

Ontario Court of Justice

(Name of court)

Court File Number

at 425 Grand Avenue West, Chatham, Ontario N7M 6M8
 Court office address

**Cumulative Table of Contents
 (Child Protection
 Continuing Record)**

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Chatham-Kent Children's Services
495 Grand Avenue West
Chatham Ontario N7L 1C5 519-352-0440

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Loree Hodgson-Harris
Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5 519-352-0440

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Miriam Gittel Helbrans (also known as Helbrants)
Yochanan Laver
222 St. Clair Street, Unit 104, Chatham, ON N7L 3J7

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Document <i>(For an affidavit or transcript of evidence, include the name of the person who gave the affidavit or the evidence.)</i>	Filed by <i>(A = applicant or R = respondent)</i>	Date of Document <i>(d, m, y)</i>	Date of Filing <i>(d, m, y)</i>	Volume/Tab
Protection Application	A	17/12/2013	17/12/2013	Volume 1 - Tab 1
Aff.Ser-M.Helbrans-Prot.App,N of M,Aff. C. Wyles, K.Rumble,G.Eskritt, PI of C, Cont.Sht.,Frm 33B.1	A	/12/2013	/12/2013	Volume 1 - Tab 1
Aff.Ser.- Y.Laver -Prot. App., N of M,Aff. C. Wyles, K. Rumble, G.Eskritt, PI of C, Cont. Sht.,Form 33B.1	A	/12/2013	/12/2013	Volume 1 - Tab 1
Notice of Motion	A	17/12/2013	17/12/2013	Volume 1 - Tab 2
Affidavit of Kerry Rumble	A	17/12/2013	17/12/2013	Volume 1 - Tab 3
Affidavit of Garnet Eskritt	A	17/12/2013	17/12/2013	Volume 1 - Tab 4
Affidavit of Claudette Wyles	A	17/12/2013	17/12/2013	Volume 1 - Tab 5
Plan of Care	A	17/12/2013	17/12/2013	Volume 1 - Tab 6

ONTARIO COURT OF JUSTICE
425 GRAND AVENUE WEST
CHATHAM, ONTARIO N7M 6M8

8B: Application (Child Protection &
Status Review)
Court File #:

APPLICANTS: Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario
N7L 1C5
519-352-0440

LAWYER: Loree Hodgson-Harris
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

RESPONDENTS: Miriam Gittel Helbrans (also known as Helbrants) LAWYER:
Yochanan Laver – 222 St. Clair Street, Unit 104, Chatham, ON N7L 3J7

CHILDREN'S LAWYER:

PERSONS ENTITLED TO SERVICE: Miriam Gittel Helbrans (also known as Helbrants); Yochanan Laver
A COURT CASE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE
ATTACHED PAGES.

THE FIRST COURT DATE IS **DECEMBER 17, 2013 AT 9:30 A.M.** or as soon as possible after that time, at:

425 Grand Avenue West, Chatham, Ontario N7M 6M8 – Courtroom #202

If you have also been served with a notice of motion, there may be an earlier court date and you or your lawyer should come to court for the motion.

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an Answer (Form 33B.1 – blank copy should be attached), serve a copy on the children's aid society and all other parties and file a copy in the court office with an Affidavit of Service (Form 6B). YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE OF CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.

Check this box if this para- applies The children's aid society is also making a claim for child support. You MUST fill out a Financial Statement (Form 13 – a blank copy attached), serve a copy on the society and file a copy in the court graph with an Affidavit of Service even if you do not answer this case.

WARNING: This case is subject to case management, which means that the case runs on a timetable. The timetable says that the following steps have to be finished by the following number of days from the start of this case:

Service and filing of answers and plans of care	30 days	Settlement Conference	80 days
Temporary care and custody hearing	35 days	Hearing	120 days

You should consider getting legal advice about this case right away. If you cannot afford a lawyer, you may be able to get help from your local legal aid office. (see your telephone directory under LEGAL AID),

Date of issue

Clerk of the Court

The children were apprehended on December 12, 2013

THE CHILDREN: List all children involved in this case)

Child's Full Legal Name	Birthdate	Age	Sex	Full Legal Name of Mother	Full Legal Name of Father	Child's Religion	Child's Native Status
Mendel Helbrants	13 May 2009	4	M	Miriam Gittel Helbrants (also known as Helbrants)	Yochanan Laver	Hasidic Jewish Faith	N/A
Sheia Baila Helbrants	13 July 2012	1	F	Miriam Gittel Helbrants (also known as Helbrants)	Yochanan Laver	Hasidic Jewish Faith	N/A

CLAIM BY APPLICANT

NOTE: If this is an application for a status review, strike out paragraph 1 and go immediately to paragraph 2.

1. The applicant children's aid society asks the court to make a finding under Part III of the *Child and Family Services Act* that the child(ren) named in this application is/are in need of protection because:

(Check the applicable box(es). In each checked paragraph, delete those portions of the text that are not relevant.)

- the child(ren) has/have suffered physical harm, inflicted by the person having charge of the children or caused by or resulting from that person's
 - i) failure to adequately care for, provide for, supervise or protect the child(ren) adequately [subclause 37(2)(b)(i)]
 - ii) pattern of neglect in caring for, providing for, supervising or protecting the child(ren) [subclause 37(2)(a)(ii)]
- X there is a risk that the child(ren) is/are likely to suffer physical harm inflicted by the person having charge of the child(ren) or caused by or resulting from that person's
 - i) X failure to care for, provide for, supervise or protect the child(ren) adequately [subclause 37(2)(b)(i)]
 - ii) X pattern of neglect in caring for, providing for, supervising or protecting the child(ren) [subclause 37(2)(b)(ii)]
- the child(ren) has/have been sexually molested or sexually exploited, by the person having charge of the child(ren) or by another person where the person having charge of the child(ren) knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child(ren) [clause 37(2)(c)]
- there is a risk that the child(ren) is/are likely to be sexually molested or sexually exploited by the person have charge of the child(ren) or by another person where the person having charge knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child(ren) [clause 37(2)(d)]
- the child(ren) require(s) medical treatment to cure, prevent or alleviate physical harm or suffering and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, the treatment [clause 37(2)(e)]
- the child(ren) has/have suffered emotional harm, demonstrated by serious anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or delayed development and there are reasonable grounds to believe that the emotional harm suffered by the child(ren) results from the actions, failure to act or pattern of neglect on the part of the child(ren)'s parents or the person having charge of the child(ren) [clause 37(2)(f)]
- the child(ren) has/have suffered emotional harm, demonstrated by serious anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or delayed development and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm [clause 37(2)(f.1)]
- X there is a risk that the child(ren) is/are likely to suffer emotional harm, demonstrated by severe anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or delayed developmental resulting from the actions, failure to act or pattern of neglect on the part of the child(ren)'s parent or the person having charge of the child(ren) [clause 37(2)(g)]
- there is a risk that the child(ren) is/are likely to suffer emotional harm, demonstrated by severe anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or delayed development and that the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm [clause 37(2)(g.1)]
- the child(ren) suffer(s) from a mental, emotional or developmental condition that if not remedied, could seriously impair the child(ren)'s development and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition [clause 37(2)(h)]

- the child(ren) has/have been abandoned [clause 37(2)(i)]
- the child(ren)'s parent has died or is unavailable to exercise his or her custodial rights over the child(ren) and has not made adequate provision for the child(ren)'s care and custody [clause 37(2)(i)]
- the child(ren) is/are in residential placement and the child(ren)'s parent refuses or is unable or unwilling to resume the care and custody of the child(ren) [clause 37(2)(i)]
- the child(ren) is/are less than twelve years old and has/have killed or seriously injured another person or caused serious damage to another person's property; services or treatment are necessary to prevent recurrence; and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unavailable to consent to, those services or treatment [clause 37(2)(j)]
- the child(ren) is/are less than twelve years old and has/have, on more than one occasion, injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child(ren) or because of that person's failure or inability to supervise the child(ren) adequately [clause 37(2)(k)]
- the child(ren)'s parent is unable to care for the child(ren) and the child(ren) is/are brought before the court with the parent's consent and, where the child(ren) is/are twelve years of age or older, with the child(ren)'s consent, to be dealt with under Part III of the *Child and Family Services Act* [clause 37(2)(l)]

2. Chatham-Kent Children's Services asks for an order,

- that the children be placed with *(name of custodian)* subject to the supervision of Chatham-Kent Children's Services – Children's Aid Society, for a period of _____ months, on the terms and conditions set out in the Appendix on page 5 of this Application form.
- X that the children, Mendel Helbrants, born 13 May 2009, and Sheia Baila Helbrants, born 13 July 2012, be made a wards of Chatham-Kent Children's Services for a period of six (6) months.
- that the child(ren) be made (a) ward(s) of Chatham-Kent Children's Services – Children's Aid Society for a period of _____ months and then returned to *(name of custodian)* subject to the supervision of Chatham-Kent Children's Services – Children's Aid Society for a period of _____ months, on the terms and conditions set out in the Appendix on page 5 of this Application form.
- that the child(ren) be made (a) ward(s) of the Crown and placed in the care of Chatham-Kent Children's Services – Children's Aid Society.
- that *(name of homemaker)* be authorized to remain on the premises at *(address of premises where homemaker is placed)* until (date) _____ or the person who is entitled to custody of the child(ren) returns to care for the child(ren), whichever sooner.

X relating to access, the details of which are as follows:

Access to the mother, Miriam Gittel Helbrants (also known as Helbrants) be as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.

Access to the father, Yochanan Laver as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.

- that (*name of person*) _____ be restrained under s. 80 of the *Child and Family Services Act* from having any contact with (*name of child(ren) and/or any other caregiver*) _____
- relating to payment of support while the child(ren) is/are in care or subject to an order of supervision, the details of which are as follows:
- court costs
- other(specify)

An Order excluding all media representation in accordance with s. 45 (7)(b) of the *Child and Family Services Act*.

An Order in accordance with s. 45 (7)(c) of the *Child and Family Services Act* prohibiting the publication of the Hearing.

An Order in accordance with s. 45 (8) of the *Child and Family Services Act*.

Deemed orders under the Children's Law Reform Act:

- that the child(ren) be placed in the custody of (*name of custodian – cannot be a foster parent of the child*) _____
_____ (*this order shall be deemed to be an order under s. 28 of the Children's Law Reform Act.*)
- relating to access, the details of which are as follows: _____ (*this order shall be deemed to be an order under s. 28 of the Children's Law Reform Act.*)
- that (*name of person*) _____ be restrained under s. 57.1(3) of the *Child and Family Services Act* from having contact with (*name of child(ren) and/or any other caregiver*) (*this order shall be deemed to be an order under s. 28 of the Children's Law Reform Act.*)

3. To the applicant's best knowledge, the child(ren)
- has/have never before been in the care of a society under an out-of-court agreement.
 - has/have been in the care of a society under an out-of-court agreement. The details are as follows:
(set out the number of times each child was in society care, when the care began and how long it lasted)
4. To the applicant's best knowledge, the parties or the children have have not been in a court case before relating to the supervision, wardship (guardianship) or custody of or access to the child(ren). *(Provide details of any existing custody order, including whether made by a superior court or under the Divorce Act.)*
5. The parties have have not made a written agreement dealing with any matter involved in this case. *(if you checked the first box, give date of agreement and indicate which of its terms are in dispute. Attach an additional page if you need more space.)*
6. The following is a brief statement of facts upon which the applicant is relying in this application *(set out the facts in numbered paragraphs. If you need more space, you may use the other side or attach a page, but you must date and sign each additional page)*
1. The child Sheia has suffered an unexplained injury in the form of a bruise on her left cheek.
 2. The mother and the father deny the child Sheia has a bruise and claim the mark is from a permanent marker.
 3. The mark on the child's face is a bruise, not a result of a marker.
 4. The mother and the father have failed to provide an adequate explanation for said bruise.
 5. The mother has recently expressed emotional instability requiring the use of medication.
 6. The mother and the father are part of a community called Lev Tahor wherein physical discipline is acceptable.
 7. The mother and the father are part of a community called Lev Tahor wherein there is a level of control by the community leaders, including the mother's father Shlomo Helbrans, which compromises the safety and development of the children.
 8. On Monday, November 18, 2013, the parents suddenly and without notice to the Quebec Child Welfare authorities fled the jurisdiction and arrived in the Municipality of Chatham-Kent. This was disruptive to the children.
 9. The children are subject to a Quebec Authorization To Locate and Deliver Order dated November 19, 2013, for which the parents have not complied with.
 10. At the time of this Application, the investigation remains ongoing.

Put a line through any blank space left on this page.

December 17, 2013

Date of Signature



Signature

Intake Worker

If applicant is a children's aid society, give
office or position of person signing

Kerry Rumble

Print or type name

Ontario Court of Justice

at 425 Grand Avenue West, Chatham, Ontario N7M 6M8

File No.

Applicant(s)

Full legal name & address for service – street & number, municipality, postal code & fax and e-mail address (if any).

Lawyer's name & address-street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Chatham Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

Loree Hodgson-Harris
Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

Respondent(s)

Full legal name & address for service-street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address-street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**Miriam Gittel Helbrans (also known as Helbrants)
Yochanan Laver**

The person making this motion or the person's lawyer must contact the clerk of the Court by telephone or otherwise to choose a time and Date when the court could hear this motion

TO THE PARTIES:

THE COURT WILL HEAR A MOTION on DECEMBER 17, 2013
At 9:30 a.m., or as soon as possible after that time at: (place of hearing)

425 Grand Avenue West, Chatham, Ontario N7M 6M8 – Courtroom #202

This motion will be made by the Society who will be asking the court for an order for the item(s) listed on the back of this notice.

- A copy of the affidavit(s) in support of this motion is served with this notice.
 - A notice of a case conference is served with this notice to change an order.
- If this material is missing, you should talk to the court office immediately.

The person making this motion is also relying on the following documents in the continuing record: (list documents).

If you want to oppose this motion or to give your own views, you should talk to your own lawyer and prepare your own affidavit, serve it on all other parties not later than 4 days before the date above and file it at the court office not later than 2 days before that date. Only written and affidavit evidence will be allowed at a motion unless the court gives permission for oral testimony. You may bring your lawyer to the motion.

IF YOU DO NOT COME TO THE MOTION, THE COURT MAY MAKE AN ORDER WITHOUT YOU AND ENFORCE IT AGAINST YOU.

December 17, 2013

Date of Signature

[Handwritten Signature]
Signature of person making this motion or of person's lawyer

Chatham-Kent Children's Services
495 Grand Avenue West,
Chatham, Ontario N7L 1C5 519-352-0440

Typed or printed name of person or of person's lawyer, address for service, Telephone & fax number and e-mail address (if any)

NOTE TO PERSON MAKING THIS MOTION: You MUST file a confirmation (Form 14C) not later than 2:00 p.m. 2 days before the date set out above.

If this is a motion to change past and future support payments under an order that has been assigned to a government agency, you must also serve this notice on that agency. If you do not, the agency can ask the court to set aside any order that you may get in this motion and can ask for costs against you.

Form 14: Notice of Motion (page 2)

File No _____

State the order or orders requested on this motion.

1. An Order abridging the time for service of this Motion.
2. An Order abridging the time for filing of this Motion.
3. An Order placing the children, Mendel Helbrants, born 13 May 2009, and Sheia Baila Helbrants, born 13 July 2012, in the temporary care of Chatham-Kent Children's Services.
4. An Order for access to the mother, Miriam Gittel Helbrants (also known as Helbrants) as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.
5. An Order for access to the father, Yochanan Laver as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.
6. An Order excluding all media representation in accordance with s. 45 (7)(b) of the *Child and Family Services Act*.
7. An Order in accordance with s. 45 (7)(c) of the *Child and Family Services Act* prohibiting the publication of the Hearing.
8. An Order in accordance with s. 45 (8) of the *Child and Family Services Act*.
9. Such further and other relief as this Honourable Court would deem just.

**ONTARIO COURT OF JUSTICE
425 GRAND AVE WEST
CHATHAM, ONTARIO N7M 6M8**

File #:

APPLICANT: Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

LAWYER: Loree Hodgson-Harris
Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

RESPONDENTS: Miriam Gittel Helbrans (also known as Helbrants)
Yochanan Laver

**AFFIDAVIT OF KERRY RUMBLE
SWORN DECEMBER 17, 2010**

I, **Kerry Rumble**, of the Municipality of Chatham-Kent, in the Province of Ontario
MAKE OATH AND SAY AS FOLLOWS:

1. I am a Child Protection Worker as that term is defined under the *Child and Family Services Act (Ontario)* and have been an employee of Chatham-Kent Children's Service (hereinafter referred to as "the Society") since February of 2007.
2. My educational background includes an Honours Bachelor of Arts degree in Family and Social Relations from the University of Windsor.
3. I am a Society Intake Worker and as such I have knowledge of the matters hereinafter referred to.
4. With respect to the children who are the subjects of this Motion:
 - a) Mendel Helbrants was born on May 13, 2009.
 - b) Sheia Baila Helbrants born on July 13, 2012.
 - c) The children's religion is Hasidic Jewish faith.

- d) The children do not have Native Status.
- e) The mother of the children is Miriam Gittel Helbrans (also known as Helbrants).
- f) The father of the children is Yochanan Laver.
- g) There are no other parents within the definition of the current child welfare legislation.

Relief Requested

- 5. The Society is seeking an Order placing the children, Mendel Helbrants, born 13 May 2009, and Sheia Baila Hebrants, born 13 July 2012, in the temporary care of Chatham-Kent Children's Services.
- 6. The Society is also seeking an Order for access to the mother Miriam Gittel Helbrans (also known as Helbrants) as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.
- 7. The Society is also seeking an Order for access to the father Yochanan Laver as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.

Society File History

- 8. I have reviewed the Affidavit of Aline Beaumier in another related matter, sworn December 10, 2013, and verily believe paragraphs 9 to 17 to be true.
- 9. Aline Beaumier is a Team Manager for the Director of Youth Protection of the Centre Jeunesse des Laurentides (Laurentians Youth Centre) (hereinafter referred to as "the Quebec Child Welfare Authorities") for the Quebec Government's administrative area called the Laurentians, within which Sainte-Agathe-des-Monts, Quebec is located.

10. The Respondent parents and their children are part of a religious community called Lev Tahor, consisting of approximately two hundred (200) men, women and children, who reside in close proximity to one another.
11. Ms. Beaumier's team has been intensely involved with the entire Lev Tahor community since August of 2013, and prior to that with a few families going back approximately eighteen (18) months.
12. On November 11, 2013, Denis Baraby (Director of Youth Protection) and Ms. Beaumier had a meeting with Lev Tahor community leaders – Mayer Rosner, Nachman Helbran and Uriel Goldman. The community leaders requested that Ms. Beaumier's team make scheduled appointments with the families in the community versus unannounced home visits. It was agreed that when and if possible, schedule appointments would be made versus unannounced home visits.
13. On November 14, 2013, workers Mauro Pasinato and Genevive Dulude met with two (2) families from the community in Ste-Agathe-des-Monts, Quebec. It was explained that a Motion for provisional measures would be presented to the Court on November 19, 2013. They were informed that their regular workers Marie-Josée Bernier and Suzanne Tye would come to discuss the hearing in greater detail with them on Monday, November 18, 2013.
14. On November 18, 2013, workers I Marie-Josée Bernier, Vincent Gratton-Jacobs, Genevive Dulude and Suzanne Tye attended the Lev Tahor community and found as follows:
 - a) When they attended at the homes of the families of the children who were subject to the Motion for provisional measures in the Lev Tahor community in Sainte-Agathe-des-Montes, Quebec, they realized that the entire community had left.
 - b) A neighbor who resides at 521 des bouleaux, Sainte-Agathe-des-Montes named, M. Alain Baval reported that at approximately 1:00 a.m., on

Monday, November 18, 2013, the entire Lev Tahor community fled Sainte-Agathe-des-Monts, Quebec, in the Province of Quebec.

- c) This departure was sudden, unexpected and without notice.
15. On November 19, 2013, the Honourable Maurice Parent J.C.Q., Cour Du Quebec (Chambre De La Jeunesse), Province of Quebec, District of Terrebonne, Village of Saint-Jerome, ordered an Authorization To Locate And Deliver the child Mendel Helbrans, born 13 May 2009, in accordance with S. 35.2 Law on the protection of the youth. Attached hereto and made **Exhibit "A"** to this my Affidavit is the French and English version. The parents have failed to comply with said Order.
16. On November 19, 2013, the Honourable Maurice Parent J.C.Q., Cour Du Quebec (Chambre De La Jeunesse), Province of Quebec, District of Terrebonne, Village of Saint-Jerome, ordered an Authorization To Locate And Deliver the child Sheila Baila Helbrans, born 13 July 2012, in accordance with S. 35.2 Law on the protection of the youth. Attached hereto and made **Exhibit "B"** to this my Affidavit is the French and English version. The parents have failed to comply with said Order.
17. On November 27, 2013, former Community member of Lev Tahor Adam Brudzevski testified at the hearing in Quebec regarding the Lev Tahor community. The following is a summary of Mr. Brudzevski's testimony:
- i. Mr. Brudzevski left the Lev Tahor Community in the fall two (2) years ago (page 5 of transcript).
 - ii. Mr. Brudzevski started to have questions about the righteousness of what was going on and he saw his wife suffering (page 5 of transcript).

- iii. Mr. Brudzevski and his wife decided to leave. The community found out and took his wife away from him. They spoke badly to her about Mr. Brudzevski and pressured her to request a divorce (page 6 of transcript).
- iv. Mr. Brudzevski's wife was eventually allowed to return to him after he made a formal oath of obedience to the community (page 6 and 7 of the transcript).
- v. Mr. Brudzevski's wife also had to sign an agreement on a lot of conditions (page 7 of transcript).
- vi. And part of the oath including prohibited him from causing, even in a hinting way, any damage, spiritually or physically, to anybody in the community (page 7 of transcript).
- vii. Mr. Brudzevski was not allowed to speak critically about anybody or about anything in the community (page 7 of transcript).
- viii. Mr. Brudzevski's contact with his wife was limited to an hour and a half awake hours (1 ½ hours) per day (page 7 of transcript).
- ix. Mr. Brudzevski had to subject himself to treatment for what they called "borderline personality disorder" diagnosed by Rabbi Helbrans (page 8 of transcript).
- x. Mr. Brudzevski had to participate for an hour long workshop every day, a group of all the members that had this diagnosis.
- xi. The only symptoms (re: borderline personality disorder), Mr. Brudzevski had was claiming the falsehood of his critics (page 10 of transcript).
- xii. Prior to his marriage, Mr. Brudzevski was together with the unmarried boys and he especially noticed their lack of obedience. He was put in

- charge of insuring their proper behaviour at prayer times (page 14 of the transcript).
- xiii. Mr. Brudzevski had no experience in handling this and asked the community for advice on how to handle such a situation.
- xiv. The advice Mr. Brudzevski received from Chaim Azaria Alter was that whenever a boy would not do as he is suppose to Mr. Brudzevski should hit him with a wire hanger. Boys over 13 and not married (page 15 of transcript).
- xv. Mr. Brudzevski later discovered that hitting was a regular punishment in the community. As an example, every classroom in the small boys' school would be equipped with a wooden stick or rod to hit the children with (page 16 of transcript).
- xvi. Mr. Brudzevski was also instructed to warn the children and also to hit them, slap them in the face with an open hand, which he did do maybe three (3) occasions in a class of children between eight (8) and thirteen (13) (page 17 and 18 of transcript).
- xvii. The community had a separate school for boys and girls.
- xviii. In the lowest grade, they would teach them the Hebrew alphabet, reading skills, the beginnings of prayers and saying prayers by heart. As they went to higher grades, they would teach them Torah and also Jewish commentaries on the Torah (page 21 of transcript).
- xix. It was well known that the goal of these studies was to enable them (the children) to understand the Rabbi's teachings (page 21 of transcript).
- xx. The boys are not being taught any secular subject at all (page 22 of transcript).

- xxi. The girls are being taught rudimentary English and math.
- xxii. The goal for the girls is to be able to run a household and pay bills, etc.
- xxiii. The reason English was taught to the girls and not the boys was the belief that the boys should be busy with holy studies and the girls run the house.
- xxiv. Most of the children exclusively speak Yiddish and a small minority know some Hebrew because Yiddish is considered the traditional language of the Jews (page 27 of transcript).
- xxv. Modern spoken Hebrew is considered an implement of the Zionist and the community ideology is to fight and resist everything that has connection to the Zionists (page 27 of transcript).
- xxvi. The Rabbi Helbrans would speak about on occasion ensuring only Yiddish and not Hebrew is used (page 28 of transcript).
- xxvii. Everybody is encouraged to guard each other and catch each other in speaking Hebrew (page 28 of transcript).
- xxviii. The Rabbi encouraged everybody to spy on each other, both children on their parents and friends and so on (page 31 of transcript).
- xxix. And anybody who observed a breach of the rules should come and report to the leadership and this is why there's no... he doesn't remember an instant of someone speaking Hebrew intentionally (page 32 of transcript).
- xxx. Mr. Brudzevski had not seen first-hand adults being punished physically, but had heard from Nathan Helbrans. The leadership were discussing how to hide the physical punishment from Mr. Brudzevski because it was known that he was critical of what was going on (page 33 of transcript).

- xxxi. If somebody would come late for the morning prayers, they would be punished monetarily (page 34 of transcript). They had a guard by the door taking note on everybody's arrival.
- xxxii. If somebody couldn't pay, he would have to give his personal books for the synagogne's collection instead, then he would be told to sleep at the synagogne as an unofficial punishment (page 34 of transcript).
- xxxiii. And people's children or wives, husbands could be taken away from them (page 35 of transcript).
- xxxiv. Mr. Brudzevski overheard the Rabbi speaking with Yosef Suleimani (Soleimani). It was well known that Sulimani's lost their child. The Rabbi warned him to behave, lest bad things could happen and we wouldn't want more of that (page 36 of transcript).
- xxxv. Mr. Brudzevski was told that an older sister slept with the baby, rolled on the baby and the baby passed away (page 36 of transcript).
- xxxvi. Mr. Brudzevski made a link between what happened to the Suleimani family and the punishment they are given by God because members are made to abide by the Rules out of fear of bad things happening to them in this world (page 37 of transcript).
- xxxvii. Mr. Brudzevski's wife told him that she would be hit by her father (Uriel Goldman, Community Leader).
- xxxviii. On several occasions, Mr. Brudzevski had other people's children living with him as a form of punishment to the family who had their children taken away (page 38 of transcript).
- xxxix. At the time when Nathan Helbran's (Rabbi Helbran's son) now youngest child was not born all his older children except for the baby at the time stayed with him at the some point.

- xl. Aaron Kashani also stayed with him. Mr. Brudzevski was told that the parents were not able to bring up the children the right way. Aaron Kashani very much fought against being taken away from him. They would always need to use physical force to take him away from his parents and bring him to whichever house he would stay. (page 40 and 42 of transcript).
- xli. For Nathan Helbrans, he did not really want his children removed from him, but he preferred them to be with Mr. Brudzevski then with some other families that he had bad experiences with (page 41 of transcript).
- xlii. For the children who stayed at Mr. Brudzevski's home, it was only a few days or weeks. It was on and off. Children were moved around very much (page 43 of transcript).
- xliii. Mr. Brudzevski was married 3 ½ years ago while still living in the community. Mr. Brudzevski's wife was punished for going to the door with only her tights and socks. Based on Jewish mysticism, Jewish should not walk barefoot. As such, the women wear tights with socks and shoes on top of that (page 46 of transcript). The true punishments were that she was not allowed to go to her parents' house for a week and a half and the other was that his wife was not allowed to use her sisters as messengers.
- xliv. By Mr. Brudzevski's wife not being able to go to her parents' house was essentially a house arrest (page 48 of transcript).
- xlv. Women in the community avoid going outside. It was out of modesty and because of the difficulty of dressing with the clothes in order to go outside. Women have a lot of duties to cook and arrange things for the community so they will use the very young girls as messengers to send items and food items from house to house. So not being able to use her sisters for that

and still having the obligations of supplying the community put a lot of extra load on her (page 49 and 50 of transcript).

- xlvi. Mr. Brudzevski's wife was, at a certain time, instructed to report every day on her behaviours during the day (page 50 of transcript).
- xlvii. When Mr. Brudzevski's wife was pregnant, she was threatened that if she continuously misbehaved they would already now start looking for where to put her baby when it was born.
- xlviii. Mr. Brudzevski's wife told him that when she was a younger girl after being refused to recite a certain text in school, the Rabbi (Rabbi Helbrans) instructed her father to hit her and he did hit her (page 51 of transcript).
- xlix. Mr. Brudzevski's wife was 15 when she was married (page 52 of transcript).
 - l. The marriage was arranged by the Rabbi (Rabbi Helbrans) (page 52, 53 and 54 of transcript).
 - li. Mr. Brudzevski didn't know his wife's name until he saw her name on the contract of getting married (page 55 of transcript).
 - lii. The Rabbi also mentioned the occasion, that is well-known of course, that in the community they do not meet before their marriage.
 - liii. The marriage was set for two (2) months later and his wife was taken away from her home and put into the home of Moishe Yosef Rosner to re-educate her because of the failed upbringing that she got (page 55 and 56 of transcript).
 - liv. In the Community, only parents and children and siblings will touch each other.

- iv. Teaching about marital relationships was only the last day before the marriage. For the girls, they would be taught in the last couple of days according to his wife and the information given was very rudimentary (page 58 of transcript).
- lvi. The first day, Mr. Brudzevski saw his wife was the wedding day (page 68 of transcript).
- lvii. The first attempt of an intimate relationship with his wife was the wedding night, but the first actual successful intercourse was ten (10) months later (page 68 and 69 of transcript).
- lviii. While living in the community, Mr. Brudzevski personally participated in weddings of children who were less than sixteen (16) namely (page 70 - 72 of transcript):
- a. Yakev Nuchen Weingarten married the daughter of Moishe Yosef Rosner (Yosef Rosner);
 - b. Ifashan Matidia Moishe Malta (Malka) married the daughter of Shalom Alter;
 - c. Pinches Feder (Feder Pinchs) married another daughter of Shalom Alter;
 - d. Israel Hayon married a daughter of Hida Shiman Malta [Malka] who is also called Yosef Shalom Malka;
 - e. Ishmael Mayer Weingarten married the daughter of Arye Yehuda Malka;
 - f. Eliahu Yochanan Kein married the daughter of Ezer Hayon;
 - g. Yoel Markus married the daughter of Uriel Yosef Goldman.

- h. Rachel Hayon was the one who got married to Elijah Yochanan [Kein] when she was 14 years old.
- lix. Marriage at 14 was common for children of the Lev Tahor community to get married. It was a stated goal of the community to reach the point of doing marriages at thirteen (13) (page 73 of transcript).
- lx. They scheduled the date, but they didn't make the marriage of the Rabbi's youngest daughter. At the date they had set, the boy was just before thirteen (13), still twelve (12), and the girl had turned thirteen (13) a couple of months before (page 73 of transcript).
- lxi. It was a cause of celebration that they would finally have reached the goal of making the marriages early enough. It was backed by what the Rabbi described as historical fact (page 73 and 74 of transcript).
- lxii. The reason Rabbi Helbrans showed Mr. Brudzevski as to why children being married prior to the age of sixteen (16) was from the code of Jewish Law and that it's a positive commandment upon a man to get married upon reaching thirteen (13) years of age.
- lxiii. Mr. Brudzevski decided to denounce what he experienced in the community because he believes he is obligated to help, Jewish children are in trouble, Jews that are in trouble and he believes the condition that people are living under in the community are dangerous to them. He has seen how members who left the community are unable to live a normal life (page 77 and 78 of transcript).
- lxiv. Mr. Brudzevski fears for/concerns for the children now living in the community. He believes that a person should have the free choice and decision how to live life and with the isolation and lack of education that the children get in the community, they will not have a possibility of living

such a life. Also the methods of education, of upbringing they use in the community, he regards as damaging emotionally at the least in general (page 78 and 79 of transcript).

- lxv. When he considered leaving the community, Rabbi Helbrans warned Mr. Brudzevski of what would happen in the afterlife to him (page 79 of transcript).
- lxvi. Rabbi Helbrans said that even if he would keep all rules perfectly and even if he became a leader, a Rabbi, a scholar, when he would die his soul would not go through cleansing process in order to be close with God (page 80 of transcript).
- lxvii. And instead Mr. Brudzevski's soul would be ground up to dust and thrown underneath the fee of the righteous. This is a known concept in Judaism for somebody who did something so bad that even cleansing cannot help him.
- lxviii. There would also be fear of direct physical damage from outside.
- lxix. The Rabbi spoke of American forces (lead by Barack Obama) with the assistance of the Prime Minister of Canada, coming over the mountain ridges to Ste-Agathe-des-Montes and they would shoot everything they had to the community synagogne. The Rabbi described how they would sit, everybody holding hands and doing meditations according to the written instructions that they were in the middle of editing (page 81 - 83 of transcript).
- lxx. Mr. Brudzevski did not believe completely what the Rabbi was saying, but it seemed the people were afraid of this happening, but hopeful they would be saved from this (page 85 of transcript).

- lxxi. Rabbi Helbrans would quite often threaten with leaving the community which would effectively render them without any leadership (page 86 of transcript).
- lxxii. Rabbi Helbrans would sometimes seclude himself and lock the doors to his apartment and not speak to anyone. The community would take it very seriously and come and try to ask him for forgiveness (page 87 of transcript).
- lxxiii. Everybody knew that, if they were not behaving, they could....the community could take away their children or even their wives (page 88 of transcript).
- lxxiv. Many members were at some point told to leave the community and being that they have isolated themselves and cut off from the world outside, they would be lost if they would actually have to leave the community (page 88 of transcript).
- lxxv. When Mr. Brudzevski discussed with his wife and they decided to leave, his wife was taken from him.
- lxxvi. Mr. Brudzevski's wife went to stay with her parents and he did not see his wife for two (2) weeks (page 93 of transcript).
- lxxvii. Mr. Brudzevski was told that he would have to divorce his wife (page 94 of transcript).
- lxxviii. A plan was suggested to Mr. Brudzevski that he could maybe remain in the community. Mr. Brudzevski agreed to the plan before hearing what it was. In order to show that he was obedient to the Rabbi, the plan was that he would divorce his wife and being free of martial obligations could devote himself to curing the borderline personality disorder (page 95 of transcript).

- lxxxix. Mr. Brudzevski's wife had ½ year left of pregnancy. It was customary for a divorced woman not to get married within two years of giving birth. Mr. Brudzevski would have about 2 ½ years to be successful in the treatment. And if successful, he would be allowed to remarry his wife (page 96 of transcript). The Rabbi did tell Mr. Brudzevski that sometimes there are exceptions to the two years' waiting (page 96 of transcript).
- lxxx. Mr. Brudzevski was told a car would take him to the Jewish Court to make the divorce and on the way towards Montreal they stopped and told him that it's clear that he is obedient because he was willing to go and make the divorce (page 97 of transcript).
- lxxxii. Mr. Brudzevski agreed to certain conditions and a formal oath, instead of divorcing his wife and returned to the community (page 98 and 99 of transcript). Approximately one week after the oath, Mr. Brudzevski's wife was allowed back home (page 101 - 102 of transcript).
- lxxxiii. Mr. Brudzevski still planned on leaving, but kept his departure a secret so they wouldn't take his wife away again (page 102 of transcript).
- lxxxiiii. Mr. Brudzevski would slowly teach his wife about cults and all the related subjects and effects (page 106 of transcript).
- lxxxv. Eventually, Mr. Brudzevski's wife started recognizing the patterns in the community itself (page 107 of transcript).
- lxxxvi. Eventually, Mr. Brudzevski could speak openly [to his wife] about the danger and the necessity of running away (page 107 of transcript).
- lxxxvii. Mr. Brudzevski planned and carefully executed, he and his pregnant wife's escape (page 108 - 110 of transcript).

- lxxxvii. Every woman is obligated to use ovulation tests to maximize children production (page 119 of transcript).
- lxxxviii. Each woman has an obligation to make children from the moment that she gets married even if the girl is 14. The Rabbi's middle daughter got married a couple of months after turning fourteen (14) and had her first child upon turning fifteen (15). Her husband was the same age (page 119 and 120 of transcript).
- lxxxix. Even before getting married, girls would leave school prior to age 14 (page 120 and 121 of transcript).
- xc. Mr. Brudzevski was 25 when he married his 15 year old wife (page 121 and 122 of transcript).

Attached hereto and marked as **Exhibit "C"** to this my Affidavit is a copy of the transcript of Adam Brudzevski dated November 27, 2013.

18. A number of the Lev Tahor group, approximately thirty-one (31) families and one hundred and twenty-nine (129) children, have been confirmed to be in the Municipality of Chatham-Kent, the majority having arrived on Monday, November 18, 2013, during the day, predominately by way of bus.
19. On November 21, 2013, Intake Worker Kristen Ball attended at Room 203 of the Super 8 Motel in Chatham, Ontario. This room was registered to Miriam Gittel Helbrans (also known as Helbrants) (hereinafter referred to as "the mother") and Yochanan Laver (hereinafter referred to as "the father"). Ms. Ball interviewed the mother and the following information was provided:
- a) The parents had two (2) children together, Mendel Helbrants, born 12 May 2009, and Sheia Baila Helbrants, born on July 13, 2012.

- b) The father was currently in Israel and returning to Canada in the next few weeks.
- c) The father's Visa had expired so he was sent back to Israel from Quebec.
- d) The father had been in Israel for the past eight (8) months.
- e) The mother did not take any medication.
- f) The mother would remove privileges such as treats if Mendel and Sheia did not do what they were told.
- g) The parents never used any physical discipline on the children.
- h) The mother used her sister, Sarah Teller and her two (2) brothers, Nachman Helbrants and Joel Helbrants for supports.
- i) The mother's father, Rabbi Helbrans (also known as Helbrants) was currently still in Quebec and her mother was residing in the United States.
- j) The parents had been married for three (3) years.
- k) The parents shared household responsibilities and child care.
- l) There had never been any domestic violence in the family home.
- m) The parents got along well and they had no communication problems.
- n) The family had a doctor in Quebec and they were currently looking for a new doctor in Chatham.
- o) The family had never had any police involvement.
- p) The family was involved once with Children Services in Quebec when the whole "community" was involved.
- q) Mendel had been taken to the hospital once because he had been jumping on the bed, had fallen off and received stitches.
- r) The mother was currently pregnant but had never had any issues with her previous pregnancies.
- s) The family was doing well financially and if needed everyone in the "community" helped each other out.
- t) The children in the "community" were home schooled by certain people in the "community".
- u) The mother was hoping for the whole "community" to move to an apartment complex together.

20. On November 21, 2013, Ms. Ball observed the following in the family's motel room:
- a) The room had two (2) beds.
 - b) Clothing had just been washed and folded on one (1) of the beds.
 - c) No medication was seen in the room.
 - d) Mendel and Sheia were observed during the interview to be eating breadsticks and drinking bottled water.
 - e) There was no refrigerator in the room. The food was kept downstairs in the motel and the family could use the microwave if needed.
 - f) Mendel and Sheia interacted with the mother during the interview. Mendel opened the window on several occasions. Sheia requested more food throughout the visit. The mother would stop the interview to address the concerns of Mendel and Sheia.
 - g) Sheia wore regular clothes and Mendel wore traditional orthodox Jewish clothing.
 - h) Sheia and Mendel appeared neat and clean.
21. On November 21, 2013, Intake Worker Jennifer Doran attended at Unit 22 of Spurgeon's Villa in Chatham, Ontario, and obtained the following information during the course of her interview:
- a) This was the residence of Yisrael Goldman and Raizy Rosner.
 - b) The father was present at this residence and stated to Ms. Doran that he was currently staying at the Super 8 Motel with his family.
 - c) The father confirmed that the mother was pregnant.
 - d) The father had two (2) children, Mendel Helbrants, born May 13, 2009, and Sheia Helbrants, born July 13, 2012.
22. On November 25, 2013, I attended at Spurgeon's Villa with Intake Worker Jennifer Doran and Family Service Worker Ted Heath. While walking in the

parking lot, the father approached us. I asked the father who he was and he stated to me that he was Yochanan Laver, born April 11, 1994, and that he was married to Miriam Helbrans (also known as Helbrants) born January 21, 1994. The father said that he and his family were residing in Room 203 of the Super 8 Motel. The father advised me that the mother was nine (9) months pregnant and would be having the baby any day.

23. On December 12, 2013, Intake Worker Garnet Eskritt and I attended at the home of Batsheva Alter (Feder) and Pinchus Feder at 220 St. Clair Street, Apartment 5, Chatham, Ontario. The following events occurred at this visit:
- a) Mr. Eskritt advised me that there was another child in the home, other than the children of Ms. Alter and Mr. Feder.
 - b) Mr. Eskritt asked me if I had noticed the child when I walked into the home. I had not noticed the other child which I later learned from Mr. Eskritt was Sheia Helbrants, the mother's daughter.
 - c) Sheia was in a stroller facing the window with her winter coat on and a blanket.
 - d) Sheia had woken up and Mr. Eskritt had observed a bruise on her left cheek. Mr. Eskritt asked me to observe the bruise.
 - e) Initially the bruise was difficult to see due to the lighting in the room and Sheia not being co-operative.
 - f) I went into a bedroom with Sheia and Ms. Alter and observed her left cheek to have a dime size bruise, parallel to the corner of her mouth. The bottom of the bruise was a purple colour and the top of it was a yellowish colour. The bruise appeared to have a small, yellowish line coming from it towards Sheia's mouth.
 - g) Ms. Alter stated to me that Sheia had been playing with permanent marker on Sunday, [December 8, 2013], and had put the marker on her face. The mother had tried to wash the marker off but it had been slow to come off.
 - h) Ms. Alter had been watching Sheia for an hour while the mother went and had blood work done.

- i) By this time, Mr. Eskritt and I had been at the family home for over an hour and had not seen the mother.
 - j) Mr. Eskritt and I advised Ms. Alter and Mr. Feder that they needed to get in contact with the parents and the parents needed to come home with their son Mendel.
 - k) Ms. Alter stated to me that the parents would be home soon; however she did begin to attempt to contact the mother on her cellular phone.
24. I stepped outside the home in order to contact Intake Supervisor Robin Rose and advise her of the bruise on Sheia.
25. I returned to the home and Mr. Eskritt and I advised Ms. Alter and Mr. Feder that they needed to get in contact with the parents. Ms. Alter continued to call people but Mr. Eskritt and I were advised that there was no way to reach the father as he was at the "community" school.
26. I attended at the family home at 222 St. Clair Street, Apartment 104 and knocked on the door a number of times. There was no response.
27. At this time, Mr. Eskritt and I advised Ms. Alter and Mr. Feder that Sheia would be going to the Society office and Mr. Eskritt and Mr. Heath would be attending at Spurgeon's Villa to pick up the father and Mendel and bring them back to the Society office.
28. I assisted Ms. Alter in putting Sheia's coat on and I put Sheia into a car seat in order to transport her to the Society office.
29. When I arrived at the Society Office, I arranged with Chatham-Kent Police Constable Jennifer Jacobson to privately interview the mother when she arrived at the building. Shortly after my arrival at the Society office, the mother also arrived.

30. I interviewed the mother at the Society office with Constable Jennifer Jacobson of the Chatham-Kent Police privately. The following information was provided during the interview:

- a) Constable Jacobson advised the mother that the interview was being video and audio taped. Constable Jacobson explained our roles and stated that the mother could leave the room at any time.
- b) Constable Jacobson stated that we were aware that the mother spoke Yiddish as her first language and if she needed an interrupter, that would be provided. The mother said that she spoke English and did not need an interrupter at this time.
- c) The mother was aware that she needed to attend at the Society office due to Sheia having a mark on her face because of "magic". The mother had been told by her babysitter Betsheva Alter about Sheia having a mark and the Society taking Sheia.
- d) The mother had not used Ms. Alter as a babysitter for a long period of time before. Previously the mother had used Ms. Alter as a babysitter for about ten (10) minutes. The mother usually used her sister or brother to babysit but they lived too far away from her at this time.
- e) The mother's brother, Joel Helbrants, had babysat Mendel and Sheia about a week ago for thirty (30) minutes. Nobody else had watched Mendel or Sheia this week.
- f) The mother had told Mayer Rosner that the mark on Sheia's face was "magic". The mother usually bought any presents for Mendel and Sheia but the father did this time and he had bought permanent markers for them. The father had bought the markers for the children because he did not understand toys for children.
- g) Mendel and Sheia had been playing with the markers. Mendel got marker on his hands but the parents had been able to wash it off in a couple of days. Sheia had put the marker on her face and hands. The mother's friend's child, Masit Helbrants, had also been playing with the markers

and he had it on his hands also. The mother advised us that she had witnessed this happening.

- h) Mendel, Sheia and Masit Helbrants had been playing with the markers about two (2) or three (3) days ago and they got the marker on them. Sheia had yellow and black marker on her face. The yellow marker was easy to get off and the black marker had come off a lot but it appeared to still be on her face.
- i) Mendel had only a little marker on his hand because he had made a mistake while colouring but Sheia had gotten it all over her face and Sheia may have had a few spots on her hands.
- j) Many people saw the marker on Sheia's face when she had a lot of scribbles. The mother stated that the father also saw the scribbles.
- k) The mother had tried to scrub the marker off but it would not come off. The mother stated that a few people said that it was marker on Sheia's face but yesterday [December 11, 2013] people said it did not look like marker anymore because it was fading and it was starting to wash off.
- l) Sheia was sixteen (16) months old and Mendel was four (4) and a half years.
- m) The mother believed that the markers were bought about a week ago but she did not remember.
- n) The parents have been married for about two (2) and a half to three (3) years.
- o) The family was residing at 222 St. Clair Street, Apartment 104, Chatham, Ontario. The family had been residing at this address for a few weeks.
- p) The mother advised us that her birthday was January 21, 1994, Sheia's birthday was July 13, 2012, and Mendel's birthday was May 13, 2009. The mother wavered between saying March and May when stating Mendel's birthday. [The mother was fourteen (14) years of age when first pregnant with the child Mendel and gave birth to Mendel when she was fifteen (15) years old.]

- q) The family had moved from Quebec. The mother was aware they were going to be moving sometime; the mother just had not known when. The family had a couple of days to prepare prior to them moving to Chatham.
- r) The family had moved into a motel in Chatham for a couple of weeks and then moved into their apartment on St. Clair Street. Only the mother, the father, Mendel and Sheia reside in the home on St. Clair Street.
- s) Mendel does not speak English at all and does not understand a lot of English.
- t) The family has been involved with the Quebec Children's Aid Society for a short time.
- u) Constable Jacobson stated to the mother that the mark on Sheia's face did not look like a marker and that it looked like a bruise. The mother denied that it was a bruise and stated that she was "sure, sure" that it was not a bruise because she had seen Sheia scribbling on her face and Sheia had not fallen down anywhere for a very long time.
- v) The mother had told people that it was marker because Sheia had not fallen in over two (2) weeks. The mother again denied that it would have been a bruise. The mother again stated that it was the black and yellow marker the father had purchased which had left the mark. The mother had ended up throwing out the markers because it was not good for Mendel and Sheia to play with them.

31. During our interview with the mother, the mother provided the following information:

- a) The Elias child had been playing with the markers at the family home for a short period of time and had ended up with marker on his hands.
- b) The mother, Mendel and Sheia had been at the table in the dining room colouring with the markers. The mother had turned around for a short period of time and that was when Mendel and Sheia had gotten the marker on them.

- c) Sheia had sensitive skin like the mother. Sheia had attended a skin specialist in Quebec who had provided cream for her. At this time, Sheia had dry skin on her cheeks and nose due to the cold weather.
- d) Sheia did have the marker on her face this morning but the mother did not observe any marker on Sheia's hands today.
- e) The mother stated that the marker was on Sheia's right side and then changed her mind and said Sheia's left side and then stated that she did not remember.
- f) The parents provided Mendel with gifts when he was acting appropriately. The mother stated that if Mendel did not speak nicely then Mendel would not be provided with a gift. Mendel would be aware at that time that he had done something wrong.
- g) The parents did not use any physical discipline on the children.
- h) Mendel attended school which was home schooling taught by the people in the "Community" which was located at Spurgeon's Villa. Mendel attended school every day from 10:00 a.m. until 4:00 p.m.
- i) Sheia either slept near the mother in a crib which has lost some pieces or she slept in a play pen until they would be able to get their other crib from Quebec.
- j) The mother had not been around in the afternoon because she had gone shopping with Ester Dinkel, which had taken a lot longer than the mother had thought it would.
- k) The paternal grandfather was Shloma Helbrants and the paternal grandmother was Malka Azuly.
- l) Shloma Helbrants was currently in Quebec but the mother's sister had told the mother that he would be coming to Chatham once the mother gave birth to the new baby.
- m) Malka Azuly was currently in New York with the mother's other sister who had been placed in foster care as a result of not being healthy and having teenage problems. The mother had not seen her sister in about a year.

- n) Shloma Helbrants had not seen the mother's sister in about a year and if her sister wanted to see him she could.
 - o) Financially, the family had no concerns due to a grandmother in Israel providing them money and the parents working in the "community".
 - p) The mother had married the father when she was sixteen (16) years old. [If this is accurate, which the Society disputes, she was pregnant at age fourteen (14) years and gave birth at age fifteen (15) years, prior to marriage.]
 - q) The mother had been taking Prozac when she was living in Quebec but she had stopped taking it because she was feeling better and it was only a small dosage.
 - r) The mother had been prescribed ten (10) mg. of Prozac while she was pregnant by Dr. Dpo because the mother had nerve issues, was crying all the time and was not feeling well about her sister being placed in foster care.
 - s) The mother had seen a doctor since being in Chatham and had had two (2) ultra sounds.
 - t) The mother's sister Sara would be watching the children while the mother had her new baby.
32. Throughout the interview, I asked the mother two (2) times if she was feeling well because the mother did not look well and appeared exhausted. I was aware that the mother was due to give birth at any time.
33. During the interview, the mother asked Constable Jacobson and I what the plan would be. The mother was advised that the investigation was going to be continuing and that the father would be interviewed next. The mother wanted to see the children and she was advised that at this time that was not going to occur. When the mother questioned why, Constable Jacobson advised her that due to Sheia having a bruise, an investigation needed to take place in order to determine how the bruise had happened. The mother stated that others had told her it was a bruise but she stated it was marker. The mother said that Mendel did not have

any marks. Constable Jacobson advised that the investigation would continue and the mother would be informed of everything.

34. On December 12, 2013, I consulted with Intake Supervisor Robin Rose and Intake Worker Garnett Eskritt. The decision was made that the children would be apprehended from the parents at this time due to the unexplained injury to Sheia. The children would be taken to the hospital for assessment and then placed in foster care. The parents would be provided with the information about the Court proceeding.
35. On December 12, 2013, Intake Workers Garnett Eskritt and Jennifer Doran, and Constable Jennifer Jacobson and I advised the mother, the father, Mayer Rosner and Malka Rosner, the wife of Mayer Rosner, that Mendel and Sheia were going to remain in the care of the Society at this time due to Sheia having an unexplained injury. The mother started yelling "No no" and then got off her chair and started rolling around on the floor crying and stating that she needed her children. Ms Doran asked the mother if she was going to harm herself and the mother stated she would not. The mother continued to be upset and cry and continued to ask the same question about why the children needed to come into care. The mother was advised a number of times what the reason was. The parents and the Rosners were advised that legal advice could be given at any time and that they should be talking to their lawyer. The mother, the father and the Rosners were asked by myself, Intake Worker Jennifer Doran and Officer Jacobson to leave the building
36. At this time, the father left the Society office with Mr. Eskritt and Family Service Worker Ted Heath but the mother continued to ask about the children needing to stay in care. The Rosners stayed with the mother. Mayer Rosner contacted their lawyer. I advised the mother that future plans could be made regarding the children and where they could reside but at this time the children would not be living with someone in the "community". The mother and the Rosners were asked a number of times to leave the Society office by myself, Intake Worker

Jennifer Doran and Officer Jacobson and they eventually did. Once outside the building, I saw Uriel Goldman and another gentleman arrived. They started banging on the doors, appearing to want back in to the building. They then went around the building to the other doors in order to try and get in. Constable Jacobson contacted the Chatham-Kent Police and advised them about the situation. Chatham-Kent Police attended at the Society building, advised the individuals to leave and they complied with this request.

37. On December 12, 2013, Intake Worker Jennifer Doran and I attended at the Chatham-Kent Health Alliance with the children where we met Intake Worker Garnett Eskritt and Family Service Worker Ted Heath. The children were examined by Dr. Newell. Dr. Newell observed Sheia to have a very minor diaper rash and a bruise of her right forearm. Dr. Newell also confirmed to us that the mark on Sheia's left cheek was a bruise and not permanent marker. Dr. Newell did not observe any injuries on Mendel. Dr. Newell stated that with the exception of the bruises, the children appeared generally in good health.
38. On December 12, 2013, Mendel and Sheia were placed in Society foster care.
39. On December 13, 2013, Intake Worker Garnett Eskritt and I interviewed the parents at the Society office. The following information was exchanged at that time:
 - a) The parents were advised that the children were going to remain in care at this time and there will be a Court appearance on December 17, 2013.
 - b) The parents were advised to seek legal advice regarding this matter.
 - c) The parents were advised that the children had seen a doctor and the doctor stated that the mark on Sheia was a bruise.
 - d) The mother stated that she believed what the doctor said and it must be from Masit, the neighbour Toby Helbrans's son because Masit had tried to sit on Sheia and had stood on her foot before.

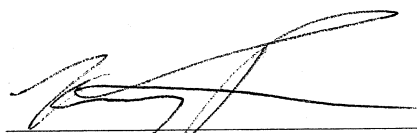
- e) The mother did not remember anything happening to Sheia in the past week, other than the marker.
- f) The mother stated that Sheia had told the mother in the past when she had a “boo boo” but had not mentioned a “boo boo” on her face.
- g) The mother stated that when she had wiped Sheia’s face, she had used her hand and put warm water on it and wiped it a couple of times very gently because Sheia had sensitive skin. Some of the marker had come off.
- h) The parents would like the children to come home.
- i) The parents agreed to remain calm throughout the access visit with the children.
- j) The parents provided the children with toys and necessities.

Summary

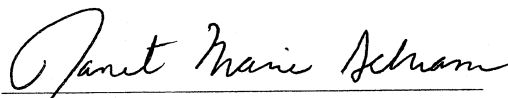
- 40. It is the position of the Society that the parents have placed the children, Mendel and Sheia Helbrants at risk of harm due to Sheia having an unexplained bruise on her face which the parents have continued to report is due to Sheia and Mendel playing with permanent markers. Sheia’s bruise was observed by Emergency Department Dr. Newell who stated that Sheia had a bruise not permanent marker on her face.
- 41. The child Sheia has suffered an unexplained injury in the form of a bruise on her left cheek.
- 42. The mother and the father deny the child Sheia has a bruise and claim the mark is from a permanent marker.
- 43. The mark on the child’s face is a bruise.
- 44. The mother and the father have failed to provide an adequate explanation for said bruise.

- 45. The mother and the father are part of a community called Lev Tahor wherein physical discipline is acceptable.
- 46. The mother and the father are part of a community called Lev Tahor wherein there is a level of control by the community leaders, including the mother's father Shlomo Helbrans, which compromises the safety and development of the children.
- 47. The investigation remains ongoing and additional material will be filed.
- 48. I make this Affidavit in good faith and for no improper purpose.

Sworn before me at the)
 Municipality of Chatham-Kent)
 Province of Ontario)
 this 17th day of December, 2009)



 Kerry Rumble



 A Commissioner, etc.

Janet Marie Schram, a Commissioner,
 etc., Province of Ontario, for the
 Children's Aid Society.
 Expires February 18, 2015

This is Exhibit "A" to the Affidavit of Kerry Rumble

Sworn before me this 17th day of December, 2013.

Janet Marie Schram

.....
A Commissioner, etc.

Janet Marie Schram, a Commissioner,
etc., Province of Ontario, for the
Children's Aid Society.
Expires February 18, 2015

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE TERREBONNE
LOCALITÉ DE SAINT-JÉRÔME

COUR DU QUÉBEC
(CHAMBRE DE LA JEUNESSE)

NO : **700-51-002882-130**

DATE: 19 novembre 2013

Ordonnance de l'Honorable **Maurice Parent**

Au sujet de : Sheia Baila Helbrans

né(e) le : 13 juillet 2012

Délégué(e) responsable: **Suzanne Tye**

Responsable: **Kimberley Palardy**

Père: Yochanan Laver, 1575 rue Marinier, Ste-Agathe-des-Monts, J8C 3E3

Mère: Miriam Helbrans-Laver, même adresse

AUTORISATION À RECHERCHER ET AMENER

ART. 35.2 Loi sur la protection de la jeunesse

Considérant la demande du directeur de la protection de la jeunesse de rechercher et d'amener devant lui l'enfant mentionné(e) ci-dessus:

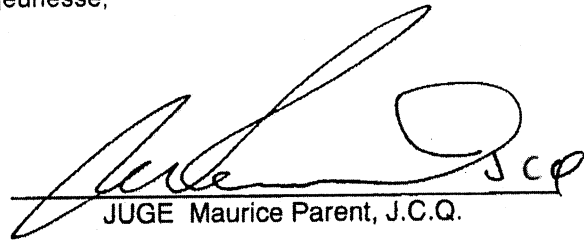
Considérant la déclaration sous serment à l'effet que la situation de l'enfant est ou peut être considérée compromise;

1. Les enfants vivent dans la communauté Lev Tahor;
2. Le Directeur de la protection de la jeunesse a retenu un signalement concernant ces enfants;
3. Il est allégué au signalement que les enfants sont négligés au plan physique, de la santé et au plan éducatif et exposés à des mauvais traitements psychologiques;
4. Le 18 novembre 2013, le Directeur de la protection de la jeunesse s'est présenté au domicile familial;
5. Il a été constaté que les enfants et leur famille étaient disparus;
6. Les meubles, plusieurs vêtements, des documents et la plupart des biens des familles sont demeurés dans les maison de la communauté;
7. Les policiers de la sûreté du Québec ont été informés de la situation;
8. Plus tard, le 18 novembre, le Directeur de la protection de la jeunesse a été informé que l'ensemble des enfants de la communauté se trouve dans la région de Chatham-Kent, près de Windsor, en Ontario;
9. Les familles ont quitté, pendant la nuit, dans trois autobus nolisés à cet effet;
10. Les enfants ont passé la nuit dans des chambres de motel et des chalets qui ne seraient pas adéquats pour la période hivernale;
11. Les services sociaux ontariens ont été informés de la situations des enfants;
12. Les parents tentent volontairement de soustraire les enfants à l'autorité de la Loi sur la protection de la jeunesse, du Directeur de la protection de la jeunesse et de la Cour du Québec; chambre de la jeunesse;

POUR CES MOTIFS, LA COUR

Autorise tout constable ou agent de la paix à rechercher et amener devant le Directeur de la protection de la jeunesse du centre jeunesse de Laurentides mentionné(e) ci-dessus afin que sa situation puisse être traitée conformément à la loi;

Ordonne au constable ou à l'agent de la paix de rapporter la présente autorisation, dès son exécution, au greffe de la Cour du Québec, Chambre de la jeunesse;



JUGE Maurice Parent, J.C.Q.

Canada
PROVINCE of QUEBEC
DISTRICT of TERREBONNE
Village of SAINT-JÉRÔME

COUR DU QUEBEC
(CHAMBRE DE LA JEUNESSE)

No. : 700-51-002882-130
DATE: 19 November 2013

Order of the Honourable Maurice Parent

In the matter of : Sheila Baila Helbrans
Date of Birth : 13 July 2012

Person Responsible: Suzanne Tye
Applicant: Kimberley Palardy

Father: Yochanan Laver, 1575 rue Marinier, Ste-Agathe-des-Monts, J8C 3E3
Mother: Mirian Helbrans-Laver - same address

AUTHORIZATION TO LOCATE AND DELIVER

S. 35.2 Law on the protection of the youth

Whereas the Director of Child Protection seeks to locate and deliver
before him the child named above:

Whereas the sworn statement states that the situation of the child is or can be
considered as compromised;

- 1 The children live in the Lev Tahor community.
- 2 The Director of Child Protection received a report concerning these children;
- 3 It was alleged in the report that the children were neglected, physically, in regards to their health and education and were exposed to bad psychological treatment;
- 4 On the 18th of November 2013, the Director of Child Protection attended the family home.
- 5 He found that the children and their family were missing;
- 6 The furniture, clothes, documents and the most of belongings of families remained in the houses of the community;
- 7 The Quebec Police were informed of the situation;
8. Later on the 18th of November, the Director of Child Protection was informed that a group of children of the community were located in the area of Chatham-Kent, near Windsor, in Ontario;

- 9 The families left during the night in three bus chartered for this purpose;
10. The children spent the night in motel rooms and cottages which would have been unsuitable for the winter;
- 11 The Ontario social services were informed of the children's situation;
- 12 The parents attempted to willfully remove the children from the authority of the Child Protection Act, the Director of Child Protection and the Court of Quebec (Chambre de la jeunesse);

FOR these reasons, the Court

Authorizes any police officer or officer of the peace to locate and deliver to the Director of Child Protection of the Laurention youth centre the child named above in order that the child's situation may be dealt with in accordance with the law;

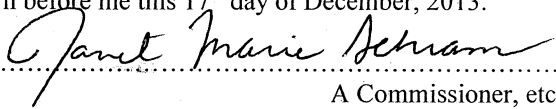
Orders a police officer or officer of the peace to present this authorization as soon as executed to the clerk of the Court of Quebec, Chambre de la Jeunesse.

Allows everything constable or agent of the peace to Search and get to the Director of the protection of the youth of centre youth of Laurentides (e) above so that its situation can be treated in accordance with to the Act;

Order to the constable or to agent of the peace of report the presents permission, from sound execution, at the registry of the Court of Quebec, room of the youth;

This is Exhibit "B" to the Affidavit of Kerry Rumble

Sworn before me this 17th day of December, 2013.


.....
A Commissioner, etc.

**Janet Marie Schram, a Commissioner,
etc., Province of Ontario, for the
Children's Aid Society.
Expires February 18, 2015**

NO: 700-51-002883-138

DATE: 19 novembre 2013

Ordonnance de l'Honorable Maurice Parent J.C.Q.

Au sujet de : Mendel HELBRANS

né(e) le: 13-05-2009

**Délégué responsable : Suzanne Tye
Requérant : Kimberley Palardy**

**Père: Yochanan LAVER, 1575 rue Marinier, Ste-Agathe des Mts JBC 3E3
Mère: Miriam HELBRANS-LAVER même adresse**

AUTORISATION À RECHERCHER ET AMENER

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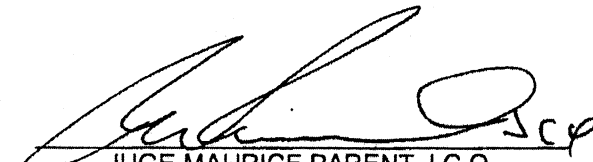
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1. Les enfants vivent dans la communauté Lev Tahor;
2. Le Directeur de la protection de la jeunesse a retenu un signalement concernant ces enfants;
3. Il est allégué au signalement que les enfants sont négligés au plan physique, de la santé et au plan éducatif et exposés à des mauvais traitements psychologiques;
4. Le 18 novembre 2013, le Directeur de la protection s'est présenté au domicile familial;
5. Il a été constaté que les enfants et leur famille étaient disparus;
6. Les meubles, plusieurs vêtements, des documents et la plupart des biens des familles sont demeurés dans les maisons de la communauté;
7. Les policiers de la sûreté du Québec ont été informés de la situation;
8. Plus tard, le 18 novembre, le Directeur de la protection de la jeunesse a été informé que l'ensemble des enfants de la communauté se trouve dans la région de Chatham-Kent, près de Windsor en Ontario;
9. Les familles ont quitté pendant la nuit, dans trois autobus nolisés à cet effet;
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POUR CES MOTIFS, LA COUR

Autorise tout constable ou agent de la paix à rechercher et amener devant le Directeur de la protection de la jeunesse du centre jeunesse des Laurentides l'enfant mentionné(e) ci-dessus afin que sa situation puisse être traitée conformément à la loi;

Ordonne au constable ou à l'agent de la paix de rapporter la présente autorisation, dès son exécution, au greffe de la Cour du Québec, Chambre de la jeunesse;



JUGE MAURICE PARENT J.C.Q.

Canada
PROVINCE of QUEBEC
DISTRICT of TERREBONNE
Village of SAINT-JÉRÔME

COUR DU QUEBEC
(CHAMBRE DE LA JEUNESSE)

No. : 700-51-002883-138
DATE: 19 November 2013

Order of the Honourable Maurice Parent J.C.Q.

In the matter of : Mendel Helbrans
Date of Birth : 13 May 2009

Person Responsible: Suzanne Tye
Applicant: Kimberley Palardy

Father: Yochanan Laver, 1575 rue Marinier, Ste-Agathe des Mts J8C 3E3
Mother: Mirian Helbrans-Laver - same address

AUTHORIZATION TO LOCATE AND DELIVER

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- 5 He found that the children and their family were missing;
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- 7 The Quebec Police were informed of the situation;
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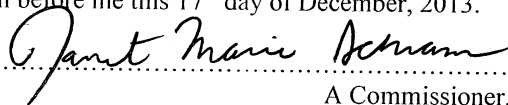
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Order to the constable or to agent of the peace of report the presents permission, from sound execution, at the registry of the Court of Quebec, room of the youth;

This is Exhibit "C" to the Affidavit of Kerry Rumble

Sworn before me this 17th day of December, 2013.



.....
A Commissioner, etc.

Janet Marie Schram, a Commissioner,
etc., Province of Ontario, for the
Children's Aid Society.
Expires February 18, 2016

CANADA

COUR DU QUÉBEC
Chambre de la jeunesse

PROVINCE DE QUÉBEC
DISTRICT DE TERREBONNE

No : 700-41-009414-136

PRÉSENT : L'HONORABLE PIERRE HAMEL, J.C.Q.

SUSAN TYE, GENEVIÈVE DULUDE
MARIE-JOSÉE BERNIER, ALINE
BEAUMIER, VINCENT JACOB GRATTON

Requérants

ET

[REDACTED]

Sujet

EXTRAITS DE L'AUDIENCE DU 4 NOVEMBRE 2013
(TÉMOIGNAGE DE M. ADAM BRUDZEVSKI)

REQUÊTE SELON L'ARTICLE 76.1 (Enquête commune)

COMPARUTIONS :

Me DANIEL VILLENEUVE
Pour le requérant

Me JEAN GAUTHIER
Me ANNIE SAVARD
Pour le sujet

Me ARMENIA TEIXEIRA

[REDACTED]

Me FRANCINE CAMPEAU
M. DENIS BARABY
Pour la DPJ

ENREGISTREMENT NUMÉRIQUE

GEORGETTE SAVOIE
Sténographe officielle bilingue

1		I N D E X	
2			
3			PAGE
4	<u>PREUVE DU REQUÉRANT</u>		
5	M. ADAM BRUDZEVSKI		
6	INTERROGÉ PAR Me DANIEL VILLENEUVE		
7	Procureur du requérant		3
8			
9	CONTRE-INTERROGÉ PAR Me FRANCINE CAMPEAU		
10	Procureure de la DPJ		90
11			
12	FIN DU TÉMOIGNAGE DE M. BRUDEVSKI		123
13			
14	FIN DE L'EXTRAIT DE L'AUDIENCE		
15	DU 27 NOVEMBRE 2013		124
16			

1

2

DÉBUT DE L'EXTRAIT DE L'AUDIENCE (11H11)

3

4

L'AN DEUX MILLE TREIZE (2013), en ce vingt-septième
5 (27^{ème}) jour du mois de novembre, A COMPARU :

6

7

ADAM BRUDZEVSKI, âgé de vingt-huit (28) ans,

8

assistant administratif, domicilié au 5986 rue

9

Jeanne-Mance, Montréal.

10

11

LEQUEL, après avoir fait une affirmation solennelle,

12

dépose et dit ce qui suit :

13

14

INTERROGÉ PAR Me DANIEL VILLENEUVE

15

Procureur du requérant :

16

Q. Dans un premier temps, Monsieur Brudzevski,

17

j'aimerais que vous informiez le Tribunal à quelle

18

époque vous avez vécu dans la communauté Lev-Tahor.

19

IQ. So initially I'd like you to inform the Court exactly

20

between which period have you resided in the Lev-

21

Tahor community.

22

A. Okay. When I first came to Lev-Tahor at the end of

23

the Chanukah holiday...

24

IA. Donc, initialement, je suis arrivé à la communauté

25

Lev-Tahor à la fin de la fête de Hanouka...

- 1 A. ... four years ago.
- 2 IA. ... cela remonte à il y a quatre ans.
- 3 Q. La fête que vous venez de décrire, elle se passe à
4 quelle époque de l'année?
- 5 IQ. So the holiday, the Chanukah holiday that you just
6 described, which period of the year does it fall on?
- 7 A. Right, right now, it begins tonight this year.
- 8 IA. Présentement, en ce qui a trait à cette année, ça
9 commence ce soir.
- 10 Q. Donc, on se situe à l'automne deux mille neuf (2009),
11 est-ce que je fais erreur?
- 12 IQ. So basically that would be in the fall of two
13 thousand and nine (2009), is that correct?
- 14 A. Yes, fall-winter.
- 15 IA. Oui, automne, hiver.
- 16 Q. Très bien. Combien de temps avez-vous passé dans la
17 communauté Lev-Tahor?
- 18 IQ. How long did you spend in the community Lev-Tahor?
- 19 A. So I stayed for one week at the time. I came back...
20 and came back a couple of months later and stayed
21 for... initially for three weeks.
- 22 IA. Donc, initialement, je suis resté pour une semaine.
23 Quelques semaines plus tard, j'y suis retourné puis
24 je suis resté pour une période de trois semaines.
- 25 A. That... and I didn't follow my plan, and I ended up

1 staying in the community, and I stayed for almost two
2 years.

3 R. Et puis je n'ai pas continué mes plans, je n'ai pas
4 adhéré à mes plans, et puis je suis plutôt resté dans
5 la communauté pour une période de deux ans.

6 Q. Quand avez-vous quitté la communauté Lev-Tahor?

7 IQ. When did you leave the Lev-Tahor community?

8 A. I left in the fall, two years ago.

9 IA. J'ai quitté à l'automne il y a deux ans.

10 A. In November, I think.

11 IA. Je pense que c'était au mois de novembre.

12 Q. Décrivez au Tribunal les circonstances dans
13 lesquelles vous avez quitté la communauté Lev-Tahor.

14 IQ. Can you describe to the Court the circumstances under
15 which you left the community Lev-Tahor?

16 A. As I stayed in the community, I started having more
17 and more questions about the, about the righteousness
18 of what was going on.

19 IA. Donc, lors de mon séjour dans la communauté Lev-
20 Tahor, je commençais à me poser des questions, de
21 plus en plus de questions par rapport à la validité
22 de tout ce qui se passait.

23 A. And I saw that my wife was suffering from this also.

24 IA. Et j'ai constaté que ma femme aussi éprouvait des
25 difficultés par rapport à la situation.

- 1 A. And speaking with her about it, we eventually decided
2 to leave together.
- 3 IA. Et après en avoir discuté ensemble, on a décidé de
4 quitter.
- 5 A. However, when the community found out, they took my
6 wife away from me.
- 7 IA. Toutefois, quand la communauté s'en est aperçu, ils
8 m'ont retiré ma femme.
- 9 A. And they spoke to her badly about me.
- 10 IA. Et ils lui ont parlé en mauvais termes par rapport à
11 moi.
- 12 A. And they put pressure on her to request a divorce
13 from me...
- 14 IA. Et ils ont exercé de la pression sur elle pour
15 qu'elle demande le divorce.
- 16 A. ... and even though we had spoken about this
17 possibility, and she said she would under no
18 circumstances get divorced from me.
- 19 IA. Et malgré le fait que nous avons soulevé cette
20 situation, mais elle a dit qu'elle ne me divorcera
21 pas, peu importe les circonstances.
- 22 A. My wife was eventually allowed to return to me...
- 23 IA. Finalement, on a permis à ce que ma femme revienne
24 vers moi.
- 25 A. ... after I had made a formal oath and... of

- 1 obedience to the community.
- 2 IA. Après que j'ai pris un serment, un serment spécial
3 d'obéissance envers la communauté.
- 4 A. And my wife also, in order to return to me, had to
5 sign an agreement on a lot of conditions.
- 6 IA. Et également, ma femme a dû signer plusieurs
7 conditions afin de pouvoir retourner avec moi.
- 8 A. And part of the oath included prohibiting me from
9 causing, even in a hinting way, any damage,
10 spiritually or physically, to anybody in the
11 community.
- 12 IA. Donc, une des conditions qui ont été signées dans le
13 cadre de ce serment, c'est que je ne cause aucun
14 tort, soit spirituel, soit physique à la communauté
15 de quelque manière que ce soit.
- 16 A. Also, I was not allowed to speak critically about
17 anybody or about anything in the community.
- 18 R. Aussi, je n'avais pas le droit de critiquer personne,
19 ni quoi que ce soit par rapport à la communauté.
- 20 A. And I was also very limited in my contact with my
21 wife...
- 22 IA. Et puis mes contacts avec ma femme étaient très
23 limités également...
- 24 A. ... and all in total I was allowed to spend an hour
25 and a half awake hours with her a day.

- 1 IA. ... et je n'avais le droit de passer avec elle
2 seulement une heure et demie (1h30) par jour.
- 3 A. Also, I had to subject myself to treatment for what
4 they called "borderline personality disorder".
- 5 IA. Aussi, j'ai dû subir des traitements pour une
6 condition qui s'intitule "borderline personality
7 disorder".
- 8 A. And the main point of... that they were bringing out
9 was saying that I had this disorder, was that I would
10 observe positive things and interpret it in a
11 negative way.
- 12 IA. Un élément principal qui les a conduits à ce
13 diagnostic, c'était le fait que je regardais des
14 choses positives et que je les interprétais de façon
15 négative.
- 16 Q. Peut-être mentionner qui a posé le diagnostic d'un
17 trouble de personnalité limite.
- 18 IQ. Maybe mention who actually diagnosed you as having
19 this border personality disorder.
- 20 A. This was the rabbi... Helbrans.
- 21 IA. C'était le rabbin, Helbrans.
- 22 A. And I was not the only one that was diagnosed with
23 this, and...
- 24 IA. Et je n'étais pas le seul à avoir été diagnostiqué de
25 cette condition.

- 1 A. ... I was... I had to participate for an hour-long
2 workshop every day, a group of all the members that
3 had this diagnosis.
- 4 IA. Donc, je devais participer à un atelier d'une heure
5 en compagnie de tous les membres du groupe qui ont
6 été diagnostiqués avec cette condition.
- 7 Q. Qui est le médecin qui vous a vu concernant cet état?
- 8 IQ. Who is the doctor that you actually consulted
9 regarding this condition?
- 10 A. Never consulted a doctor.
- 11 IA. Je n'ai jamais consulté de docteur.
- 12 A. However, being part of that illness that the patient
13 doesn't realize that he's suffering from it, and I
14 suggested going to a doctor to get a diagnosis, to
15 convince myself that I had it.
- 16 IA. Toutefois, en tant que patient qui peut-être ignorait
17 sa condition, j'ai suggéré à consulter un docteur
18 pour pouvoir mettre les points sur les « i ».
- 19 Q. Quand vous dites avoir été traité pour ce trouble de
20 la personnalité limite, quel était le traitement que
21 vous aviez?
- 22 IQ. When you say that you were treated for this
23 borderline personality disorder, what were the
24 symptoms that you had? What...
- 25 A. There were, there were no symptoms other than them

1 claiming the falsehood of... of my critic.

2 IA. Il n'y avait pas de symptômes à l'exception du fait
3 qu'ils clamaient haut et fort que j'étais atteint de
4 cette condition.

5 Q. Est-ce qu'il y avait une thérapie ou une médication
6 que vous deviez prendre à ce moment-là?

7 IQ. Was there therapy, a treatment or a medication that
8 you had to undergo?

9 A. I, I didn't get any medication. How... I was told
10 that if I would keep a healthy diet and eat my
11 vitamins, I wouldn't need medication necessarily.

12 IA. Je n'ai pas eu à prendre des médicaments. On m'a dit
13 que si je suivais une diète appropriée, donc que ça
14 va aider ma situation.

15 A. And, but there were other members that... with the
16 same diagnosis from the community that did take
17 various psychopharmaco.

18 L'INTERPRÈTE :

19 Various what?

20 A. Various medicine from... psychoactive medicine.

21 L'INTERPRÈTE :

22 Okay.

23 IA. Par contre, il y avait des membres de la communauté
24 qui ont été diagnostiqués avec la même condition qui,
25 eux, ont eu à prendre des médicaments.

- 1 Me DANIEL VILLENEUVE :
- 2 Q. Quelle était la...
- 3 LA COUR :
- 4 Q. But you had to follow the programme, one hour
- 5 atelier?
- 6 A. Yes, we... at the time, there was an Orthodox Jew in
- 7 New York who produced teaching sessions on the
- 8 telephone line.
- 9 IA. Oui, il y avait à l'époque une personne qui habitait
- 10 à New York qui diffusait des enseignements par
- 11 téléphone.
- 12 A. And his main point was to warn people against those
- 13 suffering from BPD.
- 14 IA. Et l'élément principal, c'était d'aviser, de... les
- 15 gens qui souffraient de cette condition.
- 16 A. However, our work group of initially three and later
- 17 four people were supposed to listen to these, to
- 18 these teachings, and mirror ourselves on that we
- 19 recognize how it fit on us.
- 20 IA. Toutefois, dans le cadre de ces ateliers où
- 21 participaient trois ou quatre individus, on devait
- 22 écouter ces enseignements et voir un petit peu
- 23 comment ça se traduisait par rapport à notre
- 24 situation.
- 25 Me DANIEL VILLENEUVE :

- 1 Q. Donc, vous avez dit avoir eu une diète et des
2 vitamines à prendre. Décrivez-nous qu'est-ce qui
3 était prescrit dans la communauté comme diète et
4 comme vitamines à prendre.
- 5 IQ. So you said that you had to follow a diet and also to
6 take some vitamins. Describe what kind of diet and
7 what sort of vitamin did you have to take.
- 8 A. Diet would be more or less what's called the Atkins
9 Diet.
- 10 IA. Donc, au niveau de la diète, c'était plus ou moins ce
11 qu'on intitule la diète Hatkins.
- 12 A. And vitamins would be regular dietary supplements,
13 multivitamins.
- 14 IA. Et puis en ce qui a trait aux vitamines, c'étaient
15 des multivitamines, des suppléments alimentaires.
- 16 Q. Décrivez-nous, Monsieur Brudzevski, le...
17 LA COUR :
18 Oui. On va suspendre... Vous avez besoin de quoi, dix
19 (10) minutes? Est-ce que c'est suffisant?
20 Me ARMENIA TEIXEIRA :
21 Bien, le temps de prendre mon auto et d'aller mettre
22 de l'argent.
23 LA COUR :
24 Bien. On va suspendre.
25 -----

1 SUSPENSION DE L'AUDIENCE (11h26)

2 REPRISE DE L'AUDIENCE (11h41)

3 -----

4

5 M. ADAM BRUDZEWSKI

6 SOUS LE MÊME SERMENT

7

8 INTERROGÉ PAR Me DANIEL VILLENEUVE (continuation) :

9 Q. Vous avez mentionné avoir quitté la communauté Lev-
10 Tahor à l'automne deux mille onze (2011) quand vous
11 vous posiez des questions sur ce qui se passait dans
12 la communauté. C'est ça?

13 IQ. You said that you left the Lev-Tahor community in the
14 fall of two thousand and eleven (2011) because you
15 were asking yourself questions as far as the... what
16 was going on.

17 Q. Donnez-nous des exemples de choses qui vous amenaient
18 à vous questionner sur ce qui se passait dans la
19 communauté Lev-Tahor.

20 IQ. Give us examples that brought you to question
21 yourself as far as what was going on in the Lev-Tahor
22 community.

23 A. The first things I noticed...

24 IA. La première chose que j'ai remarquée...

25 A. ... was that the people were not abiding by the rules

- 1 of the community itself.
- 2 IA. ... c'est que les gens ne respectaient pas les règles
3 établies par la communauté.
- 4 A. And they didn't, they didn't show up on time what
5 they needed to be.
- 6 IA. Ils ne se présentaient pas à l'heure. Ils n'étaient
7 pas ponctuels par rapport, par rapport à des rendez-
8 vous. Pas ponctuels.
- 9 A. And being that I was together with the unmarried
10 boys, I especially noticed their lack of obedience.
- 11 IA. Surtout étant donné le fait que j'étais en compagnie
12 des jeunes hommes qui n'étaient pas mariés, donc j'ai
13 remarqué qu'il y avait un manque d'obéissance.
- 14 A. And being that I was always punctual...
- 15 IA. Et étant donné le fait que j'étais toujours ponctuel.
- 16 A. ... and I was put in charge of insuring their proper
17 behaviour at prayer times.
- 18 IA. Donc, j'étais responsable d'assurer leur comportement
19 adéquat durant l'heure des prières.
- 20 A. However, I didn't have any experience in that...
- 21 IA. Toutefois, je n'avais pas d'expérience dans ce
22 domaine...
- 23 A. ... and I asked in the community for advice on how to
24 handle such a situation.
- 25 IA. ... et j'ai demandé au sein de la communauté pour des

- 1 conseils, comment gérer ce genre de situation.
- 2 A. And one advice that I got...
- 3 IA. Et l'un des conseils que j'ai eus...
- 4 A. ... was that whenever a boy would not do as he is
- 5 supposed to...
- 6 IA. ... était qu'à chaque fois qu'un jeune garçon ne
- 7 faisait pas ce qu'il devait faire...
- 8 A. ... I should hit him with a wire hanger.
- 9 IA. ... je devrais le frapper avec un cintre en métal.
- 10 Q. Quand vous dites des jeunes garçons, des jeunes...
- 11 c'est des hommes ou des garçons? Quel âge?
- 12 IQ. When you're saying "boys"...
- 13 L'INTERPRÈTE :
- 14 To be honest with you I translated that by being
- 15 "young boys"...
- 16 IQ. ... so would that be young boys or men?
- 17 A. These are boys over thirteen (13), not married yet.
- 18 IA. Donc, il s'agit de garçons qui sont âgés de treize
- 19 (13) ans et plus et qui sont célibataires.
- 20 Me DANIEL VILLENEUVE :
- 21 Q. Qui demandait qu'on les frappe avec un... avec des
- 22 cintres?
- 23 IQ. Who was asking that you hit them with the wire?
- 24 A. The one that gave that advice was Chaim Azaria Alter.
- 25 IA. Donc, ce conseil m'a été donné par Chaim Azaria

- 1 Alter.
- 2 A. Yes.
- 3 Q. Est-ce que c'était une méthode éducative habituelle
4 dans la communauté d'utiliser un cintre pour frapper
5 les garçons?
- 6 IQ. Was this usual educational method in the community,
7 to hit the boys with this apparatus?
- 8 A. At that time I had never observed such a thing
9 before.
- 10 IA. Jusqu'à date, jusqu'à ce moment-là, je n'avais jamais
11 observé une telle pratique.
- 12 A. However, I later discovered that hitting was a
13 regular punishment in the community.
- 14 IA. Toutefois, par la suite, j'ai découvert que frapper
15 était une pratique courante au sein de la communauté.
- 16 A. For example, every classroom in the small boys'
17 school...
- 18 IA. Par exemple, dans chaque classe des plus jeunes
19 garçons...
- 20 A. ... would be equipped with a wooden stick or rod to
21 hit the children with.
- 22 IA. ... était équipée avec un morceau de bois pour
23 frapper les garçons.
- 24 A. And later, when I would substitute in the boys'
25 school...

- 1 IA. Et par la suite, quand j'ai agi comme substitut dans
2 l'école des garçons, suppléant...
- 3 A. ... and I was instructed to warn the children, and
4 also to hit them, slap them in the face with an open
5 hand.
- 6 IA. ... donc, j'ai été avisé de... d'aviser les...
- 7 L'INTERPRÈTE :
- 8 Pas d'aviser. To warn
9 Me DANIEL VILLENEUVE :
10 D'avertir?
- 11 IA. ... les avertir -- exactement, pardon --, d'avertir
12 les jeunes garçons et puis de les... de leur donner
13 une gifle avec ma main ouverte quand cela s'avérait
14 nécessaire.
- 15 A. If they would, if they would speak in class or...
16 without permission, or otherwise misbehave.
- 17 IA. Si par exemple ils parlaient en classe sans
18 permission ou bien s'ils adoptaient une conduite
19 inappropriée.
- 20 Q. Avez-vous eu à utiliser cette méthode?
- 21 IQ. Did you actually use this method?
- 22 A. Yes.
- 23 IA. Oui.
- 24 Q. À combien de reprises?
- 25 IQ. On how many occasions?

- 1 A. I think I remember three maybe, and... I substituted
2 very little, and I was very reluctant to do it.
- 3 IA. À ce que je me souviens, c'était peut-être trois
4 fois. J'ai agi en tant que suppléant... j'ai très peu
5 agi en tant que suppléant, et à ce que je me
6 souviens, je n'étais pas... je n'étais pas ouvert à
7 cette idée.
- 8 Q. Combien d'enfants différents avez-vous frappé au
9 visage avec la main ouverte?
- 10 IQ. How many different children did you hit, did you slap
11 with your open hand?
- 12 A. It would be three individuals.
- 13 IA. Peut-être trois.
- 14 Q. Des enfants de quel âge?
- 15 IQ. How old were these children?
- 16 A. I don't remember exactly which children I hit, but
17 there was a... it was a class of children between
18 eight and thirteen (13).
- 19 IA. Je ne me souviens pas précisément quels sont les
20 enfants que j'ai frappés, mais il s'agissait d'une
21 classe où les...
- 22 L'INTERPRÈTE :
- 23 Between eight and thirteen (13) individuals, or the
24 age?
- 25 A. No, the age.

- 1 L'INTERPRÈTE :
- 2 The age.
- 3 IA. ... qui étaient âgés entre huit et treize (13) ans.
- 4 Me DANIEL VILLENEUVE :
- 5 Q. Combien y avait-il de classes?
- 6 IQ. How many classes were there all together?
- 7 A. Officially they had one class for each year, but they
- 8 would combine classes for teaching.
- 9 IA. Officiellement, ils avaient une classe pour chaque
- 10 grade, mais ils combinaient les classes.
- 11 A. So the total number of classrooms they would teach in
- 12 would be four, I think... Yes.
- 13 IA. Donc, le nombre de total de classes où j'ai enseigné,
- 14 ce serait quatre.
- 15 A. So they would have the youngest class from three
- 16 years old to five.
- 17 IA. Donc, les plus jeunes qui fréquentaient la première
- 18 classe étaient âgés entre trois et cinq ans.
- 19 A. And then they would have a class about five to...
- 20 five to seven, something like that.
- 21 IA. Et puis par la suite, il y avait une classe où les
- 22 élèves étaient âgés entre... environ cinq à sept ans.
- 23 A. And then, then a classroom from seven to ten (10),
- 24 and then another class ten (10) to thirteen (13).
- 25 This is... Yes.

- 1 IA. Et une autre classe où ils étaient âgés de sept à dix
2 (10) ans, et une autre de dix (10) à treize (13) ans.
- 3 A. But this is all approximate, because some children
4 will be in a grade not corresponding to their age.
- 5 IA. Mais ça c'est approximatif, dans ce sens qu'il y
6 avait des enfants qui étaient intégrés dans un grade
7 qui ne correspondait pas à leur âge.
- 8 Q. Vous parlez, Monsieur Brudzevski, de garçons qui
9 fréquentaient la classe. Est-ce qu'il y avait des
10 petites filles qui fréquentaient l'école?
- 11 IQ. You spoke about young guys that were attending
12 classes. Were there any young girls in school?
- 13 A. They have a separate school for boys and a separate
14 for girls.
- 15 IA. Il y a des écoles séparées pour les filles et des
16 écoles pour les garçons.
- 17 Q. Qu'est-ce qui était enseigné? Je comprends que vous
18 avez été substitut seulement dans des classes de
19 garçons?
- 20 IQ. I understand that you were only acting as sub...
- 21 A. Substituting.
- 22 IQ. ... you were only substitute in the boys' class.
23 What were the subjects that were taught?
- 24 A. I didn't teach them anything. I supervised their
25 prayers.

- 1 IA. Au fait, je n'ai rien enseigné, j'étais responsable
2 de superviser les prières.
- 3 Q. Qu'est-ce qui était généralement enseigné dans la
4 classe?
- 5 IQ. Generally speaking what was taught in class?
- 6 A. I only heard it second-hand.
- 7 IA. C'est seulement une information indirecte.
- 8 A. But in the lowest grades they would teach them the
9 Hebrew alphabet and reading skills.
- 10 IA. Donc, dans les grades inférieurs, on leur apprenait
11 l'alphabet hébraïque.
- 12 A. And they would teach them the beginnings of prayers,
13 and saying prayers by heart.
- 14 IA. Ainsi que les prières essentielles, et réciter les
15 prières par coeur.
- 16 A. As they went to higher grades, they would teach them
17 Bible.
- 18 IA. Par la suite, ils leur enseignaient la Bible.
- 19 A. And Jewish commentaries on the Bible.
- 20 IA. Et les commentaires juifs sur la Bible.
- 21 A. But it was well known that the goal of these
22 studies...
- 23 IA. Et c'est bien connu que le but de ces études...
- 24 A. ... is to enable them to understand the rabbi's
25 teachings.

27 novembre 2013
700-41-009414-136

M. ADAM BRUDZEVSKI
Interrogatoire
Me Daniel Villeneuve

- 22 -

- 1 IA. ... c'était pour leur permettre de comprendre les enseignements du Rabbi. Du rabbin.
- 2 Q. Avez-vous déjà fréquenté une école, vous, Monsieur Brudzevski? Demandez-lui s'il a déjà fréquenté une école.
- 3 IA. Did you ever attend school?
- 4 A. Myself?
- 5 L'INTERPRÈTE :
- 6 Yes, yourself personally.
- 7 A. Oh sorry, yes, I went to regular secular school.
- 8 IA. Oui, j'ai fréquenté une école laïque, normale.
- 9 Me DANIEL VILLENEUVE :
- 10 Q. Donc, quelles sont les différences entre une école laïque normale et l'enseignement qui était donné aux petits garçons de la communauté Lev-Tahor?
- 11 IQ. So what is the difference between the teachings that were given at... that are given in a secular school compared to the ones that were or are given at Lev-Tahor?
- 12 A. Well, for the boys' school there is absolutely no similarity.
- 13 IA. Donc, en ce qui a trait aux garçons, il n'y a absolument aucune similitude.
- 14 A. There is... the boys are not being taught any secular subject at all.

- 1 IA. Les garçons, on ne leur enseigne aucune matière
laïque.
- 2 A. And for the... in the girls' school, the girls are
being taught rudimentary English and math.
- 3 IA. En ce qui a trait aux filles, donc on leur enseigne
des notions de base en anglais et en mathématique.
- 4 A. And the goal is to be able to run a household and pay
bills, et cetera.
- 5 IA. Et ça, c'est fait dans le but que les filles puissent
s'occuper du foyer, de payer les factures, et cetera.
- 6 Q. Est-ce que vous connaissez la raison pour laquelle
l'anglais était enseigné aux petites filles mais pas
aux petits garçons?
- 7 IQ. Do you know what was the reason English was taught to
girls and not to boys?
- 8 A. The belief is that the boys should be busy with holy
studies.
- 9 IA. Donc, la croyance est à l'effet qu'un garçon doit
être occupé avec des enseignements religieux.
- 10 A. And the girls run the house.
- 11 IA. Et que les filles s'occupent d'un foyer.
- 12 Q. Pouvez-vous décrire la classe dans laquelle vous avez
enseigné? Vous avez mentionné qu'il y avait un
morceau de bois qui servait à frapper les enfants.
- 13 Q. Qu'est-ce qu'il y avait d'autre comme équipements ou

- 1 comme matériel scolaire dans la classe des garçons?
- 2 IQ. Can you describe the class you taught, the boys' class, can you describe, aside from the rod or the wooden piece of stick that you described, what other material or equipment could be found in the class?
- 3 A. They had prayer books there.
- 4 IA. Un livre de prières.
- 5 A. And a few other holy books, Bibles.
- 6 IA. Et d'autres livres de nature religieuse, des bibles.
- 7 A. And other than that, just furniture.
- 8 IA. Et à part ça, il y avait seulement que des meubles.
- 9 Q. Qu'est-ce que c'était les meubles?
- 10 IQ. What kind of furniture?
- 11 A. Benches, benches and tables, and a table for the teacher.
- 12 IA. Des bancs et des tables et une table pour le professeur.
- 13 Q. Très bien. Combien d'heures par jour les petits garçons devaient avoir cet enseignement religieux, en l'occurrence? Combien d'heures par jour ça durait?
- 14 IQ. How many hours per day were those teachings given to the boys, how many hours per day, those religious teachings?
- 15 A. It depended on the grade. The youngest children, it would be only a couple of hours.
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

- 1 IA. Donc, ça dépendait de leur niveau. En ce qui a trait
2 aux plus jeunes, c'était seulement quelques heures.
3 A. And the oldest children would be from early in the
4 morning, like eight o'clock (8:00) and before, until
5 late afternoon.
6 IA. Et en ce qui a trait aux plus vieux, donc ça pouvait
7 commencer aussitôt que huit heures (08h00) du matin
8 jusqu'à la fin de l'après-midi.
9 A. However, part of the community members not doing what
10 they're supposed to...
11 IA. Toutefois, alors qu'une partie de la communauté ne
12 faisait pas ce qu'elle devait faire...
13 A. ... was that the teachers would not show up on time
14 for school.
15 IA. ... ça consistait dans le fait que les enseignants
16 n'étaient pas ponctuels en classe.
17 A. And it happened to me several times that boys from
18 the school came to me and asked me to be their
19 teacher.
20 IA. Ça m'est arrivé à plusieurs reprises que certains
21 garçons qui fréquentaient l'école me demandaient
22 d'agir en tant que leur enseignant.
23 Q. Donc, vous mentionnez de huit heures (08h00) à la fin
24 de l'après-midi, c'est huit à dix heures (10 h)
25 d'enseignement religieux par jour pour les petits

- 1 garçons?
- 2 IQ. So you mentioned basically that they would start
3 school sometimes around eight o'clock (8:00) in the
4 morning until late afternoon. So that would amount
5 to about eight to ten (10) hours a day of teachings
6 for the boys?
- 7 A. They would be in school for eight hours. They would
8 have breaks in the middle.
- 9 IA. Oui, ils seraient à l'école pour une période de huit
10 heures, avec des pauses.
- 11 A. But that is only the oldest boys.
- 12 IA. Mais ceci ne s'applique seulement qu'aux garçons plus
13 âgés.
- 14 Q. Dans quelle langue les livres religieux, les bibles,
15 en quelle langue c'est écrit?
- 16 IQ. What was the language of the Bible and of the
17 religious books, the holy books?
- 18 A. The... almost all holy books are only in Hebrew with
19 some Aramaic.
- 20 IA. La plupart des livres religieux sont en hébreu avec
21 une partie en araméen.
- 22 A. But prayer books, they would have also with a Yiddish
23 translation written in.
- 24 IA. Mais les livres de prières comportaient aussi une
25 traduction en Yiddish.

- 1 Q. La majorité des garçons à qui vous avez enseigné
2 parlaient quelle langue?
3 IQ. The majority of the boys that you taught, which
4 language did they speak?
5 A. Most of the children exclusively speak Yiddish.
6 IA. La majorité des enfants parlent exclusivement le
7 Yiddish.
8 A. And that... a small minority know some Hebrew.
9 IA. Et il y a une petite minorité qui connaît aussi
10 l'hébreu.
11 Q. Pour quelle raison c'est plutôt le Yiddish que le
12 hébreu?
13 IQ. What is the reason Yiddish is employed and not
14 Hebrew?
15 A. Because Yiddish is considered the traditional
16 language of the Jews.
17 IA. Parce que le Yiddish est considéré comme la langue
18 traditionnelle des Juifs.
19 A. And modern spoken Hebrew is considered an implement
20 of the Zionists.
21 IA. Et l'hébreu moderne, qui est parlé de nos jours, est
22 considéré comme un outil du mouvement sionisme.
23 A. And the community ideology is to fight and resist
24 everything that has connection to the Zionists.
25 IA. Et l'idéologie de la communauté c'est de... d'aller à

1 L'encontre, de résister à tout ce qui a trait au
2 sionisme.
3 Q. Qui s'assurait que les... que seulement le yiddish
4 était employé et non pas l'hébreu? La règle venait de
5 qui?
6 IQ. Who would ensure that it was only Yiddish and not
7 Hebrew that was used? Who actually gave this
8 instruction?
9 A. In the... the rabbi himself would speak about it on
10 occasion.
11 IA. Le rabbin en parlait à l'occasion.
12 A. And everybody is encouraged to guard each other and
13 catch each other in speaking Hebrew.
14 L'INTERPRÈTE :
15 To what? To guard each other and catch each other?
16 A. And catch each other.
17 IA. Et tout le monde était encouragé à se surveiller
18 quand l'hébreu était utilisé.
19 A. And even to the extent that when people would be used
20 to a certain word in Hebrew...
21 IA. Au point où quand certaines personnes étaient...
22 avaient l'habitude d'utiliser un certain mot en
23 hébreu...
24 A. ... they would publicize for the community what the
25 replacement, what it would be in Yiddish.

- 1 IA. ... ils en faisait la publicité en quelque sorte à la
2 communauté en énonçant quel serait le terme approprié
3 en yiddish.
4 A. And the same thing applies to loan words from
5 English.
6 IA. Et la même chose s'applique à des mots empruntés de
7 l'anglais.
8 Q. Je vais vous montrer deux photos.
9 IQ. I'm going to show you two pictures.
10 Q. J'aimerais que vous exprimiez au Tribunal si ces
11 photos récentes sont effectivement les classes dans
12 lesquelles vous avez enseigné.
13 IQ. I'd like you to tell the Court whether these recent
14 photos actually reflect the classes which you taught,
15 or represent the classes you taught?
16 A. The furniture does, but the floor, I don't... the
17 floor I don't recognize. The floor, the floor
18 resembles the floor in the synagogue.
19 IA. Oui, en ce qui a trait aux meubles, à l'aménagement.
20 Par contre, je ne reconnais pas le plancher. Le
21 plancher ressemble plutôt à celui que l'on retrouve
22 dans la synagogue.
23 Q. Mais pour l'immeuble, ça correspond à ce que vous
24 avez vu dans les classes?
25 IQ. But as far as the furniture it does?

1 A. It's the same.

2 IA. Oui.

3 Q. Quelles sont les conséquences si on devait, malgré la
4 règle d'utiliser le yiddish, on devait parler le
5 hébreu? Est-ce qu'il y avait une conséquence ou une
6 punition qui était infligée aux gens qui employaient
7 une autre langue?

8 IQ. What were the consequences or the implications if
9 someone would use Hebrew instead of Yiddish or
10 another language, as you were instructed to do?

11 A. First of all, I want to say that for actions done in
12 public, there is really no such thing as
13 disobedience.

14 L'INTERPRÈTE :

15 I don't quite understand.

16 THE WITNESS:

17 I'm saying that people, people oblige by the rules.

18 L'INTERPRÈTE :

19 People... when they're in public?

20 THE WITNESS:

21 Hum, hum.

22 IA. Donc, les gens se conforment aux règlements quand ils
23 sont en public.

24 A. So, it would only happen by mistake and without other
25 consequence than a mention.

- 1 IA. Donc, ça n'arriverait seulement que par... par erreur
2 ou par hasard, et la seule conséquence, ce serait un
3 avertissement.
- 4 A. Occasionally the rabbi would speak about and... about
5 the subject.
- 6 IA. De temps à autre, le rabbin a soulevé le sujet.
7 A. And if he heard that somebody was able to speak
8 Yiddish and still wouldn't, it would become public
9 knowledge like this.
- 10 IA. Et puis si on était au courant du fait que quelqu'un
11 était capable de parler en Yiddish mais n'utilisait
12 pas le Yiddish, donc ça... tout simplement, c'était
13 quelque chose qui était affichée en public, cette
14 information.
- 15 A. So the rabbi... encouraged everybody to spy on each
16 other, both children on their parents, and friends
17 and so on.
- 18 IA. Donc, le rabbin encourageait tout le monde à
19 espionner l'un et l'autre, entre les membres de leur
20 famille, entre les membres d'une même famille, les
21 enfants, les parents, et cetera.
- 22 A. Even, even students would spy on the teachers and, of
23 course, the other way.
- 24 IA. Même les étudiants espionnaient les enseignants et
25 vice versa.

1 A. And anybody who observed a breach of the rules should
2 come and report to the leadership.
3 IA. Et toute personne qui était témoin d'une infraction
4 aux règlements devait rapporter ce fait aux
5 dirigeants.
6 A. And this is why there's no... I don't remember an
7 instance of somebody speaking Hebrew intentionally.
8 IA. C'est la raison pour laquelle je n'ai jamais entendu
9 ou n'ai pas été témoin de personnes qui parlaient
10 l'hébreu de façon intentionnelle.
11 Q. À part dans le cadre de l'enseignement aux jeunes
12 garçons, vous dites qu'on a pu employer des méthodes
13 de correction physique. Est-ce qu'il y a d'autres
14 occasions qui entraînaient l'utilisation de cette
15 méthode éducative dans la communauté Lev-Tahor?
16 IQ. Aside from the fact that you mentioned that physical
17 punishment was inflicted upon the young boys, were
18 there any other instances when physical punishment
19 was also inflicted on members of the community?
20 THE WITNESS:
21 You mean...
22 L'INTERPRÈTE :
23 Means...
24 THE WITNESS:
25 ...like a punishment?

1 L'INTERPRETE :

2 Punishment, as a punishment.

3 A. Punishment. I have not seen first-hand adults being
4 punished physically.

5 IA. Je n'ai pas été témoin direct d'adultes qui ont été
6 punis physiquement.

7 A. But however, I heard from Nathan Helbrans...

8 IA. Toutefois, Nathan Helbrans m'a rapporté...

9 A. ... and... that the leadership were discussing how to
10 hide the physical punishment from me.

11 IA. ... que les dirigeants discutaient de la manière de
12 me... de ne pas me dévoiler ces punitions sur le plan
13 physique, de me cacher...

14 A. ... and because it was known that I was critical of
15 what was going on.

16 IA. ... parce que c'était connu, le fait que j'étais
17 critique était connu.

18 Me DANIEL VILLENEUVE :

19 Q. Quelles autres méthodes employait-on pour punir les
20 désobéissances aux règles de la communauté?

21 IQ. What other methods were used as punishment when
22 somebody breached the rules?

23 A. If somebody would come late for the morning
24 prayers...

25 IA. Si quelqu'un se présentait en retard aux prières

1 matinales...

2 A. ... they would be punished monetarily...

3 IA. Donc, il y avait des punitions monétaires...

4 A. ... according to how late they were.

5 IA. Dependamment de la nature de leur... de combien de
6 temps est-ce qu'ils étaient en retard.

7 A. They had a guard by the door taking note on
8 everybody's arrival.

9 IA. Et il y avait un garde qui était posté à la porte et
10 qui prenait note du temps, à quelle heure chacun est
11 arrivé.

12 A. If somebody couldn't pay, he would have to give his
13 personal books for the synagogue's collection
14 instead.

15 IA. Si la personne n'était pas en mesure de payer, elle
16 devait remettre ses livres à la synagogue à la place.

17 A. If somebody would repeatedly not show up...

18 IA. Si quelqu'un ne se présentait pas de façon
19 continue...

20 A. ... then he would be told to sleep at the
21 synagogue...

22 IA. Donc, on lui dirait alors de dormir à la synagogue...

23 A. ... as an unofficial punishment.

24 IA. ... en tant... et ça, ça servirait comme une punition
25 non officielle.

1 A. And people's children or wives, husbands could be
2 taken away from them.
3 IA. Et les enfants ou l'époux ou l'épouse pouvaient être
4 retirés.
5 A. And, but there always... were an explanation with a
6 reason. It's not a punishment, it's a help.
7 IA. Mais il y avait toujours une explication. Ce n'était
8 pas présente comme une punition, c'était plutôt comme
9 une forme d'aide.
10 A. And there is also the concept of God punishing for
11 misbehaviour.
12 IA. Il y avait aussi le concept, à savoir que Dieu va
13 punir pour la désobéissance.
14 A. For example, I happened to overhear the rabbi
15 speaking with Yosef Sulimant...
16 IA. Par exemple, j'ai entendu le rabbin qui parlait avec
17 Sulimant...
18 A. ... while it well known that the Sulimant's lost
19 their child.
20 IA. ... c'est bien connu que les Sulimant ont perdu un
21 enfant.
22 A. And the rabbi warned him to behave, lest bad things
23 could happen, and we wouldn't want more of that.
24 IA. Et le rabbin dans ce cas-là veut qu'il obéisse à la
25 lettre, parce qu'on ne veut pas que d'autres

- 1 incidents de la sorte ne se produisent.
- 2 Q. Quand vous dites qu'il a perdu, que la famille
- 3 Sulimani a perdu un enfant, qu'est-ce qui est arrivé
- 4 de cet enfant?
- 5 IQ. When you're saying that the Sulimani family lost a
- 6 kid, what happened to this kid?
- 7 A. I don't know exactly, I wasn't there at the time.
- 8 IA. Je ne sais pas les circonstances exactes, je n'étais
- 9 pas là à l'époque.
- 10 A. What I was told was that an older sister slept with
- 11 the baby, rolled on the baby.
- 12 IA. Mais ce qu'on m'a rapporté, c'était qu'une sœur plus
- 13 âgée a dormi avec le bébé et puis il s'est produit
- 14 quelque chose.
- 15 Q. Qu'est-ce qui s'est produit pour le bébé?
- 16 IQ. What happened with the baby? What happened?
- 17 A. I don't know, it either got crushed, got choked, I
- 18 don't know.
- 19 IA. Je ne sais pas, peut-être qu'il a suffoqué ou... Je
- 20 ne sais pas.
- 21 Q. Donc, il est mort?
- 22 IQ. So basically he passed away?
- 23 A. Yes.
- 24 IA. Oui.
- 25 Q. Vous avez mentionné, vous avez fait un lien entre la

1 mort de ce bébé des Sulimani et les punitions
2 infligées par Dieu. Qu'est-ce qui vous amène à
3 mentionner ça?
4 IQ. You established a link between what happened to the
5 Sulimani family and the punishments that are given by
6 God. What was the reason you made such an analogy?
7 A. Because, because the members, well they're made into,
8 into... abide by the rules out of fear of bad things
9 happening to them in this world.
10 IA. Parce que les membres devaient obéir aux règlements
11 par peur des punitions qui leur seraient infligées
12 par Dieu ici, dans ce bas monde.
13 Q. Quelles sont les différences qui existent entre les
14 punitions infligées aux hommes et celles infligées
15 aux femmes lorsqu'il y a une désobéissance aux règles
16 de la communauté?
17 IQ. What is the difference between the punishments that
18 are inflicted upon men and women when there is
19 misbehaviour in the community?
20 A. I don't know. I don't know much about the lives of
21 the women, because men and women don't mix at all in
22 the community.
23 L'INTERPRETE :
24 About what about the women? "I don't know much..."
25 A. See, I don't, I don't know much about their lives in

- 1 the community...
- 2 L'INTERPRÈTE :
- 3 Ah! their lives.
- 4 A. ... because the men and women don't mix.
- 5 L'INTERPRÈTE :
- 6 Don't mix.
- 7 IA. Donc, je ne sais pas grand-chose sur la vie des
8 Femmes de la communauté étant donné que l'un et
9 l'autre se tiennent séparés.
- 10 A. But my wife told me that she would be hit by her
11 father.
- 12 IA. Mais ma femme m'a rapporté le fait que son père l'a
13 frappée.
- 14 Me DANIEL VILLENEUVE :
- 15 Q. Vous avez mentionné avoir été... connaître comme
16 méthode de punition qu'on pouvait enlever les enfants
17 des familles. Vous avez dit ça tout à l'heure. Avez-
18 vous été vous-même témoin, là, de... qu'on enlève des
19 enfants à une famille pour les confier ailleurs?
- 20 IQ. You mentioned that one form of punishment was to take
21 away the children from the family and place them in
22 another family. Were you personally witness to such
23 a situation?
- 24 A. Yes, on several occasions I had other people's
25 children living by me.

- 1 IA. Oui. À plusieurs reprises il y a eu des enfants de
2 d'autres familles qui ont résidé chez moi.
3 Q. Combien d'enfants différents avez-vous hébergés, et
4 qui vous avait confié ces enfants?
5 IQ. How many different children stayed in your house, and
6 who entrusted you with these children?
7 A. The, the command to take the children home was done
8 during the women's leadership organization.
9 IA. Donc, cette consigne a été donnée lors d'un
10 rassemblement des dirigeantes de la communauté, des
11 femmes.
12 A. So since men and women that are not close will not
13 speak, I heard it through my wife from them.
14 IA. Donc, étant donné que les femmes et les hommes ne
15 sont pas proches et qu'ils ne discutent pas entre
16 eux, donc ça c'est une information que j'ai obtenue
17 de par ma femme.
18 A. And to how many children...
19 IA. Et en ce qui a trait au nombre d'enfants...
20 A. ... the... at the time when Nathan Helbrans' now
21 youngest child was not born...
22 IA. ... à l'époque où le plus jeune enfant de Nathan
23 Helbrans qui, à l'époque, n'était pas encore né...
24 A. ... all his older children except for the baby at the
25 time stayed by me at some point.

- 1 IA. ... tous ses enfants plus âgés, à l'exception du
2 bébé, ont été hébergés chez moi à un moment ou à un
3 autre.
- 4 A. Also Aaron Kashani stayed by me.
- 5 IA. Aaron Kashani a été également hébergé chez moi.
- 6 A. And I think that's it.
- 7 IA. Et je pense que c'est tout.
- 8 Q. Saviez-vous à ce moment pour quelle raison on vous
9 confiait ces enfants? Qu'est-ce qu'ils avaient fait,
10 les parents, pour qu'on leur enlève leur enfant puis
11 qu'on vous le confie à vous?
- 12 IQ. Did you know at the time what was the reason you were
13 entrusted with these children, what did the parents
14 do to bring to such a situation?
- 15 A. No.
- 16 IA. Non.
- 17 A. But I was told that the parents were not able to
18 bring up the children the right way.
- 19 IA. Mais on m'avait indiqué que les parents n'étaient pas
20 en mesure d'élever ces enfants correctement.
- 21 Q. Saviez-vous à ce moment si les parents étaient en
22 accord ou pas qu'on leur enlève leur enfant et qu'on
23 vous le confie?
- 24 IQ. Did you know at the time whether the parents were in
25 agreement with the fact that the children would be

1 taken away and stay at your place?
2 A. For... for Kashani, it was already a regular thing
3 that his children would not be at home.
4 IA. Pour Kashani, c'était déjà une chose assez courante,
5 le fait que ses enfants n'étaient pas à la maison.
6 A. To the point that that was normal.
7 IA. Au point où c'est devenu normal.
8 A. For Nathan Helbrans, I asked him if he was in
9 agreement with this.
10 IA. Pour ce qui est de Nathan Helbrans, je lui ai demandé
11 la question, à savoir s'il consentait à tout cela.
12 A. He really didn't want his children removed from him.
13 IA. Il ne voulait vraiment pas à ce que ces enfants
14 soient retirés.
15 A. But he would rather them be with me than with some
16 other families that he had bad experiences with them.
17 IA. Mais il préférerait à ce que les enfants soient chez
18 moi comparativement à d'autres familles avec qui il a
19 eu de mauvaises expériences.
20 A. And also the... for Aaron Kashani's case, he very
21 much fought against being taken away from home.
22 IA. Et aussi dans le cas de Aaron Kashani, il s'est
23 opposé fermement au fait que les enfants soient
24 retirés de la maison.
25 A. And they would always, they would always need to use

1 physical force to take him away from his parents and
2 bring him into whichever house he would stay at.
3 IA. Il fallait tout le temps utiliser une force physique
4 pour le retirer de chez ses parents et de l'amener à
5 une autre résidence.
6 Q. Pouvez-vous nous décrire de quelle façon on les
7 retirait les enfants de leur familles? Vous dites vous
8 utilisez de la force physique. Décrivez-nous
9 exactement ce qui se passait.
10 IQ. Can you describe in which way exactly the children
11 were taken away from their parents? You previously
12 described a physical...
13 A. Yes, Aaron Kashani was very small, he was four years
14 old approximately, and...
15 IA. Aaron Kashani était très jeune, il avait environ
16 quatre ans.
17 A. So he was just picked up and moved and kept away from
18 all the things he could grab onto.
19 IA. Donc, tout simplement le soulever et on l'amenait où
20 on décidait.
21 A. And he would scream and cry the whole way to where he
22 would need to go.
23 IA. Et puis il criait, il pleurait tout au long de la
24 route.
25 A. And eventually, after arriving in my home, for

- 1 example, he would give up.
- 2 IA. Et en bout de ligne, une fois qu'il serait arrivé
chez moi par exemple, donc il lâchait prise.
- 3 Q. Quelle durée avait ces périodes où vous aviez à
prendre charge d'enfants de d'autres familles?
- 4 Combien ça durait de temps?
- 5 IQ. When the kids were actually staying at your place,
how long would that last?
- 6 A. By me, only a few days or weeks.
- 7 IA. Chez moi, c'était seulement quelque jours ou quelques
semaines.
- 8 Q. Quelques semaines?
- 9 IQ. A few weeks?
- 10 A. It could be. But often... often it was on and off.
They moved the children around very much.
- 11 IA. Parfois, mais c'était intercale. C'était... les
enfants déménageaient souvent.
- 12 Q. Qui vous prévenait que cette période se terminait et
que l'enfant retournait chez ses parents?
- 13 IQ. Who would advise you that the children would no
longer stay at your house and that they would be
returned home? Who would have advised you of such?
- 14 A. It's a leading question.
- 15 L'INTERPRETE :
- 16 It's a what?

- 1 A. It's a leading question.
- 2 IA. C'est une question suggestive.
- 3 Me DANIEL VILLENEUVE :
- 4 Q. Vous vous objectez à ma question?
- 5 IQ. Are you objecting to the question?
- 6 A. Objecting to the question on the grounds that I never
7 said they were return home.
- 8 IA. Je n'ai jamais mentionné, en fait, qu'ils étaient
9 retournés chez eux.
- 10 Q. Donc, qui vous prévenait que l'enfant allait quitter
11 votre domicile pour retourner à un endroit où vous ne
12 savez pas où il retournerait?
- 13 IQ. Who would advise you that the children would no
14 longer stay at your house, and would go to a place
15 unknown to you?
- 16 A. Usually they would just not be there anymore.
- 17 IA. Habituellement, c'est tout simplement qu'ils
18 n'étaient plus sur place, c'est tout.
- 19 Q. Donc, vous ne saviez pas qui venait chercher l'enfant
20 pour le ramener, et vous ne saviez pas où on le
21 ramenait?
- 22 IQ. You don't know exactly who would come and pick up the
23 child, and you don't know exactly where he was taken?
- 24 A. When the children would go to school, they wouldn't
25 come back.

- 1 IA. Non, les enfants allaient à l'école et puis ils ne
retournaient pas.
- 2 Q. Très bien. Vous mentionnez que vous étiez séparés,
les hommes et les femmes de la communauté ne vivent
5 pas ensemble.
- 6 IQ. You mentioned that men and women in the community do
7 not live together.
- 8 Q. Vous vous êtes marié à quel moment?
- 9 IQ. When were you married?
- 10 A. I was married three and a half years ago.
- 11 IA. Il y a trois ans et demi.
- 12 Q. Est-ce que vous vous êtes marié dans la communauté?
- 13 IQ. Did you get married within the community?
- 14 A. Yes.
- 15 IA. Oui.
- 16 Q. Très bien. Est-ce que pendant la période où vous avez
17 vécu dans la communauté, votre épouse, elle a été
18 punie d'une manière ou d'une autre pour des
19 désobéissances aux règles de la communauté?
- 20 IQ. During the time period that you were living in the
21 community, did your wife, did she get any sort of
22 punishment for any type of misbehaviour?
- 23 A. Yes.
- 24 IA. Oui.
- 25 A. An example?

- 1 Q. Oui.
- 2 A. For example, based on Jewish mysticism, Jewish should
3 not walk barefoot.
- 4 IA. Donc, par exemple, selon le... la mystique -- je sais
5 pas exactement comment dire ce mot --, mysticisme...
- 6 A. Cabala.
- 7 IA. ... Cabala, la Cabala juive, les femmes ne devraient
8 pas se promener pieds nus.
- 9 A. The women wear tights with socks and shoes on top of
10 that.
- 11 IA. Donc, les femmes devaient porter des bas et des
12 chausures par-dessus les bas.
- 13 A. In our apartment, we had a thick carpet also.
- 14 IA. Et dans notre appartement, on avait également un
15 tapis épais.
- 16 A. At one time, my wife's sister came and knocked on the
17 door.
- 18 IA. À un certain moment, la soeur de ma femme est venue
19 frapper à la porte.
- 20 A. And my wife was in bed, and she went out of bed only
21 with tights and socks.
- 22 IA. Et puis ma femme était dans le lit, elle s'est
23 relevée du lit et elle a marché seulement avec des
24 bas et des chaussettes.
- 25 A. And, and the sister did not mention anything at the

1 time, but she reported it to the authorities, or her
2 mother, maybe.
3 IA. Donc la soeur...
4 L'INTERPRETE :
5 To what? Her...
6 A. Either the authorities or the mother.
7 L'INTERPRETE :
8 Or the mother.
9 IA. Donc, la soeur n'a rien mentionné sur le champ. Par
10 contre, elle en a fait mention aux autorités par la
11 suite, ou à sa mère.
12 A. And my wife was informed of two punishments.
13 IA. Donc, on a avisé ma femme qu'elle subira deux
14 punitions.
15 A. One was that she was not allowed to go to her
16 parents' house for a week and a half.
17 IA. L'une était qu'elle était interdite d'accès dans la
18 résidence de ses parents pendant une semaine et
19 demie.
20 A. And the other punishment was that she was not allowed
21 to use her sisters as messengers.
22 IA. Et l'autre étant qu'elle n'avait pas le droit
23 d'utiliser sa soeur à titre de messagère.
24 A. I will explain the seriousness of the two
25 punishments.

1 IA. Donc, je vais expliquer le côté sérieux des deux

2 punitions, la gravité.

3 A. The men are very busy in the community.

4 IA. Les hommes sont très occupés dans la communauté.

5 A. And especially on the Jewish Sabbath.

6 IA. Surtout durant le sabbat.

7 A. And so, my wife would go to her parents' house

8 whenever I wouldn't be at home.

9 IA. Donc, ma femme allait chez ses parents à chaque fois

10 que je n'étais pas présent à la maison, que je

11 n'étais pas à la maison.

12 A. And that would... so that would be for the greater

13 part of the Saturday.

14 IA. Et ce serait pour presque tout le sabbat, tout le

15 samedi.

16 A. So not... she wouldn't have anywhere else to go

17 because there would be... it would be a foreign house

18 with foreign men.

19 IA. Elle n'avait pas d'autres résidences où aller parce

20 que sinon, elle se serait retrouvée avec des hommes

21 étrangers dans une résidence étrangère.

22 A. And so not being able to go to her parents' house

23 was... is essentially a house arrest.

24 IA. Donc, le fait de ne pas pouvoir aller chez ses

25 parents, ça constituait essentiellement comme une

1 arrestation à la maison.
2 A. And the women in the community avoid going outside.
3 IA. Et les femmes dans la communauté évitent d'aller à
4 l'extérieur.
5 A. And it was out of modesty and because of the
6 difficulty of dressing with the clothes, in order to
7 go outside.
8 IA. À la fois pour... Donc, il y a deux raisons. C'est...
9 la première, c'est pour ce qui est de la modestie, et
10 la deuxième, c'est à cause de la complexité de leurs
11 vêtements.
12 A. And so... but the women have a lot of duties to cook
13 and arrange things for the community.
14 IA. Mais les femmes, elles ont plusieurs tâches au niveau
15 de préparer la nourriture, et cetera.
16 A. So they will use the very young girls as messengers
17 to send items and food items from house to house.
18 IA. Donc, ils utilisaient les plus jeunes filles pour
19 agir à titre de messagères, et de transporter des
20 aliments d'une maison à l'autre.
21 A. So not being able to use her sisters for that...
22 IA. Donc, le fait qu'elle ne pouvait pas utiliser sa
23 soeur dans ce sens...
24 A. ... and still having the obligations of supplying the
25 community...

- 1 IA. ... et d'avoir toujours l'obligation de remplir ses
2 tâches envers la communauté...
- 3 A. ... put a lot of extra load on her.
- 4 IA. ... donc, ça a mis beaucoup de pression sur elle.
- 5 A. Also... not phrased as a punishment, but maybe as a
6 guidance...
- 7 IA. Donc...
- 8 L'INTERPRETE :
- 9 You can continue before I go.
- 10 A. ... my wife was, at a certain time, instructed to
11 report every day on her behaviours during the day.
- 12 IA. Donc, bien que ça n'a pas été présentée comme une
13 punition mais plutôt comme un conseil à suivre, ma
14 femme devait donner un compte rendu de ce qu'elle
15 faisait durant la journée.
- 16 A. She would have to report if she served the meals on
17 time, if she honored me, if she...
- 18 IA. Elle devait rapporter, à savoir si elle avait servi
19 les repas de manière ponctuelle, si elle m'a
20 respecté.
- 21 A. If she had said her prayers, and how many Psalms she
22 had said.
- 23 IA. Si elle a récité ses prières et combien de psaumes
24 est-ce qu'elle a récités.
- 25 A. And she was also threatened that...

1 IA. Elle était également menacée...
2 A. ... and when she was pregnant, that if she would...
3 if continuously misbehave, they would already now
4 start looking for where to put her baby when it was
5 born.
6 IA. ... alors qu'elle était encore enceinte, en lui
7 disant que si elle désobéissait, elle était
8 désobéissante, ils allaient faire en sorte que son
9 bébé soit retiré.
10 A. And my wife told me from when she was a younger
11 girl...
12 IA. Ma femme m'a indiqué que quand elle était plus
13 jeune...
14 A. ... after having refused to recite a certain text in
15 school...
16 IA. ... alors qu'elle a refusé de réciter un texte à
17 l'école...
18 A. ... the rabbi instructed her father to hit her.
19 IA. ... le rabbin a donné des instructions à son père de
20 la frapper.
21 A. And which he did.
22 IA. Et c'est ce qu'il a fait.
23 Q. Quel âge avait votre épouse lorsque vous vous êtes
24 mariés?
25 IQ. How old was your wife when you got married?

1 A. She was fifteen (15), almost sixteen (16).

2 IA. Elle avait quinze (15) ans, presque seize (16) ans.

3 Q. Comment s'est arrangé le mariage? Qui a décidé que
4 vous alliez vous marier?

5 IQ. How was the marriage arranged? Who decided on the
6 wedding, that you were going to marry her?

7 A. The rabbi called me into his office...

8 IA. Le rabbin m'a convoqué à son bureau...

9 A. ... and told me about a situation, a match that they
10 had made.

11 IA. ... et m'a parlé d'un certain... "shido"... "match
12 making", match...

13 A. ... and an engagement that they had made...

14 IA. ... et sur une promesse qui a été faite...

15 A. ... and between a girl that he described as "A-
16 Minus"...

17 IA. ... entre une fille qu'il a décrit comme étant "A-
18 moins"...

19 A. ... meaning that she wasn't enthusiastic enough about
20 the community's life.

21 IA. ... ce qui veut dire qu'elle n'était pas assez
22 enthousiaste par rapport à la vie dans la communauté.

23 A. ... and a boy that he described as "a piece of
24 cattle".

25 IA. ... et un gars qui la décrit comme un morceau de...

1 comme un mouton ou un... quelqu'un dans les... qui
2 broute dans la prairie.
3 A. In that he was very simple-minded and not, not being
4 able to take care of himself.
5 IA. Dans ce sens qu'il était simple d'esprit, et qu'il ne
6 pouvait pas s'occuper de lui-même.
7 A. And he told me that this girl would need a strong
8 husband to guide her to the right way.
9 IA. Il m'a dit que cette fille aurait besoin d'un homme,
10 d'un époux fort pour la guider dans la bonne
11 direction.
12 A. And that this boy would need his future wife to be a
13 remplacement mother for himself.
14 IA. Et que l'autre garçon aurait besoin que sa future
15 épouse agisse plutôt comme une mère, entre
16 guillemets, "remplacante", comme une deuxième mère.
17 A. And he said, luckily the next girl in line to get
18 engaged...
19 IA. Il a dit heureusement que la prochaine fille qui va
20 se fiancer...
21 A. ... was... is just that kind of girl. that could take
22 care of her husband.
23 IA. ... c'était justement ce genre de fille qui pouvait
24 s'occuper de son mari.
25 A. So he asked me if it was interesting for me to look

1 into making a match between me and the A-minus girl.
2 IA. Donc, il m'a demandé à savoir si j'étais intéressé à
3 faire un *match* entre moi et la fille "A-minus".
4 A. And that the boy that she was originally supposed to
5 marry would then marry the next girl in line.
6 IA. Et que le garçon qu'elle devait initialement épouser
7 épouserait la prochaine.
8 A. And he told me that the A-minus girl comes from a
9 respectable family.
10 IA. Il m'a mentionné que la fille A-Minus vient d'une
11 famille respectée.
12 A. And I believe that, just like the Jews do all over
13 the world, making background checks, investigating
14 things before making a match, is...
15 IA. Et je pense que comme c'est la coutume des Juifs
16 partout à travers le monde, faire une enquête... une
17 enquête pour savoir...
18 A. ... that when the rabbi asked me if there was... this
19 was interesting for me to look into...
20 IA. ... quand le rabbin m'a posé la question, à savoir si
21 j'étais intéressé.
22 A. ... that this was going to happen, that this
23 investigation was...
24 IA. ... c'est ça qui allait se produire, à savoir cette
25 enquête.

- 1 A. So I agreed that this was interesting to me.
- 2 IA. Donc, j'ai en effet indiqué que ça m'intéressait.
- 3 A. And the next day at night, the rabbi called me to his
4 office again.
- 5 IA. Et le lendemain au soir, le rabbin m'a convoqué de
6 nouveau dans son bureau.
- 7 A. And they made an engagement party.
- 8 IA. Et donc, ils ont tenu une fête de fiançailles.
- 9 A. And I didn't know my wife's name until I saw it, saw
10 her name on the contract of getting married.
- 11 IA. Je ne connaissais pas le nom de ma femme, juste... et
12 je l'ai connu seulement lors de la signature du
13 contrat de mariage.
- 14 A. And the rabbi also mentioned the occasion, that is
15 well-known of course, that in the community they do
16 not meet before their marriage.
- 17 IA. Le rabbin a également mentionné le fait que, dans la
18 communauté, les jeunes époux ne se rencontrent pas
19 avant le mariage.
- 20 A. And the marriage date was set for two months later.
- 21 IA. La date du mariage a été fixée deux mois plus tard.
- 22 A. And during this time, my future wife was taken away
23 from her home...
- 24 IA. Et dans l'intervalle, mon épouse, ma future épouse a
25 été retirée de sa résidence...

1 A. ... and put into the home of Moishe Yosef Rosenon...
2 IA. Et elle a été placée dans la résidence de Moshé Yosef
3 Rosenon...
4 A. ... and to re-educate her, because of the failed
5 upbringing that she got.
6 L'INTERPRÈTE :
7 Because of the what?
8 THE WITNESS:
9 Because the failed upbringing. It's they failed to
10 bring her up right.
11 L'INTERPRÈTE :
12 Ah, because they failed to bring her correctly, up
13 right, okay.
14 IA. Et puis donc, ça a été fait dans le but de la
15 rééduquer, étant donné que son éducation, elle a reçu
16 la mauvaise éducation. Ils ne l'ont pas bien éduquée.
17 A. And during this time, all the young children that
18 were going to be married...
19 IA. Et durant ce temps, tous les jeunes qui étaient sur
20 le point de se marier...
21 A. ... both boys and girls, but separate, were taught
22 the laws of family purity.
23 IA. ... à la fois les garçons et les filles, mais de
24 façon séparée, donc on leur enseignait les règles de
25 pureté de la famille.

1 A. Which essentially is the separation between the...
2 the physical separation between the man and the wife
3 around the time of the wife's period.
4 IA. Qui veut dire que l'homme et la femme ne peuvent se
5 rencontrer de façon intime alors que la femme a ses
6 règles.
7 A. No, not "intime". Physical contact.
8 L'INTERPRÈTE :
9 Physical. Ah, any physical?
10 A. Any, any...
11 L'INTERPRÈTE :
12 Okay, I misinterpreted. Okay.
13 IA. Tout contact physique étaient interdits entre l'homme
14 et la femme alors que la femme était menstruée...
15 A. ...so the children could infer that there would be
16 times when physical contact would be permitted.
17 IA. ... ce qui voulait dire que les enfants pouvaient
18 déduire quand les contacts physiques étaient bien
19 permis.
20 A. And as opposed to what they grew up believing...
21 IA. Contrairement à ce qu'ils leur... à ce qu'ils ont cru
22 jusqu'à date...
23 A. ... in the community, only parents and children and
24 siblings will touch each other.
25 IA. ... dans la communauté, seulement les parents et les

- 1 frères et soeurs pouvaient se toucher.
- 2 A. And a husband will even put down an object for his
3 wife to pick it up.
- 4 IA. Et le mari déposait même un objet pour que la femme
5 puisse le ramasser.
- 6 A. And not give over in the hand directly.
- 7 IA. Et ne pas lui donner en main propre, de main à main.
- 8 A. And for the boys, and me included...
- 9 IA. Et pour les garçons, y compris moi-même...
- 10 A. ... and teaching about marital relations was only the
11 last day before the marriage.
- 12 IA. ... les enseignements sur les relations et le mariage
13 m'ont été dispensés seulement la veille du mariage.
- 14 A. For the girls, they would be taught last couple of
15 days, I understood from my wife.
- 16 IA. Et pour les filles, ce genre d'enseignement était
17 dispensé quelques jours avant. Ça, c'est ce que ma
18 femme m'a relaté.
- 19 A. And the information given is very rudimentary.
- 20 IA. L'information qu'ils donnaient est une information
21 très rudimentaire.
- 22 A. In the regular spoken Yiddish used in the community,
23 it does not contain words describing body parts or
24 actions that are relevant.
- 25 IA. Dans le langage utilisé, soit la langue Yiddish, il

1 n'y avait pas de mots qui étaient utilisés pour
2 décrire les parties physiques du corps, les parties
3 intimes.
4 A. And so they would, in teaching, they would use hints
5 and references to circumcision, in the area of
6 circumcision.
7 IA. Donc, lors des enseignements, ils utilisaient des
8 indices, et ils faisaient référence à l'endroit où la
9 circoncision a lieu.
10 A. And the boys will also be told that they do not have
11 to worry so much about knowing, because the girl will
12 know.
13 IA. Et on disait aux garçons qu'ils n'avaient pas à s'en
14 faire par rapport au savoir et que les filles
15 devaient savoir.
16 A. My wife told me that she was told that the girl
17 doesn't have to worry too much about it, the boy will
18 know what to do.
19 IA. Et puis ma femme m'a dit qu'on lui a également
20 indiqué qu'elle ne devait pas s'en faire avec ça et
21 que le garçon va savoir quoi faire.
22 Me DANIEL VILLENEUVE :
23 Q. Est-ce qu'on peut arrêter ici?
24 LA COUR :
25 Oui. Juste avant. Est-ce que vous avez encore

1 beaucoup de questions pour le témoin?

2 Me DANIEL VILLENEUVE :

3 J'ai encore deux ou trois sujets.

4 LA COUR :

5 O.K.

6 Me DANIEL VILLENEUVE :

7 Qui vont être quelques questions chacune.

8 LA COUR :

9 O.K. Je vous rappelle qu'on est toujours sur une

10 requête pour hébergement provisoire obligatoire. On

11 n'est pas en train de faire l'enquête au fond. J'ai

12 tous ces dossiers-là, trois familles. Vous avez

13 sûrement des témoins, parce qu'il y a des allégations

14 très spécifiques pour chacun des enfants.

15 Me DANIEL VILLENEUVE :

16 J'aurais seulement un autre témoin.

17 LA COUR :

18 Pardon?

19 Me DANIEL VILLENEUVE :

20 Après celui-ci, j'ai seulement un autre témoin.

21 LA COUR :

22 Bien. O.K. Alors, on va demander au témoin de revenir

23 après le lunch pour continuer l'interrogatoire.

24 I. So you will have to come back after lunch in order to

25 continue with the Examination.

1 LA COUR :
2 Et on va suspendre jusqu'à quatorze heures (14h00).
3 Me DANIEL VILLENEUVE :
4 Est-ce qu'on peut vous demander quatorze heures
5 quinze (14h15), Monsieur le Juge? À cause de la
6 route. Je sais que je dois me rendre à Boisbriand sur
7 l'heure du lunch, mais...
8 LA COUR :
9 Oui.
10 Me DANIEL VILLENEUVE :
11 Quatorze heures quinze (14h15).
12 LA COUR :
13 Est-ce que vous pensez avoir de longs contre-
14 interrogatoires, Maître Teixeira? Le but de ma
15 question n'est pas de vous limiter, est de juste
16 planifier les choses.
17 Me ARMENIA TEIXEIRA :
18 Bien, ça va être très simple. Je n'ai pas de mandat
19 de mes clients, donc je suis ici à titre
20 d'observatrice, et je ne pourrai pas faire d'autre
21 chose.
22 LA COUR :
23 Alors, quatorze heures quinze (14h15).
24 -----
25 SUSPENSION DE L'AUDIENCE 12h 39

REPRISE DE L'AUDIENCE 14 h 14

1
2
3 Me FRANCINE CAMPEAU :
4 Monsieur le Juge, avant de reprendre les témoignages,
5 j'aurais des remarques préliminaires à vous faire.
6 LA COUR :
7 Oui.
8 Me FRANCINE CAMPEAU :
9 Est-ce que nous sommes sous enregistrément?
10 LA GREFFIÈRE :
11 Oui.
12 Me FRANCINE CAMPEAU :
13 C'est beau. Alors, dans un premier temps,
14 l'interprète est toujours sous le même serment? Alors
15 peut-être traduire pour monsieur.
16 L'INTERPRÈTE :
17 I am under the same oath.
18 THE WITNESS:
19 Yes.
20 Me FRANCINE CAMPEAU :
21 D'abord, avant de continuer le témoignage, je vais
22 vous demander la protection contre les témoignages
23 auto-incriminants pour le témoin, et d'ordonner aux
24 médias de ne pas divulguer son identité en vue de
25 protéger la preuve pour des auditions futures et les

1 témoins futurs.
2 LA COUR :
3 Des remarques venant des procureurs?
4 Me ANNIE SAVARD :
5 Ça convient.
6 LA COUR :
7 Alors effectivement, le témoignage que monsieur rend
8 actuellement fait l'objet des protections de la
9 charte, et ne peuvent servir à des poursuites qui
10 pourraient être entamées contre lui. Et, en
11 conséquence, je déclare que ce témoignage est protégé
12 par les dispositions de la Charte à cet égard là. Et
13 je vais inviter les journalistes à ne pas divulguer
14 l'identité du témoin afin de préserver éventuellement
15 la preuve. Et j'ajouterais, j'avais l'intention de
16 vous faire des remarques, de vous inviter à la
17 prudence, pour ne pas décourager d'autres témoins qui
18 voudraient venir témoigner ici, de voir que la
19 publicité qui est faite sur notre personne après
20 avoir été, après avoir témoigné les empêche de
21 vouloir témoigner. Alors je vais vous demander, en
22 conséquence, de garder l'identité de monsieur
23 Brudzevski confidentielle.
24 Me FRANCOISE CAMPEAU :
25 Alors c'était ma première remarque. Ma deuxième

1 remarque, Monsieur le Juge...
2 LA COUR :
3 Ça va, Madame la Greffière?
4 Me FRANCINE CAMPEAU :
5 Ma deuxième remarque a trait aux remarques de maître
6 Teixeira juste à la suspension lorsque vous lui avez
7 parlé de contre-interrogatoire, et que maître
8 Teixeira a dit ne pas avoir de mandat de la part de
9 ses clients, qu'elle était ici à titre
10 d'observatrice. Or, il n'y a pas de poste de prévu
11 d'observatrice en vertu de la Loi sur la protection
12 de la jeunesse, sauf pour les journalistes et la
13 Commission. C'est une audition qui doit avoir lieu à
14 huis-clos. Alors si maître Teixeira n'a plus de
15 mandat, elle ne peut pas être ici à titre
16 d'observatrice, et je vous demanderais... L'inviter à
17 quitter la salle d'audience.
18 Me ARMENIA TEIXEIRA :
19 Voyons donc. J'ai pas un mandat pour l'enquête
20 aujourd'hui, de comment... Je peux rien faire
21 aujourd'hui, mais je représente mes clients. Je suis
22 ici à titre de représentante de ces gens-là. Je
23 continue de les représenter. Cependant, pour
24 l'enquête qui a lieu aujourd'hui, mon mandat était la
25 remise. Avec une... quant... si vous décidez qu'il

1 n'y a pas de remise, j'ai plus de mandat sur
2 l'enquête elle-même, mais je continue de représenter
3 mes clients.
4 LA COUR :
5 Je considère que vous aviez... vous étiez tout à fait
6 mandatée par vos clients, votre seule présence ici le
7 démontre. Et je considère aussi que si vous m'aviez
8 demandé de vous retirer ou cesser d'occuper, je vous
9 l'aurais probablement... je peux pas presumer des
10 arguments que vous m'auriez fait valoir, mais je peux
11 vous dire que j'aurais été enclin à vous empêcher de
12 cesser d'occuper. Vous êtes là depuis le début, moi
13 j'ai compris la nuance. Vous considérez ne pas avoir
14 de mandat spécifique, toutefois vous étiez au courant
15 des requêtes, vous le savez, vous serez en mesure de
16 décider ou juger à propos de comment vous pouvez
17 préserver le droit de vos clients sur les requêtes.
18 Mais, pour moi, je pense que de manière générale j'ai
19 toujours considéré que vous aviez un mandat, et que
20 vous représentez donc, à tout le moins, monsieur
21 Sulimani et monsieur Hayon. C'est exact, Maître?
22 Me ARMENIA TEIXEIRA :
23 Oui, j'attends un mandat de Rachel aussi, mais
24 aujourd'hui c'est monsieur Sulimani et monsieur
25 Hayon.

1 LA COUR :

2 Mais on comprend que lors des premières

3 représentations, vous représentiez aussi les parents

4 de l'enfant Kane.

5 Me ARMENIA TEIXEIRA :

6 Pardon?

7 LA COUR :

8 Les parents de l'enfant Kane.

9 Me ARMENIA TEIXEIRA :

10 Oui.

11 LA COUR :

12 Vous représentiez les parents...

13 Me ARMENIA TEIXEIRA :

14 Oui, cependant...

15 LA COUR :

16 ... Rachel, et le père?

17 Me ARMENIA TEIXEIRA :

18 ... Je n'ai pas de mandat écrit, d'accord. Alors

19 c'est juste la nuance que j'aimerais faire, c'est que

20 j'ai pas de mandat écrit de cette personnes-là. Et

21 pour aujourd'hui, et pour aujourd'hui, je n'ai pas eu

22 de mandat clair de Rachel et son mari.

23 LA COUR :

24 Mais vous en aviez un lors des moyens préliminaires,

25 parce que vous avez accepté de verser toute la preuve

1 dans ce dossier-là.
2 Me ARMENIA TEIXEIRA :
3 Oui, absolument, oui.
4 LA COUR :
5 Bien.
6 Me FRANCINE CAMPEAU :
7 Juste m'assurer, il y a deux autres journalistes qui
8 se sont joints depuis le début de l'audition,
9 Monsieur le Juge. Je veux juste m'assurer qu'ils
10 aient connaissance de l'ordonnance de non-publication
11 du nom du témoin.
12 LA COUR :
13 Je sais pas qui sont les nouveaux journalistes. Alors
14 je présume qu'avant qu'avant que vous n'arriviez, j'avais eu
15 des représentations à l'effet que les journalistes ne
16 soient pas admis. J'ai permis l'admission des
17 journalistes, conformément à l'Article 82 de la Loi.
18 Par contre, j'ai mis en garde les journalistes sur
19 les prescriptions de la Loi, particulièrement
20 l'article 1.2.1, qui ne permet pas de révéler
21 l'identité des enfants visés par les présentes
22 requêtes, et/ou de divulguer tout fait qui
23 permettrait de les identifier. Et j'imagine que vous
24 étiez arrivés dans cette salle quand... Je viens de
25 rendre l'ordonnance -- non, vous n'étiez pas arrivé

1 --, je viens de rendre une ordonnance à l'effet qu'il
2 est impossible de divulguer l'identité du témoin.
3 On poursuit
4 LA GREFFIÈRE :
5 Alors vous poursuivez sous la même affirmation
6 solennelle.
7 I. You're under the same oath.
8 -----
9
10 Mr. ADAM BRUDZEWSKI
11 UNDER THE SAME OATH
12 INTERROGE PAR Me DANIEL VILLENEUVE (Continuation) :
13 Q. Vous avez décrit, Monsieur Brudzewski, les deux mois
14 qui précèdent le mariage. La journée du mariage,
15 c'est la première fois que vous voyez votre épouse à
16 ce moment-là?
17 IQ. So you described the two months prior to the
18 wedding. On the wedding day *per se*, was this the
19 first day that you saw your spouse?
20 A. Yes.
21 IA. Oui.
22 Q. Quand a eu lieu la première relation sexuelle?
23 IQ. When was the first intimate relationship with your
24 spouse?
25 A. The first attempt was that night.

- 1 IA. Le premier essai a eu lieu cette nuit-là.
- 2 A. And the first actual successful intercourse, ten (10)
- 3 months later.
- 4 IA. Et la relation sexuelle comme telle a eu lieu dix
- 5 (10) mois plus tard.
- 6 Q. Quelle était la procédure ou la façon dont on
- 7 vérifiait que le mariage était consommé le jour-même
- 8 du mariage? Qui surveillait, qui s'assurait qu'il y
- 9 ait une tentative de relation sexuelle ce premier
- 10 jour?
- 11 L'INTERPRÈTE :
- 12 Pouvez-vous répéter? J'ai perdu le fil.
- 13 ME DANIEL VILLENEUVE :
- 14 Q. Qui, quelle était la procédure, et qui vérifiait que
- 15 effectivement la première tentative de relation
- 16 sexuelle avait bien lieu la première journée du
- 17 mariage?
- 18 IQ. What was the procedure, and who actually verified,
- 19 checked that the sexual relationship took place on
- 20 the first day of the wedding?
- 21 A. Nobody checked, just based on, on what my... what I
- 22 would say.
- 23 IA. Personne a vérifié, c'était tout simplement basé sur
- 24 mes dires.
- 25 Q. Avez-vous, pendant votre vécu dans la communauté,

1 assiste vous-même à d'autres mariages d'enfants de
2 moins de seize (16) ans?
3 IQ. While you were living in the community, did you
4 personally participate in weddings that took place of
5 children who were less than sixteen (16) years old?
6 A. Yes, Yakov Nachom Vangarten...
7 IA. Oui, Yakov Nachom Vangarten...
8 A. ... married the daughter of Moïshe Yosef Rosenen.
9 IA. ... a marié la fille de Rosenen...
10 A. And Ifaskan Matidia Moïshe Malta...
11 IA. ... et Ifaskan Matidia Moïshe...
12 A. ... Malta...
13 L'INTERPRETE :
14 Malta?
15 A. ... Malta, the last name Malta, married the daughter
16 of Shalom Alter.
17 IA. ... a marié la fille de Shimon Alter.
18 A. Shalom, Shalom Alter.
19 IA. Shalom Alter.
20 A. And Pinchas Faider married... the sister, was the
21 daughter of, of Shalom Alter.
22 IA. Et Pinchas...
23 R. Faider.
24 IA. ... Faider a également marié la fille de...
25 R. ... Shalom Alter.

- 1 IA. ... Shalom Alter.
- 2 R. Shalom Alter.
- 3 IA. Shalom Alter.
- 4 A. And Israël Hayoun married a daughter of Hidai Shiman
Malta, who is also called Yosef Shalom.
- 5 IA. Et Israël Chaiman a également marié la fille de Yosef
Shalom Malta.
- 6 A. And Ishmaël Mayer Vangarten married the daughter of
Aiyeh Yehuda Malta.
- 7 IA. Et Ishmaël Mayer Vangarten a marié la fille de Aiyeh
Malta.
- 8 A. And Elijah Yochanan married the daughter of Ezer
Hayon.
- 9 IA. Et Elijah Yocanan a marié la fille de Ezer Hayon.
- 10 Me DANIEL VILLENEUVE :
- 11 A. And all, all the girls that I mentioned now were
underneath sixteen (16) when they got married.
- 12 IA. Et toutes les filles dont j'ai fait mention...
- 13 A. Oh, there's one, one more.
- 14 IA. ... sont mariées avant l'âge de seize (16) ans, et
une autre au fait.
- 15 A. And YOI, YOI Makus married the daughter of Oriel
Yosef Goldman.
- 16 IA. Et YOI Markus a marié la fille de Oriel Yosef

- 1 Goldman.
- 2 Q. Donc une dizaine de mariages?
- 3 L'INTERPRÈTE :
- 4 Pardon me?
- 5 Me DANIEL VILLENEUVE :
- 6 Q. Une dizaine de mariages, environ dix (10) mariages?
- 7 Q. Dix (10) mariages?
- 8 IQ. Okay, so approximately ten (10) marriages in total?
- 9 A. That's what I count in... yes. There was the...
- 10 there are more weddings, but not, not with less
- 11 than... than sixteen (16).
- 12 IA. Il y avait d'autres mariages qui ont eu lieu, mais
- 13 les filles n'étaient pas nécessairement âgées de
- 14 moins de seize (16) ans.
- 15 Q. Donc savez-vous quel âge avait Rachel Hayon
- 16 lorsqu'elle a été mariée dans la communauté?
- 17 IQ. Do you know how old was Rachel Hayon when she
- 18 actually got married in the community?
- 19 A. She... she's the one that got married to Elijah
- 20 Yochanan?
- 21 IA. C'est celle qui a été mariée à Elijah Yochanan?
- 22 Q. Oui.
- 23 IQ. Yes.
- 24 A. She was fourteen (14).
- 25 IA. Elle avait quatorze (14) ans.

1 Q. Monsieur Brudzevski, est-ce que c'est habituel ou
2 c'est fréquent que des enfants soient mariés avant
3 seize (16) ans dans la communauté Lev Tahor?
4 IQ. Is it customary, is it the way it works that the
5 children of the Lev Tahor community get married at
6 this age?
7 A. It was common when I was there, and it was the stated
8 goal of the community to reach the point of doing
9 marriages at thirteen (13).
10 IA. C'était une pratique usuelle alors que j'y vivais et
11 puis c'était le but de la communauté d'établir des
12 mariages alors que les filles sont âgées de treize
13 (13) ans.
14 A. They scheduled the date, but they didn't make the
15 marriage of the rabbi's youngest daughter.
16 IA. Ils ont cédulé la date, par contre ils n'ont pas
17 célébré le mariage de la plus jeune fille du rabbin.
18 A. And at the date they had set, the boy was just before
19 thirteen (13), still twelve (12), and the girl had
20 turned thirteen (13) a couple of months before.
21 IA. Le mariage qui a été fixé le garçon avait moins que
22 treize (13) ans, il avait douze (12) ans et la fille
23 avait quelques mois, treize (13) ans et quelques
24 mois.
25 A. And it was a cause of celebration that this, they

1 would finally have reached the goal of making the
2 marriages early enough.
3 IA. Et c'était une raison de célébrer, le fait qu'ils ont
4 finalement atteint leur but soit de les marier à un
5 âge si jeune.
6 A. And it was backed by what the rabbi described as
7 historical fact...
8 IA. Et puis c'était basé sur ce que le rabbin décrivait
9 comme étant un fait historique...
10 A. ... that it used to be that the Jews, that there
11 would be no such thing called a "bachor". You have to
12 use the word like this.
13 L'INTERPRÈTE :
14 "Bachor", yes.
15 IA. ... que, à l'époque, dans la tradition juive, il
16 n'existait pas ce concept « bachor », qui veut dire
17 jeune garçon, en hébreux.
18 A. No, older than thirteen (13), but not married yet.
19 IA. Et la définition serait : « plus vieux que treize
20 ans, qui n'est pas encore marié ».
21 A. They would only have what's in Yiddish called a
22 "jungemann", a married man...
23 IA. Ils n'auraient alors ce qui est intitulé en Yiddish
24 « jungemann », qui veut dire un homme marié...
25 A. ... and a "jinge", meaning a boy under thirteen (13).

1 IA. ... et un « jinge », qui veut dire un garçon âgé de
2 moins de treize (13) ans.
3 A. And he coined what I think is a new word, is
4 "jüngemann"...

5 IA. Et, il a, si vous voulez, fait un néologisme, un
6 nouveau mot « jüngemann »...

7 A. ... which is a combination of the word for a married
8 man with the word for a boy under thirteen (13)...

9 IA. ... qui combine un homme marié et un homme âgé de
10 moins de treize (13) ans.

11 A. And to say that this is, this is... that by... when
12 passing thirteen (13), the boys would already have
13 been married.

14 IA. Faisant en sorte que quand le garçon, un garçon a
15 atteint l'âge de treize (13), ans il serait déjà
16 marié.

17 Me DANIEL VILLENEUVE :

18 Q. Connaissez-vous les raisons qui amènent le rabbin
19 Helbrans à insister pour que les enfants soient
20 mariés avant l'âge de seize (16) ans?

21 IQ. Do you know the reasons why Rabbi Helbrans insists on
22 the fact that the children would be married prior to
23 the age of sixteen (16) ?

24 A. The reason that he showed me was from the code of
25 Jewish law.

- 1 IA. La raison qu'il m'a fait valoir, c'est du code juif, la loi juive..
- 2 A. ... the (inaudible), and that it's a positive commandment upon a man to get married upon reaching
- 3 thirteen (13) years of age.
- 4 IA. Que c'est une, un commandement à savoir qu'un garçon de treize (13) ans soit marié avant l'âge de seize (16) ans.
- 5 A. Maybe... I want to mention that this is not the common practice by the Orthodox Jews, not today and not a very long time ago also.
- 6 IA. Je dois ici préciser que ce n'est pas une pratique usuelle parmi les juifs orthodoxes, ni de nos jours, ni dans le passé.
- 7 A. But, for example, the Talmud code tells a story...
- 8 IA. Par exemple, le Talmud nous enseigne...
- 9 A. ... of a man tells his friends, asks his friends, "Do you know why I'm so much better than you?"
- 10 IA. ... il y a un homme qui demande à son ami : « Est-ce que tu sais pourquoi est-ce que je suis mieux que toi? »
- 11 A. "Because I got married at sixteen (16) and you got married only at eighteen (18)." "
- 12 IA. Et la raison étant que moi je me suis marié à seize ans, et toi tu t'es marié seulement à dix-huit

1 (18) ans.

2 A. "If I would have been married at fourteen (14), I

3 would have been able to kill my evil inclination

4 completely".

5 IA. « Si j'avais été marié à l'âge de quatorze (14) ans

6 j'aurais été en mesure de... *suppress* mes mauvaises

7 inclinaisons contre le démon.

8 A. And this was written down about fifteen hundred

9 (1,500) years ago.

10 IA. Et ça, c'est quelque chose qui a été écrit il y a

11 plus de mille cinq cents (1 500) ans.

12 Q. Pourquoi, Monsieur Brudzevski, avez-vous décidé de

13 dénoncer ce que vous avez vécu dans la communauté?

14 Pourquoi vous avez décidé d'en parler aux

15 intervenants sociaux et policiers? Pourquoi en avoir

16 parlé?

17 IQ. Why did you decide to denounce what you actually

18 experienced in the community? Why did you actually

19 tell the social workers and the police?

20 A. Because I have a belief that I'm obligated to help

21 and... Jewish children that are in trouble, Jews that

22 are in trouble.

23 IA. Parce que je crois que je suis dans l'obligation

24 d'aider des enfants juifs qui ont des problèmes.

25 A. And I believe that the conditions that the people are

1 living under in the community are damaging to them.
2 IA. Et je pense que les conditions dans lesquelles ils
3 vivent dans la communauté leur font du tort, leur
4 causent du tort.
5 A. And I have grounds for that by seeing how members who
6 left the community are unable to live a normal life.
7 IA. Et j'ai d'ailleurs vu que les gens qui ont quitté la
8 communauté sont incapables de mener une vie normale.
9 Q. Quelles sont, Monsieur Brudzevski, les craintes que
10 vous avez actuellement pour la sécurité des enfants
11 et des familles qui vivent dans la communauté?
12 IQ. What are the fears or the concerns that you have in
13 regards to the children that are now living in the
14 community?
15 A. Personally, I believe that a person should have a
16 free choice and decision how to live his life.
17 IA. Premièrement, je pense que la personne doit avoir un
18 choix libre par rapport à la façon dont il voudrait
19 mener sa vie.
20 A. And with the isolation and lack of education that the
21 children get in the community, I believe they will
22 not have an... a possibility of living such a life.
23 IA. Et puis du fait qu'ils sont isolés et qu'ils manquent
24 d'éducation, je pense que ces enfants ne pourront pas
25 mener une telle vie.

- 1 A. And also the methods of education, of upbringing they
2 use in the community I regard as damaging emotionally
3 at least in general.
- 4 IA. Et également les méthodes d'éducation qui sont
5 utilisées par la communauté sont... causent du tort
6 et des dommages en général.
- 7 Q. Quelles sont les menaces employées par le rabbin
8 Helbrans, les menaces, là, de punitions ou
9 d'interventions divines qui pourraient arriver à une
10 personne qui quitterait la communauté? Quelle
11 connaissance avez-vous des menaces qui sont utilisées
12 par le rabbin Helbrans?
- 13 IQ. What are the threats of punishments that are invoked
14 by Rabbi Helbrans as far as the people who wish to
15 leave the community?
- 16 A. Oh, I can give you some examples of it.
- 17 IA. Je peux vous en donner des exemples.
- 18 A. When I considered leaving, he warned me what would
19 happen in afterlife to me.
- 20 IA. Quand j'ai envisagé la possibilité de quitter, il m'a
21 invoqué ce qui m'arrivera dans le monde de l'au-delà.
- 22 A. He said even if I would keep all the rules
23 perfectly...
- 24 IA. Il a dit que même si j'observais toutes les règles
25 parfaitement...

1 A. ... and even if I would become a leader, a rabbi, a
2 scholar...
3 IA. ... et même si je devenais un érudit, un rabbin...
4 A. ... then, when I would die, my soul would not go
5 through the cleansing process...
6 IA. ... à ma mort mon âme ne subirait pas un processus de
7 purification...
8 A. ... to... in order to be close with God.
9 IA. ... afin de me rapprocher de Dieu.
10 A. And instead, my soul would be ground up to dust...
11 IA. ... à la place, mon âme sera réduite en poussière...
12 A. ... and thrown underneath the feet of the righteous.
13 IA. ... et sera dispersée sous les pieds des... des bons.
14 A. This is a known concept in Judaism for somebody who
15 did something so bad that even cleansing cannot help
16 him.
17 IA. Ça c'est un concept qui est connu dans le judaïsme, à
18 savoir que même la purification ne l'aidera pas.
19 A. But also, and there will be fear of direct physical
20 damage from outside.
21 IA. Mais également il y aura également la crainte de
22 dommages physiques par l'extérieur.
23 A. And I will tell what things that happened at the end
24 of the Passover holiday.
25 IA. Et un incident qui s'est produit à la fin de la fête

1 de Pâques, de la Pâques juive.
2 A. It was at the time when the American Army found and
3 killed Osama bin Laden...
4 IA. À l'époque où l'armée américaine a localisé et a tué
5 Oussama Ben Laden...
6 A. And where the soldiers blew up a foreign helicopter,
7 the tail remained.
8 IA. Et alors que les soldats ont fait exploser un
9 hélicoptère, la queue est restée.
10 A. And it became known in the world that America
11 possesses stealthily silent helicopters. It was not
12 known before.
13 IA. Et le monde est venu donc à savoir que les États-Unis
14 possédaient des hélicoptères silencieux. Un fait qui
15 n'était pas connu auparavant.
16 A. And so he asked the rhetorical question, why does God
17 allow the government to develop these extreme kinds
18 of weapons?
19 IA. Donc la question rhétorique s'est posée, comment ça
20 se fait que Dieu permet à ce que ce genre d'armement
21 soit produit?
22 A. And he answered it that God's glory will be so much
23 greater...
24 IA. Et il a répondu en disant que la gloire de Dieu sera
25 bien plus grande...

1 A. ... that when in a couple of weeks, a month...
2 IA. ... quand, dans quelques semaines, dans un mois...
3 A. ... he said this Obama, this current President of
4 America, and the Prime Minister of Canada...
5 L'INTERPRETE :
6 Sorry? Osama bin Laden will become President?
7 THE WITNESS:
8 No, no, no. Obama, Barack Obama...
9 L'INTERPRETE :
10 Barack Obama.
11 THE WITNESS:
12 ... with... and the Prime Minister of Canada...
13 IA. Barack Obama et le premier ministre du Canada...
14 A. ... will come with the whole arsenal of every... all
15 these amazing weapons...
16 IA. ... vont exposer leur arsenal d'armement
17 extraordinaire...
18 A. Not "exposer". They will come with it.
19 IA. Ils vont arriver avec cet armement.
20 A. And he described it in picture language, how they
21 would come over the mountain ridges to Ste-Agathe-
22 des-Monts.
23 IA. Et il a décrit ça de façon imagée, comment est-ce
24 qu'ils vont arriver sur les flans de la montagne de
25 Ste-Agathe-des-Monts.

1 A. And they would shoot everything they have at this
2 community synagogue.
3 IA. Et qu'ils allaient lancer tout cet arsenal sur la
4 synagogue de la communauté.
5 A. He said that even though the walls are weak, and they
6 would sit, everybody would sit holding hands...
7 IA. Il a dit que malgré le fait que le monde est faible,
8 tout le monde s'assoiera ensemble et se tiendra la
9 main...
10 A. ... and doing the meditations according to the
11 written instructions that they were in the middle of
12 editing. They were on the table as he spoke.
13 L'INTERPRETE :
14 I'm sorry, I didn't understand.
15 THE WITNESS:
16 Everybody would be holding hands...
17 IA. Tout le monde se tiendra la main...
18 A. ... and making meditation...
19 IA. ... et procédera à une méditation...
20 A. ... according to the instructions and the thoughts
21 that were written in a document...
22 IA. ... selon les instructions et les pensées qui étaient
23 consignées dans un document...
24 A. ... that they were just finishing the editing of it.
25 IA. ... qu'ils étaient juste sur le point de finaliser.

1 A. And however, if somebody would have doubts...
2 IA. Toutefois, si quelqu'un avait des doutes...
3 A. ... then he will be taken outside, and it will be bad
4 for him.
5 IA. ... il sera mené à l'extérieur et ce sera, la
6 situation ne sera pas rose pour lui.
7 Me DANIEL VILLENEUVE :
8 IA. Est-ce que les gens, les membres de la communauté...
9 LA COUR :
10 Juste un moment. C'est à huis-clos, Monsieur. Est-ce
11 que vous êtes journaliste?
12 UNE PERSONNE NON IDENTIFIÉE :
13 Journaliste.
14 LA COUR :
15 O.K. Vous êtes avisé des règles que prévoit la loi
16 sur la protection de la jeunesse en regard de la
17 confidentialité?
18 UNE PERSONNE NON IDENTIFIÉE :
19 On ne nomme pas les témoins. C'est ça?
20 LA COUR :
21 Ce témoin-là on le nomme pas... ce témoin-là, on ne
22 le nomme pas. On ne nomme pas le nom des enfants, on
23 tout renseignement qui pourrait permettre
24 d'identifier les enfants qui font l'objet de requête
25 aujourd'hui.

1 UNE PERSONNE NON IDENTIFIÉE :
2 Très bien. Merci.
3 Me DANIEL VILLENEUVE :
4 Q. Donc, Monsieur Brudzevski, quel a été l'impact de ces
5 menaces du rabbin Helbrans sur les membres de la
6 communauté? Est-ce que les gens ont réellement peur
7 de cette conséquence?
8 IQ. So what was the impact of those threats made by rabbi
9 Helbrans? Did the members of the community actually
10 feared the consequences?
11 A. That was my feeling. I didn't believe it completely,
12 but it seems the... it seemed to me that people were
13 afraid of this happening, but hopeful that they would
14 be saved from this.
15 IA. C'était ce que ressentais. Je ne le croyais pas
16 vraiment, mais j'avais l'impression que les autres y
17 croyaient, et avaient espoir qu'ils allaient s'en
18 sortir.
19 A. And however, I was afraid that they would later deny
20 this
21 IA. Toutefois j'étais concerné par le fait qu'ils
22 allaient renier ceci par la suite.
23 A. So, when later everybody was sent out to collect
24 money for the community...
25 IA. Donc, par la suite, quand tout le monde a été envoyé

- 1 pour ramasser des fonds pour la communauté...
- 2 A. ... just a few days after, after the holiday...
- 3 IA. ... c'était quelques jours après les fêtes...
- 4 A. ... I told... I went into the house of an old friend
of mine and told him this.
- 5 IA. ... j'ai été à la résidence d'un de mes anciens amis
et je lui ai relaté ceci...
- 6 A. And so that he would have heard it right away, and
not be influenced by what would further go on in the
community.
- 7 IA. ... de sorte à ce qu'il l'entende tout de suite et
qu'il ne soit pas influencé par ce qui serait dit
dans la communauté.
- 8 Q. Avez-vous eu connaissance d'autres types de menaces
du rabbin Helbrans concernant d'autres choses qui
pourraient arriver à la communauté?
- 9 IQ. Were you aware of any other threats that were made by
Rabbi Elbranz as far as other things that might take
place in the community?
- 10 A. He would quite often threatening with leaving the
community...
- 11 IA. Souvent il menaçait de quitter la communauté...
- 12 A. ... which would effectively render them without any
way, any way, any leadership.
- 13 IA. ... ce qui ferait en sorte qu'ils seraient dépourvus

1 de dirigeant.
2 A. And to underscore this, he would sometimes seclude
3 himself and lock the doors to his apartment, not
4 speak with anybody.
5 IA. Et pour souligner ce fait, pour concrétiser cela, il
6 s'enfermait dans sa maison, il fermait la porte, il
7 verrouillait la porte et il ne parlait à personne.
8 A. And the community would take it very seriously.
9 Everybody would come and try to ask him for
10 forgiveness.
11 IA. Et la communauté prenait ça au sérieux, lui demandait
12 pardon.
13 A. Some people would sleep outside the doors of his
14 apartment...
15 IA. Et certaines personnes dormaient au pied de son
16 appartement...
17 A. ... because they are afraid of losing him.
18 IA. ... parce qu'ils avaient la crainte de le perdre.
19 A. And I mentioned before also that he... the rabbi
20 hinted to Yosef Sulimani...
21 IA. Et j'ai déjà mentionné que le rabbin a insisté au
22 rabbin Sulimani...
23 A. ... that bad things could happen if he didn't, if he
24 didn't do what's right.
25 IA. ... que des mauvaises choses peuvent arriver s'il ne

1 faisait pas ce qui était correct.
2 A. And of course everybody knew that if they're not
3 behaving, they could... the community could take away
4 their children, or even their wives.
5 IA. Et, bien sûr, tout le monde savait que s'ils se
6 conformaient pas, donc on pourrait prendre les
7 enfants et les femmes.
8 A. And, in fact... and most young couples were at some
9 point separated after the wedding.
10 IA. Et, en effet, la plupart des jeunes couples étaient
11 séparés après leur mariage.
12 A. There would also be the threat of being thrown out
13 from the community.
14 IA. Il y avait aussi la menace d'être expulsé de la
15 communauté.
16 A. And many members were at some point told to leave the
17 community.
18 IA. Et à certain nombre, plusieurs membres, on leur a
19 demandé de quitter la communauté.
20 A. And being that they have isolated themselves and cut
21 off from the world outside...
22 IA. Etant donné le fait qu'ils étaient isolés et coupés
23 du monde extérieur...
24 A. ... they would be very lost if they would actually
25 have to leave the community.

1 IA. ... ils auraient été vraiment perdus si c'était le cas.
2
3 Q. Avez-vous, Monsieur Brudzevski, entendu ou assisté à une rencontre avec le rabbin Helbrans où celui-ci a évoqué la possibilité que les membres de la communauté se suicident si la communauté devait être dissoute?
4
5
6
7
8 IQ. Did you participate in any meetings in which the rabbi said that members of the community would commit suicide if, in the event the community would break up?
9
10
11 A. No.
12
13 IA. Non.
14 Q. Avez-vous terminé les exemples de menaces auxquelles vous avez assisté du rabbin Helbrans? Je vous ai posé une question, mais vous étiez en train d'en décrire plusieurs.
15
16
17
18 IQ. Did you actually complete the examples in which you illustrated the threats made by Rabbi Helbrans, or are there any other examples? Did I interrupt you by asking you my last question?
19
20
21 A. Nothing comes to mind right now.
22
23 IA. Il n'y a rien qui me vient à l'esprit.
24 Me DANIEL VILLENEUVE :
25 Q. Très bien. J'ai pas d'autres questions.

1 IQ. No further questions.
2 LA COUR :
3 Maître Savard?
4 I. There will be questions from counsel.
5 -----

7 CONTRE-INTERROGE PAR ME ANNIE SAVARD

8 Pour le sujet :

9 Q. Lorsque vous quittez la communauté à l'automne deux
10 mille onze (2011)...

11 IQ. When you left the community in the fall of two

12 thousand and eleven (2011)...

13 Q. ... vous avez témoigné à l'effet qu'on enlève votre

14 femme?

15 IQ. ... you said, you testified that your wife was taken

16 away from you?

17 A. No, I didn't.

18 IA. Non, je n'ai pas témoigné à cet effet.

19 Q. Lorsque vous quittez la communauté en deux mille onze

20 (2011), vous vous établissez à quel endroit?

21 IQ. When you left the community in two thousand and

22 eleven (2011), where did you go?

23 A. I went to Denmark.

24 IA. J'ai été au Danemark.

25 Q. Avec votre femme?

- 1 IQ. Together with your wife?
2 A. Yes.
3 IA. Oui.
4 Q. Et à quel moment au juste on vous demande de prêter
5 serment? À quel moment on vous demande, à vous et
6 votre femme de prêter serment d'obéissance envers la
7 communauté?
8 IQ. And when exactly were you and your wife asked to take
9 an oath in favour of the community, like an oath...
10 A. Oh, in... it was when I discussed with my wife and we
11 decided on leaving...
12 IA. C'était quand j'ai discuté avec ma femme et que nous
13 avons décidé de quitter...
14 A. ... that they took away my wife from me.
15 IA. ... c'est là qu'ils ont retiré ma femme.
16 Q. À quel moment on se situe, s'il vous plaît?
17 IQ. When, precisely?
18 A. This is... this was in the early summer before that.
19 IA. C'était au début de l'été précédent.
20 A. It's... it was... yes. She was... it was at this...
21 it was at the... at just about the same day of the
22 year as our engagement had been (inaudible).
23 IA. Et ça a coïncidé avec la même journée où notre, nos
24 fiançailles ont eu lieu.
25 A. So I can find, I can find the exact... it also

1 coincided with my Jewish birthday. We can find the
2 date if necessary.
3 IA. Et ça coïncide exactement aussi avec mon anniversaire
4 juif, mais je ne peux pas vous préciser la date.
5 A. No, the Jewish date I know, but the non-Jewish date,
6 no.
7 IA. C'est-à-dire je peux vous préciser la date
8 hébraïque, mais je ne peux pas vous préciser la date
9 grégorienne.
10 Q. Ce n'est pas important.
11 IQ. It's not important.
12 Q. Vous décidez donc d'en discuter avec votre femme que
13 vous souhaitez quitter, et à ce moment-là, vous
14 mentionnez qu'on enlève votre femme. Exact?
15 IQ. So it was after you discussed with your wife the
16 possibility of leaving, and that's when they took
17 away your wife?
18 A. Yes.
19 IA. Oui.
20 Q. À quel endroit on confie votre femme exactement?
21 IQ. And where was your wife led, where was she...
22 A. I was called to the rabbi's office.
23 IA. On m'a convoquée dans le bureau du rabbin.
24 A. My wife didn't want to remain alone at home because
25 meetings at the rabbi could be very long.

- 1 IA. Ma femme ne voulait pas demeurer seule dans la maison
2 parce que les réunions avec le rabbin, les rencontres
3 pouvaient durer longtemps.
4 A. So I took her to her parents' house to stay there
5 while I was at the rabbi's office.
6 IA. Donc je l'ai amenée à la résidence de ses parents
7 entre-temps.
8 Q. Et par la suite, votre femme habite à quel endroit?
9 IQ. And afterwards, where did your wife reside?
10 A. She stayed with her parents.
11 IA. Elle est restée chez ses parents.
12 Q. Et c'est à partir de ce moment-là qu'on vous permet
13 de voir votre femme quelques heures par jour
14 seulement, exact?
15 IQ. And as of that moment you were only entitled to see
16 your wife a few hours a day, is that correct?
17 A. No.
18 IA. Non.
19 A. No, for two weeks I did not see my wife.
20 IA. Non, je n'ai pas vu ma femme pendant deux semaines.
21 A. I was not... no, I was not allowed to see my wife for
22 two weeks.
23 IA. Je n'avais pas le droit de voir ma femme.
24 A. For two weeks.
25 Q. Et ensuite on vous permet de voir votre femme une

1 heure par jour?
2 IQ. And afterwards you were allowed to see your wife an
3 hour a day?
4 A. Afterwards my wife was returned to live together at
5 home, but I had a rigid schedule that only allowed an
6 hour and a half of being together.
7 IA. Par la suite ma femme est retournée au foyer
8 familial, mais j'avais un horaire rigide, et je
9 pouvais la voir seulement durant ces horaires-là.
10 Q. Et c'est à quel moment exactement qu'on vous demande
11 de prêter serment d'obéissance?
12 IQ. When exactly were you asked to take that oath?
13 A. I was... I... the day after that they took my wife
14 away...
15 IA. C'était le lendemain après qu'ils ont pris ma
16 femme...
17 A. ... I was told that I would have to divorce her...
18 IA. ... on m'a indiqué qu'il fallait que je la divorce.
19 A. ... and... and the first day...
20 IA. Ce que je dis.
21 A. And in the beginning of the next week I was told that
22 we could go to a Jewish Court to make the divorce.
23 IA. Et au début de la semaine suivante, on m'a indiqué
24 que je ne pouvais... que je pouvais aller dans un
25 tribunal rabbinique juif pour finaliser le divorce.

1 A. The way it happened was that I was suggested a plan
2 that I could maybe remain in the community.
3 IA. Et puis la façon dont ça s'est passé c'est qu'on m'a
4 proposé un plan qui pourrait me permettre de rester
5 au sein de la communauté...
6 A. And I agreed to the plan before hearing what it was.
7 IA. J'ai accepté le plan avant d'écouter les spécificités,
8 les particularités du plan...
9 A. ... and... in order to show that I was obedient to
10 the rabbi.
11 IA. ... pour démontrer que j'étais obéissant envers le
12 rabbin.
13 A. And so the plan was that I would divorce my wife...
14 IA. Donc, le plan était que je vais divorcer ma femme...
15 A. ... and being free of marital obligations, and... I
16 could devote myself to... for... to curing the
17 borderline personality disorder.
18 L'INTERPRETE :
19 The what?
20 THE WITNESS:
21 I could devote myself to curing the BPD.
22 IA. Donc, le plan était que je vais divorcer ma femme et
23 puis, étant libre de toute contrainte maritale, donc
24 je pouvais me consacrer à ma... à mon traitement au
25 niveau du désordre de la personnalité...

1 LA COUR :

2 Personnalité limitée.

3 IA. ... limitée.

4 THE WITNESS:

5 And being that my wife had half a year left of

6 pregnancy...

7 IA. Et étant donné que ma femme avait encore six mois

8 jusqu'a ce qu'elle mène sa grossesse à terme...

9 A. ... and that it's customary by the Jews not... for a

10 divorced woman not to get married within two years of

11 giving birth...

12 IA. ... et que il est usuel dans la religion juive que la

13 femme ne peut pas se remarier deux ans après avoir

14 donné naissance...

15 A. ... and... I would have about two and a half years to

16 be successful in the treatment.

17 IA. Donc, j'aurais à peu près deux ans et demi pour

18 suivre le traitement, pour réussir mon traitement.

19 A. And if I would be successful, I would be allowed to

20 remarry my wife.

21 IA. Et, le cas échéant, j'aurais le droit de remarier ma

22 femme.

23 A. However, the rabbi told me that sometimes there are

24 exceptions to the two years' waiting.

25 IA. Toutefois le rabbin m'a indiqué que parfois il y a

1 des exceptions à la période d'attente de deux ans.
2 A. So we went... I was told that a car would take me to
3 the Jewish Court to make the divorce.
4 IA. Donc, on m'a dit qu'il y avait une voiture qui allait
5 me transporter au tribunal rabbinique pour les fins
6 du divorce.
7 A. And on the way towards Montreal, and... they
8 stopped...
9 IA. En route vers Montréal, ils se sont arrêtés...
10 A. ... and they told me that they are now... it's now
11 clear that I am obedient, because I'm willing to go
12 and make the divorce...
13 IA. ... et ils m'ont indiqué que c'était pas clair que
14 j'étais obéissant, que j'avais la volonté de donner
15 le divorce...
16 A. ... and... if I agree to certain conditions.
17 IA. Et seulement si j'étais d'accord avec certaines
18 conditions.
19 A. And so I accept... I said I accept any conditions
20 instead of divorcing my wife.
21 IA. Donc j'ai indiqué que j'étais d'accord avec toute
22 condition au lieu de divorcer ma femme.
23 A. We returned to the community.
24 IA. Nous sommes retournés dans la communauté.
25 A. And they had, they had assembled their Rabbinical

- 1 Court, their own Rabbinical Court.
- 2 IA. Et ils ont rassemblé leur propre tribunal rabbinique.
- 3 A. Is it interesting to know who was on the Court?
- 4 IA. Est-ce qu'il serait intéressant de savoir qui
- 5 siègeait sur ce tribunal?
- 6 LA COUR :
- 7 Yes, please.
- 8 ME ANNIE SAVARD :
- 9 Q. Oui.
- 10 A. It's the rabbi's oldest son.
- 11 IA. Le garçon, le plus âgé, du rabbin. Le fils le plus
- 12 âgé du rabbin.
- 13 LA COUR :
- 14 Q. De Helbrans?
- 15 A. Yes, the... Nachman Helbrans, and the husband of the
- 16 rabbi's oldest daughter, Aaron Taler.
- 17 IA. Et le fils de la fille... la fille la plus âgée du
- 18 rabbin.
- 19 A. And the father-in-law of the rabbi's youngest son...
- 20 IA. Et le beau-père du benjamin du rabbin, le fils
- 21 benjamin...
- 22 A. ...Moïshe Yosef Rosenen.
- 23 IA. ...Moïshe Yosef Rosenan.
- 24 A. And what they had prepared for me was two
- 25 documents...

- 1 IA. Il y avait deux documents qui étaient préparés à mon intention.
- 2 A. One, a formal oath...
- 3 IA. Et l'un, c'était un serment formel.
- 4 A. And the other one, conditions that would be included in the oath that I would have to sign on.
- 5 IA. Et l'autre c'était les conditions qui étaient comprises dans ce serment, sur lesquelles je devais signer.
- 6 A. So they explained all the details of the oath and the conditions to me.
- 7 IA. Ils ont expliqué tous les détails du serment et des conditions.
- 8 A. And then I went to make the oath according to all the rules of Judaism, of making formal oath.
- 9 IA. Et là j'ai pris le serment conformément aux préceptes du judaïsme.
- 10 A. The Shoah.
- 11 IA. Shvoah c'est... Schvoah, en hébreu, c'est un serment. A. It's, it's... it has... And it's... that kind of oath is so serious in Judaism...
- 12 IA. Donc, ce genre de serment est très sérieux...
- 13 A. ... that it has a status of another commandment being added to the Bible itself.
- 14 IA. ... que ça a le même statut comme si c'était un

- 1 nouveau commandement qui était ajouté à la Bible.
- 2 Q. Est-ce que je comprends que c'est suite à votre
- 3 souhait de quitter avec votre femme la communauté
- 4 qu'on vous diagnostique comme étant personnalité
- 5 "borderline"?
- 6 IQ. I understand that it was following the decision that
- 7 you took with your wife to leave the community that
- 8 you were diagnosed with borderline...
- 9 A. Personality.
- 10 IQ. ... disorder, personality disorder
- 11 A. The rabbi had mentioned problems by me, but he...
- 12 Initially he called it a... an internal cobra, cobra,
- 13 a snake.
- 14 IA. Donc initialement, le rabbin a mentionné que j'avais
- 15 des problèmes, mais il intuait ces problèmes comme
- 16 étant un "cobra", comme si j'avais un... un serpent
- 17 cobra à l'intérieur de moi.
- 18 A. But I don't remember when was the first time he
- 19 mentioned borderline personality disorder.
- 20 IA. Mais je ne me souviens pas exactement à quel moment
- 21 précis est-ce qu'il a mentionné le trouble de
- 22 personnalité limite.
- 23 Q. Donc vous prêtez serment, vous vous engagez à
- 24 respecter les conditions prescrites, vous et votre
- 25 femme?

- 1 IQ. So you took an oath, and you complied with respecting
2 very stringent, strict conditions, you and your wife?
3 Q. Qu'est-ce qui vous pousse à quitter la communauté
4 quelques mois plus tard?
5 IQ. What finally... how did you finally make up your mind
6 to leave the community a few months later?
7 A. No, I never changed my mind. I was not... never... I
8 didn't want to leave without my wife.
9 L'INTERPRETE :
10 Pardon?
11 THE WITNESS:
12 I never changed my mind.
13 IA. Je n'ai jamais changé d'avis.
14 A. I didn't want to leave the community without my
15 wife...
16 IA. Je ne voulais pas quitter la communauté sans ma
17 femme...
18 A. ... and my unborn child.
19 IA. ... et mon enfant qui était pour naître.
20 Me ANNIE SAVARD :
21 Q. Dans quelles circonstances vous avez quitté la
22 communauté?
23 IQ. So under which circumstances did you leave the
24 community?
25 A. About a week after, after the oath, my wife was

- 1 allowed back home...
- 2 IA. Une semaine après avoir prêté serment, ma femme
3 pouvait revenir à la maison.
- 4 A. And being that I knew that my wife also had wanted to
5 leave...
- 6 IA. Et étant donné que je savais que ma femme voulait
7 également partir...
- 8 A. ... I started a long plan of building up trust
9 between us...
- 10 IA. ... j'ai commencé à élaborer un plan de sorte que je
11 voulais instaurer la confiance entre nous...
- 12 A. ... as so that I could... we could eventually plan,
13 speak openly to plan to go away again.
- 14 IA. ... de sorte qu'on puisse parler de façon ouverte sur
15 la possibilité de quitter de nouveau.
- 16 A. But, of course, this time keeping it secret so that
17 they wouldn't take her away again.
- 18 IA. Mais bien sûr, cette fois faire en sorte que nos
19 plans demeurent secrets, de sorte qu'ils ne la
20 retirent pas de nouveau.
- 21 A. And so, at this time the case of Shaoul Bowers'
22 daughters was relevant in Israel and in the airport
23 here.
- 24 IA. Donc, à cette époque-là, la cause des filles de
25 Shaoul Bowers était d'actualité ici et en Israël.

- 1 A. And... and...
- 2 Q. Je m'excuse, vous faites référence aux deux jeunes filles qu'on a tenté d'introduire dans la communauté Lev Tahor, en provenance d'Israël?
- 3
- 4 IQ. You are referring to the two young girls that there was an attempt to introduce them into the Lev Tahor community?
- 5 A. Yes.
- 6 IA. Oui.
- 7 A. And it was claimed in Court in Israel...
- 8 LA COUR :
- 9 Encore une fois ici, il ne sera pas autorisé de mentionner le nom des deux jeunes filles, nom qui vient d'être mentionné.
- 10 THE WITNESS:
- 11 It was, it was claimed in Israel that Lev Tahor was a cult.
- 12 IA. Donc, en Israël, on alléguait que Lev Tahor, c'est une secte.
- 13 A. And the rabbi spoke about it and made fun of it.
- 14 IA. Et le rabbin en parlait, il en faisait des blagues.
- 15 A. However, the community wanted a proper answer in Court in Israel.
- 16 IA. Toutefois, la communauté voulait une réponse claire en Israël.
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- 1 A. And being that I was the main person there, and
2 knowing, known of the world outside, and knowing
3 English...
- 4 IA. Et étant donné que j'étais l'une des seules personnes
5 à connaître le monde extérieur et à maîtriser la
6 langue anglaise...
- 7 A. ... and Nachmann Helbrans asked me, "How do we prove
8 that we are not a cult?"
- 9 IA. ... Nachman Helbrans m'a demandé comment est-ce qu'on
10 pourrait faire pour prouver que nous ne sommes pas
11 une secte.
- 12 A. So in the office where I worked I had the Internet
13 access...
- 14 IA. Donc, j'avais accès à Internet au bureau où
15 j'étais...
- 16 A. ... and I went to look up what is a cult, what are
17 they really talking about.
- 18 IA. ... et là j'ai fait des recherches à savoir qu'est-ce
19 qu'il définit une secte.
- 20 A. And based on the various checklists from authorities,
21 I told Nachman Helbrans that we are a cult.
- 22 IA. Et, basé sur des critères qui ont été déterminés par
23 certaines autorités, j'ai indiqué à Helbrans que nous
24 sommes une secte.
- 25 A. And however it may be that Judaism should be done in

- 1 a sect way... in a cult way...
- 2 L'INTERPRETE :
- 3 Pardon?
- 4 A. I said maybe Judaism should... maybe it is the right way to do Judaism, Jewish practice, in a cult.
- 5 IA. Je lui ai indiqué que c'était peut-être la bonne manière de pratiquer le judaïsme de cette façon...
- 6 A. ... but still, if he wants my help to prove, falsely prove that we are not a cult...
- 7 IA. ... mais si toutefois il voulait quand même mon assistance pour prouver à tort que nous ne sommes pas une secte...
- 8 A. ... then I would still try to assist in that, whatever I could.
- 9 IA. ... que j'allais essayer quand même de l'assister du mieux possible.
- 10 A. And, but... and this opened my eyes to what a cult is, how it works, and its effects on members.
- 11 IA. Et ça, ça a ouvert mes yeux par rapport à ce qu'est un culte et les conséquences que ça peut avoir sur ses membres.
- 12 A. And being that I was not allowed to speak against anybody or anything in the community...
- 13 IA. ... et étant donné que je ne pouvais pas parler en mal sur quiconque de la communauté...

1 A. ... I started using my time with my wife to teach her
2 about the general concept of cults.
3 IA. ... j'ai commencé à utiliser mon temps pour enseigner
4 à ma femme les différents concepts d'une secte.
5 A. And in order to have more time with her, and I faked
6 being very, very tired and exhausted.
7 IA. Afin de pouvoir passer plus de temps avec elle, j'ai
8 fait semblant d'être fatigué et épuisé.
9 A. And I blamed it on working very hard on myself to
10 break my, my... the mental illness that they claimed
11 I had.
12 IA. Et puis j'ai attribué ça au fait que je travaillais
13 fort sur moi-même pour essayer de me débarrasser de ma
14 maladie mentale.
15 A. So this way, I could... I would stay up at night and
16 I would be sleeping by day.
17 IA. De sorte que j'ai resté éveillé la nuit, et je
18 dormais la journée.
19 A. And I would slowly, slowly teach my wife about cults
20 and all the related subjects and effects.
21 IA. Et puis peu à peu j'ai enseigné ma femme sur les
22 cultes et tout ce qui a trait aux cultes.
23 A. And especially the way members will speak and explain
24 things.
25 IA. Surtout la façon dont les membres parlaient et

- 1 explicitement certaines choses.
- 2 A. And eventually my wife started recognizing the
3 patterns in the community itself.
- 4 IA. Et en bout de ligne, ma femme a fini par réaliser ce
5 qui se passait dans la communauté.
- 6 A. And... and eventually, I could speak with her openly
7 about the danger and the necessity of running away.
- 8 IA. Et finalement j'étais en mesure de lui parler de
9 façon ouverte sur les dangers et sur la nécessité de
10 partir.
- 11 A. And we kept... and she was, she was with me on
12 keeping it secret from the community that we were
13 planning to leave.
- 14 IA. Et elle était de connivence avec moi, de sorte qu'on
15 pouvait garder nos plans secrets.
- 16 A. Is it relevant how we ran away?
- 17 Me ANNIE SAVARD :
- 18 Q. C'est exactement ce que je veux savoir, de quelle
19 façon vous avez réussi à quitter la communauté.
- 20 IQ. That's exactly what I wanted to know, exactly how did
21 you manage to run away from the community?
- 22 A. To run away. I... through, through the local rabbi in
23 Sainte-Agathe, Karlbach... .
- 24 IA. À travers le rabbin local à Sainte-Agathe,
25 Karlbach... .

- 1 A. ... I started moving our belongings, the most
2 necessary belongings to this rabbi's girls' school in
3 middle of Sainte-Agathe.
4 IA. ... j'ai commencé à déménager mes effets personnels,
5 les effets personnels de base dans une école pour
6 filles, située en plein centre de Ste-Agathe.
7 A. And because I worked in the office, I had a lot of
8 errands to do outside of the community.
9 IA. Et étant donné que je travaillais dans le bureau,
10 j'avais beaucoup de courses à faire à l'extérieur de
11 la communauté.
12 A. And so I used every opportunity when I... whenever I
13 would leave, to take more belongings along to the
14 girls' school.
15 IA. Donc, j'ai saisi chaque occasion que je sortais à
16 l'extérieur pour transporter d'autres effets
17 personnels à cet endroit.
18 A. And I had secretly bought a computer.
19 IA. Et de façon secrète j'ai acheté un ordinateur.
20 A. And I switched our phone line at home to include an
21 Internet connection.
22 IA. Et puis j'ai également ajouté une connexion internet
23 sur notre ligne téléphonique résidentielle.
24 A. And my... actually my wife pushed the button to buy
25 plane tickets to Europe.

1 L'INTERPRETE :
2 "Pushed the buttons", in what sense, she had
3 connections?
4 THE WITNESS:
5 No, that I wanted...
6 L'INTERPRETE :
7 No?
8 THE WITNESS:
9 ... I wanted to make sure that she was completely
10 with me on the idea, I was not, not pushing her to
11 anything.
12 L'INTERPRETE :
13 Okay, she pushed the button, she's the one who
14 initiated that?
15 THE WITNESS:
16 She's the one who made the final decision
17 (inaudible).
18 L'INTERPRETE :
19 Okay.
20 IA. Donc, c'est ma femme qui a finalement pris la
21 decision finale pour acheter les billets d'avion vers
22 l'Europe.
23 A. And I paid for all the expenses with money that my
24 family sent me from Europe.
25 IA. Et j'ai payé toutes les dépenses avec l'argent qui

- 1 m'a été envoyé par ma famille en Europe.
- 2 A. And this rabbi, Rabbi Karlebach, arranged for a car
3 to come and pick us up.
- 4 IA. Et le rabbin Karlebach a arrangé le transport qui est
5 venu nous chercher.
- 6 A. So, and everything was... everything was timed and
7 planned so that it would be, it would be dark and
8 nobody would be around, and no light would... lights
9 would be on.
- 10 IA. Donc, tout a été planifié, de sorte que personne ne
11 pouvait nous voir, il faisait sombre dehors, et
12 cetera...
- 13 A. ... with... with... just at the right agreed-upon
14 time, we ran through the gardens, through the bushes,
15 to...
- 16 IA. Donc on s'est mis d'accord sur l'heure, et puis on
17 s'est fauillés à travers les buissons...
- 18 A. ... and into the car that was there on time.
- 19 IA. ... et on est rentrés dans la voiture qui nous
20 attendait à l'heure.
- 21 A. And we went to the airport.
- 22 IA. Et nous nous sommes dirigés vers l'aéroport.
- 23 Me ANNIE SAVARD :
- 24 Q. Et à partir de ce moment, vous n'avez plus aucun
25 contact avec la communauté Lev Tahor?

- 1 IQ. And as of that moment, did you keep in contact with the Lev Tahor community?
- 2 A. No. We did not have anything to do with them, and until... and nothing... and anything to do with them directly until our child was born three months later.
- 3 Q. Non. On a eu aucun contact avec eux, le contact ne s'est produit qu'une fois que notre enfant est né.
- 4 L'INTERPRÈTE :
- 5 How long after?
- 6 THE WITNESS:
- 7 Three months.
- 8 IA. Trois mois plus tard.
- 9 A. A... a main reason was because of the oath that I swore...
- 10 IA. Et la raison principale résidait dans le fait que j'avais prêté serment...
- 11 A. ... and part of the oath was that if the community would ask me to divorce my wife...
- 12 IA. ... et dans le cadre de ce serment, si la communauté me demandait de divorcer ma femme...
- 13 A. ... I would be obligated with an... like a Biblical obligation to divorce her right away.
- 14 IA. ... je serais obligé, sur le plan biblique, de la divorcer sur-le-champ.
- 15 A. And the idea would be that if they cannot tell me,

- 1 I'm not obligated.
- 2 IA. Et puis l'idée était que s'ils ne pouvaient pas m'en
3 donner la consigne, je ne serais pas obligé.
- 4 A. And also, my wife did not want to contact her family,
5 even though I encouraged her to do so.
- 6 IA. Et puis également ma femme ne voulait pas contacter
7 sa famille, bien que je l'aie encouragée à le faire.
- 8 A. And after our baby was born, my wife spoke to her
9 family on the phone for the first time.
- 10 IA. Après la naissance de notre enfant, ma femme a parlé
11 au téléphone avec sa famille pour la première fois.
- 12 Me ANNIE SAVARD :
- 13 Q. Est-ce que vous avez reçu des menaces suite à votre
14 départ?
- 15 IQ. Did you receive any threats following the fact that
16 you left?
- 17 A. No.
- 18 IA. Non.
- 19 Q. J'aimerais revenir avec vous au sujet des corrections
20 physiques qui sont infligées aux enfants.
- 21 LA COUR :
- 22 Maître Savard, je vais juste vous interrompre. Avez-
23 vous encore beaucoup de questions?
- 24 Me ANNIE SAVARD :
- 25 Non, pas tellement.

1 LA COUR :
2 Bien. Parce que...
3 Me ANNIE SAVARD :
4 Je vais tenter de me limiter.
5 LA COUR :
6 Non, je vais vous dire pourquoi. La raison était que
7 je crains que nous ne terminions pas aujourd'hui, et
8 je vais prendre des arrangements, parce qu'il n'y a
9 pas de salle de disponible demain, mais je dois faire
10 très très vite pour prendre des arrangements pour
11 continuer la cause demain. Alors je vais donc
12 ajourner maintenant.
13 Est-ce que les avocats, vous faites le même
14 constat que moi qu'on ne finira pas aujourd'hui la
15 cause?
16 Me ANNIE SAVARD :
17 Oui.
18 LA COUR :
19 Bien, c'est vous, là. C'est une question que je vous
20 pose, parce que vous m'avez dit que vous aviez encore
21 un autre témoin...
22 Me DANIEL VILLENEUVE :
23 Je vais avoir une question à monsieur Barabdy, puis
24 environ, je dirais, une trentaine de minutes avec
25 madame Tye.

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Me DANIEL VILLENEUVE :

Monsieur Baraby ou quelqu'un d'autre.

LA COUR :

Je voulais laisser l'interprète terminer.

Me DANIEL VILLENEUVE :

Je dirais pour ma preuve trente-cinq (35) minutes,

là, sans...

LA COUR :

Sans les contre-interrogatoires.

Me ANNIE SAVARD :

J'ai bon espoir qu'on pourrait peut-être prolonger un

peu pour obtenir une décision cet après-midi,

Monsieur le Juge.

LA COUR :

Une décision cet après-midi?

Me ANNIE SAVARD :

En se limitant.

LA COUR :

Je vais aller prendre des arrangements pour m'assurer

qu'il y a une salle demain. On va ajourner quinze

minutes.

SUSPENSION DE L'AUDIENCE (15h15)

REPRISE DE L'AUDIENCE (15h29)

1 LA COUR :

2 Alors j'ai pris les arrangements, nous avons cette

3 salle demain matin.

4 LA GREFFIÈRE :

5 Alors vous poursuivrez sous la même affirmation

6 solennelle.

7 I. You are under the same oath.

8

9 Mme JUDITH BOTBOL, interprète

10 SOUS LE MÊME SERMENT

11 -----

12 Mr. ADAM BRUDZEWSKI

13 UNDER THE SAME OATH

14

15 CONTRE-INTERROGÉ PAR ANNIE SAVARD (continuation) :

16 Q. Alors par efficacité, Monsieur le Juge, j'aurai

17 seulement une dernière question. J'ose espérer qu'on

18 pourra peut-être terminer ce soir, aujourd'hui.

19 I. So there would be one last question to the witness.

20 THE WITNESS:

21 I would like to add something to my "no", if I

22 received any threats. As I worked in the office, and

23 I... I had on my computer all relevant documents for

24 the community.

25 IA. Donc, en ce qui a trait aux menaces, donc je voudrais

1 ajouter le fait que quand je travaillais dans le

2 bureau, j'avais toutes sortes de documents.

3 A. And also those that would be very problematic for the
4 community if they would be publicly available.

5 IA. Et j'avais des documents justement qui auraient pu
6 être très problématiques envers la communauté si
7 jamais ils étaient mis à jour, si jamais ils étaient

8 exposés.

9 A. So at... while I left the computer, I took along my
10 hard disk when I left.

11 IA. Donc, quand j'ai pris mon ordinateur, j'ai également
12 pris mon disque dur.

13 A. And I made sure to always carry with me, I still do,
14 always carry a memory stick with all the documents.

15 IA. Et je me suis assuré d'avoir une clé USB pour
16 emmagasiner tous les documents.

17 A. So, and, so it would be known to them in the
18 community that if they would try to do me something,
19 I would always have available the things to publish.

20 IA. De sorte que la communauté sache que si jamais ils
21 essayaient de s'en prendre à moi, que j'ai en ma

22 possession ce genre de documentation.

23 A. And I figured that's why they wouldn't even dare to
24 threaten me, or to do me anything.

25 IA. Et je me suis dit c'est fort probablement la raison

- 1 pour laquelle ils n'ont pas, ils n'ont même pas
2 essayé de proférer des menaces contre moi, ou autre
3 chose.
4 Q. Vous avez parlé, vous avez donné des exemples de
5 plusieurs jeunes filles qui sont mariées, jeunes
6 filles entre quatorze (16) et seize (16) ans. Vous en
7 avez nommées sept, d'autres.
8 IQ. You gave examples of several girls, many girls that
9 were married in the community, that were aged between
10 fourteen (14) and sixteen (16). In total you gave
11 seven examples.
12 IA. Quelle est l'occupation de ces jeunes filles une fois
13 qu'elles sont mariées, à l'âge de quatorze (14) ans,
14 par exemple?
15 IQ. What is the occupation of those young girls once they
16 are married at fourteen (14), for example?
17 A. Except for the older women that are active in the
18 community, and some younger that teach...
19 IA. Sauf pour les femmes les plus âgées qui sont actives
20 au sein de la communauté, et certaines plus jeunes,
21 qui enseignent...
22 A. ... no... woman in the community works.
23 IA. ... aucune femme dans la communauté ne travaille.
24 Q. Que font-elles?
25 IQ. What do they do?

- 1 A. They, they... they help, help in the larger families...
- 2 IA. Elles aident les familles plus nombreuses...
- 3 A. ... and families that need help.
- 4 IA. ... et les familles qui ont besoin d'assistance.
- 5 A. For example, if a woman is in danger of a spontaneous abortion during a pregnancy...
- 6 IA. Par exemple, s'il y a une femme qui est en danger de subir un avortement spontané...
- 7 A. ... then a young woman or even a girl might come to her home to help.
- 8 IA. ... donc une jeune fille peut venir chez elle à la maison pour lui prêter assistance.
- 9 Q. Est-ce exact de dire également que lorsque les jeunes filles sont mariées, elles, à ce moment-là occupent des tâches à la maison? S'occupent de la nourriture, du ménage, et que...
- 10 IQ. Is it true to say that once the young girls are married they also assume certain tasks at home, for example preparing the meals and taking care of the house, household chores?
- 11 A. Yes, of course... of their own house, of course, and, and also main obligation of producing more children for the community.
- 12 IA. Oui, de leur propre maison, bien sûr, et également

- 1 l'obligation d'avoir plus d'enfants.
- 2 A. Every woman is obligated to use ovulation tests to
3 maximize children production.
- 4 IA. Chaque femme est obligée d'utiliser un test
5 d'ovulation pour maximiser ses chances de tomber
6 enceinte.
- 7 Q. Je comprends que dès le mariage, on demande aux
8 femmes dès lors de concevoir et de faire des enfants,
9 donc si la femme a quatorze (14) ans, à partir de ce
10 moment-là, elle doit commencer la famille?
- 11 IQ. So I understand that each woman, from the moment that
12 she gets married, has the obligation to make
13 children? Even if for example the girl is fourteen
14 (14) years old, she is obligated to start a family
15 right away?
- 16 A. Yes, and for example the rabbi's middle daughter...
17 IA. Oui. Par exemple, la fille cadette du rabbin...
18 A. ... and got married a couple of months after turn...
19 after fourteen (14)...
- 20 IA. ... s'est mariée quelques mois après son quatorzième
21 anniversaire...
- 22 A. ... and had her first child just upon turning fifteen
23 (15).
- 24 IA. ... et a eu son enfant juste à l'aube de ses quinze
25 (15) ans.

- 1 Q Etes-vous en mesure de nous dire quel âge avait son
2 mari?
- 3 IQ. Are you able to tell us how old was her husband?
- 4 A. The same age.
- 5 IA. Le même âge.
- 6 Q. Le même âge. Alors lorsque les jeunes filles sont
7 mariées, est-ce exact de dire qu'elles cessent d'être
8 scolarisées, et qu'elles occupent le travail dont on
9 l'a dédiée, c'est-à-dire de voir à la maison et aux
10 repas et de s'occuper des enfants?
- 11 IQ. Is it true to say that once the girls are married
12 they no longer attend school, and that they have to
13 take care of the house, making children, et cetera?
- 14 A. Yes, and... but they would not only leave school to
15 get married, even, even before.
- 16 IA. Non, mais elles ne cessent pas de fréquenter l'école
17 à partir du moment où elles se marient. Ça peut se
18 produire même avant.
- 19 A. As in the higher grades in the girls' school, the
20 classes shrink when the girls get married.
- 21 IA. Dans les classes supérieures, une fois que les filles
22 se marient, donc les classes deviennent restreintes,
23 sont plus restreintes.
- 24 A. And when only a couple of girls are left, they become
25 teachers for the young girls.

- 1 IA. Et alors qu'il n'y a que quelques filles qui restent,
2 elles, à leur tour, deviennent enseignantes pour les
3 plus jeunes.
4 A. So then not only the girls would not go to school
5 after fourteen (14), even if they're not married.
6 IA. Donc, même si les filles ne sont pas mariées à
7 quatorze (14) ans, elles ne fréquentent pas l'école
8 pour autant.
9 A. May I add?
10 IA. Est-ce que je peux ajouter quelque chose?
11 Q. Yes.
12 A. For example, my... by the time I got married, my wife
13 didn't go to school anymore.
14 IA. Par exemple, dès que je me suis marié, ou au moment
15 où je me suis marié, ma femme ne fréquentait plus
16 l'école.
17 A. And she was a substitute for... in the school, in the
18 girls' school.
19 IA. Elle était suppléante à l'école des filles.
20 Q. Elle avait quinze (15) ans lorsque vous êtes
21 mariés?
22 IQ. She was fifteen (15) when you got married?
23 A. Yes.
24 Q. Et depuis quel âge ne fréquentait... elle ne
25 fréquentait plus l'école?

1 IQ. And since when, at what age did she cease going to
2 school, to stop going to school?
3 A. Well, actually, I think she stopped, stopped going to
4 school and started teaching about a year before we
5 got married.
6 IA. Je pense que ça s'est produit à peu près un an avant
7 notre mariage.
8 Q. Quel âge vous aviez lorsque vous avez marié votre
9 femme?
10 IQ. And how old were you when you got married?
11 A. I was twenty-five (25).
12 A. Vingt-cinq (25) ans.
13 LA COUR :
14 J'ai quelques questions pour le témoin.
15 I. That would be all. Thank you for your testimony.
16 LA COUR :
17 Non, non, non, j'ai quelques questions pour le
18 témoin.
19 L'INTERPRÈTE :
20 Oh! I'm sorry.
21 LA COUR :
22 I have some questions.
23 L'INTERPRÈTE :
24 Okay, okay. I was fast on the button.
25 IA. Vous êtes resté au Danemark combien de temps?

- 1 IQ. How long did you stay in Denmark?
- 2 A. About eight months.
- 3 IA. Environ huit mois.
- 4 Q. Et vous êtes revenu quand, exactement?
- 5 IQ. When did you come back?
- 6 A. Come back?
- 7 IA. Revenu où?
- 8 Q. Au Canada.
- 9 IQ. When did you...
- 10 A. I came to Canada half a year ago.
- 11 IA. Je suis revenu au Canada il y a six mois.
- 12 Q. Après huit mois au Danemark?
- 13 IQ. After you stayed...
- 14 A. No.
- 15 IQ. ... eight months in Denmark?
- 16 A. No, we were eight months in America.
- 17 IA. Non, nous sommes restés huit mois aux États-Unis.
- 18 Q. Merci.
- 19 IQ. Thank you.
- 20 IA COUR :
- 21 Le témoin est libéré?
- 22 Me DANIEL VILLENEUVE :
- 23 Est-ce qu'on peut libérer l'interprète également?
- 24 IA COUR :
- 25 Tout à fait.

22 Sténographe officielle bilingue

21 GEORGETTE SAVOIE #289153-1

20

19

18

17

16

15 Et j'ai signé :

14

13 conformément à la Loi.

12 meilleur de la qualité dudit enregistré, le tout

11 d'enregistré numériquement hors de mon contrôle et au

10 précédent sont et contiennent la transcription

9 officielle bilingue, certifiée que les pages qui

8 de soussignée, GEORGETTE SAVOIE, sténographe

7

6

5

4 - FIN DE L'EXTRAIT DE L'AUDIENCE -

3

2

1 - END OF THE DEPOSITION OF THE WITNESS -

APPLICANT:

Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

LAWYER:

Loree Hodgson-Harris
Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario N7L 1C5
519-352-0440

RESPONDENTS:

Miriam Gittel Helbrants (also known as Helbrants)
Yochanan Laver

**AFFIDAVIT OF GARNET ESKRITT
SWORN DECEMBER 17, 2013**

I, Garnet Eskritt, of the Municipality of Chatham-Kent, Province of Ontario, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am Child Protection Worker as the term is defined under the *Child and Family Services Act (Ontario)* and have been in the employment of Chatham-Kent Children's Service (hereinafter referred to as "the Society") since May 23, 2006.
2. My academic background includes a Bachelor of Arts Degree in Sociology from the University of Windsor.
3. I am a Society Intake Worker and as such I have knowledge of the matters hereinafter referred to.
4. With respect to the children who are the subjects of this Motion:
 - a) Mendel Helbrants was born on May 13, 2009.
 - b) Shea Baila Helbrants born on July 13, 2012.
 - c) The children's religion is Jewish.

- (d) The children do not have Native Status.
 - (e) The mother of the children is Miriam Gittel Helbrans (also known as Helbrants).
 - (f) The father of the children is Yochanan Laver.
 - (g) There are no other parents within the definition of the current child welfare legislation.
5. On December 12, 2013, I attended at the home of Batsheva Alter (Feder) and Pinchus Feder at 220 St. Clair Street, Apartment 5, Chatham, Ontario, with Intake Worker Kerry Rumble. Approximately thirty (30) minutes into conducting an interview with the family, I heard what appeared to noises coming from a child in a stroller facing the corner in the kitchen. I approached the stroller and observed a small female child sleeping in the stroller. Mr. Feder advised me that they were babysitting for their neighbour Miriam Helbrans (also known as Helbrants) (herein after referred to as "the mother"). Mr. Feder advised me that they had been caring for the child for approximately one (1) hour and that the mother was expected back anytime soon. Mr. Feder stated to me that the child's name was Sheia.
6. As I continued to interview Mr. Feder, approximately thirty (30) minutes later the child Sheia woke up. As Sheia had moved in the stroller, I was able to observe what appeared to be a dime size bruise located on her left cheek, adjacent to the left corner of her mouth. I requested that Ms. Rumble observe the injury.
7. Ms. Rumble and I questioned Batsheva Alter if she was aware of the injury to the child. Ms. Alter stated that it was not an injury that the mother had informed her that the child Sheia had marker on her face. Ms. Alter went on to explain that the mother told her that the father had purchased markers for the children to play with but had not realized they were permanent markers. Sheia had been playing with a marker and had written on her face and hands. Ms. Alter stated that the mother had been able to get the marker off Sheia's hands but had been unable to wash it off of her face. Ms. Alter explained that this occurred several days ago.

8. Ms. Rumble and I asked if the family could locate that mother and Yochanan Laver (hereinafter referred to as "the father"). Mr. Feder stated to me that the mother was shopping and had been expected back by now and that that father was at the school with the mother and the father's son Mendel Helbrants. I requested that Mr. Feder contact the father at school and that they attempt to contact the parents. Mr. Feder made several telephone calls over the next thirty (30) minutes but refused to contact the school to request the father return home.
9. Ms. Rumble advised Ms. Alter and Mr. Feder that the child Sheia would be brought back to the Society office for further investigation. Ms. Rumble assisted Ms. Alter in putting Sheia's coat on and I observed Ms. Rumble to put Sheia into a car seat in order to transport her to the Society office.
10. As Ms. Rumble and I were departing the Feder home, Mr. Feder advised me that he had now called the school and the father would be at the home in five (5) minutes. I advised Mr. Feder that we had now waited for almost one (1) hour for the mother whom Mr. Feder had reported on two (2) different occasions was heading home and that the father would not be able to be contacted at the school. I advised Mr. Feder that I would personally attend at the school and speak to the father. Mr. Feder agreed to remain at the home in the event that the mother or the father returned to the home. Mr. Feder advised me that should the mother and or the father return to the home, he would have them contact the Society.
11. I arranged for Family Service Worker Ted Heath to join me and we attended at 24496 St. Clair Road, Chatham, also known as Spurgeon's Villa, the location of the school operated by the Lev Tahor community.
12. Upon my arrival at Spurgeon's Villa, I observed Mr. Mager Rosner entering the school and moments later he exited with the father. I approached the father and advised him of the investigation and requested that he and his son Mendel attend at the Society office for further investigation. The father agreed to my request. I advised the father that I could

provide transportation for himself and Mendel if needed. The father stated that they would require transportation.

13. I walked with the father to Unit 31 where Sara Feigg Albrans was providing child care for Mendel at the time. When leaving Ms Albrans' home with the father and Mendel, I requested that the father bring kosher food for the children in the event the investigation became lengthy and the children became hungry. Ms. Albrans provided the father with several cookies and oranges for the children.

14. When I returned to my vehicle from Unit 31, I observed that Mr. Rosner was also in the vehicle. I was advised that Mr. Rosner would be accompanying the father and Mendel to the Society office. There was little conversation during the drive to the Society office, with the exception of Mr. Rosner receiving and making many telephone calls.

15. Upon our arrival at the Society office, we were met by Intake Supervisor Robin Rose and Chatham-Kent Police Constable Jen Jacobson. Ms. Rose and Constable Jacobson introduced themselves to the father and Mr. Rosner and outlined the investigation process. Following introductions, the father and Mr. Rosner were taken to a waiting room. Moments after arriving, Mr. Rosner's wife, Malka Rosner, attended at the Society office. Mr. Rosner advised me that he believed the injury to the child Sheia was due to the child having sensitive skin and that he had requested his wife to attend to Society office to explain the child's sensitive skin issues.

16. At this time, the mother arrived at the Society office and Ms. Rumble and Constable Jacobson interviewed the mother. While this occurred, I spoke briefly with the father. The father stated to me that he had not observed any injuries on the child Sheia. The father advised me that Sheia had colored on her face with permanent magic marker. The father stated that last Friday, December 6, 2013, he had purchased markers but had not realized that there were both permanent and washable markers. The father stated he had purchased permanent markers. On Sunday, December 8, 2013, when he had returned home at approximately 9:00 p.m., the children were already in bed. The father stated that

the mother had informed him that the child Mendel had been playing with the permanent markers and Shea had gotten those markers and coloured on her hands and face.

17. The father also explained that if an injury had occurred today [December 13, 2013], that he would not have known about it as he had been out of the home since 10:00 a.m. The father advised me that he left the home at 10:00 a.m. as he was a teacher at the school. He had four (4) students, all aged six (6) years. He taught religious studies around the Torah.

18. While waiting for the police to interview him, the father left to use the washroom. Moments later, Mr. Rosner also left for the washroom as well. After a few minutes, the father returned first. Immediately upon his return, the father stated to me that he had another possible explanation for the injury to the child Shea. The father stated to me that the mother had told him that Shea had been visiting a neighbor by the name of Toby Helbrans. Ms. Helbrans has a child named Masit who was three (3) years old and reportedly there had been an incident whereby Masit had grabbed Shea by the face. The father advised me that this had occurred on December 11, 2013. The father further reported to me that the mother had informed him that Masit had grabbed Shea's right cheek. I advised the father that these matters could be discussed further in the police interview. I did not question the father regarding his unsolicited disclosures.

19. On December 12, 2013, Chatham-Kent Police Constable Jennifer Jacobson and I conducted a videotaped interview with the father. The father disclosed information similar to that provided to me in the waiting room Shea writing on her face with permanent markers and the child Masit grabbing Shea's face, the father stated that he was unsure which of these incidents may have caused the injury. The father stated that he did not observe either incident and that he had been informed of these incidents by the mother. The father explained that Shea had sensitive skin and that they had seen a specialist in the past so they were very careful with her skin.

20. The father denied that they used physical discipline for the children. The father stated that they removed toys or did not give treats to the children if they misbehaved. The

father denied the use of illicit drugs or alcohol. The father denied that there was domestic violence in the relationship between he and the mother.

21. On December 12, 2013, Intake Worker Kerry Rumble, Intake Worker Jennifer Doran, Constable Jennifer Jacobson and I spoke with both parents regarding the investigation. Ms. Rumble advised the parents that the children would remain in the care of the Society. I observed the mother to become very distraught and cry, scream and lay down on the floor rolling while crying and screaming. The mother would not stop and allow my colleagues and I to explain the situation. I heard the mother make statements that she would kill herself if her children were not in her care. I observed Ms. Doran ask the mother if she required medical help or if she was saying that she was going to harm herself. The mother stated that she would not harm herself.

22. I spoke with the father and requested that the father provide the Society with copies of the children's birth certificates, health cards and clothing. The father advised me that he and I could return to his home and he would provide the requested information. I also requested that the father assist the Society in meeting the religious needs of the children and in providing kosher food for the children. The father agreed to my request.

23. During my conversation with the father, the mother repeatedly interrupted and requested that the children be placed with members of the Lev Tahor community. I advised the father and the mother that at this time it was not possible but that should they present a plan, the Society would consider all options.

24. At this time, I left the Society office with the father and Family Service Worker Ted Heath. We attended at the father's home where we were provided with the requested items and food for the children. I also made arrangement to meet with the father at 8:30 a.m. on December 13, 2013, to pick up breakfast for the children.

25. After Mr. Heath and I received the requested items from the father, we attended at the Chatham-Kent Health Alliance with Ms. Doran, Ms. Rumble and the children. The children were examined by Dr. Newell. Dr. Newell observed Shea to have a very minor diaper rash and a bruise on her right forearm. Dr. Newell also confirmed to me that the

mark on Shea's left cheek was a bruise and not permanent marker. Dr. Newell did not observe any injuries on the child Mendel. Dr. Newell stated that with the exception of the bruises the children appeared generally in good health.

26. On December 12, 2013, Mendel and Shea were placed in Society foster care.

27. On December 13, 2013, I attended at the home of the mother and the father for a scheduled food pick up. Upon my arrival there was a note on the door of the apartment which read "The breakfast for the children is upstairs at Unit 205. Please knock loud because maybe in bedroom. Please call to cell 519-350-8089. If no answer try to call again, Thank you. I attended at Unit 205 and was provided food for the children. The breakfast included scrambled eggs, diced peppers and tomatoes, toasted bread with what appeared to be cream cheese and chocolate milk.

28. On December 13, 2013, Ms. Rumble and I spoke with the parents regarding the results of the investigation and to arrange access for the children. The parents were advised that the mark on Shea's face was not magic marker and that the doctor had identified it as a bruise. The mother continued to insist that the mark was made by a magic marker. The mother thought the colour or pigment had somehow absorbed into Shea's skin. The mother said that she had gently washed Shea's face using warm water and her hand as the child had sensitive skin. The mother indicated to me that after washing Shea's face, she had applied lotion to Shea's skin. The mother denied pressing hard on the skin and continued to insist that it must have come from the markers. The father made no comment and stated that his wife would explain as her English was better than his. I mentioned to the father that his English was very good and that communication had been very good yesterday. The father remained very quiet throughout the interview.

29. Ms. Rumble and I discussed cultural and religious expectations for the children while in care in order to ensure that their needs were met. The parents indicated that they would provide food for the children and clothing throughout their time in care.

30. On December 13, 2013, the parents were provided one (1) hour access with the children at the Society office.

31. On December 16, 2013, Chatham-Kent Police Constable Jennifer Jacobson, Jewish Family and Children's Service Worker/Yiddish Interpreter Amanda Hochsberg and I conducted a videotaped interview with the child Mendel. The child was emotional and unable to answer questions at this time. The child made no disclosures.

Summary

32. The child Shea Baila Helbrants has a medically confirmed bruise to the left cheek adjacent to the mouth. The parents are unable to present a plausible explanation for the injury.

33. It is the position of the Society that placing the children Mendel and Shea in care, with access to the mother and the father is in the best interests of the children.

34. I make this Affidavit in good faith and for no improper purpose.

Sworn before me at the
Municipality of Chatham-Kent,
in the Province of Ontario,
this 17th day of December, 2013.
)
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)

Janet Marie Schram, a Commissioner,
etc., Province of Ontario, for the
Children's Aid Society.
Expires February 18, 2015

A Commissioner, etc.

Janet Marie Schram

Garnet Eskritt

Garnet Eskritt

ONTARIO COURT OF JUSTICE
425 GRAND AVENUE WEST
CHATHAM, ONTARIO
N7M 6M8

Court File #:

APPLICANT:

Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario
N7L 1C5
519-352-0440

LAWYER:

Loree Hodgson-Harris
Chatham-Kent Children's Services
495 Grand Avenue West
Chatham, Ontario
N7L 1C5
519-352-0440

RESPONDENTS:

Miriam Gittel Helbrans (also known as Helbrants)
Yochanan Laver

**AFFIDAVIT OF CLAUDETTE WYLES
SWORN DECEMBER 17, 2013**

I, **Claudette Wyles**, of the Municipality of Chatham-Kent, Province of Ontario, **MAKE OATH**
AND SAY AS FOLLOWS:

1. I am a Child Protection Worker as the term is defined under the *Child and Family Services Act (Ontario)* and have been in the employ of Chatham-Kent Children's Services (hereinafter referred to as "the Society") since July 11, 1995.

2. My academic background includes a Master of Social Work degree from the University Of Windsor, Ontario.

3. I am the Intake Supervisor assigned to the Helbrans-Laver file since December of 2013, and accordingly have knowledge of the matters hereinafter referred to.

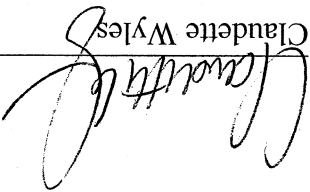
Telephone Conversation with Dr. David Warren of December 13, 2013

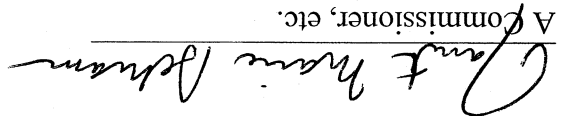
4. On December 13, 2013, I requested that Dr. David Warren, Medical Director, Child Protection, Associate Professor of Paediatrics, Children's Hospital of Western Ontario and Assistant Director, Paediatric Emergency Department, London Health Science Centre, be contacted for an assessment of the observed injury to the child Shea Baila Helbrants, born 13 July 2012. I requested that Dr. Warren be emailed photographs of an injury to the face of the child Shea, taken by Intake Worker Kristin Ball on December 12, 2013. I am aware that the team administrative assistant emailed these photographs on December 13, 2013 to Dr. Warren. Attached hereto and made **Exhibit "A"** to this my Affidavit are the photographs of the child Shea taken December 12, 2013.
5. On December 13, 2013, I spoke by telephone with Dr. Warren about his medical assessment of the injury observed to the child Shea's left cheek. Dr. Warren identified to me that the injury observed to the child's face was a bruise. During this same conversation, Dr. Warren identified to me that, based on its appearance, the injury could have been caused from finger pressure or from falling on an object, but the object would have to be the very specific size and shape of the bruise. Dr. Warren advised me that he could not date the bruise in order to discern the age of it.
6. Dr. Warren reported to me that the bruising had a lot of "localized pressure in the area of the bruise" and would not have been present as a result of a fair skin condition or any skin ailment such as eczema.
7. Dr. Warren further identified to me that a fair skin condition could explain the redness of the child Shea's cheek in a generalized area but not the centralized point of bruising.
8. Dr. Warren noted that the child Shea also had light bruising on the lid area of the eye. Dr. Warren was unable to comment on the specifics of cause for this bruising as it could have been as a result of rubbing the area or the child crying.

9. During our telephone conversation, Dr. Warren noted that he had observed light bruising to the child Shea's wrist and forearm area; however due to the light marking of the bruise he was unable to comment on it.

10. I make this Affidavit in good faith and for no improper purpose

Sworn before me at the
 Municipality of Chatham-Kent,
 in the Province of Ontario,
 this 17th day of December, 2013
)
)
)
)


 Claudette Wyles


 A Commissioner, etc.

Janet Marie Schram, a Commissioner,
 etc., Province of Ontario, for the
 Children's Aid Society,
 Expires February 18, 2015

January 5, 2014

Montreal, Quebec


To whom it may concern,

My name is Rachel Rubinstein, MD, FRCPC. I am an assistant professor of dermatology at McGill University and practice out of the Jewish General Hospital in Montreal. I was asked to visit the Lev Tahor community in St. Agathe, Quebec on November 14, 2013 to evaluate and treat their dermatologic problems. In general, I found the children to be clean, well-cared for and behaving appropriately. I was impressed by the warmth of the community and concern of the parents for the well-being of their children.

One 17 month-old girl, Shea Baila Helbrants, was diagnosed with atopic dermatitis (eczema) primarily involving the face and distal extremities. I treated her with a mild cortisone cream (1% Emocort), Cerave lotion (an emollient) and advised her mother to decrease the frequency of bathing. I reviewed a set of photographs of Shea's face taken in Chatham, Ontario which were emailed to me on December 30. The photos are consistent with her underlying eczema. The reported bruise of the face may represent an adverse effect commonly seen in patients treated with cortisone creams. These bruises are reversible and have no significant medical implications. I also examined Shea's brother, Mendel Helbrants whom I diagnosed with a wart of the right index finger. I treated the latter with Soluvar (a salicylic acid liquid).

Overall, I evaluated 61 patients, the majority of which were children, at the Lev Tahor community. The most common problems I encountered were onychomycosis (nail fungus), atopic dermatitis, acne and warts. These are typical clinical problems I routinely encounter in my dermatologic practice. These are relatively benign conditions, many of which spontaneously resolve in early adulthood. It is important that I emphasize, unequivocally, that these problems do not reflect parental neglect or abuse. As such, there is absolutely no indication for intervention by child welfare authorities regarding these minor skin conditions.

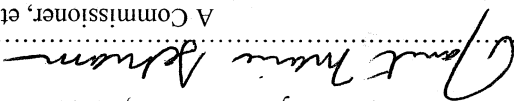
Sincerely,



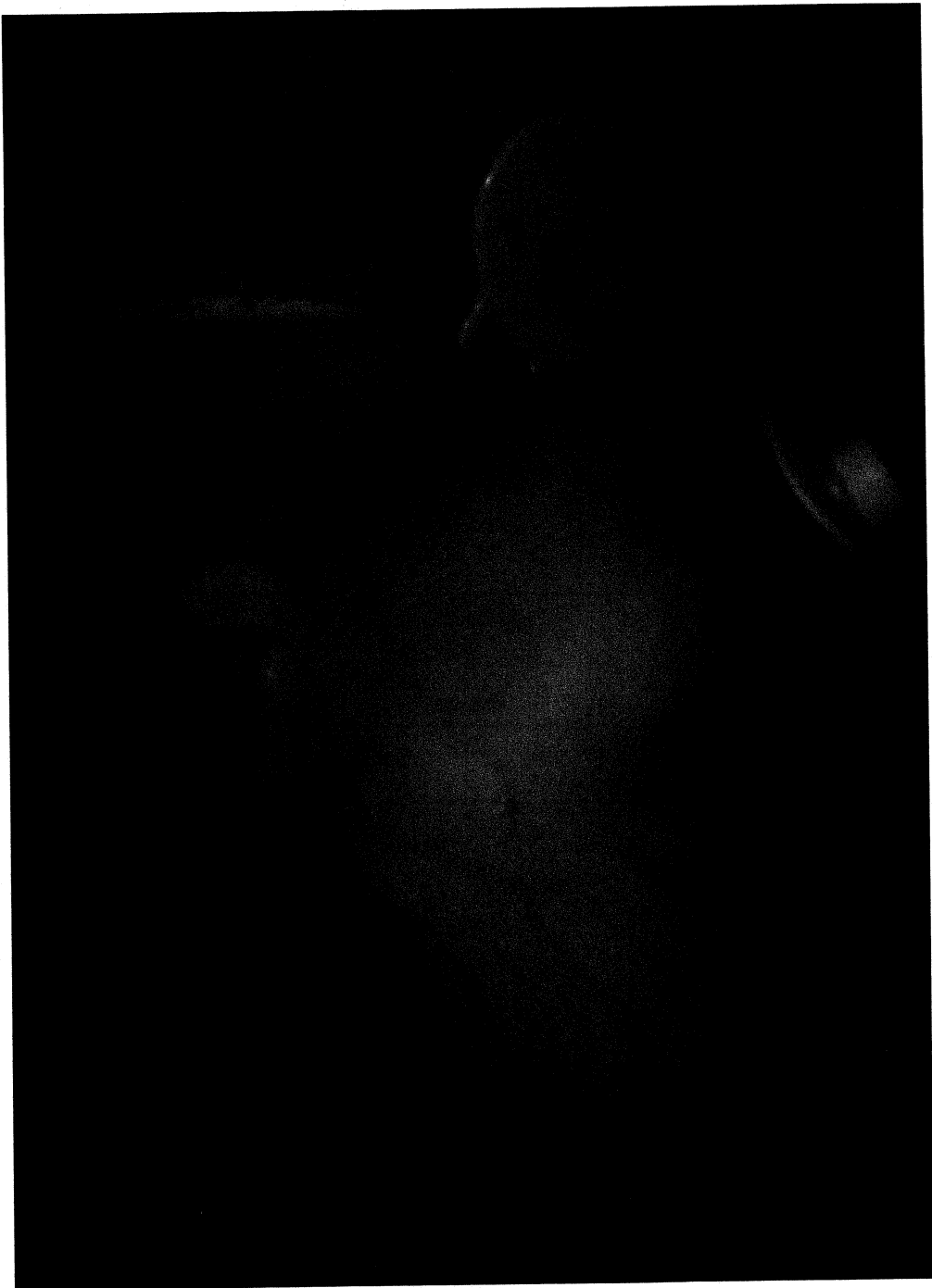
Rachel Rubinstein, MD, FRCPC,
Assistant Professor of Dermatology,
McGill University

This is Exhibit "A" to the Affidavit of Claudette Wyles

Sworn before me this 17th day of December, 2013.


.....
A Commissioner, etc.

Janet Marie Schram, a Commissioner,
etc., Province of Ontario, for the
Children's Aid Society,
Expires February 18, 2015



↑ Taken: December 12, 2013

146178 Miriam Gittq Helbrants

Taken December 12, 2013



Taken December 13, 2013 (both)

46178 Miriam Gittel Halbrodt



Taken December 12, 2013
(Both)



#46178 Miriam Bitel Helbrants



nts
Taken December 12 2013
(both)



Applicants [In most child protection cases, the applicant will be a children's aid society.]

Full legal name & address for service — street & number, municipality, telephone & fax and e-mail address (if any). Chatham-Kent Children's Services 495 Grand Avenue West Chatham, Ontario N7L 1C5 519-352-0440	Full legal name & address for service — street & number, municipality, telephone & fax numbers and e-mail address (if any). Loree Hodgson-Harris Chatham-Kent Children's Services 495 Grand Avenue West Chatham, Ontario N7L 1C5 519-352-0440
--	--

Respondents [In most child protection cases, a respondent will be a "parent" within the meaning of section 37 of the Child and Family Services Act.]

Full legal name & address for service — street & number, municipality, telephone & fax numbers and e-mail address (if any). Miriam Gittel Helbrants (also known as Helbrants) Yochanan Laver	Full legal name & address — street & number, municipality, telephone & fax numbers and e-mail address (if any). Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	---

1. I am/We are (full legal name) Kerry Rumble

And I am/we are (state your relationship to the child(ren) or your position with children's aid society) Intake Worker

2. The child(ren) in this case is/are: (State each child's full legal name, followed by the date of birth.)

Child's full legal name	Date of Birth (d,m,y)	Sex
Mendel Helbrants	13 May 2009	M
Sheia Baila Helbrants	13 July 2012	F

3. X After the court makes a finding that the child(ren) is/are in need of protection under Part III of the Child and Family Services Act, I/we ask the court to make an order.

The court previously found on _____ that the child(ren) was/were in need of protection under Part III of the Child and Family Services Act, and the court made an order on _____
 We now ask the court to make a further order.

The details of the order that I/we now ask the court to make are as follows: (Give details of the order you now want the court to make. If you want the order to include any supervision by the children's aid society, give details of any terms and conditions of supervision.)

- A. The children, Mendel Helbrants, born 13 May 2009, and Sheia Baila Helbrants, born 13 July 2012, shall be placed in the care of Chatham-Kent Children's Services for a period of six (6) months.
- B. Access to the mother, Miriam Gittel Helbrants (also known as Helbrants) as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.
- C. Access to the father, Yochanan Laver as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.

Court File Number

4. The service that the family and the child(ren) need and that will be provided are as follows: (Give details of the service needed, who needs it and who will be providing it.)

- Family Service Worker
- Children's Service Worker
- Foster Placement
- Medical, dental and vision care as required by the children
- Other services as may be necessary.

Paragraph 5 is to be filled out only by or on behalf of a children's aid society. Anyone else filling out this form should strike it out and go to paragraph 6.
5. The children's aid society expects the respondent(s) to carry out certain conditions before it would feel that supervision or wardship of the child(ren) is no longer needed. Very serious consequences could result if those conditions are broken. Those conditions are: (Set out conditions and estimate the time needed to achieve them.)

- a) The mother shall use no physical discipline.
- b) The mother shall ensure that no one uses physical discipline with children.
- c) The mother shall maintain a safe and clean home environment
- d) The mother shall allow announced and unannounced home visits
- e) The mother shall sign all releases as requested pertaining to herself and the children after consultation with legal counsel.
- f) The mother shall notify the Society of any change in address a minimum of two (2) weeks prior to any address change
- g) The mother shall ensure that the Society has current contact information for the mother.
- h) The mother shall agree to engage in services with regard to parenting as recommended by the Society.
- i) The mother shall attend an assessment for mental health and shall follow recommendations made at the assessment.
- j) The father shall use no physical discipline
- k) The father shall ensure that no one uses physical discipline with children.
- l) The father shall maintain a safe and clean home environment.
- m) The father shall allow announced and unannounced home visits
- n) The father shall sign all releases as requested pertaining to himself and the children after consultation with legal counsel.
- o) The father shall notify the Society of any change in address a minimum of two (2) weeks prior to any address change.
- p) The father shall ensure that the Society has current contact information for the father.
- q) The father agrees to engage in services with regard to parenting as recommended by the Society.

Court File Number

6. The child(ren) cannot be adequately protected while in the care of the respondent(s) because: (State reasons)

1. The child Sheia has suffered an unexplained injury in the form of a bruise on her left cheek. The mother and the father deny the child Sheia has a bruise and claim the mark is from a permanent marker.

2. The mark on the child's face is a bruise, not a result of a marker.

3. The mother and the father have failed to provide an adequate explanation for said bruise.

4. The mother has recently expressed emotional instability requiring the use of medication.

5. The mother and the father are part of a community called Lev Tahor wherein physical discipline is acceptable.

6. The mother and the father are part of a community called Lev Tahor wherein there is a level of control by the community leaders, including the mother's father Shlomo Helbrans, which compromises the safety and development of the children.

7. On Monday, November 18, 2013, the parents suddenly and without notice to the Quebec Child Welfare authorities fled the jurisdiction and arrived in the Municipality of Chatham-Kent. This was disruptive to the children.

8. The children are subject to a Quebec Authorization To Locate and Deliver Order dated November 19, 2013, for which the parents have not complied with.

7. The following efforts have been made in the past to protect the child(ren) while in the care of the respondent(s): (Describe the efforts made. If no efforts were made, give explanation.)

8. The following efforts are planned to maintain the child(ren)'s contact with the respondent(s): (Describe plans. Write "NIL" if there are no plans.)

Access to the mother, Miriam Gittel Helbrans (also known as Helbrans) as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.

Access to the father, Yochanan Laver as arranged by the Society, supervised by the Society or its' designate and shall be offered a minimum of three (3) times per week.

9. The following arrangements have been or are being made to recognize the importance of the child's culture and to preserve his/her heritage, traditions and cultural identity.

The children will have ongoing access with both the mother and the father.

Court File Number

10. The children's aid society has removed the child(ren) from the care of the respondent(s) and intends to make this removal:

temporary.
 permanent (if the children's aid society is not seeking an order of Crown Wardship, please provide details of the efforts by the children's aid society to provide a long-term, stable placement for the child)

11. (To be completed if the children's aid society is seeking an order of Crown Wardship)

Efforts will be made to assist the child to develop a positive, secure and enduring relationship within a family through one of the following methods:

adoption a custody order under s. 65.2.(1) a plan for customary care

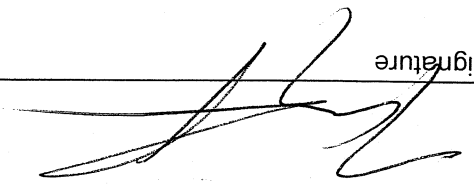
Other (please provide available details)

This plan of care must be served on all of the other parties, but do not fill out the paragraph below unless this plan is being made by or on behalf of a children's aid society.

12. This plan of care was served on and its details explained to the respondent(s) and others named below:

Print name of person to whom this plan was explained	Print name of person who explained plan	Date of explanation
Miriam Gittel Helbrans (also known as Helbrants)		
Yochanan Laver		

Put a line through any blank space left on this page

Signature 

Date of Signature
 December 17, 2013