

IN THE MATTER OF the *Public Inquiries Act*, R.S.O. c. P-41;

AND IN THE MATTER OF the Order in Council 558/2005, establishing the Commission with the Honourable G. Normand Glaude as Commissioner, ("The Cornwall Public Inquiry");

AND IN THE MATTER OF an Application for Standing by the Upper Canada District School Board;

**Executive Summary for
Phase 1 of the Cornwall Public Inquiry
Upper Canada District School Board**

Filed Thursday, February 19, 2009
Cornwall Public Inquiry
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Executive Summary

1. The Upper Canada District School Board (the “UCDSB”) is a publicly funded school board with responsibility for English-language public students in the geographical areas of the County of Lanark, the United Counties of Leeds and Grenville, the United Counties of Prescott and Russell and the United Counties of Stormont, Dundas and Glengarry. It is the result of the amalgamation in 1998 of the county school boards of each of those regions, including the Stormont, Dundas and Glengarry County School Board (“SD&GCSB”), who are referenced hereinafter together as the “Public School Board”.
2. There are three perpetrators, all of whom were charged and convicted, who are relevant to the Public School Board, they are: Robert Sabourin, Jean-Luc Leblanc and Gilles Deslauriers.
3. The issues for the Public School Board and these perpetrators are:
 - (a) whether or not the Public School Board took appropriate steps to screen or to have screened adults in contact with students;
 - (b) whether or not the Public School Board provided adequate supervision;
 - (c) whether or not the Public School Board took adequate steps to train employees regarding allegations of sexual abuse;
 - (d) whether or not the Public School Board took adequate steps to report incidents of children in need of protection;
 - (e) whether or not the Public School Board took adequate steps to investigate and act on allegations of sexual abuse; and
 - (f) whether or not the Public School Board took adequate steps to provide support services for victims of abuse.
4. It is respectfully submitted that, although the Order in Council dated April 14, 2005 refers to “allegations of historical abuse of young people” and not “sexual” abuse, the mandate of the Cornwall Inquiry has been to review allegations of sexual abuse, not allegations of physical or emotional abuse of children and youth. As such, the Public School Board respectfully submits that this is not the proper forum to review whether or not instances of alleged physical abuse of Jeannette Antoine, Cathy Sutherland, Roberta Archambault and Andre Bissonnette were appropriately addressed by the institutions.

Robert Sabourin

5. Robert Sabourin was charged, pled guilty, was convicted of gross indecency and sentenced on April 12, 1999 in relation to acts against Alain Seguin, Andre Lavoie.
6. Robert Sabourin was a teacher at La Citadelle/ St. Lawrence High School (the "School") from September 1967, when hired by the City of Cornwall's Collegiate Institute Board, which later amalgamated to become the SD&GCSB, until August 1976, when he resigned for medical reasons.
 - (a) It is respectfully submitted that there is no evidence to suggest that the Collegiate Institute Board did not conduct a proper interview and contact references when hiring Robert Sabourin.
 - (b) It is respectfully submitted that there is no evidence to suggest that Robert Sabourin had been convicted of any offence prior to his hiring date in 1967 or that there might have been an independent method of identifying such a conviction.
 - (c) It is respectfully submitted that there is no evidence that could reasonably lead to the conclusion that Robert Sabourin was not an appropriate candidate for a teaching position and that he should not have been hired by the Collegiate Institute Board.
7. Ms. Jeannine Seguin was the Principal of the School from 1973 until 1980. Jean Paul Scott was her Superintendent.
8. Alain Seguin testified that while he was a student of Jean XXIII School in grade 7, he was introduced to Robert Sabourin who befriended Alain Seguin and his family by inviting Alain Seguin to come to the School for lunch and taking him on photography excursions. The abuse by Robert Sabourin began approximately one month later and took place in the School in Robert Sabourin's office area during lunch breaks on school days as well as in Robert Sabourin's home office in Cornwall.
 - (a) During the period of abuse, Alain Seguin did not disclose the abuse by Robert Sabourin to his family, to the police, to teachers or guidance counsellors at the school, to his drug counsellor or to friends. Alain Seguin disclosed his abuse as an adult during the Project Truth investigations.
9. Andre Lavoie was a student at the School between 1967 and 1972, and Mr. Sabourin was one of his teachers. Andre Lavoie's abuse began at Robert Sabourin's home and continued throughout

his attendance at the School and shortly thereafter. The abuse occurred both at the School in Robert Sabourin's office area "dark room" and at other locations outside the school.

- (a) Robert Sabourin was never caught abusing Andre Lavoie at the School, as he used the excuse that he had exposed photography film in the room.
 - (b) Robert Sabourin became a close friend of Andre Lavoie's family including his parents, lived in their rooming house and shared meals with them. At no time did Andre Lavoie's parents suspect that he was being abused by Robert Sabourin.
 - (c) Andre Lavoie never reported the abuse to his parents, school authorities, his teachers or other students, even those who he believed were also being abused by Robert Sabourin.
10. C-112 was a student of the School and testified to two incidents of sexual abuse by Robert Sabourin.
- (a) He testified that following the second incident he told his mother that he didn't want to go back to Robert Sabourin's class. He didn't identify to her why he did not want to return.
 - (b) C-112 testified that he did not communicate to Jeannine Seguin what occurred nor did she communicate to him her understanding of what occurred. C-112 testified that he simply told her that Robert Sabourin was a pervert. Jeannine Seguin asked to speak with C-112 and told him that he could complete Sabourin's class in the library.
 - (c) C-112 never told any other teachers or other administrators at the School what happened.
11. In the spring of 1976 Mrs. Sabourin, Robert Sabourin's wife, advised Jeannine Seguin that Robert Sabourin was having sexual relations with students. Jeannine Seguin responded to her that she could not do anything without evidence and that Mrs. Sabourin should assist in trying to convince Robert Sabourin to resign for medical reasons.
- (a) Robert Sabourin provided Jeannine Seguin with a letter of resignation for medical reasons on or about May 31, 1976 and his resignation went to the Board of Trustees and was accepted by them as a mutually acceptable resignation for medical reasons as of August 31, 1976.
 - (b) Jean Paul Scott testified that Jeannine Seguin informed him of the allegations after she had accepted Robert Sabourin's resignation for medical reasons. He did not recall

whether or not he informed the Director of Education, Rosaire Leger, of the circumstances of the resignation.

12. Jeannine Seguin denied having any prior knowledge of Robert Sabourin's inappropriate actions. She denied that any students disclosed information to her or that anyone else brought information to her attention.
 - (a) It is respectfully submitted that there is no evidence that, prior to Mrs. Sabourin's meeting with Jeannine Seguin, the administration of the School or the Public School Board were aware of Robert Sabourin's abuse of students.
 - (b) It is respectfully submitted that C-112 never specifically communicated to Jeannine Seguin the nature of his concerns. There is no evidence that C-74 communicated to Jeannine Seguin the details of the incidents between C-112 and Robert Sabourin. It is respectfully submitted that the concern communicated by C-112 to Jeannine Seguin, namely that Robert Sabourin was a pervert, could reasonably have been interpreted by her to be a concern about Robert Sabourin being homosexual.
 - (c) The evidence of both Andre Lavoie and Alain Seguin was that they did not disclose their abuse to anyone while they were students of the School.
 - (d) It is respectfully submitted that no conclusion can be made that Jeannine Seguin had knowledge of the incidents between Robert Sabourin, C-112, Andre Lavoie or Alain Seguin.
13. The undisputed evidence indicates that Robert Sabourin was never caught by staff or the administration of the School in the act of abusing a student. The evidence indicates that Robert Sabourin always had excuses for being with students. The evidence also indicates that Robert Sabourin was a manipulative individual who had created a persona of being a caring adult interested in the welfare of children.
 - (a) It is respectfully submitted that there is no evidence that suggests that Robert Sabourin's actions should have led administrators of the School or the Public School Board to believe that he was lying about his activities and to suspect that he was abusing students.
14. It is respectfully submitted that the evidence is insufficient to infer that the administration of the School should have concluded that because Robert Sabourin locked his office doors he was sexual abusing students.

- (a) It is respectfully submitted that the administration of the School provided supervision consistent with the supervision provided at other schools of the Public School Board.
 - (b) It is respectfully submitted that, given the period of time and lack of knowledge about the prevalence of sexual abuse there was no reason to suspect that such supervision was not adequate.
 - (c) It is respectfully submitted that there is no evidence to suggest that further classroom monitoring and supervision of Robert Sabourin by administrative staff would have resulted in uncovering Robert Sabourin's deception.
15. It is respectfully submitted that it is not reasonable to conclude that teachers and administrators in the School or administrators of the Public School Board with only a professional relationship with Robert Sabourin should have suspected that he was sexually abusing students when the parents of the abused students did not suspect abuse, despite their close, personal relationship with Robert Sabourin.
16. Jean Paul Scott believed that he had no grounds to proceed further with the allegations brought to Jeannine Seguin's attention. The allegations were not investigated by the School or the Public School Board or reported to the police or to the CAS.
- (a) It is respectfully submitted that the decision by Jeannine Seguin to accept Robert Sabourin's resignation for medical reasons without reporting the matter to CAS and/or the police, without reporting it to the Director of Education and Board of Trustees and without further investigation by the Public School Board was not consistent with the expectations of the Director of Education.
 - (b) It is respectfully submitted that there is no way to determine what the outcome of an investigation of the allegations against Robert Sabourin in 1976 by CAS and/or the police and the Public School Board would have concluded, nor is it possible to conclude whether or not there would have been sufficient grounds for discipline or to terminate Robert Sabourin or sufficient evidence for a hearing by the Ministry of Education to remove Robert Sabourin's teaching certificate.

Jean-Luc LeBlanc

17. In January 1986, a disclosure of sexual abuse by an individual, Jean-Luc Leblanc, who was not related by employment or association to the Public School Board, was made to a teacher of the Public School Board, Dawn Raymond, by two of her former students, Jason Tyo and Scott Burgess.

18. This was the first disclosure and experience with child sexual abuse that Dawn Raymond had in her career. Following these disclosures, Dawn Raymond spoke to her principal, Ivan St. John, and he advised her to consult with the special education consultant, Dave Hill, who referred her to Lorne Lawson, her Superintendent of Education. Upon hearing the details of the disclosure Lorne Lawson he contacted Children's Aid Society (the "CAS") and a CAS and police investigation were initiated.
- (a) It is respectfully submitted that Dawn Raymond's report of the abuse to her Superintendent of Education, Lorne Lawson, who contacted CAS immediately, was consistent with the existing legislation at the time of the incident.
19. Constable Payment's notes indicated that there was approximately 2 weeks between the initial disclosure of abuse and Dawn Raymond's report to CAS. Constable Payment indicated that, while the delay was a concern, if the victim hesitated he could understand why there might have a hesitation reporting. The issue of delay was never raised by Constable Payment with Bruce Duncan of the Children's Aid Society. Although Dawn Raymond understood her duty to report a child in need of protection with respect to physical abuse and/or neglect, she did not fully understand how that duty applied to sexual abuse, because sexual abuse could not be visually confirmed. In reviewing why the lapse of time occurred, Dawn Raymond indicated that, since she had never encountered such abuse, she had been trying to decide what to do and perhaps trying to get further evidence.
- (a) It is respectfully submitted that, given that the Badgley Report had only just been issued in August of 1984, and it was the first significant Canadian research on the incidence of child sexual abuse, particularly sexual exploitation of male children, it is not reasonable to expect that Children's Aid Societies and school boards in Ontario would have had an opportunity to train school administrators and teachers about child sexual abuse and the expectations of reporting a child in need of protection resulting from sexual abuse.
- (b) Nor is it reasonable to expect that Dawn Raymond would have been familiar with the process and standards for reporting a child in need of protection resulting from sexual abuse.
- (c) Despite two weeks passing between the first disclosure and her decision to report, it is respectfully submitted that there was no failure on Dawn Raymond's part to do what was necessary to assist these students

20. The School's decision not to permit Constable Brian Payment to interview Scott Burgess at the School without his mother or father consenting was a common practice and did not concern Constable Payment at that time, as he understood why such a practice was in place.
 - (a) It is respectfully submitted that there is no evidence that this practice in any way hindered the investigation, given that the School facilitated the CAS interviewing Scott Burgess immediately.

21. Lorne Lawson, the Superintendent responsible for the special education support services of the Public School Board, offered to provide Scott Burgess, Jason Tyo and Jody Burgess psychological assistance.
 - (a) It is respectfully submitted that these were appropriate support services to have offered the students.

22. Jean-Luc Leblanc pled guilty to two (2) counts of gross indecency on November 6, 1986 and received a suspended sentence and three (3) years probation as a sentence.

23. In or about October 1998, Jean-Luc Leblanc was hired by Rory Evans for Evans Bus Lines to provide transportation for students of the Public School Board contrary to the expectation of the Board's Hiring Guidelines. The evidence indicates that Rory Evans should have notified Carol Tyrell, Transportation Manager of the Public School Board, of Jean-Luc Leblanc's conviction, but failed to do so. Rather Rory Evans accepted Jean-Luc LeBlanc's explanation that he had been "cured" and hired him.
 - (a) It is respectfully submitted that Rory Evans' failure to comply with Public School Board's requirements to report Jean-Luc Leblanc's criminal conviction and his lapse in judgement in accepting Jean-Luc Leblanc's explanation could not have been anticipated; thus, the Public School Board had no reason to have requirements in place that could prevent such an error.
 - (b) Following the error the Public School Board prepared and implemented Standards of Performance in January 1999 applicable to its transportation providers, which included, among other things, that transportation service providers obtain a criminal reference check from all bus driver candidates and submit them to the Public School Board.

Father Gilles Deslauriers

24. Father Deslauriers was assigned by the Diocese of Alexandria (the Diocese) in 1977 to become Chaplain of La Citadelle High School following the request by Jeannine Seguin of Bishop LaRocque.
- (a) It is respectfully submitted that the evidence indicates that Jeannine Seguin requested Father Gilles Deslauriers to be Chaplain at La Citadelle based on his positive reputation. There is no evidence to suggest that at the time her request was made of Bishop LaRocque that there was any information known to either the Diocese or to the Public School Board that Gilles Deslauriers had ever sexually abused children and/or youth.
25. Benoit Brisson, a former student during the late 1970s of La Citadelle High School, when he was 17 years old met Father Deslauriers at school and got to know Father Deslauriers much better through the RCube movement (R3), which was a program under the Diocesan plan for youth. Benoit Brisson was introduced to R3 by his sister. Eventually Benoit Brisson's contact with Father Deslauriers increased to include 'therapy', and in January 1979 Benoit Brisson was abused by Deslauriers at the St. John Bosco Rectory where Father Deslauriers maintained an office and residence.
- (a) Neither the School nor the Public School Board was responsible for R3 and its supervision. Neither the School nor the Public School Board was responsible for Father Deslauriers' therapeutic program and its supervision. Neither the School nor the Public School Board was responsible for supervising Father Deslauriers when he was at Father John Bosco rectory or on retreats with R3.
- (b) It is respectfully submitted that the abuse that was perpetrated by Father Deslauriers took place off School property in the rectory of Father Bosco Church when youth came to visit Father Deslauriers for 'therapy'. It is respectfully submitted that there were no supervision mechanisms that could have been employed to ensure that Father Deslauriers was not abusing students off school property
26. Following Benoit Brisson's disclosure of abuse in May 1986 many other victims came forward and informed the Diocese of Alexandria of their experiences with Father Deslauriers, and as a result Bishop LaRocque asked Father Deslauriers to leave the Diocese. The Diocese did not report the abuse to CAS or inform the School or the current or former School Administration of the reasons that Father Deslauriers was asked to leave the Diocese.

27. Father Deslauriers was subsequently convicted of four (4) counts of gross indecency, reduced from 8 counts, and sentenced to a suspended sentence with 2 years probation with conditions.
28. At no time while Benoit Brisson was attending school did he disclose the abuse by Father Deslauriers, nor did he make his abuse more widely known to the public until May 1986. During her tenure as Principal of La Citadelle, Jeannine Seguin never received any complaints from any students about Father Deslauriers. The Diocese at no time informed the School or the Public School Board of Father Deslauriers abuse of youth.
- (a) It is respectfully submitted that it is not reasonable to anticipate that staff or administration of the School would suspect that Father Deslauriers was perpetrating such sexual abuse off school property with students of the school.
- (b) It is respectfully submitted that it is not reasonable to conclude that the administration of the School should have suspected that Father Deslauriers was abusing students off school property.
29. It is respectfully submit that when not in the School, Father Deslauriers was not the responsibility of the School or the Public School Board. It is respectfully submitted that at the same time that Father Deslauriers was a Chaplain in the School he was also a priest and responsible to the Diocese for his behaviour, regardless of whether his actions were connected to his work as a Chaplain, or as a priest of the Diocese and R3 leader.

Nelson Barque

30. It is respectfully submitted that there are no allegations of wrong-doing involving Nelson Barque while he was an occasional teacher for one month at La Citadelle or prior to his time spent at La Citadelle.
31. It is respectfully submitted that there is no evidence that Nelson Barque was ever placed in a school or provided services to a school under the jurisdiction of the Public School Board while he was employed by Psychosocial Department (also known as Equip Psychosocial).
32. It is respectfully submitted that there is no evidence of wrong-doing by Nelson Barque in any of the Public School Board's schools.

All of which is respectfully submitted this 19th day of February, 2009.

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