

In the matter of the Cornwall Public Inquiry

**EXECUTIVE SUMMARY
PHASE 1 WRITTEN SUBMISSIONS ON BEHALF OF THE
CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO**

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EXECUTIVE SUMMARY

1. On October 3, 2006, Commissioner G. Normand Glaude granted the Catholic District School Board of Eastern Ontario (the “CDSBEO” or the “Board”) full standing for Phase I and Phase II of the Cornwall Public Inquiry (“CPI”), limited to those issues that directly affected the Board’s interests.
2. The CDSBEO submits that the evidence from Phase I of the CPI demonstrates that educational institutions such as the CDSBEO face a significant challenge in addressing historical allegations of abuse. Specifically, the circumstances in which the alleged abuse occurs and the reluctance of the alleged victims to bring matters forward to the educational institutions for action creates a significant barrier to an institutional response.
3. Witnesses who alleged abuse by their former teachers, such as David Silmser and Kevin Upper, gave evidence in Phase I of this Inquiry that the alleged abuse took place off of school property and outside of school hours in circumstances unrelated to any school activity. They also indicated that the alleged abuse was not reported to the School Board at the time. All witnesses with allegations against their former teachers, who gave evidence in Phase I of the Inquiry, indicated that the alleged abuse took place in the absence of any witnesses.

4. The Board submits that it did not know and could not have known of any allegations of inappropriate contacts between teachers and their respective students. There were no witnesses to the alleged events and none of the allegations of sexual abuse were brought to the attention of the Board by the student, parents or external investigating agencies at the time of the alleged abuse.
5. In the case of Mr. Marcel Lalonde, the Board became aware of allegations against the former teacher in or about 1997 when the CDSBEO was advised by the Ontario Provincial Police and subsequently the Cornwall Police Services of pending criminal charges against Mr. Lalonde.
6. Following receipt of that information, the CDSBEO acted cautiously and quickly and in accordance with Board protocol by removing Mr. Lalonde from the classroom.
7. Although the Board worked co-operatively with the teacher, his union, police and the Crown during this process, at no time did the Board receive disclosure of the names of Mr. Lalonde's alleged victims.
8. Prior to disposition of charges, Mr. Lalonde resigned from his employment with the Board.

9. On media reports of Mr. Lalonde's conviction, the Catholic District School Board of Eastern Ontario took steps to advise the Ontario College of Teachers. He was subsequently found guilty of professional misconduct by a panel of the Discipline Committee of the Ontario College of Teachers and his Certificate of Qualification and Certificate of Registration was revoked.
10. In contrast to the case of Mr. Lalonde, no allegations of abuse or sexual abuse by a former teacher, Mr. Gilf Greggain were brought to the Board's attention until this Inquiry. At that time, Mr. Greggain had retired from the Board and his certificate with the Ontario College of Teachers was suspended for non-payment of fees.
11. The CDSBEO further submits that the Board did not know and could not have known of these allegations and taken other action. Specifically, in the absence of any reports or suspicions of abuse, the Board could not have undertaken an investigation of its employees or instituted discipline.
12. The CDSBEO respectfully submits that the evidence demonstrated that the Board complied with its obligations in law with respect to reporting allegations of abuse and refers to the example in Chesterville of the principal reporting her concerns about a student to the CAS.

13. While the Board maintains that it has provided sufficient training, the Board would welcome recommendations which would enable the Board to provide further training on issues addressed during the course of this Inquiry.

14. The Board further submits that the Commission take into consideration the Board's statutory obligations under the *Education Act, Ontario College of Teachers Act, 1996*, S.O. 1996, c. 12, *Child and Family Services Act* and *Constitution Act, 1867* as summarized in Exhibit 640, in making its recommendations.