinion that was
16 prepared by Mr. Houston?

17 A In paragraph 7 he talks about we provided that
18 opinion, correct.

19 MR. DELBIGIO: Mr. Commissioner, sorry, I do
20 apologize for interrupting, but is this again a
21 time that I should -- I seem to be paying more
22 attention to this than maybe anybody else, but
23 should I be looking away at this stage?

24 MS. LATIMER: That's the same document, Mr. DelBigio,
25 so I think the same --

1 MR. DELBIGIO: Thank you.

2 MS. LATIMER: -- would apply.

3 MR. BUTCHER:

4 Q Now, at the time that Mr. Houston wrote his
5 opinion, the employees of GAIO were not Special
6 Constables, were they?

7 A I don't know that, Mr. Butcher.

8 Q They became Special Constables when GPEB was
9 formed in or around 2002; correct?

10 A I believe you're right, that when the new act
11 came into place.

12 Q So the early opinion is based on an entirely
13 different set -- legal framework, if I'm correct
14 in saying that the GAIO offices were not Special
15 Constables?

16 A Like I said, I'm not exactly sure what was going
17 on back then and what the powers were in GAIO.

18 Q Did you ever look at it to see whether the
19 October 2000 opinion had any relevance to the
20 current legal framework that existed?

21 A To the current legal opinion? Well, in the
22 current legal opinion, Mr. Butcher, where the
23 counsel states that they gave that in October
24 2000, we provided a legal opinion on
25 substantially the same issues. That's when I

1 referred to that document again, yes.

2 Q But the 2015 solicitor was asked to rattle this
3 opinion off in less than a working day; correct?

4 A It says in there to have something by the end of
5 the day, but that's not the only time or
6 discussions they would have had around authority
7 of GPEB investigators.

8 Q He said he was asked to prepare this opinion at
9 the morning meeting and asked to have it by
10 4 o'clock, asked to have the report by
11 4 o'clock; correct?

12 A Correct.

13 Q Was he provided with any of the appointments of
14 the Special Provincial Constables?

15 A I don't know that, Mr. Butcher.

16 Q Have you seen the letters of appointment of the
17 Special Provincial Constables?

18 A Years ago, yes, I've seen them.

19 Q I wonder -- now, before I get to this, there's
20 no reference in the 2015 opinion to the author
21 having seen those documents, and the third
22 opinion that you got was with respect to -- or
23 was from Mr. German dated December the 4th,
24 2016; correct?

25 A Correct.

1 Q And it's very apparent from his opinion that he
2 did not see the appointments of the Special
3 Constables?

4 A Correct.

5 Q Why was he not provided with them? And why was
6 the 2015 solicitor not provided with the
7 appointment letters?

8 A I can't answer that, but I do know that the
9 appointments do come from the Attorney General's
10 office and should he have wanted those or
11 requested them, we would have provided them.
12 That's all [indiscernible].

13 Q Now, you'll accept the notion that a lawyer's
14 opinion has to be based on as many facts as
15 possible? As much of the actual matrix as is
16 available?

17 A Correct.

18 MR. BUTCHER: So if we could please have brought up
19 GPEB document 2625.

20 THE COMMISSIONER: Mr. Butcher, are you done with the
21 previous document now?

22 MR. BUTCHER: Yes.

23 THE COMMISSIONER: All right. Thank you. Again --

24 MR. BUTCHER: And I'm not aware of any protection
25 that would apply to this document.

1 THE COMMISSIONER: All right. That's fine. I just
2 wanted to alert Mr. DelBigio that he may once
3 again view his screen.

4 MR. BUTCHER: Sorry, I'm going too quickly.

5 Q If you can go to the second page of that,
6 please. This is a sample appointment of a
7 Special Constable?

8 A Yes.

9 Q -- dated November 17th, 2010?

10 A Yes, Ken.

11 Q And if I can read the last paragraph:

12 "The authority and powers conferred are
13 restricted to the performance of duties in
14 respect of the law enforcement mandate
15 of --"

16 Gaming policy and the enforcement branch of the
17 Minister of Public Safety and Solicitor General.

18 "For this purpose only the appoint tee the
19 powered to enforce the following
20 enactments to the extent necessary: A,
21 *Criminal Code of Canada*, and B, provincial
22 statutes of British Columbia."

23 I've read that correctly?

24 A You have. And I'm aware of these appointments.
25 I've seen them and distributed them to staff on

1 occasion. And in terms of the enactments the
2 *Criminal Code of Canada* and provincial statutes
3 of British Columbia, in my discussions with
4 counsel, it was always under the premise that
5 there had to be a nexus to the *Gaming Control*
6 *Act* or permission of law enforcement, as I've
7 given in my evidence, to do those types of
8 investigations and [indiscernible].

9 Q And your whole opinion about your 100 or so
10 investigators having no powers to investigate
11 money laundering or proceeds of crime, it has to
12 be based on the assertion that there's no nexus
13 between those crimes being committed in casinos
14 and your mandate; is that fair?

15 A I don't know if that's fair, Mr. Butcher,
16 because I challenged counsel and did provide a
17 case law -- I can't remember the name of the
18 case that I found online -- that I said may
19 extend powers to us to allow to do those types
20 of investigations. And the response I received
21 from counsel was no, there needed to be a nexus
22 to gaming. So there had been discussions about
23 this more -- on more than one occasion prior to
24 this date and with Mr. Vander Graaf over the
25 years about the authorities.

1 Q So is it your opinion --

2 A Yes?

3 Q -- that you had no powers because there was no
4 nexus between money laundering in the casinos
5 and the mandate of GPEB?

6 A In terms of -- as I said, in terms of money
7 laundering and proceeds of crime, yes, and I go
8 back to the advice I was provided, Mr. Butcher,
9 and paragraph 16 stands out to me over and over
10 again that it's pretty explicit in terms of the
11 advice to me and I wasn't going to contravened
12 the advice I'd had that says we don't have
13 authority to enforce the *Criminal Code*.

14 Q Looking back on it now, do you think it would
15 have been better if you provided those
16 appointments to the solicitor who you asked to
17 provide you with an opinion?

18 A No, because I believe the opinion would be the
19 same today.

20 Q When Mr. German provided you with his opinion,
21 he was of the view that the Special Constables
22 had a broader mandate than suggested by the 2015
23 appointment -- 2015 opinion; correct?

24 A I would have to see the opinion and read that
25 again, Mr. Butcher, but --

1 Q I'll leave that for a moment. I don't have time
2 to go to it.

3 A Okay.

4 MR. BUTCHER: I'm going to ask that GPEB 2625 be
5 marked as the next exhibit, please.

6 THE COMMISSIONER: Very well.

7 THE REGISTRAR: Exhibit 709, Mr. Commissioner.

8 THE COMMISSIONER: Thank you.

9 **EXHIBIT 709: Email from Robert Stewart re GM**
10 **Delegation Letters - November 9, 2018 (with**
11 **attachment)**

12 MR. BUTCHER:

13 Q I'm going to ask you some questions about --
14 maybe -- I'm going to ask you some questions
15 about the desirability of information sharing
16 between yourself, between GPEB and BCLC and the
17 RCMP.

18 In paragraph 145 of your affidavit you say
19 that it was always your view that BCLC needed to
20 know where exactly these clients obtained the
21 funds; is that correct?

22 A Just going to read that, Mr. Butcher. One
23 second, please.

24 THE REGISTRAR: Mr. Butcher, may I take the document
25 down?

1 MR. BUTCHER: Yes, please.

2 THE WITNESS: Okay, Mr. Butcher, yes, that was my
3 view.

4 MR. BUTCHER:

5 Q And when you came to make your presentations to
6 the minister -- I won't take you there; it's
7 exhibit UUU, document 1064 -- you were
8 suggesting that one of the things that should be
9 done was that BCLC should have updated and
10 enhanced enforcement sharing agreements with the
11 RCMP; correct?

12 A I'll just look at that. One second, please.
13 Which page of this or you on Mr. Butcher,
14 please?

15 Q Page 11.

16 A I don't know if we have the same document,
17 Mr. Butcher, here. I'm just trying to find it.

18 Q UUU. It's a presentation that you made, I
19 believe, to the minister.

20 A Okay.

21 Q If you go to page 11. 1064.0011.

22 A Okay. I'm there where that slide was presented.

23 Q Under the heading "BCLC Response."

24 A M'mm-hmm. I see that, Mr. Butcher.

25 Q Oh, I see. They're asking for updated

1 agreements?

2 A That's right.

3 Q What was it that led you to decide that you
4 should -- I'll step back a bit.

5 In paragraph 168 of your affidavit you
6 explain that you did not provide the names of
7 the people arrested by JIGIT because that
8 information belonged to the RCMP and it was
9 their exclusive decision to decide who to give
10 information to?

11 A Correct.

12 Q You learned that the RCMP had decided or had
13 entered into an agreement with BCLC on their own
14 to provide information to BCLC?

15 A Correct. We weren't a part of that when it was
16 constructed, Mr. Butcher, but yes, I'm aware of
17 that.

18 Q And given that it's obviously your opinion that
19 the RCMP should decide who it gives information
20 to, why did you get involved in the
21 information-sharing agreement issue at all?

22 A The reason for that in my affidavit I attached
23 some emails that after the E-Pirate
24 investigation started I was asked by my superior
25 to work with the RCMP. I attended, Mr. Butcher,

1 some meetings with senior RCMP personnel, Chief
2 Superintendent Hackett, Brian Cantera, and there
3 was discussions about how information would flow
4 between organizations, and I wrote in there my
5 take away of action items, and one of them was
6 to look at ISAs, MOUs and those types of things.

7 Q Right. I'm going to stop you there because I
8 want to get some answers about this.

9 A Yes.

10 Q You made no inquiries with BCLC before embarking
11 on your inquiries with the RCMP to find out what
12 this agreement was and how it had been entered
13 into; correct?

14 A Correct.

15 Q And you got a note back from -- a sharp email
16 back from Mr. Kroeker after the agreement was
17 suspended telling you that it had been -- this
18 agreement had been negotiated between counsel
19 for the RCMP and counsel for BCLC?

20 A Correct.

21 Q If you'd known that, if you'd made the inquiry
22 and found that out, would you have taken any
23 steps with respect to the agreement, or would
24 you have just left this to the RCMP and BCLC?

25 A No, I may have had more discussions or may have

1 talked to them about information because at that
2 time, Mr. Butcher, they were now embarking on
3 the E-Pirate investigation and there was some
4 rumblings of a full-time police team. So I
5 would have had those conversations around how
6 information would best be shared.

7 Q But I suppose the question is what business of
8 yours was it to get involved in the issue of how
9 much information the RCMP was sharing with BCLC?

10 A We're the regulator. We have a right to be
11 informed of any matters that might involve the
12 integrity of gaming, so if BCLC was going to
13 enter into an agreement with a police agency, we
14 would have expected that we were at least part
15 of the discussion or a part of the conversation
16 to see whether or not we should be included in
17 the agreement. That was the purpose.

18 Q I don't think anybody disputes that. One quick
19 question about JIGIT.

20 A Yes, sir.

21 Q Has anybody ever been prosecuted and convicted
22 as a result of any of the work -- any of the
23 investigations by JIGIT?

24 A I don't know. In terms of when I was there,
25 they were working on some files. I don't know

1 in terms of some of the smaller files whether
2 there were any prosecutions or convictions. But
3 in terms of the one file I was most interested
4 in, E-Nationalize, I don't -- I can't talk about
5 that because it's still under investigation, I
6 understand.

7 Q To your knowledge --

8 A Yes.

9 Q -- no person has ever been charged as a result
10 of a JIGIT investigation, have they?

11 A In terms of casino money laundering, I would
12 agree, Mr. Butcher.

13 Q I have one final area for you, Mr. Meilleur.
14 Have you read or did you listen to the evidence
15 of Professor Henry Yu?

16 A No.

17 Q So Mr. Yu is a man -- sorry, Dr. Yu is a
18 professor at UBC who has a PhD from Princeton,
19 and he gave evidence before the commission
20 expressing a concern that Canada's approach to
21 foreign investment was racialized in that people
22 had different opinions about money that was
23 sourced from Europe against money that was
24 sourced from China. So let me just tell you
25 that that was his opinion.

1 A Okay.

2 Q And he was presenting a perspective that perhaps
3 other people hadn't heard before about this.

4 And he said this at page 87 of his evidence
5 about our community attitudes as a whole towards
6 money from China. Sorry, it's page 87, line 20:

7 "There's something we don't like about the
8 origin of money that's made in China that
9 we are using a storytelling method of
10 saying party officials are corrupt; money
11 made in China is corrupt; therefore coming
12 from China -- there's a series of
13 syllogisms. If A, then B, then C. And,
14 you know, in some sense shortcutting
15 through those logical, seemingly rational
16 equivalences, and tagging all money that
17 seems Chinese as somehow illegitimate."

18 So that was his evidence before the commission.

19 Would you agree that it's completely
20 inappropriate to simply draw that link, money
21 from China must be illegitimate?

22 A To draw that link that it must be illegitimate?

23 Q Yes.

24 A I don't have a comment on that. I can only say
25 if I was doing an investigation and I was

1 involved in seeing some of the fruits of the
2 work of the RCMP in E-Nationalize, I can only
3 speak to specific investigations that there were
4 concerns in that investigation and the E-Pirate
5 investigation about where that cash was being
6 sourced from. My understanding, Mr. Butcher, is
7 it was arrangements being made with Asian
8 clientele, that it would have no difference to
9 me who the clientele was, as long as the
10 appropriate investigations were being conducted.

11 Q Will you agree with this simple proposition that
12 it's inappropriate to simply equate money from
13 China as being illegitimate money?

14 A Based on my limited experience, I would agree
15 with that.

16 Q Now, if you can go quickly to exhibit V.

17 MS. LATIMER: I'm sorry to interrupt. My friend is
18 about five minutes over his time at this point.

19 MR. BUTCHER: Thank you. I need five more minutes.

20 THE WITNESS: What exhibit was that, Mr. Butcher?

21 MR. BUTCHER: Exhibit V.

22 THE COMMISSIONER: Just to interrupt, you have five
23 more minutes, Mr. Butcher.

24 MR. BUTCHER:

25 Q Exhibit V.

1 A Okay.

2 Q Is a report which you prepared -- or sorry,
3 which was prepared for you with respect to
4 efforts made to identify the occupations of
5 various people who were identified as high
6 rollers.

7 A Hold on, please, Mr. Butcher. Yes, that was a
8 report that was prepared and sent to the
9 supervisors and to me, yes.

10 Q And it ran into a dead end in terms of trying to
11 identify exactly what most of these people did
12 for a living in China. I'll just read to you
13 from the conclusion on the second page:

14 "Determining the legitimacy of companies
15 listed by the top 62 patrons proved
16 inconclusive due to not having the exact
17 Chinese characters. Obtaining the
18 characters of the companies given by the
19 high rollers would help enable the
20 determination of a company's legitimacy
21 and determine whether the positions given
22 could support the level of play."

23 You were not able to follow that through as an
24 institution, were you?

25 A I don't believe they did. I don't know what

- 1 tools or methodology was used to compile this
2 report --
- 3 Q I want to come to one last document, Mr. Meilleur.
- 4 A Okay, Mr. Butcher.
- 5 Q Exhibit AA.
- 6 A AA, yes.
- 7 Q This was an intelligence report prepared by
8 Scott McGregor under the supervision of Bob
9 Stewart?
- 10 A I believe that's correct.
- 11 Q McGregor was an ex-military officer, and Stewart
12 was ex-VPD officer?
- 13 A Yes. And they both had worked in the RCMP as
14 well in CFSEU.
- 15 Q And if you can go to page 10 of that document.
- 16 A Yes, Mr. Butcher.
- 17 Q You can see that there's a chart that I
18 understand comes from the *Wall Street Journal*
19 showing that there was --
- 20 A Playing funds.
- 21 Q They described as illicit moneys of 250 billion
22 from China.
- 23 A M'mm-hmm.
- 24 Q And on the page before that -- sorry, elsewhere
25 in this report at page 24 Mr. McGregor seems to

1 be describing China as a threat country. He
2 uses military terms like "global threat
3 environment," "individual belligerent entities,"
4 "overarching threat streams," creating a global
5 threat environment. This was all part of a
6 report prepared for you; correct?

7 A Yes. But on this report, Mr. Butcher, at that
8 time Mr. McGregor was still working with the
9 RCMP. He had clearance, and this was approved
10 by leadership in the RCMP when he compiled --

11 Q So this is an RCMP report that came to you?

12 A No, it was a report that McGregor had compiled
13 working in a joint role as GPEB and with the
14 RCMP, and he compiled this report. It was -- I
15 believe, Mr. Butcher, it was one of his first
16 reports.

17 Q And you'll see on page 9 -- sorry. I'll go to
18 another page?

19 A I'm at page 9, yes.

20 Q There's a discussion in the -- later in the
21 paper there's a discussion about triads, and on
22 page 9 there's a discussion, a map showing the
23 Pearl River Delta and next to the city of
24 Guangzhou is marked "illicit goods." Next to
25 Huizhou he's marked "flight of capital proceeds

1 of crime." Next to Hong Kong, he's marked
2 "triads/money laundering," and next to Macao
3 he's marked "money laundering." That map leaves
4 the suggestion that this area is a source of
5 illegitimate income that may be coming to
6 Canada; correct?

7 A That's what I would interpret from this.

8 Q Was there ever any effort to make any inquiries
9 about the economic boom that's happening in the
10 Pearl River Delta, to look at the other side of
11 this that there's a vast amount of money being
12 made completely legitimately in that same area,
13 that there's 100 million people living in that
14 area producing an enormous part of China's
15 wealth? Did anybody in your agency think
16 perhaps we should look at the other side of
17 this?

18 A Well, I do know that Mr. McGregor is a highly
19 qualified analyst, and that the RCMP approved
20 this, if there would have been considerations of
21 what was in the document it had been approved.
22 I did not personally look at that and whether
23 law enforcement did or other analysts, I can't
24 answer that, Mr. Butcher.

25 Q If you're going to allege all of the money or a

1 great majority of the money coming from China is
2 illegitimate, don't you think it would be
3 incumbent upon you to look at whether or not
4 there may be legitimate sources of money,
5 particularly if the areas being targeted are
6 enjoying an amazing economic boom?

7 A Well, in terms of looking at this, my role as a
8 regulator was to address for the minister and
9 for the government at large public interest
10 policy, and what I sought from the public
11 interest policy of the two investigations,
12 regardless that there may have not been
13 convictions on one of them, was the source of
14 that cash was a concern in the way it was being
15 delivered, who it was being obtained from and
16 the clientele were of a certain ethnic group.
17 That's what I saw, Mr. Butcher. I'm not drawing
18 the nexus to this document, but I'm saying
19 that's what I saw in terms of most of the
20 Suspicious Cash Transaction Reports and most of
21 the information being investigated that it was
22 an Asian clientele.

23 Q And what I'm going to suggest to you as my last
24 question --

25 A Yes, Mr. Butcher.

1 Q -- is when you take that approach, you're doing
2 exactly what Dr. Yu suggested was wrong. You
3 are introducing racialized opinions with respect
4 to the source of money without examining whether
5 other sources of money -- whether it could be
6 other explanations for the source of money. Do
7 you accept that?

8 A No, I do not accept that. Racial motivation had
9 nothing to do with this. It was always about
10 the integrity of gaming. It remains the
11 integrity of gaming. This was a huge public
12 interest policy issue the government had to
13 address and BCLC has to address, and people like
14 Brad Desmarais were doing things to try and
15 address that.

16 MR. BUTCHER: Thank you. Those are my questions.

17 THE COMMISSIONER: Thank you, Mr. Butcher.

18 I will now call on Mr. DelBigio on behalf
19 of Mr. Jin, who has been allocated 45 minutes

20 MR. DELBIGIO: Thank you, Mr. Commissioner.

21 **EXAMINATION BY MR. DELBIGIO:**

22 Q Sir, are you able to hear me okay?

23 A Good morning, Mr. DelBigio.

24 Q Good morning. Just before I begin, can you
25 please give me the proper pronunciation of your

1 last name?

2 A Meilleur. Or just go with the mayor, like the
3 mayor of town. That works as well, sir.

4 Q I'll do my best. Thank you. I'm going to begin
5 with some questions that arise from the
6 cross-examination from this morning. First of
7 all, there have been some questions about legal
8 advice that you have received, and I just have a
9 single question about a name. In paragraph 73
10 of your affidavit.

11 A Just going there. One moment, please. Yes, go
12 ahead, please.

13 Q You refer to legal opinions, internal and one
14 provided by Peter German. Do you see that?

15 A That's correct.

16 Q And is that the same Peter German who authored
17 the reports on money laundering?

18 A That's correct. Dr. Peter German was engaged by
19 both BCLC and GPEB to do a review about roles
20 and responsibilities. And he provided a report.

21 Q Okay. I don't have those, so I will not be able
22 to ask any further questions, but I just want to
23 make sure I understand who the author of that
24 opinion is.

25 Now, I understand from your testimony, sir,

1 that you are not an expert in money laundering
2 or anti-money laundering; right?

3 A No, I'm not.

4 Q But based upon what you do know ...

5 I'm sorry, Mr. Commissioner, I'm pausing because
6 the screen froze for a moment. Okay. It looks
7 better now.

8 Sir, based upon what you do know, would you
9 agree that with respect to cash, first of all,
10 cash in of itself is not illegal; right?

11 A Cash in and of itself is not illegal. Is that
12 your question?

13 Q Yes. You understand that; right?

14 A Well, as long as it's legal tender.

15 Q Yeah. And you understand that -- would it be
16 fair to say that one can create a continuum with
17 respect to any sort of -- any cash, you can
18 create a continuum that it is legal, that it is
19 unknown, the legality is unknown, that it is
20 suspicious or that it is -- that it is -- a
21 crime has been committed in respect of it. Is
22 that a fair continuum?

23 A Well, could you break that down for me a little
24 bit, please.

25 Q Yeah. Certain observations were made by your

1 people with respect to patrons who had cash;
2 right?

3 A Correct.

4 Q And I'm suggesting to you that for any
5 observation of cash, there can be certain --
6 there can be one of four characterizations, that
7 it is known to be legal is one characterization.
8 The second is that it is just -- you don't know
9 one way or another. A third is that it is
10 suspicious, and a fourth is that you have proof
11 that it is the -- derived from crime. Is that a
12 fair continuum?

13 A With my limited knowledge on that, I would say
14 yes, that's fair.

15 Q Now, as I understand your testimony, and this
16 arises from some of your answers given to
17 Mr. McFee, your organization, GPEB, had limited
18 authority to conduct criminal investigations;
19 right?

20 A Limited authority unless there was a nexus to
21 the *Gaming Control Act* and/or permission of
22 Crown or police to carry out investigations
23 where they would like us to do so.

24 Q And so based upon that, your organization's
25 ability to characterize cash somewhere along

1 that continuum, legal, unknown, suspicious or
2 derived from crime, your organization's ability
3 to do that is limited as compared to the police;
4 right?

5 A Oh, I would argue *au contraire*. We had many
6 police officers working in our organization.
7 Some with extensive background. In particular
8 Mr. Vander Graaf who provided evidence that he's
9 been given expert opinion on this around the
10 world. I also listened to the evidence of
11 Mr. Desmarais, who's an expert on these things.
12 So I would say in terms of our organization, we
13 had people who had an understanding of how that
14 works, and they were relied upon and also, sir,
15 the FINTRAC reports that were being provided,
16 those have to be provided based on some
17 reasonable suspicion.

18 Q Yes.

19 A So we would also take those documents and use
20 those as well. Plus our work with the police,
21 our intelligence, our inside reviews and
22 analysis provide us sufficient information to
23 make an assessment and an opinion. And I held
24 the opinion as the chief of compliance for the
25 government that there was a concern around

1 unsourced cash going into casinos and where that
2 cash was being sourced from.

3 Q I'm not saying that your organization did not
4 make an assessment. And I'm not saying that
5 your organization didn't have ex-police officers
6 within it. But as compared to the police, your
7 people had fewer tools to conduct investigations
8 with respect to source of cash; right?

9 A I agree with you, Mr. DelBigio.

10 Q And based upon the legal opinions that you
11 received, as I understand them, your
12 organization had less legal authority to conduct
13 those investigations as compared to the police;
14 right?

15 A Pertaining to proceeds of crime and money
16 laundering?

17 Q Yep.

18 A Yes.

19 Q Now, I heard from your answers given to
20 Ms. Henein and Mr. Butcher about an
21 investigation called E-National. I'm just going
22 to ask you, and just to try to put you at ease,
23 I'm going to ask you some general questions.
24 I'm not going to ask you specifics; okay?

25 A Well, I have signed a confidentiality agreement

1 not to discuss that, so I'll take the
2 Commissioner's advice on that.

3 Q Okay. Well, who did you sign a confidentiality
4 agreement with?

5 A The Royal Canadian Mounted Police.

6 Q Now, you have testified that there is a police
7 investigation known as E-National that is
8 ongoing as you testify at this moment on
9 March 10th, 2021 at 12:30; right?

10 A That's correct.

11 Q And are you permitted to say how long that
12 investigation has been going for, just
13 approximately?

14 A No.

15 Q Your confidentiality agreement precludes you
16 from doing that?

17 A I'm not going to talk about anything in light
18 of -- or put that investigation at risk.

19 Q I'm going to ask you a question and see if you
20 can answer it. Based upon what you know about
21 E-National, is it investigating some of the very
22 issues which are being investigated by this
23 commission?

24 A Mr. Commissioner, again, I put it to you that I
25 will not answer questions pertaining to

1 E-Nationalize. I think it would put the
2 investigation at risk to talk about it in any
3 way, shape or form that I'm being asked about.

4 THE COMMISSIONER: Yeah, and there is a specific part
5 of our mandate that precludes the commission
6 from delving into issues which may implicate
7 ongoing investigations, so I think that
8 conditions what you can ask, Mr. DelBigio.

9 MR. DELBIGIO: Okay. And, Mr. Commissioner, I'm
10 going to persist with one further question. And
11 I understand that it might be objected to, but I
12 will advance the question.

13 Q Mr. Meilleur, my previous question was whether
14 some of the issues which are being looked at by
15 this commission are the same as those being
16 looked at in E-National, and I understand the
17 objection and I respect it.

18 But my next question is are some of the
19 people that are being looked at in E-National
20 the same as the -- some of the individuals that
21 are being looked at in this commission?

22 A I cannot answer that question.

23 Q Thank you.

24 A Not that I don't have knowledge,
25 Mr. Commissioner. I'm just not answering the

1 question because it would be in violation of the
2 agreement.

3 THE COMMISSIONER: No, fair enough, Mr. Meilleur.

4 MR. DELBIGIO:

5 Q And has a copy of that agreement been provided
6 to the commission?

7 A No. But the RCMP would have a copy.

8 Q Now, sir, I'm going to turn to your affidavit.

9 A Yes, sir.

10 Q How long did it take you approximately to write
11 that affidavit?

12 A Oh, boy. The amount of hours I've spent on this
13 has been substantial. I've been working on this
14 for several months in terms of with my counsel,
15 in terms of how we would format these things,
16 but numerous hours.

17 Q Okay. Are the words that are written -- and I'm
18 just -- I just happen to have paragraph 73 still
19 in front of me, so I'll use that as an
20 example --

21 A Yes.

22 Q Did you actually write those words, or did
23 somebody else write those words?

24 A The affidavit was written in --

25 MR. RAJOTTE: Mr. Commissioner, apologies for

1 interrupting. Chantelle Rajotte, counsel for
2 the province. I'm just concerned with this line
3 of questioning and the extent to which it's
4 intruding on legal advice and Mr. Meilleur's
5 rights to protection of that legal advice. So
6 to the extent the question calls for an answer
7 in disclosure of solicitor-client privileged
8 information, we object to that line of
9 questioning.

10 MR. DELBIGIO: I'm not asking that. I'm asking just
11 whether those are Mr. Meilleur's words or
12 somebody else's words.

13 THE COMMISSIONER: All right. Well, I think you can
14 go that far, but I think we all have to be
15 cognizant of the fact that there is a line that
16 can't be crossed. So I'll permit that question,
17 Mr. DelBigio, but I don't think you can go much
18 further.

19 THE WITNESS: I would state that those are my words.

20 MR. DELBIGIO:

21 Q And the same with every paragraph written, those
22 are your words?

23 A I'll just refer to my counsel here.

24 MR. BOLTON: Yes, I'm Mr. Meilleur's counsel.

25 Mr. Commissioner, unless he wants to -- unless

1 he's permitted to, Mr. DelBigio, to be permitted
2 to go through paragraph by paragraph, I don't
3 think he's going to get a useful answer to this
4 question. But I generally share the position
5 that was stated by counsel for the branch and
6 the Attorney General that this really entrenches
7 on an area of solicitor-client privilege, and I
8 would prefer my client not be required to answer
9 this question.

10 MR. DELBIGIO: I will move on. Thank you,
11 Mr. Bolton.

12 THE COMMISSIONER: Thank you, Mr. DelBigio.

13 MR. DELBIGIO:

14 Q Mr. Meilleur, your affidavit attaches to it a
15 number of exhibits.

16 A Yes.

17 Q And were some or any of those exhibits in your
18 own possession, or did you receive those
19 documents elsewhere?

20 A No. These documents were provided through
21 requests of counsel and the commission.

22 Q Okay. Now, one of the documents is -- if you go
23 to exhibit MM, M like Michael. M like Michael.

24 A Yes. Just one moment, please. That's an email
25 with my name at the top, sir.

1 Q Well, I don't know because I only have a portion
2 of that. I've only been given a portion of
3 documents. But as you were being asked about it
4 by the commission counsel last day, I will ask
5 you to look at page 437. And it is
6 GPEB4414.0011. And hopefully that is going to
7 assist --

8 A Yes, go ahead, Mr. DelBigio.

9 Q And does that have at the top of the -- just to
10 make sure we're looking at the same document,
11 does that have at the top "AML issue"?

12 A Correct.

13 Q And then it says "no briefing note as this is an
14 ongoing police investigation"?

15 A Correct, these are some notes I used in terms of
16 discussion points because I was informed and
17 concerned about any documentation being provided
18 that might put the investigation of the RCMP
19 into question or concern. These were my notes
20 that I prepared for speaking with the deputy
21 minister.

22 Q Is that ongoing police investigation that you're
23 referring to there, is that Pirate or National
24 or some -- let me ask the open-ended question:
25 what police investigation are you referring to

1 there?

2 A This time frame I would -- just one second,
3 please. Most of these notes speak to reminders
4 to me about E-Pirate, which was back in 2015,
5 Mr. DelBigio.

6 Q Now, when you were being asked questions last
7 day by commission counsel, and if you look at
8 paragraph [sic] 76 of your transcript.

9 A Of my affidavit or transcript?

10 Q The transcript.

11 A One moment, please. I have paper everywhere
12 here. Okay. 76 page. I'm there.

13 Q And do you see the line numbers on the left-hand
14 side of that page?

15 A I do, Mr. DelBigio, yes.

16 Q And at line 7 you're asked:

17 "Could we go, please, to page 437 of the
18 PDF."

19 Do you see that?

20 A Yes.

21 Q And then at line 14?

22 "Q These appear to be in the nature of
23 personal notes; is that fair? Are
24 these your personal notes?"

25 And line 20 you say:

1 "A Yes, these could be my notes."
2 Do you see that?
3 A M'mm-hmm.
4 Q Now, these notes, if you go back to the notes,
5 for example paragraph 5.
6 A Yes.
7 Q You are -- it says July 22nd, Mr. Alderson
8 contacts Len Meilleur?
9 A That's correct.
10 Q So this refers to -- these notes refer to you in
11 the third person.
12 A Yes. These refer to me in the third person, but
13 it was in the terms of a briefing and these
14 notes are mine because I'm the only person that
15 would have had the knowledge of the content of
16 this information.
17 Q Okay. So as you testified today, I've just
18 noted your answer, you said, they could be my
19 notes, and that expressed to me some
20 uncertainty?
21 A I reviewed these again over the last month that
22 I've been stood down and I'm confident these are
23 my notes and they were used and may have been
24 provided in copy to the OADM
25 Ms. Wenezenki-Yolland. I'm not certain of that,

1 but that's why they're written in that context.

2 Q Is there anything on there that says that you're
3 the author?

4 A No, sir.

5 Q Okay. Now, this is -- these notes are based --

6 A Excuse me. I do know the third document, page 3
7 of this, "differences of opinion -- what others
8 think -- reality versus belief," that's
9 definitely me, and those are words that I wrote
10 on that page.

11 Q Okay. Now, your document -- your affidavit has
12 various documents appended to it, and I don't
13 have them all, but I'm going to ask you about --
14 sorry, I'm just pausing. I'm going to ask you
15 about exhibit S, S like Sam.

16 A S like Sam. Sierra.

17 Q Or Sierra.

18 A Yes. Okay.

19 Q Just to make sure we're looking at the same
20 thing, this is, as I have it, a document
21 entitled "Internal "Memo" to Len Meilleur from
22 Parminder Basi?

23 A Correct, my name appears on all internal
24 documents because I am the executive director.

25 Q And so this is a compilation -- this document

1 appears to be a compilation of reports of some
2 sort; right?

3 A Well, this is a report that is titled "Review of
4 Provincially Banned Cash Facilitators."
5 Ms. Anna Fitzgerald was a senior director, and
6 the other people named on here -- Doug Mayer was
7 the Manager of Audit -- they were required to
8 come up with an audit plan and this work may
9 have been part of the audit plan and as in my
10 testimony, we did internal documents as well to
11 support our own findings or conclusions and
12 police investigations. So sorry to be
13 longwinded, but that's what this is a document
14 under that context.

15 Q And I'm just looking, for example, the first
16 entry -- so there's a heading -- there's a
17 picture of a person and there's a heading that
18 says "total cash facilitated resulting in cash
19 buy-in at cage"?

20 A Which page are you on now, please, sir?

21 Q Well ...

22 MS. LATIMER: If it assists I think there are page
23 numbers in the bottom of the page with the
24 pictures. Bottom right.

25 MR. DELBIGIO: Page 10 of 28. Thank you.

1 THE WITNESS: Okay. Yes, I'm there, Mr. DelBigio.

2 MR. DELBIGIO:

3 Q And I'm just picking -- there's an iTrak
4 incident number and then there's a date that
5 says January 13th, "casino, River Rock." Do you
6 see that?

7 A I do.

8 Q And so this -- you are not the author of this --
9 of that abstract; right?

10 A No, I was not.

11 Q And to the extent that -- and you cannot -- you
12 did not make the observations upon which that
13 abstract is based; right?

14 A No, I did not make the observation.

15 Q And you cannot verify the accuracy of that
16 abstract; right?

17 A Well, the accuracy was one of my employees, and
18 I would have full faith in a trained employee
19 that we have that the material they would put in
20 a report to me would be accurate.

21 Q Well, that's a hope of yours, but you cannot
22 personally verify, can you, because you did not
23 witness whoever it is taking the elevator
24 downstairs and exiting?

25 A No, I would agree with you, sir, but I would

1 have a full expectation of the supervisors as
2 well that they verified the document.

3 Q And so if you go to the entry for January 30th.

4 A Yes.

5 Q And it says in quotes:

6 "An unknown Asian male (resembles Paul
7 Jin)..."

8 Do you see that?

9 A I do.

10 Q So when a person -- when the author said -- and
11 by the way, does this tell us who the actual
12 author of that entry is? I don't know if it
13 matters, but does it tell us?

14 A The author of that particular entry?

15 Q Yeah.

16 A I don't see that there, sir.

17 Q Okay.

18 A It -- no, it doesn't say that from what I see.

19 Q And so when the author wrote "an unknown Asian
20 male (resembles Paul Jin)," you have no way of
21 knowing what the author had in mind when -- by
22 way of resemblance; right?

23 A Correct.

24 Q And this commission has, for example, no, then,
25 evidence with respect to what that author meant,

1 that author might have meant through the word
2 "resemble"; right?

3 A Well, you're asking me to comment on what the
4 author would have in their mind at that time,
5 and I can't comment on that. All I can tell you
6 is that our personnel at GPEB had been working
7 through these issues for some time, and they
8 would have some basis and some expertise in
9 making those types of determinations so that
10 they're not making false accusations,
11 particularly when they're providing information
12 to myself that would go up as high as the
13 minister's office.

14 Q But when this person used the word "resemble,"
15 you don't know if the person meant age, height,
16 weight?

17 A We're talking semantics here, Mr. DelBigio. I
18 have no idea what they meant by the term
19 "resembles Paul Jin," but I don't know what you
20 have of this document. Do you have the entire
21 document?

22 Q I don't know.

23 A Well, then I can't comment beyond that.

24 Q Okay. Similarly, if you go to February 8th.

25 A Yes, sir.

1 Q And it says:

2 "On the evening of February 8th, a male
3 casino patron identified --"

4 On my document it's redacted.

5 "-- produced \$100,020 ... had the cash
6 delivered to him by at least two Asian
7 males, one of them believed to be
8 POI/banned identified visually, identified
9 as Jin."

10 Do you see that?

11 A I do.

12 Q And, again, to the extent that one might wonder
13 about the accuracy of that -- and I understand
14 what you say about your hope that your employees
15 would have made good identifications, but to the
16 extent that one wanted to actually test that
17 identification, the only way of doing that would
18 be through finding out who wrote this and asking
19 them questions; right?

20 A Well, not only that, sir. This information may
21 have been pulled from a database -- and it
22 appears to me it was, from the iTrak database,
23 that BCLC may have entered the data or a service
24 provider. Those are very competent people that
25 work for those organizations and they know their

1 clients, so I'm assuming that if that -- it
2 comes from that database that it's accurate
3 information as put in by those organizations.

4 Q You used the word "assuming" and you used that
5 word because you actually don't know with
6 certainty, do you?

7 A That's correct. I did not compile this report.
8 I rely upon it to be accurate.

9 Q And you understand that some people are better
10 and some people are less effective at the jobs
11 that they do?

12 A Well, if your assumption is this person was not
13 doing a good job, I disagree with that.

14 Q Who is the person?

15 A The person that authored the report.

16 Q Who is the person? Who is the author?

17 A The author is one of our auditors, Mr. Parminder
18 Basi who has done other reports, and all the
19 work that I've read or seen from that individual
20 has been of exception quality and never
21 questioned.

22 Q I'm sure that individual will be pleased to have
23 your endorsement, but other than that
24 endorsement, it is a trust that these are --
25 it's a trust that I cannot test at this moment,

1 right, with respect to the accuracy of that?

2 You'll give me that, won't you?

3 A I rely on the report to be accurate, sir.

4 Q Now, you understand that there was the
5 investigation that is known as E-Pirate; right?

6 A I do.

7 Q And you understand that that was an extensive
8 investigation; right?

9 A An extensive investigation?

10 Q Yes.

11 A Yes, yes.

12 Q And you understand that thousands and thousands
13 of person hours went into that investigation?

14 A I don't know the number, but I understood there
15 were several hundred police officers at one
16 point and I'm sure several hours went into that
17 investigation.

18 Q And multiple agencies?

19 A I don't know the exact agencies. I know the
20 RCMP was involved.

21 Q You understand that eventually a -- the police
22 forwarded a report to Crown counsel; right?

23 A I became aware of that, yes.

24 Q And you understand that Mr. Jin, my client, was
25 never charged; right?

1 A I've learned that. I've learned that through
2 this commission.

3 Q You only learned that through this commission?

4 A Yes. Yes. I was retired from GPEB at the time
5 that that had occurred.

6 Q But you -- and you fully respect the decision of
7 Crown counsel who reviewed the E-Pirate reports
8 to decide that there's no basis to charge. You
9 respect that decision, don't you?

10 A I don't know all the facts, sir, so I'm not
11 going to comment on what the decision was by
12 Crown counsel. There are probably numerous
13 facts in that decision, and I've heard that
14 there have been no charges and this referred to
15 several times, but as a retired police officer,
16 I can say there have been occasions where I did
17 investigations that were stayed by Crown for
18 various reasons. It's not to say that the
19 events did not occur or reasons for Crown to
20 stay that.

21 Q But you understand as a previous police officer
22 that staying proceedings, staying a charge is
23 different than not charging; right?

24 A Than not charging?

25 Q Yeah.

1 A Correct. There has to be a charge approval
2 process by Crown to make that decision.

3 Q And you understand that Mr. Jin was not charged?

4 A That's what I understand now from the commission
5 or what I've read, but I've not taken any direct
6 interest in terms of what occurred with that
7 file.

8 MR. DELBIGIO: Thank you. Those are my questions.

9 THE WITNESS: Thank you.

10 THE COMMISSIONER: Thank you, Mr. DelBigio.

11 MS. LATIMER: Mr. Commissioner, you're on mute.

12 THE COMMISSIONER: Yes, I just muted myself. I'm not
13 sure why I did that. I'll now call on
14 Ms. Rajotte on behalf of the province. And,
15 Ms. Rajotte, just out of regard for those
16 working behind the scenes, you've been allotted
17 45 minutes. Do you think you'll take that time,
18 and if you do, I think we'll take a brief
19 adjournment right now just for the benefit of
20 participants and those working behind the
21 scenes.

22 MR. RAJOTTE: Thank you, Mr. Commissioner. I do
23 think I will require the full 45-minute
24 allotment.

25 THE COMMISSIONER: All right. I think what we'll do,

1 MR. RAJOTTE: If I can assist, Madam Registrar, could
2 we please pull up document GPEB0734?

3 THE WITNESS: I have that in front of me,
4 Ms. Rajotte.

5 MR. RAJOTTE:

6 Q Do you recognize this as an organizational chart
7 for GPEB around the time that you first became
8 the Executive Director of Compliance?

9 A I do.

10 Q And we see you as having a direct reporting
11 relationship to John Mazure as Assistant Deputy
12 Minister?

13 A Correct.

14 Q And reporting to you was Mr. Derek Dickson, who
15 at that time was Director of Casino
16 Investigations?

17 A Yes, at that time, yes.

18 Q And this chart shows Mr. Dickson as having, I
19 believe, six investigators reporting to him?

20 A Correct.

21 Q Is that number, six investigators, in
22 Mr. Dickson's division or unit consistent with
23 your recollection?

24 A Yes, that's correct. This was just after the
25 branch review and that's the numbers that he

1 had. We did make some changes later on in terms
2 of additions, but at that time that's correct.

3 Q And were all of those investigators -- they were
4 focused on casinos; correct?

5 A Yes. On various jobs in casinos. I can't tell
6 you exactly which person had which job, but yes,
7 they were focused on Lower Mainland casinos.

8 Q That was my next question. These investigators
9 were all paced in the Lower Mainland?

10 A That's correct.

11 Q And then we see a number of other investigators
12 in the compliance division who reported to
13 regional directors. Do you see that?

14 A That's correct.

15 Q And we see three regional directors. By my
16 count we have six investigators who reported to
17 those regional directors. Is that roughly
18 consistent with your recollection?

19 A That's correct. It's roughly consistent. It
20 did change from time to time with vacancies, but
21 that's -- that's correct.

22 Q And those investigators that reported to
23 regional directors, where were they located?

24 A At the regional offices. For example, in
25 Kelowna these investigators were assigned to

1 that office and in Victoria they had
2 investigators which attached to the Island, and
3 then Prince George those investigators were
4 attached up north. And we've already talked
5 about the Lower Mainland.

6 Q Okay. So just to make sure I have this correct.
7 This time the investigators who were reporting
8 to Mr. Dickson, those six that we discussed,
9 were the only investigators within your
10 compliance division, four casinos that were
11 based in the Lower Mainland?

12 A That's correct.

13 Q And then I see on this chart there are other
14 individuals who are titled investigators who,
15 for example, report to the -- within the
16 compliance division, your Director of Lottery
17 Investigations?

18 A That's correct. That's Bill Mulcahy. They were
19 focused on lottery thefts and lottery retailer
20 issues, from my understanding. That's where --
21 but Mr. Mulcahy was with us for a few months and
22 then retired.

23 Q And then similarly in the licensing registration
24 and certification division, there are a number
25 of individuals who have the title of

1 investigator within that division?

2 A Correct.

3 Q And those investigators, were they investigators
4 that -- they weren't investigators in your
5 compliance division focused on casinos; correct?
6 They had a separate role with different
7 responsibilities?

8 A Yeah, they were responsible primarily for due
9 diligence investigations to determine
10 suitability of service providers and gaming
11 workers. And I should also add, if I could,
12 please, that the investigators around the
13 province for compliance also assisted
14 registration in terms of some of the background
15 investigations because registration and
16 certification didn't have employees in those
17 areas. We were able to offer that assistance.
18 And the Lower Mainland is required as well.

19 MS. RAJOTTE: Thank you. Mr. Commissioner, if I
20 could have this document marked as the next
21 exhibit.

22 THE COMMISSIONER: Yes, very well. I think we're at
23 710 now, Madam Registrar.

24 THE REGISTRAR: Yes, exhibit 710.

25 THE COMMISSIONER: Thank you.

1 **EXHIBIT 710: GPEB Organization Chart - Jan 26,**
2 **2015**

3 MR. RAJOTTE: Thank you, Madam Registrar. I'm done
4 with that document.

5 Q So, Mr. Meilleur, you've been asked a number of
6 questions by a number of counsel about the AML
7 workshop that GPEB and BCLC co-hosted in June of
8 2015?

9 A Correct.

10 Q And I just have some additional questions about
11 that workshop. It was called Exploring Common
12 Ground; is that right?

13 A Yes, that's the name I came up with, I believe.
14 I don't know where, but I know that my mandate
15 was to work collaboratively with BCLC and Ross
16 and I and Brad put this together, which was a
17 good outcome.

18 Q And if you could please turn to exhibit K of
19 your affidavit. Mr. Butcher took you to this
20 document earlier today.

21 A Yes.

22 Q And could you just remind us, please, what this
23 document is.

24 A This is a final draft overview that was compiled
25 from the Exploring Common Ground workshop. It

1 would have been compiled by the contractor,
2 Ms. Kim Thorau, T-h-o-r-a-u, and she was engaged
3 to facilitate, conduct the Exploring Common
4 Ground workshop, and then report -- excuse me,
5 my throat. And that was a combination of all
6 the inputs that she had received, and she worked
7 with people in the branch, Lisa Burke, who was
8 under Bill McCrea's organization, unit, and one
9 of the policy people who were assisting as well,
10 and they compiled that. And I do recollect that
11 BCLC was given an opportunity to provide some
12 input to the document as well.

13 Q Thank you. And did you review this document and
14 provide input at the time that it was prepared?

15 A I did. I did.

16 Q And do you understand this document to, broadly
17 speaking, reflect accurately what was discussed
18 at the workshop?

19 A I believe so. As I gave in my evidence earlier,
20 it was a snapshot in time, particularly for me.
21 I was new to my role, and I was directed by
22 Mr. Mazure to do specific tasks, and one of them
23 was to work on the AML strategy phase 3 and work
24 with BCLC. So we took this initiative and put
25 it into place. So I was new. My understanding

1 of the issues of money laundering were mainly
2 based on what I knew from the AML strategy and
3 what Mr. Vander Graaf's group had been doing.

4 Q Thank you. And could you please turn to page 6
5 of this document.

6 A Yes.

7 Q There's a heading that says "Research on AML
8 Best Practices." Am I right to assume from this
9 that at the workshop you discussed AML best
10 practices?

11 A Could I have one second, please.

12 Q Yes.

13 A Yes. So there was obviously discussion and from
14 that an indication in this report that research
15 indicates certain effective tools.

16 Q Thank you. And if you look at that heading
17 "research" -- or the second paragraph under the
18 heading it states:

19 "Research indicates that effective due
20 diligence for gaming facilities and other
21 businesses accepting cash deposits
22 includes the following."

23 And then there's a number of bullet points. Do
24 you see that?

25 A I do.

1 Q And the second bullet point reads:

2 "Client assessment and effective 'Know
3 Your Client' policies and procedures
4 (gatekeeper and prevention role)
5 including."

6 And then the third indented bullet point from
7 that states:

8 "Identification and evaluation of source
9 of funds (some businesses accepting cash
10 require a 'Source of Funds' declaration."

11 Do you recall discussions at the workshop
12 around -- in connection with AML best practices
13 and a requirement for source of funds?

14 A I do recall we had discussions about this. The
15 exact words, I mean, it was so long ago, I'm
16 unable to provide the Commissioner with
17 specifics.

18 Q Thank you. And then the next bullet point under
19 that reads:

20 "Risk-based approach with established
21 criteria and defined 'triggers' (e.g.,
22 ease with which client information can be
23 independently verified, buy-in thresholds,
24 when something does not make sense or
25 conform to original account/client

1 intentions, behaviour and gaming
2 circumstances) leading to enhanced due
3 diligence and vetting of certain clients
4 through additional evaluation and
5 investigation."

6 Do you see that?

7 A I do.

8 Q So do you recall whether at the workshop you
9 discussed that a risk-based approach could
10 include established criteria and thresholds?

11 A Well, I'm not exactly sure on which points were
12 contained from documentation or discussions, but
13 I can advise the Commissioner that there was a
14 sector of people, a cross sector from the
15 banking industry, FINTRAC, law enforcement and
16 various agencies, so this commentary would come
17 in line from the experience of those
18 individuals.

19 Q And are you able to recall whether at this time
20 you had an understanding of whether a risk-based
21 approach could include established criteria
22 thresholds?

23 A Yes. I believe that any risk-based approach to
24 any issue that you're looking at in terms of
25 defining it, monitoring it, following up, they

1 all need certain risk parameters around that. I
2 mean, to do regulatory enforcement and to do
3 business as BCLC does, you have to identify your
4 risks and manage those risks.

5 Q So those things were not mutually exclusive, a
6 risk-based AML approach and a threshold, for
7 example?

8 A That's correct. I did hear some evidence around
9 a term "prescriptive" and different things. I
10 look at risk as defined parameters, and those
11 parameters may include certain things that may
12 or may not be prescriptive and it could be a
13 combination of both.

14 Q And so was it your understanding at the time,
15 for example, that within a risk-based AML
16 framework you could have a buy-in threshold
17 above which you require source of funds proof?

18 A Well, that was a recommendation that possibly
19 could happen. What I remember is this meeting
20 allowed us to provide an information note or a
21 briefing note to General Manager John Mazure,
22 and as a result of that he wrote correspondence
23 to BCLC.

24 Q Thank you. We'll get to that, but before we do,
25 if you could please turn to page 11 of this

1 document.

2 A Yes.

3 Q You'll see there's a heading "Due Diligence."

4 A Correct.

5 Q And the paragraph reads:

6 "Although BCLC's due diligence framework
7 contains most of the identified elements
8 of an effective framework – fulsome and
9 standardized client identification and
10 risk-based assessment and investigation
11 undertaken by experienced and qualified
12 investigations staff supported by
13 intelligence and analytical tools – a gap,
14 as identified through best practice
15 research and consultations, in the source
16 of funds identification and assessment."

17 Was this something that was discussed at the
18 workshop, that there was a gap in BCLC's AML
19 framework with respect to source of funds

20 A Well, I believe it was because I know at the
21 time there was a concern around source of funds,
22 and you know, where the funds coming into the
23 casino, what was the source of those funds and
24 how was it being identified. But in terms of
25 this information, again, I don't know

1 specifically from what group in the forum would
2 have provided it, but this information came from
3 that workshop, and I would say that yeah, it was
4 a concern.

5 Q And am I correct that four strategies were
6 proposed as a result of this workshop?

7 A I believe there were four resulting strategies.

8 Q And if you turn to page 1, there's a summary or
9 an executive summary to this paper.

10 A Yes.

11 Q And at the bottom of the page it says:

12 "The following strategies are proposed for
13 consideration."

14 And there's four stated there. Am I correct
15 that these are the four sort of proposed
16 strategies that flowed as a result of the
17 workshop?

18 A That's correct. And Mr. Mazure was made aware
19 of these.

20 Q And the first, really, focuses, I think, in a
21 large part on source of funds. Is that right?

22 A Yes.

23 Q And do you recall whether the intention of this
24 recommendation number 1 or proposed strategy
25 number 1 was at least in part to identify the

1 gap in BCLC's AML framework that we were just
2 discussing?

3 A Well, I remember it in my words as being an
4 enhancement that can occur and that more needed
5 to be done in that area, so a gap but an
6 enhancement, that could be.

7 Q Do you recall what you understood this
8 suggestion number 1 to mean? What was being
9 proposed?

10 A Well, it was -- at the time of the transaction
11 when the money was being received there's a
12 concern that Mr. Mazure and I had conversations
13 about after this workshop about the source of
14 funds at the time of transaction where were the
15 source of funds being derived from, particularly
16 in terms of the ones that were being reported as
17 suspicious cash that may have been reported as
18 possibly coming from outside the casino, in that
19 regard.

20 Q So am I correct, then, what's being proposed
21 here is an evaluation of source of funds prior
22 to cash acceptance?

23 A Yes. And a directive to help us achieve that.

24 Q If you could please turn, Mr. Meilleur, in your
25 affidavit to exhibit HH.

1 A Yes.

2 Q So the other day when you testified Ms. Latimer
3 asked you some questions with respect to this
4 document, and so I won't repeat that ground, but
5 I do have a few additional questions. If you
6 could please turn to page 6.

7 A Yes.

8 Q And you'll see that the bottom bullet point on
9 page 6 refers to the workshop and you see that
10 it sets out the four recommendations that we
11 were just reviewing that flowed from that
12 workshop?

13 A Correct.

14 Q And then if you turn the page, the first bullet
15 point references a letter that was sent by the
16 General Manager of GPEB to the President and CEO
17 of BCLC dated August 7th, 2015. Do you see
18 that?

19 A Correct.

20 Q And it says that that letter outlined GPEB's
21 expectations for BCLC to enhance the existing
22 AML regime in gaming facilities as related to
23 the four workshop recommendations, and so my
24 question to you is do you understand those
25 requests that Mr. Mazure made in his August 7,

1 2015 letter to Mr. Lightbody to have been
2 informed by the recommendations from the
3 Exploring Common Ground workshop?

4 A Yes, but in addition to that, Commissioner, the
5 RCMP had just launched the E-Pirate
6 investigation, and GPEB was informed of that
7 investigation occurring around that time as
8 well. So we knew that BCLC had discussions and
9 I don't know the exact date. I would have to go
10 back. In July, I believe it was that
11 Mr. Alderson reported to me about that. But I
12 believe it was around the same time as the
13 investigation. But primarily, yes, Mr. Mazure
14 based that on the recommendations, the Exploring
15 the Common Ground.

16 Q And so if we look at -- I can take you,
17 Mr. Meilleur, to the letter if you wish, but my
18 understanding is that the four enumerated
19 paragraphs that follow this bullet point are the
20 requests that were stated by Mr. Mazure to BCLC
21 in his August 7, 2015 letter.

22 A I believe yes, that's accurate.

23 Q And the first you'll see focuses on source of
24 funds in large part?

25 A M'mm-hmm. Yes.

1 Q Were you aware or did you review Mr. Mazure's
2 August 7, 2015 letter around the time that it
3 was sent?

4 A I would have provided Mr. Mazure input, but I
5 didn't write his letters. Mr. Mazure either
6 wrote his own letters. I listened to
7 Mr. Mazure's evidence on letters where he
8 commented that he would have relied upon me.
9 Well, he would have relied upon on all his
10 executive directors and executives in
11 particularly his policy section to provide him
12 the content and to source the content from those
13 executive directors so he could put the letters
14 together. But those letters were Mr. Mazure's
15 written by or for Mr. Mazure by policy and sent
16 out, and, yes, if it pertained to money
17 laundering, I most likely read those letters.

18 Q And so with respect to the first request dealing
19 with source of funds, can you -- do you recall
20 what you understood that request of BCLC to mean
21 at the time?

22 A Well, again, it goes back to at the time of
23 transaction having questions asked about
24 determining where the source of funds were at
25 the time of transactions.

1 Mainland casinos and therefore additional
2 actions should be taken to enhance the
3 strategy."

4 Do you recall what information following the
5 workshop GPEB became unaware of with respect to
6 the activity at Lower Mainland casinos?

7 A I can't recollect exactly. This seems to come
8 in line around the time that I received the
9 spreadsheet from Mr. Ackles, which would have
10 identified, I think, concerns I had mentioned to
11 the Commissioner from that.

12 Q Yes. So that's right. So the workshop took
13 place in June of 2015, and this note, to assist
14 you, Mr. Meilleur, is dated September of 2015.
15 So after June and before September of that year,
16 you became aware of the spreadsheet from GPEB?

17 A Yes. And the investigation, as I mentioned to
18 the Commissioner, E-Pirate. So those were
19 influencers in terms of GPEB. And to comment on
20 that, we may not have carried out some of these
21 initiatives because of the police investigation
22 and aligning our focus or working with law
23 enforcement and BCLC in that regard.

24 Q And so as a result of learning that information
25 about the police investigation and the

1 spreadsheet, was it your view at the time that
2 additional action was required?

3 A It was the branch's view. It was the deputy
4 minister's view and I believe it was the view of
5 the minister as well.

6 Q And some of the steps that were taken are
7 outlined in the bullets that follow in this
8 document?

9 A Correct.

10 Q And the first bullet point after the
11 introductory statement which reads:

12 "Above the beyond the four recommendations
13 GPEB has begun to work on other
14 enhancements."

15 Ask there's reference to Mr. Mazure's August 7,
16 2015 letter. And then the bullet reads:

17 "GPEB intends to follow up this direction
18 with a ministerial directive to further
19 strengthen these enhancements."

20 And my question is do you recall why at this
21 time in your opinion a ministerial directive
22 would be valuable in addition to the letter that
23 Mr. Mazure sent to BCLC

24 A Well, the General Manager has limited authority
25 under the *Gaming Control Act*, and in order for

1 him to implement something of that magnitude,
2 which may be interpreted to be legal advice,
3 that it goes into the area of conduct and
4 management, that it would be more appropriate
5 for the minister to provide a directive to allow
6 that to occur. I know that Mr. Mazure was --
7 when he was writing or providing issues to BCLC,
8 he was in contact with legal services branch to
9 obtain some advice as well. I'm not saying that
10 occurred at this particular instance, but that
11 was a regular routine for most of us in the
12 executive, to seek advice around those issues.

13 Q So am I correct from your response, then, that
14 your thinking at the time was that there was a
15 greater likelihood that BCLC would comply with
16 the request of Mr. Mazure if ministerial
17 directive followed?

18 A Absolutely. The minister was responsible for
19 both GPEB and BCLC, and if the minister clearly
20 stated in a document as is what is occurring
21 now, I understand, that there needs to be an
22 identification at the time of transaction and
23 source of funds or a threshold, that that would
24 have served an additional opportunity to address
25 risk for both organizations.

1 Q The bullet below refers to an independent third
2 party conducting a review of gaming service
3 providers and BCLC. Did that become the MNP
4 review?

5 A Yes, it did.

6 Q And then the last bullet refers to GPEB's new
7 intelligent unit within the compliance division.
8 And that intelligent unit was created under your
9 leadership of that division; correct?

10 A That's correct. That was based on solid
11 recommendations from various documents over the
12 years as well and the review that I had
13 conducted by the compliance enforcement
14 secretariat of government to assist me in that
15 regard, and we put that into place.

16 Q Mr. Meilleur, if you could please turn to
17 paragraph 136 of your affidavit. It's on
18 page 24.

19 A Yes, go ahead, please.

20 Q You refer here to regular discussions and
21 meetings that you had with Mr. Alderson and
22 Mr. Kroeker about additional measures you
23 believed could be taken, including a threshold
24 on cash to be accepted and efforts with respect
25 to source of funds. Can you advise of the

1 period of time that you had these regular
2 meetings on these issues with Mr. Alderson and
3 Mr. Kroeker?

4 A Well, the discussions about cash and source of
5 cash, source of funds, I should say, was an
6 ongoing discussion in terms of the issue of
7 suspicious cash coming into the casinos. For
8 example, I had a meeting with Mr. Alderson and
9 Mr. Kevin Sweeney shortly after the spreadsheet
10 was provided in terms of talking about
11 suspicious cash and what other alternatives may
12 be taken and that we would be doing a review.
13 And also my regular meetings with Mr. Kroeker,
14 we may talk -- not always, but we may talk about
15 source of funds and money laundering as I did
16 with Mr. Desmarais in terms of that. And I was
17 of the belief that more needed to be done, and I
18 know in some of those conversations that
19 Mr. Kroeker was awaiting government to provide
20 the direction in terms of that through a
21 directive or something like that. And we were
22 trying to get those things implemented.

23 Q And you say in paragraph 136:

24 "BCLC would respond that they had measures
25 in place."

1 enforcement unit could be created with GPEB. In
2 fact I know BCLC had suggested that.
3 Mr. Lightbody, I believe, supported that. And
4 those things didn't appear. They didn't occur.
5 There was no ability or appetite, if I could use
6 that word to open the *Gaming Control Act*. And
7 so without those tools and authority under the
8 act with our international provincial constable
9 status and provisions, the tools available to
10 GPEB, in the opinion of GPEB Mr. Mazure was to
11 seek further direction from the OADM, Cheryl
12 Wenezenki-Yolland, and the minister in terms of
13 providing us some documentation or direction
14 directly to BCLC to say you can do these things.

15 Q Thank you. Now, if you could please turn to
16 exhibit DDD to your affidavit.

17 A Triple D.

18 Q Triple D.

19 A Yes, Ms. Rajotte.

20 Q So this is an email from you to Anna Fitzgerald
21 dated September 26th, 2016. Do you recall
22 Ms. Fitzgerald's position at this time?

23 A 2016 she may have been my Senior Director of
24 Compliance. I'm not exactly sure if she had
25 been promoted, but she was promoted. I chose

1 her to take on that responsibility.

2 Q And do take the time to read this email if you
3 need it because my question is whether you
4 recall the circumstances of this email.

5 A I recall the circumstance of this email having
6 received this document and read it. I recall it
7 had to do with her -- she was going to be in
8 touch with FINTRAC, and I had asked her to have
9 a conversation with FINTRAC about some of the
10 commentary that we had received back with
11 respect to the Meyers Norris Penny MNP report.

12 Q The commentary you had received back with
13 respect to the MNP report from whom?

14 A From BCLC.

15 Q So you refer -- or in this email you state:

16 "An audit firm."

17 Are you referring to MNP there?

18 A Yes.

19 Q "... has provided a recommendation for
20 GPEB to consider."

21 And then you quote the recommendation?

22 A Yes.

23 Q That was a recommendation provided by MNP?

24 A That's correct.

25 Q And you state:

1 "It has been advanced that the *PCMLTFA* and
2 *FINTRAC* guidelines require all reporting
3 entities to implement AML programs that
4 are risk based. Further argument suggests
5 that such a recommendation would run
6 contrary to the federal legislation by
7 requiring prescriptive AML measures as
8 opposed to risk based."

9 And my question is who was advancing that
10 argument?

11 A I believe BCLC was providing that in response to
12 the MNP report. That's my recollection.

13 Q Thank you. I'll take you to a further document
14 on that to see if that assists with your
15 recollection in one moment, but just to finish
16 with this email, you state:

17 "However, what GPEB is contemplating is a
18 risk-based approach."

19 And then you provide two suggested options,
20 paragraph 1 and 2, and could you just describe
21 what you were explaining in paragraph 1.

22 A I'll just read that. One moment, please. Yes,
23 so I was proposing that a client who arrives
24 with unsourced cash, an STR would be filed with
25 *FINTRAC*, and at that time the service provider

1 would be required to file a source of funds
2 questionnaire and provide that to GPEB through
3 whether it be an 86 report or others, and in my
4 view, because of the business relationship after
5 two times they entered into a business
6 relationship, as per my recollection FINTRAC
7 guidelines, it's been so long, but they will
8 then be advised that no further unsourced cash
9 will be accepted and I asked Anna to have a
10 conversation with this -- with FINTRAC about
11 that motion.

12 Q And so what you've just described there, that
13 suggestion or proposal, that was something that
14 GPEB was contemplating as a potential response
15 to one of the recommendations in the MNP report;
16 is that right?

17 A That's correct.

18 Q And it was your understanding, I take it from
19 this email, that that was consistent with a
20 risk-based approach.

21 A Absolutely.

22 Q And I take it from your earlier comment that
23 BCLC was arguing in response that this was
24 prescriptive and in breach of federal
25 legislation?

1 A There was some comment around that, yes, that it
2 would be possibly prescriptive, and in
3 violation.

4 Q And then the second proposal that you outline in
5 this email paragraph -- indented paragraph
6 number 2. Could you explain what you're
7 proposing in that paragraph?

8 A So government could for all intents and purposes
9 make the decision immediately upon any
10 transaction. So, again, in keeping with my
11 evidence to the Commissioner, had we received
12 guidance or a directive of some sort, we could
13 have provided direction, government could have,
14 in saying that upon any transaction at the time,
15 you will need to do source of funds.

16 Q And this is something that GPEB was
17 contemplating in response to the recommendation
18 of MNP?

19 A Correct.

20 Q And your understanding was that this was
21 consistent with a risk-based approach?

22 A Yes, I believe it to be so.

23 Q And BCLC was arguing that this was prescriptive
24 and in breach of federal -- or potentially in
25 breach of federal legislation?

1 A Yeah. I've heard evidence that they deemed some
2 of our recommendations to maybe be too
3 prescriptive, would have been too prescriptive.

4 Q Did you recall BCLC expressing that point of
5 view to you at the time?

6 A I remember some language in a response from BCLC
7 on the MNP report. There were some documents
8 provided to Michelle Jaggi-Smith who is the
9 Executive Director of Policy. She compiled --
10 was given the task, excuse me, Commissioner, to
11 take -- compile responses to the MNP report and
12 work with BCLC on those responses. And she did
13 receive responses from BCLC.

14 Q So if I can assist, I think I may have the
15 document you're referring to.

16 Madam Registrar, if you could please pull
17 up document BCLC0000226.

18 A I have that document in front of me as well,
19 Ms. Rajotte.

20 Q Thank you. And Mr. Meilleur, is this the
21 document that you were just referencing?

22 A That's correct.

23 Q And so if we look at the column section headed
24 "Section" and there's different numbers, do you
25 understand that to cross reference paragraphs of

1 the MNP report and different recommendations
2 that were made by MNP?

3 A Yes, I do and who had the responsibility. There
4 was a cover page, I believe, on this as well
5 that said "BCLC response" or something on the
6 MNP report, if I remember correctly.

7 Q So under the column "Responsible Organization"
8 there's a responsibility assigned by MNP to each
9 of the recommendations?

10 A There's a responsibility assigned, correct,
11 which area or which agency, excuse me, would be
12 responsible for that, that's correct.

13 Q And then is it your understanding that the
14 column headed "Recommendation" the text below is
15 the MNP recommendation from MNP's report?

16 A That's my understanding, yes. And then the
17 response plan commentary was provided by BCLC at
18 that time to Ms. Jaggi-Smith.

19 Q And so if we look at section 4.2, and the text
20 of the recommendation made by MNP refers to
21 consideration being given to implementation of a
22 policy that service providers refuse unsourced
23 cash deposits exceeding an established dollar
24 threshold or refuse frequent unsourced cash
25 deposits exceeding an established threshold and

1 time period until the source of cash can be
2 determined and validated. And that's -- is it
3 your understanding that's the same
4 recommendation that you reference and quoted in
5 your email to Ms. Fitzgerald that we just
6 reviewed?

7 A Yes, you know, it's been several years, but yes,
8 to my belief that is.

9 Q And your understanding is that this is BCLC's
10 response to that recommendation in the row that
11 follows -- or the column that follows?

12 A That's my understanding, yes. It's my belief.

13 MS. RAJOTTE: Thank you. If I could please,
14 Mr. Commissioner, mark this document as the next
15 exhibit.

16 THE COMMISSIONER: Yes, very well. That's 711.

17 THE REGISTRAR: Yes, exhibit 711.

18 **EXHIBIT 711: Table of Response to**

19 **Recommendations in MNP Report**

20 MR. RAJOTTE:

21 Q The final topic, Mr. Meilleur, that I have some
22 questions about just to take you back in time is
23 the period of time that you were the Executive
24 Director of the registration and compliance
25 division at GPEB.

1 Thank you, Madam Registrar, that document
2 can be taken down.

3 A Yes, Ms. Rajotte.

4 Q So you had some questions the other day when you
5 testified and today as well with respect to your
6 understanding of that division's ability to
7 impose conditions as a term of registration on
8 service providers with respect to acceptance of
9 cash. Do you recall those questions?

10 A Yes.

11 Q And so I just want to bring up a document that
12 may assist with this area, which is GPEB --
13 Madam Registrar, if you could please bring up
14 GPEB4620 and turn to page 5 of this document.
15 The document is a collection of emails, some of
16 which I don't think have anything to do with the
17 other. So if we could please just start on
18 page 5.

19 So, Mr. Meilleur, this is an email from you
20 dated June 4, 2013, to Mr. McCrea. Do you see
21 that?

22 A Yes.

23 Q And at this time you were the Executive Director
24 of the registration and compliance division of
25 GPEB?

1 A Yes, I was.

2 Q And then if we turn to the next -- or in your
3 email you say:

4 "Bill, I will be presenting/speaking from
5 these notes next week. Can you please add
6 me to the agenda."

7 And if you turn the page. So if we could please
8 go to the following page. There's a heading
9 "Registration and Certification Division AML
10 Strategy Discussion" dated June 11, 2013. Do
11 you recall the circumstances of this document?

12 A Well, I do know that over periods of time, as
13 per Mr. Vander Graaf's letter that he provided
14 to Assistant Deputy Minister Sturko and under
15 Mr. Scott's tenure that there had been
16 discussions about using registration for the
17 purposes of dealing with unsourced cash,
18 suspicious currency, and those matters, as I've
19 provided evidence on, I became aware of it in
20 terms of discussions with my directors, both
21 Mr. Ron Merchant, who had a long time working in
22 the corporate registration unit, and Mr. Robin
23 Jomha.

24 I was going to a meeting to discuss AML, and
25 one of the topics that I was asked to address

1 Director, was the following -- or the subsequent
2 two executive directors, being Ms. Angela Swan
3 and Ms. Kim Bruce, they did not feel that it was
4 an appropriate use either of that provision of
5 the regulation.

6 MS. RAJOTTE: Thank you. Mr. Commissioner, I'd like
7 to mark this document as the next exhibit. And
8 my suggestion would be to mark only those pages
9 5 through 8, which are the email chain and the
10 attachment to the email chain that Mr. Meilleur
11 just reviewed and referenced in his evidence.

12 THE COMMISSIONER: All right. So 5 through 8
13 inclusive will be marked as exhibit 712.

14 THE REGISTRAR: Exhibit 712.

15 **EXHIBIT 712: Email from Len Meilleur to Bill**
16 **McCrea re Personal Notes of Len Meilleur -**
17 **June 4, 2013 (with attachment)**

18 MR. RAJOTTE: Thank you very much, Mr. Meilleur.
19 Those are my questions.

20 THE WITNESS: Thank you, Ms. Rajotte.

21 THE COMMISSIONER: Thank you, Ms. Rajotte.

22 Anything arising, Mr. DelBigio?

23 MR. DELBIGIO: No, thank you.

24 THE COMMISSIONER: Mr. Butcher?

25 MR. BUTCHER: No, thank you.

1 THE COMMISSIONER: Ms. Henein?

2 MS. HENEIN: No, thank you.

3 THE COMMISSIONER: Mr. McFee?

4 MR. McFEE: Yes, Mr. Commissioner. There's one thing
5 arising.

6 **EXAMINATION BY MR. McFEE (continuing):**

7 Q Mr. Meilleur, in response to Ms. Henein's
8 questions respecting the concerns GPEB raised in
9 2017 respecting the use of bank drafts by the
10 10 casino players, you referenced testimony that
11 you recall Mr. Lightbody giving. Do you recall
12 that answer?

13 A Yes, sir. I believe that I referred to
14 Mr. Lightbody had had some feedback from the
15 Deputy Solicitor General about the names, that
16 GPEB didn't have the names, Mr. McFee.

17 Q Right, that's the testimony we're referring to.
18 Just so we've got the players right. At this
19 time in 2017 was the Deputy Solicitor General
20 Mark Sieben?

21 A At the time in 2017, I believe it was Mr. Fyfe.
22 I'm not sure, sir.

23 Q Well, wasn't Mr. Fyfe the Deputy Attorney
24 General, not the Deputy Solicitor General?

25 A I was referring to the Deputy Attorney General.

1 I apologize.

2 Q Okay. That's just what I wanted to clarify.

3 Because Mr. Lightbody's evidence was that he had
4 been speaking with Mr. Fyfe, who was the Deputy
5 Attorney General.

6 A Yes.

7 Q So with that clarification, we've got things
8 right, do we?

9 A Yes. My understanding is that he had had
10 conversations with Deputy Fyfe.

11 Q And wouldn't Deputy Fyfe be in a position to
12 have made inquiries as to -- of GPEB as to
13 whether or not GPEB in fact had a list of
14 10 casino players who would have been utilizing
15 bank drafts that were questionable?

16 A That may be, Mr. McFee, and also the comment
17 that they didn't have the names, and only being
18 subjective here in terms interpretation, that
19 may mean that GPEB didn't have the names from
20 police or from the intelligence officer.

21 MR. McFEE: Those are my questions. Thank you.

22 THE WITNESS: Thank you, Mr. McFee.

23 THE COMMISSIONER: Thank you, Mr. McFee. Mr. Smart.

24 MR. SMART: Nothing. Thank you.

25 THE COMMISSIONER: Thank you. Ms. Latimer.

1 MS. LATIMER: No, thank you, Commissioner. But I see
2 Mr. Bolton is unmuted.

3 MR. BOLTON: Yes.

4 THE COMMISSIONER: I'd like to turn to him next.
5 Yes, Mr. Bolton.

6 MR. BOLTON: Yes. Mr. Commissioner. I have two
7 questions by way of re-examination, if I may be
8 permitted to my client.

9 **EXAMINATION BY MR. BOLTON:**

10 Q [Indiscernible] Mr. Meilleur, when you --

11 THE COMMISSIONER: I'm sorry, Mr. Bolton. I'm going
12 to interrupt. I'm having a great deal of
13 difficulty hearing you and I'm not sure --

14 MR. BOLTON: Oh, okay.

15 THE COMMISSIONER: I'm not sure if that's shared
16 throughout. Can you try that again.

17 MR. BOLTON: Yes. I'll try that again.

18 Q Mr. Meilleur [indiscernible] -- it's not coming
19 through clearly again?

20 THE COMMISSIONER: No, I'm afraid not.

21 MR. RAJOTTE: Mr. Commissioner, if I may assist. If
22 Mr. Bolton and Mr. Meilleur are in the same
23 room, Mr. Meilleur may need to mute himself when
24 Mr. Bolton is speaking.

25 THE COMMISSIONER: He is muted. So we'll try that

1 again.

2 MR. BOLTON: Okay.

3 Q Mr. Meilleur, you were being asked questions
4 earlier today by, amongst others, Ms. Henein
5 regarding what you termed as scope creep in the
6 relationship between the regulator Gaming
7 Protection [sic] and Enforcement Branch and the
8 BCLC. You gave some examples of that and you
9 referred to the information-sharing agreement
10 that had been negotiated between the RCMP and
11 the BC Lottery Corporation. Was there anything
12 with respect -- specific with respect to that
13 agreement that caused you concern on the issue
14 that you described as scope creep?

15 A Yes. [Indiscernible] I have a copy of the
16 agreement.

17 THE COMMISSIONER: I'm sorry. I think what we're
18 going to have to do is when Mr. Meilleur is
19 talking, Mr. Bolton, if you could mute yourself,
20 and Mr. Meilleur, you turn yourself on. Thank
21 you.

22 THE WITNESS: Yes, Mr. Commissioner. Yes, in
23 response, Mr. Commissioner, to Mr. Bolton's
24 question, the concern I had in terms of the
25 agreement, if I could just -- in paragraph 4 of

1 the agreement, the information sharing, where it
2 says:

3 "Whereas BCLC has the responsibility under
4 the *Gaming Control Act* to protect the
5 security and integrity of gaming in
6 British Columbia."

7 I -- in speaking with Inspector Colasacco, I had
8 concerns around that in terms of where that was
9 defined in the *Gaming Control Act* in terms of
10 under the *Gaming Control Act* to protect the
11 security and integrity of gaming. I looked in
12 the act and I couldn't find that particular
13 designation of responsibility or authority
14 provided to BCLC, and I wanted to clarify that
15 was one of my concerns around the agreement and
16 scope creep in terms of some of the
17 responsibilities that I view should have been
18 held with the regulator, and as I provided to
19 the Commissioner in my evidence, we weren't
20 subject to the discussions when that agreement
21 was struck in 2014 when Mr. Vander Graaf was in
22 charge. Those are my comments.

23 THE COMMISSIONER: Yes, Mr. Bolton. If you could
24 just unmute yourself, and if Mr. Meilleur could
25 mute himself.

1 MR. BOLTON: Thank you, Mr. Commissioner.

2 Q Mr. Meilleur, in that regard, you gave some
3 evidence with regard to other aspects of the --
4 of what you call the scope creep and you
5 referred to the -- what was an undercover
6 investigation of the money services businesses,
7 for example, where BCLC was using under
8 cover officers to investigate. Was that another
9 example of what you considered to be other scope
10 creep or other inappropriate investigation?

11 A Yes, as I provided evidence to the Commissioner
12 in response to Ms. Henein that was one area in
13 terms of the investigation and the probe that
14 was done by BCLC at that time in terms of
15 responsibilities. I viewed that to be primarily
16 the responsibility of police or with the police
17 instructions to support the responsibility of
18 the regulator in terms of doing investigations
19 of that matter and magnitude. I did not believe
20 that was, again, within the scope and the
21 provisions of the *Gaming Control Act* in terms of
22 BCLC responsibilities. Yes, I agree and concur
23 wholeheartedly that BCLC has a responsibility
24 for integrity, but I found that there was scope
25 creep at times which was the reason for asking

1 the minister to provide further direction in
2 terms of the *Gaming Control Act*, opening the act
3 up and giving us direction on what he preferred
4 us to be doing and the corporation to be doing.

5 Q One further question. In regard to the
6 cancellation of the sharing agreement, the
7 information-sharing agreement between the RCMP
8 and the BCLC, two parts to this: one, I think
9 you made a comment as to how long that agreement
10 was actually cancelled, and I wanted to ask you
11 about that. And I wanted to ask you further,
12 did you ask Inspector Colasacco to cancel that
13 agreement?

14 A Well, in response to your first part and your
15 second part, Mr. Commissioner, the agreement as
16 I understand it from the emails that I've
17 attached to my affidavit, it appears that the
18 agreement was out of service, if I may use that
19 word, for a couple of days, and it was
20 reinstated, and whether I asked Mr. Colasacco
21 to cancel that agreement, the answer is no.
22 Mr. Colasacco in his email, which I have, also
23 indicates that somewhere within BCLC came the
24 inference or the notion that I had directed the
25 RCMP not to consult with or discuss matters with

1 BCLC and Inspector Colasacco provided
2 clarification on that that he believed that he
3 doesn't know who in BCLC received that
4 information or provided it, that there was no
5 such direction or request made by GPEB.

6 Q Thank you. One final question for you,
7 Mr. Meilleur. You have referred -- you've been
8 cross-examined extensively actually today with
9 regard to a legal opinion that you received from
10 the -- from the Ministry of Justice of British
11 Columbia, legal services branch, on
12 September 29th, 2015, or that you had access to
13 after that date, or even around that date.
14 You've referred extensively to that opinion in
15 your evidence as well, and particularly to
16 paragraph 16, which concluded by the legal
17 opinion by warning that the Gaming Policy and
18 Enforcement Branch employees would not have
19 authority to do criminal investigations and
20 would face serious criminal sanction and civil
21 liability. The point was made that that legal
22 opinion was apparently put together in some
23 haste to respond to particular issues at that
24 time. And I think you've said that it was
25 consistent with other opinions and other

1 discussions that you had and you referred to one
2 being the 2016 report made by Peter German. The
3 first part of my question is that 2016 report
4 was a report that Peter German was jointly
5 engaged to -- by both BCLC and GPEB; is that
6 correct?

7 A Yes, that's correct.

8 Q The second point of my -- the second part of my
9 question is this: logistically the GPEB offices
10 were in Victoria, about two blocks away from the
11 legal services branch office; is that correct?

12 A That's correct.

13 Q And did you have more than one conversation, for
14 example, with the author of this letter, this
15 letter of September 29, 2015, about the
16 jurisdictional issues and particularly the
17 restrictions on GPEB investigators not to
18 investigate money laundering in the casinos?

19 A We had numerous conversations with legal counsel
20 in this particular room specifically as well
21 that Ms. Cathy Dann [phonetic] was legal
22 supervisor as well. She attended meetings with
23 executive of GPEB and myself to provide advice,
24 and it was consistent in terms of the opinion
25 provided.

1 MR. BOLTON: Thank you, Mr. Commissioner. Those are
2 the questions I have for Mr. Meilleur.

3 THE COMMISSIONER: All right. Thank you, Mr. Bolton.

4 And thank you, Mr. Meilleur, for sharing
5 your time with us and giving us the benefit of
6 your experiences and insights into the workings
7 of GPEB and its relationship with the various
8 other players in the gaming industry. It has
9 been helpful. You are now excused from further
10 testimony

11 **(WITNESS EXCUSED)**

12 THE COMMISSIONER: And we will adjourn now until
13 tomorrow morning at 9:30, Ms. Latimer.

14 THE WITNESS: Thank you, Commissioner. If I can just
15 thank the commission for working with my
16 schedule. I appreciate that.

17 THE COMMISSIONER: Thank you.

18 THE REGISTRAR: The hearing is now adjourned until
19 March 11, 2021 at 9:30 a.m. Thank you.

20 **(PROCEEDINGS ADJOURNED AT 2:04 P.M. TO MARCH 11,**
21 **2021)**

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