

**THE CORNWALL  
PUBLIC INQUIRY**



**L'ENQUÊTE PUBLIQUE  
SUR CORNWALL**

**Public Hearing**

**Audience publique**

**Commissioner**

The Honourable Justice /  
L'honorable juge  
G. Normand Glaude

**Commissaire**

**VOLUME 350**

**Held at :**

Hearings Room  
709 Cotton Mill Street  
Cornwall, Ontario  
K6H 7K7

Friday, February 27, 2009

**Tenue à:**

Salle des audiences  
709, rue de la Fabrique  
Cornwall, Ontario  
K6H 7K7

Vendredi, le 27 février 2009

**Appearances/Comparutions**

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Lori Beaudette	Registrar
Ms. Colleen Parrish	Commission Counsel
Mr. John E. Callaghan Ms. Reena Lalji	Cornwall Community Police Service and Cornwall Police Service Board
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Ministry of the Attorney General
Mr. Peter Chisholm Ms. Michele Allinotte	The Children's Aid Society of the United Counties
Mr. Juda Strawczynski	Citizens for Community Renewal
Mr. Dallas Lee	Victims' Group
Mr. David Bennett	The Men's Project
Mr. Frank T. Horn	Coalition for Action

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1 --- Upon commencing at 9:35 a.m./

2 L'audience débute à 9h35

3 **THE REGISTRAR:** Order; all rise. À l'ordre;  
4 veuillez vous lever.

5 This hearing of the Cornwall Public Inquiry  
6 is now in session. The Honourable Mr. Justice Normand  
7 Glaude, Commissioner, presiding.

8 Please be seated; veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning, all.

10 Mr. Engelmann?

11 **MR. ENGELMANN:** Good morning, sir. I'll  
12 just make some brief introductions if I can this morning as  
13 I have in the past.

14 **THE COMMISSIONER:** Yes.

15 **MR. ENGELMANN:** I'm happy to say this is our  
16 final day of submissions for the Inquiry and several of the  
17 parties have filed written submissions, sir. Seven parties  
18 are here this morning to give you some brief oral  
19 submissions.

20 **THE COMMISSIONER:** M'hm.

21 **MR. ENGELMANN:** The batting order for today,  
22 sir, we have the Citizens for Community Renewal first. Mr.  
23 Strawczynski is here on behalf of his client. The  
24 Coalition for Action will follow that. Mr. Horn is  
25 present. The Victims Group will be third with Mr. Lee

1 present. The Men's Project, fourth; Mr. Bennett is here.  
2 Fifthly, the Children's Aid Society of Stormont, Dundas and  
3 Glengarry; Ms. Allinotte will be making those submissions.  
4 Then the Ministry of the Attorney General, Mr. Kloeze; and,  
5 lastly, Mr. Callaghan on behalf of the Cornwall Community  
6 Police Service.

7 Sir, I am joined -- and I neglected to  
8 introduce her at the beginning -- by my colleague, Colleen  
9 Parrish, Director of Policy, who has been running Phase 2  
10 for the Inquiry, for the Commission.

11 And, sir, I anticipate we should be done  
12 around the noon hour if we just carry on through and  
13 perhaps taking a break after Mr. Bennett's submissions of  
14 the Men's Project, depending on time.

15 **THE COMMISSIONER:** Thank you very much.

16 **MR. ENGELMANN:** Thank you, sir.

17 **THE COMMISSIONER:** Thank you.

18 Mr. Strawczynski.

19 **--- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MR.**

20 **STRAWCZYNSKI:**

21

22 **MR. STRAWCZYNSKI:** Good morning, Mr.  
23 Commissioner. For the record, my name is Juda Strawczynski  
24 and I appear on behalf of the Citizens for Community  
25 Renewal.

1                   CCR has prepared the following Phase 2  
2           Submissions, Mr. Commissioner, and as you are aware I am a  
3           lawyer from out of town, but these submissions have been  
4           crafted with much input from the citizens of Cornwall and  
5           the voice that I'm going to use will be inclusive and make  
6           reference to that community.

7                   It is CCR's position, sir, that  
8           recommendations concerning Phase 2 should be directed  
9           towards community-wide healing and reconciliation for two  
10          main reasons.

11                   First, this is consistent with the  
12          Commission's mandate and, second, on a practical level,  
13          community-wide healing and reconciliation directly affects  
14          the way we treat children and adult survivors of sexual  
15          abuse.

16                   The Order-in-Council of April, 2005  
17          establishing the Commission states:

18                               "The Commission shall inquire into and  
19                               report on processes, services or  
20                               programs that would encourage community  
21                               healing and reconciliation in  
22                               Cornwall."

23                   We believe that what is intended here is for  
24          the Commission to report on processes, services or programs  
25          that would encourage general community-wide healing and

1 reconciliation. It is to be inclusive of everyone, Mr.  
2 Commissioner.

3 In Cornwall, many adult survivors of  
4 childhood abuse have been, for whatever reason, excluded  
5 from the community mainstream. CCR believes that  
6 Cornwall's goal should be to become a more inclusive  
7 community by recognising this situation and acting to  
8 change it. We believe that this would in turn serve to  
9 reduce abuse and marginalization.

10 CCR's vision for the City of Cornwall  
11 following the Inquiry is that it develop into a more  
12 inclusive community in which people who have sustained  
13 abuse in the past are not marginalized and in which all  
14 citizens, regardless of social status, sexual orientation  
15 or any other ground are enabled to participate in community  
16 governance. The overall goal to Phase 2 should be to  
17 create opportunities for Cornwall to develop into a more  
18 inclusive and therefore healthier community. On this  
19 topic, CCR has gained insight from a 2002 report of the  
20 Laidlaw Foundation called "Perspectives on Social  
21 Inclusion" and I would like to share the following findings  
22 of that report.

23 "There has not been a sustained  
24 government commitment to children nor a  
25 significant improvement in the well-

1 being of children and families. In  
2 fact, in many areas, children and  
3 families have lost ground and social  
4 exclusion is emerging as a major issue  
5 in Canada. Whether the source of  
6 exclusion is poverty, racism, fear of  
7 differences or lack of political clout,  
8 the consequences are the same."

9 Mr. Commissioner, in this case, I would add  
10 that the effects of historic or current sexual abuse would  
11 be one other category as a form of exclusion for leading to  
12 exclusion.

13 "A lack of recognition and acceptance,  
14 powerlessness and voicelessness,  
15 economic vulnerability and diminished  
16 life experiences, and limited life  
17 prospects for society as a whole, the  
18 social exclusion of individuals and  
19 groups can become a major threat to  
20 social cohesion and economic  
21 prosperity. Social inclusion is about  
22 making sure that all children and  
23 adults are able to participate as  
24 valued, respected and contributing  
25 members of society. The importance of

1 cities and communities is becoming  
2 increasingly recognised because the  
3 well-being of children and families is  
4 closely tied to where they live, the  
5 quality of their neighbourhoods and  
6 cities, and the 'social commons' where  
7 people interact and share experiences.  
8 Public policy must be more closely  
9 linked to the lived experiences of  
10 children and families both in terms of  
11 the actual programs and in terms of the  
12 process for arriving at those policies  
13 and programs. This is one of the  
14 reasons for the growing focus on cities  
15 and communities as places where  
16 inclusion and exclusion happen.  
17 Universal programs and policies that  
18 serve all children and families  
19 generally provide a stronger foundation  
20 for improving well-being than residual  
21 targeted or segregated approaches. The  
22 vision of a socially inclusive society  
23 is grounded in an international  
24 movement that aims to advance the well-  
25 being of people by improving the health

1 of cities and communities. Realising  
2 this vision is a long-term project to  
3 ensure that all members of society  
4 participate as equally valued and  
5 respected citizens. It is an agenda  
6 based on the premise that for our  
7 society to be just, healthy and secure  
8 it requires the inclusion of all."

9 What we take from this lengthy quote, Mr.  
10 Commissioner, is that specific targeted social services are  
11 not delivered in a vacuum but rather exist within the  
12 community context. Put another way, CCR believes that  
13 Cornwall as a whole needs to develop to become a more  
14 inclusive community and that when it does so, this will  
15 benefit all of those who have traditionally been on the  
16 outside looking in, including sexual abuse survivors.

17 Against this backdrop, Mr. Commissioner, CCR  
18 wishes to highlight three main objectives for Phase 2 in  
19 its oral submissions.

20 First is improving the protection of  
21 children and young people.

22 Second is reparations for survivors and  
23 their families.

24 Third is community renewal and, time  
25 permitting, we will also briefly discuss some of the

1 recommendations put forward by other parties.

2 I will first address the CCR's two  
3 recommendations for improving the protection of children  
4 and young people. The first is to establish a child  
5 advocacy centre which would facilitate the implementation  
6 of the United Nations Convention on the Rights of the  
7 Child. The Child Advocacy Centre has been endorsed by the  
8 Children's Aid Society and other parties, Mr. Commissioner.

9 The second recommendation is to focus on  
10 public education and matters related to child abuse through  
11 health units, as the issue of child abuse is clearly a  
12 public health issue. Both recommendations are directed at  
13 areas which are in great need of improvement in this  
14 community.

15 I would like to now turn to the issue of  
16 reparations for survivors and their families, and the term  
17 "reparations" can be taken to include recommendations  
18 regarding counselling, support services and other  
19 recommendations aimed at repairing harm done to individual  
20 victims of sexual assault and their families. These  
21 recommendations support the overall efforts towards  
22 inclusiveness and community healing.

23 First, Mr. Commissioner, CCR would like to  
24 publicly recognize the Commission's contribution to victim  
25 support. We thank you and your staff for your decision to

1 offer counselling and support services to individuals  
2 involved in this Public Inquiry; the fact that you have, in  
3 an unprecedented way, helped over 300 survivors and others  
4 speaks volumes.

5 We cannot emphasize enough that we want to  
6 see the continuation of the level of counselling for  
7 survivors obtained with the help of this Commission. The  
8 Victims' Group Phase 2 submissions have explained the need  
9 for these services for survivors and we adopt their  
10 submissions as to why the continuation of services is  
11 essential.

12 Now, Mr. Commissioner, the Ministry of the  
13 Attorney General has suggested that you recommend to it  
14 that it conduct a comprehensive systematic review and  
15 evaluation of existing service models for male victims of  
16 sexual assault. Mr. Commissioner, frankly, CCR believes  
17 that this is an exercise that the Ministry of the Attorney  
18 General could have undertaken on its own initiative at some  
19 point since the start of this Inquiry. However, we urge  
20 the Attorney General to commence its review of available  
21 services immediately.

22 We also encourage any review to encompass  
23 all services, not just those for male victims of sexual  
24 assault but also undertake a comprehensive independent  
25 review of male, female and transgender populations and

1 services available, and that the review should be aimed at  
2 both children and adult populations.

3 Existing services in Cornwall, including  
4 those which were provided to support survivors and others  
5 involved in the Inquiry process, should be maintained  
6 throughout this review process and the development of new  
7 services. The services provided by the Commission or  
8 extending from the Commission should be extended beyond the  
9 90-day period following the release of your report.

10 We ask you, Mr. Commissioner, to impose a  
11 strict timeline on the Ministry of the Attorney General's  
12 review process and, again, all support services should be  
13 maintained throughout this review process. CCR requests  
14 that any province-wide audit of existing services attempt  
15 to build on the existing services by implementing supports  
16 recommended by the Men's Project in its final Phase 2  
17 submissions.

18 We have also made two recommendations,  
19 Mr. Commissioner, concerning confidentiality agreements and  
20 apologies. These, again, are directed ultimately towards  
21 creating a more inclusive community, recognizing and  
22 acknowledging survivors, and bringing survivors from the  
23 fringes into the community.

24 Mr. Commissioner, a quick note about apology  
25 legislation. We have been informed by the Attorney General

1 and we are aware that this is a current government priority  
2 and we expect an apologies bill to pass. However, it  
3 remains an important recommendation for the CCR until such  
4 time as it is passed and made law.

5 As many writers have stressed, social  
6 justice is a process. CCR would like to briefly comment on  
7 a particular Phase 2 project which has already used an  
8 inclusive process which serves survivors, and that is the  
9 safe house, Mr. Commissioner. The production of the Safe  
10 House Report, the recommendation in our written submission,  
11 is interesting because of the process followed to produce  
12 it.

13 That process was in keeping with the true  
14 spirit of community healing and reconciliation. Survivors  
15 and other citizens were involved as equals, as were  
16 community leaders and institutions. There was broad  
17 community agreement on the need for this facility and, most  
18 importantly, it's accompanying programming. It wasn't an  
19 easy process but it was in the end a successful one,  
20 hopefully a forerunner of what we can do as a community to  
21 build together in the future.

22 The Project Safe House community wants, as a  
23 key component, to be as inclusive as possible of survivors  
24 in the governance of the safe house and to increase that  
25 inclusiveness over time through the programs of the safe

1 house. It was survivors, along with other citizens, who  
2 lobbied for and obtained a Public Inquiry for our  
3 community. The process that gave rise to the safe house  
4 recommendations are many diverse people working together as  
5 equals, no one group being in control, for the benefit of  
6 the community at large. That is the model the community  
7 wishes to use for the governance of the safe house.

8 CCR also recommends a survivors memorial.  
9 Survivors and other citizens have seen the need for a  
10 continuing public symbol whereby the community acknowledges  
11 survivors and what they went through. The memorial also is  
12 consistent with the social value of inclusion. Through it,  
13 the community reaches out in an uplifting way and  
14 recognizes the hopes and aspirations of the suffering of a  
15 group of individuals within its midst, as well as the hopes  
16 and aspirations of all survivors everywhere.

17 As important as the memorial structure  
18 itself is the symbol it represents: a community  
19 acknowledging that an important problem exists that needs  
20 to be addressed and continues proper continuous responses.  
21 There would be a promise and a pledge to stop abuse and,  
22 Mr. Commissioner, it is our submission that the survivors  
23 memorial could be established in conjunction with the Safe  
24 House Project.

25 A further recommendation is for specific

1 leaders to make an apology to our community, to survivors  
2 and to local citizens. There's plenty of precedent to  
3 this, from the Prime Minister issuing apologies to the  
4 premiers of various provinces. We want local leaders to  
5 apologize for the way in which an important problem was  
6 handled in the community and would ask that the Premier,  
7 the Mayor, who is also on the Police Commission, and the  
8 Bishop of Alexandria-Cornwall to provide this community  
9 with apologies, which take place on a neutral territory  
10 with survivors and other citizens present.

11 I'd like to now turn to the third part of  
12 our submissions, Mr. Commissioner, which address community  
13 renewal. We have already talked about the need for  
14 protection of children and the recommendations that can  
15 strengthen supports, as well as reparations for survivors  
16 and their families. Each of these and other  
17 recommendations brought to your attention are likely to  
18 facilitate healing and reconciliation in our community but,  
19 as mentioned previously, there is still a need for an  
20 overall community-wide reconciliation for the community to  
21 renew itself and to become a more inclusive community.

22 There are those that opposed and continue to  
23 oppose an Inquiry in Cornwall, Mr. Commissioner, saying  
24 that it deflects from the image of Cornwall and, by  
25 extension, its economic prospects. The same reasoning is

1 used to argue against establishing a memorial to survivors;  
2 that it would draw attention to a negative aspect of  
3 Cornwall and therefore is counterproductive to the city's  
4 development and growth.

5 The same might be said about apologies, that  
6 they reflect on a bad side of Cornwall. To oppose an  
7 Inquiry or a memorial or apologies is seen by those holding  
8 these views as in fact a positive affirmation of Cornwall's  
9 image. Clearly, Mr. Commissioner, a denial of the events  
10 in Cornwall will not improve the community's image.  
11 Rather, it is our collective response to our history that  
12 is the proper measure of this community. There is no  
13 doubt that you will find in Phase 1 that there were many  
14 incidents of harm caused by sexual abuse in this community.  
15 These incidents cannot be forgotten or minimized as they  
16 have been in certain cases in the past. This history must  
17 be acknowledged now and form part of the community's  
18 understanding of itself, and it is our belief that your  
19 final report will greatly assist in this process.

20 After learning of the multitude of cases of  
21 sexual abuse in Cornwall, the community should have a  
22 total, genuine community-wide healing and reconciliation  
23 process in place with a view to becoming more accepting of  
24 this past and more inclusive of all members of the  
25 community going forward.

1                   The Commissioner can help by recommending  
2                   funding for bringing an outside social catalyst to our city  
3                   to facilitate the needed change. The outside catalyst  
4                   would have us look at ourselves honestly to see both  
5                   strengths and weaknesses.

6                   Secondly, would make sure that everyone is  
7                   included in this process.

8                   Third, would declare together what in fact  
9                   our real situation is.

10                  Fourth, would formulate together action  
11                  plans for change.

12                  Fifth, would take action together to renew  
13                  our city.

14                  And, sixth, would continually reflect on our  
15                  progress together.

16                  A further recommendation is that a community  
17                  development corporation be engaged to facilitate and  
18                  coordinate the various local projects which will be  
19                  established in the Cornwall area as a result of the  
20                  Commission's work. At some point in the future, the  
21                  corporation should be handed over to the community with a  
22                  fully inclusive board along with viable funding.

23                  Mr. Commissioner, I'd like to briefly  
24                  address some of the recommendations provided for Phase 2 in  
25                  the written submissions by other parties.

1                   **THE COMMISSIONER:** M'hm.

2                   **MR. STRAWCZYNSKI:** The CCR supports the  
3                   ombudsman recommendation found within the Men's Project's  
4                   written submissions at pages 9 to 11. This recommendation,  
5                   sir, should enhance the CCR recommendation for an advocate  
6                   for children with actual teeth to that position.

7                   The CCR also endorses all recommended  
8                   survivor leadership initiatives.

9                   The CCR endorses the UCDSB recommendations  
10                  for further supports for prevention and for supports of  
11                  child abuse victims within school boards.

12                  Finally, we support the development of a  
13                  specialized training centre at St. Lawrence College. There  
14                  has already been a proposal for a centre of excellence for  
15                  applied education in the prevention, treatment and  
16                  community support of abused children, youth and adults  
17                  which is a program which has the full support of CCR.

18                  Mr. Commissioner, in conclusion, although  
19                  the Inquiry has been at times a painful exercise and has  
20                  seemed to divide the community, CCR believes that it is in  
21                  reality indicative of growth and progress. It is never  
22                  easy to openly examine something considered ugly or  
23                  shameful, however, it is only by doing so honestly and by  
24                  acknowledging past weaknesses that Cornwall can move  
25                  forward.

1                   CCR wishes to publicly recognize what the  
2                   Commission has done to promote healing and reconciliation  
3                   to date in Cornwall. The Commission, under your leadership  
4                   with the able assistance of your Director of Policy,  
5                   Colleen Parrish, has pushed the envelope in bringing  
6                   imaginative solutions to our community.

7                   It has not escaped our notice that you come  
8                   from one of Ontario's smaller cities and, with that  
9                   background, understand our situation. You have shown and  
10                  practiced concern and empathy for survivors and other  
11                  citizens and CCR wants to express its thanks to you for  
12                  taking on this assignment. We will forever be indebted to  
13                  you.

14                  It is our hope that the road does not end  
15                  with your report and that your recommendations will lead to  
16                  positive social change and inclusion in Cornwall.

17                  Mr. Commissioner, subject to your questions,  
18                  those are the CCR Phase 2 oral submissions. It has been an  
19                  honour appearing before you, sir, and representing CCR.  
20                  Thank you.

21                  **THE COMMISSIONER:** Thank you very much, sir.  
22                  No, I don't have any questions.

23                  Mr. Horn?

24                  --- **FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MR.**  
25                  **HORN:**

1                   MR. HORN: Coalition for Action.

2                   I'd like to begin by thanking everybody that  
3                   is here and especially for you, Justice Glaude, for the  
4                   work that you've done over the last three years and that  
5                   you have a great task ahead of you from now on in order to  
6                   put together something that is going to be worthwhile for  
7                   the community.

8                   First of all, I would like to speak about  
9                   something that -- I'm a Mohawk and I come from a long line  
10                  of chiefs. My father was an hereditary chief and my  
11                  grandfather also was an hereditary chief and, historically,  
12                  our people believe that there was a time when there was a  
13                  great healer that came forth. His name is the Deganaweda  
14                  and he came among warring peoples that were fighting among  
15                  themselves and he brought a message of peace that would  
16                  bring rival parties -- rival people -- in the family -- it  
17                  was a family that was fighting among itself, these were the  
18                  Iroquois. Five tribes, they were fighting amongst  
19                  themselves for a long time, but a messenger came forth  
20                  among my people and he brought a message of peace and  
21                  harmony to the people.

22                  And what sprang forth is a confederacy of  
23                  five nations and it eventually became six nations, and they  
24                  planted a tree of peace among the people and that tree of  
25                  peace was a reminder of how it is that there used to be

1 animosity and anger and hatred and peace came among a  
2 warring people.

3 In a way, what has happened in Cornwall is a  
4 reminder that those sorts of things can happen within a  
5 family like Cornwall. I mean, I heard so many different  
6 people come forth and talk about some of the things that  
7 have happened to them and that there's families that have  
8 been split. There's been different people taking sides.  
9 The media has become divided where the blogs are on one  
10 side and it seems the established media's on another side,  
11 and there's been animosity that's been thrown forth. There  
12 has to be peace that be brought forth in this city -- in  
13 this community.

14 And we hope -- and I hope -- that this is  
15 what will come out of this; that you will be given the  
16 wisdom from on high to be able to make a proper decision;  
17 be given wisdom to be able to do the right thing in order  
18 to come and be like Solomon in the midst of a situation and  
19 give wisdom to the situation and bring some harmony to this  
20 community.

21 One of the things that is really important  
22 is the fact that there was an injury that was done to a  
23 large number of innocent victims. Those victims are hurt  
24 and they say, the person who did this to me he must somehow  
25 say that he did it.

1                   What has been happening, it seems, is that  
2                   there has been so much effort in order to protect the  
3                   institutions -- to protect them, to hire lawyers, to hire  
4                   advocates for the institutions, that it's almost like  
5                   they're reluctant to come forth and give an apology to the  
6                   people that had been hurt.

7                   They were young men who had been hurt in the  
8                   past and what they want to hear is someone to say, "We are  
9                   sorry for what we did".  Somebody has to come and say to  
10                  those people, "We are sorry.  We know that you've been  
11                  hurt."  And one of the things is there has to be an apology  
12                  from the institutions and the people in those positions for  
13                  the fact that there's wrongs that were done and there was  
14                  hurts and there are people in the community now who are  
15                  considered as being almost derelicts.

16                  They've been hurt and they've been  
17                  stigmatized in a certain way, so those people will continue  
18                  to feel that way and feel ostracized until there is some  
19                  way in which they can hear words coming from somebody and  
20                  say, "We are sorry for what has happened to you".

21                  Then and only then -- only when there's an  
22                  admission and an apology will there be possibilities of  
23                  reconciliation in this community.  As long as the  
24                  institutions continue to say, "No, we did not do anything  
25                  wrong.  It was all somebody else's fault.  We didn't do

1 anything wrong. We may have made minor mistakes."

2 But there was a grievous wrong that was done  
3 in this community and somebody has to come forth and say,  
4 "We are sorry for what has been done to these poor victims"  
5 and then the process of reconciliation and healing will  
6 take place in this community.

7 I agree with some of the recommendations  
8 that have been put forth of establishing an ombudsman  
9 position; somebody that would advocate for people who maybe  
10 want to have to get access to documents, their life history  
11 that is in the Children's Aid Society.

12 They may need an advocate to be able to go  
13 the police department in order to launch a complaint of  
14 some sort so that they will not be stonewalled by the local  
15 police departments so that they can feel confident in going  
16 to somebody and that they'll go with them, they'll go and  
17 will advocate for them before these institutions that have  
18 been stonewalling these people in the past.

19 And one of the things that I really feel is  
20 important is that you have this opportunity in the next few  
21 months to be able to sit down and look at all that you've  
22 heard over the last three years, all that you've read, all  
23 of the things that have come before you. And that you will  
24 be able to take that information, and in your quiet times,  
25 when you're alone, you will be able to make a proper

1 decision that is going to be one that will be almost etched  
2 in stone. It will be something that will be there and  
3 people will be able to look to it and say, this was an  
4 Inquiry that meant something.

5 It is something that is going to be there,  
6 and people will be able to look to it and say, yes, there  
7 is a possibility of reconciliation, there's a possibility  
8 that peace can come into a city like Cornwall and other  
9 cities around the country where there may be this kind of  
10 disputes and disharmony within a family like Cornwall.

11 Because that's really what Cornwall is, it's  
12 a family and there has been disharmony within the family  
13 and I think that the healing must take place. And it must  
14 take place in a way in which it will be lasting and it will  
15 also be an example to other communities around Canada and  
16 especially in Ontario. And they're going to say this is --  
17 if Cornwall can deal with their problem, so can we.

18 And we will have almost like a prototype of  
19 something that can be used in other communities in these  
20 kinds of situations, because the kind of things that have  
21 taken place in Cornwall are not just a Cornwall problem.  
22 Obviously these things do occur elsewhere. They may not  
23 have come to the surface like they have in Cornwall. Now  
24 that it's come to the surface in the city like Cornwall,  
25 they have -- the agencies of Cornwall have gotten together

1 and they have mustered together as much information as  
2 possible and then they have laid it before your feet and  
3 they're saying, now you've got to make a decision based  
4 upon the information that has been laid before you.

5 And I'm saying that you have a gigantic  
6 undertaking that's before you. It's like my father and my  
7 grandfather. They were one of the 50 hereditary Chiefs of  
8 the Confederacy. They used to get together for Grand  
9 Council and they would represent all of the different,  
10 varying tribes together and they would come together with  
11 all of their petitions and all of the things that they  
12 wanted to be done at a time so there would be -- and then  
13 they would have a Council fire.

14 And at that Council fire there would be a  
15 flame that would be lit and that flame would breathe smoke  
16 going to heaven and what it would do is, they're taking the  
17 petitions of the people to our Creator in heaven and He  
18 then oversees what is happening at these Grand Councils.

19 And this I believe is what is happening  
20 here, that we have petitions that are going to our Maker in  
21 heaven and He's looking down upon this community and He  
22 loves everyone that is here. He loves the victims; He  
23 loves even the perpetrators; He loves everybody that was  
24 involved and everything that happened here. He says, I  
25 want to bring peace, and I want to bring wisdom and I want

1 to bring understanding and I want something that is going  
2 to come out of this that is going to be fine and wonderful  
3 for all of these people. And Cornwall will be a wonderful  
4 place to live after this Inquiry is over and the report  
5 goes out to, not only this community, but it goes out to  
6 the world.

7 And I think that Cornwall will be able to  
8 put up a memorial that it was talking about. And it's a  
9 memorial of what it was like in Cornwall but is no longer  
10 like that because they have dealt with the problem in this  
11 city. They have dealt with it in a judicious way. They  
12 have brought forth all of the petitions of all the  
13 different parties and all of the different -- it's just  
14 like when you have a picture, or my hand. When people are  
15 looking at it, somebody looks at it from this side and  
16 somebody looks at it from this, and somebody looks at it  
17 from another side and every side is looked at. Now we have  
18 a true picture of my hand, because it has been seen from  
19 all the different angles.

20 And so right now, we have here -- we have  
21 here people coming from all the different parties and all  
22 the different interests that are involved, and they have  
23 brought forth their side, their viewpoint on this matter,  
24 but now all of those viewpoints are coming together and  
25 they -- we are seeing the whole picture from all sides.

1                   And now that you have this opportunity to  
2                   have all of that information before you and you are seeing  
3                   all the different sides, you can now see the true picture  
4                   of what really happened in Cornwall.

5                   And I think that you're going to come forth  
6                   -- you're going to bring forth out of this meeting of  
7                   minds, meeting of wills, meeting of people coming together,  
8                   you are going to be able to bring forth something that is  
9                   going to be worthwhile for this city.

10                  And I think that, even the people, in  
11                  particular I feel that there is going to be reconciliation  
12                  between the Police Department and Mr. Dunlop. And there's  
13                  going to be reconciliation between the different groups  
14                  that have come forth, because there is going to be peace  
15                  that is going to come to this city. Because this is a city  
16                  that was willing to come forth, and bring forth an Inquiry  
17                  like this, so that all of animosities and disagreements and  
18                  misunderstandings were brought here and now they are laid  
19                  here and there is going to be some reconciliation, there is  
20                  going to be some understanding of what really happened  
21                  here.

22                  And I think that this is going -- that is  
23                  what is going to come out of this, out of this Inquiry, I  
24                  believe it. I believe it. I believe it with all of my  
25                  heart that there is a hand that extends from heaven, and

1 He's got His hand on everything that has happened here, and  
2 He's going to make sure that everything that has to be done  
3 will be done right, and it will be proper and it will be  
4 something that will be for eternity. It will be here and  
5 it will have been established in Cornwall in the year 2009.

6 And that is my belief, and I believe that  
7 most of the people that are here, and I know that the  
8 Coalition for Action, they don't dislike and they don't  
9 hate anyone. They don't like it to be called homophobic  
10 and all these other words that have been used against them.  
11 No. They want healing for all sides.

12 The Coalition for Action are not people who  
13 are out there who are just out there because they're full  
14 of anger and hatred. No. They said they wanted an  
15 inquiry; they wanted something to come out of this. That's  
16 why they were pushing for this Inquiry, so hard.

17 Because, in the end, we believe that the  
18 greatest message that will come out of Cornwall to the  
19 world is, there was a huge problem in Cornwall, there was a  
20 huge disagreement, it was a family squabble. They got  
21 together, they healed among themselves, and afterwards  
22 they're going to be able to give a message to the entire  
23 world and say, you can do the same thing if Cornwall can do  
24 it.

25 Thank you very much.

1                   **THE COMMISSIONER:** Thank you, Mr. Horn.

2                   Mr. Lee?

3           **--- FINAL SUBMISSIONS BY/PRÉSENTATIONS FINALES PAR MR. LEE:**

4                   **THE COMMISSIONER:** Good morning, sir.

5                   **MR. LEE:** Good morning. For the record,  
6 Dallas Lee on for the Victims Group.

7                   It's always been interesting following Mr.  
8 Horn and I think my submissions might be a little flat  
9 compared to his but I'll see what I can do.

10                   I'd like to begin, Mr. Commissioner, by  
11 publicly acknowledging some of the people who have worked  
12 on Phase 2. My client, certainly, and me to some extent  
13 have had a lot of contact with people on your staff and  
14 some of the people advising you, and I'd like to  
15 specifically mention Colleen Parrish and Patrick  
16 Lechasseur, and Angela Long and Lori Loseth and Louise  
17 Tansey-Miller as people who have done very good work and  
18 have tried very hard to make Phase 2 a success.

19                   I also want to publicly acknowledge the work  
20 of the Advisory Panel, many of whom are here today, I see.

21                   Fairly early on in the process, I spoke with  
22 many clients about Phase 2 and what might be expected of  
23 them and what might be expected of me. And we drew a very  
24 major distinction early on between Phase 1 and Phase 2 and  
25 in Phase 1, obviously I was involved throughout at every

1 stage and in Phase 2, I was told to stay out of it unless  
2 necessary.

3 And I think that was a very sound  
4 instruction from my clients.

5 I offered them counsel when they asked. I  
6 listened to their concerns. I did what I could; speaking  
7 with Ms. Parrish often about ideas and thoughts and asked  
8 her for help on several occasions.

9 But overall Phase 2 is about healing and  
10 reconciliation and my clients, to a large degree ,thought  
11 that was better done without the lawyers than with the  
12 lawyers. So as much as possible, they took the lead on  
13 that and they contributed and they worked hard, and many of  
14 my clients were heavily involved.

15 Ms. Parrish knows a great many of them now  
16 and has dealt with them extensively. Keith Ouellette is  
17 here today, he was a witness before you and he's taken a  
18 great interest in Phase 1 of the Inquiry but more  
19 importantly in Phase 2 of the Inquiry. And there are  
20 others, Jamie Marsolais obviously, and many others who are  
21 involved.

22 Before I start with my submissions and some  
23 of the recommendations we've made to you, I don't intend to  
24 attempt to summarize Phase 2 for you or to recap for the  
25 community what Phase 2 was and what it was not.

1 I would like, however, to specifically  
2 mention the non-evidentiary opportunities and what I saw as  
3 a very unique process and something that was helpful. Some  
4 of my clients took part in that process. Some who  
5 testified in Phase 1 wish to also speak during that process  
6 and others who, for whatever reason, did not testify in  
7 Phase 1, took advantage.

8 And every one of them who spoke to me  
9 afterwards, spoke of the compassion of those receiving that  
10 information. They spoke of the great lengths that the  
11 Commission has obviously gone to to make that a comfortable  
12 -- as comfortable as it could be -- experience. And my  
13 clients, at least who I spoke to, saw great value in that.  
14 And I think you should be commended for approving that  
15 process.

16 I have filed with you written submissions  
17 relating to Phase 2 and I set out therein a number of  
18 recommendations. I don't see a lot of value in reading my  
19 submissions to you, but I'd like to comment on some of  
20 them.

21 And the first recommendation -- I can't say  
22 our recommendations went in order of importance from most  
23 important to least important, but it was by design that the  
24 first recommendation related to counselling.

25 **THE COMMISSIONER:** M'hm.

1                   MR. LEE: Because it's one of those things  
2                   that I hear about constantly. It was a great concern of my  
3                   clients before the Inquiry in terms of access to  
4                   counselling and in terms of -- it was recognized very early  
5                   on by my clients that this was not going to be an easy  
6                   process.

7                   Participating directly by testifying  
8                   wouldn't be an easy process but also the media was  
9                   obviously going to be present. It was going to be  
10                  discussed. It was going to be talked about. They were  
11                  going to be turning their minds to it constantly. They  
12                  were going to be asked about it. And all of these issues  
13                  are not easy to deal with obviously and counselling was so  
14                  important.

15                  In my submissions, I set out some of the  
16                  statistics that we were provided about the counselling  
17                  support program here at the Inquiry. The counselling  
18                  support program, as I understand it, began in March of 2006  
19                  and thereafter 395 files were opened, 163 of those files  
20                  related to men of which 122 identified themselves as  
21                  survivors and another 36 as family members of survivors.  
22                  Of the 232 women, 139 identified as survivors and 76 as  
23                  family members. Three-hundred-and-twenty-eight (328)  
24                  people attended upon a counsellor and developed a  
25                  counselling plan. The costs of the counselling services

1 are set out in my submissions.

2 And as it currently stands, sir, you've  
3 agreed to extend counselling support for 90 days past the  
4 end of your final report and many of the submissions that  
5 you've received in writing ask you to go further with that  
6 in your final report and to extend counselling beyond those  
7 90 days.

8 I set out in my written submissions a  
9 lengthy quote from Inspector Tim Smith who spoke of his  
10 experience at the Alfred Training School and he told us  
11 that even 18 years later, he's still in contact with many  
12 of the people that he helped there.

13 And he spoke to us about how in many of  
14 those cases things have not gone well since Alfred. He was  
15 keenly aware, as a police officer and as somebody who's had  
16 contact with all of these people over the years, that  
17 counselling support is just not available. It's not there.  
18 It's not accessible for male victims of sexual abuse, and  
19 that causes major problems.

20 And what Inspector Smith said to you was:

21 "I would strongly urge you in your  
22 recommendations, sir, to impress upon  
23 the government that it is not just the  
24 right thing to do but it's economically  
25 feasible to support those groups that

1 support male victims of sexual abuse  
2 and provide counselling to these  
3 people. Some of them may only need it  
4 once or twice a month, once or twice a  
5 year. Some of them will require it for  
6 the rest of their lives. And I think  
7 that's the least that can be done."

8 Those were Inspector Smith's words and I  
9 certainly support those. And what I especially wanted to  
10 focus on in terms of Inspector Smith's words is that he  
11 urges you to "impress upon the government" -- and I think  
12 that's a good way of putting it, sir.

13 We are asking you not only to make  
14 recommendations about what should be done but to clearly  
15 set out in your report why you think the recommendation  
16 relating to counselling is so important. And you're  
17 uniquely placed having been here for more than three years  
18 and having heard of lot of testimony and having met many of  
19 my clients and other victims of abuse in Cornwall to  
20 appreciate some of the effects.

21 You have the benefit of having heard expert  
22 testimony on -- relating to the effects of sexual abuse,  
23 and I have no doubt that you've come to appreciate exactly  
24 how devastating this can be. I won't take you back through  
25 the expert evidence, I did that to begin my Phase 1

1 submissions and, obviously, you have transcripts.

2 What happens when this Inquiry leaves town  
3 as it relates to counselling is of grave concern for my  
4 clients and I've set that out in my written submissions.

5 I also set out, as does the Men's Project,  
6 that a recommendation that counselling support continue  
7 past the end of the Inquiry would not be without precedent.  
8 Justice Goudge did so at the end of his inquiry where he  
9 recommended that the Province of Ontario should provide  
10 funding to permit counselling for individuals in the case  
11 exam that the inquiry -- for up to a further three years,  
12 for a total of five years from the time of commencement if  
13 the individual and the counsellor think it would be useful.  
14 And we're asking you to make a similar recommendation, sir.

15 Such a recommendation would relate to  
16 persons already involved with the counselling support  
17 program and that is obviously, given who I represent, of  
18 major concern to us.

19 But we need to go farther -- further than  
20 that to, sir, in terms of setting up what I refer to in my  
21 submissions as permanent and accessible counselling  
22 support, not just for Inquiry witnesses and people touched  
23 by this Inquiry, but for anyone in Ontario who's touched by  
24 sexual abuse.

25 You're going to hear I believe next from Mr.

1 Bennett on behalf of the Men's Project about the good work  
2 that the Men's Project does and some of the challenges it  
3 faces in trying to deliver services and what it recognizes  
4 as major shortfalls in Ontario in terms of service  
5 provisions and from their point-of-view, obviously, geared  
6 towards male survivors of sexual abuse.

7 We echo their submissions as it relates to  
8 the desperate need for services, and I'll leave it for Mr.  
9 Bennett to explain to you in more detail from sort of a  
10 clinical kind of way of exactly what they submit is needed.

11 What I can tell you though, sir, is that as  
12 counsel for the CCR said, the Ministry of the Attorney  
13 General in its submissions has recommended essentially a  
14 thorough review of the services now in place with an eye to  
15 determining how to move forward. We echo counsel for the  
16 CCR's comments that this is something that can start now.  
17 And we certainly support the recommendation from you, but  
18 this is something that can begin now.

19 And we're extremely concerned about the  
20 status quo over the next year or two while such a process  
21 is being undertaken. And steps need to be taken now to  
22 increase funding and to increase access province-wide.

23 With respect to the Men's Project, Mr.  
24 Bennett will detail for you its funding situation and the  
25 fact that it isn't guaranteed funding past the end of this

1 Inquiry.

2 Our second recommendation is that you  
3 recommend that the Men's Project be granted annualized  
4 funding to ensure that victim support is provided to males  
5 in this area. And certainly, sir, I hope you'll agree in  
6 your final report that the services provided by the Men's  
7 Project are invaluable; that they serve a segment of the  
8 population that has a very difficult time getting service  
9 elsewhere. They do good work and they try very hard to  
10 advance the interests of male victims of sexual abuse, and  
11 their participation here as a party of standing certainly  
12 goes to that. And this we say is an agency that deserves  
13 permanent funding and deserves to continue operating and  
14 ideally to expand.

15 We also adopt a submission of the Men's  
16 Project, as set out at page 2 of its submissions, to the  
17 effect that specialized victim treatment service centres  
18 for male survivors of sexual abuse and sexual assault  
19 should be created province-wide.

20 Counsel for the CCR spoke to you about some  
21 of the community-based projects that you've received  
22 information on, you've received proposals. And as I tried  
23 to set out in my written submissions, this is a unique  
24 opportunity for community members and survivors of sexual  
25 abuse to take a very direct role in trying to assist this

1 community with healing and reconciliation.

2 I set out in my submission the fact that  
3 some of my clients have expressed to me that they want to  
4 drive the bus this time and not just go along for the ride.  
5 And this is a unique opportunity for you to provide funding  
6 to help realise projects that were inspired by survivors of  
7 abuse and planned by survivors of abuse and that can be  
8 implemented by survivors of abuse. There are many, many  
9 projects that have been pitched to you.

10 We specifically comment in our submissions  
11 on the Adult Community Healing Resource Centre, as  
12 presented by the Survivor Leadership Team.

13 We speak of the implementation of a homeless  
14 shelter in Cornwall and one of my clients, Jamie Marsolais,  
15 prepared a report titled "Shelter 2015, Research Proposal  
16 for an Emergency Shelter in Cornwall, Ontario" and a lot of  
17 work has gone into that and we think the end product has  
18 been quite impressive.

19 Counsel for the CCR also spoke of a monument  
20 or some kind of a lasting permanent symbol of -- to  
21 acknowledge the suffering of survivors and the fact that  
22 they've come through it and that we've attempted to do  
23 something about it. Appendix D to the submissions of the  
24 CCR relates to a proposal or at least an idea for what a  
25 memorial may look like by one of my clients Keith

1 Ouellette, and I would encourage you to take a look at that  
2 and give it serious consideration, sir.

3 In terms of apologies, you know about the  
4 proposed Apologies Act and where that's at. What we are  
5 asking you to do, sir, in your Phase 2 Report is to stress  
6 to the best of your ability to the institutions of Cornwall  
7 that apologies are important. And we are hoping and what  
8 we encourage you to do is to turn your mind and to put some  
9 thought into how apologies from institutions might impact  
10 upon healing and reconciliation and advance the mandate of  
11 your Inquiry. We are not asking that you make apologies on  
12 behalf of institutions. We are not asking that you,  
13 despite the jurisdictional concerns, we are not asking that  
14 you order apologies.

15 What we are asking you to do is simply  
16 recommend in whatever hopefully strong language you deem  
17 appropriate to institutions in Cornwall that they take a  
18 good, long look in the mirror and that where they see  
19 mistakes and where they see hurt, that they apologise  
20 sincerely and specifically for that. And my clients have  
21 impressed upon me the fact that that will go a very long  
22 way to creating healing and reconciliation within my group  
23 at least, sir.

24 **THE COMMISSIONER:** M'hm.

25 **MR. LEE:** I read -- what time did I start

1 at, Mr. Engelmann?

2 **THE COMMISSIONER:** Ten-fifteen (10:15).

3 **MR. LEE:** Perfect, thank you, sir.

4 I read the submissions -- the Phase 2  
5 submissions of the Cornwall Police again last night, and  
6 they are very much geared towards prevention and they set  
7 out the work that that organization is doing to attempt to  
8 prevent future crimes. And I turned my mind to why  
9 prevention would go to healing and reconciliation, and I  
10 say to you that it does and that prevention is important in  
11 Phase 2 of this Inquiry.

12 My clients desperately want to feel like  
13 they've made a difference and that their participation here  
14 has been worthwhile and that the community and the province  
15 ideally have gained something from it. Creating awareness,  
16 getting people talking about sexual abuse and almost  
17 inevitably must lead in some measure to prevention.

18 Having the CPS here for three-and-a-half  
19 years listening to these things, thinking about these  
20 things, interacting with the Commission and really turning  
21 its mind to this issue and making it a priority, leads to  
22 prevention and that feeling and that sense of  
23 accomplishment most certainly leads to healing and  
24 reconciliation I think.

25 Also, sir, there's a focus in the Cornwall

1 Police submissions on community policing and my imperfect  
2 understanding of the concept is, the police get out there.  
3 They make themselves seen. They interact with people in  
4 the community. They take away the barriers that people  
5 sometimes have when they see a police officer and, you  
6 know, they get into the schools, they talk to people, they  
7 shake hands. They do all those kinds of things, and I  
8 think fostering cooperation is important. Working together  
9 is important and I think certainly bringing diverse groups  
10 together and working towards a common goal as noble as  
11 preventing childhood sexual abuse can't help but lead to  
12 healing and reconciliation when you get people in the same  
13 room talking.

14 One of the recommendations that we've set  
15 out comes from the evidence of Peter Jaffe where he -- he I  
16 think -- well, what he told us was that Don Cherry, as an  
17 example, could spend a full minute on national television  
18 speaking about sexual abuse and seeking help, and he told  
19 us that would have more impact than every publication that  
20 he and Dr. Wolfe put together in their careers. And as he  
21 put it, that's the reality of Canadian society. That's who  
22 men listen to. If it doesn't happen on Hockey Night in  
23 Canada, it doesn't really matter, and that's a big issue  
24 for boys.

25 We are not asking you to petition Don Cherry

1 for airtime, but we are asking you to recommend the  
2 creation and launch of a public awareness campaign focusing  
3 on child sexual abuse. And as we put in our written  
4 submissions, we've seen ample evidence at this Inquiry of  
5 what happens when victims realise that they're not alone.  
6 Encouraging victims of abuse to come forward to get help  
7 and to assist in ensuring that nobody else is harmed should  
8 be a top priority. Everything possible should be done to  
9 help all Ontarians understand how to prevent, detect and  
10 report sexual abuse.

11 And in our submissions, we specifically echo  
12 the comments of the Men's Project in its submissions, but  
13 do add that we think mainstream media really does need to  
14 be involved getting the message out there and that that  
15 should be a priority.

16 You heard from a number of witnesses about  
17 child education programs and I remember specifically one of  
18 my clients, Cindy Burgess Lebrun, really speaking  
19 passionately about the difference it might have made had a  
20 survivor of sexual abuse come to her school when she was  
21 young and spoken about it and let her know it was okay to  
22 speak up and let her know that she wasn't alone and that  
23 she could come forward.

24 That stuck with me in the couple of years  
25 since Cindy testified and the -- I think it really, really

1 makes good sense, sir, to do what we can to get the word  
2 out, to help kids protect themselves, to give them the  
3 information they need, to give parents the information they  
4 need. And I know you've heard -- you had some submission  
5 from the Upper Canada Board about what it proposes and what  
6 it wants to do, and we certainly support that.

7 I won't go on in any detail about the St.  
8 Lawrence College program. You have a feasibility  
9 assessment titled "Centre of Excellence Post-Diploma  
10 Education in the Prevention, Treatment and Community  
11 Support of Victims of Child Sexual Abuse". And for the  
12 reasons set out in our written submissions, we support  
13 that.

14 **THE COMMISSIONER:** M'hm.

15 **MR. LEE:** As counsel for the CCR did, we  
16 support that a sexual abuse ombudsman position be created  
17 in Ontario.

18 I was able to get a bit of a sneak peak at  
19 the Men's Project's submissions on that point, and I  
20 couldn't think of a way to put it any better than Mr.  
21 Bennett did in his submissions and we adopt that  
22 submission, that recommendation in its entirety from the  
23 Men's Project.

24 The final recommendation in my written  
25 materials relates to sentencing and we were careful on how

1 to word what we propose as a recommendation.

2 And what we've come up with is that you urge  
3 that the Province undertake a thorough review of sentencing  
4 practices in cases relating to childhood sexual abuse in  
5 order to determine whether Crown policies and procedures  
6 relating to these matters need to be revised in any way.

7 And I don't think there were many witnesses  
8 -- many victim witnesses -- or family members who didn't  
9 express grave concerns about sentencing, and we're simply  
10 encouraging the Province to take a good hard look at how  
11 these matters are dealt with in the courts and to put some  
12 consideration into whether something needs to be done to  
13 attempt to change the law as it relates to sentencing  
14 standards.

15 I don't have time to go through everybody's  
16 submissions in detail. I did, however, though, sir, want  
17 to specifically comment on the CAS materials.

18 **THE COMMISSIONER:** M'hm.

19 **MR. LEE:** And under a heading at page 11 of  
20 their submissions titled "The Healing of Victims", the CAS  
21 writes:

22 "In an effort to promote the goal of  
23 community healing and reconciliation,  
24 the CAS is prepared, through the  
25 Society's Executive Director, to meet

1                                   with former CAS wards in order to share  
2                                   and discuss their experiences while in  
3                                   the care of the CAS."

4                                   I've spoken with a couple of clients already  
5                                   and informed them of that and it's been met with a very,  
6                                   very favourable reaction, and I'm told by people who I  
7                                   think are almost certainly going to take her up on that  
8                                   offer that they're extremely encouraged by that offer.  
9                                   They think it's progressive, and I wanted to publicly  
10                                  commend the CAS for that.

11                                  Sir, the Phase 2 mandate to promote healing  
12                                  and reconciliation is not an easy one. You've been here  
13                                  for a long time now and you know about some of the  
14                                  divisions in this community. All of the parties who made  
15                                  Phase 2 submissions have clearly put thought into what you  
16                                  can do and how it can work and how people can come  
17                                  together.

18                                  I think that your report is going to be a  
19                                  very major stepping stone for this community to understand  
20                                  its past, to consider how it can move forward and, as I've  
21                                  said, I think a major factor in healing and reconciliation  
22                                  is being left with the impression that this process made a  
23                                  difference and that my clients were involved -- my clients  
24                                  were engaged -- and they cared and they were looking at  
25                                  making the future better than the past, and I really do

1 wish to say to you that my clients appreciate the effort  
2 that you and your staff have put into this thing. We  
3 appreciate the hard work you have ahead of you and we are  
4 very anxiously awaiting your report.

5 Good luck to you, sir.

6 **THE COMMISSIONER:** Thank you very much.

7 Why don't we take a break now and then we  
8 can come back. Take 15.

9 **THE REGISTRAR:** Order; all rise. À l'ordre;  
10 veuillez vous lever.

11 This hearing will resume at 10:55.

12 --- Upon recessing at 10:37 a.m./

13 L'audience est suspendue à 10h37

14 --- Upon resuming at 11:01 a.m./

15 L'audience est reprise à 11h01

16 **THE REGISTRAR:** Order; all rise. À l'ordre;  
17 veuillez vous lever.

18 This hearing is now resumed. Please be  
19 seated. Veuillez vous asseoir.

20 **THE COMMISSIONER:** Thank you.

21 Mr. Bennett, good morning.

22 --- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MR.

23 **BENNETT:**

24 **MR. BENNETT:** Good morning, Mr.

25 Commissioner. It's my pleasure to appear in front of you.

1 It's interesting being up here because I think when I first  
2 appeared in front of you with opening submissions  
3 approximately three years ago ---

4 **THE COMMISSIONER:** M'hm.

5 **MR. BENNETT:** --- I'm not sure if I was  
6 saying anything different than what I will be saying today  
7 and I thought about why that is. I thought when I sat down  
8 with my client and we were talking about final submissions,  
9 I realized my client, The Men's Project and Mr. Goodwin,  
10 have been working in this area for a long time and have a  
11 lot of experience and what's really happened is through  
12 this Inquiry, they've educated all of us including myself  
13 about the types of services they do, what the needs are and  
14 they were able to see, I guess, ahead of the Inquiry ---

15 **THE COMMISSIONER:** M'hm.

16 **MR. BENNETT:** --- what might be needed.

17 And what I'm going to be doing this morning  
18 is talking in more detail than I ever did at opening  
19 submissions because we've heard more bases for some of the  
20 things we're recommending and I think our understanding as  
21 a group has developed through this.

22 Now, one of the things that we did hear  
23 through the contextual experts is what happened here in  
24 Cornwall wasn't really particular to Cornwall. This could  
25 have been anywhere in Ontario and probably anywhere in

1 Canada. It's come to light in Cornwall, but these  
2 difficult situations can occur in any community. And for  
3 that reason, we are addressing our concerns for a broader  
4 perspective for the Province of Ontario. And we see this  
5 as more of a prototype of what type of things could happen.  
6 The failures and shortcomings by some of the institutions  
7 for the victims probably would have been the same if these  
8 incidents had occurred at the same time in somewhere else  
9 in this Province.

10 It also would be unrealistic to expect that  
11 this Inquiry could totally heal the damage done to the  
12 victims and to the community. However, if we use what I'll  
13 call the "Cornwall experience" to benefit all citizens of  
14 Ontario, maybe we have done something.

15 If the victims can see that their horrendous  
16 experience prevents even one case of abuse or at least  
17 helps one other victim in recovering, they may be able to  
18 say that this Inquiry was worth it. Again, for this  
19 reason, we put our recommendations to be broader and for  
20 the entire Province.

21 You'll also notice, for the first time since  
22 I've appeared in front of you, I've used the word "victim".  
23 Up until now, I've always talked about "survivors" and  
24 that's the language that the Men's Project use. Their  
25 clients are survivors of abuse.

1                   However, today at times I will be using the  
2                   word "victim" because that's the terminology the Ontario  
3                   Government uses. And when we talk in our recommendations  
4                   about recommendations for victims, we want it to fit within  
5                   the language that the Ontario Government uses. It's not  
6                   because we think that's better language, in fact we think  
7                   survivor is really the appropriate -- but for today I will  
8                   be using the word "victim".

9                   I would also like to thank the Inquiry. I  
10                  did some brief comments about Phase 1, but I'd like to talk  
11                  about Phase 2 and the hard work that we've seen from the --  
12                  led by Colleen Parrish. I also see that many members of  
13                  the Advisory Committee are here and, on behalf of the Men's  
14                  Project, we would really like to thank them because we know  
15                  that they've given their all. We have a wealth of  
16                  expertise in this room. I know all of them are not here,  
17                  but we've really appreciated -- our clients have and I  
18                  think they should be commended.

19                 And I also think you should be commended for  
20                 choosing such a wise group of people to advise you. And  
21                 we're hoping that they will still have input as you move  
22                 forward with your Phase 2 report.

23                 Again, I'd also like to thank the staff of  
24                 the Inquiry. They've been extremely helpful for any  
25                 request that we have ever had. I can't think of any

1 opportunity where they haven't gone out of their way to  
2 accommodate us. Whether we needed documents or to talk to  
3 someone or had a problem, your staff has always been  
4 outstanding and we would like to commend all of them for  
5 that.

6 I'd also like to make a commendation to  
7 Patrick Lechasseur who's here ---

8 **THE COMMISSIONER:** M'hm.

9 **MR. BENNETT:** --- for the hard work he's  
10 done with the Victim-Witness Support Program.

11 **THE COMMISSIONER:** M'hm.

12 **MR. BENNETT:** Again, it's been done in a  
13 very professional and hard-working manner, so I think that  
14 -- and I think a special thanks also to Colleen because I  
15 know she's given her heart and soul, and I don't think I've  
16 ever seen someone become more involved in an issue and I  
17 can't think of anything I haven't seen Colleen do, whether  
18 it's from getting coffee and doughnuts to people; to the  
19 bigger picture, to organizing and it's been appreciated --  
20 your efforts, Colleen.

21 I'm going to go on to our recommendations.  
22 The one thing I would also like to commend this Commission  
23 because it was unusual for this Commission was that you  
24 called the contextual evidence.

25 And from our perspective that was invaluable

1 to bring people up to speed about what this issue is, and I  
2 don't think we would have had the type of recommendations  
3 we've seen from other parties or the understanding of these  
4 issues, the victimization and what people go through who  
5 have survived abuse, if we didn't have those contextual  
6 experts.

7 So I would, again, like to thank this  
8 Commission for doing that, and we didn't put it in our  
9 recommendations but it's something I would recommend that  
10 all commissions to do to bring parties up-to-speed before  
11 they move forward on an issue.

12 Our first recommendation, which I'm sure  
13 does not surprise anybody -- and I should say that our  
14 recommendations after the first one are not in order of  
15 importance. It's more how they flow together.

16 But the first one has been what we've been  
17 saying since day one, that the government should ensure  
18 that adequate resources are provided to create, implement  
19 and administer province-wide specialized victim treatment  
20 service centres for male survivors of sexual abuse and/or  
21 sexual assault.

22 It's clear from what we've heard in this  
23 Inquiry that there are not services for men in this  
24 Province. Unfortunately, we don't have 10, 15 other  
25 parties that provide services for men asking for status at

1           this Inquiry. There is only one in the Province and it is  
2           The Men's Project.

3                         I would also like to thank my colleagues who  
4           have supported this recommendation. We've heard it from  
5           the Coalition, the Victims' Group, the CCR, and in my mind  
6           -- I don't know if "more importantly" is the word, but it  
7           was very satisfying to see in the submissions of the  
8           Ontario Provincial Police and the Ontario Provincial Police  
9           Association that they both came to the same conclusion that  
10          it was necessary, and I think it was based on their  
11          experience of dealing with people who had experienced abuse  
12          as they went through Project Truth; that they did this and  
13          through the Inquiry. So I'd also like to thank those  
14          institutions for that.

15                        I've set out in my submission why we need  
16          these types of services. There is an error on page 2.  
17          Originally I'd said there's clearly a need to be -- these  
18          centres will require secure funding from the Ministry of  
19          the Attorney General, similar to the funding arrangement of  
20          the 34 existing women's sexual assault centres. Well, I  
21          was wrong on that number. When I saw the MAG's  
22          submissions, I find out now there are 39 women's sexual  
23          assault centres in the Province.

24                        And it's important to understand that the  
25          funding is different. The sexual assault centres receive

1        what is called "annualized funding", so they know that  
2        every year they will get funding. The Men's Project  
3        receives something that is called "project funding" and I  
4        will deal with that later, but that's why we talk about  
5        similar-type funding.

6                    And we talk about what needs to be done as a  
7        minimum in these services: crisis response; individual  
8        counselling; group therapy programming; public education;  
9        volunteer coordination and victim support which includes  
10       liaison with the justice system; court accompaniment;  
11       informing people about how to make a police report; what  
12       their options are with respect to the legal process whether  
13       it's criminal or civil proceedings; criminal injuries  
14       compensation or perhaps third-party coverage under  
15       insurance policies.

16                    What we did is instead of going through and  
17        saying, "This witness said we need these types of services  
18        here and there", we put an appendix for you which I'm not  
19        going to go into detail, but talked about the  
20        characteristics and where some of the witnesses talked  
21        about these types of needs. We thought that might be  
22        beneficial as you go forward with your report to support a  
23        recommendation.

24                    Now, we already have a blueprint for these  
25        types of services and that's my client, The Men's Project.

1           What we are seeing is it's something that works and, not  
2           only that, through this Inquiry they were able to put  
3           forward a guidebook which was the "Men & Healing: Theory,  
4           Research in Practice and Working with Male Survivors of  
5           Childhood Sexual Abuse" and it sets out this treatment  
6           model. So as we're looking in Ontario, how these services  
7           can be rolled out effectively and efficiently for men. We  
8           have something for communities to look at.

9                         At one point, I think I suggested -- I can't  
10           remember which recommend -- something we were talking about  
11           -- I said, "Well, this could be something we could do in  
12           Ontario and maybe even across the country". It was about  
13           an ombudsman and we were talking with -- I believe it was  
14           Bishop Durocher at the time -- and you said, "Oh well,  
15           maybe you've got me a speaking tour further afield".

16                        Well, I'd like to point out that this Men &  
17           Healing has gone beyond the borders of this country. It's  
18           been adopted in California. We've attached an appendix  
19           which shows the "lin6" organization in California is now  
20           using this as their model for working with male survivors  
21           and recently the Survivors Trust, which is Europe's largest  
22           association working with groups that work with male  
23           survivors, has indicated their interest and they want to  
24           disseminate this material to all of their different  
25           organizations, and that's over 120 organizations in Europe.

1           So we talk about we're focusing on Ontario but we can see  
2           that the implications of what's been done here has far-  
3           reaching needs.

4                        And, again, I should thank the Commission  
5           for funding these types of research initiatives and  
6           enabling The Men's Project to demonstrate what they've been  
7           doing for a long time and say this actually can work here  
8           and elsewhere.

9                        Now, something I want to address very  
10          briefly. You've had some submissions, not from the parties  
11          here but from outside sources, saying, "Don't fund  
12          standalone men's. We already do it. We can do it just as  
13          well." And I would submit that these outside submissions  
14          are very simplistic in their view of this issue. I'm not  
15          up here saying that there's other organizations that don't  
16          provide services to men. There are in this Province and we  
17          certainly don't want to denigrate those services because  
18          anybody providing any service in the social work area and  
19          counselling area should be commended, and clearly there's  
20          not enough.

21                       But I think we have to look at what the  
22          official services are directed at this issue, and the only  
23          time that men seem to get them is when they end up in a  
24          jail, in one of our addiction centres, in our psychiatric  
25          wards or on our streets, and that's when we seem to get

1       them services. That, from our perspective, is a bit late.  
2       It's better than nothing but it's not the appropriate time.  
3       We don't want survivors ending up in our public  
4       institutions, and we heard that from our expert witnesses,  
5       that one of the clear damage to people who have survived is  
6       that they can end up in institutions.

7                       We also could use Cornwall as an example.  
8       There were a lot of community services that existed in  
9       Cornwall, including a sexual assault centre. However, when  
10      Project Truth occurred -- and in 1999 when the problems  
11      were coming forward, there wasn't anyone who could deal  
12      with this. In fact, they had to bring in my client from  
13      Ottawa because they were the only ones with expertise to  
14      deal with this which, in my submission, really demonstrates  
15      the problem. Even though there's existing social services,  
16      they just weren't able to deal with them; why there needs  
17      to be a specialized area.

18                      One of the other things is you're going to  
19      hear from the Attorney General. We've read their material  
20      and they talked about, "Well, we don't need to use this as  
21      a blueprint. We need to study this." I have to say I  
22      share some of my colleagues' comments this morning. I was  
23      very disappointed to see that that's a recommendation, just  
24      let's go study what's out there. Ms. Faryna appeared  
25      before us July 26<sup>th</sup>, 2006 and here we are, February 2009,

1           they've had lots of time to study, do an inventory, look at  
2           what they're doing and decide what is the appropriate  
3           model.

4                       I'd like to contrast to what we heard from  
5           Corrections, where they said, "We've got problems with  
6           training. We've taken some steps. We're implementing  
7           programs."

8                       And we also heard from Children's Aid how  
9           they're taking some forward -- they've already decided,  
10          "We're aware of some problems. We're implementing some  
11          things before you tell us to do so."

12                      So I have to say we're very disappointed by  
13          the Ministry of the Attorney General's response and, quite  
14          frankly, see it as perhaps a delay, just a way of delaying  
15          this.

16                      You're also going to hear about how they  
17          provide all these other services for men and I recall quite  
18          vividly the day that Ms. Faryna was on the stand and she  
19          was being asked about that. After I'd done my cross-  
20          examination, Ms. McIntosh got up and started asking her.  
21          And this was Exhibit Number 49 and I'm just pulling out the  
22          tabs that they referenced in theirs. And I remember her  
23          standing there with tab 12, and we've got tab 12 of all the  
24          different programs. The title is, "2002-2003 Community  
25          Projects Grants Program". And we have seven pages with 63

1 different programs and, as I go through, on the second page  
2 there's one for men and the next one is on page 5; there's  
3 one other reference.

4 To me that almost made the point worse, and  
5 I could do the same with these other tabs. I could --  
6 tab 13 is seven pages; there's 90 different programs. This  
7 is the 2003-2004 grant program, seven pages. There's two  
8 references to male projects for men -- sorry, three, and of  
9 those three the total is \$59,960 and at the bottom of their  
10 material, each year, first year there's \$4,335,000 spent on  
11 services, and second year \$3,169,000 of which \$39,000 is  
12 projects for men, and \$1,169,000 in year three and \$39,000  
13 for men.

14 So as you listen to them talk about all  
15 these other great projects and what exists and The Men's  
16 Project isn't the only game in town, I would suggest you  
17 view that with a little bit of scepticism.

18 I would also like to talk about -- I'm going  
19 to jump to a different recommendation, I'm not going to  
20 follow in an order, and I'm going to talk about a  
21 recommendation that we never started with and we never  
22 intended to bring at the beginning of this, and that is  
23 that you recommend that there's adequate resources  
24 available for annualised funding of The Men's Project.

25 This Inquiry was not about seeking funding

1 for The Men's Project. This is not why we participated.  
2 However, we have great concern, again when Ms. Faryna in  
3 her evidence indicated that the funding did not necessarily  
4 go beyond the Inquiry. I talked with my client and I said,  
5 "Well, what's your situation? Coming up there's a new  
6 fiscal year. You know, are you really worried that you're  
7 going to be cut?"

8 And what I've been informed is -- there's  
9 three things I want to address: one, verbally they've been  
10 told probably they'll get funding for another year but they  
11 said we received an odd letter saying, "Beware, cuts are  
12 coming in this Ministry", so we're not quite sure what it  
13 means. And they also informed me that the only other  
14 service right now, which is the -- I might pronounce it  
15 wrong, M'wikwedong Native Cultural Resource Centre in Owen  
16 Sound has just received -- they just informed us that  
17 they've received indication their funding is cut as of the  
18 end of March.

19 So this request for annualised funding for  
20 The Men's Project is a very serious one. We're actually  
21 going to even make a more unusual request, that you even  
22 put an interim report requesting that this be done. I  
23 don't know if you feel you have jurisdiction, but an  
24 interim recommendation at least that there be no change in  
25 the status quo until your report is released.

1                   In our submissions I talked about why The  
2                   Men's Project is in a different situation and why you can  
3                   recommend them as a model, because I think my client,  
4                   through their participation in this Inquiry, has  
5                   demonstrated the valuable service they provide across the  
6                   Province. And when I sat down with Mr. Goodwin, originally  
7                   he didn't feel comfortable with this. I said, "I'm your  
8                   lawyer. I can get up there and sing your praises because I  
9                   believe them." I started out like everyone else in this  
10                  room, not knowing very much about them. Over the past  
11                  three and a half years I've learned a great deal about the  
12                  valuable service they have provided.

13                  And I remember a conversation I had with Mr.  
14                  Goodwin at the beginning. I said, "Well, if you're as good  
15                  as you say you are, everybody will know that by the end of  
16                  the Inquiry." And I think they've demonstrated that  
17                  through the different research programs they've done,  
18                  through the foresight they have had about recommending  
19                  things like counselling, recommending the witness support.  
20                  They've really demonstrated -- and the product of the  
21                  material they've done, in terms of the Men & Healing and  
22                  some of the other, has been outstanding. And so though Mr.  
23                  Goodwin wouldn't feel comfortable getting up here saying  
24                  that, I have no hesitation of singing their praises.

25                  Another recommendation we have is that there

1       should be adequate resources to provide a province-wide  
2       training program so that male victims of sexual abuse,  
3       sexual assault, can be best served by existing helping  
4       professionals in their communities. What we're talking  
5       about is a service design that would be bilingual and would  
6       really help the various agencies that are already providing  
7       services, and that's the various ministries like Health,  
8       Long Term Care, Health Promotion, Community Safety and  
9       Corrections, Ministry of the Attorney General, Children and  
10      Youth, Community and Social Services and the Women's  
11      Directorate, as well as non-profit.

12                We heard from the Ministry of Corrections  
13      how they've already taken this step; said, "We need to get  
14      this training for our staff", and we would like to see that  
15      for all agencies that might come in contact with people who  
16      are survivors of abuse and know how to deal with particular  
17      needs of males.

18                We also echo -- I'm not sure if someone said  
19      they were supporting us or at this point we're supporting  
20      them -- it's hard when you've gone after everyone who's  
21      been talking, but the need for public-wide education in  
22      Ontario. There needs to be obvious -- there needs to be  
23      resources for survivors so that they know that they're not  
24      alone, so that they know there's help out there.

25                We look at things like a provincial website,

1 a bilingual 24/7, 1-800 service run by health  
2 professionals, educational brochures on issues such as  
3 child sexual victimization, the sexual assault of men and  
4 other issues like intimate partner violence, trauma and  
5 addiction and how to seek recovery. And as more programs  
6 are developed, obviously linkage to provincial training  
7 initiatives.

8 And I should say that, as I go through all  
9 these recommendations, The Men's Project would be more than  
10 willing and would be delighted to participate and help any  
11 government agency as they move forward with these issues.

12 Something that we haven't heard addressed by  
13 anyone in their closing submissions is the need for  
14 projects for victim perpetrators and we endorse this  
15 recommendation and put it forward. It was great that there  
16 was a research paper done for this, but this is a real  
17 unmet need. These people are basically pariahs in our  
18 society but we have to deal with it, and right now, there  
19 are no services.

20 Unfortunately, my client does not have the  
21 capacity, due to funding, to be able to deal with this and  
22 they're in a very difficult situation when they can't  
23 assist these men of where to refer them. So that's a huge  
24 gap in the system that needs to be addressed.

25 Another issue is why are all these services

1 under the Ministry of the Attorney General? Maybe we need  
2 to relook at that, and we would like to see a  
3 recommendation that perhaps the Ministry of Health should  
4 be dealing with many of these issues. We deal with them as  
5 justice issues but really the recovery, counselling,  
6 improving the situation of survivors of abuse is really a  
7 health issue and if it's in the health field, as you'll see  
8 much more detailed in our written submissions, people tend  
9 to get professionals who deal with them as opposed to  
10 volunteers.

11 And I'm not trying to suggest that the  
12 volunteers are not doing a good job, because anyone who has  
13 volunteered recognized their hard work and contribution,  
14 but often we see people being counselled by volunteers.  
15 And having the choice between health professionals or a  
16 volunteer, I think most people would choose the former.

17 We also support the recommendation of other  
18 parties that there be an integrated trauma treatment centre  
19 be created in Cornwall that would serve all victims of  
20 sexual and physical abuse, women, men and children as well  
21 as their family members.

22 We see that this would be great for Cornwall  
23 but also could be a model that could be used across the  
24 province if it's successful, and we have no doubt of the  
25 potential success. And it's an interesting recommendation

1 because if it goes ahead, unlike what we are asking for  
2 funding in another one, it would probably end the  
3 involvement of my client here in Cornwall.

4 **THE COMMISSIONER:** M'hm.

5 **MR. BENNETT:** And yet they see it as a very  
6 good thing if there is this type of integrated centre  
7 because it would serve the citizens of Cornwall very well.

8 We also have some other recommendations, and  
9 I am going to go through quickly because I understand I'm  
10 down to my final five minutes.

11 We would like to see a recommendation that  
12 the government review whether they are complying with their  
13 legal obligations when they do not fund services for male.  
14 Now, as you are aware because we've submitted different  
15 research proposals and other things, this has been an issue  
16 for us whether the government is complying with their  
17 Charter and Human Rights Code obligations. However, we  
18 recognise you do not have jurisdiction to make a ruling on  
19 this. So therefore, we would just like you to recommend  
20 that the government undertake this, and we've set out in  
21 details some of the -- in addition to the lack of treatment  
22 places, some other issues that need to be addressed.

23 **THE COMMISSIONER:** M'hm.

24 **MR. BENNETT:** For example, why shelters for  
25 victims of family violence exclude men and their children?

1 And there's more.

2 Our next recommendation is obviously the one  
3 that's probably more dear to my heart than even my client's  
4 is the recommendation for an ombudsman. And we've provided  
5 detailed information. You have our paper on this. The  
6 difference is today I'm allowed to advocate for it. Up  
7 until now, I have been able to put forward why it might be  
8 a good idea, and we really think it is.

9 And I would like to again share a  
10 conversation I had with my client because as we were going  
11 through and developing proposals for the Commission and at  
12 the end of my ombudsman presentation, he said, "You know,  
13 David, when you first came up with this, I thought that's  
14 fine, that's your thing. If you want to do this go ahead.  
15 If you think it will benefit us, that's great." He said,  
16 "But after I understand what you're proposing and what's  
17 going on, this may be one of the most valuable things that  
18 could come out of this Commission. I think it would be  
19 incredible for people to have the assistance of an  
20 independent third party who could help navigate through  
21 these issues and it would be a benefit also to the  
22 institutions."

23 The advantage of an ombudsman over an  
24 advocate which other parties -- we don't -- we are of the  
25 view that an advocate also would be good, but an ombudsman

1 is very different. Because they are independent, because  
2 they don't represent anyone, they are able to have access  
3 to different types of information and are able to afford  
4 different types of resolutions. And I base this not only  
5 on the written material but my personal experience.

6 For the last few months, I have been the  
7 discrimination harassment counsel for the law society,  
8 which is like an ombudsman. And it has been truly -- and  
9 I've been doing this off and on for years. However, it's  
10 eye opening to see the change you can make when you're not  
11 representing anybody. Once parties realise you are really  
12 there for a good resolution, they're very cooperative.  
13 People that you would never expect. And I think when we've  
14 -- you were referred by the Ministry of Attorney General to  
15 the new office of the Provincial Advocate for Children and  
16 Youth, I have photocopied for you one page where they talk  
17 about how they can't get any information.

18 They are having difficulty -- good  
19 information is essential for the operation of the Advocacy  
20 Office, but we have found that good information is  
21 difficult to come by and our legislative powers do not  
22 extend broadly enough to assure that persons with good  
23 information will make it available to our office even on a  
24 confidential basis. Good information would help us to  
25 discover where there are stags so we can advocate. And

1           they go on to say how they tried to get an amendment and  
2           they weren't able to.

3                        So a child advocate is a very different --  
4           and it doesn't deal with adults. It wouldn't have dealt  
5           with the situation in Cornwall when people were being  
6           frustrated having great difficulty dealing with the various  
7           authorities.

8                        I have set out in both our submissions and  
9           the paper what type of model may work.

10                      **THE COMMISSIONER:** M'hm.

11                      **MR. BENNETT:** I think a strong  
12           recommendation for an ombudsman that is independent, has  
13           confidentiality and has real power would go a long way.

14                      The current ombudsman in this province does  
15           not have authority over any of the parties that were  
16           participating in this Inquiry. Under their mandate, the  
17           Ontario ombudsmen -- excuse me one second -- does not have  
18           jurisdiction over boards of education, child protection  
19           services, the police, municipalities, public hospitals,  
20           nursing homes and long-term care facilities or  
21           universities. Every public institution involved in this  
22           Inquiry is not covered by the Ontario ombudsmen currently,  
23           and that's why we see there's a huge gap.

24                      I won't go into more detail on that because  
25           you have our written material on that. I would also

1 suggest that one of your recommendations is that this  
2 ombudsman could monitor what happens with this report  
3 because we often see the reports come out and sometimes  
4 they're implemented and sometimes they are not.

5 I am hopeful and optimistic that the Ontario  
6 Government will implement your recommendations. However,  
7 it might be useful if there's some oversight to say, "Well,  
8 what's happening with this? We've had a Commission of  
9 Inquiry that has looked at this issue very carefully and  
10 understands this in depth. What's happening with this  
11 recommendation?"

12 Similarly, some of our other recommendations  
13 is, like other parties, that it's important to fund  
14 counselling for any one currently using the services  
15 provided through this Inquiry. Again, the Goudge Inquiry  
16 provided a precedent for this. We would like to see the  
17 same.

18 We would also like to see a recommendation  
19 from you based on your experience at any other public  
20 inquiry that goes forward that may deal with issues that  
21 will affect the mental health and well-being of  
22 participants include this as part of their mandate.

23 When we first got up in front of you, we  
24 said we don't want to see anybody hurt by this Inquiry. We  
25 don't want to see re-victimization.

1                   And I have another recommendation that is  
2                   not in our materials; something I became aware of this  
3                   week. And we would like to recommend that Mr. Parisien,  
4                   that you put a recommendation that he be reimbursed for his  
5                   legal costs, given the outcome of his trial. And we are  
6                   not commenting on whether it was appropriate or not for  
7                   what happened. This is not a comment about that, but given  
8                   the outcome that he was acquitted and it has caused  
9                   hardship, we would like to see a recommendation along those  
10                  lines.

11                  We would also like to see you recommend that  
12                  witness support be instituted for all public inquiries.

13                  We've heard about apologies from other  
14                  people. We echo that. We are glad the Ontario Government  
15                  paid attention to Ms. McIntosh's paper and decided after  
16                  they read that to bring forward Bill 108.

17                  In terms of -- I just have a few more  
18                  minutes, if it's okay, if I ---.

19                  **THE COMMISSIONER:** No.

20                  **MR. BENNETT:** Okay. Then I'll just close.

21                  **THE COMMISSIONER:** In fairness, yes. In  
22                  fairness, I have your submissions and we've gone by the  
23                  guidelines, and I don't want anybody to feel left out now.

24                  **MR. BENNETT:** Okay. So I will just go to my  
25                  conclusion.

1                   **THE COMMISSIONER:** Fine.

2                   **MR. BENNETT:** One of the biggest concerns we  
3 face is -- as you make your recommendations, is the current  
4 economic situation in this province. It has changed  
5 tremendously from when we first started this Inquiry. Up  
6 until the recent events that have affected both Ontario,  
7 this country and the world, we were quite confident that we  
8 would receive positive recommendations from you and the  
9 government would act on them.

10                   Our concern now is we are going to receive  
11 positive recommendations from you, but the government is  
12 going to say "We have no money." And as Mr. Lee set out  
13 for you and we've heard from various experts, that is a  
14 very short-sighted view of this. Social costs are dollar  
15 costs. To not deal with this issue, to not meet it head  
16 on, not to implement these types of recommendations will  
17 cost the citizens of this province a great deal more.

18                   So that our view is that these are -- we  
19 will see other issues, like domestic violence, child abuse,  
20 related social and economic costs, men and addiction  
21 treatment systems.

22                   So, finally, I would like to say the impact  
23 of leaving such issues untreated in this generation  
24 maintains an intergenerational cycle of violence which will  
25 cost more, both financially and misery to our children's

1 generation. Therefore, the social and financial costs of  
2 leaving these issues unchecked are impossible to fully  
3 measure.

4 Therefore, I'd like to submit that with  
5 these types of recommendations from you, Mr. Commissioner,  
6 we will see a stronger, safer and more supportive Ontario.

7 Thank you very much.

8 **THE COMMISSIONER:** Thank you, Mr. Bennett.

9 Ms. Allinotte?

10 --- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MS.

11 **ALLINOTTE:**

12 **THE COMMISSIONER:** Good morning.

13 **MS. ALLINOTTE:** Good morning, Mr.

14 Commissioner.

15 For the last time, I'll introduce myself as  
16 Michele Allinotte for the Children's Aid Society of the  
17 United Counties of Stormont, Dundas and Glengarry.

18 As we all know, Phase 2 of the Inquiry is  
19 for you to inquire into and report on the processes,  
20 services and programs that would encourage community  
21 healing or reconciliation in the community.

22 We are appreciative of all of the Phase 2  
23 efforts and work that has been done so far and also thank  
24 the Commission for granting the opportunity for this work  
25 to be done. And we thank all those who've taken their time

1 and effort to be part of the Phase 2 process.

2 We submit that when considering the Phase 2  
3 mandate, it is important to consider where healing takes to  
4 need place. Clearly, you have to consider the needs of  
5 victims and alleged victims but also, at the end of the  
6 day, victims, alleged victims, and the people of Cornwall  
7 and area must have confidence in the institutions which are  
8 here to serve them.

9 So how do we begin on this path towards  
10 healing and reconciliation in the community in wake of what  
11 we've heard here at the Inquiry?

12 We've all heard the expression that the  
13 longest journey starts with the first step. And the same  
14 is true with the healing and reconciliation process. From  
15 our perspective, the CAS has started this journey by  
16 apologizing to all of those suffered harm as a result of  
17 being mistreated while in the care of the CAS.

18 During the Phase 1 evidentiary hearings, we  
19 heard some former wards who endured a harsh upbringing and  
20 instability. Many of the parties here expressed the need  
21 for an apology and the CAS has started its healing process  
22 by giving this apology.

23 In an effort to promote the goal of  
24 community healing and reconciliation, as my friend Mr. Lee  
25 indicated, the CAS is prepared, through its Executive

1 Director Rachel Daigneault or her delegate, to meet with  
2 former wards in order to share and discuss their  
3 experiences while in the care of the CAS.

4 There's no doubt that the CAS has gained  
5 insight as a result of the testimony of many former wards  
6 here during the Phase 1 evidentiary hearings. Some  
7 witnesses who testified indicated the testifying was  
8 difficult yet a positive experience for them.

9 We hope that the above-mentioned proposal  
10 will create an opportunity for former wards to share their  
11 experiences and insights to allow the CAS to continue to  
12 learn from these individuals. We also hope that creating a  
13 dialogue between the former wards and the agency will  
14 encourage the healing process.

15 Included in this invitation are the many  
16 former wards or individuals otherwise involved with the CAS  
17 who have positive experiences. We also encourage these  
18 individuals who have had positive experiences with our  
19 agency to share them with others in the community as well.

20 The CAS recognizes that we cannot change the  
21 past, but we also believe that we can learn from our past  
22 experiences, and we hope that by commencing a dialogue will  
23 help all involved in such a process to move forward.

24 In addition to promoting healing for the  
25 victims, we also submit that the healing of the

1 organizations operating within the community must be  
2 considered in any recommendations or report you make.

3 The Order-in-Council spoke to allegations of  
4 abuse of young people in the Cornwall area which has  
5 surrounded this community for years, and over the last  
6 several years these allegations have been kept alive in the  
7 public eye, not only through the Inquiry but also through  
8 traditional media and websites and blogs.

9 CAS asks that in making your final report  
10 and recommendations, you keep in mind not only the victims  
11 of past abuse but also those institutions whose public  
12 image has been damaged as a result of what has transpired  
13 in this community. These same public institutions will  
14 continue to serve this community long after the Commission  
15 has completed its work. People will not stop calling the  
16 police to report crimes and people should not stop calling  
17 the CAS to report abuse of children.

18 While the CAS cannot and does not speak for  
19 any of the other public institutions involved at the  
20 Inquiry, we can say that our public image has been damaged  
21 as a result of the allegations that have been at the heart  
22 of the Phase 1 evidentiary testimony and as a result of the  
23 attention given to these allegations in traditional media  
24 and on the internet.

25 This is impacted not only on the agency as a

1 whole but on its staff, volunteers, foster parents and  
2 children currently in care. The CAS does understand that  
3 it was necessary to carefully examine particular cases  
4 which were selected during the Phase 1 hearings in order  
5 that the mandate could be effectively carried out.

6 Due to time constraints, other cases that  
7 were successfully managed by CAS and other institutions  
8 were not reviewed. This did not give the public the full  
9 opportunity to appreciate the accomplishments of the  
10 various public institutions, including the CAS.

11 Some of the cases which were examined dealt  
12 with events that occurred many decades ago, and while the  
13 age of these events does not diminish the harm suffered by  
14 those who were mistreated, in order to achieve community  
15 healing and reconciliation, it will be important for the  
16 public to understand that many of the society's  
17 shortcomings which were reported in the traditional media  
18 and elsewhere, have been addressed by the Society.

19 In some instances these shortcomings were  
20 rectified many years ago and, unfortunately, the good  
21 things that CAS has done in the past and continues to do  
22 today have been overshadowed by the negative publicity  
23 placed upon the past feelings.

24 If because of the negative focus given her  
25 at the Inquiry, one child or one member of our community

1 does not come forward to report abuse or suspected abuse of  
2 a child, this would be a disaster.

3 The CAS is a public service organization  
4 that meets the need of children; protects children from  
5 abuse and neglect and helps parents to get the assistance  
6 and resources they need to have a better family life. This  
7 is an institution the public can have confidence in.

8 That being said, the Inquiry process has  
9 been a time of change for the CAS. We hope that another  
10 way to begin healing is to advise the public of the changes  
11 we've made as a result of what has been heard here at the  
12 Inquiry. We've not taken a "wait and see" approach to this  
13 process. We've -- the Board of management of the CAS has  
14 decided to act proactively, listening to what the witnesses  
15 said and defining the issues that they have identified  
16 during the course of the Phase 1 hearings.

17 There are 11 areas that the agency has been  
18 reviewing and addressing. I will go through them here.

19 One of them has been unscheduled visits to  
20 foster homes, kin and care homes, adoption homes and  
21 outside paid resources. We heard from many former wards  
22 who indicated that treatment and living conditions changed  
23 in their foster homes on the days that workers were  
24 scheduled to visit. It became clear that the practice of  
25 having only scheduled visits to any home or facility where

1 a local CAS ward was living should change.

2 The Society also learned that a regional  
3 provincial group was making the same recommendation, and at  
4 the same time only one agency in the Eastern zone, which  
5 comprises 12 CAS's in the Eastern zone, has provisions to  
6 do random visits such as this.

7 So the Society decided to work with its  
8 foster parents association, active foster parents, staff  
9 and management, and we made a plan to start doing random  
10 visits. Foster parents strongly supported this  
11 recommendation, supporting the need to ensure that all of  
12 our wards are living in safe homes that provide  
13 consistently for them.

14 And there was also complete understanding  
15 that, as its legal guardian, the CAS had every right to  
16 total and immediate access to children in care at any time  
17 without the need for making an appointment.

18 In the interests of conserving staff time  
19 and travel time, scheduled visits will still occur, but all  
20 homes and all institutions where CAS wards are living will  
21 be dropped in on. This will commence in March of 2009 and  
22 it will involve all children in care placed in foster  
23 homes, kin and care homes, adoption homes, and as well as  
24 those placed at outside paid resources, which are resources  
25 outside of the community, often more institutional

1 settings.

2 The second area we looked at is filing of  
3 documentation regarding investigations in foster homes. In  
4 reviewing our files to hand over to the Commission and also  
5 during the disclosure process of the last -- for three  
6 years, it's become clear that there's been inconsistencies  
7 in sharing of information between foster home files and  
8 child's files. An investigation into a foster home file  
9 was not always placed in the child's file, who had made the  
10 allegations and also the files of children who had been  
11 interviewed as a result of an investigation. We've heard  
12 here how the information about what has happened in one's  
13 past is so important. So, clearly, having this information  
14 in the child's file is necessary.

15 So, as a result, all foster home files  
16 reviewed have -- since 1980 have been reviewed and if any  
17 investigation occurred, a summary of the investigation has  
18 been placed in the child's file as well as information  
19 about the investigation in the files of all children who  
20 were investigated -- or excuse me -- interviewed.

21 Another area where there was some  
22 inconsistencies was in recommending Criminal Injuries  
23 Compensation Board applications. Victims of abuse in the  
24 community always received the recommendation that they make  
25 a Criminal Injuries Compensation Board application while

1 children in care who had verified -- who were verified to  
2 have been abused, it was left with their worker. That  
3 doesn't mean that the recommendation wasn't made, it just  
4 wasn't mandated to be made.

5 Now, the policy has changed and any child  
6 who has been a verified victim of abuse, we recommended to  
7 make an application to the Criminal Injuries Compensation  
8 Board.

9 A similar discrepancy occurred also  
10 regarding recommending treatment for children following a  
11 verification of abuse. Again, children in care, it wasn't  
12 mandated that a recommendation for treatment or an  
13 assessment be made, whereas a child in the community it was  
14 mandatory. Again, this procedure has changed to any  
15 verified abuse. A victim will now be recommended for  
16 treatment and an assessment if it's necessary.

17 A hot topic here at the Inquiry was policy  
18 and procedure regarding advising employers about  
19 individuals that may pose a risk to children. Bill  
20 Carriere made this recommendation in his testimony and  
21 Bill's testimony caught the interest of child protection  
22 managers and staff locally and also in the Eastern Zone  
23 Managers Working Group, and also provincially where this is  
24 a topic on the agenda for discussion in both groups.

25 It is submitted that Ministry or provincial

1 direction is needed. This issue needs to be resolved,  
2 focusing on protection of children, but also dealing with  
3 all of the other complexities involved with notifying  
4 employers.

5 Employee training is another issue that came  
6 up, and tracking of employee training. It became evident  
7 that this practice wasn't consistent as we looked at our  
8 employees files to hand them over here at the Inquiry. The  
9 Agency is in the process of purchasing a new management  
10 information system which will record and track all staff  
11 training.

12 In preparation for this new process, the  
13 Society has audited all employee files, listing training as  
14 individually recorded, and this information will be put  
15 into the new system. It will ensure employee training is  
16 properly recorded and will also help illustrate any gaps  
17 that might exist in our staff workers training.

18 A similar recording gap has been happening  
19 for our community partnerships. The CAS has long been  
20 partnering with other agencies in the community. We've had  
21 training initiatives and program development that we've had  
22 community partners participate with, but again these events  
23 haven't been tracked. We have a new record-keeping system  
24 to track these events, community training. It's  
25 anticipated that this record-keeping will again focus on

1 the staff that have received training and who haven't  
2 received training, and also maybe where there's gaps in  
3 community partnerships and joint training initiatives.

4 The next area is police background checks.  
5 We've been doing background checks for a long time on  
6 anyone who has direct access to children. Where there is  
7 different processes for each type of group, there is now a  
8 unified system so that there's one process to obtain a  
9 police background check on all board members, staff, foster  
10 parent applicants, ultimate caregivers, kin and care parent  
11 applicants, adoption applicants and volunteers. It's a  
12 uniform system now.

13 We heard here a couple of instances about an  
14 investigation of allegations of abuse made against Agency  
15 members. In the last decade the practice has been to have  
16 a neighbouring CAS complete the investigation and report  
17 back to the assigned manager when the investigation has  
18 been completed. As a result of Phase 1 evidence heard  
19 here, we are attempting to review and change our human  
20 resources policy.

21 The goals are to ensure that a detailed  
22 report of the allegation, investigation and eventual  
23 disposition was completed; to place that report in a known,  
24 secure and confidential location available for access when  
25 required; to provide an acceptable level of privacy for the

1 staff member who has been accused. Should a subsequent  
2 allegation be made against that staff member, his or her  
3 name would appear on the fast-track system when the check  
4 is completed. This is an important safeguard against any  
5 suggestion that the Agency or individual in the Agency has  
6 attempted to bury an issue. It's a work-in-progress but  
7 these are the goals that we're striving for.

8 As you've heard many times, file disclosure  
9 is an important issue. During the Inquiry the CAS hired a  
10 second person to deal with the disclosure requests and  
11 we've also made recommendations to you regarding records  
12 disclosure. There is further good news. A new Ministry  
13 initiative called the Ontario Looking After Children  
14 Policy, or ONLAC, places a greater emphasis on sharing  
15 information with the child throughout their -- the stages  
16 of their life. And now that we have electronic files as  
17 well, there's a requirement to annually update the child's  
18 information, the child's social history.

19 As these annual updates are done and as more  
20 information is shared with the child throughout these  
21 stages, there will be more information available and there  
22 will be more of a record on the file and, generally, once a  
23 youth is discharged from care, there would be -- that  
24 information would be given to them when they leave, so  
25 they'd have that information with them when they leave

1 care.

2 In order to fully integrate this program we  
3 must have funding in order to do this, to allow the Agency  
4 have caseloads low enough to make sure that this  
5 recommendation and requirement is followed.

6 Also, we may need to manage the requirements  
7 of ongoing counselling as youth attempt to deal with their  
8 individual histories. We have the tools to do this but we  
9 need consistent manpower to deliver the product. We're  
10 hoping that this eventually will eliminate the need for  
11 former adult wards to return looking for information  
12 because they will have it when they leave.

13 The last thing that the CAS has looked at  
14 throughout the Inquiry is the current Child Protection  
15 Protocol. It's under review and it has been assigned to a  
16 senior manager, and we're hoping that the discussion will  
17 enlarge to involve many of the agencies here and all of the  
18 stakeholders in Eastern Ontario.

19 Moving on now just to discuss some of the  
20 other submissions made -- but, firstly, we want to  
21 acknowledge all the thought and effort that was put into  
22 all of the Phase 2 submissions. It's encouraging to see  
23 that so many individuals are concerned about children and  
24 youth in our community and we strongly urge you,  
25 Mr. Commissioner, to give serious thought and consideration

1 to all of the Phase 2 submissions and recommendations that  
2 have been made. Unfortunately, we can't discuss all of  
3 them today, so I'm focusing on three in particular here.

4 As many of my friends have indicated, the  
5 creation of a Child Advocacy Centre is something that the  
6 CAS supports. We've been involved with this initiative for  
7 some time and we believe that having all major institutions  
8 under one roof to help child victims of abuse would be a  
9 worthwhile project and would benefit our children and our  
10 community as a whole.

11 We also further support the submission by  
12 Deborah Daigle regarding the gap in services for 16 and 17-  
13 year-olds. We would be receptive to any recommendations  
14 you might make regarding this often overlooked population.  
15 Sixteen and 17-year-olds are still in their formative  
16 years. They are no longer children but not adults yet and  
17 they're a vulnerable population, and there can be much  
18 gained by assisting them in their transition into  
19 adulthood.

20 We also support recommendations regarding  
21 sexual abuse prevention education, with the caveat that any  
22 education regarding prevention of abuse should include all  
23 forms of abuse, not just sexual abuse. Children are  
24 susceptible to many forms of harm and it's incumbent upon  
25 us to protect them as comprehensively as we can.

1                   In the study that was submitted by  
2                   PrevAction, youth seemed to have a lack of knowledge about  
3                   where they would turn to or where to go for help and what  
4                   resources were available in the community if they or  
5                   someone they knew was a victim of abuse, and this is of  
6                   great concern to the CAS. Not only there is a duty to  
7                   report to us but the child protection implications of  
8                   someone not knowing where to go is huge. If somebody  
9                   doesn't know where to report abuse, the abuse will  
10                  continue.

11                  We also support training and education for  
12                  parents and teachers. Again, this just will give children  
13                  more information about how to prevent abuse.

14                  The next thing I want to talk about is  
15                  community renewal, very briefly. The CAS supports any  
16                  activities aimed at awareness, community pride and social  
17                  inclusion. We don't have the funding to lead any  
18                  activities but we will support and participate in any of  
19                  those activities where we can. The CAS, like the other  
20                  institutions here at the Inquiry, continue to be an  
21                  important part of this community, and as part of this  
22                  community we recognize the need for community renewal and  
23                  for the chance for this community to move on from the  
24                  Inquiry.

25                  I've already discussed some of these

1           briefly, but the CAS does have certain funding requirements  
2           in order to continue to do the work of the Inquiry. Three  
3           areas I'm talking about today.

4                       Staffing for records disclosure is the first  
5           one. We receive more than 250 requests for records  
6           disclosure a year. We currently have two people full-time  
7           doing records disclosure but we don't receive discrete  
8           funding for those positions. The Ministry provides funding  
9           for staffing and we take funding away from other areas,  
10          such as child protection, in order to fund these records  
11          disclosure positions. It's difficult to justify this  
12          allocation when there's children in need of protection.

13                      There are still 70 people at the present  
14          time waiting for the results of their disclosure requests  
15          and, given the financial situation in the Province, we are  
16          anticipating major funding cuts and we will be unable to  
17          justify cutting a child protection position, and it is  
18          likely that one of these records disclosure positions will  
19          be cut in the near future. If we are to remain in keeping  
20          with the mandate of healing and reconciliation, the backlog  
21          in records disclosure must be addressed and the funding to  
22          do so is required.

23                      Staffing for training is also an important  
24          issue to the Society. There was a training coordinator  
25          recommended back in 1998 and that still hasn't happened.

1 We need to record a system -- we need a recording system  
2 for staff training and we also need someone to coordinate  
3 and implement a training plan for each employee which will  
4 be reviewed annually. The training coordinator would  
5 record training and also ensure that staff members were  
6 participating in training that was suited to their role in  
7 the organization. Again, funding is needed for such a  
8 position.

9 The last area in which CAS has a need is in  
10 enhancing its public image. As I discussed earlier,  
11 negative publicity has had a major impact on the CAS in  
12 terms of staffing and recruitment of foster parents and  
13 volunteers. Morale among existing foster parents is at an  
14 all-time low.

15 Foster parents have a difficult task which  
16 has been made more difficult by the scrutiny that they have  
17 had during the past few years because of allegations made  
18 at the Inquiry, and foster parents are needed and do make a  
19 significant impact on children that they care for when  
20 those children can't be with their own families.

21 As a result of the negative publicity, many  
22 foster parents believe they have a negative image. We  
23 currently have 110 foster families and provincial  
24 statistics suggest that, given the size of the Agency and  
25 the catchment area, we should have at least 200 foster

1 families.

2 Without available foster homes, children are  
3 being placed in group homes or other institutions, often  
4 outside of the community, which is not ideal. Children  
5 need to be placed in family settings in their own  
6 community.

7 The Society has decided to launch a media  
8 recruitment campaign for foster parents with the aim of  
9 increasing the perception of foster parenting and  
10 recruiting new foster parents so that we can better serve  
11 the needs of children who can't be with their own families.  
12 Again, additional funding is needed for this recruitment  
13 campaign.

14 In conclusion, the CAS would like to thank  
15 you for the opportunity to make Phase 2 submissions. We've  
16 given careful thought to the needs of our community and how  
17 these needs can be met. We're confident that the  
18 Commission will give full consideration to our submissions  
19 and we are hopeful that Cornwall and area can move forward  
20 and heal, experience reconciliation and get past the things  
21 that have happened in the past.

22 Do you have any questions? Thank you.

23 **THE COMMISSIONER:** Mr. Kloeze?

24 **--- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MR.**

25 **KLOEZE:**

1                   **MR. KLOEZE:** Good afternoon, Mr.  
2 Commissioner.

3                   For the record, my name is Darrell Kloeze.  
4 I'm one of the counsel at the Inquiry for the Ministry of  
5 the Attorney General. I want to thank you, Mr.  
6 Commissioner, for the opportunity to make submissions for  
7 Phase 2 of this Inquiry.

8                   I want to start off by repeating something  
9 that my colleague, Ms. McIntosh, said on Tuesday about  
10 apologies legislation. I believe that Mr. Bennett may have  
11 been mistaken. The paper that was taken up by the Ontario  
12 Legislature was that of Leslie MacLeod. I believe he said  
13 it was Ms. McIntosh, but Ms. McIntosh cannot take credit  
14 for that.

15                   **THE COMMISSIONER:** M'hm.

16                   **MR. KLOEZE:** I can say that she stated there  
17 was going to be hearings before the Standing Committee on  
18 Justice Policy yesterday and that those hearings did go  
19 ahead, and a careful clause-by-clause review of the Act,  
20 and I understand that the Standing Committee has referred  
21 the *Apologies Act* with a couple of government  
22 recommendations back to the legislature for a third  
23 reading. And as Ms. McIntosh had said, the Ontario  
24 Legislative Assembly has a very good website and the public  
25 can go to that website to monitor the progress of

1           legislation. It's known as Bill 108.

2                           **THE COMMISSIONER:** M'hm.

3                           **MR. KLOEZE:** With respect to an area covered  
4 by Mr. Bennett, and that's the area of services for male  
5 victims of sexual violence, firstly I want to make a  
6 correction. In our written submissions at page 273 we  
7 refer there to the Phase 2 report entitled, "Men & Healing"  
8 and this is a report that was funded by Phase 2, but  
9 written by The Men's Project and submitted to the  
10 Commission. It describes the Men & Healing Program as a  
11 successful model of service delivery without comparing its  
12 effectiveness with other models within the client  
13 population.

14                           We mistakenly wrote in our submissions at  
15 that time that the paper recommends that the Men & Healing  
16 Program be funded and expanded throughout the Province.  
17 That's not a recommendation that's found in the paper  
18 itself but, as we've heard this morning and as we know from  
19 The Men's Project submissions, that is a recommendation  
20 that The Men's Project is making, but we erred in our  
21 submissions saying that the paper had recommended that.

22                           With respect to this area of services for  
23 male survivors of sexual violence, I refer you back to the  
24 evidence of Sonia Faryna from July 2006. Ms. Faryna is a  
25 Director of the Programs in Community Development Branch

1 and the Ontario Victims Services Secretariat and she  
2 testified at the time -- she talked about The Men's Project  
3 and the way that The Men's Project came about and the  
4 funding for that, but she testified at the time that The  
5 Men's Project model is not the only model of delivery of  
6 services directed toward male victims of sexual violence  
7 and that there have been a number of other programs that  
8 have been commenced since 2000 and funded by the Ontario  
9 Victims Service Secretariat, and a different variety of  
10 service delivery models that are inherent in those  
11 different programs.

12 I do want to say that obviously these aren't  
13 established programs. What Ms. Faryna was talking about at  
14 the time and what Mr. Bennett referred to this morning are  
15 pilot projects and really what the OVSS is doing is  
16 examining different kinds of service delivery models to see  
17 what works for different communities. The Men's Project is  
18 one of those models and The Men's Project, as I understand  
19 it, is a project that's based on a model of direct  
20 individual therapy and counselling for victims and  
21 survivors of sexual abuse. There's also group therapy and  
22 counselling. I believe that The Men's Project engages in  
23 that as well.

24 A couple of the other models -- I've made a  
25 list of the different kinds of model and service delivery

1 that's inherent in the different pilot projects that we can  
2 see in the Ministry's submissions, and in Ms. Faryna's  
3 evidence from two years ago. There are things such as  
4 short-term residential programs for survivors. There's a  
5 move to expand services within existing sexual assault  
6 centres and make those services gender neutral. As we know  
7 and as Ms. Faryna testified, sexual assault centres were  
8 developed basically to provide services for women; female  
9 survivors of sexual abuse and children. And there is a  
10 move and different other projects to expand those programs  
11 to cover men as well. I believe Quinte in Belleville is  
12 one example where funding is provided for that.

13 There are services provided through existing  
14 family service associations and you'll have received  
15 submissions for Phase 2 from some of those associations in  
16 the Ottawa area describing the services that they do  
17 provide for male survivors.

18 In addition to expanding gender-neutral  
19 services, there still is some move to gender-specific  
20 services, especially residential shelters for victims of  
21 abuse and their children. There are telephone support  
22 services available toll free and 24 hours a day. There are  
23 crisis intervention services for immediate intervention.  
24 There are services in relation to that and there are  
25 services available in hospital settings or other clinical

1 environments, online services through the Internet, group  
2 workshops and seminars, self-help initiatives and, moving  
3 away from services targeted to victims themselves, there  
4 are training workshops and seminars for professionals and  
5 other counsellors in the fields dealing with male victims  
6 of sexual violence, and there's community development and I  
7 think in community development we look toward education  
8 programs and the kinds of things that we've heard about  
9 this morning.

10 Some of these programs, I must mention, are  
11 funded through other government programs and other  
12 ministries other than the OVSS and I'm referring to, for  
13 example, the hospital settings which are funded currently  
14 through the Ministry of Health.

15 In addition, a number of these programs may  
16 deal with one or more co-related issues other than -- over  
17 and above the fact that the client receiving the services  
18 is a survivor of sexual violence. Often the issue of  
19 having been a victim of sexual abuse as a child is raised  
20 and disclosed in a therapeutic context in the context of  
21 other issues in a person's life, and these other issues may  
22 include chemical dependency, relationship counselling and,  
23 as Mr. Bennett said, perpetrators of sexual abuse who abuse  
24 as a result of their own victimization, developmental  
25 disability -- there is a program that was being funded by

1 OVSS for persons who have developmental disabilities who  
2 are victims of sexual abuse, and obviously there are  
3 cultural differences among different communities in Ontario  
4 that the Ministry must consider and reflect upon in  
5 providing services.

6 It's our submission that reviewing the many  
7 different projects and programs that have been funded by  
8 the OVSS over the past few years shows that there are a  
9 number of different service delivery models that can be  
10 brought to bear on this and I make these submissions, Mr.  
11 Commissioner, without meaning any negative reference to the  
12 very important advocacy and work that's been done by the  
13 Men's Project, both within the community of Cornwall and  
14 Ottawa, of course, where the Men's Project comes from, but  
15 also the very important advocacy that the Men's Project has  
16 done in the context of this Inquiry to bring out the issue,  
17 and the very important issue of services for male victims  
18 of sexual violence.

19 As I said, however, and as I referred to,  
20 some of the groups and individuals who have made their own  
21 submissions to the Commission for Phase 2 have urged the  
22 Commissioner to acknowledge that often services for male  
23 survivors of sexual abuse must be taken in a more holistic  
24 context and a single-model approach, such as that as  
25 advocated by the Men's Project, may miss the linkages

1 between issues that victims face as a result of surviving  
2 abuse and other issues in their life, some of which I've  
3 referred to earlier, like chemical dependency and  
4 relationship issues.

5 Our submission is that, like many of the  
6 other issues that you are facing in the context of this  
7 Inquiry and on which you will be making recommendations,  
8 this issue of the appropriate model of service delivery for  
9 victims of sexual violence, both men and women, is a  
10 complex one. One particular model for the entire province  
11 may not be the best solution and I don't think at this  
12 point we have the evidence, certainly not before this  
13 Inquiry, as to the extent to which services for male  
14 victims are needed across the province.

15 But I do recognize that this Inquiry, your  
16 staff and Ms. Parrish and her team has gained a wealth of  
17 experience in the context of this community of Cornwall, of  
18 the interest and needs within its own community and that  
19 that experience is certainly relevant to any  
20 recommendations that you may make on this area. I think  
21 those recommendations are certainly referable to the  
22 community of Cornwall itself but may not be so easily  
23 transferred to other communities in Ontario or to other  
24 populations.

25 We submit that it would be more prudent for

1       you and for the Ministry itself to examine existing models  
2       and projects that are currently being funded to determine  
3       the strengths and weaknesses of those models. We submit  
4       that there has currently been no expert review of those  
5       different models to determine their effectiveness. And, as  
6       Mr. Bennett has alluded to, in an area of decreasing  
7       government resources, we need to focus on the areas of  
8       highest need among populations and to enhance services  
9       where those services are lacking.

10                You will note that in some of the other  
11       submissions you received on Phase 2, there are other groups  
12       that demonstrate and advocate for enhanced services in  
13       other areas. One in particular are services for women in  
14       rural settings that comes to mind.

15                I do want to address the submissions that  
16       have been made this morning that there's been no review of  
17       these projects at all by the Ministry, and that's simply  
18       not true. As I said, these are pilot projects that have  
19       been funded by the Ministry, often for short-term periods,  
20       and these pilot projects are reviewed on a regular basis.

21                What the Ministry does, and the very purpose  
22       of creating these pilot projects, is to explore ideas that  
23       are coming out of the community and advocated by different  
24       sectors of the community and to explore those ideas and put  
25       them in practice and see what works, and the Ministry

1 reviews the results and outcomes of these projects on a  
2 regular basis to see what good ideas and practices are  
3 coming out of those.

4 In closing on this issue, I do want to  
5 acknowledge again the great insight and the tremendous work  
6 that you and your counsel have done for Phase 2 and the  
7 insight and knowledge that you've gained into the needs and  
8 interests of survivors of sexual violence, both men and  
9 women and their families and the community of Cornwall.

10 And the Ministry welcomes any assistance  
11 that you can give us in this area in your recommendations.  
12 And, more specifically, any assistance that you may be able  
13 to give us in the principles and considerations that must  
14 be brought to bear in developing good and effective  
15 services for survivors of sexual violence and in the  
16 Ministry's endeavours to enhance those services for the  
17 population of Ontario.

18 Thank you, sir.

19 **THE COMMISSIONER:** Thank you.

20 Mr. Callaghan?

21 **--- FINAL SUBMISSIONS BY/REPRÉSENTATIONS FINALES PAR MR.**

22 **CALLAGHAN:**

23 **MR. CALLAGHAN:** Good morning, Mr.  
24 Commissioner.

25 **THE COMMISSIONER:** Good morning sir.

1                   **MR. CALLAGHAN:** John Callaghan once again  
2 for the Cornwall police.

3                   It was hoped that Chief, Dan Parkinson,  
4 could speak with you today. We learned late yesterday that  
5 only counsel were going to speak today.

6                   Chief Parkinson had taken an active role in  
7 Phase 2 including PrevAction, which is an offshoot of Phase  
8 2. He wanted to share with you and the people of Cornwall  
9 what he learned about the community, about the challenges  
10 facing survivors of sexual abuse, about the need for  
11 healing, about how his institution has changed and how it  
12 needs to change further and how this community can move  
13 forward.

14                   I'm afraid, sir, I'm an inadequate  
15 substitute for Chief Parkinson. Some of the Chief's  
16 observations are captured in the reports of PrevAction, the  
17 five-year plan for PrevAction, our Phase 2 submissions and  
18 our recommendations.

19                   As noted by Mr. Lee, much of our focus is on  
20 prevention and empowering children and their families.  
21 However, Chief Parkinson has asked me to read the  
22 following. I ask those survivors listening and the people  
23 of Cornwall to appreciate these are the words of Chief  
24 Parkinson:

25                                    "As part of the healing process for

1 survivors of sexual abuse, it is  
2 important for public institutions to  
3 acknowledge that, in the past, their  
4 interactions with survivors may have  
5 caused or contributed to the negative  
6 feelings or distrust they have towards  
7 those institutions.  
8 As Chief of Police of the Cornwall  
9 Community Police Service, I want all  
10 the survivors of sexual abuse to know  
11 that I regret any failings or mistakes  
12 that were made by any of our police  
13 officers in investigating your cases.  
14 You had the courage and strength to  
15 come forward with your allegations of  
16 abuse after so many years of being  
17 burdened by your secret.  
18 I deeply regret if our police officers  
19 did not provide an environment in which  
20 you felt supported and empowered. I  
21 want survivors of sexual abuse to know  
22 that we have learned from the mistakes  
23 of the past. Please know that your  
24 police service is committed to reducing  
25 child sexual abuse in our community,

1 serving the citizens of Cornwall and  
2 making our city a safe place for  
3 everyone."

4 Thank you, Mr. Commissioner.

5 --- SUBMISSIONS BY THE COMMISSIONER/REPRÉSENTATIONS PAR LE  
6 COMMISSAIRE:

7 THE COMMISSIONER: Thank you.

8 So ladies and gentlemen, with the end of  
9 Phase 2 submissions today, we have reached an important  
10 milestone. In acknowledging this, I also want to indicate  
11 it is my hope that healing and reconciliation will continue  
12 for the years that it takes. It is my intention that my  
13 recommendations for Phase 2 can support this.

14 I will take the opportunity today to thank  
15 all counsel for their submissions on process, programs and  
16 services to support healing and reconciliation. I want to  
17 express my appreciation to the representatives of the  
18 parties themselves for the formulation of thoughtful  
19 recommendations provided to their counsel. You have in  
20 fact given me much to reflect on. I assure you that Phase  
21 2 issues will have my thorough consideration as I develop  
22 my report to the Ontario Government.

23 À part les observations reçues sur la Phase  
24 2, la Phase 2 a généré un grand nombre de travaux de  
25 recherche à l'appui de mes délibérations. Ces documents

1 m'ont également aidé à atteindre l'objectif d'éducation du  
2 public et de sensibilisation aux questions liées aux abus  
3 sexuels d'enfants et d'adolescents et l'intervention  
4 institutionnelle connexe.

5 Au cours de l'enquête, 20 documents de  
6 recherche ont été rédigés. Un grand nombre d'eux, comme le  
7 document sur la loi relative aux excuses et les tendances  
8 en matière de détermination de la peine, ont également été  
9 analysé durant les ateliers publics. Nous avons invité des  
10 conférenciers de tout l'Ontario pour parler de divers  
11 sujets comme les clauses de confidentialité dans les  
12 règlements civils et organisé des ateliers, notamment sur  
13 le sujet du traitement des délinquants sexuels.

14 Même si tous les événements organisés dans  
15 le cadre de la Phase 2 ont eu lieu ici à Cornwall, ils ont  
16 attiré l'attention de personnes de l'extérieur de la  
17 région.

18 Par exemple, le document de recherche sur  
19 les tendances en matière de détermination de la peine dans  
20 des cas d'abus sexuel d'enfants en dehors de la famille a  
21 donné lieu à des entrevues de membres du personnel dans les  
22 émissions radiophoniques en Alberta et à Ottawa et à un  
23 éditorial dans le Montreal Gazette.

24 Ce travail présente aussi un intérêt pour de  
25 nombreux professionnels d'après ce que nous avons pu

1           constater de la demande exprimée pour ce document.

2                           Phase 2 has always taken a practical and not  
3           academic approach. We focused on work that could be of  
4           direct value for those serving victims of childhood sexual  
5           abuse or survivors themselves, and I will give you some  
6           examples.

7                           The Gatehouse has provided mentorship  
8           training and Janet Handy has given leadership training to  
9           survivors serving other survivors. A leadership group has  
10          emerged and is continuing its volunteer work; for example,  
11          hosting friendship evenings each week. Another example is  
12          our research support of St. Lawrence College in developing  
13          a certificate program for those providing services to  
14          children, youth and adults who are victims of sexual abuse.

15                          We have also provided research support to  
16          the ASAP Group of the Cornwall Community Hospital to look  
17          at possible programming for those who commit sexual  
18          offences as an effort to prevent reoccurrence.

19                          Phase 2 also delivered an extensive program  
20          on training opportunities for professionals. This  
21          permitted professionals to obtain new tools and  
22          understanding of sexual abuse and take these back to their  
23          workplace. The sessions were provided at no cost to  
24          participants, which increased access especially for those  
25          from community organizations with limited training budgets.

1                   In Phase 2, 16 separate training sessions  
2                   were made available. More than 300 registrants attended  
3                   these professional training opportunities here in Cornwall.  
4                   Some registrants came from other communities in Ontario to  
5                   learn in Cornwall.

6                   In addition, we have provided professional  
7                   supervision opportunities for counselling approved under  
8                   the Counselling Support Program.

9                   Integral to the work of Phase 2 has been my  
10                  Advisory Panel. They have managed our research agenda.  
11                  They have hosted over 60 community meetings. They have  
12                  worked closely with leaders in the community, survivors,  
13                  institutional heads, educational professionals and  
14                  interested members in the community. They have received  
15                  informal testimony meeting over 100 individuals who  
16                  attended to give or support a person giving informal  
17                  testimony.

18                  I would like to recognise the contributions  
19                  of this exceptional group of individuals and here with us  
20                  today are Janet Handy, Ben Hoffman; Co-citizen of the Year,  
21                  Gail Kaneb; Phil Murray and Colleen Parrish. Here in  
22                  spirit and I believe watching on the webcast are Mike  
23                  Church and Peter Jaffe. Members of the Advisory Panel, I  
24                  would like to express my appreciation for all of the work  
25                  that you have done and for your commitment to our important

1 work.

2 Counselling support has operated in Phase 2  
3 since the beginning of the hearings. It has provided close  
4 to 400 individuals with the opportunity to obtain  
5 counselling and to support personal healing. I would like  
6 to thank the staff who made it all happen: Patrick  
7 Lechasseur, Lori Loeth, Lise Kosloski, and Colleen  
8 Parrish.

9 The issue of some continuation or transition  
10 for counselling support beyond the current October 2009  
11 deadline has frequently been raised in party submissions --  
12 in public submissions. I want to indicate that I will  
13 certainly address this in my Phase 2 report, but I'm  
14 inclined to recommend that some extension for a transition  
15 period will be required for counselling support.

16 And just before I close, I would like to pay  
17 a very special tribute to the person who worked tirelessly  
18 behind the scenes to make all of what you have just heard  
19 come together. A woman who, as Director of Policy, was the  
20 driving force behind so very much of what we can proudly  
21 call accomplishments. I would like to say a special thank  
22 to you, Colleen Parrish. For many in this committee,  
23 Colleen was much more than a Policy Director. For many in  
24 this community, Colleen was a very good friend and that I  
25 think is the best tribute I can pay to Colleen.

1                   Pour terminer, je veux remercier les membres  
2 de la collectivité de Cornwall qui nous ont accueillis ici  
3 dans les cafés, dans les restaurants, dans les salles de  
4 réunion, dans les magasins, dans des évènements  
5 communautaires et dans des activités de levées de fonds  
6 communautaires.

7                   Je m'adresse aussi à ceux et celles qui sont  
8 venus assister aux audiences et aux réunions de l'enquête,  
9 aux professionnels qui ont participé à la formation, aux  
10 leaders qui ont émergé de la société et qui cherchaient des  
11 changements constructifs, à ceux qui ont décidé d'investir  
12 dans des projets de recherche et à ceux qui ont présenté  
13 des observations dans le cadre de la Phase 2, merci à tous  
14 pour votre participation.

15                   Je vais maintenant me consacrer à la  
16 rédaction de mon rapport pour le gouvernement de l'Ontario.  
17 Je vous reverrai quand je livrerai mon rapport.

18                   And so ladies and gentlemen, as I take the  
19 next few months to prepare this report, I will not be going  
20 on any speaking engagements, and I will be going home.

21                   Thank you very much, and I look forward to  
22 seeing you when I deliver the report.

23                   Thank you.

24                   **THE REGISTRAR:** Order; all rise. À l'ordre;  
25 veuillez vous lever.

1                           The Cornwall Public Inquiry is now closed.

2           --- Upon closing at 12:24 p.m./

3                           Clôture de l'enquête à 12h24

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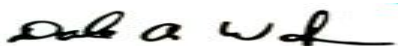
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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



---

Dale Waterman, CVR-CM