

Mass Casualty Commission

PUBLIC PROCEEDING

||| MASS CASUALTY
COMMISSION
COMMISSION
DES PERTES MASSIVES

JULY 19, 2022

NOW SPEAKING

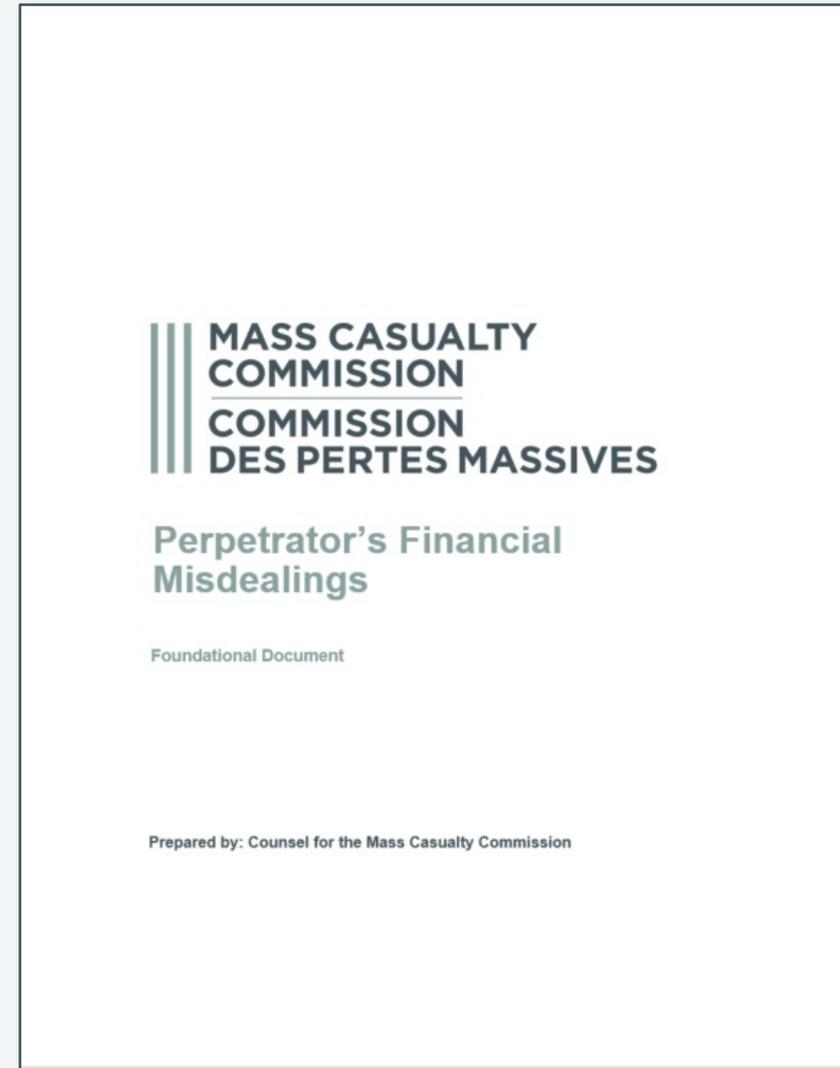
Ronke Akinyemi

COMMISSION COUNSEL

Exhibits

FOUNDATIONAL DOCUMENT

- **Perpetrator's Financial Misdealings**
- **All related source materials**



Subject Matter

RELATED FOUNDATIONAL DOCUMENTS

- **Note that issues of the perpetrator's violence and aggression towards his family, others, and common-law spouse are addressed in separate Foundational Documents**

July 11

Violence in the
Perpetrator's
Family of Origin

July 12

Perpetrator's
Violent Behaviour
Towards Others

July 13

Perpetrator's
Violence towards
his Common-Law
Spouse

July 19

Perpetrator's
Financial
Misdealings

Subject Matter

CONNECTION TO MANDATE

- **Information related to the perpetrator's financial history is indirectly relevant to the Mass Casualty Commission's mandate on a range of issues, including:**
 - His criminal or manipulative behaviour in victimizing others
 - Potential financial crimes committed by the perpetrator
 - Source(s) of the perpetrator's wealth, which in turn is relevant to his ability to amass the resources required to commit the mass casualty
 - Impact of COVID-19 on the perpetrator's financial situation, which in turn is relevant to his mental state at the time of the mass casualty

Subject Matter

AREAS OF FOCUS

- **Summarizes evidence in relation to the perpetrator's financial misdealings**
- **Addresses the perpetrator's banking activity, tax filings, corporate and real estate dealings, improper billing practices, his planning related to a potential fraud in relation to the Atlantic Immigration Pilot Program, as well as association with drugs and rumours of his involvement in organized crime**

Subject Matter

PRESENTATION OVERVIEW

- **Summarizes a complicated and disjointed collection of information on the perpetrator's illicit financial activity in various areas of his life**
- **Addresses the perpetrator's banking activity, tax filings, corporate and real estate dealings, improper billing practices, his planning of a potential fraud in relation to the Atlantic Immigration Pilot Program, as well as his association with drugs and rumours of his involvement in organized crime**
 1. Perpetrator's earnings as a denturist
 2. Planning illegal immigration scheme
 3. Assets inherited from Tom Evans
 4. Associated corporations, Northumberland Investments Inc. and Berkshire Broman
 5. \$475, 000 CIBC withdrawal in March 2020
 6. Cash located by RCMP after the mass casualty
 7. Rumours about drug dealing, money laundering and organized crime



Perpetrator's Financial Overview: At Time of Death

Perpetrator's Financial Overview: At Time of Death

Perpetrator's Occupation	<ul style="list-style-type: none">• Worked as denturist and owned Atlantic Denture Clinic• Employed common-law spouse
Banks	<ul style="list-style-type: none">• CIBC, RBC, Canada Trust, TD, Scotiabank in Canada; Chase Bank in USA• Both individual and joint accounts (perpetrator + common-law spouse)
Sole Shareholder in Corporations	<ul style="list-style-type: none">• Atlantic Denture Clinic• Berkshire Broman• Northumberland Investments
Portapique properties	<ul style="list-style-type: none">• 200 Portapique Beach Road (the cottage)• 136 Orchard Beach Drive (the warehouse)• 287 Portapique Beach Road (the woodlot)• Lot BM-17 Orchard Beach Drive (owned via Northumberland Investments)• Lot BM-18 Orchard Beach Drive (owned via Northumberland Investments)
Dartmouth properties	<ul style="list-style-type: none">• 193 Portland Street (Atlantic Denture Clinic's primary location and his home)• 189 Portland Street• 191 Portland Street
Cash	<ul style="list-style-type: none">• \$745,919.13 cash on hand, \$705,000 of which found buried in his cottage in Portapique



Sources of Information

Sources of Information

- During the H Strong investigation into the mass casualty, the RCMP commissioned a report from the Forensic Accounting Management Group (FAMG), part of Public Services and Procurement Canada
- The RCMP directed FAMG to review and summarize:
 - banking records related to the perpetrator, Lisa Banfield, Northumberland Investments Inc. and Atlantic Denture Clinic for the period from December 1, 2017, to May 7, 2020
 - tax returns filed on behalf of the perpetrator, Ms. Banfield, Northumberland, and Atlantic Denture for the taxation years of 2013 to 2019
 - financial statements for Northumberland and Atlantic Denture for the fiscal years ending 2013 to 2019
- Additionally, the Commission subpoenaed and reviewed records relevant to the perpetrator's financial misdealings including information from the Nova Scotia Denturist Licensing Board, the Province of Nova Scotia, the perpetrator's estate, the RCMP, and various financial institutions



The Perpetrator's Earnings as a Denturist

Atlantic Denture Clinic

- Startup date of September 30, 1998
- Atlantic Denture was the corporate owner of the perpetrator's denture clinic, located at 193 Portland Street in Dartmouth, NS
- Atlantic Denture had a second clinic location at 3542 Novalea Drive in Halifax
- Atlantic Denture employed the perpetrator and his common-law spouse, Ms. Banfield
- Ms. Banfield referred to Atlantic Denture Clinic as the corporation that is “our bread and butter that we make money out of”

The Perpetrator's Earnings as a Denturist

- Many patients paid for denturist services in cash or cheques payable to the perpetrator's name
- Between 2015-2020, Atlantic Denture Clinic received approximately \$434,000 from Nova Scotia Department of Community Services for services to patients receiving provincial income assistance or disability support
- The perpetrator's total declared income for the years between 2015 and 2019 was \$200,000
- Other known deposits into Atlantic Denture's account between December 2017 and April 2020
 - Green Shield Canada.....\$155,305
 - Global Merchant.....\$98, 817
- The perpetrator declared an average annual employment income between 2013 and 2019 of \$39,916

Improper Billing Discipline Procedures

- In 2005, the Denturist Licensing Board investigated the perpetrator for professional misconduct. That investigation raised concerns about the perpetrator's billing practices
- Records indicate that the perpetrator had a practice of billing the insurance provider the full amount of the fee, but only charging the patient that portion of the fee which was covered by the insurance provider. The patient did not pay the perpetrator the co-payment. This resulted in a discount to the patient
- Two insurance companies contacted by the Denturist Licensing Board took the position that this could constitute a fraudulent practice
- Hearing Panel of the Board reprimanded the perpetrator, suspended him for one month, directed him to attend counseling directed at improving his manner of communication with clients, and directed him to pay the costs associated with the investigation and conclusion of the complaints in the amount of \$8,000



Atlantic Immigration Pilot Program

Discussions about Illegal Immigration Scheme

- The Atlantic Immigration Pilot Program (AIPP) was a federal government pilot project that started in Atlantic Canada in January 2017 and ended December 31, 2021, after which it became a permanent program
- AIPP allowed for accepted businesses to hire qualified candidates for jobs that had not been filled locally. A business would sponsor an immigrant under the agreement and agree to employ them for a one-year period. At the conclusion of the program, successful candidates would be eligible to receive permanent residence status in Canada
- Numerous emails between the perpetrator and an Ontario-based lawyer and friend, between May and December 2019 show them discussing a plan to arrange for immigrants to pay them a significant “administration fee” of \$40,000, as well as pre-paying a year’s salary to Atlantic Denture. In return, Atlantic Denture would make them an “employee” for the year period through the AIPP. Candidates would not be required to actually work at the perpetrator’s clinic or live in Nova Scotia, but rather the clinic would pay them back their own money every two weeks, to make it look like a salary
- Eventually, the pair appear to have abandoned the plan because of the risks involved



Tom Evans' Estate

Tom Evans' Estate

- The perpetrator had a long friendship with Tom Evans, whom he first met through his uncle, Glynn Wortman
- Mr. Evans died on November 5, 2009
- A will found amongst the perpetrator's belongings after the mass casualty, appears to be signed by Mr. Evans. In this will, Mr. Evans leaves the perpetrator his entire estate and names him as his executor
- The perpetrator did not probate Mr. Evans' will because he swore in an affidavit that "there are no assets of any real value to administer"

Tom Evans' Estate

EVIDENCE REGARDING VALUE OF TOM EVANS' ESTATE

- Because Mr. Evans' will did not go through the probate process, there are no records available with respect to the full value or content of his estate
- The perpetrator received two cheques worth a total of \$25,952.79 as part of the settling of Mr. Evans' mother's estate
- Ms. Banfield told the Commission that the perpetrator received either \$20,000 or \$40,000 in cash as part of Mr. Evans' estate
- Mr. Evans was connected to two properties in Fredericton owed by Northumberland Investments Inc. which the perpetrator sold after Mr. Evans died



Northumberland Investments Inc.

Northumberland Investments Inc.

- Northumberland Investments is a corporation registered in New Brunswick. Articles of Incorporation filed October 31, 1984, list Mr. Evans and Sybil Rennie as the company's incorporators
- After Mr. Evans died, the perpetrator claimed that he was the sole shareholder and director of Northumberland Investments because he purchased all the company's shares from Ms. Rennie on August 14, 1996 for \$100
- A Notice of Change of Directors form, filed in 2001, states that Ms. Rennie ceased to be a director of the Corporation and that the perpetrator and Kathleen Gebkenjans were the new directors effective August 15, 1996
- A General Power of Attorney form executed November 16, 2009 (eleven days after Mr. Evans died) found among the perpetrator's belongings, signed by Ms. Gebkenjans grants the perpetrator the power to "do anything with Northumberland Investments that [Ms. Gebkenjans] can lawfully do"
- In a news article after the mass casualty, an unnamed woman "who served as the director" for Northumberland Investments said she "suspects" that the perpetrator "got hold of [two of Northumberland's rental properties] and sold them by tricking her

Northumberland Investments Inc.

PROPERTIES OWNED BY NORTHUMBERLAND INVESTMENTS

Property	Purchased	Sold by the Perpetrator
345 Northumberland Street	October 1984 for \$88,000	December 21, 2009 for \$164,500
175 Aberdeen Street	July 1997 for \$124,830.06	December 21, 2009 for \$172,000

- February 16, 2010 – Properties transferred to purchaser
- February 23, 2010 – Perpetrator claimed that Mr. Evans “had no ownership interest, beneficial or otherwise, in the properties located at 175 Aberdeen Street and 345 Northumberland Street”
- A number of witnesses, including Ms. Banfield told the RCMP and/or the Commission that the perpetrator inherited the two properties in Fredericton from Mr. Evans

August 2010 Large Cash Deposits

- In August or September 2010, the bank account of Northumberland Investments received a credit for \$78,000 from the trust account of the law office of Alan G.D. Irvine, as the net proceeds of sale for 175 Aberdeen Street. The perpetrator also deposited a cheque for \$154,100 from the trust account of the same law office, presumably paid out in relation to the sale of 345 Northumberland Street
- The perpetrator issued bank drafts from Northumberland Investments payable to himself for these amounts, totaling \$232,100
- August 10, 2010: perpetrator deposited \$70,000 cash into the TD account held in the name of Northumberland Investments Ltd
- August 23, 2010: perpetrator deposited \$130,000 cash in the same account
- Perpetrator withdrew these funds, totaling \$200,000, from Northumberland's account via a bank draft, payable to himself
- Source of cash deposits unclear



Berkshire Broman

Berkshire Broman

- Private company incorporated in New Brunswick in June, 2008
- Kipling MacKenzie was identified as “president” of the company and sole “incorporator”
- Notice of Change of Directors Form filed lists the perpetrator as a director of Berkshire Broman, effective February 15, 2010, and states that Mr. MacKenzie ceased to be a director of the corporation as of the same date
- The perpetrator registered several vehicles in Berkshire Broman's name, including three decommissioned RCMP Ford Tauruses, which were purchased between March and August 2019
- Berkshire Broman likely did not have any bank accounts

Kipling MacKenzie

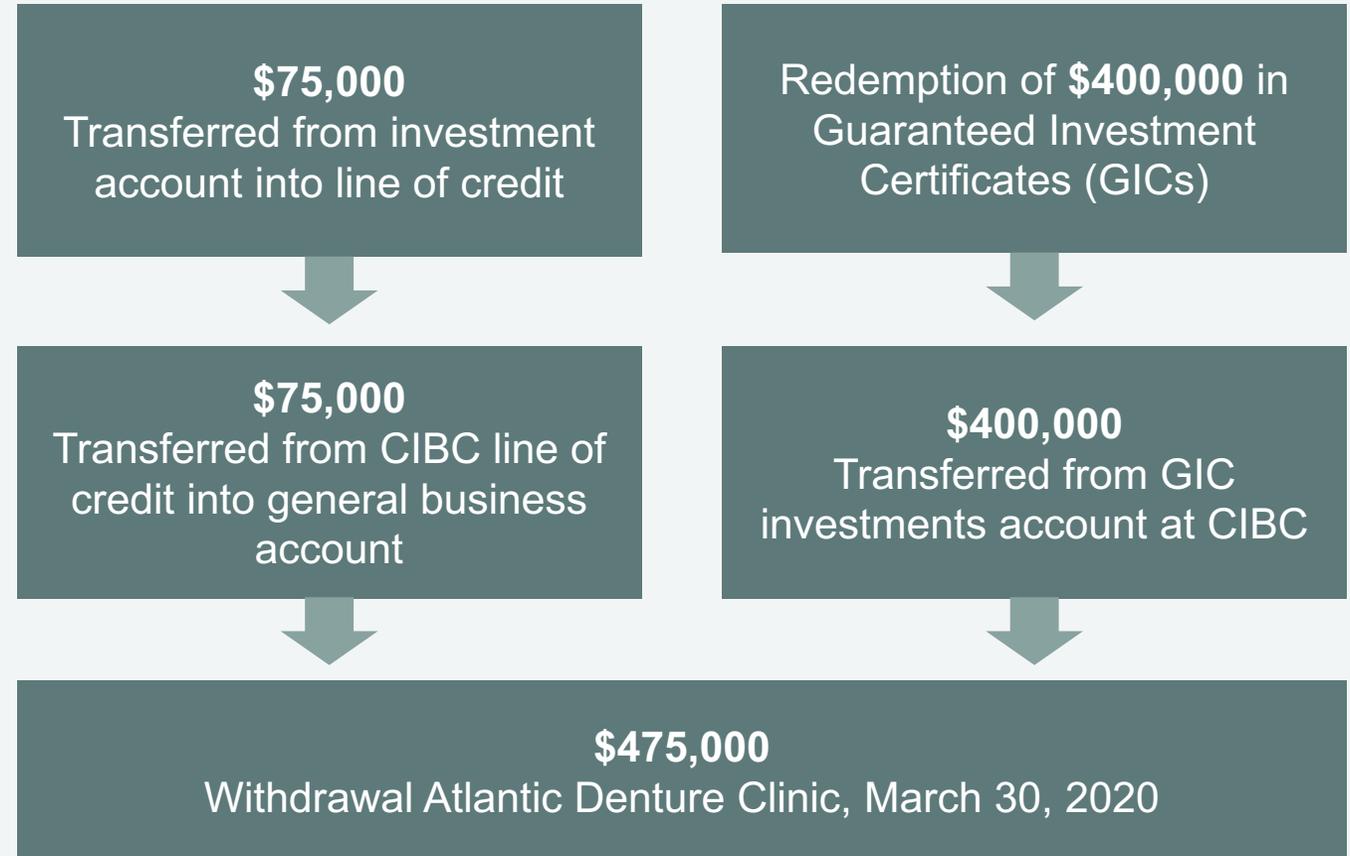
- Mr. MacKenzie told the RCMP after the mass casualty that he used to rent a room from Mr. Evans, in Fredericton, and then started doing work for Mr. Evans
- Mr. MacKenzie told the RCMP that the perpetrator and Mr. Evans were “sneaky” and asked him to sign papers for a post office box and “some kind of company,” called Berkshire Broman, in approximately 2005, and to sign additional papers in subsequent years, which he did in exchange for beer
- Mr. MacKenzie said he did not know the purpose of the post office box, but assumed it was “definitely something illegal”
- A document found in the perpetrator’s belongings titled “Transfer of Shares” dated November 10, 2009 (five days after Mr. Evans’ death) states that Mr. MacKenzie transfers his shares in Berkshire Broman to the perpetrator for \$20 and that he resigns as a director. The document is unsigned but there is a line for Mr. Mackenzie’s signature



March 2020 Cash Withdrawal

March 2020 Cash Withdrawal

- March 30, 2020: the perpetrator made a large cash withdrawal of \$475,000 from the CIBC business account of Atlantic Denture
- Motivated by concern that banks would collapse as a result of Covid-19
- According to the FAMG Report, it cost the perpetrator \$16,100 to withdraw the GICs early, which represents the forfeited interest earned on the original investment of \$400,000



March 2020 Cash Withdrawal

- CIBC followed an internal process of approvals because of the large amount of cash being requested by the perpetrator. These processes included checking that the perpetrator was not at risk of being defrauded or victimized, and ensuring that the money was transferred without jeopardizing the safety and security of the perpetrator, the bank building and/or CIBC employees
- The perpetrator became frustrated and aggressive about the perceived delay and CIBC's concerns over security and process, including attempts to dissuade him from making the withdrawal

March 2020 Cash Withdrawal

- Brink's was used to facilitate transfer of \$475,000 because of safety concerns for CIBC clients and employees in exchanging large amounts of cash at a branch location
- The perpetrator's March withdrawal was not the first time that CIBC had used Brink's to facilitate a large cash transaction. Earlier that month, the same procedure with Brink's was used to facilitate a large cash withdrawal for a CIBC customer in Winnipeg
- CIBC sent the perpetrator's identification and vehicle information to Brink's and when the perpetrator arrived at a Brink's facility in Dartmouth on March 30, 2020, the branch manager performed a security verification and confirmed his identity and vehicle information

Speculation that the Perpetrator was RCMP Informant

- Soon after the mass casualty, there was speculation that the perpetrator may have been an RCMP informant, largely driven by the fact of the March withdrawal of \$475,000
- In June 2020, an RCMP Public Information Officer responded to an email from a media source and stated that the RCMP “was not the source of [the \$475,000], as has incorrectly been assumed in some recent media articles”
- In October 2021, Superintendent Darren Campbell, Support Services Officer for H Division, and Superintendent David Astephen, Director of RCMP National Covert Operations wrote a letter to the Commission stating that the perpetrator “was never a confidential informant nor a civilian police agent for the RCMP.”



**Cash Located at Perpetrator's Cottage
and in Replica RCMP Cruiser**

\$705,000 Seized at Perpetrator's Cottage

- In a search of the perpetrator's cottage at 200 Portapique Beach Road carried out after the mass casualty, the RCMP discovered a metal ammunition container, hidden below the ground in a crawl space under the deck, containing cash
- The money was in bundles/ "bricks" and the RCMP photographed and counted all the money and found the total amount was \$705,000. Most of the money was in bank stamped bands, wrapped in foil



Sources of the \$705,000

- At least three sources of money for the \$705,000
 1. The \$475, 000 March Withdrawal – numerous bundles of cash wrapped in CIBC paper bands dated March 26, 2020
 2. Money previously hidden around the perpetrator’s properties
 3. Ms. Banfield told the Commission that the perpetrator received some of the cash with “the brown bands that are bank-stamped” from Mr. Evans’ estate
- Ms. Banfield told the Commission that it was “normal” in their relationship for the perpetrator to have large bundles of “bank-stamped money” in his possession and that the perpetrator “had stockpiled a bunch in Dartmouth, a bunch at the warehouse, a bunch at the cottage.” She recalled that at one point, the perpetrator had over \$200,000 in a tin in the downstairs floor of their home in Dartmouth
- After the perpetrator collected the \$475,000 from Brinks, they drove back to Portapique in separate vehicles. The perpetrator combined this amount with other amounts of cash that he had previously collected and hidden

Burned Cash Found in Replica RCMP Cruiser

- After the mass casualty, the RCMP photographed the remnants of burned Canadian currency found in the trunk of the Replica RCMP cruiser
- The Commission's lead financial investigator, Dwayne King, analyzed photographs of the burned cash and estimated that there was approximately \$20,000 in burned cash recovered
- The burned cash includes stacks of \$100 notes that were "severely damaged" by the fire





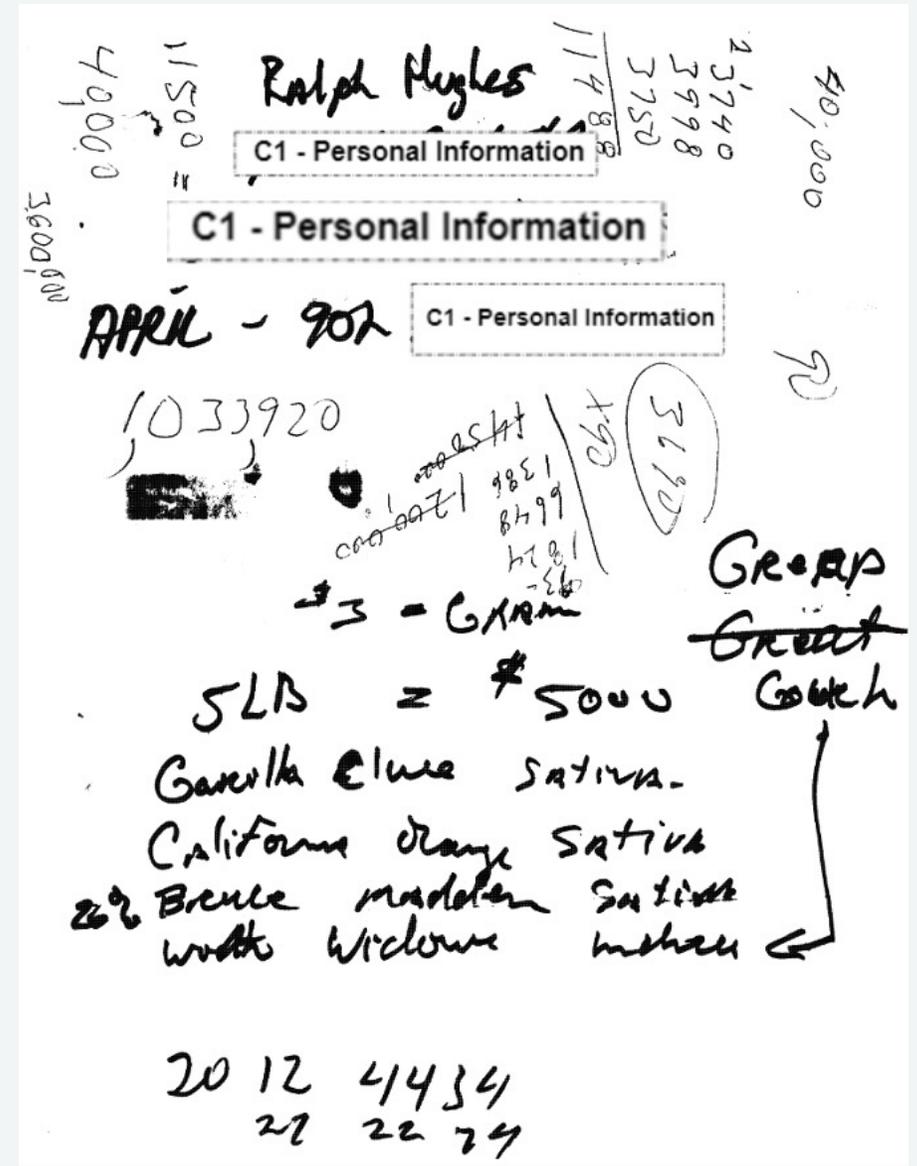
Rumours about Drug Dealing, Money Laundering and Organized Crime

Rumours about Drug Dealing, Money Laundering and Organized Crime

- Numerous witnesses stated that the perpetrator smuggled cigarettes illegally across the border from the US into Canada while he was a student at the University of New Brunswick decades ago
- The perpetrator and Ms. Banfield travelled to Punta Cana in Dominican Republic for vacation quite often. She recalled that during these trips they would often be apart because she would stay at the resort while the perpetrator would “go in town” all day until dinner
- Ms. Banfield said she was not aware of the perpetrator using drugs, or him having drug paraphernalia at any of his properties in Portapique and Dartmouth
- She also did not see any evidence that the perpetrator was engaged in organized crime or money laundering

Rumours about Drug Dealing, Money Laundering and Organized Crime

- A printed Via Rail boarding pass in the perpetrator's name, dated September 20, 2018, was found among the perpetrator's belongings in Dartmouth. On the back page of the boarding pass are handwritten notes, which appears to be a price list, referencing various strains of cannabis. Also written is "5LB = \$5000"





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