

**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 155

Held at :

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

Tuesday, October 30 2007

Tenue à:

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

Mardi, le 30 octobre 2007

Appearances/Comparutions

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Ms. Raija Pulkkinen Ms. Deirdre Harrington	Commission Counsel
Mr. Peter Manderville Ms. Reena Lalji	Cornwall Police Service Board
Ms. Suzanne Costom	Ontario Provincial Police
Mr. Joe Neuberger M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Scott Seguin and Father Charles MacDonald
M ^e Danielle Robitaille	Mr. Jacques Leduc
Mr. Mark Wallace	Ontario Provincial Police Association
Mr. Frank T. Horn	Mr. Carson Chisholm

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1 --- Upon commencing at 9:38 a.m./

2 --- L'audience débute à 9h38

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:** Thank you. Good morning,
10 all.

11 **MR. LEE:** Good morning.

12 **THE COMMISSIONER:** So Mr. Lee, you're back.

13 **MR. LEE:** I am.

14 **THE COMMISSIONER:** Your trip to Las Vegas
15 was good?

16 **MR. LEE:** A richer man for it, sir.

17 **THE COMMISSIONER:** There you go.

18 Mr. Engelmann, good morning.

19 **MR. ENGELMANN:** Good morning. Unusual, it's
20 nice to see someone come home with something.

21 Good morning, Mr. Commissioner. Good
22 morning, Dr. Young.

23 **MARY LYNN YOUNG:** Resumed/Sous le même serment

24 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
25 **ENGELMANN: (Continued/Suite)**

1 When we left off yesterday we were in Tab 2
2 of Exhibit 750, the report that you prepared for us.

3 **DR. YOUNG:** M'hm, yes.

4 **MR. ENGELMANN:** And I believe we were at
5 about page 18 and we were discussing these frames that you
6 talked to us about and I believe there were sort of three,
7 if I can recall the sort of police ineffectiveness frame.

8 **DR. YOUNG:** M'hm.

9 **MR. ENGELMANN:** Then the folk hero frame
10 with Mr. Dunlop?

11 **DR. YOUNG:** M'hm.

12 **MR. ENGELMANN:** And then you talked about a
13 third frame dealing with the simple news stories and not
14 connecting the dots?

15 **DR. YOUNG:** M'hm.

16 **MR. ENGELMANN:** We talked about the forest
17 and the trees.

18 So I want to go through some examples of
19 those frames that you've set out in your report and if I'm
20 correct, what we are seeing on page 18 and onto the top of
21 page 19 in any event is that first frame?

22 **DR. YOUNG:** Correct.

23 **MR. ENGELMANN:** All right.

24 And that's the ineffectiveness. And do you
25 see this dealing just with the Cornwall Police or is it

1 also with the OPP?

2 DR. YOUNG: No, starting in 1993 there is a
3 consistent construction of ineffective policing, starting
4 with the Cornwall Police Service and moving through to the
5 OPP and Project Truth.

6 MR. ENGELMANN: So, for example, the first
7 full paragraph on page 18, there are a number of different
8 points that you have pulled out. I don't want to take you
9 to any of these articles at this point, but there are a
10 number of articles dealing with this framing issue from the
11 Cornwall Police perspective?

12 DR. YOUNG: Yes, there's definitely a number
13 and, I mean, partly Perry Dunlop and what happens to Mr.
14 Dunlop also helps to construct the Cornwall Police as
15 inefficient, ineffectiveness, negative. I mean, the story
16 breaks as a possible cover-up involving police ---

17 MR. ENGELMANN: All right.

18 DR. YOUNG: --- and police ineffectiveness.
19 So that sets the tone.

20 MR. ENGELMANN: And you comment on the
21 Ottawa Police investigation?

22 DR. YOUNG: Yes.

23 MR. ENGELMANN: And that being sort of a
24 first -- or one of the earlier phases of that tone?

25 DR. YOUNG: M'hm.

1 **MR. ENGELMANN:** You also comment on a
2 Solicitor General's report that was picked up by the local
3 media?

4 **DR. YOUNG:** Yes.

5 **MR. ENGELMANN:** You talk about Mr. Dunlop
6 and the charges under the *Police Services Act*?

7 **DR. YOUNG:** Yes.

8 **MR. ENGELMANN:** You talk about the 1995
9 attempted obstruct injustice and you say that also falls
10 under the category of police ineffectiveness?

11 **DR. YOUNG:** Yes.

12 **MR. ENGELMANN:** Why is that, do you recall?

13 **DR. YOUNG:** Well, that's because the
14 construction in the media was basically that police should
15 have been more diligent at the time. And then I also use a
16 broad just to show the period in 2000. I also include a
17 broadcast clipping as an example where they talk about
18 police as either incompetent or one of the most botched-up
19 investigations, as well as a massive cover-up. So that's
20 consistent.

21 **MR. ENGELMANN:** All right, and then in the
22 following paragraph seems -- you say concerns about police
23 ineffectiveness continue but you've got this shift from the
24 CPS to the OPP?

25 **DR. YOUNG:** Yes.

1 **MR. ENGELMANN:** And why is it you highlight
2 the issue of numbers of people charged and number of counts
3 there?

4 **DR. YOUNG:** Well, that seems to be the
5 evidence mobilized in the media to account for why the OPP
6 were also ineffective, in that there was only one count out
7 of a total of 15 people charged and a -- one person out of
8 a total of 15 people and 115 counts of sexual abuse. The
9 media see it as a very unsuccessful investigation and that
10 fact is constantly resurfacing.

11 **MR. ENGELMANN:** All right.
12 That actual statement about one person ---

13 **DR. YOUNG:** Yes.

14 **MR. ENGELMANN:** --- pleads guilty out of 15?

15 **DR. YOUNG:** Yes.

16 **MR. ENGELMANN:** And you note, at least from
17 the database, there was an article or a few articles about
18 a second person?

19 **DR. YOUNG:** Correct. There's a few articles
20 that refer to a second individual, Reverend Paul Lapierre,
21 who ends up being convicted in Montreal in relation to
22 Project Truth, but links -- and we will go into this in the
23 third frame -- aren't and he is not referenced in the only
24 one successful case out of the 15 charged.

25 **THE COMMISSIONER:** Was he not given a year's

1 ---

2 DR. YOUNG: Yes, he was.

3 THE COMMISSIONER: --- jail?

4 DR. YOUNG: He was, and that should be added
5 there. It was a year's jail in addition to three years
6 probation.

7 THE COMMISSIONER: Okay.

8 MR. ENGELMANN: That's ---

9 DR. YOUNG: That's correct. That's from the
10 media article.

11 MR. ENGELMANN: --- an oversight?

12 DR. YOUNG: Yes, that's an oversight. It's
13 in the document attached.

14 MR. ENGELMANN: So it was one year plus
15 three years probation?

16 DR. YOUNG: Correct.

17 MR. ENGELMANN: But you're saying that
18 that's not included when we're looking at those 15 men?

19 DR. YOUNG: Right.

20 MR. ENGELMANN: Do you know why that is?

21 DR. YOUNG: No, I don't know.

22 MR. ENGELMANN: All right.

23 You then, in the final paragraph, cite some
24 other examples of where the media has done this in the
25 past, this framing of police ineffectiveness, in some other

1 cases?

2 DR. YOUNG: M'hm.

3 MR. ENGELMANN: And they are pretty high
4 profile cases?

5 DR. YOUNG: Yes. This is again not all that
6 uncommon. I see it in my work on Pickton and the missing
7 women. There was a large police ineffectiveness frame with
8 respect to investigating the serial murder issues in the
9 downtown east side. Other academics, such as Critcher,
10 have looked at -- and I turn to top of page 19.

11 MR. ENGELMANN: M'hm

12 DR. YOUNG: Have looked at a number of cases
13 across national context and overviewed the academic studies
14 on media coverages, allegations of child and youth sexual
15 abuse and found that, and I quote:

16 "They tend to focus blame on social
17 agencies, such as police officials, for
18 their inability to prevent abuse.

19 While abusers, largely male adults in
20 family households are well-known to the
21 family, are not held accountable."

22 And in this case, the construction of the
23 police is slightly different in that they focus blame on
24 their failure to investigate properly.

25 MR. ENGELMANN: Okay. So it's not the

1 "prevent abuse" angle, it's the lack of investigation, or -
2 --

3 **DR. YOUNG:** There's a bit of prevention of
4 abuse involving Mr. Dunlop and the Cornwall Police, but its
5 largely failure to investigate properly.

6 There is also an example of a column that
7 talks about the OPP, just so that people can see an example
8 of the frame.

9 **MR. ENGELMANN:** And that -- perhaps the
10 witness could be shown Exhibit 728724.

11 **THE COMMISSIONER:** That's not an exhibit
12 then.

13 **MR. ENGELMANN:** Not yet.

14 **THE COMMISSIONER:** Right, you said the
15 exhibit number, but it's---

16 **MR. ENGELMANN:** Oh, I'm sorry, document
17 number. I apologize.

18 **THE COMMISSIONER:** No need.

19 **MR. ENGELMANN:** Document Number 728724.

20 It's a column entitled, "Do We Still Need
21 Project Truth?" I don't believe it's dated, but it was
22 somewhere else in the database and the date was December
23 18th, 1999.

24 **THE COMMISSIONER:** And it's Exhibit 756.

25 ---EXHIBIT NO./PIECE No. P-756:

1 (728724) Mary Lynn Young - "Do We Still Need
2 Project Truth?" - 18 December, 1999

3 **DR. YOUNG:** Can I just show this to
4 highlight the fact that in the first sentence, the OPP in
5 Project Truth are talked about:

6 "... as plodding along, and has been
7 plodding along for almost 15 months,
8 making it one of the longest criminal
9 investigations carried out in this next
10 neck of the woods. In its lifetime,
11 Project Truth has charged a handful of
12 men, most of them elderly, with various
13 sexual offences. None as yet gone to
14 trial. The cost has been enormous."

15 I mean, it's piling on negative upon
16 negative.

17 **MR. ENGELMANN:** All right.

18 **DR. YOUNG:** And I'm not talking about the
19 veracity of any of these complaints, I'm just talking about
20 the framing of them within the media context.

21 **MR. ENGELMANN:** Right. So this would be an
22 example of the ineffective policing frame?

23 **DR. YOUNG:** Correct.

24 **MR. ENGELMANN:** Now, in the ---

25 **THE COMMISSIONER:** Sorry, can I just stop

1 you for a minute here? Let me get back on track here to
2 make sure that I'm still on track.

3 This has nothing to do with the veracity of
4 what's going on. So you're saying that the media would --
5 as your third branch of how they interpret things, how they
6 frame things. Am I getting it right now?

7 **DR. YOUNG:** Yes.

8 **THE COMMISSIONER:** How they frame things is
9 they will look at institutions and frame it in a negative
10 way. Is that what you're telling me?

11 **DR. YOUNG:** What I'm saying is that in this
12 case and in other cases, media have framed institutions
13 like this in a negative way. In terms of veracity, I'm
14 saying it wasn't -- it's not my role here to comment on.
15 That's all I was saying.

16 **THE COMMISSIONER:** Right.

17 **DR. YOUNG:** I wasn't making claims about
18 whether these were true, I was just saying that's the frame
19 here.

20 **THE COMMISSIONER:** Okay. So -- and how
21 would you -- would you have a suggestion on how to frame it
22 differently?

23 **DR. YOUNG:** We're going to -- yes, we're
24 going to get there.

25 **THE COMMISSIONER:** Okay. What happens if --

1 I guess maybe we'll get to -- if we'd frame it differently.
2 I mean, what happens if they had it right?

3 **DR. YOUNG:** Well, usually, it's a bit of
4 both. If you look at the case of Paul Bernardo you see the
5 media construct. The policing in that case is negative and
6 then you see an inquiry determine that, well, yes, there
7 were systemic policing problems; you know, lack of
8 communication between various agencies, competition between
9 your various agencies. And so usually it's been a bit of
10 both in the past. I just am not familiar with it.

11 **THE COMMISSIONER:** No, I'll wait until we
12 get to the -- all right. Thank you.

13 **MR. ENGELMANN:** All right.

14 Well, I mean, so this is one possible frame
15 the media could use and it seems to be one they used
16 extensively here?

17 **DR. YOUNG:** Yes.

18 **MR. ENGELMANN:** All right.

19 And it was a focus on, as you said, policing
20 institutions?

21 **DR. YOUNG:** Correct, and it unfolds more as
22 we continue.

23 **MR. ENGELMANN:** All right.

24 Well, let me just ask you. I mean, in the
25 first full paragraph then on page 19, when you're talking

1 about this frame dealing with ineffective policing, why is
2 it that you make a reference at the end of the paragraph to
3 Corrections?

4 DR. YOUNG: Well, that's partly why I raised
5 the ineffective policing in that a lot of -- most of the
6 criticism is focussed on police services in this case, as
7 opposed to other institutions such as Probation where you
8 have an individual convicted in that area and their
9 policies, the institution itself, Corrections, is not
10 followed up in the same way that police have the spotlight
11 on them consistently.

12 MR. ENGELMANN: All right.

13 You do, though, reference the fact, and this
14 sentence says:

15 "These details and journalistic
16 investigations of issues at the
17 probation office, guidelines about
18 allegations of abuse from Corrections
19 were not followed up."

20 You do, however, mention the fact that there
21 is an article or two dealing with them and that's Footnote
22 14; right?

23 DR. YOUNG: Yes, I mean, there are a few
24 articles but not enough to -- not to the extent that media
25 go after police. It would make sense in an accountable --

1 in trying to make institutions accountable, which is part
2 of how media see their role, given the fact that Probation
3 and Corrections was -- there were incidents involved there,
4 it would be best practices for journalists to actually look
5 at the policies, examine Probation and Corrections, do more
6 investigation and interviewing with respect to that
7 institution, not just policing services.

8 So I'm saying the spotlight gets focussed on
9 one area. There may be -- there are -- in the media
10 coverage it cites problems in that area but other areas are
11 left silent, which tells a certain kind of story about what
12 happened and gives the public a certain understanding about
13 who is at fault.

14 **MR. ENGELMANN:** So you've talked about
15 focussing on social agencies that look at the issue and now
16 we're talking about an institution that employs a
17 perpetrator, an alleged perpetrator?

18 **DR. YOUNG:** Correct.

19 **MR. ENGELMANN:** And do you see that frame
20 from time-to-time, looking at an institution that might
21 employ a perpetrator or alleged perpetrators?

22 **DR. YOUNG:** With frames are a selection and
23 what journalists do, they select information just like
24 academics. We select certain facts to highlight and focus
25 on. And in selecting a set of information such as police,

1 they choose not to select others. And so this is common
2 and it has an impact on how people understand what's
3 happening in the public realm.

4 **MR. ENGELMANN:** Now, in the next paragraph
5 you start by -- at the same time the frame of:

6 "Police and Catholic church cover up
7 receive more fuel when another dominant
8 frame of the 'folk hero' emerged as a
9 Cornwall police officer, Constable
10 Perry Dunlop, blew the whistle on the
11 local police and the lack of adequate
12 investigations allegations of
13 historical abuse."

14 And this is the second frame that you're
15 talking about that you saw?

16 **DR. YOUNG:** Yes, and this frame is
17 fascinating because it takes up a lot of the air space and
18 actually it's Perry Dunlop's whistle blowing that ends up
19 pushing the issues onto the national media agenda. And he
20 gets a significant amount of media coverage until his
21 resignation in 2000.

22 And I think the relevant issue here is,
23 again, that in selecting how to represent this issue or in
24 selecting what the social problem was, Perry Dunlop's voice
25 fills a lot of the place. You know, he is handsome. You

1 know, there is often a photo of him with his wife and his
2 kids. You know, there's a lot of reasons; he's accessible
3 to the media and he's a whistle blower and he becomes a
4 folk hero.

5 **MR. ENGELMANN:** Now, is that -- so again,
6 when the media goes off on that kind of frame what happens?

7 **DR. YOUNG:** Well, other areas fall off the
8 agenda. In selecting certain facts to focus on, other
9 areas don't get examined, and that's what the whole framing
10 analysis is trying to determine.

11 **MR. ENGELMANN:** Why do things like that
12 happen? Why do you think we get the folk hero frames?

13 **DR. YOUNG:** Mr. Dunlop's a compelling story.
14 Folk heroes, you see it often in media coverage. And you
15 know, he's a compelling media story. He's articulate. As
16 I said, he's handsome. You see his photo -- there's few
17 images employed in this -- in the media coverage but Perry
18 Dunlop's image appears fairly frequently.

19 **MR. ENGELMANN:** And you've given some
20 examples of that folk hero frame and I just wondered if we
21 could turn to one of them perhaps?

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

23 **MR. ENGELMANN:** Document 720264. This is an
24 article from The Ottawa Sun captioned "Courageous".

25 **THE COMMISSIONER:** Exhibit Number 757 is an

1 Ottawa Sun article, Wednesday, July 5th, 2000.

2 --- EXHIBIT NO./PIÈCE NO. P-757:

3 (720264) Mary Lynn Young - The Ottawa Sun
4 "Courageous" - 05 Jul, 00

5 DR. YOUNG: Should I start? It's not on the
6 screen yet. Can everyone else see it?

7 THE COMMISSIONER: It's there now.

8 DR. YOUNG: Okay.

9 MR. ENGELMANN: Scroll down a bit, please.

10 DR. YOUNG: Institutions would pay a lot of
11 money for this kind of media coverage in an editorial.

12 MR. ENGELMANN: Sorry?

13 DR. YOUNG: Institutions would pay a lot of
14 money for this kind of media coverage in an Ottawa Sun
15 editorial.

16 "Perry Dunlop was driven by principle;
17 nothing more, nothing less. For seven
18 years the Cornwall police officer aimed
19 a light into the darkest corners of the
20 community's secrets, exposing what he
21 called a ring of pedophiles that had
22 operated in this city virtually
23 untouched for decades. For that he was
24 once suspended and on numerous times
25 threatened with worse."

1 You know, it tells a story of what a hero
2 Mr. Dunlop is, and this is consistent through much of the
3 coverage.

4 **MR. ENGELMANN:** So this becomes a major
5 frame ---

6 **DR. YOUNG:** Yes.

7 **MR. ENGELMANN:** --- that's used by the media
8 covering the story?

9 **DR. YOUNG:** Yes, and also reinforces the
10 negative Cornwall Police Service frame. You've got the
11 hero police officer who's somewhat of an outsider by this
12 point and reinforces the frame of policing and
13 effectiveness. They dovetail to some degree.

14 **MR. ENGELMANN:** Yeah, okay, the two
15 dovetail.

16 Now, the third frame that you've talked to
17 us about, does that discussion start at the bottom of page
18 19?

19 **DR. YOUNG:** Well, this is -- yes, it
20 actually starts at the top of page 20.

21 **MR. ENGELMANN:** Okay, fair enough.

22 **DR. YOUNG:** And I just refer to briefly,
23 because it's at the end of my period, but the citizens
24 groups are also very able to mobilize media coverage, which
25 is also interesting. And in terms of getting the Inquiry

1 going, you know, they tend to start setting the news agenda
2 towards the end of the period. So they obviously have an
3 effective strategy and entry point into the media.

4 **MR. ENGELMANN:** All right.

5 So this is 2003-2004?

6 **DR. YOUNG:** Yes, towards then.

7 **MR. ENGELMANN:** All right.

8 So you -- at the top of page 20 you say:

9 "These sources and-or claims were
10 presented largely as discrete news
11 events."

12 You go on and say:

13 "Mainstream media generally neglected
14 to investigate or provide in-depth
15 analysis on the nature of the problems
16 related to claims about police
17 ineffectiveness."

18 **DR. YOUNG:** Yes.

19 **MR. ENGELMANN:** You go on and talk again and
20 you say in the middle paragraph:

21 "More analytical and contextual
22 information content about the local
23 police and the investigations as well
24 as the legal issues involved..."

25 Et cetera.

1 **DR. YOUNG:** Well, it's like your diet. If
2 you just have McDonalds food, you know -- I don't know if
3 anyone has seen that movie -- you would have a certain kind
4 of physical wellbeing, but you want to have an information
5 diet that includes simple news content as well as more
6 complex analytical information.

7 And to the Commissioner's point about why is
8 it relevant about the framing of ineffective policing, that
9 fills the air space when more analytical, critical,
10 sceptical information does not.

11 **MR. ENGELMANN:** All right.

12 So we're -- this is getting back to not
13 enough how and why and that in-depth analysis?

14 **DR. YOUNG:** Yes and as you said, you know,
15 not looking at the forest -- looking at the trees as
16 opposed to the forest.

17 **MR. ENGELMANN:** All right.

18 **DR. YOUNG:** Although some media do and this
19 is, you know, it's a long period of time so there are some
20 -- obviously these are generalized comments. There are
21 some examples ---

22 **MR. ENGELMANN:** Well, looks at some examples
23 then of the simple news story ---

24 **DR. YOUNG:** Okay.

25 **MR. ENGELMANN:** --- that you say is common.

1 DR. YOUNG: Okay.

2 MR. ENGELMANN: And if the witness could be
3 shown Document Number 720127.

4 I believe you have just a few examples that
5 you wanted to give us on this.

6 DR. YOUNG: Yeah, these are just a few
7 examples of the simple news story ---

8 THE COMMISSIONER: Exhibit 758 is an article
9 in the Standard Freeholder by Len Hooper, 18th of March
10 1999.

11 --- EXHIBIT NO./PIÈCE No. P-758:

12 (720127) Mary Lynn Young - Standard
13 Freeholder "MPP Wants Inquiry into Project
14 Truth" - March 18, 1999

15 THE COMMISSIONER: Thank you, go ahead,
16 please.

17 DR. YOUNG: Yes, and it's a single news
18 source and it's an example of what I refer to in the
19 quantitative material. It's relevant information but it's
20 from one voice and it just moves the issue along minutely,
21 "MPP Wants Inquiry to Project Truth"; one idea.

22 MR. ENGELMANN: Is there a tie-in to the
23 broader context and background in that story?

24 DR. YOUNG: No.

25 MR. ENGELMANN: All right.

1 DR. YOUNG: These are just examples of the
2 simple news story.

3 MR. ENGELMANN: Right

4 DR. YOUNG: There are two others.

5 MR. ENGELMANN: Sorry, Document Number
6 123182. Mr. Commissioner, this is an article from the
7 Standard Freeholder dated June 1st, 2000, "Dunlop Quits City
8 Police".

9 THE COMMISSIONER: Thank you.

10 Exhibit 759. I think that's June 1st, 2000?

11 DR. YOUNG: Yes, it looks like June 1st,
12 2000.

13 --- EXHIBIT NO./PIÈCE No. P-759:

14 (123182) Mary Lynn Young - Standard
15 Freeholder "Dunlop Quits City Police" - June
16 1, 2000

17 DR. YOUNG: So, again, it's largely a single
18 source, quotes from a police statement not an individual,
19 which would be a press release, doesn't give much context.

20 MR. ENGELMANN: A little bit of context ---

21 DR. YOUNG: Not much, not much, but a little
22 bit of context.

23 MR. ENGELMANN: --- in the sense that you go
24 back to the settlement?

25 DR. YOUNG: Correct.

1 **MR. ENGELMANN:** All right.

2 Let's look at one more then, Document
3 720322.

4 **DR. YOUNG:** And, again, this is -- these
5 stories fill newspapers. It's just -- it's having the wide
6 range of information content available to the public.

7 I'm not trying to just criticize these. I'm
8 trying to say this is an example of what was mostly
9 available.

10 **MR. ENGELMANN:** So it's not wrong to have
11 stories like this ---

12 **DR. YOUNG:** No, it's not wrong to have
13 stories like this.

14 **MR. ENGELMANN:** --- and this is typical?

15 **DR. YOUNG:** Right.

16 **THE COMMISSIONER:** Hold on, please. Is this
17 "Jodoin Steps Down"?

18 **DR. YOUNG:** Yes.

19 **MR. ENGELMANN:** Yeah, we have it on both
20 sides. It should just be on one.

21 **THE COMMISSIONER:** Okay, but ---

22 **MR. ENGELMANN:** It's an article dated
23 September 12th, 2000, sir, from the Freeholder.

24 **THE COMMISSIONER:** Yes.

25 **MR. ENGELMANN:** "Jodoin Steps Down."

1 **THE COMMISSIONER:** Oh, okay, okay, okay.

2 **DR. YOUNG:** And, again, it's just another
3 single news event, simple sourcing, no larger analysis when
4 United Way is a major charitable organization.

5 You know, it might have received larger
6 coverage in a different -- in a larger community.

7 **MR. ENGELMANN:** Okay, well, this appears to
8 be on the front page.

9 **DR. YOUNG:** Yes.

10 **MR. ENGELMANN:** But is there somewhat of a
11 tie-in or a context with respect to Mr. Jodoin and others
12 or ---

13 **DR. YOUNG:** No, limited. Very limited,
14 yeah.

15 **MR. ENGELMANN:** Sir, if that could be
16 Exhibit 760.

17 **THE COMMISSIONER:** It is, thank you.

18 --- **EXHIBIT NO./PIÈCE No. P-760:**

19 (720322) Mary Lynn Young - Standard
20 Freeholder "Jodoin Steps Down" - September
21 12th, 2000.

22 **MR. ENGELMANN:** Thanks.

23 Now, you talk about -- well, in that middle
24 paragraph when you talk about more analytical and
25 contextual information content, and one example, I believe,

1 that you talk about a bit later in your report is a radio
2 investigative series known as "Breach of Trust".

3 DR. YOUNG: Yes, the CBC actually won an
4 investigative journalism award in 1999 for a radio series
5 on what was titled "Breach of Trust" on the allegations in
6 Cornwall.

7 MR. ENGELMANN: You make a reference to that
8 a bit later in your report, I believe at page 22, the third
9 paragraph under Broadcast Media Framing Analysis?

10 DR. YOUNG: Yes.

11 MR. ENGELMANN: Which we'll go to in a bit,
12 but there were some transcripts, I believe, of these radio
13 -- of this radio series?

14 DR. YOUNG: Yes, can we to them now?

15 MR. ENGELMANN: Yes. That was the example,
16 I think, that you wanted to show ---

17 DR. YOUNG: Yes.

18 MR. ENGELMANN: --- us about some, perhaps,
19 more in-depth analytical work?

20 DR. YOUNG: Yes.

21 MR. ENGELMANN: Mr. Commissioner, there are
22 three document numbers. Maybe I could just have our
23 registry officer pull those now; 720159, 720173 and 720231
24 and I'll just -- I'll deal with them one at a time.

25 There's a couple of comments I want to make on them before

1 I ask the witness to comment.

2 Starting with 720159, and it is a
3 publication -- CBC Radio One, the date is Tuesday, 27 April
4 '99, The World at Six, 6:25 p.m., by-line is Maureen
5 Brosnahan, and before this is entered, sir, I just wanted
6 to make a brief comment and that is that one of the
7 individuals interviewed here testified at this hearing.

8 There was a motion for some confidentiality
9 measures in camera, they were granted, so this document is
10 subject to a publication ban. There is a moniker for that
11 individual. I don't believe Dr. Young wants to refer to an
12 individual just something specific from this. Is that
13 fair?

14 **DR. YOUNG:** Yes.

15 **THE COMMISSIONER:** All right. Great. It
16 will be marked 761, publication of CBC Radio One, Tuesday,
17 27th April 1999 and will be marked as publication. Madam,
18 please do not refer to any names.

19 **DR. YOUNG:** Okay.

20 **THE COMMISSIONER:** Thank you.

21 --- **EXHIBIT NO./PIÈCE No. P-761:**

22 (720159) *** Publication Ban *** Mary Lynn
23 Young - Transcript of CBC Radio One
24 "Pedophile ring in Cornwall" - 27 Apr. 29

25 **MR. ENGELMANN:** So, Dr. Young, as I

1 understand it, this was an investigative series that was
2 done by CBC Radio?

3 DR. YOUNG: Yes.

4 MR. ENGELMANN: You told us that they won an
5 award about it?

6 DR. YOUNG: Yes, they did, a national media
7 award.

8 MR. ENGELMANN: And, just so I'm clear, I --
9 we -- they've recently had this investigative series on
10 violence in nursing homes and it seems that in the morning
11 news and the World at Six they play a piece whether it's
12 three or five minutes. Is it similar to what we see here?

13 DR. YOUNG: Yes, it would be something
14 similar to that.

15 MR. ENGELMANN: All right.

16 So we have a preamble at the beginning about
17 sort of context. Is that fair?

18 DR. YOUNG: Yes.

19 MR. ENGELMANN: And I note in that preamble,
20 when they say:

21 "Our investigation has found at least
22 50 people who say they were sexually
23 abused by at least 20 men."

24 They say:

25 "The list includes men from the city's

1 religious, professional and business
2 establishments."

3 So that's right there at the beginning of
4 their story?

5 **DR. YOUNG:** Well, they're setting the
6 findings of their investigation at the beginning of the
7 story.

8 **MR. ENGELMANN:** Right, right.

9 What specifically did you want to take us to
10 here with respect to this?

11 **DR. YOUNG:** Well, what's relevant here to
12 best practices journalism and what adds to the quality of
13 the information available to the public is evidence such as
14 on the bottom of page 2 where it starts, "Reporter", and
15 the quote is:

16 "But an investigation by CBC Radio News
17 reveals there are photos, old court
18 records, church records, and other
19 documents."

20 And so what this tells me is that the
21 journalist not only used interview material or interviews
22 with individuals, they also did documentary research and
23 they -- that tends to add to the quality of journalistic
24 content; it's as in an academic area. So they've tried to
25 verify their information many different ways and source

1 their information many different ways.

2 **MR. ENGELMANN:** Do you recall if you would
3 have seen references like this from print media articles?

4 **DR. YOUNG:** I don't recall. This is the
5 only media coverage of the issues that has won an award in
6 Canada, so -- the only difference here is radio by it's
7 very nature tends to tell people stories and so if this
8 were a print news piece, you'd actually see reference to
9 the documents, which would be helpful.

10 **MR. ENGELMANN:** And you didn't see those
11 references in the ---

12 **DR. YOUNG:** No.

13 **MR. ENGELMANN:** --- data itself?

14 **DR. YOUNG:** No.

15 **MR. ENGELMANN:** All right.

16 Let's take a look at another one then --
17 720173 and, again, I'll just make the same comment that
18 this is a CBC Radio One, Thursday 29 April, 1999, World
19 Report at 6:00 a.m., I believe, and again it's Maureen
20 Brosnahan. Again, this would be subject to a publication
21 ban so -- in part --

22 **THE COMMISSIONER:** Thank you.

23 So please do not mention any names. Thank
24 you.

25 That'll be Exhibit 762.

1 ---EXHIBIT NO./PIÈCE NO. P-762:

2 (720173) ***Publication Ban*** Mary Lynn
3 Young - Transcript of CBC Radio One
4 "Pedophile Ring in Cornwall" - April 29,
5 1999

6 DR. YOUNG: And again I refer you to page 2
7 and the reporter comment, the second to last comment, and
8 it says:

9 "In the mid-1980s, a paper trail shows
10 the province investigated allegations
11 of abuse in the Cornwall Probation
12 Service."

13 MR. ENGELMANN: All right then. Let's just
14 not mention ---

15 DR. YOUNG: No, sorry.

16 MR. ENGELMANN: Okay. I think we can talk
17 about this person. Nelson Barque resigned, no charges were
18 laid, the matter was dropped. Actually, there's no concern
19 about any of those individuals, so you can carry on.

20 DR. YOUNG: No, that's all I wanted to ---

21 MR. ENGELMANN: --- All right.

22 DR. YOUNG: Again, a paper trail shows the
23 province investigated allegations of abuse in the Cornwall
24 Probation Service. The paper trail is also what I refer you
25 to as evidence of high standards and good quality

1 journalism.

2 MR. ENGELMANN: All right.

3 DR. YOUNG: Again, it would be nice to
4 actually see it but ---

5 MR. ENGELMANN: Okay. And then they're
6 talking about a fellow who pleads guilty and a fellow who's
7 investigated from probation services?

8 DR. YOUNG: Yes.

9 MR. ENGELMANN: So did you see this kind of
10 content in your print media?

11 DR. YOUNG: There are references to
12 probation services but not references to documents from the
13 80s; didn't see that anywhere in the print media. And no
14 one's connecting the dots between all of these in a clear
15 way.

16 MR. ENGELMANN: And, again, just to take you
17 back to the preamble, you've got the comment:

18 "There have been four police
19 investigations as officers analyze the
20 complaints. Police claim there are no
21 links between any of the alleged
22 victims, but two probation officers
23 involved in the abuse were co-workers.
24 Their office was a hub of activity as
25 they shared victims."

1 So again there seems to be some discussion
2 about probation and some linkage?

3 **DR. YOUNG:** Yes.

4 **MR. ENGELMANN:** Just in the context at the
5 beginning.

6 **DR. YOUNG:** M'hm.

7 **MR. ENGELMANN:** All right.

8 Document Number 720231.

9 **THE COMMISSIONER:** Thank you.

10 Exhibit 763 is again a publication of CBC
11 Radio One, 29th of April, 1999, World at Six with
12 Christopher ---

13 **MR. ENGELMANN:** Same issue on publication,
14 sir.

15 **THE COMMISSIONER:** Yes, a publication ban
16 and please don't name any persons. Exhibit 763.

17 --- **EXHIBIT NO./PIÈCE NO. P-763:**

18 (720231) ***Publication Ban*** Mary
19 Lynn Young - Transcript of CBC Radio One
20 "Cornwall Pedophile Ring" - April 29, 1999

21 **MR. ENGELMANN:** We've got a
22 slightly different preamble here. Reports have dealt with
23 connections to the church and the local probation office
24 and there's a reference to the fact that 12 men have been
25 charged.

1 DR. YOUNG: M'hm. M'hm.

2 MR. ENGELMANN: Is there something specific
3 you wanted to take us to here?

4 DR. YOUNG: Yes. It's in the same place.
5 It's in the report on the second page and, again, it's
6 evidence of good research.

7 These journalists went to The Law Society of
8 Upper Canada to try and access documents about a
9 disciplinary action involving one of the individuals in the
10 case. They were told that the information was not public
11 information which is unfortunate, but it shows that they
12 have tried to get as much documentary evidence as possible
13 in completing these reports.

14 MR. ENGELMANN: All right.

15 And they talk about this person, Malcolm
16 MacDonald, being the lawyer for the priest who was charged
17 and they talk about another lawyer who works with the
18 diocese, all in that last frame.

19 DR. YOUNG: Yes.

20 MR. ENGELMANN: Or last ---

21 DR. YOUNG: Last paragraph.

22 MR. ENGELMANN: Last paragraph, yes. All
23 right.

24 See any reference to investigative work with
25 the Law Society or looking for documents like that in the

1 data set?

2 DR. YOUNG: No.

3 MR. ENGELMANN: You also make some reference
4 to -- in that middle paragraph on page 20 -- to other
5 multiple victim abuse cases?

6 DR. YOUNG: Yes, well, it's journalistic
7 convention to refer to previous cases that are similar or
8 may be similar to issues in the public realm, for instance,
9 Pickton; you'll get references to Bernardo. You know,
10 you'll get references to previous serial killers when media
11 are trying to examine to try and make sense of it, which is
12 problematic in some cases, but helpful in others.

13 So in this case -- and I'm not suggesting
14 that these are exactly the same kinds of events -- I'm just
15 saying that contemporaneously, there were allegations of
16 abuse in a number of other areas.

17 In London, Ontario, Project Jericho and
18 Mount Cashel, and even though the media may have touched on
19 it, they didn't refer to the complexities of possibly
20 investigating these kinds of cases. There's a number of
21 ways that you could approach this more analytically and
22 that's not followed up on. As well as, you know, the fact
23 that during this period this increased media attention may
24 be actually adding to victims coming forward, you know, and
25 that has an impact on, well, are there more victims? Is

1 this an avalanche -- or is it just victims who didn't come
2 forward before in terms of numbers. So I think that would
3 have been relevant here too.

4 **MR. ENGELMANN:** All right.

5 So a couple of things you've just mentioned
6 the -- you don't see a lot about the difficulties in
7 investigating these complex types of cases?

8 **DR. YOUNG:** Yes.

9 **MR. ENGELMANN:** And, secondly, the whole --
10 and I think you made the point earlier about the increased
11 publicity sometimes brings victims out?

12 **DR. YOUNG:** M'hm. And may make it appear as
13 if there's many more victims than there are. I mean, it's
14 complex and so ---

15 **MR. ENGELMANN:** All right.

16 **DR. YOUNG:** --- these might have helped
17 examine those issues.

18 **MR. ENGELMANN:** Now, in the next paragraph
19 you talk about the pedophile ring comment and you say these
20 claims were not verified by other sources or police
21 agencies at the time, despite the fact that further
22 corroboration would be required and a best practice is an
23 objective journalism model?

24 **DR. YOUNG:** Well, yes, when the rings -- the
25 note -- the allegations that there is a pedophile ring rise

1 from Harry Dunlop's submission, in his report and it's
2 reported in -- I give examples in The Ottawa Sun and The
3 Ottawa Citizen -- but Mr. Dunlop, at the time, would be
4 considered a source that should be verified or corroborated
5 because he'd become part of a story. I'm not suggesting
6 that he's not accurate, I'm just saying that best practices
7 would require some other corroboration to that.

8 **MR. ENGELMANN:** At the top of page 21, you
9 talk about problematic silences, and you say in particular:

10 "Cornwall area priest not followed up
11 on extensively and only referred to in
12 a limited number of media accounts in
13 '93, '94 and '95."

14 Now, just -- that fellow plead guilty back
15 in 1986. Why is it you'd expect something years later?

16 **DR. YOUNG:** Well, to me this an extremely
17 relevant point if you look at the media framing of what the
18 social problem was in Cornwall. Timing matters; where you
19 begin a story and where you end a story tells a lot about
20 what may have happened or what people think may have
21 happened. Much of the media coverage focusses on the
22 beginning in 1992 with the allegations and then the
23 financial settlement and that starts the whole cover-up,
24 police ineffectiveness.

25 **MR. ENGELMANN:** That's really '94 but

1 talking about something that happened in '92.

2 DR. YOUNG: Nineteen -- right - 1992.

3 MR. ENGELMANN: Okay.

4 DR. YOUNG: I just use the date when I have
5 to.

6 MR. ENGELMANN: Yeah.

7 DR. YOUNG: Whereas if the timeline started
8 in 1986, the frame would be that one priest, Father
9 Deslauriers, was convicted on abuse charges and, you know,
10 the charges were decreased so the conviction was successful
11 to some degree. I'm sure that's open to debate with your -
12 - an investigator or not, but that shows that one priest was
13 convicted and that's the beginning point and to me that's
14 extremely significant here.

15 Because instead the story starts with, well
16 there's a settlement and we're not sure what happened and -
17 - whereas if you back up a bit, you'd have a bit of a
18 different -- you'd have a different story -- a different
19 genesis to the story.

20 MR. ENGELMANN: So is that what you mean by
21 media constructed periodization?

22 DR. YOUNG: Yes. It's timeline basically.
23 They're constructing a period. Media are selecting facts
24 as they do -- as we all do -- and they're presenting it in
25 a certain way depending on how they define news, what

1 they're institutional constraints are -- or abilities are -
2 - and they're creating a timeline and the timeline was this
3 started -- this social problem started in 1992.

4 And I'm saying if you look at the Inquiry
5 data base, the social problem could have been started in
6 1986 and that would have a different media narrative over
7 the period.

8 **MR. ENGELMANN:** All right.

9 But the media did look at the fact that a
10 priest was charged as a -- after that settlement, social
11 problem could have been started in 1986 and that would have
12 a different media narrative over the period.

13 **MR. ENGELMANN:** All right.

14 But the media did look at the fact that a
15 priest was charged as a -- after that settlement, in or
16 about 1996; correct?

17 **MS. YOUNG:** Yes, they do look at it as I say
18 in ---

19 **MR. ENGELMANN:** Let me just follow up with a
20 couple of other ---

21 **MS. YOUNG:** Okay.

22 **MR. ENGELMANN:** And they do talk about the
23 fact that some other priests are charged during Project
24 Truth and there is some reference to one of them being
25 convicted in Montreal.

1 MS. YOUNG: M'hm.

2 MR. ENGELMANN: So there is part of that
3 story being told in the media; right?

4 MS. YOUNG: But that's 15 years later.

5 So if you're looking at the early media
6 coverage -- I'm just saying, when the media story breaks in
7 '93, '94, it's still largely talked about as starting then.
8 When some -- obviously, you could have started it in 1986
9 and there are small references to the 1986 case. There's
10 an example I use, a good example, from the Standard
11 Freeholder of a journalist who did a good job here but it
12 falls off the news agenda and falls out of the stories.

13 MR. ENGELMANN: All right.

14 So there is an attempt to look at that in a
15 broader timeframe?

16 MS. YOUNG: Yes.

17 MR. ENGELMANN: Maybe we could go there.

18 And I believe the document you wanted to
19 refer to is 722171.

20 MS. YOUNG: Correct.

21 MR. ENGELMANN: This is an article from the
22 Freeholder, sir. Caption - "Painful Memories":

23 "Benoit Brisson remains bitter with
24 church over its handling of his abuse
25 by a priest."

1 It's an article by Carolyn Bowman dated
2 January 7 ---

3 **MS. YOUNG:** Carol Bowman.

4 **MR. ENGELMANN:** Carol Bowman. I'm not sure
5 if it's the 19th or 17th of January.

6 **THE COMMISSIONER:** Looks like the 17th of '94
7 and that will be exhibit 764.

8 --- **EXHIBIT NO./PIÈCE No. P-764:**

9 (722171) Mary Lynn Young - "Painful
10 Memories: Benoit Brisson Remains Bitter With
11 Church Over its Handling of his Abuse by
12 Priest" - January 17, 1994

13 **MS. YOUNG:** So this is a good example of a
14 journalist interviewing a previous victim; addressing the
15 conviction, although there's a slight inaccuracy in what
16 he's convicted of because she just refers to the charges.

17 But there's also areas where as a journalist
18 now, and this is again 13 years ago, you would think might
19 be followed up on; inconsistency, allegations that the
20 church hierarchy may have known, that accountability
21 questions could have been asked and followed up on at this
22 time from the case in 1986, as well as similarities between
23 the 1986 conviction and the allegations in 1992 followed up
24 on. And that doesn't happen.

25 **MR. ENGELMANN:** All right.

1 Well, you see Mr. Brisson saying a couple of
2 things in this article; it's about four paragraphs in.

3 It says:

4 "The church is still treating cases of
5 sexual abuse by clergy the same way it
6 did eight years after he went public."

7 And then a column further down -- excuse me:

8 "Benoit says he complained..."

9 I'm looking near the bottom of that left-
10 hand column:

11 "...to Bishop Eugene LaRocque about the
12 abuse. The bishop promised him the
13 priest would be removed."

14 et cetera.

15 So there is -- there's some tie-in back?

16 **MS. YOUNG:** Yes, but it's not -- I mean,
17 these are things that you would then go back to the
18 institution and ask accountability questions. Well, what
19 happened here? What are the policies? How, you know, this
20 would be -- these are just Benoit -- this is just his
21 recollection. He may be wrong.

22 I mean, I'm just -- this is one person, one
23 source's account. As a journalist, you would actually
24 follow up on these claims.

25 **MR. ENGELMANN:** Did you see any stories

1 following this in the data set why reporters interviewed
2 the bishop or other church authorities about some of this?

3 **MS. YOUNG:** There were interviews but no
4 linkages again to '86. I mean, that's -- the ties aren't
5 made between '86 and '92 and the story becomes "cover-up;
6 conspiracy against victims; financial settlement", not
7 something happened, what was done, how were institutions
8 accountable in the previous seven, eight years. And to me,
9 this is a key point in the nature of the media coverage.

10 **MR. ENGELMANN:** But this, you'd agree, is a
11 longer form?

12 **MS. YOUNG:** And it's a good example, the
13 journalist does a good job. I mean, it's just it would
14 require more follow-up.

15 **MR. ENGELMANN:** Fair enough.

16 **MS. YOUNG:** But as it is, it's a good
17 example of ---

18 **MR. ENGELMANN:** You go on, at the bottom --
19 excuse me -- of page 21 and perhaps this is the point
20 you're making.

21 "Other areas that lacked sufficient
22 media attention rigour involved
23 research into the clergy and Roman
24 Catholic Church."

25 And you say:

1 "Few print media articles examined the
2 alleged perpetrators or the church
3 bureaucracy,..."

4 I think is a comment you made earlier about
5 Probation ---

6 **MS. YOUNG:** Yes.

7 **MR. ENGELMANN:** --- as well, is it not?

8 **MS. YOUNG:** Yes. It's not just the -- I
9 mean, it's Probation, it's other potential institutions
10 involved.

11 **MR. ENGELMANN:** Who employ perpetrators or
12 alleged perpetrators?

13 **MS. YOUNG:** Yes, yes.

14 **MR. ENGELMANN:** "...leaving an area that is
15 commonly addressed in media coverage of
16 major social problems,
17 uncharacteristically silent."

18 Was there something happening at that time?
19 You say, "Commonly addressed in media coverage".

20 **MS. YOUNG:** Well, the allegations about the
21 probation officer from the 1980's, the fact that a priest
22 was convicted, would be followed up in a best practices
23 journalism model. And if you refer to the Canadian
24 Association of Journalists statement and principles, these
25 are something that we see as one of our core functions and

1 would be followed up and investigated.

2 **MR. ENGELMANN:** Were there follow-ups of
3 issues like this involving these types of institutions
4 elsewhere? Not in Cornwall but elsewhere in Canada or the
5 U.S. at that time?

6 **MS. YOUNG:** Yes. I'm not as familiar with
7 the cases though.

8 **MR. ENGELMANN:** But cases involving
9 institutions?

10 **MS. YOUNG:** Correct, yes.

11 **MR. ENGELMANN:** Yeah.

12 **MS. YOUNG:** Much more rigour.

13 And I think we have an example -- I think
14 there's an example though from the local media in an
15 editorial that may explain partly ---

16 **MR. ENGELMANN:** All right.

17 Well, let me just -- before we get there,
18 just -- I'm -- you make a comment at the end of that
19 paragraph. You say:

20 "However, as is often the case in
21 social problems involving possible
22 criminal prosecution, institutional
23 sources, alleged victims and
24 perpetrators, as well as journalists,
25 may be legally constrained or feel

1 constrained in their ability to
2 publicly address allegations
3 contemporaneously."

4 So what about that? I mean, you know, can
5 reporters do this kind of investigative, analytical work at
6 the same time as police authorities or other institutions
7 are looking at these issues?

8 **MS. YOUNG:** Well, they do it all the time.
9 And the literature on police and media relationship is that
10 it's somewhat symbiotic, you know. Police need the media,
11 media need police. They work in tandem to some degree.

12 I'm not suggesting that journalists become
13 police investigators, but journalists are expected to
14 investigate interest in the public realm that have an
15 impact on the community and public safety. This would be
16 one of them.

17 However, institutions are constrained
18 legally, there's a chill with respect to -- if charges are
19 about to be laid. It's a complex issue, so I'm trying to
20 highlight.

21 **MR. ENGELMANN:** And I think you wanted to
22 refer to an editorial on this?

23 **MS. YOUNG:** Yes.

24 **MR. ENGELMANN:** It might have given some
25 direction to staff at a paper.

1 **MR. ENGELMANN:** Exhibit -- sorry, exhibit.
2 Document Number 720994. It's an editorial in the Standard
3 Freeholder dated July, 1998. I don't have the exact -- I
4 think -- it's been handwritten. I think it might be the 4th
5 of July, sir. "Let Police Do Their Job" is the caption.

6 **THE COMMISSIONER:** Thank you.

7 Exhibit 765.

8 **--- EXHIBIT NO./PIÈCE No. P-765:**

9 (720994) Mary Lynn Young - Standard
10 Freeholder "Let Police Do Their Job" - July,
11 1998

12 **THE COMMISSIONER:** And this is from the
13 Standard Freeholder? Yes, okay.

14 **MS. YOUNG:** So this appears to be an
15 editorial from 1998 and I just take you to the last
16 paragraph.

17 And here, the paper is ---

18 **MR. ENGELMANN:** Just one moment.

19 **MS. YOUNG:** Okay.

20 **MR. ENGELMANN:** I just want to make sure we
21 have it up on the screen for counsel.

22 **MS. YOUNG:** So the editorial tends to
23 reflect news management -- understand -- like the
24 managerial perspective on an issue. So if you look to the
25 last paragraph, and I quote directly. They're saying until

1 -- maybe I should go to the paragraph before.

2 "The reason we have not been printing
3 these names in the newspaper is because
4 we believe there's a proper time and
5 place for names to be officially made
6 public. That will be in a police press
7 release, at a press conference..."

8 The rest of it is somewhat ---

9 "...or in a courtroom. When that
10 happens, we'll be there. Until then,
11 let the police do their job, finish
12 their investigation and lay charges in
13 the appropriate manner. It is not
14 appropriate, very unfair and
15 potentially damaging to innocent
16 people, to second guess the police.
17 The Standard Freeholder is not going to
18 do it and we implore our readers not to
19 do it."

20 So the newspaper is taking an editorial
21 position that it doesn't believe -- investigation here.
22 And it may be reasonable, given that it's a small town,
23 there's a lot of connection and interrelation. And from
24 the letters to the editor, which we'll get to, you see
25 there's -- it's a very difficult issue for the community.

1 So this is potentially evidence of why they
2 may not have performed more of their own investigations on
3 the issues and they'd been waiting for the police to.

4 **MR. ENGELMANN:** One of the things they are
5 saying here is that they want to keep names out of the
6 paper until such time as people are charged. You don't
7 necessarily disagree with that?

8 **DR. YOUNG:** No, no.

9 **MR. ENGELMANN:** Okay, but you're thinking
10 this might have had some impact on whether they did that
11 type of investigative analysis that you would have
12 expected?

13 **DR. YOUNG:** Yes, correct.

14 **MR. ENGELMANN:** All right.

15 Just be one moment.

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **MR. ENGELMANN:** Just before we leave this
18 area in this third frame, I believe there was another
19 example of some investigative work that you might have
20 wanted to take us to with respect to some analysis that was
21 being done, and I just want to show you a couple of
22 documents, if I may.

23 Maybe I'm not situated properly in the
24 report, but I believe this is where they're coming into the
25 third frame; Document Number 722156. I'll also be asking

1 our registry officer to pull 123254.

2 THE COMMISSIONER: All right. Exhibit 766
3 is what now?

4 MR. ENGELMANN: This is -- if it's 722156?

5 THE COMMISSIONER: Yes.

6 MR. ENGELMANN: It's an article from the
7 Standard Freeholder.

8 THE COMMISSIONER: And that date?

9 MR. ENGELMANN: Dated, I think, January 6th,
10 '94.

11 THE COMMISSIONER: Right.

12 MR. ENGELMANN: "Report of Sex Abuse
13 Complaint Involving Church/Police Surface."

14 THE COMMISSIONER: Okay.

15 --- EXHIBIT NO./PIÈCE NO. P-766:

16 (722156) Mary Lynn Young - News articles (3)
17 - "Report of Sex Abuse Complaint Involving
18 Church/Police Surface" - January 6, 1994;
19 "Bishop Won't Discuss Sex Allegations" -
20 January 10, 1994
21 "Bishop Emphasizes 'Family'" - January 10,
22 1994

23 MR. ENGELMANN: And it says:

24 "It's unlikely any investigation will
25 be re-opened."

1 Dr. Young, do you have that?

2 DR. YOUNG: Yes, I do.

3 MR. ENGELMANN: All right.

4 And, again, I'm not sure and I can't
5 remember if this was dealt with ---

6 DR. YOUNG: It's okay because it does
7 directly follow from a comment in the editorial and
8 addresses the complexity of covering these kinds of issues
9 in a small town.

10 If you look to the last bank of text on the
11 top article, it's the second paragraph. Here it says a
12 source told the Standard Freeholder -- an unnamed source
13 can be problematic -- that:

14 "...during the police investigation of
15 the priest the victim stated he had
16 also been assaulted by another Cornwall
17 man but he did not want to pursue
18 criminal charges against the man, so
19 the priest was the only person to be
20 the subject of an official police
21 investigation."

22 MR. ENGELMANN: All right.

23 So this is something that's been written on
24 January 6, 1994?

25 DR. YOUNG: Yes.

1 **MR. ENGELMANN:** And then you had another
2 example for us, I think, from a few days later.

3 **DR. YOUNG:** And so this is relevant as local
4 media coverage and their norms about what's appropriate to
5 print with respect to this fact.

6 **MR. ENGELMANN:** Right. And I think some of
7 this is dealt with just looking back in your report at page
8 19, the first full paragraph.

9 **DR. YOUNG:** Yes.

10 **MR. ENGELMANN:** Then it's Document Number
11 123254.

12 **THE COMMISSIONER:** Thank you.

13 Exhibit No. 767 is an Ottawa Citizen story
14 dated January 12th, 1994.

15 **--- EXHIBIT NO./PIÈCE NO. P-767:**

16 (123254) Mary Lynn Young - Ottawa Citizen
17 "Sex Abuse Case: Cornwall Police Face Probe;
18 Case Dropped after Church Paid Victim" -
19 January 12, 1994

20 **MR. ENGELMANN:** So this is a few days later.
21 Is this what you meant earlier when you talked to us about
22 some mainstream media having their own website or outlets
23 on the web? You see this infomart.ca, or am I mistaken
24 there?

25 **DR. YOUNG:** You are mistaken there because

1 infomart is a database.

2 MR. ENGELMANN: All right.

3 So they've picked up an article from the
4 Citizen, is that what we're seeing here?

5 DR. YOUNG: Yes.

6 MR. ENGELMANN: And the article's entitled,
7 "Sex Abuse Case: Cornwall Police Face Probe. Case Dropped
8 After Church Pay Victim".

9 DR. YOUNG: M'hm.

10 MR. ENGELMANN: So why did you want to bring
11 this to our attention with respect to the same issue?

12 DR. YOUNG: It's contemporaneous to the
13 local media coverage. So as regional media, there would be
14 a different understanding of what was appropriate to print,
15 obviously in this case. If we move down one, two, three,
16 four, five -- twelve paragraphs -- and this sentence refers
17 to the other man, unnamed -- from an unnamed source
18 mentioned in the local media and it says:

19 "The Ottawa Police probe announced
20 Tuesday in Cornwall is the latest twist
21 in a case that includes the suicide
22 last November of a probation officer
23 whom the man has accused of sexually
24 abusing him when he was a teen."

25 So you have articles at the same time in

1 different media contexts representing different kinds of
2 information. It shows evidence of how the local media may
3 have felt constrained with naming names, being more
4 specific, further investigating in reference to the
5 editorial, and how the regional media were able to actually
6 add a bit more information. At the same time, you know, it
7 would have been good to have even more information.

8 **MR. ENGELMANN:** Yes. So it's a brief -- a
9 brief reference?

10 **DR. YOUNG:** Yes.

11 **MR. ENGELMANN:** But a little more
12 information?

13 **DR. YOUNG:** Yes.

14 **MR. ENGELMANN:** About who the man was and
15 where he worked.

16 **DR. YOUNG:** M'hm.

17 **MR. ENGELMANN:** All right.

18 So then let's go to page 22, and you've got
19 a caption, "Broadcast Media Framing Analysis".

20 **DR. YOUNG:** Yes, the relevant point -- there
21 is just one point I want to make here. I examined 21 video
22 and audio clips which is mentioned earlier in the report.

23 The important point here is that broadcast
24 media seem to set the news agenda a bit more than print
25 media in this case. If you look at the fact that a CTV

1 affiliate broke -- basically was the reason that the
2 financial settlement story gained regional attention in
3 1994 and then was actually referred to in a number of
4 contemporaneous media accounts at the same that the Fifth
5 Estate did a piece, actually a very good piece on the
6 Dunlops, and some of the issues during that time and then
7 the CBC Radio investigative series, Breach of Trust, which
8 again I'm not commenting on the veracity of the complaints,
9 but they did do a high quality investigation from evidence
10 that they cite in their reports.

11 **MR. ENGELMANN:** So you're giving some
12 examples of some of that more in-depth analysis that you
13 talked about?

14 **DR. YOUNG:** Yes.

15 **MR. ENGELMANN:** All right.

16 And what do you mean by ---

17 **DR. YOUNG:** Not the first one.

18 **MR. ENGELMANN:** I'm sorry?

19 **DR. YOUNG:** Not the first one. That I just
20 set the news agendas.

21 **MR. ENGELMANN:** Oh, okay.

22 **DR. YOUNG:** But not the first one. It was
23 just a news story that basically ---

24 **MR. ENGELMANN:** So what do you mean when
25 they're -- the agenda-setting role?

1 DR. YOUNG: Well, what happens is when a
2 story breaks in another area when -- you know, when that
3 piece aired on TV other media pick it up. Media follow
4 each other. There's a ---

5 MR. ENGELMANN: Well, I understand there
6 were a number of print media articles after that.

7 DR. YOUNG: Yes.

8 MR. ENGELMANN: All right.

9 So the envelope opened by the CTV affiliate
10 or a broadcast affiliate first, is what you're saying
11 essentially?

12 DR. YOUNG: Yes.

13 MR. ENGELMANN: And what -- what is the
14 point in the second paragraph there when you're referring
15 to the Fifth Estate. And that, by the way, is Exhibit 649.
16 We don't have to go to it. We played it here.

17 What is the point you are trying to make?

18 DR. YOUNG: Well, it's interesting in that
19 both of the broadcast, longer form media accounts -- Fifth
20 Estate is an investigative journalism television show I'm
21 sure you are all aware of.

22 MR. ENGELMANN: Yes.

23 DR. YOUNG: And Julian Sher who did the
24 piece is a famous award-winning journalist in Canada and
25 the CBC radio series and, again, Susanne Reber and Maureen

1 Brosnahan, are two very well-known investigative
2 journalists in the country.

3 Both of them refer to the religious context
4 of the community in various ways. One says two out of
5 three people in Cornwall are Catholic; another says three
6 out of four people in Cornwall are Catholic, but they both
7 set that at the beginning of the story, saying that this is
8 relevant to the unfolding of the issue here and that's
9 lacking in the mainstream print media coverage, or limited.

10 **MR. ENGELMANN:** All right.

11 You've made a reference in the next
12 paragraph to the Breach of Trust, a series and we've have
13 gone there. What about the last half of that paragraph?
14 Perhaps you've covered it, but starting with
15 "Unfortunately".

16 **DR. YOUNG:** Well, yes, I think that the
17 print -- what's unfortunate with the radio series is that
18 the nature of radio news is such that they need compelling
19 stories through voices and so the series ends up having
20 people tell their stories and then just referring to the
21 documents but they are nowhere to be found. So as an
22 academic, I reference my sources and you can call them up.
23 But as the public we can't go to their documents and say,
24 "Well, what did they do, did they find it, and in a print
25 piece you would actually have more -- in a newspaper

1 article, you'd have more reference to the document, what it
2 said, where it came from, which would be beneficial in this
3 case.

4 **MR. ENGELMANN:** Whereas with the radio,
5 because of the medium, you need those voices; is that what
6 you're saying?

7 **DR. YOUNG:** Yes, to tell the story, and in
8 television you need compelling stories. It's just a
9 different medium. And online you're seeing evidence that
10 audiences are looking for that because there are many more
11 links now in news stories to background evidence,
12 background information context to help people make sense of
13 what are often complex issues.

14 **MR. ENGELMANN:** Well, that's consistent with
15 that article you've talked to us about earlier. I can't
16 remember which one now. I believe it was the article by
17 Barnhurst and Muntz about ---

18 **DR. YOUNG:** Analysis, increasing levels of
19 analysis, yes.

20 **MR. ENGELMANN:** Right.

21 **DR. YOUNG:** So you are seeing that still ---

22 **DR. YOUNG:** Yes.

23 **MR. ENGELMANN:** --- in many media sources?

24 **DR. YOUNG:** Yes, and now the web allows
25 media to actually even show the primary source in addition

1 to the media account, which is great for audiences in terms
2 of accountability.

3 **MR. ENGELMANN:** All right. You have another
4 section now, unless there is anything else on broadcasting?

5 **DR. YOUNG:** No.

6 **MR. ENGELMANN:** On letters to the editor and
7 I believe you told us earlier there were over 200 that you
8 looked at.

9 How do letters to the editor get printed
10 typically? Is it just any letter that gets sent in or how
11 does that work?

12 **DR. YOUNG:** No, the editors tend to -- they
13 use an editorial function. They exercise their editorial
14 powers and they print some letters and they withhold others
15 and there's no systematic -- there's no systematic way of
16 choosing which letters go in identified anywhere.

17 **MR. ENGELMANN:** So did you try to do any
18 quantitative analysis or sampling with these letters?

19 **DR. YOUNG:** No, because this is not a public
20 opinion poll. This is a selection of some of the letters
21 that would have been sent to the local media. So in no way
22 would I see this as representative of public opinion at the
23 time, although it does provide insight on community
24 context.

25 **MR. ENGELMANN:** All right. Let's talk about

1 that insight. You write about this over a couple of pages
2 and what is it in particular you would like to leave us
3 with from your analysis of those letters?

4 **DR. YOUNG:** Well, I found reading the
5 letters moving, and a very worthwhile exercise because they
6 tell a completely different story about what's happening to
7 the community at the time that the media accounts are
8 talking about ineffective policing. And the letters talk
9 about interpersonal conflict, cultural conflict with their
10 sense of their religious affiliation. They are very
11 emotive.

12 There are personal attacks but then there's
13 a lot of questioning, internal questioning. You know,
14 what's happening and it's -- it was very compelling to me
15 going through all of them and gave evidence of what I saw
16 as an extremely difficult issue for a small community.

17 **MR. ENGELMANN:** All right. And you
18 discussed some of that at the bottom of page -- sorry,
19 right at the bottom of page 22?

20 **DR. YOUNG:** Yes.

21 **MR. ENGELMANN:** We talk about framing the
22 social problem?

23 **DR. YOUNG:** Yes. And so you see a lot of
24 discussion about Catholic residents trying to make sense of
25 the allegations and how that matters to them. You see

1 letters of random mix of gossip and random information, but
2 again highly emotive, a lot of discussion about rumour and
3 innuendoes, concern about the rumour mill and the one quote
4 that I referenced there shows that there's a level of
5 distrust.

6 **MR. ENGELMANN:** Is this the quote in the
7 middle of page 23?

8 **DR. YOUNG:** Yes, and gossip which again
9 would be very powerful in a small community. My first job
10 as a journalist was at a small town weekly newspaper in
11 Southern Ontario and I'm very familiar with the differences
12 of working in that kind of environment compared to working
13 in a major daily newspaper organization.

14 **MR. ENGELMANN:** So you get all these letters
15 and there are a lot of them, aren't there?

16 **DR. YOUNG:** Two hundred and twenty-four
17 (224) is significant, although I don't have comparative. I
18 can't say it's a lot compared to something else.

19 **MR. ENGELMANN:** Yes, and they are emotive;
20 people are passionate. They're talking about internal
21 conflicts, issues about their religious affiliation.

22 Any sort of expectation from journalist best
23 practices? Does a newspaper respond to this at some point?
24 What happens?

25 **DR. YOUNG:** The odd time though a columnist

1 will respond to a letter, someone in a letter wrote this,
2 but not often. Usually it's just -- it's not iterative.
3 Sometimes letter writers will respond to each other;
4 sometimes there's a bit of a dialogue followed up.

5 **MR. ENGELMANN:** Yes.

6 **DR. YOUNG:** And sometimes a columnist will
7 respond but sometimes they are just discreet letters as
8 well responding to news coverage. Actually, a significant
9 number of them complain about the media coverage as well.
10 They talk about the level of hyperbole and then some of
11 them ask questions, you know, what are publications bans,
12 when are they supposed to be used. It seems to be there is
13 a lack of knowledge about how media would cover these kinds
14 of allegations, which makes sense.

15 **MR. ENGELMANN:** Remember, I mean I don't
16 know, you've read everything but I don't know if you can
17 recall it, but a story about these letters and how this
18 might be tearing families apart or community apart, things
19 like that?

20 **DR. YOUNG:** I don't recall a specific one
21 but you do have different family members or obviously
22 friends responding to each other about some perceptions of
23 Mr. Dunlop and his role or some perceptions of facts that
24 have been referenced to in news story. So there is
25 evidence of conflict.

1 And I just quote, just to leave you, the
2 last one -- one of the letter writers in the Seaway News
3 said -- this is at the top of page 24:

4 "We are too long on feelings and too
5 short on facts."

6 And I think that really comes out movingly
7 from the letters and people are struggling to understand.

8 **MR. ENGELMANN:** Then you start your
9 conclusion with a quote and I guess my first question to
10 you is it appears to be a quote from one of the counsel for
11 one of the parties here.

12 Did you look at documents other than those
13 in the dataset?

14 **DR. YOUNG:** I just looked at the initial
15 opening statements just to get a sense of who the parties
16 were and that's all I looked at in terms of inquiry
17 database.

18 **MR. ENGELMANN:** All right. So you looked at
19 the opening statements that counsel for the parties gave?

20 **DR. YOUNG:** Yes, in writing the report.

21 **MR. ENGELMANN:** I'm sorry?

22 **DR. YOUNG:** In writing the report.

23 **MR. ENGELMANN:** All right. And why is it
24 that you -- well, you've quoted from Peter Wardle's opening
25 statement; do I have that correct?

1 DR. YOUNG: Yes, I did.

2 MR. ENGELMANN: And you've given a
3 transcript reference and the quote is:

4 "The community has only heard part of
5 the story, with many of the facts
6 obscured from public view. And equally
7 important, and some of my colleagues
8 have already referred to this, the
9 events in Cornwall have given rise to a
10 truly astonishing amount of rumour and
11 innuendo. The community has been
12 unable to distinguish fact from
13 fiction, sensational journalism and
14 third-hand gossip from the real facts
15 of what took place and how were
16 allegations investigated."

17 Why is it you started your conclusion with
18 that comment?

19 DR. YOUNG: Because I think that summarizes
20 my understanding of the media coverage after doing this
21 analysis, and my understanding of the nature and quality of
22 information generally available.

23 There are some great examples of good
24 journalism. There are a lot of same-day simple news
25 stories, but very little analysis in writing, in print that

1 try to make sense of the social problem.

2 MR. ENGELMANN: So in the middle of
3 paragraph 24, you talk about some of your major findings?

4 DR. YOUNG: Yes.

5 MR. ENGELMANN: You've got them summarized.
6 Would you just run through that for us?

7 DR. YOUNG: And I'm not trying to be -- you
8 know, local media have their own constraints. So this is
9 just part of a larger -- my question was ---

10 MR. ENGELMANN: What are some of those
11 constraints typically?

12 DR. YOUNG: Lack of adequate resourcing,
13 training, you know, covering cases like this would be
14 complex, like they have training in complex historical
15 allegations of youth abuse. I mean, there's resourcing,
16 training; all of these issues would be compounded in the
17 local media at the same time that you're seeing people
18 you're writing about on the street. Your advertisers are
19 also your sources.

20 MR. ENGELMANN: What about time to do
21 investigative ---

22 DR. YOUNG: Time, oh, resourcing reflects on
23 time. Usually, when I worked -- when I worked in a small
24 town newspaper, it was two of us who basically wrote,
25 produced photos and entire community newspaper. Now, my

1 mandate was not to explore the specific institutional
2 context in the city, but I'm just saying there are serious
3 resource issues usually at small town newspapers.

4 **MR. ENGELMANN:** I'm assuming when you're
5 doing investigative work or you're doing that probing into
6 the how's and why's and looking at documents, that does
7 require some time and effort?

8 **DR. YOUNG:** Yes, someone like Julian Sher
9 would focus on an investigation for six months. I mean,
10 this is not easy work.

11 **MR. ENGELMANN:** All right. So you were
12 talking about some of your findings from the middle of that
13 page.

14 **DR. YOUNG:** Yes, so the main finding is lack
15 of in-depth investigation that's accessible for the public.
16 On many of the issues, I mean, there's any number of
17 approaches you could have taken; too little fact, too much
18 conjecture, lot of speculation, again, limited evidence or
19 verification of evidence that is actually relating to the
20 public realm.

21 When relevant -- and also when relevant
22 facts do surface, which they do, even in citizen
23 journalism, relevant facts surface all over but no one
24 tries to pull them all together to make sense of them in
25 one place.

1 Now, that may not even be possible but, you
2 know, even a few discreet series or a few examples of
3 complex journalism over the period would have really helped
4 residents make sense of what was happening.

5 **MR. ENGELMANN:** All right. You've set out
6 key findings at the bottom of page 24 and do they link up
7 with your research questions on page 3?

8 **DR. YOUNG:** Yes, they do.

9 **MR. ENGELMANN:** All right. So, and I'm not
10 sure they're in the same order but the first specific
11 research question was:

12 "What information about allegations of
13 historical abuse of young persons in
14 Cornwall was communicated to the public
15 and did it change over time?"

16 **DR. YOUNG:** Well, yes, I mean the first one
17 is that it was framed in a legal context of ineffective
18 policing and that was fairly consistent over time.

19 **MR. ENGELMANN:** So that's the first finding
20 on page 24.

21 **DR. YOUNG:** Yes.

22 **MR. ENGELMANN:** Second question was:

23 "What key themes emerged and in turn
24 were disseminated to the public?"

25 **DR. YOUNG:** This key theme would be the

1 ineffective policing and the three that we outlined
2 earlier. So this is, I guess, a corollary of the
3 ineffective policing.

4 Cornwall Police become the main target for
5 public complaint and critique while other institutions are
6 -- are not as -- are not held as accountable or not held in
7 as critical a fashion and they include Corrections and the
8 Catholic Church when they may -- should very well have been
9 asked a few more questions.

10 **MR. ENGELMANN:** Is that -- going back --
11 does that have to do with the framing ---

12 **DR. YOUNG:** Yes.

13 **MR. ENGELMANN:** --- and how that's done by
14 the media?

15 **DR. YOUNG:** Yes.

16 **MR. ENGELMANN:** The third question is:
17 "Who were the key voices and agenda
18 setters represented in the media
19 coverage? How were they framed over
20 time?"

21 **DR. YOUNG:** And that goes directly back to
22 the fact that government officials -- Gary Guzzo gets a lot
23 of air space in the media accounts, and police -- we talked
24 about that earlier -- government officials, police if you
25 pull them together are about a fifth of the sources even

1 higher if you include Perry Dunlop although the
2 Commissioner -- I mean, there is a question of whether he
3 would be police or not police, and victims and citizens
4 groups.

5 **MR. ENGELMANN:** Could that same comment
6 about the police and Perry Dunlop be made about Mr. Guzzo
7 and government officials?

8 **DR. YOUNG:** Yes, because he's being
9 critical.

10 **MR. ENGELMANN:** He's not necessarily ---

11 **DR. YOUNG:** Right. He's not, yeah ---

12 **MR. ENGELMANN:** --- saying the same thing as
13 other members of the government.

14 **DR. YOUNG:** Right.

15 **MR. ENGELMANN:** All right.

16 And you talk about citizens groups and
17 that's -- is that really the push for the Inquiry ---

18 **DR. YOUNG:** Yes.

19 **MR. ENGELMANN:** --- towards the end of your
20 work?

21 **DR. YOUNG:** Yes, and they start to become
22 dominant toward the end of the period.

23 **MR. ENGELMANN:** Right.

24 The next question was:

25 "How were issues presented as events

1 centred news or larger in-depth
2 information and specifically what key
3 media genres were used to cover the
4 allegations of abuse as they unfolded?"

5 **DR. YOUNG:** Largely simple news stories, and
6 that relates back to the finding that I outlined at the
7 beginning of the conclusion, lack of in-depth journalism.

8 **MR. ENGELMANN:** All right. And then you
9 were asked about the geographic diffusion pattern of the
10 media coverage.

11 **DR. YOUNG:** Largely local; regional media
12 become interested in the case in 1994; national media
13 became interested in the case after Perry Dunlop.

14 **MR. ENGELMANN:** All right. And then the
15 next question was about peak coverage times from '86 to
16 2004.

17 **DR. YOUNG:** Yes. We talked about that
18 yesterday. There are four peak years; 2001 that
19 corresponded with key events and then in the coverage 2001,
20 2000, 2002 and then 1994.

21 **MR. ENGELMANN:** All right. And then you
22 also comment on what you call incorrect media periodization
23 in the final bullet.

24 **DR. YOUNG:** Yes, that the timeline could
25 very well have started in 1986.

1 **MR. ENGELMANN:** And you set out some points
2 on that.

3 **DR. YOUNG:** Yes.

4 **MR. ENGELMANN:** All right.

5 Now, you then say -- you asked -- you posed
6 the question, "What could have been done?" And I note you
7 start with a bit of a disclaimer:

8 "There's an old newsroom adage that
9 engaging in 'hindsight headline
10 writing' after deadline is better left
11 alone."

12 I guess that's something you've heard
13 before.

14 **DR. YOUNG:** Yes, and because this is a long
15 historical period and the training of journalists would
16 have improved over the period.

17 I mean, there's a bunch of, as we discussed
18 in the last day and a half, caveats to critiquing this kind
19 of coverage from a best practices point of view and the
20 complexity of the fact that it's a new issue on the public
21 agenda to some degree. So, I mean, we could talk about
22 that later.

23 But, I do -- to the Commissioner's point, I
24 did want to leave the report was something that might have
25 been done or something that looks like best practices

1 journalism, not in the same example.

2 I'm not alleging that this is the same
3 example but this is a case where a small town newspaper --
4 happens to be an American newspaper -- took the lead on an
5 investigation.

6 **MR. ENGELMANN:** When you say took the lead,
7 took the lead over other institutions?

8 **DR. YOUNG:** Yes.

9 **MR. ENGELMANN:** Including the police ---

10 **DR. YOUNG:** Including police authorities,
11 including -- and it's a similar -- it was relevant because
12 it was a small town with a strong religious majority in a
13 highly regarded public institution, the boy scouts, with a
14 local paper that was heavily constrained by advertisers and
15 the fact that everyone knew each other.

16 And what's really interesting about the
17 series -- I include -- the series is included in Tab B.
18 It's called "Scouts' Honour".

19 **MR. ENGELMANN:** That's Tab 2B?

20 **DR. YOUNG:** Yes.

21 **MR. ENGELMANN:** All right.

22 **DR. YOUNG:** The journalist won an award for
23 this in the United States and then ---

24 **MR. ENGELMANN:** So what just -- while we're
25 there, what actually are we looking at at Tab 2B? This is

1 from the newspaper The Post Register. This is their online
2 service?

3 DR. YOUNG: Yes. I just assumed everyone
4 had read it.

5 It's "Scouts' Honour". It's a series about
6 a whistleblower involving historical abuse in the boy
7 scouts in a small town in Idaho.

8 MR. ENGELMANN: So we have a little bit of a
9 chronology at the beginning.

10 DR. YOUNG: That's the series, right, and
11 each of the articles should be included in here.

12 THE COMMISSIONER: Yes, they are.

13 DR. YOUNG: And so they used documentary
14 evidence. They hired lawyers to help with the documentary
15 evidence. The journalist connects the links of who knew
16 who and how the allegation -- how the system may not have
17 been as accountable as it could have been.

18 But it also actually interviews the
19 perpetrator who's trying to make sense of -- I mean, it's a
20 very well done series on many levels and is about -- you're
21 not just blaming but also healing and trying to make sense
22 of this for a small town.

23 MR. ENGELMANN: What was the name of the
24 town; I'm sorry? Idaho Falls.

25 DR. YOUNG: Idaho Falls.

1 **MR. ENGELMANN:** Some sense as to the
2 population or the circulation of the paper?

3 **DR. YOUNG:** The circulation of the paper is
4 26,000. And what's also relevant -- and I quote from it in
5 the conclusion -- is a Harvard Neiman Reports' account by
6 the editor of how difficult -- and this is in Tab C -- and
7 it says: "A local newspaper endures a stormy backlash".

8 **MR. ENGELMANN:** Who's writing this?

9 **DR. YOUNG:** The editor.

10 **MR. ENGELMANN:** Oh, this is the editor of
11 the paper?

12 **DR. YOUNG:** Yes, the editor of the paper,
13 not the journalist who did the series.

14 And he -- I quote from it in the text and --
15 everyone has it in front of them or I can read it.

16 **MR. ENGELMANN:** What did you want to take us
17 to?

18 **DR. YOUNG:** Well, I'll take you to the quote
19 that I used because I've read -- it's also worth reading
20 his story in the appendix but I will quote from what --
21 I'll read what I had used in the text on page 26 of my
22 report.

23 **MR. ENGELMANN:** Okay.

24 **DR. YOUNG:** And this is an account -- so
25 this is in Harvard Neiman Reports. It's a very well

1 regarded publication that examines the media or writes
2 about media issues.

3 The editor is telling the story of what it
4 was like to actually examine this issue in a small town.

5 "Some days we felt like one of those
6 plucky anglers in a small boat who
7 solidly hooks a halibut, only to be
8 beaten to death by the thrashing brute
9 when it's hauled aboard. The Post
10 Register is a wee dory of a newspaper:
11 With 26,000 daily circulation, it's not
12 buoyed by any corporate chain and has
13 an opinion page often reviled in this
14 livid corner of reddest Idaho for its
15 reliable dissent.

16 Last year, by exposing Boy Scout
17 pedophiles and those who failed to kick
18 them out of the scouting program, we
19 energized three of our community's big
20 forces against us, including those most
21 able to punish our newspaper -- the
22 community's majority religion, the
23 richest guys in town, and the
24 conservative machine that controls
25 Idaho.

1 First came the tip: A pedophile caught
2 at a local scout camp in 1997 had not
3 had two victims, as we reported at the
4 time; he had dozens. When we went to
5 the local courthouse to look for the
6 civil suit filed by these victims, the
7 clerks (and the computers) said there
8 was no such case. We later learned
9 that the national Boy Scouts of America
10 and its local Grand Teton Council had
11 hired two of Idaho's best-connected law
12 firms to seal the files and hide what
13 came to be known as the Brad Stowell
14 case.

15 The Post Register went to court in late
16 2004, and by January 2005 we'd dragged
17 the case file into the light of day and
18 read it from beginning to end."

19 **MR. ENGELMANN:** You then write at the end:
20 "In this case, the Idaho newspaper
21 solved the crime for the community."

22 **DR. YOUNG:** Yes.

23 **MR. ENGELMANN:** And ---

24 **DR. YOUNG:** And it shows the potential of
25 best practices journalism.

1 MR. ENGELMANN: All right.

2 DR. YOUNG: In complex social problems.

3 MR. ENGELMANN: That's why you chose this
4 example?

5 DR. YOUNG: Yes, not saying that this is the
6 same as what happened here.

7 MR. ENGELMANN: Yes, but what can be done.

8 DR. YOUNG: As journalistic investigation,
9 yes.

10 THE COMMISSIONER: All right.

11 DR. YOUNG: The caveat there is that it's an
12 American context.

13 MR. ENGELMANN: And how might that be
14 different, Canada to the U.S.? You have had some
15 experience on both sides of the border.

16 DR. YOUNG: Well, the big difference is they
17 have the First Amendment. So American journalism --
18 American journalists have much better access to public
19 information documents, information from government sources.
20 They have a much greater ability to access documentary
21 evidence from institutions than we do in Canada. We are
22 more heavily constrained.

23 MR. ENGELMANN: You mean at the time that
24 things are happening?

25 DR. YOUNG: Yes.

1 MR. ENGELMANN: And you would have had some
2 firsthand experience with that ---

3 DR. YOUNG: Yes.

4 MR. ENGELMANN: --- when you were at the
5 Houston Post?

6 DR. YOUNG: Correct. As well, there is a
7 sensibility that -- in Canada that privacy matters more
8 than necessarily publication.

9 MR. ENGELMANN: All right.

10 DR. YOUNG: So it is different -- it is two
11 different national contexts with media laws that vary.

12 MR. ENGELMANN: So that would have made the
13 efforts of the Idaho Post Register somewhat less onerous
14 than perhaps a paper of a similar circulation in this
15 country?

16 DR. YOUNG: Yes.

17 MR. ENGELMANN: All right.

18 Unless there is anything else, those are my
19 questions.

20 DR. YOUNG: No.

21 MR. ENGELMANN: So thank you very much, Dr.
22 Young.

23 Perhaps we could take our morning break.
24 And then there will be counsel from the parties who will be
25 asking you questions and they will identify themselves and

1 they will also tell you who they are acting for. Thank
2 you.

3 DR. YOUNG: Thank you.

4 THE COMMISSIONER: Thank you. So we'll take
5 the morning break and enjoy some of the sweets I'm told
6 that are being sold for the United Way.

7 THE REGISTRAR: Order; all rise. À l'ordre;
8 veuillez vous lever.

9 This hearing will resume at 11:30.

10 --- Upon recessing at 11:01 a.m. /

11 L'audience est suspendue à 11h01

12 --- Upon resuming at 11:29 a.m. /

13 L'audience est reprise à 11h29

14 THE REGISTRAR: Order; all rise. À l'ordre;
15 veuillez vous lever.

16 This hearing is now resumed. Please be
17 seated. Veuillez vous asseoir.

18 MARY LYNN YOUNG, Resumed/Sous le même serment:

19 THE COMMISSIONER: Thank you. I'm sure
20 everyone enjoyed that treat.

21 Now, Dr. Young, you will have to understand
22 that with all of the sugar intake the questions might be a
23 little different.

24 (LAUGHTER/RIRES)

25 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

1 **DALEY:**

2 **MS. DALEY:** I'll do my best.

3 Dr. Young, my name is Helen Daley and I'm
4 the lawyer for the Citizens for Community Renewal; and
5 that's a group of citizens of this town with standing at
6 the Inquiry and their principle interest is in
7 institutional reform and in ensuring the safety of children
8 and the promotion of justice in that pursuit.

9 The area that I am most interested in with
10 you is reflected a little bit in your quote on page 24,
11 which in fact is a quote from my partner who was speaking
12 on behalf of the Citizens for Community Renewal when he
13 made those comments about the astonishing amount of rumour
14 and innuendo that this community has been subject to and
15 the difficulty people have had understanding the reality of
16 what's occurred.

17 And what I want to explore with you is the
18 extent that you can help us on this question and to what
19 extent did media coverage or, perhaps in some instances,
20 the lack of it, contribute to or generate that climate of
21 suspicion, innuendo and gossip and concern, all right? So
22 that's my focal point.

23 The first area I wanted to address with you
24 is this. As I understood your report, after you had
25 eliminated all the duplication and eliminated letters to

1 the editor you had a total sample of roughly 1,105 print
2 stories to address, right?

3 And you didn't comment on this but I wonder
4 if you could. Do you have any comment as to the amount of
5 gross press coverage, if I could put it that way, as a
6 whole?

7 In other words, as you have said, this is a
8 very complex crime story and it spans a lengthy period of
9 time and, yet, we have roughly 1,100 print items on it. Do
10 you have any comment as to that quantum? Does that seem
11 unusually large or small?

12 **DR. YOUNG:** I can only look at in terms of
13 the Factiva database when I did that comparison with Mount
14 Cashel. And when you look at 1,100, and that includes
15 local media and national and regional media over the time
16 period, and Mount Cashel had approximately the same number
17 and likely its local media wouldn't have been represented
18 in the database; it does seem a bit small with respect to
19 regional or national coverage in those areas.

20 **MS. DALEY:** So given the nature of this
21 story and the timeframe within which it was out in the
22 community it would be your view that there was a relatively
23 small amount of coverage, period, for the item?

24 **DR. YOUNG:** I can only say with respect to
25 regional or national. It appears that the local papers

1 covered it systematically, regularly.

2 MS. DALEY: All right.

3 DR. YOUNG: I mean, there is a large corpus
4 from them.

5 MS. DALEY: But again, consistent with your
6 overall report, it was the regional and perhaps national
7 coverage that was really lacking here?

8 DR. YOUNG: Yes, in terms of quantity.

9 MS. DALEY: All right.

10 And did you observe in your review of the
11 media any coverage pertaining to female victims of child
12 sexual abuse in this timeframe?

13 DR. YOUNG: There was the odd reference,
14 nothing sustained.

15 MS. DALEY: All right.

16 Did you discover, when you looked at the
17 coverage, that essentially pedophilia was being equated
18 with male on male sexual behaviour? Was that the equation
19 that was being made?

20 DR. YOUNG: You could say that was the
21 implicit -- that was the implicit context.

22 MS. DALEY: Understanding the issue from
23 your perspective, did that surprise you at all? Would you
24 have expected to see some reference to pedophilia involving
25 female child victims?

1 **DR. YOUNG:** Well, the social problem as
2 identified was identified solely with respect to the
3 instances. So if a journalist was addressing sexual abuse
4 generally in a community I would expect to see reference to
5 male and female victims.

6 Given that these cases tended to be male
7 victims they focussed on that, but there were no other
8 features that said, you know, listen pedophilia is much
9 more complex than this.

10 And this came up in the London case, Project
11 Guardian, as well with respect to the focus on male on male
12 pedophilia.

13 **MS. DALEY:** Would that be similar to a
14 framing issue, as you have described it to us? In other
15 words, this story was framed in a homosexual pedophile
16 context?

17 **DR. YOUNG:** I don't know if I would go so
18 far as to say that because you don't get the same kind of -
19 - you don't get the same kind of discourse that you get in
20 Project Guardian which is much more explicit about that
21 link. I don't know if I'm qualified to say that.

22 **MS. DALEY:** All right.

23 But I take it you would agree with the
24 thought that had this issue in Cornwall received more
25 analysis and context that analysis might have included

1 references to, you know, female victims and might have
2 broadened the perspective on this pedophilia as a social
3 issue?

4 DR. YOUNG: An examination of sexual abuse
5 in general would definitely include female victims.

6 MS. DALEY: All right.

7 Now, as I take it, one of your key findings
8 about the Cornwall media was that it lacked detail, it
9 lacked analysis and, to paraphrase you, I guess at times it
10 exemplified bias in how news items were presented. Is that
11 sort of a fair thumbnail sketch of your critique?

12 DR. YOUNG: I didn't look at bias but I --
13 the thumbnail is that it lacked in-depth analysis, lacked
14 verification and systematic sourcing with respect to the
15 quality of the content. The columnist may have had biases
16 but there is more room for columnists to have bias.

17 MS. DALEY: All right, that's helpful.

18 I take it, without being hyper-critical of
19 anyone, you would say that the citizens of Cornwall were
20 not exactly as well served as they might have been by their
21 local media in handling this issue as it unfolded?

22 DR. YOUNG: I think that the citizens of
23 Cornwall could have been better served by all media in
24 handling the issue in terms of quality.

25 MS. DALEY: Fair enough, fair enough.

1 DR. YOUNG: Yeah.

2 MS. DALEY: And one of the things that
3 impresses me is that if we -- you made the point about --
4 the starting point being in the early '90s as opposed to
5 earlier. I'll come back there in a minute, but once the
6 news that's newsworthy in 1993 comes out concerning Mr.
7 Dunlop, it would -- I would have thought just using
8 commonsense that the community would crave more information
9 and, yet, that's the very timeframe where in your graph --
10 your graph 1.1 -- the media coverage is at the lowest.

11 If I could just take you -- I think it's at
12 page 10 of your report and what that shows us, and you
13 referred to this in your testimony, that coverage falls off
14 subsequent to 1994 and it doesn't ramp up again in a
15 significant way until the year 2000. So I'm looking at
16 that six-year window and would I be right to say that there
17 is a bit of a gap in coverage there from what you would
18 have expected?

19 DR. YOUNG: Well, I think if you look at
20 where it goes down to the lowest, it's 1997 where ---

21 MS. DALEY: Yes.

22 DR. YOUNG: --- 1996-1997 and that's the
23 lead up to Project Truth. And in the beginning of police
24 investigations, there's actually often limited media
25 coverage because it's the launch of an investigation.

1 **MS. DALEY:** Yes.

2 **DR. YOUNG:** So I don't see anything
3 problematic in the timeline.

4 **MS. DALEY:** All right. That's helpful.

5 Would it be right to say that for a window
6 of time there was relatively less news available to the
7 people of Cornwall about what was happening on the issue
8 subsequent to '94 and prior to 2000?

9 **DR. YOUNG:** Well, '95 goes up to fairly
10 substantial -- Perry Dunlop gets a lot of coverage. I just
11 -- I want to qualify. It's not amount, it's nature. So
12 I'm hesitant to make any conclusions on the amount of
13 articles per year.

14 **MS. DALEY:** All right, all right.

15 Well, one of the things that I did notice in
16 your report, and I'm flipping ahead now to the end of it --
17 around paragraph 23 -- you were speaking to Mr. Engelmann
18 this morning about how the community itself was generating
19 gossip and rumour and concerns. And a number of the
20 instances that you gave on page 23 occurred in or around
21 the late '90s, for example 1998, that timeframe, and that's
22 again prior to the time that the media coverage ramped up
23 on the issue again. Is that a fair observation?

24 **DR. YOUNG:** That the letters originate from
25 that period?

1 MS. DALEY: Yes.

2 DR. YOUNG: They actually originate from
3 across the period.

4 MS. DALEY: Okay.

5 DR. YOUNG: And I just look at the
6 periodization there.

7 MS. DALEY: All right.

8 You observed yesterday that some -- on some
9 occasions the columnists would descend into rumour and
10 conjecture themselves or they would make claims that were
11 emotional, not founded in the evidence, and you recall that
12 was part of the media as you saw it, on this issue;
13 correct?

14 DR. YOUNG: Yes.

15 MS. DALEY: And, again, you observed this
16 morning to us that at least some members of the public
17 wrote letters to the editor commenting on the media
18 coverage and criticizing it for its tone and content and
19 perhaps its lack of detail. You did see evidence of that
20 in the letters to the editor?

21 DR. YOUNG: Yes, and I quote from them.

22 MS. DALEY: You quoted from ---

23 DR. YOUNG: Yes.

24 MS. DALEY: --- a number of them.

25 Now, obviously, it wasn't part of your job

1 to measure the audience per se. I know that that's not
2 part of your task, but there was some evidence in the
3 letters to the editor that the public in fact did want more
4 detailed reporting and more analysis of the problem. Would
5 you agree with that based on your reading of the texts?

6 **DR. YOUNG:** Yes, they wanted more detailed
7 information, as well as more information about the media
8 and how -- and questions relating to these kinds of issues.

9 **MS. DALEY:** All right.

10 And you actually quoted -- a very salient
11 quote that was essentially saying we're looking for more
12 facts and less feelings; right?

13 **DR. YOUNG:** M'hm.

14 **MS. DALEY:** Now, I'm interested in knowing
15 this and do you -- in your experience are you aware of,
16 apart from writing letters to the editor, is there anything
17 else that citizens can do if they are unsatisfied with
18 local media coverage on an important issue? Are there
19 other steps that they can take to try and address that?

20 **DR. YOUNG:** Yes, if you're unsatisfied with
21 a broadcast story, you can file a complaint with the CRTC.

22 **MS. DALEY:** Yes.

23 **DR. YOUNG:** If you are unsatisfied with a
24 print article, you can file a complaint with the Ontario
25 Press Council.

1 **MS. DALEY:** And are you familiar with the
2 process then that the Ontario Press Council would use in
3 order to -- can you just flesh that out for us because it's
4 not -- it's something that I don't know much about and no
5 doubt you do. What does the press council do?

6 **DR. YOUNG:** They vary across provinces and
7 so I'm not completely an expert in the Ontario Press
8 Council but, basically, what they generally do is they take
9 the complaint. It has to be a written complaint. And then
10 they have a number of media people as well as citizens and
11 they have it on their website and you can go to the Ontario
12 Press Council's website and it has a citizen's community
13 group of people from across the province, as well as media
14 people, and they sit and they discuss the complaint and
15 write a response back as to whether it's valid.

16 And for instance, the Toronto Star had a
17 recent press council complaint about its coverage of an
18 ethnic group and so that's the kind of complaint that would
19 go.

20 **MS. DALEY:** If they consider it to be valid
21 then what steps follow from that?

22 **DR. YOUNG:** Unfortunately, nothing has to be
23 done. They write a letter back and hopefully the media
24 outlet prints the response.

25 **MS. DALEY:** So essentially it's down to

1 self-policing?

2 DR. YOUNG: Yes, self-policing.

3 MS. DALEY: What's your opinion, if you have
4 one, on the effectiveness of that process as a means of
5 dealing with citizens' concerns about their local media?

6 DR. YOUNG: Well, in the media credibility
7 study that we did, that's one of the large complaints from
8 the public, its lack of accountability on behalf of the
9 media and the fact that media are loathe to admit their
10 mistakes.

11 MS. DALEY: Yes.

12 DR. YOUNG: Some institutions like the
13 Toronto Star hire a public editor. Kathy English is their
14 ombuds and she responds to citizens' complaints and writes
15 a column weekly. The New York Times has one and he
16 responds to complaints.

17 So in a best practices journalism model, I
18 think that's an appropriate kind of position to have.

19 MS. DALEY: Do you think that kind of
20 position could be implemented in a local paper such as the
21 two in Cornwall?

22 DR. YOUNG: I think there is likely a
23 resourcing issue hiring an ombuds, and I think it's a
24 difficult job as well to try and be accountable on behalf
25 of an institution, and media dislike complaints as much as

1 every other institution, I'm sure, in this room. So I
2 think it would be difficult in a small paper to actually
3 have the resources to.

4 **MS. DALEY:** But if the resources were
5 available or could be found, I take it your view is that
6 best practices would involve an ombuds person type of role
7 to deal directly with citizen issues about coverage?

8 **DR. YOUNG:** Yes, recognizing that self-
9 policing is also problematic and that in conjunction an
10 external body is also beneficial.

11 **MS. DALEY:** Apart from the Ontario Press
12 Council, is there any other external body that holds media
13 accountable for its coverage?

14 **DR. YOUNG:** Well, you can file a lawsuit --
15 liable. You can actually ---

16 **MS. DALEY:** Right, but that's the only other
17 control on media content?

18 **DR. YOUNG:** Correct. But I did look through
19 the Ontario Press Council and did not see any complaints
20 filed on behalf of the people in Cornwall. Now, the system
21 may not be completely accurate. I may have missed
22 something, but I did search.

23 **MS. DALEY:** All right.

24 The Press Council was in place back in the
25 '90s when this coverage was occurring?

1 DR. YOUNG: Yes. So I did look for evidence
2 of that though ---

3 MS. DALEY: Okay. All right.

4 I want to transition to a slightly different
5 topic and I don't know if you think that this is connected
6 with your findings about the quality of the media here or
7 not, but it's a topic that's of -- has been very important
8 in the community and it's a media type of topic, so let's
9 see if you can help us here at all.

10 And I'm referring to the Project Truth
11 website. First of all, as I understood your evidence
12 yesterday, you said that you didn't examine that in any
13 great depth and I take it that was because you didn't feel
14 you could get a reliable sample of it's content?

15 DR. YOUNG: Correct.

16 MS. DALEY: Right. But did you -- were you
17 able to see at least some instances of the content that it
18 carried? Some examples.

19 DR. YOUNG: I glanced at it.

20 MS. DALEY: All right.

21 The feeling here, rightly or wrongly, and
22 this was expressed by at least one witness, is that the
23 website existed and grew, had widespread popularity, in
24 part because it was dealing with issues that the media did
25 not in fact deal with; the mainstream media. And I am

1 wondering whether, drawing on your expertise in this field
2 and your knowledge about what you call citizen journalism,
3 can you see a connection or a possible connection between
4 those two things?

5 **DR. YOUNG:** Well, I think it's part of -- as
6 I said yesterday, I think it's part of a larger trend
7 generally because of new media and new technologies and
8 people can actually do citizen journalism, but I also think
9 in a small town where you have limited media outlets, it
10 would make sense that if people feel that an issue is not
11 being addressed to their liking they may blog about it,
12 they may write about it.

13 **MS. DALEY:** All right.

14 So that kind of phenomenon can well be
15 connected with circumstances in which the main stream media
16 is felt not to be giving adequate attention to a problem?

17 **DR. YOUNG:** Yes.

18 **MS. DALEY:** In your glancing at the Project
19 Truth website, did you observe that it contained statements
20 and affidavits from alleged victims in which names of
21 alleged pedophiles were named? Did you see that?

22 **DR. YOUNG:** I didn't see them, but that was
23 also referred to in the media coverage.

24 **MS. DALEY:** All right. So you were aware
25 through the media reports that the website was actually

1 naming people?

2 DR. YOUNG: Yes.

3 MS. DALEY: Would you be also aware that
4 they did so without any verification? Attempted
5 verification?

6 DR. YOUNG: Yes, and that's one of the
7 issues in citizen journalism, again, is how do you define
8 journalists and then how are the standards maintained in
9 terms of verification, accuracy, all of the standards and
10 principles identified by the Canadian Association of
11 Journalists, Principles and Ethics Guidelines.

12 MS. DALEY: I take it what you are saying
13 really there is that a citizen journalist does not have any
14 professional obligations to verify anything he or she
15 chooses to print?

16 DR. YOUNG: Correct.

17 MS. DALEY: And no doubt you can appreciate
18 the impact that that might have on a small community?

19 DR. YOUNG: I can't comment on that,
20 but ---

21 MS. DALEY: Commonsense would suggest that
22 it might in fact create a climate in which people are
23 mistrustful of one another and are very concerned?

24 DR. YOUNG: Well, I think when you look at
25 the report generally, the fact that it was rumour and

1 innuendo without a lot of analysis, I think those together
2 created the climate ---

3 **MS. DALEY:** Created that climate, so ---

4 **DR. YOUNG:** And maybe the website was part
5 of the rumour and innuendo, but I think it's a larger ---

6 **MS. DALEY:** Fair enough. You would -- in
7 your view, you would say that the mainstream media itself,
8 by its deficiencies, helped to foster that climate here?

9 **DR. YOUNG:** Left an opening for people to
10 try and make sense of what was happening.

11 **MS. DALEY:** Yes.

12 **DR. YOUNG:** But it's also happening all
13 over. It's not just with respect to -- I mean, media have
14 been one way communication mediums for a very long time and
15 with the web, you know, there's a much more iterative
16 possibility.

17 **MS. DALEY:** Do you have any thoughts on how
18 some controls might be applied to web reporting, so that
19 unfounded allegations are reined in. Is there any way that
20 you can think of as a professional journalist that that
21 might be accomplished?

22 **DR. YOUNG:** I think every one's dealing with
23 that question now, and I don't ---

24 **MS. DALEY:** There's no answer right now.

25 **DR. YOUNG:** No answer right now. I mean, I

1 think that's a big issue in the media.

2 MS. DALEY: All right.

3 THE COMMISSIONER: I think make the reader
4 beware?

5 MS. DALEY: Yes.

6 DR. YOUNG: Yes. There's also usually very
7 limited readership on these blogs and sites. People --
8 it's talked about as a phenomenon, but there's a few blogs
9 that have a tremendous audience and a lot that have very
10 few people looking at it. So I think that's also relevant.

11 MS. DALEY: M'hm. Okay.

12 In your opinion, and you did comment on the
13 mainstream coverage of what was happening on the website,
14 could the mainstream media have done anything to mitigate
15 the impact of that website?

16 DR. YOUNG: I think just doing their job and
17 putting out verified, accurate, fair and balanced
18 information in the public realm ---

19 MS. DALEY: Would have done that?

20 DR. YOUNG: Would have done enough.

21 MS. DALEY: Okay. I'm thinking in
22 particularly of one of the exhibits that we looked at this
23 morning, and that was the Freeholder editorial in which he
24 was saying, "We're not going to name names. That's not
25 something we're going to do until there is a charge before

1 the court." Obviously, the website wasn't constrained by
2 that.

3 DR. YOUNG: M'hm.

4 MS. DALEY: All right.

5 I want to get your help with another issue
6 here and I've done a little bit of background reading
7 because I am very interested in your topic, and one of the
8 things that I looked at is an article that deals with
9 what's called "a moral panic", and connecting the concept
10 of a moral panic to media coverage when there's a crime
11 story going on. Obviously, you're familiar with the
12 literature that I am referring to.

13 Can you give us your understanding of what
14 that means in the literature, a moral panic, and how it can
15 sometimes be generated by crime-related media coverage?

16 DR. YOUNG: Well, there's a few seminal
17 research studies that have shown how thefts from elderly
18 women in New York City or fear of attacks, sexual assaults,
19 have generated problematic media coverage that inflate the
20 nature of the social problem in certain ways specific to
21 the time and place. And that is basically what a moral
22 panic is. So it starts from a few discrete events, a bunch
23 of claims are made around those events, and then it becomes
24 a big social problem and then there's -- it's not to say
25 that the social problem doesn't exist, it's the

1 construction of it.

2 **MS. DALEY:** And just help us understand, the
3 moral panic part of that process, what is that? Does that
4 refer to a reaction in the community? What does that mean?

5 **DR. YOUNG:** Well, yeah, and it means that
6 some of the literature talks about it and taps into
7 anxieties already there in the community, and it can cause
8 fear, but it is, again, more complex than just media
9 creating it, it's also linked with institutions providing
10 information. It's a circle of -- but, yes, it can add to
11 fear in the community ---

12 **MS. DALEY:** All right.

13 **DR. YOUNG:** --- or create anxiety around
14 certain issues.

15 **MS. DALEY:** All right.

16 **DR. YOUNG:** And that's what the literature
17 suggests.

18 **MS. DALEY:** And I take your point. Your
19 point is that kind of situation will have more than one
20 cause -- causitive factor, but the media can be one factor
21 that causes a moral panic to arise?

22 **DR. YOUNG:** Correct. That participates ---

23 **THE COMMISSIONER:** Contributes?

24 **DR. YOUNG:** Contributes, yes. Thank you.

25 **MS. DALEY:** With that context, I wanted to

1 just go back and talk to you a little bit about the way
2 this issue was framed in Cornwall and see if you can help
3 us at all as to whether the framing might have generated a
4 bit of a moral panic in this very community.

5 You started by talking to us about the
6 mainframe, which was that the police, and later the courts,
7 were doing an inadequate job. One of the things that
8 occurred to me about that, and I just want to see if you
9 would agree, when that becomes the frame, I take it that
10 the frame excludes certain other stories that are
11 inconsistent with it. Is that correct?

12 DR. YOUNG: Yes. It's selection of ---

13 MS. DALEY: And let me give you two examples
14 that come to my mind here on that particular frame about
15 police inadequacy and I think you would agree.

16 Do you think that it was by virtue of that
17 frame that there was very little attention given to the
18 1986 conviction of a priest for historic sexual abuse? In
19 other words, that wouldn't have fit the frame. Now, from a
20 time point of view, as well, I agree but as we're now in
21 1993 and we're dealing with the issue, nobody refers back
22 to the fact that there was, in fact, a successful
23 prosecution of historic sex abuse in this very community

24 Do you think it was excluded because it
25 didn't fit that frame?

1 **DR. YOUNG:** That's assuming a conscious
2 motivation there and I'm -- the language -- I think it
3 didn't fit the frame and was excluded. Whether it was
4 consciously excluded, I don't know. I didn't interview the
5 journalists; I didn't do that kind of qualitative research
6 so I can't comment on that.

7 **MS. DALEY:** Well, without trying to
8 characterize how it happened, you know, subconsciously or
9 intentionally it was -- that was a piece of information
10 that didn't fit that frame and didn't get reflected in the
11 press coverage.

12 **DR. YOUNG:** Correct.

13 **MS. DALEY:** Another instance of that, I
14 think, and you refer to this in your report as well, is the
15 successful prosecution in Quebec of Father Lapierre.

16 Again, I take it that could have been talked
17 about in the Cornwall media because it was part of the
18 story but, consciously or otherwise, it was excluded from
19 the coverage that you saw.

20 **DR. YOUNG:** It was mentioned in the Cornwall
21 media. It just wasn't linked together with the Project
22 Truth. It was mentioned. The Cornwall media mentioned
23 this is a general overview but no one pulled all of the
24 information together.

25 **MS. DALEY:** Right. I just want to take a

1 moment and explore that subject with you a little bit more
2 before I go on with my theme.

3 Madam Reporter, there's a document 726313
4 that I believe is an article on the Lapierre matter; if we
5 could have a look at that.

6 There's one aspect of that I wanted to talk
7 to you about.

8 **MR. ENGELMANN:** I don't think anybody has
9 given notice of anything so it'll have to be on the screen.

10 **THE COMMISSIONER:** Okay.

11 **MR. ENGELMANN:** It should be in the data
12 set. I didn't get notices from anybody, so.

13 **THE COMMISSIONER:** Do we have it?

14 All right so we'll reserve what number for
15 that exhibit, Madam Clerk?

16 **MADAME CLERK:** Seven sixty-eight (768).

17 **THE COMMISSIONER:** Seven sixty-eight (768)?

18 All right. It's an Ottawa Citizen -- can
19 anybody help me with the date? In any event, titled "That
20 Catholic Priest Admits Others in Diocese Confided in him
21 about Abuse of Boys in Cornwall".

22 --- **EXHIBIT NO./PIÈCE No. P-768:**

23 (726313) Article in Ottawa Citizen,
24 September 6, 2001, Catholic Priest Admits
25 Others in Diocese Confided in Him About

1 Abuse of Boys in Cornwall.

2 **MS. DALEY:** That's correct.

3 Madam Clerk if you could scroll up a bit I
4 believe we'd be able to see the date. I believe it's in
5 September of '01. It looks to me like September 6th, 2001,
6 sir.

7 Now I'm interested in -- sorry, if we could
8 go back to the body of the article, Madam Clerk. Thank
9 you.

10 This is an example of what you mentioned,
11 that there was some mention in the Cornwall media about
12 this event. Is that correct, Dr. Young?

13 **DR. YOUNG:** Well, this is in the Ottawa
14 Citizen.

15 **MS. DALEY:** Sorry, in the Ottawa Citizen.

16 I'm interested in one aspect of this and if
17 you look at the paragraph that's in the right-hand bank;
18 this is Father Lapierre testifying at his trial and he
19 denies that he's involved with a sex ring.

20 Sorry, you've gone up a bit too far.

21 But, he says that -- he said in court that
22 in the tightly knit diocese, along with others, that people
23 had confided in him over the years about the sexual abuse
24 of boys in Eastern Ontario and he says he never felt
25 compelled to report these occurrences to the police, et

1 cetera. You can see that.

2 DR. YOUNG: M'hm.

3 MS. DALEY: Would this be an example of what
4 you spoke about this morning which is something that would
5 cry out for follow-up by a journalist?

6 DR. YOUNG: Yes, particularly -- however,
7 this isn't a court case and so ---

8 MS. DALEY: Understood.

9 DR. YOUNG: --- but it would require follow-
10 up at a later date when the case was over, yes.

11 MS. DALEY: Did the fact that this person is
12 making a claim that others have told me that they're
13 involved in a paedophile ring, in your mind, is something
14 that should have been followed?

15 DR. YOUNG: Yes.

16 MS. DALEY: Okay. Thank you. That was a
17 little bit of a sidestep on a -- on a separate topic.

18 I want to come back to your framing points
19 and try to see if they feed into a moral panic.

20 The second mainframe, of course, was that
21 Perry Dunlop was the folk hero who was struggling against a
22 cover-up, kind of situation. And, again, I take it that
23 that frame would exclude, perhaps, stories that didn't fit
24 the frame and let me give you an example of that.

25 Did you first see any coverage that dealt

1 with Dunlop's role in the charges that came from Project
2 Truth being stayed?

3 DR. YOUNG: A limited amount.

4 MS. DALEY: All right. And, again, would
5 that be -- that would be a part of the story that doesn't
6 quite fit the folk hero image. Is that a fair comment?

7 DR. YOUNG: Yes but there is some concern
8 and criticism expressed.

9 MS. DALEY: All right. I take it though
10 that to the extent that Dunlop unwittingly played a
11 negative role that wasn't something that you saw stressed
12 in the press coverage. In other words, there'd be other
13 explanations given for why these prosecutions failed, i.e.
14 police incompetence.

15 DR. YOUNG: Well, no. Toward the end of the
16 period that becomes part of the story more about Mr.
17 Dunlop's participation in that, as well as police
18 incompetence.

19 MS. DALEY: But did you see it flagged as an
20 important fact?

21 DR. YOUNG: I see it flagged as a relevant
22 fact.

23 MS. DALEY: Right. And one of the other
24 things I want to touch on is -- and you didn't label this a
25 frame but you did mention that this was kind of the lead

1 line or tag line in a lot of the articles you saw and
2 that's the reference to a paedophile ring -- this concept
3 of a ring of people who are secretly doing this.

4 And again, I take it that was a very, very
5 dominant theme in the media coverage?

6 **DR. YOUNG:** It was a dominant fact
7 represented but it was only out of a sample of 289, which
8 is just over half the samples so, I mean, it was prevalent
9 in those documents.

10 **MS. DALEY:** All right.

11 **DR. YOUNG:** So but that's still just over
12 half of the 555, so that's the context of it.

13 **MS. DALEY:** Putting together those elements,
14 that is we have law enforcement that's not protecting us --
15 -

16 **THE COMMISSIONER:** These are the
17 allegations?

18 **MS. DALEY:** Exactly. Putting together the
19 frames -- the way you've looked at this -- that police
20 aren't doing a good job. That's what the media are
21 promoting. It's down to an individual folk hero to save
22 the day, if you will. And, by the way there's a cover-up
23 and a paedophile ring in town.

24 I mean, if those are taken to be kind of the
25 pillars of the coverage. Based on your experience and your

1 knowledge of media and how it affects communities, would
2 you expect that to generate a bit of a moral panic?

3 **DR. YOUNG:** It's a complex question and it's
4 more of an academic question and that wasn't my purpose
5 here.

6 So -- and if I were to comment on that, I'd
7 also look at the economic context of the area. I mean, I
8 think that -- I don't feel that I can comment on whether it
9 was a moral panic.

10 I mean, I see where you're going with those
11 questions. There are elements of it that are relevant to
12 that argument but ---

13 **MS. DALEY:** Without trying to be specific
14 about the community because I know that that's not what you
15 were asked to do but just -- if you think generally about
16 those pillars of the reportage, could you understand how it
17 might generate that kind of reaction in a community?

18 **DR. YOUNG:** I'm not trying to be difficult
19 here; I just -- I haven't done the full analysis on that
20 and I'm really loathe to -- I mean it's a complex academic
21 analysis that I didn't go in that direction but ---

22 **MS. DALEY:** What kind of information would
23 we need to get a grasp on that question? What would we
24 need to do to try to figure that out?

25 **DR. YOUNG:** Well, I would look more at the

1 economic context of the community; what else is happening
2 at the time; I would do much more significant research on
3 the area.

4 I can just go back to what the report says;
5 that the in-depth journalism was lacking and that these
6 selective frames did have an impact of the nature of the
7 content.

8 **MS. DALEY:** All right.

9 Maybe this is not relevant to our dealings
10 here but what is it about the economic context of the
11 community that might play a role in a moral panic?

12 **DR. YOUNG:** Well, anxiety. Moral panics are
13 all about tapping into community anxieties---

14 **MS. DALEY:** Yes.

15 **DR. YOUNG:** --- and so usually economic
16 context is a piece of it, about what's happening
17 structurally in the community to possibly facilitate fear
18 and gender.

19 So it's much more complex than just looking
20 at the media coverage.

21 **MS. DALEY:** Understood, all right. Thank
22 you.

23 To go back, just for a moment, to the Perry
24 Dunlop frame and your thoughts about that.

25 You stated at one point in your report, I

1 think it's actually on page 20, that Perry Dunlop had
2 become part of the story. I'm just wondering what you
3 meant by that and what the implications of that were for
4 utilizing him as a news source?

5 **DR. YOUNG:** Well, he had become a claims
6 maker and actually becoming a whistleblower and starting to
7 set the news agenda. He had become part of the story.

8 So he was a source that was potentially not
9 independent and so anything that he said should have been -
10 - particularly with respect to a pedophile ring -----
11 should have been corroborated or verified, in a best
12 practice journalism model.

13 **MS. DALEY:** Right, okay.

14 So did you think that the press coverage
15 adequately explained that he was in a potential conflict
16 situation?

17 **DR. YOUNG:** No, and this actually was in the
18 Ottawa Citizen and the Ottawa Sun, that I'm referring to in
19 the articles that I quote, in terms of ones that didn't
20 question his claims making there.

21 **MS. DALEY:** Right. Did you see any
22 reference in the press to the fact that from and after, say
23 the summer of '96, he was also a plaintiff in a significant
24 lawsuit?

25 **DR. YOUNG:** Yes.

1 **MS. DALEY:** Again, that would have been
2 potentially something that would make him less than
3 independent?

4 **DR. YOUNG:** Yes.

5 **MS. DALEY:** Would he the type of source that
6 in a best practices model would be viewed with scepticism
7 as a source or how would best practices have dealt with him
8 as part of the story?

9 **DR. YOUNG:** Well Mr. Dunlop's a compelling
10 story, as a local on many levels, but again, verification.
11 Verification, double-checking on his claims or putting them
12 in the context of there's also a civil suit and, you know,
13 setting, providing context in the media stories ---

14 **MS. DALEY:** Did you ---

15 **DR. YOUNG:** --- and that makes a difference.

16 **MS. DALEY:** Speaking of sort of single
17 source as an issue, did you see in the coverage that Mr.
18 Dunlop had -- was relying, to a very large degree, on one
19 particular individual, who was telling him the story about
20 the pedophile ring? Did that come up in the media coverage
21 that you recall?

22 **DR. YOUNG:** I can't recall.

23 **MS. DALEY:** But I take it that in a best
24 practices realm what would have happened is he would have
25 been questioned as to where he was getting that information

1 from and then the journalists would have gone to that
2 source or sources and questioned them to try to validate or
3 verify what they were saying?

4 DR. YOUNG: Right, as well as all of the
5 potential institutional sources involved.

6 MS. DALEY: All right. You may not be in a
7 position to comment on this and I'm not trying to draw you
8 into an area that you're not comfortable speaking about,
9 but is there anything that media can do to avoid, you know,
10 creating a moral panic around a crime story? Is it -- or,
11 is it contrary to their self-interest to do that? What's
12 your take on that?

13 DR. YOUNG: Well I think -- I teach a
14 graduate school of journalism and so what we do is we try
15 and graduate journalists who have expertise in certain
16 areas, such as the criminal justice system. So that when,
17 for instance someone like Kirk Makin from the Globe and
18 Mail reports on crime issues, he understands the way the
19 very complex system works, is able to write context and
20 make sense of it in a way that doesn't simplify the issues.

21 MS. DALEY: So in your mind the best remedy,
22 you know, to avoid disturbances in the community is to
23 understand what you're dealing with and report it fairly
24 and in detail?

25 DR. YOUNG: Right, have a substantive

1 knowledge and that's our -- the framework for our school as
2 well as the Columbia School of -- as well as other
3 journalism programs, have a substantive knowledge base,
4 because we are talking about complex social issues here.

5 **MS. DALEY:** Yes.

6 **DR. YOUNG:** As well as training in
7 journalists best practices.

8 **MS. DALEY:** All right.

9 Let me see if I can think of an example that
10 would fit with what you just said. If people in the
11 Cornwall community understood that, for example, the police
12 couldn't and wouldn't be broadcasting an investigation into
13 pedophiles while it was ongoing, then maybe there would
14 have been less concern about no information coming forward?

15 **DR. YOUNG:** Yes, or if they understood the
16 nature of publication bans and how the media can't.

17 **MS. DALEY:** Yes.

18 **DR. YOUNG:** Or understood more about why the
19 media may have chosen to -- had more of a dialogue with the
20 media about why they chose to do things certain ways.

21 **MS. DALEY:** All right.

22 Those are my questions for you. Thank you
23 very much.

24 **THE COMMISSIONER:** Thank you.

25 Mr. Horn?

1 So while we're waiting for Mr. Horn, what I
2 understand though, or what I'm getting is a picture, you
3 can't really have a Kirk Makin in every small newspaper.
4 So what -- are you telling me that, you know, you get local
5 papers that do what they can at their level and that you
6 would expect -- if the news item becomes of importance to
7 the regional level, that you would expect there more in-
8 depth than if it went to the national level, that they
9 would connect the i's and dot the t's, connect the t's and
10 dot the i's?

11 **DR. YOUNG:** Yes. I mean you are going to
12 get people with more resources who have more time to
13 address some of these issues. But the Cornwall media did
14 cover this in a sustained fashion over the period. I mean,
15 they were -- the columnists were on the story; the
16 journalists were on the story, so they were there.

17 **THE COMMISSIONER:** Right. Okay.

18 Mr. Horn?

19 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**

20 **HORN:**

21 **MR. HORN:** Yes.

22 My name is Frank Horn; I'm with the
23 Coalition for Action and basically I'm representing a
24 citizen's group who were there when Carson Chisholm was
25 involved with Perry Dunlop, his brother-in-law and -- well,

1 throughout the entire process; bringing the matters before
2 the public, to petitions, meetings and so forth. They were
3 basically agitating for this public inquiry and now it's
4 here.

5 And one of the things that was of interest
6 to me in reading your material was how the newspaper has
7 been able to maintain an interest in the community for so
8 long. This is 15 years now, maybe even longer, that
9 there's been a continuous interest for that period of time.
10 It didn't die early on; it just continued on.

11 Now, the dynamics of that would be what,
12 someone that maintained a continuous vigilance in watching
13 the ebb and flow of information and how it was coming out
14 and making sure that there would stories on it.

15 Now, is that, in your mind, does that show
16 that the media did its job in maintaining this before the
17 public in Cornwall?

18 **DR. YOUNG:** I think it shows that the media
19 did part of its job. The media definitely knew there was a
20 big news story in town and followed it.

21 **MR. HORN:** And it would be the Standard
22 Freeholder and particularly Terri Saunders who seemed to
23 have been involved in this right from the very beginning
24 and who had been in court, has been following this story,
25 got to know all the players and has maintained that kind of

1 contact that's necessary in order to allow such a story to
2 continue and not to die out. Eventually it could have died
3 out if, you know, she had stopped being interested or.

4 Do you think that could have happened if
5 there hadn't been that one individual in there, maintain
6 that interest?

7 **DR. YOUNG:** This report is not personal.
8 It's a general comment on the general nature of the
9 coverage. There was a good coverage within the coverage as
10 well and the local papers covered the issues in a sustained
11 manner, there's no question. There's nothing personal in
12 the nature of my comments.

13 **MR. HORN:** Okay, now there's another aspect
14 of this whole story which kinds of correlates to what
15 happened in the Watergate. There was an individual they
16 called "deep throat" who had inside information of things
17 going on, and in this situation there was a turncoat,
18 someone who knew about the paedophile ring and turned coat
19 and started to give information to Perry Dunlop, and that
20 would be Mr. Leroux. Who -- he, at one time, was very
21 close to all these individuals who were involved and then
22 he came forward and saw the light and he wanted to start to
23 work with ---

24 **THE COMMISSIONER:** That's a big mouthful
25 there, Mr. Horn. You know, you're -- I'm sorry.

1 **MR. ENGELMANN:** Perhaps, you know, if there
2 -- Mr. Horn could ask a question ---

3 **THE COMMISSIONER:** Okay.

4 **MR. ENGELMANN:** --- rather than give his
5 version of facts ---

6 **THE COMMISSIONER:** Well ----

7 **MR. ENGELMANN:** --- I think it would be very
8 important.

9 **THE COMMISSIONER:** Okay -- well, there's
10 that, but you're ---

11 **MR. ENGELMANN:** Let's just stick to the
12 recorded events.

13 **THE COMMISSIONER:** Your characterization of
14 those events are also up for grabs and I don't think it's
15 very helpful. They're very colourful. They probably made
16 great headlines in the media, Mr. Horn, but for the
17 purposes of this Inquiry, I think we should stick to closer
18 to what we have for now.

19 **MR. HORN:** Okay.

20 Would you say that in reading the newspaper
21 coverage of this issue, the fact that Mr. Dunlop was able
22 to work with someone like Mr. Leroux, was it helpful in
23 maintaining that kind of interest in the story?

24 **MS. YOUNG:** That's about fact in the
25 community. I can't comment on that.

1 **MR. HORN:** Okay. The -- now, one of the
2 things that you did mention was the fact that the -- there
3 was some difficulty in comparing a situation that would
4 occur in Canada and the United States; that it's a lot
5 easier in the United States to do this kind of
6 investigative reporting because there's more protections
7 for the media down there than in Canada. Is that true?

8 For -- there's more access to information
9 from institutions and there isn't as much -- there isn't as
10 much legal restraint on the newspapers down there to be
11 able to get access.

12 **MS. YOUNG:** Right. It's from a number of
13 legislative legal and cultural levels. So you're right.
14 It's easier in the United States.

15 **MR. HORN:** So there's a difference in --
16 when you characterize what happened in the Idaho situation
17 and what happened in Canada, here in Cornwall, because the
18 -- down there, the newspapers have more ability to find --
19 to gather information, whereas in Canada it would be more
20 difficult for them to do so, especially when an
21 investigation is going on by the police.

22 **MS. YOUNG:** As I said, I'm not saying that
23 the examples are the same. I just gave that example as a
24 really -- best -- as a good example of investigation by a
25 small paper, and the cultural contexts are different.

1 **MR. HORN:** The -- not only the cultural
2 context, but it would be very difficult to do the same
3 thing in Canada because of the difference in legislation
4 and the difference in the way the law would be applied.

5 **MS. YOUNG:** It would be harder to do it in
6 Canada.

7 **MR. HORN:** That's right. So that it would
8 be a lot easier for institutions to cover up a story and to
9 not get it out into the public; in Canada, as compared to
10 the United States?

11 **MS. YOUNG:** I don't know if the logic
12 necessarily goes from one to the other. I think it is
13 easier to access information as a journalist in the United
14 States, about institutions.

15 **MR. HORN:** In the United States?

16 **MS. YOUNG:** Yes.

17 **MR. HORN:** So when the situation that
18 occurred here in Cornwall was being investigated by the
19 local newspapers, they would have some restraints because
20 there was an ongoing police investigation at that time?

21 **MS. YOUNG:** Yes, there are constraints on
22 journalists across Canada when there's an ongoing police
23 investigation, particularly after someone has been charged.

24 **MR. HORN:** So that the nature of the
25 reporting would be one that would be limited whenever

1 there's -- this kind of situation that occurs. There has -
2 - the newspapers have to be very careful in what they are
3 allowed to write?

4 **MS. YOUNG:** I'll quote -- I'll talk about --
5 from the Canadian Association of Journalists and they
6 address this in saying:

7 "Defending a [...] media's role is to act
8 independently..."

9 And I quote from the document from their
10 website, it's Principles and Ethics for Canadian
11 Journalists.

12 "Defending the public's interest
13 includes promoting the free flow of
14 information, exposing crime or
15 wrongdoing, protecting public health
16 and safety and preventing the public
17 from being misled."

18 So journalists across the country cover
19 stories involving police investigations. So it is
20 difficult and it happens.

21 **MR. HORN:** It does happen anyways?

22 **MS. YOUNG:** Yes.

23 **MR. HORN:** In this case, it didn't happen to
24 the extent that it should have occurred. Is that what
25 you're saying?

1 **MS. YOUNG:** I don't know the facts of the
2 police investigation. All I can say is that my job was to
3 a certain -- how the media coverage might have affected
4 institutional response and the conclusion was that it's
5 based in lack of analysis. A lot of one kind of coverage,
6 a little bit of larger, analytical, contextual journalism.

7 **MR. HORN:** But in order to do that in-depth
8 analysis, they would have had to have more sources from
9 inside the people who were doing the investigations, like
10 the police departments. That sort of information can only
11 be gotten by them, they're the ones that are gathering it.

12 **MS. YOUNG:** The CBC Radio accessed documents
13 from Probation. They refer to a number of documents that
14 they were able to access.

15 **MR. HORN:** But why -- but, we're talking
16 about a situation where there is an investigation, there
17 hasn't been charges laid as yet, there's still an ongoing
18 investigation, and at that point they could be accused of
19 obstructing justice. Which is what occurred against Mr.
20 Dunlop and Mr. Chisholm and the rest of them, that they
21 were the ---

22 **THE COMMISSIONER:** Wait a minute. Was Mr.
23 Chisholm ever charged?

24 **MR. HORN:** He wasn't charged, but he was
25 accused of -- he and Mr. Dunlop could have been accused of

1 ---

2 **THE COMMISSIONER:** Whoa. Accused? What
3 does accused mean? Accused means ---

4 **MR. HORN:** Okay. I'll say there's -- there
5 are suggestions that what they did obstructed the police
6 investigation and that caused the stay in the proceedings.

7 **THE COMMISSIONER:** Okay. So what's your
8 question again?

9 **MR. HORN:** Well, I'm saying -- I'm asking if
10 the fact that the -- that the newspapers could have been
11 accused of the same thing as what was accused -- was
12 alleged against Mr. Dunlop and against Mr. Chisholm -- that
13 what they did was obstructing the investigation by the
14 police and the police could have been accused of the same
15 thing. I mean, not the police but the newspapers could
16 have been accused of the same thing.

17 **THE COMMISSIONER:** Okay. So where do you
18 get that Mr. Dunlop and Mr. Chisholm were obstructing
19 justice? Where do you get that?

20 **MR. HORN:** When they were asked for --
21 during the trials, they were asked for information and, as
22 a result, they were accused of not giving all the
23 information that was being asked of them, but they were
24 saying -- but they were also going down to Florida and they
25 were going to different places and they did their own

1 investigations and, as a result, they had information that
2 the police wanted, and they wanted all that information.

3 So by -- and so, there was suggestions that
4 Mr. Dunlop and Mr. Chisholm were the ones that were
5 withholding information. And as a result, they helped
6 cause the delay in the prosecutions.

7 **THE COMMISSIONER:** So you're talking about
8 the comments about the failure to provide disclosure?
9 That's a pretty narrow -- you're talking about the
10 judgements in Leduc and MacDonald?

11 **MR. HORN:** Yes. The way things are being
12 framed in the questioning of Mrs. Helen Dunlop and Mr.
13 Carson Chisholm by the police and others, is that they are
14 suggesting that they were involved in hampering the
15 investigation of the police. And I am suggesting that that
16 was what they were accused of.

17 Could the same accusations go against the --
18 the newspapers if they start going in and investigating on
19 their own and gathering information the same way and be
20 accused of the same thing?

21 **THE COMMISSIONER:** Well, I don't know. I
22 don't know, Mr. Horn.

23 Mr. Neville is stretching his legs.

24 **MR. NEVILLE:** Yes, I am ---

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

1 **MR. NEVILLE:** --- to raise an objection or
2 concern.

3 Mr. Commissioner, you've touched on the
4 judgments. Those are matters that were fully litigated.

5 The Crown represented the public interest
6 and two judges made findings and, as you know, sir, from --
7 and I can only speak directly of the MacDonald case -- one
8 of the principle issues there before Mr. Justice Chilcott
9 was that Mr. Dunlop at that time, relevant to his conduct,
10 was a police officer.

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

12 **MR. NEVILLE:** It's his conduct as a member
13 of the police force that was held to cause the problem, not
14 some private capacity, his police capacity.

15 **THE COMMISSIONER:** M'hm. Well, you know,
16 now we're going into the details, sir.

17 I don't know that it's fair to put to this
18 witness assumptions that are shaky at best and really are
19 an interpretation of what occurred during those motions. I
20 don't know that you've laid the basis for that. So, you
21 know, if you want to ask the question a little differently
22 ---

23 **MR. HORN:** Okay. Is one of the reasons why
24 in the United States they're able to do more investigations
25 and not be hampered by doing so is because they can't be

1 accused of that ---

2 **THE COMMISSIONER:** Okay, just ---

3 **MR. HORN:** --- about obstructing the police
4 in an investigation.

5 **MR. SHERRIFF-SCOTT:** If I may just object,
6 Commissioner, on a number of points.

7 First of all, if I may express my concern
8 that I have no trouble with the expert's qualifications
9 insofar as she's qualified, but I haven't heard any
10 qualification of the doctor in connection with cross-
11 boarder analysis of constraints in United States
12 constitutional jurisprudence, access to information and so
13 forth, as they relate to Canadian scene.

14 **THE COMMISSIONER:** And nor has she professed
15 any.

16 **MR. SHERRIFF SCOTT:** Nor has she has
17 professed any. It's not in her -- I take it that she
18 wouldn't ---

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

20 **MR. SHERRIFF SCOTT:** --- as she's nodding in
21 the affirmative, and moreover my friend seems to be
22 confusing two issues, which is the refusal to disclose and
23 result in the delay and impact on prosecutions as so found
24 my two judges with a potential freer role of the media in
25 the context of investigating -- investigative journalism

1 during the context of a prosecution which is, in my view,
2 an apple and an orange.

3 So, these are not appropriate questions, I
4 would submit.

5 **THE COMMISSIONER:** Thank you.

6 Mr. Horn, I have to agree. We are going to
7 get to the issue of the delay in analysis, I guess, of
8 dissection of the Leduc and MacDonald matters when we get
9 there.

10 I don't know if it's fair to put to this
11 witness -- I think what she's done is she's given an
12 example of what journalists did in a small community in the
13 United States.

14 I mean, it's a different culture. Sure,
15 people could say that, yes, things are better over there
16 because newspapers have better access to things but, then
17 again, a lot of people would say that Canada's culture is
18 equally good so apples and oranges, Mr. Horn.

19 **MR. HORN:** Okay. I'll get to another
20 subject.

21 **THE COMMISSIONER:** All right.

22 **MR. HORN:** The -- there was some suggestion
23 that the fact that Mr. Claude McIntosh and Mr. Roth were --
24 because they were involved in basically attacking each
25 other with something that was not -- was negative.

1 I would suggest that it was not negative
2 because these two individuals became emotionally involved
3 in an issue which is a very volatile issue in the city, and
4 by them becoming involved personally, people either agreed
5 with them or not agree with them and it actually helped
6 maintain interest in the story. Would you agree with that?

7 DR. YOUNG: That's your conclusion. I
8 didn't ---

9 MR. HORN: Pardon?

10 DR. YOUNG: That's your conclusion, that's
11 not my conclusion.

12 MR. HORN: You don't agree that that's how a
13 story can be kept in the public interest?

14 DR. YOUNG: What is the question, sir?

15 MR. HORN: I'm saying do you not agree that
16 that's one way in which the public would maintain their
17 interest is when they agree with one commentary against
18 another commentary and they agree with one and disagree
19 with the other, and people are just waiting for the next
20 comment to come out in the newspaper and they want to read
21 it?

22 DR. YOUNG: Good opinion writing is seen as
23 maintaining audience interest. Strong opinion writing is
24 seen as part of what readers go to good newspapers for.

25 MR. HORN: But the -- there seems to be some

1 negative connotations involved with this type of -- this
2 type of coverage. But, I don't see it that way, but you
3 don't agree with me on that?

4 **DR. YOUNG:** That's your conclusion. My
5 comment was with respect to the use of verification and the
6 lack of sources in most -- in those columns, as well as the
7 tone in terms of the inside baseball nature of it without
8 the in-depth analysis. It's -- that's my conclusion.

9 **MR. HORN:** Okay. So the -- would you
10 suggest then that there should have been a balance in some
11 investigative -- and little bit of what did happen and
12 actually what did happen was good?

13 **DR. YOUNG:** I'm suggesting that there should
14 have been more in-depth analysis. It would have helped the
15 public make sense of the issues.

16 **MR. HORN:** The fact that in the -- after 15
17 years of this kind of media coverage, there were charges
18 laid and there was 115 charges laid. Doesn't that say
19 something for the way in which this was covered -- that
20 they maintained an interest for 15 years, so that
21 eventually we did finally have these charges?

22 **THE COMMISSIONER:** Mr. Engelmann.

23 **MR. ENGELMANN:** I think -- one, these aren't
24 the facts, of course. The facts are that charges were laid
25 in the mid-to-late '90s. The witness has already answered

1 the question, I think, three or four times about what she
2 thinks of the two columnists ---

3 **THE COMMISSIONER:** Right.

4 **MR. ENGELMANN:** --- and their articles so I
5 think we're now trying to get to the question a third time.
6 I think it's enough.

7 **THE COMMISSIONER:** And I think we certainly
8 wouldn't want to mislead any our audience in the sense that
9 ---

10 **MR. HORN:** Pardon?

11 **THE COMMISSIONER:** I certainly -- I have to
12 instruct myself, I guess, not to be mislead. I think that
13 the witness has indicated that the media coverage, the
14 local media coverage, has been throughout -- has carried
15 the ball throughout, has been consistent and there it is.

16 I think what she's indicated is that there
17 could have been more in-depth coverage of it so, you know,
18 this is -- I don't want to use the example -- it's like
19 coming in with passing report card and investigating the
20 rest. I mean, this isn't an indictment on the media here.

21 **MR. HORN:** Okay.

22 **THE COMMISSIONER:** Thank you.

23 **MR. HORN:** There's one other factor that as
24 far as the Coalition is concerned, our position has always
25 been that there was a cover-up and that it was a systematic

1 cover-up.

2 The fact that this -- the institutions would
3 have liked to have kept it as a local story; it didn't help
4 them when it went national. Do you agree with that?

5 **THE COMMISSIONER:** So, are you saying ---

6 **MR. HORN:** Would you agree with that when
7 they went national?

8 **THE COMMISSIONER:** Sorry. Are you saying
9 that the local media conspired with ---

10 **MR. HORN:** No, that's not what I'm saying.
11 I'm saying that ---

12 **THE COMMISSIONER:** No, I'm just trying to
13 understand.

14 **MR. HORN:** --- the institutions would like
15 to have kept it as a local story, but when it went national
16 it was no longer under the control of the local
17 institutions.

18 **THE COMMISSIONER:** All right.

19 Mr. Neuberger.

20 **MR. NEUBERGER:** Good morning, sir.

21 **THE COMMISSIONER:** Good afternoon. Do you
22 want to grab the microphone, please, sir?

23 **MR. NEUBERGER:** Excuse me, okay.

24 I would raise the objection to the question
25 based upon the premise of the question. I don't think

1 there's any foundation laid at this stage for this witness
2 about institutions wanting to engage in a cover-up.

3 I think what this witness has testified is,
4 in many of the articles, there are different facets that
5 could have been investigated that weren't, and that's an
6 issue that bears upon the journalists themselves and not
7 some conspiracy.

8 So I'd like to focus it and object to the
9 premise of this question, simply because of the basis of
10 the question.

11 **THE COMMISSIONER:** All right.

12 **MR. NEUBERGER:** Because at this stage with
13 this witness, I understand what his mantra is with respect
14 to this conspiracy or this cover-up, but using institutions
15 within this question, the premise being that they were
16 engaged in some cover-up, then I strongly object to that
17 characterization at this stage.

18 Thank you.

19 **THE COMMISSIONER:** All right. Thank you.

20 I'm going to give you a little bit of
21 leeway. Rephrase your question a little bit.

22 **MR. HORN:** Okay.

23 **THE COMMISSIONER:** You need the microphone.

24 **MR. HORN:** The contention of Mr. Dunlop and
25 Carson Chisholm and the coalition have always been that

1 there was a systematic cover-up that was going on and in
2 your experience, if this had remained a local story, would
3 it have helped if there was a cover-up? Would it have
4 helped the people who were trying to cover up if it had
5 maintained a local story? And that stopped the moment it
6 went national.

7 **THE COMMISSIONER:** Okay. So let me try to
8 do this, this way.

9 In your experience, the fact that the story
10 goes from a small newspaper to a national headline, would
11 that assist in ensuring that it gets more coverage, to
12 start off with?

13 **DR. YOUNG:** Yes, it could assist that it get
14 -- it could help more coverage.

15 **THE COMMISSIONER:** M'hm. And it would
16 permit -- give an opportunity to those newspapers who
17 wanted to cover it and who had the expertise to do more
18 research, to delve into it?

19 **DR. YOUNG:** Yes, that could happen.

20 **THE COMMISSIONER:** Okay.

21 **MR. HORN:** And also the larger papers
22 nationally have more resources to do investigative
23 reporting? Is that another aspect that would have been
24 brought in?

25 **DR. YOUNG:** I said that earlier today.

1 Larger media institutions who have better finances tend to
2 have more resources to do longer form journalism.

3 MR. HORN: So that by opening up to the
4 national coverage, it would have opened it up to more
5 resources to do investigative reporting. Would that have
6 occurred?

7 DR. YOUNG: It did open up to national
8 media.

9 MR. HORN: Yes.

10 DR. YOUNG: And they did do investigative
11 reporting.

12 MR. HORN: It would have opened up ---

13 DR. YOUNG: But it did open up to national
14 media and the CBC radio did do investigative reporting, and
15 won an investigative journalism award for it.

16 MR. HORN: Would you say that that was when
17 -- that's when it stopped being just a local story and it
18 became national at that point?

19 THE COMMISSIONER: Are you talking about the
20 W-5 story?

21 MR. HORN: The W-5 or the CBC in-depth
22 coverage by the radio.

23 DR. YOUNG: CBC radio happened in 1999. The
24 piece by the Fifth Estate happened earlier.

25 MR. HORN: Right. That's ---

1 DR. YOUNG: Yeah. So the first national
2 media coverage of the case is of Perry Dunlop.

3 MR. HORN: Okay. As a result of that, the
4 fact that it went national, is that something that has
5 helped make sure that institutions in the smaller towns
6 will not be able to do a cover-up if there was a cover-up,
7 in your estimation?

8 THE COMMISSIONER: Okay. Mr. Engelmann?

9 MR. ENGELMANN: Yeah.

10 THE COMMISSIONER: Yes. We've been here
11 before.

12 MR. ENGELMANN: I just want to make a
13 comment, sir, and Mr. Horn may not have been here but he
14 should be aware of this.

15 You gave directions for process in cross-
16 examination.

17 MR. HORN: M'hm.

18 MR. ENGELMANN: One of the directions was
19 that counsel not make submissions ---

20 THE COMMISSIONER: M'hm.

21 MR. ENGELMANN: --- when they make cross-
22 examination. Submissions are for later in the day, and now
23 we're going back to the same question again, and I don't
24 think it's helpful.

25 THE COMMISSIONER: I think, Mr. Horn, the

1 point to be made is simply if you increase the intensity of
2 the light being shown on a situation, there is more light
3 to be able to see in the corners.

4 MR. HORN: I agree with you.

5 THE COMMISSIONER: Okay. So I think that's
6 all you need.

7 MR. HORN: I agree with you and I'm just
8 asking for her comment on that.

9 THE COMMISSIONER: Well, no, I think that's
10 about it.

11 MR. HORN: Okay.

12 DR. YOUNG: You said it better than I could
13 have.

14 MR. HORN: Pardon?

15 THE COMMISSIONER: I might need a job after
16 this inquiry.

17 (LAUGHTER/RIRES)

18 MR. HORN: Oh, there's another question.
19 There was some discussion regarding the blogs and, you
20 know, the web pages that are out there. Now, the fact that
21 they are out there and everybody knows they're out there,
22 in your ---

23 THE COMMISSIONER: Everybody knows that
24 they're out there?

25 MR. HORN: Well, I'm not saying everybody,

1 but a lot of people know that they're out there.

2 **THE COMMISSIONER:** Is that true?

3 **MR. HORN:** Pardon?

4 **THE COMMISSIONER:** Is that true there's lots
5 of people? I think the witness just said that there are
6 some blogs that are mega blocks and there are some that are
7 very seldom used or viewed.

8 **MR. HORN:** Okay. People who are interested
9 in this story would know which blogs are covering this
10 story; would you agree with that? Would you agree that
11 that's a taken? That if somebody is interested in this
12 story---

13 **THE COMMISSIONER:** Who has a computer ---

14 **MR. HORN:** --- would know where these blogs
15 were?

16 **THE COMMISSIONER:** Who has a computer

17 **MR. HORN:** Pardon?

18 **THE COMMISSIONER:** Who has a computer or
19 access to a computer.

20 **MR. HORN:** Access to a computer, would you
21 agree with that?

22 **DR. YOUNG:** Who may want to read more
23 information, maybe.

24 **MR. HORN:** Now I would suggest that that
25 would -- the fact that they're out there would keep the

1 media honest in making sure that they do their job right
2 because there's somebody out there that might do their job
3 for them; would you agree with that?

4 **THE COMMISSIONER:** Are you in a position to
5 comment?

6 **DR. YOUNG:** I'm not in a position to
7 comment.

8 **(SHORT PAUSE/COURTE PAUSE)**

9 **MR. HORN:** Okay. I think that's all the
10 questions I have.

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

12 I think it's time for lunch. Let's break
13 'till 2:00. Hopefully we will be finished by about 4:30 so
14 we can get this witness ---

15 **MR. ENGELMANN:** I'm just concerned, sir. I
16 based my estimate on the estimates from counsel and Mr.
17 Horn is unfortunately over his estimate.

18 **THE COMMISSIONER:** We're going to chew on
19 that during lunch so we've lost that time as lunch, so we
20 shouldn't be---

21 **MR. ENGELMANN:** All right.

22 **THE COMMISSIONER:** So we'll come back at
23 2:00.

24 **MR. ENGELMANN:** All right.

25 **THE COMMISSIONER:** And hopefully we should

1 be finished by 4:30; that will give you enough time to get
2 to the airport? Right. Thank you.

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

5 This hearing will resume at 2:00 p.m.

6 --- Upon recessing at 12:43 p.m. /

7 --- L'audience est suspendue à 12h43

8 --- Upon resuming at 2:04 p.m. /

9 L'audience est reprise à 2h04

10 **THE REGISTRAR:** This hearing is now resumed.

11 Please be seated. Veuillez vous asseoir.

12 **MARY LYNN YOUNG:** Resumed/Sous le même serment

13 **THE COMMISSIONER:** Mr. Lee.

14 **MR. LEE:** Good afternoon, sir.

15 **THE COMMISSIONER:** Good afternoon, sir.

16 ---CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR. LEE

17 **MR. LEE:** Good afternoon, Dr. Young.

18 My name is Dallas Lee. I am counsel for the
19 Victims Group.

20 **DR. YOUNG:** Good afternoon.

21 **MR. LEE:** I'd like to start out just briefly
22 discussing best practices with you, and I suppose the first
23 question I have is how does one know what the best
24 practices are? Is there a book? Is there a web site? Is
25 there a standard set of best practices?

1 **DR. YOUNG:** There are a number of sources
2 that journalists go to for best practices. One Canadian
3 source is the Canadian Association of Journalists Statement
4 of Principles, which is on the CAJ website. Another source
5 is the book that I cite here by Kovach and Rosentiel, The
6 Elements of Journalism, which outlines best practices, and
7 my work on precision journalism which relates journalism to
8 social science and suggests using a rigorous methodology.
9 There are a number of -- there's the Poynter Institute.
10 There are a number of ethic texts and an increasing number
11 of works on this area.

12 **MR. LEE:** These are evolving, I take it?

13 **DR. YOUNG:** I think professional norms and
14 practices tend to evolve and so -- but there are some
15 standard best practices identified.

16 **MR. LEE:** Okay. We'll get back to that.

17 Is there much debate at this point about
18 what the best practices are. I mean, could you come up, if
19 put on the spot -- and I'm not going to do that, but if you
20 were put on the spot and you're putting together a course,
21 let's say, on best practices of journalism, could you come
22 up with a fairly good consensus, do you think of ---

23 **DR. YOUNG:** Yes.

24 **MR. LEE:** I want to talk to you a little bit
25 about opinion content; and if I could turn your to table

1 1.2 of your report; that's page 12.

2 I think I have the -- I may have the wrong
3 chart there, for you.

4 DR. YOUNG: I have it, though.

5 MR. LEE: I'm sorry ---

6 THE COMMISSIONER: It's 1.2 ---

7 MR. LEE: --- we're dealing with that --
8 okay, that's fine. Table 1.2 ---
9 that was right.

10 So, this include both columns and editorial,
11 both of those being opinion content, is that right?

12 DR. YOUNG: Yes.

13 MR. LEE: And so, that total up to 20.6
14 percent of the total from 1986 to 2004. Is that right?

15 DR. YOUNG: Correct.

16 MR. LEE: And you described that yesterday
17 as a significant percentage. Do you recall saying that?

18 DR. YOUNG: Yes, I do.

19 MR. LEE: Do you -- can you tell us what you
20 might have expected that percentage to be, before
21 undertaking this work?

22 DR. YOUNG: No. I didn't have -- I mean, I
23 didn't have an idea. One in five news stories is a
24 significant percentage, when you look at the amount of
25 opinion content, in relation to the daily newspaper --

1 that's where I was making that claim from.

2 **MR. LEE:** What I want to get from you is
3 some idea of whether 20 percent is -- I mean, is this off
4 the charts? Is it completely unheard of or is it just
5 something that's a little bit higher than you might have
6 expected?

7 **DR. YOUNG:** It's likely something that's
8 just a little bit higher than I would have expected.

9 **MR. LEE:** Does that percentage, on its own -
10 - if that was the only statistic that you had, could you
11 draw any conclusions about the quality of the coverage just
12 from that on how good an indicator of best practices that
13 might be?

14 **DR. YOUNG:** No.

15 **MR. LEE:** Not at all? You need it in the
16 greater context?

17 **DR. YOUNG:** Yes.

18 **MR. LEE:** And you talk in your report about
19 the public's ability to understand what's happening and for
20 the need for news to be put in context. And you focus on
21 context a fair bit. You agree with that?

22 **DR. YOUNG:** Well, I focus on context as well
23 as method.

24 **MR. LEE:** Opinion pieces that are done
25 properly help with context. Would you agree with that?

1 DR. YOUNG: A good quality opinion piece
2 would definitely help with context.

3 MR. LEE: They're useful? They help the
4 public understand what's going on?

5 DR. YOUNG: Definitely.

6 MR. LEE: And would you agree that best
7 practices opinion writing -- and I'm quoting here:

8 "...includes a rigorous approach to
9 journalistic methods, such as
10 confirming the accuracy of information
11 before making it available in the
12 public realm."

13 DR. YOUNG: That would be one of the best
14 practices of journalism across the board, would be
15 confirming accuracy.

16 MR. LEE: Can you help me with what the
17 reasonable expectation in that regard is? Meaning, how far
18 does the reasonable media outlet have to go to confirm
19 accuracy?

20 DR. YOUNG: That's a good question.

21 There are a number of systematic ways that
22 some of these best practices checks, for instance, the
23 Meyer checks talk about confirming accuracy.

24 There are also a number of constraints
25 within the media with respect to that deadline, the

1 evolving nature of some major media events such as 9/11.
2 So while there are identified best practices, there are
3 also elements that offset that.

4 **MR. LEE:** And there is some mention in your
5 report that, as I read it, where you can't confirm accuracy
6 all the way, you need to be transparent with respect to the
7 information being based on speculation. Do you agree with
8 that?

9 **DR. YOUNG:** Correct, yes.

10 **MR. LEE:** And I take it -- well, let me
11 phrase the question. How do you typically -- how would you
12 typically go about being transparent? And, I mean, is it
13 as simple as just saying, you know, "We don't know this as
14 a matter of fact, and here's the source of our
15 information?"

16 **DR. YOUNG:** Yes, or being -- this is
17 gathered from such and such, some columnists say this is
18 speculation. The New York Times identifies now a lot more
19 about where its sources of information come from in the
20 body of its news stories.

21 **MR. LEE:** I don't need you to turn it up,
22 but at page 13 in your report, you wrote that -- you write
23 that:

24 "Kovach and Rosenstiel go so far as to
25 say that the discipline of verification

1 is what separates journalism from
2 entertainment, propaganda, fiction or
3 art."

4 Is the typical newspaper today all about
5 journalism, or is there that entertainment angle that's
6 creeping into the industry?

7 **DR. YOUNG:** Media are about information or
8 entertainment.

9 **MR. LEE:** We looked today at -- or, in-chief
10 you looked, today, at some of the columns going back and
11 forth, and I think it was described as barbs going back and
12 forth between the Standard Freeholder and the Seaway News
13 that I mean, essentially, at point I think it could be
14 accurately described as gossip. Would you agree with that?

15 **DR. YOUNG:** Entertainment, maybe
16 entertaining; writing out of gossip might be a bit strong.

17 **MR. LEE:** Okay.

18 Did you find in your review of the opinion
19 pieces any examples of high-quality best practices opinion
20 content? That highest level, is what I mean. That you can
21 point to and say, "That's top quality."

22 **DR. YOUNG:** I cited the one example of the
23 Ottawa Sun, where he does some verification and explicit
24 sourcing.

25 Best practices opinion writing on this

1 issue? Nothing comes to mind, at the moment.

2 MR. LEE: You also talked about -- changing
3 focus -- you talked at some point about the number of
4 sources being one of the variables that you used in your
5 research. Is that right?

6 DR. YOUNG: Yes.

7 MR. LEE: And to put it simply, I guess more
8 sources are better?

9 DR. YOUNG: Generally, more research is
10 better.

11 MR. LEE: And you said yesterday:

12 "The more sources, the more diversity
13 of sources, the better the quality of
14 news and information content."

15 DR. YOUNG: Yes, and I'm just taking that
16 from the standard of principles and ethics from the CAJ.

17 MR. LEE: Table 1.3 at page 14 shows that
18 39.5 percent of the sources you canvassed had one source
19 and another 11.4 percent had no sources. When you saw
20 those numbers, did those jump off the page at you; were
21 those shocking?

22 DR. YOUNG: This is what I did for my
23 dissertation and the 11 percent somewhat relates to the
24 fact that there was a 7 percent of news briefs; so most
25 news briefs don't refer to sources. And so, that wasn't so

1 surprising.

2 MR. LEE: News briefs being the very short -
3 --

4 DR. YOUNG: The short pieces.

5 MR. LEE: --- brief paragraph.

6 DR. YOUNG: So that's not so surprising.

7 I think it was the -- it's the number in
8 addition to the quality. So I don't think you can just
9 look at the number, alone. So if you look at one and two
10 sources, those are the bulk of the stories. But then, it's
11 also the fact that when you look at them qualitatively, as
12 if said yesterday, that a lot of the sources are originated
13 from similar institutions or areas.

14 MR. LEE: Just out of curiosity, if the
15 media later today is reporting on your testimony and
16 there's nothing but quotes from you in there, are you one-
17 sourced? They haven't spoken to you directly -- they
18 haven't interviewed you. Do you still count as a source
19 for that media?

20 DR. YOUNG: I would be a source from this
21 inquiry, yes.

22 MR. LEE: Okay.

23 Is there a general rule of thumb in hard
24 news reporting about the number of sources you should have?

25 DR. YOUNG: Three or more.

1 **MR. LEE:** Three or more. That's the best
2 practice?

3 **DR. YOUNG:** No, that's a general rule of
4 thumb. Best practice would be to -- as Meyer talks about
5 in precision journalism, interview as many people, look to
6 as much documentary evidence as you require to be able to
7 systematically make sense of the issue.

8 **MR. LEE:** As many as it takes?

9 **DR. YOUNG:** Yes.

10 **MR. LEE:** As far as the rule of thumb being
11 at least three sources; is that what you teach your
12 students?

13 **DR. YOUNG:** That's what I'll say -- at least
14 three sources, yes.

15 **MR. LEE:** When we turn our attention to why,
16 then, the numbers that we have here are the way that they
17 are, you mentioned a few things. As I understand it,
18 possibly less training in a small outlet?

19 **DR. YOUNG:** Yes.

20 **MR. LEE:** Less resources?

21 **DR. YOUNG:** Correct.

22 **MR. LEE:** You mentioned today that -- a
23 couple of points that advertisers are sources and that, in
24 a small community, you may see the very people you're
25 writing about on the street. Is that right? These are all

1 sources to you, are all explanations to you, for why these
2 numbers may be as they are?

3 DR. YOUNG: Yes.

4 MR. LEE: Where does the ---

5 DR. YOUNG: But these are actually across
6 the wide range; it's not just the local media that these
7 sources cover. I mean, these are across all media. This
8 is not an indictment of the local media.

9 MR. LEE: I understand that. Meaning, the
10 table 1.3 reflects local, regional, national ---

11 DR. YOUNG: Yes, yes.

12 MR. LEE: The majority of these are local
13 obviously ---

14 DR. YOUNG: Yes.

15 MR. LEE: --- but it's not exclusively
16 local; is that right?

17 And you talk in your report about the
18 identity of main sources, as well and you point out that
19 the most common first news source was a government official
20 at 29.7 percent is that right?

21 DR. YOUNG: M'hm.

22 MR. LEE: And a government official would
23 include Gary Guzzo.

24 DR. YOUNG: Yes.

25 MR. LEE: He was often a source for the

1 media that you reviewed?

2 DR. YOUNG: Yes.

3 MR. LEE: And you also note that Perry
4 Dunlop was a first source six and a half percent of the
5 time. Did that surprise you that number?

6 DR. YOUNG: Not after reading the media
7 coverage.

8 MR. LEE: Fair enough. The relationship
9 between journalists and sources is an important part of the
10 profession; isn't it?

11 DR. YOUNG: Yes.

12 MR. LEE: And I take it you would agree with
13 me that Dunlop obviously established a relationship with
14 the media?

15 DR. YOUNG: Yes.

16 MR. LEE: He was a major source of
17 information?

18 DR. YOUNG: I don't have enough information
19 to judge whether he was a major source but he was the
20 source named -- presented at the time that I sent in the
21 report.

22 MR. LEE: Six and a half per cent of the
23 time he was the first source. I think you put it that he
24 was "accessible" was the word you used.

25 DR. YOUNG: Yes.

1 **MR. LEE:** And you contrast that in the
2 report with his -- with Dunlop being the first source
3 almost as often as any representative from the Catholic
4 Church.

5 **DR. YOUNG:** Yes.

6 **MR. LEE:** And what you say -- what you
7 write, rather at page 15 is that,

8 "This suggests an inability or
9 disinterest by media to access
10 information from the Catholic Church
11 and/or to hold it and its
12 representatives accountable."

13 I want to talk to you about whether there
14 might be some other explanations for this and get your
15 thoughts on it.

16 First, I'm going to suggest to you, and tell
17 me if you agree or disagree, that transparency and a
18 willingness to deal with the media could be significant
19 issues when dealing with the Catholic Church. Would you
20 agree with that?

21 **DR. YOUNG:** I don't know specifically in
22 this case because I did not do the interviews. However,
23 Ericson, Baranek and Chan who have done the major work on
24 this in Canada, journalist source relationship, talks about
25 accessibility as one of the factors that enhances access to

1 media and information.

2 MR. LEE: If you're accessible, you end up
3 likely in the media more often; is that right?

4 DR. YOUNG: Correct.

5 MR. LEE: And I take it another issue that
6 we -- that the media here may have encountered is that when
7 you're dealing with issues relating to the church, it's not
8 the same as dealing with issues relating to the police or
9 the Crown attorney or Probation and Corrections.

10 The church is more central to people's
11 lives. It's a very personal thing. Would you agree with
12 that?

13 DR. YOUNG: Well, I think you touch on an
14 interesting point with respect to media coverage of
15 religion or religious issues. I think it's an area that
16 you don't see often in hard news or main news coverage and
17 it -- yes.

18 MR. LEE: I mean, the point I'm getting to
19 is you talk about some of the issues that a small community
20 faces in terms of media coverage, and in your experience
21 and your review of these issues and in your research, does
22 it make sense to you that a small community that is
23 predominantly Catholic is going to have a media that
24 perhaps in it's best interests shies away from
25 controversial issues involving the church?

1 DR. YOUNG: I think it might add difficulty
2 or complexity.

3 MR. LEE: You go on in your report to
4 comment fairly strongly on the Catholic Church angle and
5 what was covered and what was not covered and you talked to
6 us about that today and in particular in relation to the
7 Gilles Deslauriers case. Is that right?

8 DR. YOUNG: I don't know if I would agree
9 with strongly but I do talk about the Catholic Church and
10 what was not covered and covered, yes.

11 MR. LEE: You discuss it.

12 You refer to it on page 21 as a "problematic
13 silence in the media coverage". Is that right?

14 DR. YOUNG: Yes.

15 MR. LEE: You list a few of those and it's
16 one of them. Is that right?

17 DR. YOUNG: Yes.

18 MR. LEE: And as I understand what you were
19 talking to us today about is that the effect of the
20 Deslauriers conviction and what you see as what likely
21 should have happened here is that it would have pushed the
22 timeline back. It would have gone from the early nineties
23 as the starting point for discussion back to 1986. Is that
24 right?

25 DR. YOUNG: Yes.

1 **MR. LEE:** And I believe today you called
2 that in relation to -- well, hold on here --- you pointed
3 to a media report in '94 down at the bottom of the first
4 paragraph of page 21; it reads:

5 "For example, one of the accounts that
6 refers to the 1986 conviction in 1994
7 documents, the victim's discussion with
8 the Bishop at the time which indicates
9 accountability issues on the part of
10 the Diocese that were never followed
11 up."

12 I believe you called that today "an
13 extremely significant factor". Do you recall that?

14 **DR. YOUNG:** Yes, I do. I call a significant
15 fact though the fact that the timeline difference is a
16 significant fact; the 1986 to starting in the early
17 nineties.

18 **MR. LEE:** Are you -- I want to be clear
19 here. Are you suggesting that the media could have gone
20 back to 1986 with its timeline or that it should have gone
21 back to 1986 with its timeline?

22 **DR. YOUNG:** I think it was an area available
23 for investigation that could have been pursued.

24 **MR. LEE:** Should it have been pursued?

25 **DR. YOUNG:** Well, the media obviously felt

1 it was relevant because the Standard Freeholder did a piece
2 on it in -- so they did pursue it in the quote that I used
3 -- 1994.

4 Should that have been followed up further?
5 I said earlier today there were a few pieces when we walked
6 through it that should have been followed up in terms of
7 questioning about policy, similarities in the cases.

8 **MR. LEE:** Dealing with the tone of news
9 content, you define tone as being positive, negative or
10 neutral in relation to the official institutional response.
11 Is that right?

12 **DR. YOUNG:** Yes.

13 **MR. LEE:** So as I understand it, a story
14 about how the Cornwall Police did a great job would be
15 considered positive.

16 **DR. YOUNG:** Yes.

17 **MR. LEE:** And a story about how institutions
18 were involved in a cover-up would be negative. Is that
19 right?

20 **DR. YOUNG:** Yes.

21 **MR. LEE:** In your experience, is the tone of
22 media coverage typically a calculated decision made by the
23 media or is it more a reflection of the community's
24 interests, thoughts, consensus?

25 **DR. YOUNG:** As I said yesterday, the

1 definition of news -- a simplistic definition of news tends
2 to be a negative change in the status quo and so by
3 definition, Cornwall Police are doing a good job would not
4 be a news story, so.

5 **MR. LEE:** Through the period that you
6 examined, this wasn't a situation where the media kept the
7 story going out of its own self interest. There were new
8 things going on and there were new things happening. Would
9 you agree with that?

10 **DR. YOUNG:** Media followed the story as
11 events were unfolding.

12 **MR. LEE:** And throughout the period you
13 looked at events that kept on unfolding.

14 **DR. YOUNG:** Yes.

15 **MR. LEE:** There were investigations and then
16 there were new investigations and then there were new
17 investigations on top of that. There were suicides. There
18 were charges. There were trials. There were stays. There
19 were new trials. All of that is reflected in the media?
20 There's a -- all of that is reflected in the media; do you
21 agree with me?

22 **DR. YOUNG:** Yes.

23 **MR. LEE:** And that's not all being driven by
24 the media. These are news events that are happening that
25 are being reported on. Is that right?

1 DR. YOUNG: Yes.

2 MR. LEE: And when it comes to sources of
3 media, institutions play a big role there as well, don't
4 they?

5 DR. YOUNG: Yes, and that's replicated in
6 other studies as well. Institutions tend to be -- and
7 planned media events tend to be the main media sources.

8 MR. LEE: Sorry, institutions and?

9 DR. YOUNG: And planned media events or
10 media press conferences.

11 MR. LEE: News conferences, press releases,
12 things like that?

13 DR. YOUNG: Yes.

14 MR. LEE: Would you agree with me that
15 institutions often possess the best information?

16 DR. YOUNG: I don't know if I would go so
17 far as to say best but I would suggest they can possess
18 high quality information. There's no question.

19 MR. LEE: The police often know more about a
20 situation than the guy on the street.

21 DR. YOUNG: In some cases.

22 THE COMMISSIONER: I'm sorry. You're saying
23 "best". Are we talking reliable or more newsworthy or ---

24 DR. YOUNG: Well, that's what I -- I mean I
25 can think of other elements. I mean best perhaps about the

1 institution from a certain point of view but, you know, the
2 guy on the street for instance in the Pickton case new a
3 lot about what was happening that the police may not have
4 known. So I mean I ---

5 **MR. LEE:** Institutions often have a lot of
6 relevant information.

7 **DR. YOUNG:** Yes, they often have a lot of
8 relevant information.

9 **MR. LEE:** And they control that information
10 in the sense that they decide what they're going to release
11 and what they're not going to release.

12 They decide who's going to speak to the
13 media and who's not going to speak to the media from within
14 that institution. Is that your experience?

15 **DR. YOUNG:** Generally, and they have
16 increasingly have better and better media relations people,
17 yes.

18 **MR. LEE:** Dunlop is an example of that.
19 He's on the one hand part of an institution at times; on
20 the other hand, he is very much not aligned with the
21 institution at other times. Isn't that right?

22 **DR. YOUNG:** Can you reframe your question?

23 **MR. LEE:** The question is that dealing with
24 the media controlling access to information, Perry Dunlop
25 certainly wasn't out at a Cornwall Police podium speaking

1 to the media. If he was speaking to the media, he was
2 doing it on his own ---

3 DR. YOUNG: Yes.

4 MR. LEE: --- as I understand it.

5 DR. YOUNG: Although he may. I'm not sure
6 of that.

7 MR. LEE: You just ---

8 DR. YOUNG: You know, he may have been
9 speaking at the police -- I don't know what the -- I didn't
10 interview the journalists.

11 MR. LEE:

12 One of the discussions in the paper at Page
13 18 surrounds key frames that emerge in the coverage and one
14 that you point to is that allegations were constructed as a
15 discreet new event presented in uncritical and under-
16 researched way such that citizens were unable to determine
17 truth from gossip and innuendo. Is that right?

18 DR. YOUNG: Yes.

19 MR. LEE: Is it the media's job to figure
20 out the truth? I mean, doesn't that set an unreasonably
21 high standard?

22 DR. YOUNG: It says here, and I will quote
23 directly because they say it better than I could, about
24 truth and the principles.

25 MR. LEE: The part that I just read you is

1 at the bottom of the first paragraph of page ---

2 DR. YOUNG: Yes, well, it's from there. I
3 mean, it's -- the media are expected to find out as close
4 to the truth. Here "we serve democracy and the public
5 interest by reporting the truth" from the CAJ Principles.

6 MR. LEE: And there's some discussion of
7 the Idaho Falls Post Register as a rigorous and exemplary
8 example of journalism. And you know, as was brought up
9 today, that the Idaho newspaper solved the crime for the
10 community. Clearly, that's not the standard that we should
11 be holding newspapers to.

12 You'd agree with that?

13 DR. YOUNG: I'm a professor and a graduate
14 of the School of Journalism. How am I ---

15 MR. LEE: So let's set the bar high, in
16 other words?

17 DR. YOUNG: At a major research institution
18 -- and we're having Dan Rather come out on Friday. So yes,
19 I think we should set the bar high.

20 MR. LEE: There might be some labour lawyers
21 interested in that talk too.

22 Media, I mean to a large extent it's
23 reactive as opposed to proactive. It waits for things to
24 happen and then it tells you about them. Is that right?

25 DR. YOUNG: There have been studies that

1 suggest that a high proportion of media content does
2 originate from planned news events and official sources
3 which suggest that media are following these events and
4 sources through press releases or news conferences or
5 public inquiries.

6 **MR. LEE:** And part of what the media does
7 and part of it' job and part of its role in reporting is
8 that it relies on the key players to answer questions.
9 Would you agree with that?

10 **DR. YOUNG:** Yes, and to provide accurate
11 information.

12 **MR. LEE:** And would you agree that the media
13 can run into problems when those key players won't answer
14 questions and won't engage with the media.

15 **DR. YOUNG:** I think it becomes more
16 difficult, which was raised before lunch. When some
17 avenues of investigation are closed, ideally journalists
18 would find others.

19 **MR. LEE:** Dealing -- focussing back on
20 institutions specifically, is it your opinion that
21 institutions have a duty or some obligation in the
22 community to provide comprehensive meaningful information
23 and answers to the media?

24 **DR. YOUNG:** I think public institutions have
25 to provide information about important issues in the public

1 realm.

2 MR. LEE: And the media is a conduit for
3 that information.

4 DR. YOUNG: Media are a conduit.

5 MR. LEE: Probably the main conduit?

6 DR. YOUNG: With the websites growing and
7 institutions having their own websites there -- media are a
8 main conduit, but there are other conduits.

9 MR. LEE: You've talked to us somewhat about
10 the -- I mean I keep on drawing you back into the under-
11 resourced small newspaper in a small community that has
12 issues with staffing you've told us about, often times;
13 issues with money. Is that right?

14 Issues with time, you gave us your own
15 personal example where you and a colleague are essentially
16 running the show and you're taking the pictures and you're
17 writing and editing and everything else, and I don't think
18 that would be uncommon at a small newspaper. Is that your
19 experience?

20 DR. YOUNG: That was my experience and
21 resource issues tend to be raised at small papers.

22 MR. LEE: These resource issues affect the
23 quality of the product?

24 DR. YOUNG: Financial commitment theory that
25 I referenced in the paper talks about how investment in

1 content and resources tends to improve the quality of
2 journalism.

3 **MR. LEE:** In a small newspaper where you've
4 got all of these issues, would you agree with me that it is
5 easier to just stick with reporting what's happening as
6 opposed to investigating the how and the why?

7 **DR. YOUNG:** Well, I think that it's likely
8 easier, yes.

9 **MR. LEE:** I mean, if you are given x amount
10 of information, you can take that and you can run with it
11 or you can dig around, you can investigate; you can press
12 the issue. Things get tougher the more of that you do,
13 wouldn't you agree with me?

14 **DR. YOUNG:** Well, as I said before, I think
15 there is resource issues, there's access issues, I mean
16 there are -- you just repeated them. There are a number of
17 issues potentially in a small town media environment.

18 **THE COMMISSIONER:** I'm sorry. Are we
19 talking about a small town independent or part of a large
20 chain?

21 **DR. YOUNG:** Chain.

22 **THE COMMISSIONER:** Do you know?

23 **MR. LEE:** Is there a big distinction in your
24 mind?

25 **DR. YOUNG:** It depends on how well resourced

1 the chain.

2 THE COMMISSIONER: M'hm.

3 DR. YOUNG: I mean we're talking generically
4 here, so it can vary across chains.

5 MR. LEE: I mean, in your experience is a
6 small newspaper that's part of a national chain going to be
7 -- have much greater resources than a small independent
8 newspaper?

9 DR. YOUNG: They might be able to tap into
10 them -- might. I mean, this is speculation.

11 MR. LEE: And you can't tell us specifically
12 ---

13 DR. YOUNG: I can't tell, no.

14 MR. LEE: Specifically about the Cornwall
15 Standard Freeholders and ability to access?

16 DR. YOUNG: Was not part of my -- yeah.

17 MR. LEE: No, that's fine. Would you agree
18 with me that the quality of the media coverage in a small
19 community can be directly impacted by news sources that
20 don't fully co-operate in providing relevant information?

21 DR. YOUNG: I think the quality of media
22 generally are effected by the kinds of sources that you use
23 and how much information you are able to access from them
24 and how much you are able to verify that information within
25 a set deadline.

1 **MR. LEE:** Let me put it to you this way. An
2 institution that declines to comment or to engage with the
3 media in any way has a much better chance of stories
4 relating to it not being pursued in a small town than it
5 would in a larger center where the media has the resources
6 and the energy to pursue the matter.

7 **DR. YOUNG:** Yes.

8 **MR. LEE:** Would you agree then that an
9 effective media strategy for an institution in a small town
10 to discourage coverage is to simply to refuse to engage
11 with the media?

12 **DR. YOUNG:** I couldn't comment across that
13 generally. I mean some -- it happens in big cities as well
14 and I mean it's often a media strategy that people say "no
15 comment" and yet journalists still access information.

16 **MR. LEE:** And that's part of my point.
17 Would you agree that the "no comment" is likely to be met
18 with greater action in a large center with resources than
19 it is in a small center with no resources?

20 **DR. YOUNG:** Possibly.

21 **MR. LEE:** Can you help us out with what the
22 best practice is in cases where comment is refused? Is
23 there a general rule when you get a no comment of what you
24 do next?

25 **DR. YOUNG:** You would try other avenues to

1 access information related to the news issue or social
2 problem or event that you are trying to examine.

3 **MR. LEE:** Depends on the case, I guess.

4 **DR. YOUNG:** Yes.

5 **MR. LEE:** You mentioned a couple of times in
6 your report that there is some issues in this region in the
7 media that you looked at with what I'll call a failure to
8 educate the public and raise awareness about some of the
9 underlying issues. At pages 15 and 16 you note that:

10 "An extremely small percentage of the
11 news agenda devoted to experts and
12 historical abuse claims indicates a
13 lack of depth and expertise about the
14 psychological, social, cultural and
15 institutional cause of this kind of
16 social problem to the community."

17 So I take it you were saying that an
18 opportunity was missed there?

19 **DR. YOUNG:** It goes back to my main finding
20 that more in-depth information context analysis including
21 these kinds of sources would have added value for the
22 community and understanding.

23 **MR. LEE:** As you see it, is that a role of
24 media to help educate the community about issues like this?

25 **DR. YOUNG:** Yes. Again, it's part of the

1 Canadian Association of Journalism Principles and Ethics.

2 MR. LEE: What about with public
3 institutions? Do you see them as having a role of
4 educating the community in that regard through the media?

5 DR. YOUNG: That's not my area.

6 MR. LEE: Just a few more questions.

7 You speak highly in your report of some of
8 the work done by the larger out-of-town outlets like the
9 Ottawa Citizen, the CBC, the Globe and Mail and you express
10 surprise at just how little national media attention these
11 issues have received; is that right?

12 DR. YOUNG: Can you repeat the first part of
13 the question?

14 MR. LEE: You were complimentary in your
15 work at times about work done by larger outlets, such as
16 the Citizen, the CBC, and the Globe and Mail.

17 DR. YOUNG: No, actually I was only
18 complimentary about work done by the Ottawa Sun and the CBC
19 Radio in here.

20 MR. LEE: Okay, I'm not going to ---

21 DR. YOUNG: Okay. I just mentioned -- I did
22 not compliment.

23 MR. LEE: Okay, fair enough.

24 And then you did express some surprise
25 yesterday about how little national media attention was

1 paid to these issues in Cornwall. Is that right?

2 **DR. YOUNG:** Yes.

3 **MR. LEE:** And I think you decided today that
4 in terms of quantum, it was fewer than you would have
5 expected?

6 **DR. YOUNG:** Yes.

7 **MR. LEE:** So at times we see the larger
8 outlets come into town, seeing what's going on and left
9 again?

10 **DR. YOUNG:** M'hm.

11 **MR. LEE:** Yes?

12 **DR. YOUNG:** Yes.

13 **MR. LEE:** Do media outlets have an
14 obligation to stick with a story or to follow up once they
15 delve into it in the first place?

16 **DR. YOUNG:** There used to be a convention
17 when newsrooms were better staffed and about 20, 25 years
18 ago if you followed a charge, if you put someone who was
19 charged in the newspaper, you had to follow it through to
20 the end of the court case. That's the only convention
21 about following a story that I'm aware of.

22 **MR. LEE:** And is that -- you sort of
23 qualified that right off the bat with back in the good old
24 days; is that not the convention any longer?

25 **DR. YOUNG:** I don't know. I haven't seen

1 any systematic study of it. I'm just -- I'm not sure.

2 **MR. LEE:** The reason I've asked you these
3 questions, I have a lot of clients who have wondered
4 throughout this process where the national media is. Is
5 that a concern you share after having reviewed things?

6 **DR. YOUNG:** Well, national and regional
7 media, national more so -- the National Post doesn't launch
8 until towards the end of the period but still it's there
9 for a significant duration of time -- yes, that is a
10 concern.

11 **MR. LEE:** The Ottawa media isn't flooding
12 the town either, is what you're saying?

13 **DR. YOUNG:** Yes.

14 **MR. LEE:** Dr. Young, thank you very, very
15 much for your evidence. Those are my questions.

16 **DR. YOUNG:** Thank you.

17 **THE COMMISSIONER:** Thank you.

18 Mr. Neville.

19 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

20 **NEVILLE:**

21 **MR. NEVILLE:** Good afternoon.

22 Excuse me, Dr. Young. My name is Michael
23 Neville -- just get rid of the frog in my throat -- I
24 represent Father Charles MacDonald and I just have a few
25 questions, hopefully, with you.

1 I know I may be stating the obvious here but
2 media outlets, be they print or electronic, are not
3 altruistic or charitable organizations are they?

4 DR. YOUNG: Some are businesses and others
5 like the Canadian Broadcasting Corporation are.

6 MR. NEVILLE: Well, some might debate that.
7 They sell advertising too, don't they?

8 DR. YOUNG: Well, the CBC is a public---

9 MR. NEVILLE: Yes, it's a Crown corporation.

10 DR. YOUNG: Crown, yes.

11 MR. NEVILLE: And they have advertising on
12 their programs, television programs, not radio; right?

13 DR. YOUNG: Yes.

14 MR. NEVILLE: All I'm saying is that print -
15 - many media organizations, print or electronic, are in a
16 business. They are there to sell papers, right?

17 Am I -- is that a fair ---

18 DR. YOUNG: Yes.

19 MR. NEVILLE: Yes, and the more attractive
20 the story, particularly if it's ongoing, the greater the
21 readership. That's the plan?

22 DR. YOUNG: Yes, the more compelling the
23 information, the assumption is more readers, more eyeballs
24 on content.

25 MR. NEVILLE: Exactly. Now, I just want to

1 refer you briefly, one of the documents -- it's not made an
2 exhibit yet, Mr. Commissioner. It was just given to us
3 yesterday, but it's from the witness. I'll just read from
4 it.

5 This was your research proposal leading to
6 your report, and I just want to quote to you two things you
7 wrote and ask you a question.

8 You say the following:

9 "We know from the academic literature
10 that one in two news stories has a
11 substantive or factual error."

12 That's point one. The second one is:

13 "We also know that one-third of
14 sources..."

15 And you mention the Wall Street Journal as
16 being included:

17 "...one-third of sources feel they were
18 misquoted."

19 Would those two observations apply to media
20 coverage here in Cornwall?

21 **DR. YOUNG:** Those studies refer to American
22 information or American research on quality and accuracy
23 within the news. The exact percentage for the number of
24 sources, and it's actually from a number of the top U.S.
25 newspapers, is 27 percent of sources who feel that they

1 have been misquoted.

2 There's been no similar study done on
3 Canadian media. However, I would assume that there are
4 some similarities in terms of factual or substantive error
5 and sources feeling misquoted, but there is no literature
6 on that or no study.

7 **MR. NEVILLE:** So while it hasn't
8 specifically been studied, you would agree that there is a
9 good possibility at least that; for example, one in two new
10 stories here in Canada could have substantive or factual
11 errors?

12 **DR. YOUNG:** Yes.

13 **MR. NEVILLE:** Now, in terms of balance of
14 media coverage -- and I'm talking now from a standpoint of
15 a criminal defendant, perhaps even a civil but because I
16 defend people I'll focus on that.

17 Do you agree with me, doctor, and I can
18 speak somewhat from experience here because I'm probably
19 the oldest practitioner in the room, that for many, many
20 years the legal profession was discouraged in one way or
21 another from interacting with the media? It was considered
22 to be if not professional misconduct at least poor taste.
23 Did you know that?

24 **DR. YOUNG:** It's not my area. I don't know.

25 **MR. NEVILLE:** You don't know that? That's

1 fine.

2 DR. YOUNG: They are always very helpful to
3 me.

4 MR. NEVILLE: Pardon me?

5 DR. YOUNG: They are always very helpful to
6 me.

7 MR. NEVILLE: I'm talking going back a
8 number of years now; things have changed.

9 THE COMMISSIONER: The 'N' before Neville, I
10 guess.

11 MR. NEVILLE: 'BN' and 'AN'; let's not go
12 that far back.

13 (LAUGHTER/RIRES)

14 MR. NEVILLE: More importantly, for alleged
15 offenders, with the exception of perhaps a certain media
16 baron at the moment, almost never will an accused person if
17 represented by counsel speak to the media?

18 DR. YOUNG: Correct.

19 MR. NEVILLE: So in a sense, systemically,
20 the kind of story that unfolded in Cornwall will inevitably
21 be somewhat one-sided from the point of view of the alleged
22 offender, at least until the matter is over?

23 DR. YOUNG: Correct.

24 MR. NEVILLE: Now, you've mentioned a set of
25 ethics or principles for journalists, right?

1 DR. YOUNG: Yes, I have them right here.

2 MR. NEVILLE: And would you agree that, or
3 am I correct that a journalist from an ethical standpoint
4 should disclose a personal connection to a story or even
5 avoid writing on it? Is that a fair statement?

6 DR. YOUNG: Yes, there's a whole section on
7 conflict of interest and transparency.

8 MR. NEVILLE: Right. And in the course of
9 your evidence in-chief for Mr. Commissioner, you identified
10 a debate that went on here locally between two writers and
11 the two different print media.

12 Were you aware that one of those persons has
13 been confirmed for Mr. Commissioner as actually having a
14 direct involvement with one of the citizens groups
15 promoting the cause of Mr. Dunlop?

16 DR. YOUNG: No, I was not aware of that. I
17 was told to focus solely on the media ---

18 MR. NEVILLE: I understand that. I'm asking
19 you questions within your overall expertise as a media
20 person. That would be, by its definition, a conflict of
21 interest, would it not?

22 DR. YOUNG: That this -- can you just
23 clarify again? So this columnist was ---

24 MR. NEVILLE: Directly involved with the
25 group that included the Dunlops as a supporter of them and

1 actually a consultant to them and, yet, writing in support
2 of them in a public media forum?

3 **DR. YOUNG:** This is not a personal -- this
4 is not meant to be personal comment or personal indictment
5 of individuals involved. You know, best practices are that
6 we are transparent about our conflicts of interests and
7 they are identified in the guidelines here.

8 **MR. NEVILLE:** So all I'm asking you is not
9 self-identifying in that way would fit the definition of a
10 conflict of interest, without using names; am I correct?

11 **DR. YOUNG:** Well, let me -- I'm going to
12 actually defer to the Canadian Association of Journalist
13 Statement of Ethics and Principles where it says:

14 "We may not hold office in community
15 organizations about which we may report
16 or make editorial judgments."

17 **MR. NEVILLE:** That's good enough for me.
18 You mention in your report at page 13 a
19 document or a publication known as The Orator, and you use
20 it as an example of a print media that did a more in-depth
21 type of coverage than, for example, the two local papers.
22 That's the comparison you were drawing?

23 **DR. YOUNG:** Yes, there are a number of
24 longer form articles from The Orator in the document
25 database.

1 **MR. NEVILLE:** Right, and one of the ones you
2 make reference to as an example is The Orator?

3 **DR. YOUNG:** Yes.

4 **MR. NEVILLE:** Do you know anything about its
5 author -- of those articles?

6 **DR. YOUNG:** No, and I actually tried to
7 search online to find out a bit about the publication just
8 to describe it in the document and couldn't find anything.

9 **MR. NEVILLE:** So you're not aware that at
10 least one author of such articles is an open, outspoken
11 supporter of Mr. Dunlop and his cause?

12 **DR. YOUNG:** Oh, no.

13 **MR. NEVILLE:** Now, can we just look briefly
14 at the report. I just want to ask you about a couple -- a
15 few of the entries in it.

16 That's our Exhibit 750, Mr. Commissioner,
17 Tab 2.

18 Just looking briefly at page 9, which would
19 be the Table 1.1, in your analysis of the media in that
20 table you have local media in terms of the print content
21 72.1 percent and regional as 23.1.

22 **DR. YOUNG:** Yes.

23 **MR. NEVILLE:** Are you aware, Doctor, that
24 the regional -- which I understand you mean the Sun and the
25 Citizen. Is that fair?

1 DR. YOUNG: Yes.

2 MR. NEVILLE: Are widely available here in
3 Cornwall, available in every store. They are really a --
4 two publications that are commonly distributed, sold, in
5 this community. Are you aware of that?

6 DR. YOUNG: No, and they have the National
7 Post at my hotel, so.

8 MR. NEVILLE: Okay. Now at pages 12 and 13,
9 the bottom of page 12 through the top of 13, you talk about
10 best practices with opinion writing and the rigorous
11 approach and the three components of it, and you mention as
12 item two or quality two, Practicing Transparency.

13 DR. YOUNG: Yes.

14 MR. NEVILLE: Would that include disclosing
15 biases?

16 DR. YOUNG: Well, again, the guidelines for
17 the Canadian journalists itemizes different kinds of
18 conflicts and what you should do in each of these cases, so
19 I'll defer to that.

20 For instance, as I said, if you're part of a
21 community group you should not be reporting on it. There
22 are other ones identifying -- if your financially -- you
23 should -- there are a number of others.

24 MR. NEVILLE: So, similar to what we just
25 covered a few minutes ago?

1 DR. YOUNG: Yes.

2 MR. NEVILLE: Thank you. All right.

3 Could we look now at page 15, which is Table
4 1.4, and I just wanted to ask you a couple of terms so all
5 of us, perhaps more important, Mr. Commissioner, get it.

6 The first heading of "Government Official"
7 and it's 29.7 percent. Am I correct, and please correct me
8 if I'm incorrect, that that is essentially almost only Mr.
9 Guzzo?

10 DR. YOUNG: There are some judges that would
11 be included there, some another government officials ---

12 MR. NEVILLE: Oh, I ---

13 DR. YOUNG: Yes, it's a larger terrain than
14 just Mr. Guzzo.

15 MR. NEVILLE: Now, that's what I wanted to
16 know.

17 DR. YOUNG: But Mr. Guzzo does get his -- as
18 I mentioned -- does get a significant amount of media
19 coverage.

20 MR. NEVILLE: He certainly does. So within
21 government officials, we're including the judiciary ---

22 DR. YOUNG: Yes.

23 MR. NEVILLE: -- when they make -- so those
24 would be obviously pronouncements in court?

25 DR. YOUNG: Correct. And it would be the

1 first source in court. The judge would not be quoted,
2 right.

3 **MR. NEVILLE:** All right, I understand.

4 And there's one near the -- the fourth one
5 down, "Other Source", 8.7%. What is that?

6 **DR. YOUNG:** Sources that couldn't be
7 identified; a person on the street, a family member. There
8 are some sources that weren't part of these criteria, but
9 it's a small percentage out of the larger amount.

10 **MR. NEVILLE:** M'hm. I'm sorry. I didn't
11 get what you said.

12 **DR. YOUNG:** I said it would be, for
13 instance, a family ---

14 **MR. NEVILLE:** A family member?

15 **DR. YOUNG:** --- a family member of a victim
16 because I have alleged victims separated out.

17 **MR. NEVILLE:** Yes.

18 **DR. YOUNG:** A person on the street who may
19 not be part of the citizen's group. I mean, there are a
20 number of other examples of other sources.

21 **MR. NEVILLE:** Fair enough. Now, can we look
22 next briefly at page 16, the next Table 1.5, and I just
23 want to see if you agree with this suggestion.

24 We look at the top three entries in that
25 table. The first one is "Abuse Ring", "Pedophile Ring";

1 right?

2 DR. YOUNG: Yes.

3 MR. NEVILLE: And the third one is
4 "Conspiracy Against Victims". Are they more or less the
5 same thing?

6 DR. YOUNG: No, because I identified them as
7 special, separate, facts.

8 MR. NEVILLE: Okay. And what is the
9 distinction between ---

10 DR. YOUNG: It had to mention conspiracy or
11 it had to have mentioned ring.

12 MR. NEVILLE: All right. So that's what I
13 was trying to understand.

14 So when we see the entry number three,
15 "Conspiracy", it's culled or lifted from an article or
16 print story in which that word or phrase or words ---

17 DR. YOUNG: Or "Cover-up".

18 MR. NEVILLE: So that includes ---

19 DR. YOUNG: Yes.

20 MR. NEVILLE: All right. Fair enough. So I
21 want to understand.

22 And next if we could look for a moment at
23 page 18, in the second paragraph from the bottom, it says:

24 "Concerns about police ineffectiveness
25 continued towards the end of the

1 period, shifting from Cornwall Police
2 to the Ontario Provincial Police
3 Operation Project Truth and the
4 subsequent criminal trials. Media
5 reports cited a sole guilty plea in
6 2002 - out of a total of 15 people
7 charged and 115 counts of sexual abuse
8 - as evidence of further
9 ineffectiveness."

10 You're aware, Doctor, are you that in the
11 course of the trials there were acquittals?

12 DR. YOUNG: Yes.

13 MR. NEVILLE: Did those count as police
14 ineffectiveness?

15 THE COMMISSIONER: It's not -- I don't know
16 that that's --

17 DR. YOUNG: Yeah, that's ---

18 THE COMMISSIONER: It's not the question.
19 The issue -- what she is saying, I believe, in this thing
20 is that that's how it was reported.

21 DR. YOUNG: Yeah.

22 MR. NEVILLE: That's what I'm asking,
23 whether the fact that there were acquittals would be lumped
24 in under the heading "Police Ineffectiveness"?

25 DR. YOUNG: All I was saying is that it was

1 framed that if they could only get one count, it didn't go
2 into acquittals. It was just sort of framed if only one 1
3 of 15 -- that's an ineffective investigation.

4 **MR. NEVILLE:** Well, that's my point.

5 If it's 1 out of 15 charged with a guilty
6 plea and no other convictions, but within the group there
7 are acquittals, surely that's not police ineffectiveness?

8 **THE COMMISSIONER:** No, we're going into the
9 subject matter here and I don't think that that's ---

10 **DR. YOUNG:** That's not my area.

11 **THE COMMISSIONER:** It's not her area at all.

12 **MR. NEVILLE:** All right. Page 20, Doctor.

13 The last full paragraph:

14 "Another example of the need for
15 greater precision in journalistic
16 research involved media coverage of
17 Perry Dunlop's report to the OPP
18 indicating that a pedophile "ring" had
19 been operating in the Cornwall area.
20 These claims were not verified by other
21 sources or police agencies at the time"

22 And then it goes on, et cetera.

23 Now, is it not a fact, Doctor, from the
24 literature you read that the Ontario Provincial Police
25 stated to the community, to the public at large, that they

1 found no evidence of a ring?

2 DR. YOUNG: That was later. This is the
3 initial -- that was later.

4 MR. NEVILLE: Well, so who's at fault here?
5 The media for not finding out on their own whether or not
6 there was a ring or a conspiracy?

7 DR. YOUNG: No. All I'm saying is that in
8 the initial report, when Perry Dunlop gives his report to
9 the OPP, the media report, using Mr. Dunlop as a source,
10 that there's a pedophile ring from his information, and
11 they don't attempt to corroborate it or verify it
12 independently.

13 MR. NEVILLE: Right, well, all right.
14 Well, what about the fact that the report,
15 as it's called, to the media of a so-called ring, was in
16 fact in the context of his own civil action? That that's
17 where he gathered the so-called evidence of a ring, in a
18 civil action for his own benefit. Should that not have
19 been part of the story to be balanced?

20 DR. YOUNG: I'm not aware of that fact.

21 MR. NEVILLE: All right. A couple of final
22 points and then I'll be finished.

23 You've talked with various counsel today
24 about the Canadian Broadcasting Corporation -- that is
25 radio -- award-winning series in 1999. What made it an

1 award-winning series? Why was it given an award?

2 DR. YOUNG: It was given an award for
3 investigative journalism.

4 MR. NEVILLE: On what basis? Do you know?

5 DR. YOUNG: I wasn't on the judging
6 committee. It was -- it's the National Investigative
7 Journalism Awards.

8 MR. NEVILLE: All right. It was reported --
9 the stories went out as a series, I understand, on the
10 radio?

11 DR. YOUNG: Yes.

12 MR. NEVILLE: It looks like on the six
13 o'clock news, The World at Six, or something of that ---

14 DR. YOUNG: M'hm.

15 MR. NEVILLE: And it was a series that went
16 on in 1999.

17 You're aware, I take it, that by that point
18 when the series ran there had been no trials? No outcomes;
19 correct?

20 DR. YOUNG: M'hm.

21 MR. NEVILLE: So the making of the story is
22 sufficient for an award, regardless of whether anyone is
23 found guilty. Is that it?

24 Is that what makes it award-winning? No one
25 has been found guilty but the story is out there.

1 DR. YOUNG: I wasn't on the awards
2 committee.

3 MR. NEVILLE: That's fine.

4 DR. YOUNG: I don't think -- I mean that's
5 also, you know, they're judging the depth. They're having
6 their own criteria about the nature of the journalism, not
7 necessarily the impact on the criminal justice system.

8 MR. NEVILLE: Well, we saw during your
9 evidence, one of the documents on the screen quoting a
10 particular source for this award-winning story as of 1999.

11 Are you aware that that particular source
12 has come before Mr. Commissioner and stated that it was all
13 false?

14 THE COMMISSIONER: No, no, no, no. No, no.
15 That has nothing ---

16 MR. ENGELMANN: I'm not sure what this has
17 to do with the media expert's expertise.

18 THE COMMISSIONER: Yeah.

19 MR. ENGELMANN: This is not the time or
20 place for submissions.

21 MR. NEVILLE: All right. I just thought it
22 was being cited as an exemplary form.

23 MR. ENGELMANN: Yeah, and the witness has
24 said she doesn't know why and ---

25 MR. NEVILLE: Fine.

1 **THE COMMISSIONER:** No, but ---

2 **MR. ENGELMANN:** And the statement is quoted
3 as well. So ---

4 **MR. NEVILLE:** Fine.

5 Can we just see, doctor, on the screen -- if
6 we could, Mr. Commissioner, I believe it's document 720994.

7 It's the -- I believe it's the Sun ---

8 **THE COMMISSIONER:** Has it been made an
9 exhibit?

10 **MR. NEVILLE:** No, the Standard -- I didn't
11 get the exhibit number when it was going through. It's the
12 Standard Freeholder article about not naming names.

13 The Standard Freeholder editorial, Mr.
14 Commissioner, about not naming names prior ---

15 **DR. YOUNG:** M'hm.

16 **MR. NEVILLE:** --- and I took it as 720994.
17 Exhibit 765, I'm advised.

18 **THE COMMISSIONER:** "Let police do their job"
19 is Exhibit 765.

20 **MR. NEVILLE:** If you have it, Dr. Young.

21 **THE COMMISSIONER:** You would have it in your
22 black three-ring binder there.

23 **DR. YOUNG:** Okay.

24 **THE COMMISSIONER:** I believe it would be
25 there; so 765.

1 DR. YOUNG: Thank you.

2 THE COMMISSIONER: And it will be up on the
3 screen shortly for you.

4 DR. YOUNG: Okay.

5 MR. NEVILLE: What the article, as we can
6 see in its concluding paragraph, says:

7 "When that happens, we'll be there."

8 Meaning, I presume, the closing of the
9 investigation.

10 "Until then, let the police do their
11 job, finish their investigation and lay
12 charges in the appropriate manner. It
13 is not appropriate, very unfair and
14 potentially damaging to innocent people
15 to second-guess the police."

16 And the paper indicates it won't do that.

17 The innocent people, I take it, would be
18 those under investigation but not charged.

19 Is that what you took it to mean?

20 DR. YOUNG: Yes.

21 MR. NEVILLE: Okay.

22 So if that's the standard, it would appear
23 then that from the standpoint of the media, the presumption
24 of innocence goes to the point of -- to being charged.

25 Once you're charged, your name is out there

1 and you take the consequences; fair?

2 DR. YOUNG: Yes, and that tends to be the
3 convention.

4 MR. NEVILLE: Thank you. Those are my
5 questions.

6 THE COMMISSIONER: Thank you.
7 Mr. Chisholm?

8 MR. CHISHOLM: Good afternoon, sir.

9 THE COMMISSIONER: Good afternoon, sir.

10 MR. CHISHOLM: Good afternoon, Doctor Young.

11 My name is Peter Chisholm. I'm counsel for the local
12 Children's Aid Society.

13 I have no questions for you. Thank you for
14 your time.

15 THE COMMISSIONER: Thank you.
16 Mr. Neuberger?

17 MR. NEUBERGER: No questions. Thank you.

18 THE COMMISSIONER: Thank you.

19 Mr. Kloeze?

20 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

21 KLOEZE:

22 MR. KLOEZE: Good afternoon, Doctor Young.

23 My name is Darrell Kloeze. I'm counsel for the Ministry of
24 the Attorney General.

25 I just have one or two questions that arise

1 from further questions today.

2 A number of people -- Ms. Daley asked you
3 about it. Mr. Neville just asked you about it; about Gary
4 Guzzo who's referenced in your report as a government
5 official. And I think yesterday when Mr. Engelmann was
6 asking you about Mr. Guzzo, you called him an inside-
7 outsider, or an outside-insider?

8 Can you explain that a bit?

9 **DR. YOUNG:** Well, he's just being very
10 critical of the -- he's trying to make change within the
11 government and being very critical about the calls for the
12 inquiry. So that was my sense there, but he's a government
13 official.

14 **MR. KLOEZE:** So when he's quoted as a source
15 in the media, the media are using him as a government
16 official?

17 **DR. YOUNG:** Yes.

18 **MR. KLOEZE:** And I guess from the media
19 perspective, they're saying, you know, "We're looking for
20 corroboration; we have a source from within the government
21 who's able to provide, in some sense, a government
22 position."

23 **DR. YOUNG:** Yes.

24 **MR. KLOEZE:** Even though he's, as you say,
25 an inside-outsider. He's very critical of the government

1 position.

2 But from the media point of view, they're
3 using him -- if what the media is trying to do is present
4 balanced reporting or what they're purporting to do is
5 present some sort of balanced perspective, they're saying,
6 "Look, we have a source from within the government and we
7 have a source from within who can give the government
8 perspective on that."

9 DR. YOUNG: Yes, he is seen as a legitimate
10 government source.

11 MR. KLOEZE: Okay.

12 But that's -- as you said, it, in effect, is
13 very critical of the government -- of the government
14 institution.

15 DR. YOUNG: M'hm.

16 MR. KLOEZE: Now, you characterized Mr.
17 Guzzo and Mr. Dunlop as key voices and agenda setters, and
18 you've called Mr. Dunlop, for example, a folk hero. That's
19 how he's presented in the media.

20 Do you have any sense from reading all the
21 articles as to how Mr. Guzzo comes out? Sort of
22 collectively, does he have a -- can you characterize him in
23 some way?

24 Is he a public -- does he come across within
25 the media frame as a public conscience? Does he come

1 across as a rabble-rouser or as pusher in some way, a
2 pusher for ---

3 DR. YOUNG: He comes across as an agent of
4 change.

5 MR. KLOEZE: An agent of change?

6 DR. YOUNG: Someone ---

7 MR. KLOEZE: And that's how the media is
8 presenting him?

9 DR. YOUNG: Yes, calling for an inquiry.

10 MR. KLOEZE: And he's often used as a source
11 from within the media?

12 DR. YOUNG: Yes.

13 MR. KLOEZE: Are there other government
14 sources that are, obviously, not as frequently cited as Mr.
15 Guzzo but that are often gone to?

16 DR. YOUNG: Mr. Guzzo and Mr. Dunlop stand
17 out as the two key identifiable sources.

18 MR. KLOEZE: Okay. And there weren't any
19 other sources from within institutions that were as
20 frequently cited?

21 DR. YOUNG: Not who stand out to that
22 degree, no.

23 MR. KLOEZE: Okay.

24 When Ms. Daley was asking you today about
25 corroboration, I think you had said that Mr. Dunlop had

1 become a source, even though he was presented -- he is, in
2 some sense, a police source, that he became part of the
3 story himself and eventually became a source that should,
4 himself, be corroborated because he was part of the story.

5 That's correct?

6 **DR. YOUNG:** Yes.

7 **MR. KLOEZE:** Now, Ms. Daley was trying to
8 establish what part of that corroboration might be and she
9 suggested that the media might want to go to Dunlop's
10 sources themselves and question them.

11 **MS. YOUNG:** M'hm.

12 **MR. KLOEZE:** That's correct?

13 **DR. YOUNG:** M'hm.

14 **MR. KLOEZE:** And you also suggested that the
15 media might want to go to all potential institutional
16 sources, other potential institutional sources.

17 **DR. YOUNG:** M'hm.

18 **THE COMMISSIONER:** you have to answer yes or
19 no.

20 **DR. YOUNG:** Yes, sorry.

21 **MR. KLOEZE:** Can you give us some sense of
22 what those might be; some examples of other potential
23 institutional sources the media could have gone to?

24 **DR. YOUNG:** Could have gone to the sources
25 locally who may have been attached to these -- the social

1 problem; other police forces who have investigated similar
2 kinds of issues; your office.

3 **MR. KLOEZE:** Yes, exactly.

4 They could have gone to Crown. I think you
5 mentioned at some point they do go to Crown prosecutors.

6 **DR. YOUNG:** Yes.

7 **MR. KLOEZE:** They are sometimes mentioned,
8 and there are people within the Ministry as well who could
9 be potential sources ---

10 **DR. YOUNG:** Yes.

11 **MR. KLOEZE:** --- for this information.

12 **DR. YOUNG:** Yes.

13 **THE COMMISSIONER:** So what's your address
14 again, sir?

15 **(LAUGHTER/RIRES)**

16 **MR. KLOEZE:** One other question I have and
17 you've touched this a bit in the last two days, but when we
18 talk about best practices, I was wondering if you could
19 give us some indication or some sense of what best
20 practices would be in covering allegations that are the
21 subject of court proceedings?

22 Now, I think today, for example, you
23 mentioned that there are constraints certainly -- while the
24 court proceedings are ongoing, there are publication bans.

25 **DR. YOUNG:** While the preliminary hearing is

1 ongoing there's publication bans, but when it's in trial,
2 depending on the nature of the case, it's open to the
3 media.

4 **MR. KLOEZE:** Okay. And I think you
5 suggested that one of the best practices of the media might
6 be to explain the nature of the publication ban and perhaps
7 explain the constraints that are on them?

8 **DR. YOUNG:** Yes, definitely. I mean the
9 Pickton case is a significant example. There was a
10 preliminary hearing for three years with a publication ban
11 and people couldn't get any information.

12 **MR. KLOEZE:** Okay, well once the trial is --
13 once the preliminary inquiry is finished, one of the
14 constraints is gone.

15 **DR. YOUNG:** Yes, and then media start
16 reporting on the trial and it becomes a daily trial
17 transcript of what happened in court and then the
18 convention is at the end of the trial, once the jury is
19 gone or the judge -- to do a big investigative piece or in-
20 depth study on what happened.

21 **MR. KLOEZE:** Okay, did you see any of that
22 kind of reporting in the coverage that you were looking at?

23 **DR. YOUNG:** No.

24 **MR. KLOEZE:** Okay. Thank you very much, Dr.
25 Young.

1 DR. YOUNG: Thank you.

2 THE COMMISSIONER: All right. Madame
3 Robitaille. I'm sorry?

4 DR. YOUNG: (off mic) -- break?

5 THE COMMISSIONER: Well -- okay we are going
6 to break.

7 Can we get an idea of how much time we need?
8 I'm just mindful of the time. We will take a break.

9 So we have Madame Robitaille, Mr. Sherriff-
10 Scott, Ms. Lalji, Ms. Costom, and others, Mr. Wallace.

11 How much time?

12 MR. ENGELMANN: We have four left.

13 THE COMMISSIONER: Yeah.

14 Mr. ENGELMANN: And on the estimates I have,
15 in total 25, 35 -- I have under an hour.

16 THE COMMISSIONER: Under an hour?

17 MR. ENGELMANN: Just.

18 THE COMMISSIONER: Okay, let's take a very
19 short break; we'll come back at 25 after.

20 THE REGISTRAR: Order, all rise; à l'ordre
21 veuillez vous lever.

22 This hearing will resume at 3:25.

23 --- Upon recessing at 3:07 p.m./

24 L'audience est suspendue à 15h07

25 --- Upon resuming at 3:24 p.m./

1 L'audience est reprise à 15h24

2 **THE REGISTRAR:** Order, all rise; veuillez
3 vous lever.

4 This hearing is now resumed. Please be seated;
5 veuillez vous asseoir.

6 **MARY LYNN YOUNG:** Resumed/Sous le même serment

7 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

8 **ROBITAILLE:**

9 **MS. ROBITAILLE:** Good afternoon, Mr.
10 Commissioner.

11 **THE COMMISSIONER:** Good afternoon.

12 **MS. ROBITAILLE:** Good afternoon, Dr. Young.
13 My name is Danielle Robitaille and I am one of the lawyers
14 for Jacques Leduc.

15 **DR. YOUNG:** Good Afternoon.

16 **MS. ROBITAILLE:** I just have a few
17 questions; it won't be long.

18 Yesterday and today you talked about
19 journalistic best practices, like striving for accuracy,
20 fairness and balance. Is it part of the reason why
21 journalists should strive to engage in best practices is
22 because what they write has the potential to impact and
23 damage individuals that they may be writing about; would
24 you agree with that?

25 **DR. YOUNG:** I think it's broader than that.

1 I think that's a piece of it. It's also because
2 journalists are trying to provide truthful information to
3 the public realm about major public policy, social issues.

4 **MS. ROBITAILLE:** But that also encapsulates,
5 not necessarily a responsibility or a duty, but some
6 forethought to the impact that you may have on individuals
7 named in the article?

8 **DR. YOUNG:** Yes, definitely.

9 **MS. ROBITAILLE:** Now I was going through
10 your report in trying to determine how many newsprint
11 articles were about Mr. Leduc and his trial and the charges
12 against him and I wasn't able to find a number on that.
13 Did you collect that data at all?

14 **DR. YOUNG:** No.

15 **MS. ROBITAILLE:** No. I thought that it
16 would be possible to get some sense of it by looking at
17 some of the data that is represented in your report and in
18 particular the peak period of 2001 where you say represents
19 20.9 percent of all the media articles in the 18 years
20 covered.

21 **DR. YOUNG:** M'hm.

22 There's also the website and Mr. Nadeau in
23 that area as well, so I wouldn't completely assume that all
24 of that is about Mr. Leduc.

25 **MS. ROBITAILLE:** But certainly it would be a

1 large portion of that 20.9 percent?

2 DR. YOUNG: It would be a significant
3 portion of it.

4 MS. ROBITAILLE: And that accounts for about
5 100 articles or more, the 20.9 percent of the sample.

6 DR. YOUNG: I can't say specifically because
7 I don't have them in front of me.

8 MS. ROBITAILLE: Sure. Would you agree that
9 there were a large number of articles about Mr. Leduc in
10 your sample?

11 DR. YOUNG: Yes.

12 MS. ROBITAILLE: Now, Mr. Leduc's home and
13 office have been targets of vandalism and harassing phone
14 calls and these incidents have tended to correspond with
15 timings of articles in the local paper about his case.

16 In your research have you -- have you ever
17 discovered a correlation between intense media scrutiny and
18 acts of violence or vandalism directed towards accused
19 persons?

20 DR. YOUNG: I don't know of any systematic -
21 --

22 MR. ENGELMANN: (off mic) I'm just concerned
23 about counselling giving evidence.

24 THE COMMISSIONER: I know. I know.

25 MR. ENGELMANN: (off mic) I mean, if Mr.

1 Leduc's going to come here and just talk about this at some
2 point. At present -- I'm sorry Mr. Manderville is there
3 something you wanted to say?

4 **MR. MANDERVILLE:** No, sir.

5 **THE COMMISSIONER:** No just ---

6 **MS. ROBITAILLE:** Mr. Commissioner, I can
7 advise that the information contained in that question
8 comes straight out of an affidavit of Mr. Leduc's from his
9 11(b) application.

10 **THE COMMISSIONER:** But that's not before the
11 Inquiry here.

12 **MS. ROBITAILLE:** Well, it's in the database
13 and if it's a problem I can bring it up or ---

14 **THE COMMISSIONER:** Well, in any event, the
15 answer is you don't have any ---

16 **DR. YOUNG:** I don't have any information on
17 that.

18 **MS. ROBITAILLE:** Sorry, I just -- give me
19 one moment.

20 So you've never come across any research
21 detailing that sort or correlation?

22 **DR. YOUNG:** No.

23 **MS. ROBITAILLE:** Okay.

24 Thank you, Dr. Young. Thank you, Mr.
25 Commissioner.

1 **THE COMMISSIONER:** Mr. Sherriff-Scott?

2 Does this mean trouble when you're bringing
3 your computer?

4 **MR. SHERRIFF-SCOTT:** No it's my new life as
5 a technologically proficient person. I'm finding it a lot
6 of fun.

7 **(LAUGHTER/RIRES)**

8 **THE COMMISSIONER:** We're in trouble.

9 **MR. SHERRIFF-SCOTT:** So now I'm starting to
10 play with this stuff and it's getting the best of me.

11 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.**
12 **SHERRIFF-SCOTT:**

13 **MR. SHERRIFF-SCOTT:** We met yesterday Doctor
14 and you'll recall I act for the Diocese. I just wanted to
15 ask you a few things.

16 Press agents and consultants in the business
17 are typically people who are either former media or
18 journalists or media specialists?

19 **DR. YOUNG:** Correct.

20 **MR. SHERRIFF-SCOTT:** And their role, as I
21 understand it, for their clientele is twofold if I can put
22 it to you. One; to access the media because accessing the
23 media to get your message out can be difficult, so these
24 people help their clients access the media; is that fair?

25 **DR. YOUNG:** Yes.

1 **MR. SHERRIFF-SCOTT:** Okay. These are pretty
2 self-evident propositions.

3 And secondly, they are often -- their --
4 part of their consulting work is to package the message of
5 their clients in a fashion that appeals to the
6 predispositions of the media?

7 **DR. YOUNG:** Yes.

8 **MR. SHERRIFF-SCOTT:** In other words to
9 attract with the media they have to have their message in
10 the right bait form?

11 **DR. YOUNG:** M'hm.

12 **MR. SHERRIFF-SCOTT:** They know how the media
13 works and they try and curry that favour; correct?

14 **DR. YOUNG:** Yes.

15 **MR. SHERRIFF-SCOTT:** Okay. Now if we can
16 just flip up to Table 1.1 at page 9 of your report and if I
17 could ask you whether or not, on the local coverage -- and
18 you may not have these numbers with you, but, and if you
19 don't that's fine -- you would have broken down the
20 frequency of Freeholder versus Seaway News.

21 **DR. YOUNG:** I did not do that.

22 **MR. SHERRIFF-SCOTT:** Okay. How sort of
23 substantial would the Seaway have fit it, would it have
24 been a fair number or probably smaller than the Freeholder
25 which is a daily?

1 DR. YOUNG: Smaller than the Freeholder.

2 MR. SHERRIFF-SCOTT: That's all you can say?

3 DR. YOUNG: Yeah.

4 MR. SHERRIFF-SCOTT: Okay, but it's part of
5 your analysis of the local waterfront?

6 DR. YOUNG: Yes.

7 MR. SHERRIFF-SCOTT: Okay. Now the Seaway
8 News, it's not a paid subscription paper; correct?

9 DR. YOUNG: Correct.

10 MR. SHERRIFF-SCOTT: It's based on
11 advertising alone; correct?

12 DR. YOUNG: Correct.

13 MR. SHERRIFF-SCOTT: We just -- we have to
14 get your utterance on the record, so.

15 DR. YOUNG: Yes.

16 MR. SHERRIFF-SCOTT: Its circulation is
17 free?

18 DR. YOUNG: Yes.

19 MR. SHERRIFF-SCOTT: It's a common
20 instrument in the business, these types of community
21 newspapers; correct?

22 DR. YOUNG: Yes.

23 MR. SHERRIFF-SCOTT: And their real focus is
24 not news reporting, their real focus is advertising and
25 revenue generation; isn't that fair?

1 DR. YOUNG: Yeah, they can be called
2 shoppers, in some cases.

3 MR. SHERRIFF-SCOTT: Yeah, right. Have you
4 ever heard the expression "paid news"?

5 DR. YOUNG: No.

6 MR. SHERRIFF-SCOTT: Where the focus of the
7 news stories is on the clientele who give you advertising
8 contracts?

9 DR. YOUNG: I've never heard that term.

10 MR. SHERRIFF-SCOTT: You know the regime
11 where sort of if your client is the bakery and they're
12 opening a new place they get a free story in exchange for
13 advertising with you.

14 This is the nature of the kind of entity the
15 Seaway News is; is it not?

16 DR. YOUNG: I don't know that.

17 MR. SHERRIFF-SCOTT: No. But you do know
18 it's a free paper, it doesn't rely on subscription?

19 DR. YOUNG: Yes.

20 MR. SHERRIFF-SCOTT: And may I say that when
21 you looked at the articles that pertain to this issue,
22 broadly speaking, those were all Mr. Roth's columns or
23 letters to the editor.

24 DR. YOUNG: Yes, the bulk of them.

25 MR. SHERRIFF-SCOTT: They weren't

1 journalistic news stories in the traditional sense?

2 **DR. YOUNG:** No.

3 **MR. SHERRIFF-SCOTT:** Okay. And we've heard
4 about Mr. Roth and his pre-dispositions but the fact of
5 them all appearing in the Seaway News, under the banner of
6 Mr. Roth's column, would have loaded the opinion segment in
7 your statistical analysis?

8 **DR. YOUNG:** Yes.

9 **MR. SHERRIFF-SCOTT:** In other words, that's
10 one reason why there was so much more opinion than what
11 might otherwise have been?

12 **DR. YOUNG:** Potentially one reason.

13 **MR. SHERRIFF-SCOTT:** Okay. Thank you.

14 Now just back to this website which was
15 described as Project Truth II, I just want to characterize
16 a few things for you. The website document is in the
17 evidence and so the Commissioner will make sure that I
18 don't over characterize it, when I put these propositions
19 to you.

20 **THE COMMISSIONER:** You wouldn't do that,
21 would you?

22 **MR. SHERRIFF-SCOTT:** Never, never.

23 One of the features of this thing was it
24 identified alleged perpetrators charged or not charged,
25 okay? It did by the end have approximately 50,000 hits,

1 visitor hits. You know they have ---

2 DR. YOUNG: Were they unique visitor hits?

3 MR. SHERRIFF-SCOTT: That, I don't know.

4 There may have been repetitive junkies.

5 DR. YOUNG: Yes.

6 MR. SHERRIFF-SCOTT: I'm not sure, but it's
7 a fair number of hits in any event. So it also became a
8 platform for Gary Guzzo in the sense that it promoted his
9 views and put his letters on it. And one of its main
10 frames was there is a pedophile clan in this community. It
11 is comprised of senior members of the community and police
12 have done not much or aren't doing much about it that's
13 good and effective. That's really a main frame of this
14 thing, okay?

15 THE COMMISSIONER: That's your view of it?

16 MR. SHERRIFF-SCOTT: That's right.

17 THE COMMISSIONER: Okay.

18 MR. SHERRIFF-SCOTT: So I am asking her to
19 make those assumptions.

20 THE COMMISSIONER: Okay.

21 MR. SHERRIFF-SCOTT: Now, my friend from the
22 CCR asked you a few questions this morning about the issue
23 of moral panic, and I know that's not been the focus of
24 your analysis here, but would it not be true that issues of
25 a pedophile ring -- and I took your evidence this morning

1 and yesterday, you mentioned the idea that the media is
2 predisposed to using that expression or to describing rings
3 whenever they can because that's a really big hook. Is
4 that fair?

5 DR. YOUNG: Yes.

6 MR. SHERRIFF-SCOTT: And the idea of a
7 pedophile clan, that really strikes at the psyche of a
8 community, if it's happening?

9 DR. YOUNG: I would assume that, if there is
10 a pedophile ring in a community, it would be.

11 MR. SHERRIFF-SCOTT: Well, the idea if
12 you're being told that -- if the community is being
13 presented with that package of information as a truthful
14 statement, that's something that would strike at the root
15 of people's sense of self-security, security of their
16 families and children; is that fair?

17 DR. YOUNG: Yes.

18 MR. SHERRIFF-SCOTT: Okay.

19 It would also sort of appeal to existing
20 anxieties, like perhaps the frame that I described,
21 including police incompetence. There are often existing
22 anxieties about homophobia, about opposition to authority.
23 These things are all sort of flowing around in the psyche
24 of communities?

25 DR. YOUNG: I can't claim knowledge

1 specifically here, but general anxieties do, as I said
2 earlier this morning.

3 **MR. SHERRIFF-SCOTT:** What are the
4 socioeconomic factors that -- just backing up, why would it
5 be -- why isn't it that the identification of a sort of
6 concept of moral panic, why isn't that really a subjective
7 analysis?

8 **DR. YOUNG:** Well, it can be. Some academics
9 would be happy to make that claim. I see it as more
10 complex and more -- I see it as part of structural factors
11 as well as representational issues.

12 **MR. SHERRIFF-SCOTT:** Like what?

13 **DR. YOUNG:** Like the economics of the
14 period. What are the other cultural tensions that may be
15 at work in the community aside from the media coverage of
16 this issue? What are the economic factors that are going
17 on in the community in terms of industry demographics?

18 **MR. SHERRIFF-SCOTT:** Well, would factors
19 like the community being predominantly Catholic be
20 something that would contribute to the issue, in terms of
21 your understanding?

22 **DR. YOUNG:** Yes.

23 **MR. SHERRIFF-SCOTT:** And the fact that this
24 is what might be called -- and I don't want to be
25 criticized for it, but in a general sense a more blue-

1 collar town. It's industry-based, and it's not been as
2 prosperous over the years as it might have been?

3 DR. YOUNG: All of those I would look at.

4 MR. SHERRIFF-SCOTT: Okay. And how would
5 you look at them? How would you look at them academically?

6 DR. YOUNG: I would do research on the
7 demographics, what was happening with respect to industry,
8 the nature of the community, what other issues were on the
9 agenda, other than what was happening with respect to moral
10 panic or the ---

11 MR. SHERRIFF-SCOTT: All right.

12 DR. YOUNG: --- social problem.

13 MR. SHERRIFF-SCOTT: Can I say this at
14 least; that a website like the one I've described, assuming
15 it's as I say it is, and the consistent framing of issues
16 by a claims-maker, that you described, about police
17 incompetence, combined with the prevalence of a pedophile
18 ring comprised of the people running society, is a
19 potential for moral panic?

20 DR. YOUNG: Yes, and a potential for
21 increased anxiety in the community.

22 MR. SHERRIFF-SCOTT: Okay, fair enough.
23 And what happens when there is a moral
24 panic?

25 DR. YOUNG: Well, I refer to one of the

1 sources in my -- Critcher talks about moral panics and
2 sexual abuse and also -- and talks about it in terms of
3 framing it. It becomes a policy response potentially. So
4 the louder and the more hyperbolic claims or the higher the
5 panic level, the greater the potential, at least in the
6 academic literature, for possible policy shift or
7 institutional response.

8 **MR. SHERRIFF-SCOTT:** Okay. Now, and
9 sometimes wrongly, because it's driven by panic as opposed
10 to reason. Is that fair?

11 **DR. YOUNG:** It could be rightly; it could be
12 wrongly.

13 **MR. SHERRIFF-SCOTT:** Okay. Now, just on the
14 subject of the claims-makers, if we could flip to page 15
15 of your report where you have Table 1.4 ---

16 **DR. YOUNG:** And, I mean, you could also use
17 9/11 as an example of moral panic ---

18 **MR. SHERRIFF-SCOTT:** Sure.

19 **DR. YOUNG:** --- and policy response. I
20 mean, I'm not trying to be vague here.

21 **MR. SHERRIFF-SCOTT:** No, no, no, I
22 understand the justifications for incursions and so forth,
23 yes.

24 **DR. YOUNG:** Yes.

25 **MR. SHERRIFF-SCOTT:** Okay. So Table 1.4.

1 We've got your analysis here of the sources and helpfully,
2 at the top of the screen, it says that:

3 "The focus on a particular source; in
4 other words, one that predominates, can
5 result in ideological or institutional
6 bias."

7 Correct?

8 **DR. YOUNG:** Yes.

9 **MR. SHERRIFF-SCOTT:** Okay.

10 Now, if you look at government officials, I
11 think my friends all asked you about Mr. Guzzo and his
12 being so ubiquitous, but in reality a big chunk of that 29
13 per cent is Mr. Guzzo. Is that right?

14 **DR. YOUNG:** Yes.

15 **MR. SHERRIFF-SCOTT:** Okay. And you know,
16 from reading what he was writing or what was being written
17 about him, that as a claims-maker his interests were
18 entirely consistent with Mr. Dunlop's. Fair?

19 In other words, his mainframe was police
20 incompetence and the need, as a result, for investigation
21 or inquiry. And his source was Mr. Dunlop.

22 **DR. YOUNG:** I don't presume to know whether
23 his source was Mr. Dunlop or that they were aligned, but
24 those were his claims: police ineffectiveness and the need
25 for a public inquiry.

1 **MR. SHERRIFF-SCOTT:** And those were also
2 claims asserted by Mr. Dunlop as a claims-maker?

3 **DR. YOUNG:** Yes.

4 **MR. SHERRIFF-SCOTT:** Okay. So to that
5 extent at least, their claims-maker status would be
6 consistent?

7 **DR. YOUNG:** Yes.

8 **MR. SHERRIFF-SCOTT:** So potentially Mr.
9 Guzzo would load the Perry Dunlop claims-maker status and
10 the landscape -- you would have to sort of look at these --
11 these numbers are a bit soft.

12 **DR. YOUNG:** Yeah.

13 **MR. SHERRIFF-SCOTT:** Right, statistically?

14 **DR. YOUNG:** Yeah, statistically, they're --
15 and they are very descriptive.

16 **MR. SHERRIFF-SCOTT:** Yes.

17 **DR. YOUNG:** There is no inferential. It was
18 not part of the mandate. I would ---

19 **MR. SHERRIFF-SCOTT:** Well, that's why I
20 asked that yesterday, because I was looking at this. And
21 so when I say soft, I mean you didn't do a content
22 analysis?

23 **DR. YOUNG:** I did a descriptive content
24 analysis. I didn't look at significance.

25 **MR. SHERRIFF-SCOTT:** Okay. But if we can

1 draw something from it on that basis, we could say that a
2 big portion of the 29 per cent might be consistent with Mr.
3 Dunlop and, certainly, the citizens groups would also be
4 consistent with either Mr. Guzzo or Mr. Dunlop?

5 DR. YOUNG: Yes.

6 MR. SHERRIFF-SCOTT: And so in terms of the
7 landscape of the claims-maker, in reality the institutions
8 that are here, as parties to the Inquiry, were not in the
9 ascendancy?

10 DR. YOUNG: Yes, and that's why when you
11 look at the results, it's the negative construction of
12 institutional response as well as the negative -- yes.

13 MR. SHERRIFF-SCOTT: And may I -- may I say
14 -- and this question came at you earlier this morning, but
15 I'll just put it a little differently.

16 Mr. Dunlop was what you described as a folk
17 hero, and there was some suggestion about how you would --
18 you know, how people would deal with a folk hero as
19 journalist.

20 But would it not be fair that once he is
21 created as a folk hero, and the frame and inertia of the
22 media will be in his current or -- together with him or in
23 his favour, it's harder to turn it around and focus the
24 analysis on the folk hero himself and what he may or may
25 not have done?

1 DR. YOUNG: I don't know if I can make a
2 generic claim like that, but once you're established as a
3 folk hero, it does tend to have a life of its own.

4 MR. SHERRIFF-SCOTT: It's harder to dethrone
5 you than it is to put you there once you're there?

6 DR. YOUNG: Yes, although there are people -
7 - there are instances of people being dethroned all the
8 time in the media.

9 MR. SHERRIFF-SCOTT: That is true.

10 DR. YOUNG: Yes.

11 MR. SHERRIFF-SCOTT: But it runs contrary to
12 the inertia of the medium. Fair? As a general
13 proposition?

14 DR. YOUNG: As a general proposition.

15 MR. SHERRIFF-SCOTT: Okay.

16 I think I'm just about finished, and I am.
17 Thank you. Have a good trip back. Thank you for coming.

18 DR. YOUNG: Thank you for being quick.

19 THE COMMISSIONER: Ms. Lalji.

20 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

21 LALJI:

22 MS. LALJI: Good afternoon, Dr. Young. My
23 name is Reena Lalji, and I'm counsel for the Cornwall
24 Police.

25 First of all, I just want to thank you for

1 giving your evidence yesterday and today. It's been very
2 informative. I just have a few questions for you.

3 Dr. Young, from your expertise and
4 experience as a crime reporter, you are very familiar with
5 the way the criminal justice system works in the context of
6 news reporting; would that be fair?

7 DR. YOUNG: Yes.

8 MS. LALJI: Therefore, you do recognize that
9 there are constraints under the criminal justice system
10 that effect how much information can be disclosed to the
11 media?

12 DR. YOUNG: Yes.

13 MS. LALJI: In fact, you indicated that --
14 in your comparison to the U.S., in Canada we are actually
15 heavily -- I think the way you described it is "heavily
16 constraint due to privacy law issues"?

17 DR. YOUNG: Yes. It's other issues and to
18 the point earlier, I actually just won an award of a cross-
19 border media analysis to the point earlier. I found out
20 today on my email.

21 MS. LALJI: Congratulations.

22 DR. YOUNG: So, I don't know if that
23 qualifies me as an expert, but there you go.

24 MS. LALJI: Dr. Young, you indicated that
25 the allegations that surfaced in Cornwall from 1993 onwards

1 dealt with complex matters, and you would agree with me,
2 sensitive issues as well?

3 **DR. YOUNG:** Yes.

4 **MS. LALJI:** Typically a police investigation
5 into these types of matters wind up being complex
6 investigations; that stands to reason doesn't it?

7 **DR. YOUNG:** Yes.

8 **MS. LALJI:** Now not only are there
9 disclosure issues in these types of investigations which
10 you've agreed to, but the police and the criminal justice
11 system are duty bound to ensure a fair trial accused of a
12 crime, maintaining respect for the presumption of
13 innocence; you know that to be true?

14 **DR. YOUNG:** Yes.

15 **MS. LALJI:** Would you agree with me that it
16 would not be responsible journalism if there were news
17 articles that named people in the community as suspects
18 before a police investigation is completed?

19 **DR. YOUNG:** No.

20 **MS. LALJI:** Sorry, you would or you would
21 not agree with me?

22 **DR. YOUNG:** I would not agree with you.

23 **MS. LALJI:** Okay, and why is that?

24 **DR. YOUNG:** I think that the convention is
25 that after someone has been charged that journalists don't

1 report on the case or the charges. For instance, in the
2 Pickton case, once the charges started coming through, the
3 information about him was limited.

4 However, before that happened it was all
5 over the media about who he was, where he lived, and ---

6 **MS. LALJI:** So you're saying that during a
7 police investigation regular or normal journalism would
8 actually involve reporting on -- to the -- who the police
9 were actually investigating?

10 **DR. YOUNG:** Potentially in a high profile
11 crime; one involving issues surrounding public safety.

12 **MS. LALJI:** What about in a situation like
13 in Cornwall, where the community is quite small and the
14 allegations against potential suspects before charges are
15 laid, are in relation to prominent people in the community,
16 do you still think that that would be part of responsible
17 journalism to report on that before charges are laid?

18 **DR. YOUNG:** That would make it more
19 newsworthy.

20 The caveat that I would give you -- that I
21 would provide there is that because it's possible abuse or
22 sexual abuse allegations, that would constrain the nature
23 of reporting in the event that it may identify a victim or
24 something along those lines. That would be a constraint.
25 And it may be more of a constraint in terms of journalistic

1 conventions.

2 **MS. LALJI:** And wouldn't there be also a bit
3 of an issue that if that -- if that kind of reporting
4 happens that people may actually be tried in the press
5 before the courts, and that wouldn't be proper? Wouldn't
6 that also be a concern?

7 **DR. YOUNG:** Well, the press can't try people
8 and they can always hire a lawyer to go after the media if
9 the information is inaccurate. So, no.

10 **MS. LALJI:** So you wouldn't agree with that?

11 **DR. YOUNG:** No.

12 **MS. LALJI:** Okay.

13 Now you described earlier today a symbiotic
14 relationship between the media and the police. What I
15 would actually suggest to you that there's actually a
16 necessary unavoidable tension between the media and its
17 desire to inform the public at the earliest opportunity;
18 and on the other hand, a law enforcement agency's
19 obligation to make sure there's sufficient evidence to lay
20 charges before they publicize them.

21 Would you agree with that characterization
22 of the relationship between the media and the police?

23 **DR. YOUNG:** Well, in the symbiosis, I
24 actually account for that. I've done work on the history
25 of media relations and policing in Canada.

1 And what happens is, yes, there's an
2 inevitable tension because journalists want to know and the
3 police don't want them to know. At the same time there are
4 a lot of similar organizational, a lot of blue collar, a
5 lot of similarities in terms of organizational structure,
6 so actually journalists and police are often quite
7 friendly.

8 On top of that, police need journalists to
9 publicize cases when they are looking for suspects and
10 they're looking for information; when they're looking for
11 missing people, so police, when they're looking for Crime
12 Stoppers.

13 So, yeah, I think it's much more complex
14 than you suggest.

15 **MS. LALJI:** Okay, I guess it would be fair
16 that it's not only a relationship with a bit of tension,
17 but it's also one with a little bit of cooperation as well;
18 it's complex?

19 **DR. YOUNG:** Yes. Yes.

20 **MS. LALJI:** Now from the news articles that
21 you reviewed, were you aware that for a period in 1994 the
22 Cornwall Police was under investigation?

23 **DR. YOUNG:** Yes.

24 **MS. LALJI:** And I'm not sure if this came
25 out from the news articles that you reviewed, but the

1 reason for that is that a victim's statement was released
2 to the media and that the victim filed both a public
3 complaint and commenced legal action as well against the
4 Cornwall Police?

5 DR. YOUNG: Yes.

6 MS. LALJI: And that's all tied into the
7 legislative constraints that we had talked about in Canada
8 that we have here, which is the privacy issues, in terms of
9 when this victim came forward and made a public complaint?

10 DR. YOUNG: M'hm.

11 MS. LALJI: So it's understandable that the
12 police would feel constrained and perhaps even a little bit
13 prohibited to speak about matters that are under
14 investigation due to these privacy issues?

15 DR. YOUNG: Privacy issues have an impact --
16 have an increasing impact on the nature of policing and
17 media.

18 MS. LALJI: Right, and in fact you've
19 referred to some of these constraints in your report at
20 page 21?

21 DR. YOUNG: Yes.

22 MS. LALJI: And particularly when a public
23 institution is under investigation itself, like the
24 Cornwall Police was, it's understandable that perhaps the
25 Cornwall Police had to be careful about engaging the media

1 during that time; would that be fair?

2 DR. YOUNG: Well, I think that that's from
3 one perspective. I think there's also a legitimacy issue.
4 If you look at the fact that you see a corporatization of
5 policing over the past century and police have actually
6 proactively tried to create their image. So I think it's
7 both, again.

8 MS. LALJI: Okay, but at least one aspect
9 would be that reticent to come forward when they are under
10 investigation?

11 DR. YOUNG: Yes, potentially.

12 MS. LALJI: Okay. Now you testified
13 yesterday that framing means that journalists consciously
14 approach an issue from a certain perspective and promote
15 that perspective; would that be a fair characterization of
16 the meaning of framing?

17 DR. YOUNG: Well, they're looking for a
18 certain -- as the gentleman referred to before you --
19 certain news definitions of what is newsworthy, timely,
20 bizarre events, change in the status quo that's negative
21 conflict.

22 I mean there are a number of criteria that
23 we define as newsworthy.

24 So that would be the first frame that
25 journalists would be using; they would be practical

1 definitions of what is news.

2 **MS. LALJI:** Okay, so in terms of figuring
3 out for a journalist that perspective or what is news, they
4 would actually have to figure that out first before they
5 can even promote a frame?

6 **DR. YOUNG:** Yes, but they would use these
7 criteria to determine what the story was.

8 **MS. LALJI:** Okay. So I just want to give
9 you a hypothetical and I'll make it very, very easy to see
10 if maybe I can understand this whole concept of framing.

11 Let's say that I'm a reporter and one of the
12 frames that I want to promote is that the earth is flat;
13 okay. So according to what you've been telling us that in
14 order for me to promote that frame, I'm going to be
15 printing stories to advance my frame that the earth is
16 actually flat. That would be fair?

17 **DR. YOUNG:** Well, you're using a substantive
18 frame and not a criteria for what would be newsworthy. So
19 I think it's a bit -- I mean you could use global warming -
20 --

21 **MS. LALJI:** Okay.

22 **DR. YOUNG:** --- as a -- I mean I'm just --
23 but go on.

24 **MS. LALJI:** Okay, well let's just say that
25 it's global warming in that case. So I would printing

1 stories to advance that frame of global warming and what I
2 would also likely do as a journalist is de-emphasize
3 stories that would make my frame appear to be inaccurate
4 because obviously I want to promote my frame in the media;
5 would that be fair?

6 DR. YOUNG: No, that's not quite it because
7 what happens is that -- to the point earlier about the
8 alleged pedophile ring, that would be considered a
9 sensational news story, so that would be the approach that
10 journalists would take because that would be the most
11 newsworthy. It wouldn't be a substantive.

12 Let's use global warming as an example.
13 Part of the problem with the reason that you see global
14 warming shifting on the nature of the media agenda is that
15 journalists have a standard where they quote from both
16 sides of the story, and so you would get the global warming
17 experts who say that it's not happening, and you'd get the
18 people who say that it's happening, and fifty-fifty.

19 So there was a representational issue with
20 respect to global warming, it's not happening or may not be
21 happening or there's some question about whether it's
22 happening.

23 That's shifted recently because media have,
24 you know, a number of things have happened. So what you're
25 saying is much more subtle. It's not as conscious as some

1 journalists going out there and saying I want to promote
2 the world as flat.

3 **MS. LALJI:** Okay, so based on what you've
4 just said right now, the responsible way of reporting is
5 make sure that you get both of those angles?

6 **DR. YOUNG:** Well, it's not both. I mean
7 that's a simplistic model in the Canadian Association of
8 Journalists and Ethics it's fairness and balance, so you
9 want to get fairness and balance across an issue.

10 **MS. LALJI:** No, and that's fair enough and I
11 should have re-worded my question that essentially all
12 aspects of the issue ---

13 **DR. YOUNG:** Yes.

14 **MS. LALJI:** --- should be considered in
15 journalism.

16 Okay, so in terms of what happened here in
17 Cornwall and like you indicated, the frame of the pedophile
18 ring that was being promoted, there weren't other -- there
19 was no other analysis done in terms of other possibilities,
20 whether there wasn't one or any of that; right, because the
21 frame was about the pedophile ring?

22 **DR. YOUNG:** Well the frame was police
23 ineffectiveness.

24 **MS. LALJI:** Okay. So let's go back to -- so
25 let's go to that frame in terms of the Police

1 Ineffectiveness; okay?

2 DR. YOUNG: M'hm.

3 MS. LALJI: So now you said earlier today
4 that it's not surprising that that was a frame because
5 that's negative news and that's what gets reported in the
6 media.

7 DR. YOUNG: M'hm.

8 MS. LALJI: And as a result, we don't really
9 see news articles about the police doing a good job because
10 that's not news.

11 DR. YOUNG: Generally.

12 MS. LALJI: Right. And you also said
13 yesterday that ---

14 DR. YOUNG: But you will still see a police
15 officer saving a cat. I mean, you'll still see some good.
16 I mean, it's not ---

17 MS. LALJI: Right. Oh absolutely.

18 But generally it tends to be more about
19 police ineffectiveness as opposed to what a great job
20 they've done ---

21 DR. YOUNG: Yes.

22 MS. LALJI: --- generally speaking. Now you
23 also said yesterday that just over half of the news
24 articles that you reviewed used either no source or one
25 source, and that there was just a few key voices that

1 consistently had come up in the news articles that you had
2 seen -- Perry Dunlop in one of them -- and that was one of
3 your frames as well, him as a folk hero.

4 So these factors that we just talked about,
5 they actually shaped the news that was delivered here to
6 the people in Cornwall?

7 DR. YOUNG: Yes.

8 MS. LALJI: So is that "yes"?

9 DR. YOUNG: Yes.

10 MS. LALJI: Thank you.

11 Now, Dr. Young, I'm not sure if you know
12 this from media reports or the media articles that you
13 reviewed, but the OPP conducted an investigation into the
14 Cornwall Police to determine if they participated in any
15 wrongdoing. Did that come up in the media articles you
16 read?

17 DR. YOUNG: Yes, it did.

18 MS. LALJI: Okay. The OPP also concluded
19 that the Cornwall Police was not part of any conspiracy.
20 Did that come up in the news articles you read?

21 DR. YOUNG: Yes.

22 MS. LALJI: And also the OPP had issued a
23 press release in August, 2001 indicating that. Was that
24 part of the media articles you looked at?

25 DR. YOUNG: I can't determine whether it

1 came out of a press release but I do recall reading that.

2 **MS. LALJI:** Okay. Now, in terms of the
3 peaks that you found in the media stories, you said that
4 there were four peaks that you had found.

5 **DR. YOUNG:** M'hm.

6 **MS. LALJI:** And actually none of these peaks
7 dealt with the exoneration of the Cornwall Police. Is that
8 right?

9 **DR. YOUNG:** Yes, very little coverage.
10 That's right.

11 **MS. LALJI:** And as you've said, again, good
12 news about the police just doesn't really make it into the
13 media as often as bad news about the police?

14 **DR. YOUNG:** Yes.

15 **MS. LALJI:** In addition, as indicated to Ms.
16 Daley earlier this morning, the media doesn't tend to focus
17 on stories that are somewhat inconsistent with their
18 frames. Do you remember saying that to Ms. Daley?

19 **DR. YOUNG:** Can you clarify in what context?

20 **MS. LALJI:** M'hm, well, I don't have my
21 notes here but let me just get them and I'll let you know.

22 This was in the context when Ms. Daley was
23 generally asking you about moral panic, the issues about
24 moral panic, and how any stories that are inconsistent with
25 the frames that have been delivered by the media don't

1 particularly tend to get reported?

2 DR. YOUNG: Well, they don't get reported as
3 much. I mean, there's no monolithic -- and there's no
4 monolithic amount of content with nothing else there. It's
5 just that you get a general frame and then there's less
6 space for the other issues.

7 MS. LALJI: Right. So now when we go back
8 to the fact that the Cornwall Police got exonerated and
9 there wasn't much press coverage, that actually makes sense
10 because it didn't fit in with the frame of Ineffective
11 Policing. Would that be fair?

12 THE COMMISSIONER: Exonerated?

13 MS. LALJI: They were found to not have any
14 wrongdoing by the OPP when they did the investigation.

15 THE COMMISSIONER: There was a report done.

16 MS. LALJI: Okay. So I'll reword that
17 question then.

18 There was -- the OPP found no wrongdoing on
19 behalf of the Cornwall Police, and so what I'm saying is
20 that that doesn't really fit with the frame of Ineffective
21 Policing and that's possibly why there wasn't as much media
22 coverage?

23 DR. YOUNG: No, it was covered. It was
24 covered as a news event.

25 MS. LALJI: Right, but it wasn't given much

1 press time the way the other issues were. As you said,
2 there was no peak on that.

3 DR. YOUNG: I don't know if it's because it
4 didn't fit with the frame or it was because the Cornwall
5 Police weren't out there trying to pitch their stories.

6 You know, there were other people -- sources
7 were actively out there talking to the media, so I just
8 think that the logic -- the assumption that you're making
9 there, I don't agree with.

10 MS. LALJI: Okay. So I guess the bottom
11 line is that, as you've indicated, it wasn't one of the
12 four peaks that you had identified?

13 DR. YOUNG: Right, but it was mentioned in
14 the media coverage.

15 MS. LALJI: Right, and I'm not saying it
16 wasn't, it was. I'm just saying it's not one of the major
17 peaks that were identified.

18 DR. YOUNG: Yes.

19 THE COMMISSIONER: And it may have been
20 overtaken by more news.

21 DR. YOUNG: Yes.

22 MS. LALJI: Sorry? Pardon me?

23 THE COMMISSIONER: It might have been
24 overtaken by new developments in this story.

25 MS. LALJI: That may very well may be.

1 Dr. Young, I take it, and I'm just putting
2 this proposition to you, that do you think it's fair so say
3 that balanced news reporting should make an effort to
4 include all sides of a story and obtain a number of
5 perspectives, so that it's comprehensive?

6 **DR. YOUNG:** I've said that a number of times
7 and it's in the Statement of Principles.

8 **MS. LALJI:** Great. Thank you very much and
9 I have no further questions.

10 **DR. YOUNG:** Thank you.

11 **THE COMMISSIONER:** Ms. Costom?

12 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.**

13 **COSTOM:**

14 **MS. COSTOM:** Good afternoon, Dr. Young. I'm
15 Suzanne Costom. I'm one of the lawyers for the Ontario
16 Provincial Police.

17 **DR. YOUNG:** Good afternoon.

18 **MS. COSTOM:** Good afternoon, Mr.
19 Commissioner.

20 One of the advantages of being last is that
21 many of my colleagues have covered a lot of the areas that
22 I would have like to have covered with you, but they've
23 covered them as well as I could have or probably better, so
24 I can guarantee that you will make your plane easily.

25 I have just a couple of questions ---

1 **THE COMMISSIONER:** Will you be providing the
2 OPP escort?

3 **(LAUGHTER/RIRES)**

4 **MS. COSTOM:** I have a sense of what he's
5 planning on.

6 I have two small questions that I want to
7 ask you which pick on some things that you talked about in
8 your Examination in-Chief, things that I just want to
9 clarify with you.

10 My friend, Mr. Engelmann, asked you right at
11 the beginning -- almost at the beginning of your testimony
12 -- whether in your opinion media coverage could influence
13 institutional response. And your answer, as I have it and
14 I'm paraphrasing and please correct me if there's anything
15 wrong in what I'm saying, is that it's a complex question,
16 that there's no direct causal link but that you can look at
17 the media, certainly, as part of a general shift in social
18 policy?

19 **DR. YOUNG:** Yes.

20 **MS. COSTOM:** And you gave the example of
21 Mothers Against Drunk Driving. It was one of the two
22 examples you gave. As they started to make news and hit
23 the media agendas, you saw a shift, a sort of corresponding
24 shift, not necessarily a causal shift, in the type of
25 attention that policy makers were giving to the problems of

1 driving under the influence. Is that correct?

2 DR. YOUNG: Yes.

3 MS. COSTOM: Okay. I just want to make
4 sure.

5 While media is part of a general shift in
6 social policy, you would agree, wouldn't you, that the
7 media and media coverage should not influence the way that
8 police on a day-to-day level investigate crime?

9 DR. YOUNG: Well, ---

10 MS. COSTOM: Do you understand my question?

11 DR. YOUNG: I do understand your question
12 but perhaps ---

13 MS. COSTOM: No.

14 DR. YOUNG: Perhaps ---

15 MS. COSTOM: Let me flush it out then.

16 THE COMMISSIONER: If they're doing a bad
17 job, for example, and they come up with exposing that then
18 I think that they would remember.

19 MS. COSTOM: Let me -- let me -- let me
20 backtrack then. Perhaps my question was too broad because
21 I think that we probably will agree.

22 (LAUGHTER/RIRES)

23 MS. COSTOM: Or I'm hoping that we will.

24 The media, perhaps by focussing attention on
25 a particular story or on a particular area of social

1 concern, could very well influence policy which could very
2 well motivate the police to direct more resources, for
3 example, to the investigation of a particular type of
4 crime. Would you agree with that?

5 DR. YOUNG: Yes.

6 MS. COSTOM: Okay. But policing, in terms
7 of the bottom line of how investigations are done, meeting
8 witnesses, tracking documentary evidence, following leads,
9 is its own field and that field is not to be directed by
10 how journalists say they should do their job, any more than
11 the police should be directing journalists how they should
12 do their job.

13 DR. YOUNG: I don't think a journalist would
14 want to direct a police officer to do his or her job on an
15 investigation.

16 MS. COSTOM: And nor should they.

17 DR. YOUNG: I -- I mean it's the police
18 officer's job not the journalist's job.

19 MS. COSTOM: Right, the police do their job
20 and the journalists do their job.

21 DR. YOUNG: Right. Oh, the journalist's job
22 is also, as I indicate, is to -- it's not a policing job
23 but it is to -- and I'll quote this CAJ I've quoted it a
24 number of times:

25 "Defend the public interest includes

1 promoting the free flow of information,
2 exposing crime or wrong doing,
3 protecting public health and safety,
4 and preventing the public from being
5 misled."

6 **MS. COSTOM:** Oh, I ---

7 **DR. YOUNG:** So it's similar.

8 **MS. COSTOM:** I agree with you that the
9 journalist can play a significant role in directing the
10 police to areas where they should be investigating and I
11 think that that draws upon the standard that you just read
12 from. Is that correct?

13 **DR. YOUNG:** M'hm.

14 **MS. COSTOM:** But in terms of once their
15 attention is focussed there, the way that they conduct
16 their investigations, the profession of policing, is not
17 something which is going to be directed by the media.

18 **DR. YOUNG:** I don't think anyone would
19 suggest that.

20 **MS. COSTOM:** Okay. That's what I was
21 getting at actually.

22 The second point that you talked about, and
23 this was in your report at pages 8 and following, on the
24 issue of media landscape. You've talked about the Standard
25 Freeholder as a financial asset or a revenue generator as

1 opposed to an agenda-setter. Do you remember saying that?

2 **DR. YOUNG:** Yes.

3 **MS. COSTOM:** Okay. And I just want to make
4 sure that we understand what we mean when you say that it's
5 not an agenda-sender -- an agenda-setter.

6 You meant that in the larger sense of, that
7 it wasn't defining sort of in advance the agenda.

8 **DR. YOUNG:** Well, a media organization will
9 devote more resources to properties such as the Globe and
10 Mail and Bell Globemedia that it sees as its prime media
11 properties or as agenda-setters because that's a value.
12 That's what I mean.

13 **MS. COSTOM:** Okay. But when you said that
14 the Standard Freeholder was not an agenda-setter, you were
15 not trying to say that it didn't have a significant
16 influence on ---

17 **DR. YOUNG:** No.

18 **MS. COSTOM:** --- public opinion in the local
19 community.

20 **DR. YOUNG:** No.

21 **MS. COSTOM:** Because, of course, it does.

22 **DR. YOUNG:** Yes. No, I was not trying to
23 say that.

24 **MS. COSTOM:** Okay. So to the extent that
25 local media outlets like the Standard Freeholder portray

1 the police in a negative light, that would, we would
2 expect, have an influence, a strong influence on public
3 opinion in a local community like this?

4 DR. YOUNG: It may. You know, it's -- the
5 literature -- and this is not my main area -- shows that
6 it's very hard to change people's strongly-held views. You
7 can change short-term cognitions; this is from election
8 studies. So it may. I mean ---

9 MS. COSTOM: Well, let's put this ---

10 DR. YOUNG: Some people may be pro-police
11 and it would be very hard to change. I'm just -- like,
12 it's too generic of a question to answer well.

13 MS. COSTOM: Okay. Well, you said ---

14 THE COMMISSIONER: And you're assuming that
15 the local newspaper has a large influence.

16 DR. YOUNG: Yes, that's about it.

17 MS. COSTOM: Well, ---

18 THE COMMISSIONER: It's largely unproven at
19 this point.

20 MS. COSTOM: I think that Dr. Young just
21 said that she agreed that the media did have an influence,
22 a significant influence on public opinion.

23 I thought that that was what you had just
24 said to me.

25 DR. YOUNG: No, your question was, was I

1 saying that it was not an agenda; it's an agenda-setter in
2 the community but not within the context of what I would
3 talk about.

4 It has a role in the community in terms of
5 talking about what's happening. Whether people listen to
6 it or believe it is a whole other question.

7 **MS. COSTOM:** Well, you must have done
8 research on this over the years in terms of what -- and I
9 understand that there are a lot of variables but one would
10 expect that the media does have an influence on public
11 opinion.

12 I can't imagine that that hasn't been borne
13 out in a research.

14 **DR. YOUNG:** It's inconclusive. It has
15 influences in some ways and not in others. So, I mean,
16 what specifically -- you know, the most conclusive I can
17 give you, if you get on Oprah with a book, your book is
18 going to sell a lot of copies.

19 I mean, the literature is inconclusive on --
20 I mean, that's a very big question. So if you can be more
21 specific, I'm happy to try and answer it.

22 **MS. COSTOM:** You would agree -- and I'm not
23 going to go through all of the factors because it's been
24 done by a lot of my colleagues.

25 You would agree that a lot of the media

1 coverage because of framing, because of the fact that
2 negative news is what makes news, because of the nature of
3 the sources that were coming forward to the media, they
4 were coming forward and presenting a picture of police
5 ineffectiveness.

6 In fact, that's what you said was the big --
7 -

8 **DR. YOUNG:** Frame, yes.

9 **MS. COSTOM:** --- the big frame in here.

10 Okay. To the extent that that was the
11 frame, would you expect that the public reading the news
12 would come out of that read with a sense of police
13 ineffectiveness?

14 **DR. YOUNG:** I couldn't comment without doing
15 an -- I mean, I see where you're going. I couldn't comment
16 without doing a different kind of study.

17 **MS. COSTOM:** Well, you read a lot of the
18 editorials ---

19 **DR. YOUNG:** Yes.

20 **MS. COSTOM:** --- and the letters to the
21 editor. I would imagine that would be an indicator of
22 whether or not people were following the stream of police
23 ineffectiveness or fighting it in some way?

24 **DR. YOUNG:** Right, but they are not -- as I
25 said earlier, they are not a public opinion poll. It's a

1 selected number of letters. So it wouldn't be
2 representative necessarily of who wrote in.

3 And actually, there was very little comment
4 about police ineffectiveness. It was mostly about pro-
5 Perry Dunlop and the Catholic Church, as well as other --
6 it was much less about police in general.

7 **MS. COSTOM:** Okay. Reading -- someone who
8 is reading the media with a blank slate, who is trying to
9 inform themselves, an outsider coming into Cornwall who is
10 trying to inform themselves on what's going on in Cornwall,
11 would you agree with me that after reading the newspapers,
12 if that was the only thing that they were doing -- and I
13 understand that this is a hypothetical -- they would come
14 out of it with a sense of police ineffectiveness?

15 They are starting with a blank slate and
16 they're reading the media coverage.

17 **DR. YOUNG:** I mean, again, it's too complex
18 because it's the legitimacy of the source with respect to
19 their understanding of policing generally. I mean audience
20 perception is complex, again. You know, I can't say for --
21 I can't answer.

22 **MS. COSTOM:** I don't want to sort of be
23 argumentative with you, but is what you're saying that you
24 believe that a person who comes in here with a clear mind,
25 who doesn't know anything about Cornwall, who reads the

1 coverage in the way that you read it, with the framing of
2 police ineffectiveness, with the negative bias that the
3 media tends to show in any event, would not come out of
4 this with -- would not necessarily come out of this with a
5 sense of police ineffectiveness? Is that what you're
6 saying?

7 I find that, you know, I'm not in your field
8 but I find that difficult to comprehend. If someone's only
9 source of information is the media, how could they not come
10 out of it with that sense?

11 **DR. YOUNG:** Okay. But it also depends on
12 how valuable they see the source of information. I mean if
13 you read a website that you don't consider a legitimate
14 source of information and you keep reading it saying the
15 same thing, you may not come out of it changing your mind.
16 So the hypothetical doesn't work for me. It's not that I'm
17 trying to be difficult either. It's just that I ---

18 **MS. COSTOM:** No, no, no; I understand

19 **DR. YOUNG:** Okay.

20 **MS. COSTOM:** Let me ask you this.

21 **DR. YOUNG:** Okay.

22 **MS. COSTOM:** The police officers who are
23 working within the Cornwall community, would you understand
24 why, in their perception, they were up against a media who
25 had only negative things to say about them in the large

1 part?

2 DR. YOUNG: Police officers always feel that
3 way.

4 (LAUGHTER/RIRES)

5 DR. YOUNG: And that's in every city I've
6 worked at across national context.

7 MS. COSTOM: So I can tell my clients
8 they're not alone?

9 DR. YOUNG: Yes.

10 MS. COSTOM: And would you agree then that
11 in their minds anyways, and if you can't answer you can't
12 answer, that that would make their jobs a bit more
13 difficult because there would be a sense at least in their
14 minds that people had less confidence in them as a public
15 institution, based on what they were reading in the media?

16 DR. YOUNG: But you could say that about
17 every institution on some level and police do feel that
18 across the board.

19 At the same time, police agencies mobilize
20 the media to get more resources, more police, more
21 attention to safety issues. I mean, we're just ---

22 MS. COSTOM: Okay. But you agree that
23 across the board, public institutions feel that they are
24 dealing with a confidence crisis because of the negative
25 reporting that they get?

1 DR. YOUNG: The media are dealing with a
2 confidence crisis. I mean, there's a -- I mean, I think --
3 -

4 MS. COSTOM: As an institution; the media
5 itself as an institution.

6 DR. YOUNG: When you look at credibility,
7 you know, when we looked at our index, you know,
8 politicians, there's a number of institutions that are
9 having credibility issues.

10 I mean ---

11 MS. COSTOM: Including the media ---

12 DR. YOUNG: Including the media.

13 MS. COSTOM: --- and including the police.

14 DR. YOUNG: I don't know for sure about the
15 police.

16 MS. COSTOM: But you would surmise that that
17 would be the case, given what you said about all
18 institutions feel that way?

19 DR. YOUNG: Well, I mean, that was just ---

20 MS. COSTOM: I'll leave it; it's okay.

21 DR. YOUNG: Okay.

22 MS. COSTOM: I want to talk to you about the
23 sources that you referred to, and we've been through this a
24 number of times and we talked about Gary Guzzo as an MPP,
25 sort of an insider, an outsider, who was very involved in

1 serving as a source for the local media.

2 And to the extent that the media relied on
3 Mr. Guzzo as a source, and given your conclusion that there
4 was not a lot of independent research done by the media
5 outlets, if Mr. Guzzo was giving the media information that
6 was unreliable, then by definition the news reporting would
7 have been unreliable.

8 Is that correct?

9 **DR. YOUNG:** Yes, if you're basing -- just
10 generally, if you're basing your news reports on
11 information that's not true, your report is going to be a
12 problem.

13 **MS. COSTOM:** Right. And so in a context
14 where the media, because of lack of resources or because of
15 any other variety of reasons, is not able or hasn't done
16 independent research and is relying on a source, that
17 source has a large capacity to manipulate the media; would
18 you agree?

19 **DR. YOUNG:** The source has potential power
20 to set the news agenda and that's why a number of academics
21 have studied ---

22 **MS. COSTOM:** And you avoided the word
23 "manipulate" but I think that you said the same thing,
24 didn't you, that if Mr. Guzzo or someone -- any source, is
25 providing unreliable information, which is not being

1 verified, that ends up manipulating the media and the media
2 coverage?

3 DR. YOUNG: Well, the media are adults and
4 so I don't see it as -- you know, I see it as they're
5 mobilizing. It's a semantics issue.

6 MS. COSTOM: Okay. Well, they're allowing
7 themselves, to a certain extent, to be manipulated by not
8 acting as adults and doing what you would expect they
9 should do; is that fair?

10 DR. YOUNG: Can you just repeat the question
11 again?

12 MS. COSTOM: Well, you're trying hard to
13 avoid the word "manipulate" and, as you say, it's a
14 semantics issue. And you've said they're adults and, you
15 know, they're mobilized to do whatever it is that they're
16 going to do but to the extent that they don't do whatever
17 they perhaps should be mobilized to do, they are, in fact,
18 in a situation where they have been manipulated.

19 DR. YOUNG: Potentially.

20 MS. COSTOM: Okay.

21 You talked about -- throughout the fact that
22 the journalists have a role in verifying the accuracy and
23 the reliability of the information that they give and you
24 also talked about politicians as having a sort of
25 privileged position because of their access to the media.

1 And I don't know if you can comment on this,
2 but perhaps you can because perhaps you've done research on
3 the interplay between media and politicians, do you think
4 that politicians have a role to provide reliable
5 information to the media?

6 **DR. YOUNG:** I haven't done research on that
7 area.

8 **MS. COSTOM:** Okay. The Commissioner asked
9 you earlier today when we were talking about this framing
10 of police ineffectiveness, he asked you, "Well, what if
11 they got it right? What if it wasn't a mistaken frame and
12 in fact if it was right on?"

13 And I want to flush out your position a
14 little bit on how you would address that question. And
15 I'll tell you what my understanding of your position is,
16 and you'll tell me whether it's correct.

17 My understanding of your position is that
18 because of the factors that you enumerated, the framing and
19 the tendency to look at negative news and the failure to
20 look at an appropriate number of sources and to verify the
21 reliability of those sources.

22 The media didn't really know at the time
23 that they were writing whether they were getting it right
24 or not. In other words, it might have been right, but it
25 might not have been right. And that's really the

1 difficulty of the whole thing, because they were starting
2 from a premise, which for all sorts of reasons wasn't
3 verified. Is that fair?

4 **DR. YOUNG:** I think that's a sweeping --
5 that's your conclusion. It's a sweeping statement because
6 you're talking about the media globally. You know, my
7 results are that more in-depth reporting would have helped
8 the quality of information in the public realm.

9 **MS. COSTOM:** Okay. In fact, your results --
10 in that they weren't read out loud, and I thought that they
11 perhaps should be. And this is from page 26 of your
12 report, the very, very last paragraph, starting from the
13 second sentence in that paragraph:

14 "In Cornwall, journalists barely
15 scratched the surface and yet one of
16 the largest stories in the community
17 remain clouded in rumours and
18 allegations for more than two decades.
19 It shows that best practice journalism
20 matters for accountability and the
21 ability of citizens to make sense of
22 important issues in their community."

23 And that's still your conclusion after
24 having been here ---

25 **DR. YOUNG:** Yes.

1 **MS. COSTOM:** --- and spent these two days
2 with us?

3 **DR. YOUNG:** Yes, very much so.

4 **MS. COSTOM:** Okay. I want to go back again.
5 The Commissioner, when he asked you, "What if they got it
6 right?" Can you reiterate what your answer was this
7 morning to that or respond to that?

8 **DR. YOUNG:** What if they got the ineffective
9 policing frame right?

10 **MS. COSTOM:** Yes.

11 **DR. YOUNG:** That's not my job to determine.

12 **MS. COSTOM:** Would you agree that the media,
13 as they were writing these stories, wouldn't really have
14 known whether they got it right or not because it just
15 wasn't researched enough?

16 **DR. YOUNG:** I think what you've seen -- I
17 referred to this earlier -- was the *Bernardo case* in that
18 there was a frame of ineffective policing and the
19 Commissioner in a public inquiry found miscommunication and
20 turf wars as key elements in the investigation.

21 **MS. COSTOM:** Okay, but in this case and what
22 your job was here was to look at the media writing as it
23 was being written, not from a sort of *ex post facto*
24 analysis of whether it was right or wrong. And as it was
25 being written, this frame of police effectiveness was

1 somewhat untested. Is that correct, in the Cornwall case,
2 in the case that we are looking at now?

3 DR. YOUNG: Journalists were relying on
4 sources and then there were successive investigations of
5 police and that's where the frame comes from.

6 MS. COSTOM: Right. And these were the same
7 journalists who "barely scratched the surface and let one
8 of the largest stories in the community remain clouded in
9 rumours and allegations".

10 DR. YOUNG: That's only with respect to the
11 local media. I mean there are other media covering this
12 case.

13 So I think that's again a generalization
14 about the nature of the media.

15 MS. COSTOM: Okay. The local media when
16 they were writing didn't know at the time whether this
17 frame of police effectiveness was accurate or not.

18 DR. YOUNG: Police ineffectiveness.

19 MS. COSTOM: They were relying on ---

20 DR. YOUNG: Well they were -- but no, they
21 didn't set the frame. They were reporting that police are
22 being investigated. Like this is what -- what you're
23 asking isn't -- I mean I'm saying it's a frame of police
24 ineffectiveness, but the stories were police are being
25 investigated. They didn't say police aren't doing a good

1 job. They are saying police are being investigated for
2 these incidents. Police are being investigated again for
3 these incidents. People are complaining about these
4 incidents.

5 So -- but they're not saying that police are
6 ineffective. I'm saying that's the frame when you look at
7 the corpus of material.

8 **MS. COSTOM:** But because those were the
9 issues that were being emphasised in the press?

10 The net result of all of the news media that
11 you read was an emphasis on stories which highlighted
12 police -- the police being investigated. Highlighted ---

13 **DR. YOUNG:** Right. Those were the bulk of
14 the stories; the frames.

15 **MS. COSTOM:** But so journalists are
16 reporting what's happening. The Ottawa Police come in and
17 investigate, that's a news story. But they did not report
18 because they didn't go and try to find other sources
19 whether perhaps there was more to the story than that?

20 **DR. YOUNG:** And I say that in a report; that
21 they could have tried to report on the difficulties of
22 investigating complex, historical abuse cases. I mean
23 there's all these areas of analysis that are lacking.

24 **MS. COSTOM:** Right.

25 Thank you, Dr. Young.

1 DR. YOUNG: Thank you.

2 THE COMMISSIONER: Mr. Wallace?

3 MR. WALLACE: Good afternoon, Dr. Young. My
4 name is Mark Wallace. I represent the Ontario Provincial
5 Police Association, and I have no questions. Thank you.

6 DR. YOUNG: Thank you.

7 THE COMMISSIONER: Mr. Engelmann, do you
8 have any questions?

9 MR. ENGELMANN: I wasn't going to but there
10 was a long exchange with Ms. Costom and maybe I'll just try
11 something.

12 --- RE-EXAMINATION BY/RÉ-INTERROGATOIRE PAR MR. ENGELMANN:

13 MR. ENGELMANN: You weren't answering the
14 question about whether the police were ineffective;
15 correct?

16 DR. YOUNG: Correct.

17 MR. ENGELMANN: You were talking about --
18 that was one of the frames?

19 DR. YOUNG: Right.

20 MR. ENGELMANN: And if I remember correctly,
21 the issue about that frame and some of the other frames was
22 whether or not those were the appropriate frames or whether
23 there should have been other frames as well?

24 DR. YOUNG: Yes, and whether other
25 information should have been included.

1 **MR. ENGELMANN:** I'm sorry?

2 **DR. YOUNG:** And whether other information,
3 content information should have been included.

4 **MR. ENGELMANN:** All right. Thank you.

5 **THE COMMISSIONER:** I have a couple of
6 questions, if I might.

7 **MR. ENGELMANN:** Absolutely.

8 **THE COMMISSIONER:** Thank you.
9 Small-town newspaper, conflicts of interest.

10 I know when I want to lose money and I look
11 at the business reports, the people say, "This gentleman at
12 the end may have some shares in this thing".

13 All right, so that's the disclaimer there.

14 Is there a way for a small newspaper -- like
15 let's assume one of the writers has a relative on the
16 police force; all right? Do you have something in your
17 ethics that could say they can write about it but they say,
18 "P.S.: I have a relative on the police force" or is it you
19 shouldn't write about it at all?

20 **DR. YOUNG:** Well, often you -- it's a case-
21 by-case basis; there are the general principles, but if you
22 have a relative or someone close to you, more likely your
23 partner, you shouldn't write about it.

24 **THE COMMISSIONER:** All right.

25 **DR. YOUNG:** Or you should declare your

1 conflict. I mean, it's ---

2 **THE COMMISSIONER:** No, but that's just it.
3 That's what I'm getting at. Like the Seaway News thing, if
4 that reporter would have written at the bottom of the
5 column, I am a member of the coalition or whatever, would
6 that have absolved him somewhat or?

7 **DR. YOUNG:** Yes, it would have definitely
8 given you a sense of where he was coming from in terms of
9 his -- because opinion columnists are paid to put their
10 opinion out there. So you already know that this person is
11 taking a stance.

12 **THE COMMISSIONER:** Right.

13 **DR. YOUNG:** And so if there's something
14 affecting that stance, it should be transparent.

15 **THE COMMISSIONER:** All right. So what you
16 are saying though is that if there is that kind of, you
17 know, a son on the police force or I'm part of the
18 committee or something like that, you should be putting
19 that at the bottom of the article or passing the article to
20 somebody else?

21 **DR. YOUNG:** Well, a son on the police force
22 would be hard to -- but if you're on a committee, you
23 shouldn't be covering it. I mean it identifies the --
24 identifies specific instances like you're asking.

25 **THE COMMISSIONER:** Right.

1 **DR. YOUNG:** So there are varying degrees of
2 either accountability, transparency or removing yourself
3 from the situation, depending on the nature of the
4 conflict.

5 **THE COMMISSIONER:** All right. Thank you.

6 I would like to thank you for coming all the
7 way to visit with us for the last two and a half days.
8 It's been very insightful, and I wish you a safe trip back.

9 **DR. YOUNG:** Thank you very much. Thank you.

10 **THE COMMISSIONER:** Mr. Engelmann, tomorrow
11 at 9:30?

12 **MR. ENGELMANN:** Yes, tomorrow at 9:30, sir.

13 **THE COMMISSIONER:** Thank you.

14 **THE REGISTRAR:** Order. All rise. À
15 l'ordre. Veuillez vous lever.

16 --- Upon adjourning at 4:21 p.m./

17 L'audience est ajournée à 16h21

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

I, Sean Prouse 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, Sean Prouse, 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.



Sean Prouse, CVR-CM