

**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 131**

**Held at :**

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

Monday, August 27, 2007

**Tenue à:**

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

Lundi, le 27 août 2007

**Appearances/Comparutions**

Mr. Peter Engelmann	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Mr. John E. Callaghan Mr. Mark Crane	Cornwall Police Service Board
Mr. Neil Kozloff Ms. Diane Lahaie	Ontario Provincial Police
Mr. David Rose	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Judie Im	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Peter Wardle	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. William Carroll	Ontario Provincial Police Association
Ms. Jennifer Birrell	Catholic District School Board
Mr. Frank T. Horn	Mr. Carson Chisholm

**Table of Contents / Table des matières**

	<b>Page</b>
List of Exhibits :	iv
Opening Remarks by/Commentaires d'ouverture par Mr. Peter Engelmann	1
Application for Standing and Funding for Mr. Carson Chisholm presented by/Application pour la Participation et Financement pour Mr. Carson Chisholm présentée par Mr. Frank T. Horn	7
Instructions by the Commissioner/Instructions par le Commissaire	26
Application for Standing and Funding for Mr. Carson Chisholm presented by/Application pour la Participation et Financement pour Mr. Carson Chisholm présentée par Mr. Frank T. Horn (cont'd/suite)	35
Submissions by/Représentations par Mr. Dallas Lee	37
Remarks by/Commentaires par Mr. Peter Engelmann	37

**LIST OF EXHIBITS/LISTE D'EXHIBITS**

<b>NO.</b>	<b>DESCRIPTION</b>	<b>PAGE NO</b>
P-631	Application for Standing and Funding by Carson Chisholm 2013 Dated August 27, 2007	5

1 --- Upon commencing at 2:03 p.m./

2 L'audience débute à 14h03

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

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good afternoon, all.  
10 Mr. Engelmann.

11 **MR. ENGELMANN:** Good afternoon, Mr.  
12 Commissioner.

13 **THE COMMISSIONER:** Yes.

14 **MR. ENGELMANN:** Just before the witness is -  
15 - just before the witness is brought back in, I just wanted  
16 to talk a little bit about what we have on today and for  
17 the rest of the week. It is a fairly full week, and I  
18 wanted to give those people watching over the Internet some  
19 idea of when we anticipate we'll be back on the public  
20 record this afternoon.

21 **THE COMMISSIONER:** All right.

22 **MR. ENGELMANN:** Sir, as you know, we have to  
23 finish the cross-examination of the witness who is  
24 currently testifying.

25 **THE COMMISSIONER:** Yes.

1                   **MR. ENGELMANN:** And I anticipate from my  
2 discussions with counsel that should take no longer than  
3 one and a half hours. So that will give us a sense as to  
4 when we will be up next.

5                   What we have on later this afternoon then is  
6 an application for standing and funding being brought by  
7 Mr. Carson Chisholm, who is represented by a lawyer by the  
8 name of Frank Horn, and we've asked Mr. Horn to come a bit  
9 later this afternoon so that he doesn't spend his time  
10 waiting here.

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

12                   **MR. ENGELMANN:** So I anticipate, as I said,  
13 about an hour and a half and we will need a bit of time to  
14 go on and off the record as we have before. We'll also  
15 need a short break beforehand to organize exhibits for that  
16 motion. So I anticipate we would probably be starting that  
17 motion close to four o'clock. That would be my guess.

18                   **THE COMMISSIONER:** Well, all right.

19                   Why don't we -- sorry, Mr. Carroll, did you  
20 have something to say?

21                   **(SHORT PAUSE/COURTE PAUSE)**

22                   **MR. ENGELMANN:** Sir, I'm happy to report we  
23 may be a bit faster. Maybe we should suggest a quarter to  
24 4:00.

25                   **THE COMMISSIONER:** All right.

1                   So why don't we do this; we'll tell the  
2 folks that are on the web that we will not begin the  
3 hearing for the application until a quarter to 4:00. That  
4 way, they'll be able to come in and we won't have started  
5 without them. How is that?

6                   **MR. ENGELMANN:** Sir, for the remainder of  
7 the week, tomorrow morning we have Father Frank Morrissey,  
8 who is one of the two church context experts that the  
9 Commission is calling this week. I anticipate that his  
10 evidence will, with cross-examination, go over until  
11 Wednesday morning. If memory serves me right, that would  
12 be the 29<sup>th</sup> of August, and the second church context  
13 witness, Father Tom Doyle, would then start immediately  
14 thereafter, whether that be Wednesday morning, Wednesday at  
15 noon or thereabouts, and would take the remainder of the  
16 week through Thursday.

17                   Of course, as you know, sir, we have another  
18 application for standing and funding and a motion for --  
19 made by counsel for Mr. Leroux, first of all, for standing  
20 and funding and also to excuse him from further cross-  
21 examination. You had put that over, sir, until two o'clock  
22 on Thursday, the 30<sup>th</sup>, and we have been advised that there  
23 will be a report from a psychologist provided, as per the  
24 discussion last week, to the Commission Wednesday afternoon  
25 and to all parties before 5:00 p.m. on Wednesday, the 29<sup>th</sup>.

1                   **THE COMMISSIONER:** Right.

2                   **MR. ENGELMANN:** So sir, those are my brief  
3 introductory comments.

4                   If we could now go in camera so that we can  
5 complete the evidence of the witness who is currently on  
6 the stand?

7                   **THE COMMISSIONER:** Thank you. Let's take a  
8 break and come back as soon as we can. Thank you.

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

11                   The hearing will resume at 2:20 in camera.

12 --- Upon recessing at 2:07 p.m. to resume in camera/

13 L'audience est suspendue à 14h07 pour reprendre à  
14 huis clos

15 --- Upon resuming at 4:16 p.m./

16 L'audience est reprise à 16h16

17                   **THE REGISTRAR:** The hearing is now resumed.  
18 Please be seated. Veuillez vous asseoir.

19                   **THE COMMISSIONER:** Mr. Engelmann, we're back  
20 on.

21                   **MR. ENGELMANN:** Mr. Commissioner, we're now  
22 back on the record.

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

24                   **MR. ENGELMANN:** And having completed the in  
25 camera evidence of the last witness, Mr. Frank Horn is here

1 today. He's to my immediate right.

2 **THE COMMISSIONER:** Yes.

3 **MR. ENGELMANN:** He represents Carson  
4 Chisholm.

5 **THE COMMISSIONER:** Yes.

6 **MR. ENGELMANN:** And he's here to make an  
7 application for standing and funding.

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

9 **MR. ENGELMANN:** Mr. Horn filed with the  
10 Inquiry a Notice of Application for Standing and Funding.

11 **THE COMMISSIONER:** Yes.

12 **MR. ENGELMANN:** I believe the Registry  
13 Officer has copies.

14 If that could be the next exhibit, sir?

15 **THE COMMISSIONER:** All right. Exhibit  
16 Number 631.

17 **MR. ENGELMANN:** Six-thirty-one (631)?

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

19 **--- EXHIBIT NO./PIÈCE NO. P-631:**

20 Application for Standing and Funding by  
21 Carson Chisholm 2013 Dated August 27, 2007

22 **MR. ENGELMANN:** I'll turn the floor over to  
23 Mr. Horn, sir.

24 **THE COMMISSIONER:** Mr. Horn, good afternoon,  
25 sir.

1 --- APPLICATION FOR STANDING AND FUNDING FOR MR. CASRSON  
2 CHISHOLM PRESENTED BY/APPLICATION POUR LA PARTICIPATION ET  
3 LE FINANCEMENT POUR MR. CARSON CHISHOLM PRÉSENTÉE PPAR MR.  
4 FRANK HORN:

5 MR. HORN: Good afternoon.

6 I've had an opportunity to speak to a couple  
7 of your counsel. I spoke to Mr. Stoffer and also I've  
8 spoken to Mr. Dumais, and we've had very interesting  
9 discussions regarding these matters.

10 One of the interesting things is that Mr.  
11 Dumais and I may have crossed paths in the past but we  
12 didn't see each other. I used to go in Northern Ontario to  
13 the Indian reserves along the James Bay coast as duty  
14 counsel representing the Indians before the courts that  
15 were going from village to village. And I don't know if  
16 you were ever involved in that, but I know that Mr. Dumais  
17 was back at the time when I used to go. So we may have  
18 crossed paths, but we didn't know each other.

19 THE COMMISSIONER: I've been up the Bay.

20 MR. HORN: Pardon?

21 THE COMMISSIONER: I've been up the Bay a  
22 few times myself.

23 MR. HORN: You've been up to the Bay a few  
24 times.

25 This application that is being made is on

1 behalf of Mr. Carson Chisholm. Now, Carson Chisholm and I  
2 met a number of years ago when a lot of the things that are  
3 now happening here were going on, and I've had numerous  
4 discussions with him regarding these issues, and I know  
5 him.

6 One of the things that I want to relate at  
7 the beginning was there's a certain thing that I felt right  
8 from the very beginning, was that what it is that has  
9 basically motivated him to do a lot of the things is he is  
10 what would you call an individual who felt a great need to  
11 do something about a situation that he saw that was not  
12 right and it was wrong. He has never wavered from that  
13 belief that he has had right from the very beginning. He  
14 hasn't been motivated by anything other than something that  
15 he saw that was not proper and he thought it was wrong and  
16 it had to be rectified. There had to be something done.

17 And having the kind of personality that he  
18 has and the fact that people gravitated towards him because  
19 they knew the kind of person he was, he had a lot of people  
20 that were depending on him to go forth in initiating  
21 something to be done about the situation that not only he  
22 but a lot of people were seeing in this area.

23 And so Carson, being the type of individual  
24 that he is, did do the things that other people would not  
25 be willing to do. I don't think he knew exactly how much

1 opposition that he was going to face during this time. I  
2 don't think anybody thinks that they're going to face these  
3 things. But in the 15 years or so that he's been involved,  
4 he has faced it, has dealt with it and has persevered. He  
5 has never wavered, never backed down and continues to  
6 believe that what he's doing is right; it is proper.

7 And the thing that I think is in the hearts  
8 of everyone that is here, not only him but everybody that  
9 is here, that they do -- everybody that is here has one --  
10 also want to make sure that what comes out of this  
11 Commission is something that will stand forever, basically.  
12 It's going to be a benefit not only to this community but  
13 it's going to be a benefit to all communities.

14 As we know, this is not a local Cornwall  
15 problem. This is a problem that seems to be in many other  
16 parts of the world and other parts of North America, but  
17 yet -- I remember one time I was walking out of the Sears  
18 Mall and someone from the local media came running up to  
19 me. They didn't know who I was, but they asked me; they  
20 said, "Mr. Horn" -- no, they didn't say "Mr. Horn." They  
21 said, "Sir, would you like to make a comment about the  
22 public inquiry they should be having here?" And I just  
23 stood back and said, "Oh, yes, I think it's a very  
24 important thing." And they asked me why. And I said,  
25 "Well, this is a problem that is everywhere -- it is a

1 common problem everywhere, but there is only one community  
2 that seems to want to deal with it and is willing to deal  
3 with it and it is the City of Cornwall and the surrounding  
4 area. They're coming to grips with this situation and they  
5 are facing it and they're dealing with it like no other  
6 community has.

7           And I think that this -- the fact that there  
8 is a Commission shows that it was Cornwall and the people  
9 of Cornwall who are the ones that agitated for this  
10 Commission to be set up, agitated that something be done  
11 and now something is being done. It was because of the  
12 people of Cornwall that were the ones that did it. My  
13 belief is that the reason is because of the deep roots of  
14 morality that when they see something that is wrong they  
15 have a deep feeling that it is wrong and something should  
16 be done about it.

17           And that's what Carson Chisholm was tapping  
18 into. He was tapping into a bedrock belief in this  
19 community that these sorts of things should not continue  
20 and they should be stopped, and that the people -- he was  
21 able to garner the feelings of the people. He got them  
22 together and they signed petitions initially way back in  
23 the early '90s. He was already able to get I think as many  
24 as 10,000 people that were willing to come forward and they  
25 said, "What you're doing is right and what Perry Dunlop is

1 doing is right. There is nothing wrong with what they are  
2 doing."

3 And the people of this community, right from  
4 the very beginning were -- they felt that what Carson  
5 Chisholm and his brother-in-law were doing was the right  
6 thing to do and they were -- they managed to get the  
7 backing of thousands and thousands of people in this  
8 community. I mean, for a community of 45,000 people and  
9 maybe the surrounding area we could add a few more  
10 thousand, but out of that they were able to get between 10  
11 to 13,000 people to sign a petition saying that they're  
12 backing them up, backing up Perry Dunlop in what he was  
13 doing and bringing the matters before the Children's Aid  
14 Society and also the fact that whatever he was doing was  
15 proper.

16 And I think that the people of the community  
17 were backing him up because they knew that what Carson and  
18 Perry Dunlop were doing was not only a benefit for this  
19 community but it is something that's going to be a benefit  
20 to everybody because everybody knows that it is improper  
21 for an adult individual to take advantage of someone who is  
22 a youth in a vulnerable position and there is a trust  
23 relationship that exists between that individual and that  
24 individual that is being abused, and that relationship is a  
25 very powerful one in which the individual has over the

1 person that has been molested.

2 And I think that that is something that is  
3 wrong. It is improper, it is illegal and in -- every one  
4 of -- anybody that is here -- I'm not talking just about  
5 Carson, but everybody here knows that that is wrong. But  
6 most people would say, "I don't want to touch it. I don't  
7 want to go anywhere near it. I know the repercussions. I  
8 know what I'm going to have to face." And Carson Chisholm  
9 was willing to do it.

10 Not only him; it's not just him, but he had  
11 a group behind him. There was a group of people who  
12 recognized that what Carson was doing was the proper thing  
13 to do and they rallied around him, and they were having  
14 meetings. There were discussions. There was petitions.  
15 There was meetings with members of the legislature. I know  
16 that Mr. Guzzo or the former Judge Guzzo was also -- he was  
17 also very prominent in these matters and they were pushing  
18 forth to have something done about the situation.

19 Now, one of the interesting things is how  
20 Mr. Carson Chisholm is the one that was supposed to have  
21 gone to Florida, interviewed people, seen people, did  
22 things. These are a matter of record. He has written  
23 letters to the editor. He has lobbied the legislatures.  
24 He has worked with a member of the legislature, the former  
25 judge, Mr. Guzzo. There have been -- he has been involved

1 right from the very beginning, and I know that on the day  
2 that there was questions as to whether his organization  
3 should come here and get standing, I know that -- they were  
4 asking me -- they said, "What do you think, Frank? Do you  
5 think that they should -- we should get standing?" I said,  
6 "If you don't get standing, who should get standing?" I  
7 mean, "If you don't get standing, nobody should get  
8 standing. You are the guys that got this whole thing  
9 going. You are the guys that stuck it out. You are the  
10 people that went there and you did all of this and got this  
11 thing going."

12 Now we have a Commission. We have people  
13 here that are looking and delving into an issue that has  
14 never been dealt with by anybody before. They are the ones  
15 that did it and, yet, they came to the door and it was  
16 slammed in their face. They said, "No, you're not  
17 invited."

18 **THE COMMISSIONER:** Now, just a second now.

19 **MR. HORN:** Right.

20 **THE COMMISSIONER:** We deal with facts.

21 **MR. HORN:** Pardon?

22 **THE COMMISSIONER:** I thought we dealt with  
23 facts here.

24 **MR. HORN:** Okay.

25 **THE COMMISSIONER:** Would it surprise you,

1 sir, that to the contrary, that they were never slammed  
2 shut? All I asked them was for more information and that  
3 they sent a letter saying they don't want to be part of  
4 this anymore? Would that ---

5 MR. HORN: Okay. The more information was,  
6 from what I understand ---

7 THE COMMISSIONER: Ah, ah, ah.

8 MR. HORN: --- is they wanted a list of  
9 their membership.

10 THE COMMISSIONER: M'hm.

11 MR. HORN: They wanted to know who is --  
12 what Carson is afraid of ---

13 THE COMMISSIONER: And funding.

14 MR. HORN: Pardon?

15 THE COMMISSIONER: Funding was a ---

16 MR. HORN: Funding, yes.

17 THE COMMISSIONER: --- talking about their  
18 finances.

19 MR. HORN: That's right, finances. We will  
20 -- if it's required, Mr. Carson will ---

21 THE COMMISSIONER: Just a second. I happen  
22 to have my judgment here. Let's just read this here:

23 "It is clear that..."

24 And this is my judgment that I gave on  
25 funding and ruling standing. So just to be clear:

1 "It is clear that there is a historical  
2 presence in Cornwall that has advocated  
3 for change and I very much would like  
4 to see that presence represented at the  
5 Inquiry. The CCR group certainly feels  
6 part of that picture. However, I do  
7 feel that there may well be a place for  
8 the Coalition should they wish to  
9 submit to me further details outlining  
10 the following: a more detailed list of  
11 its members; a more detailed summary of  
12 the group's history and mandate; how  
13 their participation is different from  
14 the perspective offered by the Victims  
15 Group and the CCR; more importantly,  
16 the role that they intend to play in  
17 the Inquiry. And upon receiving this  
18 information I will further consider  
19 whether and to what degree standing  
20 should be granted."

21 So ---

22 **MR. HORN:** The ---

23 **THE COMMISSIONER:** So would you agree with  
24 me that if what I read is what I said, that in fact I was  
25 interested and willing to have them come?

1                   **MR. HORN:** Are you still interested and  
2 willing to have them come?

3                   **THE COMMISSIONER:** Absolutely.

4                   **MR. HORN:** Okay. That's very nice. That's  
5 very nice to hear because we are making that application  
6 now.

7                   **THE COMMISSIONER:** "We" are making an  
8 application.

9                   **MR. HORN:** I'm talking about Mr. Chisholm is  
10 making the application for himself.

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

12                   **MR. HORN:** The organization itself -- here  
13 is the difficulty. This is the difficulty in these kind of  
14 grassroots organizations.

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

16                   **MR. HORN:** What happens is that when you  
17 have a meeting and you have a large number of people get  
18 together and they support the issue and they support the  
19 group but they are afraid that what will happen is they  
20 will be pitched out as individuals and they will be dragged  
21 before the Commission and they are afraid that they are  
22 going to be cross-examined, and the next thing you know  
23 Carson is going to have all of his people afraid because  
24 they -- they never envisioned themselves to be dragged  
25 before the Commission because Carson is the one that has

1 spearheaded it. He's the one that has been front and  
2 centre of this thing. He doesn't mind facing questions and  
3 cross-examinations.

4 **THE COMMISSIONER:** No ---

5 **MR. HORN:** He doesn't mind -- what he's  
6 afraid of is that the people that are behind him and that  
7 are supporting him, who many of them are just ordinary  
8 people that say, "Yeah, I agree with what you're doing but  
9 I don't want to get involved in this and have me dragged  
10 before the Commission and be cross-examined."

11 **THE COMMISSIONER:** Right.

12 **MR. HORN:** That's the fear that they all  
13 have.

14 **THE COMMISSIONER:** All right. Well, just a  
15 second now.

16 You see, the CCR, which is Citizens for  
17 Community Renewal, they gave me a list and I don't think  
18 there is any question that those people are going to be  
19 dragged anywhere.

20 **MR. HORN:** Okay.

21 **THE COMMISSIONER:** So you see, it's just a  
22 question of transparency of saying, "Look, I have the  
23 backing of the community, of my organization, which is --  
24 here is my organization." That's all that was asked.

25 Do you agree with me that that's not an

1 outrageous ---

2 MR. HORN: I was -- okay. I understand what  
3 you're saying. There is a little bit of history.

4 THE COMMISSIONER: M'hm.

5 MR. HORN: Carson Chisholm and his brother-  
6 in-law and other close friends were the ones that got this  
7 thing going.

8 THE COMMISSIONER: Right.

9 MR. HORN: All right.

10 The other group that has now got standing is  
11 not the same group. They at one time may have known each  
12 other, but they are not mandated by the same people. The  
13 people that were behind Carson Chisholm are not the same  
14 people that are behind the other group.

15 THE COMMISSIONER: All right.

16 MR. HORN: And Mr. Chisholm's group is the  
17 one that has always backed up Carson Chisholm.

18 THE COMMISSIONER: Right.

19 MR. HORN: And that group is, like I say, is  
20 a group that gets together and has meetings and then -- but  
21 the other group is not the ones that have a leader that has  
22 a brother-in-law who is a Perry Dunlop. They are not the  
23 ones that went down into Florida.

24 I mean, he's not the one that did all of the  
25 legwork and getting all this going and, yet, he is now

1 propped up as the person that is representing the  
2 community. It's Carson -- has always been the one that was  
3 the one that was the spokesman to get this thing going.

4 **THE COMMISSIONER:** All right.

5 So what I'm saying is if this application is  
6 for the coalition ---

7 **MR. HORN:** Yes. No, right now ---

8 **THE COMMISSIONER:** Right now.

9 **MR. HORN:** We are -- I'm making the  
10 application on Carson's behalf.

11 **THE COMMISSIONER:** Yes.

12 **MR. HORN:** He wants standing because of who  
13 he is, but what he's afraid of is that the organization --  
14 that's what he was afraid of. He was afraid that the  
15 organization -- a lot of these people are timid. They're  
16 afraid that they are going to be dragged in the middle of  
17 this thing and they're going to be -- and you want --  
18 they're going to want lists of addresses of these people  
19 and, all of a sudden, they're going to be brought before  
20 this Commission, and they're going to be scared off.  
21 That's what they are afraid of.

22 **THE COMMISSIONER:** Well, you know as a  
23 lawyer that that isn't the case. You know that, that that  
24 isn't the case.

25 **MR. HORN:** He's afraid of that.

1                   **THE COMMISSIONER:** Whether he's afraid, but  
2                   you are his lawyer, right?

3                   **MR. HORN:** Okay.

4                   **THE COMMISSIONER:** And you have a duty,  
5                   right, to explain to him some realities. And some  
6                   realities are that I'm here maybe for two years, right?

7                   **MR. HORN:** Okay.

8                   **THE COMMISSIONER:** Now, I haven't grabbed  
9                   anybody from CCR and pulling them around here at all. It's  
10                  not my intention to do that at all. But if you are looking  
11                  for standing for a community group, you need to know who  
12                  the community is.

13                  **MR. HORN:** Okay, I understand that. I mean,  
14                  I know that Mr. Leduc got standing ---

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

16                  **MR. HORN:** --- as an individual, and he also  
17                  got funding.

18                  **THE COMMISSIONER:** Yes.

19                  **MR. HORN:** So he's as an individual, but  
20                  what is happening is that Carson Chisholm is now -- I mean  
21                  in order to discredit the fact that there's a need for this  
22                  Public Inquiry, they are now -- so there are people  
23                  actually going to the -- and saying, well, Carson is now --  
24                  was putting pressure on some of the people, some of the  
25                  witnesses. And all of a sudden, it's turned around. The

1 people that were backing him up, all of a sudden they're  
2 turning on him and he's standing there. And he says, "I  
3 don't have standing. I can't defend myself. I can't say  
4 anything". And yet, he's right there. And now, all of a  
5 sudden, he's subject to all of this talk and criticism.

6 **THE COMMISSIONER:** Okay, can I stop you  
7 there? Do you see a difference between him being called as  
8 a witness and needing legal representation, as opposed to  
9 him having standing?

10 **MR. HORN:** Well, there's a -- but okay, the  
11 alleged perpetrator, Mr. Leduc, got standing and he got  
12 funding.

13 **THE COMMISSIONER:** M'hm, right.

14 **MR. HORN:** Right?

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

16 **MR. HORN:** The individual who agitated for  
17 this Public Inquiry, who is basically on the other side,  
18 what he's going to be allowed to do is he'll come here,  
19 testify, and then he has to walk out that door. And if  
20 anything is said about him afterwards in these chambers,  
21 he's not going to be there to defend himself.

22 **THE COMMISSIONER:** No, no, well, no, that's  
23 not quite true. There are two things we are talking about  
24 here. We are talking about getting a limited standing and  
25 when there's evidence that affects his position, then he

1 would be permitted to have his lawyer continue on as  
2 opposed to -- and I'm not saying one or the other now, Mr.  
3 Horn, I'm saying that we have to understand what you are  
4 asking for.

5 You see now you are saying you are not  
6 asking for the Coalition; you are asking for him as an  
7 individual. Is that correct?

8 **MR. HORN:** He is in the same boat as Mr.  
9 Leduc who got full standing ---

10 **THE COMMISSIONER:** No, no ---

11 **MR. HORN:** --- and he got full funding to be  
12 here.

13 **THE COMMISSIONER:** No, well, then I  
14 disagree, but okay.

15 Just you have indicated on paragraph -- and  
16 just right now, I'm just trying to find out the facts.  
17 Okay?

18 **MR. HORN:** Okay.

19 **THE COMMISSIONER:** You say that in paragraph  
20 -- hang on, let me just find it now -- something about that  
21 he wants to represent his interests and that of his  
22 extended family.

23 **MR. ENGELMANN:** Paragraph 14.

24 **THE COMMISSIONER:** Right. It says:

25 "Mr. Chisholm will be representing the

1 interests of his extended family and  
2 the immediate community affected by  
3 what has happened and within the  
4 Inquiry process."

5 And so can I ask you who "representing the  
6 interests of his extended family" means?

7 **MR. HORN:** His family, one of them is his  
8 wife.

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

10 **MR. HORN:** His sister who is Perry Dunlop's  
11 wife.

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

13 **MR. HORN:** And he has a large family here.  
14 We are talking about brothers and sisters.

15 And what has happened, though, is as a  
16 result of not only the Public Inquiry but him being  
17 involved in these matters for so many years. It's not just  
18 him that is being subject to the interrogation and  
19 criticism and whatever it is out in the community. We are  
20 talking about that he has to face the public and the  
21 community because of what he has done here. It's his whole  
22 family, the whole Chisholm clan we're talking about, his  
23 brothers and sisters.

24 He is not standing alone.

25 **THE COMMISSIONER:** Does the extended family

1 include Perry Dunlop?

2 MR. HORN: I just have to ask him that right  
3 now.

4 THE COMMISSIONER: You better.

5 MR. HORN: Let me just ask him.

6 THE COMMISSIONER: Sure.

7 (SHORT PAUSE/COURTE PAUSE)

8 MR. HORN: Obviously, it includes Perry  
9 Dunlop.

10 THE COMMISSIONER: All right.

11 MR. HORN: He is saying that he is going to  
12 be questioned about it. He will be -- because Perry is the  
13 one that got this whole thing going, and they've been  
14 working together right from the very beginning, from the  
15 get go. So obviously Perry Dunlop is included.

16 THE COMMISSIONER: All right.

17 So you see then that begs another question  
18 then, sir. It's that if I'm going to give funding for this  
19 gentleman, all right, and it's representing the interests  
20 of Perry Dunlop, well, then the question is will Perry come  
21 and give his side of the story? You see what I mean?

22 MR. HORN: Well, I don't know. I'm not  
23 Perry Dunlop and I'm not ---

24 THE COMMISSIONER: But you are going to be  
25 representing a fellow that says that those are all my

1 communal interests. Do you see my difficulty?

2 **MR. HORN:** I understand that Perry has been  
3 subpoenaed anyways.

4 **THE COMMISSIONER:** Yes, except that it is an  
5 out-of-province subpoena.

6 **MR. HORN:** I understand, but he has been  
7 subpoenaed.

8 **THE COMMISSIONER:** Will he come?

9 **MR. HORN:** I don't know. I can't say.

10 **THE COMMISSIONER:** But you see I'm in a  
11 tight spot here because, obviously, I want Mr. Chisholm to  
12 be part of this thing. I want Mr. Dunlop to be part of  
13 this Inquiry. And so you can't have it both ways, you  
14 know.

15 **MR. HORN:** Well, right now Mr. Chisholm will  
16 be here -- I think it's the 18<sup>th</sup> of September.

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

18 **MR. HORN:** He has been subpoenaed to be here  
19 on that day.

20 **THE COMMISSIONER:** Yes.

21 **MR. HORN:** And we don't have a lot of time  
22 to prepare and see, you know, what it is that is going to  
23 happen between now and then because I'm not privy to a lot  
24 of this information. You know, Carson is going to be  
25 walking into a forum and he's going to be surrounded. It's

1 like Custer.

2 THE COMMISSIONER: No.

3 MR. HORN: Custer is walking in and he's  
4 going to be surrounded and he's going to be standing there  
5 alone.

6 THE COMMISSIONER: No.

7 MR. HORN: And that's what we were afraid  
8 of.

9 THE COMMISSIONER: No, no he's not ---

10 MR. HORN: They're sharpening their knives  
11 about carving him up.

12 THE COMMISSIONER: M'hm. That may be a good  
13 impression, a good ---

14 MR. HORN: That's what he's afraid of.

15 THE COMMISSIONER: Well, that's he's afraid  
16 of and he may have ---

17 MR. HORN: He's afraid of -- he and Perry  
18 have been through that before and that's what they're  
19 afraid of. It's that they're going to be dragged in here,  
20 they're going to be crucified; they're going to be torn to  
21 pieces and then all of the blame will be put on them.

22 And they made up a lot of lies. I mean  
23 that's what is coming out in the newspapers in the last few  
24 days. They were supposed to have influenced a lot of the  
25 evidence that has become before you.

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

2                   We have dealt with that before, in the sense  
3                   that at the beginning of this Inquiry we said that there  
4                   has been too much floating around in newspapers and what we  
5                   are going to deal with is what happens here in this  
6                   Hearings Room.

7                   And so Mr. Chisholm may be afraid. He may  
8                   have some tough questions to answer, but we're going to  
9                   hear his side of the story, and his side of the story, I  
10                  expect, will be reported in the media, but what really  
11                  matters is what I hear and what I decide.

12                  Mr. Engelmann and Commission counsel are  
13                  here to present the story. This is not a trial where  
14                  people have an onus or whatever. In fact, Mr. Engelmann  
15                  has a public duty to bring things out on an even-handed  
16                  way.

17                  Now, it is clear that as far as I'm  
18                  concerned that Mr. Chisholm has a role to play if only to  
19                  be a witness here. If he wants funding for that to have a  
20                  lawyer for his hearing for while he is there in his limited  
21                  interest; he's got to show me that he has need of funding  
22                  if he wants to be funded.

23                  If you look at the others, they provided me  
24                  with affidavits showing his financial status and others  
25                  have said, "Look it, I think that should be confidential,

1 his financial status" and I've agreed.

2 MR. HORN: Okay.

3 THE COMMISSIONER: But I have to see that.

4 And so when we're dealing with the issue of  
5 funding, you know, I'm going to say, "Well, look it, I  
6 can't start recommending to the Attorney General that we  
7 throw out money without having some firm basis upon which  
8 to rely on."

9 MR. HORN: Okay. I understand, but, you  
10 see, the difference is that Mr. Chisholm is an individual.

11 THE COMMISSIONER: So is ---

12 MR. HORN: A lot of these other ---

13 THE COMMISSIONER: --- Jacques Leduc.

14 MR. HORN: --- people that are here are  
15 organizations.

16 THE COMMISSIONER: So is Jacques Leduc.

17 MR. HORN: I understand, but he got funding.

18 THE COMMISSIONER: He gave me an affidavit.

19 MR. HORN: Well, I mean, if you want an  
20 affidavit from Mr. Chisholm, he will gladly give you an  
21 affidavit.

22 THE COMMISSIONER: Well, then I suggest you  
23 look at the rules, and the rules will state that if you  
24 want funding, you have to give me some basis upon which to  
25 decide.

1 MR. HORN: He will do that gladly.

2 THE COMMISSIONER: All right.

3 So, you see, all I'm saying, and contrary to  
4 what any newspapers have said, I've always welcomed him --  
5 well, the coalition, but really it was him -- to come back  
6 and give me the material necessary to empower me to give  
7 him a chair at the table.

8 But now you've got to satisfy me that other  
9 than for his interest as being examined, that there's a  
10 public interest to have him and the coalition or a group of  
11 people represented.

12 MR. HORN: The coalition -- some of the  
13 members are here today.

14 THE COMMISSIONER: Good. Good.

15 MR. HORN: They're here with him.

16 THE COMMISSIONER: M'hm.

17 MR. HORN: And I know that these ones have  
18 always been active.

19 THE COMMISSIONER: Right.

20 MR. HORN: I've met them at some of the  
21 meetings, and so there is still a core of people that are  
22 there.

23 THE COMMISSIONER: All right.

24 MR. HORN: And they're -- and so -- but what  
25 Mr. Chisholm is fearful of, and I think anybody would be in

1 his position is he's an individual who is in business for  
2 himself.

3 **THE COMMISSIONER:** Yes.

4 **MR. HORN:** He doesn't have the deep pockets  
5 that are with the police agencies and other government ---

6 **THE COMMISSIONER:** Mr. Horn ---

7 **MR. HORN:** --- funded organizations that are  
8 here, represented by lawyers and they are all here, and  
9 they can sit here all day long and get paid to participate  
10 in this thing, and it's just a salary to them. They're  
11 here. You know, like whereas him, he runs a business. If  
12 he's going to stop the business -- some of the work that  
13 he's doing to be here to make sure that he's going to be  
14 privy to what's going on and to participate in what's going  
15 on. And also, I think that because he knows so much about  
16 what has happened in the past, he is able to give a lot of  
17 good insights as to what is really going on in the  
18 community and which is really what you need.

19 **THE COMMISSIONER:** Yes.

20 **MR. HORN:** Because I know that he's been  
21 getting emails from organizations. I mean, there was one -  
22 - he gave me the name -- SNAP, which is an organization, a  
23 priest that had been molested, and they have said -- they  
24 sent it through their organization and it says "We're 100  
25 per cent behind you. We want you to keep on pushing this

1 thing."

2 So, I mean, there's organizations out there.  
3 They know who Carson Chisholm is. They trust him and he is  
4 privy to a lot of that information and a lot of those  
5 organizations, and they can be useful for this hearing.

6 **THE COMMISSIONER:** Okay. Just one little  
7 last question. Are you saying that for funding, that you  
8 want Mr. Chisholm to be paid, him, personally to come in?

9 **MR. HORN:** Yes.

10 **THE COMMISSIONER:** Well, I ---

11 **MR. HORN:** Well, not personally.

12 **THE COMMISSIONER:** Well, it does. It says -  
13 --

14 **MR. HORN:** Is it only going to be for  
15 lawyers?

16 **THE COMMISSIONER:** Well, absolutely. Do you  
17 think people from the CCR are paid to come here?

18 **MR. HORN:** You mean Mr. -- the organizations  
19 are not given any funding?

20 **THE COMMISSIONER:** No.

21 **MR. HORN:** Oh, it's only for the counsel?

22 **THE COMMISSIONER:** Absolutely.

23 **MR. HORN:** Oh, I didn't know. I thought it  
24 was a ---

25 **THE COMMISSIONER:** No, no, no.

1 MR. HORN: I thought they were all sitting  
2 here getting paid. No?

3 THE COMMISSIONER: The citizens, all I have  
4 authority to recommend to the Attorney General is that you  
5 and researchers be paid. Mr. Chisholm would not get paid.

6 MR. HORN: Okay.

7 THE COMMISSIONER: All right? So let's get  
8 that clear.

9 MR. HORN: So, Mr. Leduc, he's getting it  
10 because he's a lawyer?

11 THE COMMISSIONER: No, he's not being paid a  
12 penny.

13 MR. HORN: Okay. His lawyer is?

14 THE COMMISSIONER: Yes. So you would get  
15 paid.

16 MR. HORN: Okay.

17 THE COMMISSIONER: So ---

18 MR. HORN: And if I had an assistant?

19 THE COMMISSIONER: Well, we'd have to talk  
20 about that. You see, we'd have to talk about how qualified  
21 they are and if they -- what kind of assistance they would  
22 be giving. We don't just dole out money here, contrary to  
23 ---

24 MR. HORN: Oh no, I understand that.

25 THE COMMISSIONER: All right.

1 So, sir, I think maybe what we should do is  
2 take a break.

3 MR. HORN: Okay.

4 THE COMMISSIONER: What I think you would  
5 like to do is consult with your client.

6 MR. HORN: Okay.

7 THE COMMISSIONER: Find out, number one,  
8 that he's clear that he's not going to get paid to come  
9 here.

10 MR. HORN: Okay.

11 THE COMMISSIONER: Second of all, whether  
12 he's willing to submit a financial statement and if it's  
13 his personal matters, I'll certainly consider to make it  
14 confidential so that no one will see it, but I need a basis  
15 to show that he doesn't have the funding to finance this  
16 whole thing.

17 MR. HORN: Okay.

18 THE COMMISSIONER: Thirdly, I need to know  
19 who he's going to represent. Frankly, I would think that  
20 it might well be, if you want full standing, that it should  
21 be the Coalition. And if it's a coalition, that he tells  
22 me who the group of members are.

23 MR. HORN: Okay.

24 THE COMMISSIONER: And, you know -- and  
25 these people are not going to get investigated or anything

1 like that. All I want to know is that he's got a ground  
2 swell of support.

3 MR. HORN: Well, 13,000 people signed.

4 THE COMMISSIONER: Show me. Show me.

5 MR. HORN: Thirteen thousand (13,000) people  
6 came forward. That's like almost the full adult population  
7 of the City of Cornwall.

8 THE COMMISSIONER: Right. But that's  
9 hearsay to me.

10 MR. HORN: Pardon?

11 THE COMMISSIONER: That's not facts. You  
12 know; you're a lawyer.

13 MR. HORN: Okay.

14 THE COMMISSIONER: I need facts. And so  
15 that someone tells me -- no, no, sir, there are no  
16 affidavits here. These are your comments that you've put  
17 here. So really, it's hearsay. You got it from Mr.  
18 Chisholm. I need facts.

19 So bottom line is at this point, even if  
20 it's late in the Inquiry, if you can get me a core of  
21 people that Mr. Chisholm is working with, if they're  
22 willing to put their names down and say that they are  
23 interested in the events and also advise me as to what  
24 Helen and Perry Dunlop's participation will be. Then I'll  
25 be able to consider this and I'll give it my due

1 consideration.

2 So why don't we take a 10-minute break.

3 **MR. HORN:** Okay.

4 **THE COMMISSIONER:** Meet with your client,

5 all right? And assure him that I only want what's best.

6 All right?

7 **MR. HORN:** Okay. Can I just ask one

8 question?

9 **THE COMMISSIONER:** Sure.

10 **MR. HORN:** I understand that there were two

11 petitions ---

12 **THE COMMISSIONER:** Yes, but the petitions

13 aren't really that important.

14 **MR. HORN:** I understand that, but were they

15 ever made part of the process here?

16 **THE COMMISSIONER:** Well, I think the CCR

17 made mention of a petition. I don't know. But the

18 petition isn't really important. I know that Mr. Chisholm

19 and the group that he had was very vocal. And so all I

20 need to know is who is willing to step up and say, "We are

21 part of this group."

22 **MR. HORN:** Okay.

23 **THE COMMISSIONER:** All right?

24 **MR. HORN:** Thank you.

25 **THE COMMISSIONER:** Why don't we take 10

1 minutes and then we'll come back.

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

4 --- Upon recessing at 4:51 p.m./

5 L'audience est suspendue à 16h51

6 --- Upon resuming at 5:08 p.m./

7 L'audience est reprise à 17h08

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

10 The hearing is now resumed. Please be  
11 seated. Veuillez vous asseoir.

12 **THE COMMISSIONER:** Mr. Horn.

13 **MR. HORN:** During the break I have spoken to  
14 members of the Coalition and some of them are here, and  
15 they have a list of quite a few of the members. They have  
16 already contacted them and they're willing to participate  
17 as a group, as the organization.

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

19 **MR. HORN:** And as far as the financial  
20 statement is concerned, Mr. Chisholm will give a financial  
21 statement regarding his position and also the Coalition.

22 **THE COMMISSIONER:** Yeah.

23 **MR. HORN:** From what I understand, they have  
24 maybe \$100 in their account right now.

25 **THE COMMISSIONER:** That's not -- what I need

1 is to know ---

2 **MR. HORN:** Yes, I think that's about all  
3 they have left of -- and as far as their role is concerned,  
4 we will work on that, as exactly what our role is, but I  
5 think that basically what they believe is that the members  
6 of the coalition are not the abused, but they were -- none  
7 of them are like the abused okay? What they are, mostly  
8 are, people -- very concerned people who participated at  
9 the meetings. And, as a result, they have obtained a lot  
10 of support, a lot of contacts, a lot of people interested  
11 in what they are doing. They have access to a lot of these  
12 people because they are in that role before -- but they  
13 would be in that role here. So they could really add a lot  
14 because they are trusted. They're trusted.

15 **THE COMMISSIONER:** Okay, but sir, then I  
16 guess my suggestion to you is put that down on paper.

17 **MR. HORN:** Yes.

18 **THE COMMISSIONER:** Tell me who they  
19 represent. All right?

20 **MR. HORN:** Yes.

21 **THE COMMISSIONER:** And then you know the  
22 extended family and all of that; what Helen and Perry's  
23 position will be in all of this, and I guess you are going  
24 to have to come back.

25 **MR. HORN:** Oh, it was suggested that maybe

1 we could come here on Thursday.

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

3 **MR. HORN:** I understand there is another  
4 hearing on that day.

5 **THE COMMISSIONER:** Yes.

6 **MR. HORN:** We could come here on that day.

7 **THE COMMISSIONER:** Okay. Make sure and ---

8 **MR. HORN:** And we will be prepared.

9 **THE COMMISSIONER:** Yes, all right. You make  
10 sure that you speak with Commission counsel. They'll  
11 assist you in whatever you need. Mr. Lee, are you getting  
12 up to speak or what?

13 --- **SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. DALLAS LEE :**

14 **MR. LEE:** I would just ask if there's going  
15 to be a further application that counsel is provided notice  
16 by Wednesday evening at the latest, so I can take  
17 instructions on whether or not I'm taking a position on  
18 this now.

19 **THE COMMISSIONER:** Mr. Engelmann.

20 --- **REMARKS BY/COMMENTAIRES PAR MR. PETER ENGELMANN**

21 **MR. ENGELMANN:** Mr. Commissioner, I spoke to  
22 Mr. Horn at the break. And I advised him that the  
23 Commission was available to provide any assistance he  
24 and/or members of the coalition might need with respect to  
25 decisions of the Inquiry, precedents, et cetera. I advised

1 him that someone would be available first thing in the  
2 morning to meet with him and/or a representative of the  
3 coalition. I'm not. I'm in the hearing, as you know, sir.

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

5 **MR. ENGELMANN:** We have provided some  
6 precedents already, but we are prepared to provide more. I  
7 also advised him that, given that we were not sitting until  
8 September 10<sup>th</sup> after this week, that it was advisable that  
9 if they were intent on making this application, that they  
10 do so this week.

11 Mr. Horn has advised that he would be free  
12 at two o'clock on Thursday. That's when we are also  
13 hearing from Mr. Chand with respect to the application of  
14 Mr. Leroux.

15 **THE COMMISSIONER:** Right.

16 **MR. ENGELMANN:** So Commission staff are  
17 available tomorrow to provide information. I think Mr.  
18 Lee's suggestion is a good one because there are many  
19 parties withstanding. They do have the application that  
20 was prepared by Lang Michener on behalf of Mr. Leroux. So  
21 if they have any comments to make on that, they will be  
22 able to do so as well if they have Mr. Horn's application  
23 by Wednesday afternoon. That should give counsel an  
24 opportunity to think about it and make comments on  
25 Thursday.

1                   **THE COMMISSIONER:** All right. So you  
2 understand, Mr. Horn? So what time does he have to have  
3 the application in and distributed to all the parties?

4                   **MR. ENGELMANN:** Sir, I would suggest that if  
5 he has difficulty in getting it to all the parties, someone  
6 in the Commission staff room will be happy -- happy, but he  
7 really has to get here by 4:00 if we are going to then  
8 distribute it. We can certainly provide the names and  
9 addresses and coordinates for all the parties so that Mr.  
10 Horn can take care of that himself.

11                   **THE COMMISSIONER:** Okay.

12                   **MR. HORN:** That will be on Wednesday?

13                   **THE COMMISSIONER:** Yes. We have to get it  
14 ready by -- see, Mr. Horn, we have a procedure here and  
15 because there are so many parties, you have to serve  
16 everybody all the time. And so, again, Mr. Engelmann has  
17 indicated that the Commission staff will either give you  
18 their addresses or maybe for this one time distribute it  
19 through our electronic system, but after that, you are on  
20 your own.

21                   You've got to convince me and you have to  
22 understand that. I am going to ask all of the other  
23 parties to comment on whether or not the Coalition should  
24 be given standing. So we will see what they have to say.  
25 So they need that material by Wednesday at 5:00. All

1 right?

2 **MR. HORN:** Okay, thank you.

3 **THE COMMISSIONER:** Thank you.

4 All right, so we will adjourn this matter  
5 until two o'clock on Thursday and now we are free to  
6 adjourn for the day, and we are starting tomorrow morning  
7 at 9:30 with Father Frank Morrison. Is that it?

8 **MR. ENGELMANN:** That's correct, sir.

9 **THE COMMISSIONER:** Great.

10 **MR. ENGELMANN:** Thank you.

11 **THE REGISTRAR:** Order. All rise. À  
12 l'ordre. Veuillez vous lever.

13 The hearing is now adjourned.

14 --- Upon adjourning at 5:13 p.m./

15 L'audience est ajournée à 17h13

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

I, Marc Demers a certified court reporter inthe 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, Marc Demers, 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.



---

Marc Demers, CVR-CM