

CLOSING SUBMISSIONS ON BEHALF OF
DOUG SEGUIN, AND THE ESTATE OF KEN SEGUIN

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Introduction and Executive Summary

Ken Seguin Misunderstood

1. Ken Seguin's name has been repeated countless times at the Cornwall Public Inquiry (hereinafter CPI), many of which have depicted him in a negative light. He has been rumored to be at the centre of a clan of pedophiles and part of a massive conspiracy to cover up allegations of his and other people's abuse of young children.
2. Commencing in 1996, Perry Dunlop, C-8, and Ron Leroux, began to spread allegations of outrageous rituals, pedophile clans and conspiracies to cover up allegations of child sexual abuse. Consequently, many people became the target of intense media scrutiny, derailed and biased investigations by Perry Dunlop where allegations were accepted as absolute truths.
3. Perry Dunlop met with witnesses, complainants, alleged victims, provided lawyers, and had them sign affidavits in support of his civil actions. However, given the evidence of C-8, Ron Leroux and the investigations into pedophile clans and conspiracy theories before the CPI, Dunlop's actions were aimed at uncovering something that remains to this day without foundation. In so doing, he created a false expectation that fuelled the media and the citizens of Cornwall that conspiracy of sorts in fact existed in Cornwall, that the city of Cornwall was plagued with pedophiles.
4. Ken Seguin became a central focus and figure in Dunlop's clan of pedophiles and conspiracy theory. Not only was Ken accused of sexual impropriates, but his home was the scene of various other inappropriate sexual behaviors.
5. Regrettably, Ken Seguin was not alive to respond to the rumors and allegations made about him. However, throughout Ken's life and career, no one had ever confronted Ken with allegations that he took part in a clan of pedophiles or was part of a conspiracy to cover up allegation of child sexual abuse. In fact, other than the David

Silmser complaint, not one probationer had ever complained to any public authority that Ken Seguin had abused him or her.

6. It is only at the height of rumors of pedophile clans and cover ups that allegations began to be directed against Ken Seguin. While people may question the reasons for his death and the morals of his sexual preference, the fact remains that these rumors and accusations were all made at a time of increased hysteria when Mr. Seguin was unable to respond. This is a small but important fact to consider when dealing with the alleged activities of Ken Seguin.
7. These submissions will be divided into five parts: i) The career of Ken Seguin as a Probation Officer; ii) The timing and context of the alleged abuse by Ken Seguin; iii) The incident involving Travis Varley; iv) the spread of the allegations by Gerry Renshaw; and v) the impact of the allegations on Ken Seguin's family.
8. It is submitted that there is no evidence to suggest that Ken Seguin was a member of any clan of pedophiles or that he participated in some purported cover up. These rumors remain to this day without foundation. Rather, viewing the evidence in an objective rational and dispassionate way sheds a much different light on Ken Seguin and the reliability and credibility of the allegations made about him.
9. The following submissions are not intended to prove Ken Seguin guilty or innocent of any criminal allegations. Rather, these submissions are meant to evaluate critically the evidence lead in order to assist in furthering the mandate of the CPI in determining if Ken Seguin was a member of a purported clan of pedophiles and whether he assisted in any way to cover up allegations of child sexual abuse. More importantly, these submissions seek to illustrate how the controversy in Cornwall arose out of misperceptions in the public and a misunderstanding of the presumption of innocence. Ultimately, it is hoped that these submissions can guide the Commissioner in making recommendations that would assist in informing and educating the public so that what happened in Cornwall can be prevented.

i) Career as a Probation Officer – “Mr. Probation”

10. Ken Seguin was a Probation Officer for the Ministry of Community and Correctional Services (hereinafter “Corrections”) in Cornwall, Ontario between June 1968 and November 1993.

**Exhibit 940, Notice of Ken Seguin as New Probation Officer
Exhibit 945, Personal History of Probation Officer – Ken Seguin**

11. Despite the rumors, innuendo’s and allegations made against Mr. Seguin after his death, his career as a probation officer can only be described as a professional, dedicated worker who demonstrated a high proficiency for his job and earned him the nickname “Mr. Probation.” He was described as follows:

MR. STAUFFER: All right. Why would he have that, why would he be called that?

MS. LARIVIÈRE: Because he did his work in such a way that I don’t -- his work was second to none, from what I could see. And just learning, coming into the field, his work was immaculate. There was nothing that you could say about his work. He did everything he could possibly do to help people and he -- his case notes were perfect, his desk was perfect, he was perfect; he came in- in a suit and tie every day. It was just somebody that you admired and felt that he was very professional in what he did.

**Transcript of Evidence of Sue Lariviere, Vol. 187, January 22, 2008
at p. 192.**

12. Consistently, throughout his time at Corrections, Mr. Seguin’s reviews demonstrate that he was an above average probation officer whose competent style provided a good role model for other staff. Some of Mr. Seguin’s performance reports indicate that he was an asset to the office and his quality of work was rated as superior at times. He carried a high level of respect among his co-workers.

**Exhibits: 924, 925, 957, 968, 937, 936, 935, 967, 956, 966, 955, 965, 954,
964, 953 – (Various Employment Reviews of Ken Seguin)**

13. Ken Seguin took a humanistic approach to his probationers. He looked after his clients needs beyond the notion of mere rule enforcement. He would often see his role as one which developed a rapport with a probationer to assist them in their

rehabilitation. Probation was not just a sentence to be served. For Ken, it was an opportunity to assist people in dealing with the issues that lead them to crime.

Exhibit 967 Employee Annual Appraisals April 1981 to May 1982

14. Apart from his professional life, Ken was also congratulated for his courage by Staff Inspector Stuart MacDonald of the Cornwall Police Service. Insp. MacDonald described how Ken Seguin assisted in diffusing a hostage situation in which a male was holding a butcher knife to his wife. The suspect had asked to speak with Ken Seguin, and Ken with the help of other officers was able to convince the suspect to drop the knife. Ken remained with the suspect in the cruiser as they went to the hospital. Insp. MacDonald writes:

Mr. Seguin was extremely helpful to the police officers in alleviating a very dangerous situation. It is unknown whether this incident could have been brought to a successful conclusion without the highly professional assistance of Mr. Ken Seguin.

**Exhibit 1573, Letter from Stuart MacDonald to Emile Robert,
October 22, 1990**

ii) The Death of Ken Seguin and the Rise of Rumors and Allegations

15. Ken Seguin was never charged with any criminal offence or sexual impropriety. Nor was there any disclosure of alleged abuse by any of his former probationers while Ken was alive, save and except for David Silmsler. Ken Seguin had never been convicted of any criminal offence.
16. Ken Seguin died in November 1993 in the midst of the David Silmsler controversy. Silmsler had originally complained to police that he was abused by Mr. Seguin. However, Silmsler indicated that he did not wish to pursue them at that time as he was going after the Church and Father MacDonald first.
17. Subsequent to Ken's death, the OPP conducted an investigation into allegations of extortion on the part of David Silmsler. Information and evidence existed that Silmsler

was threatening Ken Seguin to receive money. In the end, charges of extortion were not laid by police.

18. Spawning from the release of the Silmsler statement in the media and specifically in 1996 were rumors and allegations made by Perry Dunlop, Ron Leroux, and C-8. These allegations were mainly that a clan of pedophiles was operating in Cornwall. Mr. Seguin was targeted as a member of that clan. It was claimed that he and other prominent people acted in concert to cover up allegations of abuse. Rumors and allegations were further disseminated in the media which only added to the controversy.
19. In the height of the controversy of a clan of pedophiles and cover ups, Corrections received 22 complaints of alleged abuse by Mr. Seguin. None of the alleged complainants of Mr. Seguin had ever come forward while on probation or during Mr. Seguin's life. Rather, all of them came forward with allegations in the context of the hysteria created by Dunlop, Leroux and C-8.
20. The CPI is specifically prevented from making any findings or conclusions of civil or criminal liability. As such, the merits or credibility of the allegations is not part of the mandate, nor does it have any relevance to the execution of the mandate. What the CPI must do, however is to measure the institutional response of Corrections and other public institutions to the allegations and the controversy surrounding the allegations.
21. In all 22 cases the purported abuse was reported or disclosed not only years after the fact, but also years after Mr. Seguin's death. Not only did this make it difficult to determine if the allegation had any merit, but there was no way in which Mr. Seguin could respond to the allegation due to his death. This significantly impacted the ability of Corrections, or any public body to investigate, evaluate and respond to the allegations.

22. A complete narrative of the allegations can be found at Exhibit 1179. This Report prepared by Corrections contains a complete narrative of who complained, about what, to whom and when the disclosure was made.

23. Corrections developed a Response Criteria which specified various steps to be taken to address the issue of disclosures made about Ken Seguin after his death. Part of the response was to determine if the probationer was a client of Corrections in Cornwall between 1968 and 1993 and if so, was the client under the supervision of Ken Seguin. If so, the client was asked if anything inappropriate happened. If the client disclosed anything, then further steps were taken in providing the client with information of various agencies that could assist in support and counseling as well as reports to the appropriate police force.

Exhibit 1179, Factual Overview of the Cornwall Probation and Parole Office

24. While Corrections should be praised for the steps they have taken to address the situation they found themselves in, the response is not without its problems. That is, the Response Criteria is certainly open to abuse particularly by those who may seek to diminish the effect or reach of a probation order on account of being a victim of abuse. Furthermore, the Response Criteria effectively invited a probationer to comment on potential allegations.

25. As stated above, all of the disclosures of purported abuse came well after the death of Mr. Seguin, making it next to impossible to adequately evaluate the and respond to the allegations. Certainly, delayed disclosure is not an automatic indication of fabrication. Experts have indicated that in some cases, delayed disclosure can occur for legitimate reasons. However, delayed disclosure is certainly an important factor to consider in evaluating the reliability of the complainant, that is, why it took so long to disclose is something which should always be pursued as best as possible.

26. Ultimately, it cannot be overlooked that all of the 22 alleged complainants of Mr. Seguin made complaints while on probation years after Mr. Seguin's death in the

height of the clan/conspiracy theory hysteria. Furthermore, many who had disclosed indicated that they would be seeking financial compensation either civilly or the Criminal Injuries Compensation Board.

27. Again, while there is nothing inherently wrong in this; there is also great potential for abuse. That is, there is the potential that some might use the fact of making the complaint to receive a benefit with respect to their probation. For those who wished to abuse the system, the Response Criteria effectively invited the abuse by those who thought they could diminish the reach of their probation orders. The response was effectively to assist the complainants in any counseling, but little investigation was done about the allegations.

28. Such was the case with Complainant 11 who was not breached for failing to abide by the conditions imposed by the Court. While it is unknown if Complainant 11 took advantage of such an opportunity, certainly the response from Corrections to a violation of a court order was simply to ignore the breach.

29. It is submitted that other than the allegations disclosed to Corrections, there is no other evidence that Ken Seguin was a member of any alleged clan of pedophiles, or part of a cover up to suppress allegations of sexual abuse. Furthermore, due to the timing of the allegations and the context in which the allegations arose the circumstances were ripe in which to make such allegations. Thus, despite the unconfirmed allegations, there is very little evidence to rest any conclusions of wrongdoing or misconduct on the part of Ken Seguin.

iii) The Unfortunate Circumstance of Ken Seguin and Travis Varley

30. The unfortunate events of January 9, 1992 illustrate a response by Corrections that was misinformed and misinterpreted. The incident revolved around the shooting death Andrew MacDonald by Travis Varley. Earlier that day, Travis Varley had attended the home of Mr. Seguin with his brother and two other individuals, Mr. W and Andrew MacDonald. Mr. W was at that time before the courts awaiting sentence

and Mr. Seguin was preparing his pre-sentence report. While at Mr. Seguin's they consumed beer, and took beer with them. Ultimately later that evening, Travis Varley shot and killed Andrew MacDonald. Travis Varley was convicted of manslaughter.

31. Roy Hawkins, who was the regional manager of Corrections, issued a very critical memorandum regarding this incident and Ken Seguin. In the memo, Mr. Hawkins explains that possible disciplinary action may be taken against Ken for having clients over at his home and serving them alcohol.

Exhibit 930, Memo from Roy Hawkins to Emile Robert, October 16, 1992

32. Some have suggested that this incident ought to have raised a red flag in the eyes of Correction officials. That is, Corrections ought to have scrutinized Ken Seguin closely given the fact that he had exhibited such behavior such as having these people at his home and serving them alcohol. Moreover, some may seek to infer that there was a causal link between Ken's unprofessional behavior in serving the boys alcohol and the eventual death of Mr. MacDonald.

33. However, a closer look at the evidence reveals that Ken's involvement in this tragic incident is nothing more than as part of the narrative of the circumstances. The homicide happened roughly seven hours after the boys left Mr. Seguin's home. They had already been drinking and continued to do so. The causal link between Ken Seguin and the eventual death of Mr. MacDonald is nothing more than a chronological unfolding of events in a police report.

34. The Hawkins memo demonstrates a serious misinterpretation of the facts of that evening. Both Mr. Seguin's own incident report and the report of Det./Cst. Millar, reveal that Travis Varley and his family were friends and neighbors of Mr. Seguin. Travis Varley was not a client of Mr. Seguin's. In fact, Travis Varley and his brother had no criminal records. Travis Varley and his friends were simply neighborhood boys.

Exhibit 929, Letter from Cst. Millar to Emile Robert, January 9, 1992

Exhibit 927, Incident Report, January 16, 1992

35. Travis Varley had been calling Ken throughout the day asking to come over. Ultimately, and unbeknownst to Ken, Travis Varley showed up with his brother, Mr. W and Andrew MacDonald. Ken had no idea that MacDonald and Mr. W were with Travis Varley and his brother.
36. Mr. W was not a probationer, but was awaiting sentence. Ken was to meet him the next day in furtherance of preparing a pre-sentence report. Travis Varley thought that it might be wise to go over and speak with Ken. Ken advised everyone that this was not the forum in which to discuss possible sentences.
37. According to Millar's report, the boys asked for a beer and Ken provided one each. Upon learning of Mr. W's curfew, Ken immediately cautioned the boys to get him home prior to his curfew. Travis Varley then took it upon himself to go the fridge and take 3-4 more beers as they left.
38. The death of Andrew MacDonald had nothing to do with Ken Seguin personally or anything that occurred at his home. In fact the incident occurred 7-8 hours later at the residence of Travis Varley. Ken certainly displayed poor judgment in providing beer to the four boys, however, the evidence does not permit an inference that Ken Seguin was interacting with clients at his home in any intentional way or that there is any real causal connection between Travis Varley attending Ken's house the death of Andrew MacDonald. As Det./Cst Millar puts it:
- During the interview with Seguin, I felt Seguin was obviously embarrassed and he made it clear he did not make it a habit of having clients at his residence. He emphasizes the fact that he did not realize Andrew MacDonald and [Mr. W.] would accompany Travis and Bob Varley on that night. Seguin stated he felt intimidated by their presence and did not argue with Travis Varley when he took the three beer from his fridge. He just wanted them to leave.

Exhibit 929

39. Mr. Hawkins, during his evidence before the CPI, admitted that a proper review of the evidence sheds a much different light on the unfortunate incidents surrounding the death of Andrew MacDonald and Ken Seguin's home. That critical memo authored by Mr. Hawkins would likely be different with a proper review of the facts.

Transcript of Evidence, Cross Examination of Roy Hawkins, Vol. 189, January 24, 2008 at pp. 43-77.

iv) Gerry Renshaw – Much Ado About Nothing

40. Gerry Renshaw was called as a witness at the CPI for two reasons. Firstly, he purported to be a victim of abuse by Ken Seguin. Secondly, he was called because he rented a room from Ken Seguin and interacted with Ken, Malcolm MacDonald and others at Ken's house. Gerry Renshaw made several allegations of things he purports to witnesses at Mr. Seguin's and Malcolm's home.

41. Notwithstanding the exaggerated assertions made by Gerry Renshaw, ultimately, Gerry admitted that:

- He does not have any first hand knowledge regarding any wrongdoing by anyone at Ken Seguin's or Malcolm MacDonald's other than the purported allegations against Ken;
- He does not have any personal, first hand information regarding wrong doing by members of the Diocese of Alexandria-Cornwall

Transcript of Evidence, Cross examination of Gerry Renshaw, Vol. 118, June 20, 2007 at pp. 233-235.

42. It is submitted that Gerry Renshaw was used as a pawn or mouthpiece by Perry Dunlop in furtherance of his pedophile clan/cover up theory to bolster his civil claim. It is evidently clear after reviewing Gerry's various versions of events that he cannot keep his story straight, shifting it into many versions. The clear inference is that he is being fed information by Perry Dunlop to bolster his civil suit and further his clan/cover up theories.

43. Ken Seguin was Gerry's probation officer on 2 occasions, firstly in 1983, then again in 1984. Prior to that Gerry had known Ken since about the time that he was 12.

44. Eventually, Gerry ended up renting a room from Ken between 1987 and 1990 since he needed a place to stay. Throughout that time, Ken would have provided various forms of assistance for Gerry such as finding him employment, and co-signing loans.
45. Commencing in December 1996, Gerry begins to make allegations of abuse against Ken Seguin. These allegations are first disclosed to Perry Dunlop. The allegations made against Ken are that he felt that Ken was coming on to him sexually. Gerry did not wish to have other think he was homosexual.

Exhibit 548: Statement of Gerry Renshaw to Perry Dunlop, December 5, 1996

46. A close look at Gerry's shifting versions of events demonstrates the significant variations of his claims of abuse. The variations are not minor but range in years, and vary significantly in the type of abuse he claims to have suffered. The following is a chronology of the shifting stories told by Gerry:

- **December 5, 1996** – Claims to disclose to Perry Dunlop that he quit living at Ken's because Ken was coming onto him sexually. Gerry would have resided with Ken between 1987 and 1990. Thus the alleged abuse would be between this time.
- **January 26, 1997** – In an audio interview with Perry Dunlop, explains that he was sexually abused by Ken during his second term of probation. Gerry would have been 21. The nature of the abuse was that Ken would be performing oral sex while Gerry was asleep. Despite this Gerry would eventually have moved in with Ken where the abuse would have continued consistently throughout the time he lived there.
- **December 17, 2003** – In the examination for discovery, Gerry would have maintained that he was abused commencing during his second term of probation with Ken.
- **October 18, 2005** – Affidavit sworn for standing at the CPI, Gerry claims that he was abused by Ken commencing in 1981 and this abuse would have continued for 12 year. Despite this, Gerry still rents a room with Ken in 1987.
- **June 19, 20, 25, 2007** – While testifying at the CPI, Gerry changes his story yet again to indicate he was abused commencing during his first term

of probation, in 1983. He contends that that he was earlier mistaken and cannot explain why the previous statements contain such erroneous information.

Exhibit 548: Statement of Gerry Renshaw to Perry Dunlop, December 5, 1996

Exhibit 551: Audio Statement of Gerry Renshaw to Perry Dunlop, January 26, 1997

Examination for Discover, December 17, 2003

Exhibit 557: Affidavit of Gerry Renshaw for Standing at the CPI, October 18, 2005

47. Some, such as counsel for Gerry Renshaw, may contend that these variations are not significant and that Gerry was in fact consistent in his evidence. Specifically, the argument may be proffered that Gerry indicated that he was abused for the first time while on his second term of probation. This is consistent in his statement to the OPP in November 1997 as well as his Examination for Discovery in December 2003.

48. This argument ignores two fundamental facts about the shifting narrative. It ignores that Gerry's own sworn testimony at the CPI is that the abuse commenced during his first term of probation. Furthermore, it ignores the other sworn and un-sworn statements Gerry has given in which the date moves from 1981 to sometime during 1987-1990.

Transcript of Evidence, Gerry Renshaw, Vol. 117, June 19, 2007 at p. 265-266

49. Secondly, counsel to Gerry Renshaw may argue that the variations are not that significant since incremental disclosure is not unusual for abuse victims. Victims of abuse, it is said, often block or suppress incidents of abuse and so the memories return incrementally and are not always chronological. Accordingly, a victim of abuse cannot be faulted for getting dates wrong.

50. It may be the case that some victims of abuse may suppress memory and disclose abuse incrementally. However, it does not follow that all those who change their stories of alleged abuse suffer from suppressed memory. No evidence has been

tendered to suggest that there exist a set of closed symptoms of sexual abuse such as suppressed memory and incremental disclosure. While delayed disclosure is not an absolute sign of fabrication, it is neither an absolute sign of abuse. It is therefore important to consider the factor of the timing of the complaint in assessing the reliability of the claim. The inconsistencies and changes in a person's story ought to always be scrutinized when evaluating the reliability of an alleged claim of abuse, particularly when the changes are as significant as in the case of Gerry Renshaw.

51. Specifically, in the case of Gerry Renshaw, the inconsistencies are not only significant, but raise more questions than answers. Gerry's first disclosure is to Perry Dunlop. This disclosure is that Ken was coming onto him sexually while Gerry was living with Ken, between 1987 to 1990. While Gerry maintains that he held a distrust for police, the fact remains that Gerry Renshaw is partial and supportive of Dunlop. Gerry explains that he wanted to help Dunlop as much as he could. Why would Gerry continue to lie to Dunlop if he is trying to help him as much as he could?

Transcript of Evidence, Gerry Renshaw, Vol. 118, June 20, 2007 at p. 44.

52. In February 1994, Gerry provides an interview to the OPP. In this interview, Gerry openly states that Ken was the best probation officer he could have. Gerry would have moved out because he thought Ken was homosexual. While Gerry may explain this away as not trusting in police officers, it is submitted that more is at play.

Exhibit 543A, Statement of Gerry Renshaw to OPP, February 9, 1994

53. The range of dates of abuse ranges from 1981, at the earliest, to 1990 at the latest. Moreover, despite the on-going abuse on some versions of the story, Gerry decides to nevertheless rent a room from Ken. This is not insignificant and is submitted that when compared to other aspects of Gerry's evidence, the differences are not ones that ought to be attributed to suppressed memory or lack of faith in police officers.

54. Exhibit 2721 is the Interview Report of C-99, dated April 7, 1998. C-99 is the ex-girlfriend of Gerry Renshaw and mother of his child. C-99 explains in her interview that she not only knew Ken but was constantly at Ken's while dating Gerry. When asked to explain the relationship between Gerry and Ken, her response is "Friends." C-99 goes on to explain Gerry and his brother would spend considerable time there and so would the children of C-99, sometimes sleeping over.

Exhibit 2721, Statement of C-99 to OPP, April 7, 1998

55. C-99 gives a much more negative version of events at Ken's in her statement of December 11, 1996, Exhibit 2719. This version is more consistent with the clan of pedophiles/conspiracy theory of Perry Dunlop. It includes people she would have seen at Ken's and innuendos of inappropriate sexual behavior. Interestingly, this statement is a statement given to Perry Dunlop, written in the exact style as all other statements that were collected by Dunlop.

Exhibit 2719, Statement of C-99 to Perry Dunlop, December 11, 1996

56. The common denominator between inconsistent statements of both Gerry Renshaw and C-99 is Perry Dunlop. It is clear that whenever Dunlop is involved in the statement making process, there is spin in the evidence in furtherance of his clan of pedophile and conspiracy theory. This is the case in both instances of statements provided to Dunlop by Gerry Renshaw and C-99. This, it is submitted, demonstrates how Perry Dunlop used Gerry Renshaw as a pawn or mouthpiece in furtherance of theories and to manufacture evidence.

57. This submission is further supported by the fact that Gerry's statements to Perry Dunlop contain factual assertions which have been shown to be incorrect. These same factual assertions do not appear in other statements provided to others. Specifically, in Gerry's December 5, 1996 statement to Dunlop, Gerry mentions the infamous brown suitcase/briefcase full of tapes on page 3. Gerry explains that Ken had to get rid of these tapes because they would implicate him. On page 4 Gerry specifically explains

Ken would have advised him of getting rid of the tapes at around the time Dunlop disclosed the Silmsler statement to the CAS.

Exhibit 548

58. The Silmsler statement was disclosed by Dunlop to the CAS in September 1993. In the fall of 1993 the Cornwall Police and CAS commenced their investigations regarding the Silmsler statement and its disclosure by Dunlop. The notorious briefcase was seized by the OPP in February 1993 during the execution of a search warrant at the home of Ron Leroux. The contents of the briefcase were destroyed in May 1993 when Leroux signed a quitclaim. Hence, how could Ken want to get rid of tapes in September 1993 when the tapes were destroyed months earlier before Dunlop disclosed the Silmsler statement to the CAS? Moreover, how did Gerry come to know of the tapes and the disclosure to the CAS in the fall of 1993? This was not made public until early 1994.

59. Additionally, in Gerry's statement to the OPP in 1997, he explicitly explains to them that he in fact never saw the notorious briefcase, but was told about it. All he would have known about it was that it contained "store bought porno flicks."

Exhibit 553, Statement of Gerry Renshaw to OPP, November 5, 1997

60. It is submitted that what was happening in reality was that Perry Dunlop was feeding Gerry Renshaw information. Just as Dunlop required C-8 to bolster and further his theories, Dunlop was using Gerry Renshaw to advance the same theories. Gerry Renshaw not only added to the theories, but he would also be able to confirm C-8's claims since Gerry would have closely associated with C-8, Ken, Malcolm MacDonald and Ron Leroux.

61. Ultimately, despite the outrageous claims made by Gerry Renshaw, he was nothing more than a mouthpiece for Perry Dunlop. When looked at closely and critically, his role in advancing the pedophile clan/cover up theory amounts to nothing more than spreading rumors and innuendo without substance and foundation at the behest of

Perry Dunlop. It should be noted that the purpose is not to prove Ken Seguin innocent of any misconduct. Rather, the purpose in evaluating what Gerry Renshaw has to say, is to demonstrate how unreliable and baseless his foundation was to advancing Perry Dunlop's assertions of a clan of pedophiles and theories of cover ups.

v) Doug Seguin Seeks Answers in the Midst of Sudden Controversy

62. As indicated above, prior to Ken Seguin's death, there existed no allegations in regards to Ken as being a member of a clan of pedophiles, a child abuser or part of a cover up. It is certainly understandable that after his death, when allegations began to be directed at Ken, that his family would seek answers to the merits of these allegations. It goes without saying that Ken's family, who knew him as a loving and caring family member, would want some answers now that his name was in the midst of the hysteria that was gripping Cornwall. Moreover, it is quite understandable that his family would not simply accept the rumors and innuendos at face value.

63. Doug Seguin, Ken's brother, took various steps in an attempt to determine if there was any merit to the allegation in the community regarding his brother. Among other things, Doug wrote letters to the media, politicians and police. As well, he launched various complaints, complaining of biased investigations, reporting and the acceptance of the allegations absent any proof.

Exhibits 662, 1027, 1028, 1032-1042, 1045-1055

64. What Doug Seguin did not do is carry out his own independent and parallel investigation. He did not seek out and meet with alleged complainants to take statements from them as did Perry Dunlop and Carson Chisholm. Doug Seguin made his complaints using the appropriate legal avenues of complaints that were available. If the decision was not favorable, the Seguin family nevertheless accepted the conclusion.

65. Doug Seguin was also called by the Commission because he had interacted with several of the main witnesses who were relevant to the unfolding of the narrative of the controversy. During the examination in chief by Mr. Ruel, Doug was asked specifically about things that Gerry Renshaw would have mentioned to him regarding Ken Seguin. Doug explained that he had made notes about what Gerry Renshaw would have told him:

MR. RUEL: So you're referring to conversations with Gerald Renshaw. One of them is January 23, 1997 and the other one is February 5, 1997, but you wrote this document later on February 24, 1997, so did you have handwritten notes?

MR. SEGUIN: Yes, I did have, yeah.

MR. RUEL: Of those conversations?

MR. SEGUIN: That's correct, yeah.

MR. RUEL: And you drafted this document based on your notes?

MR. SEGUIN: Well, not only on the notes, but I believe we had two conversations with them, I mean, I had the first one and then my wife and I had the second conversation about his -- his -- the first one I found out that he had made a statement. He gave me the statement and then I went over the statement with him the second time, with my wife. So that's -- I made some notes on those conversations ---

Transcript of Evidence, Doug Seguin, Vol. 167 November 27, 2007, at p. 25.

66. Doug Seguin also testified about his interactions with Gerry Renshaw whom he knew to discuss what was occurring. According to Doug, Gerry Renshaw made various admissions to him that would contradict or shed a different light on the interaction of Gerry Renshaw, Perry Dunlop and others in Cornwall at the time subsequent to Ken Seguin's death. The following information was elicited by Mr. Ruel:

- That Gerry Renshaw freely provided his written statement to him (**November 27, 2007 Vol. 167 at p. 27**)
- That Gerry Renshaw had nothing to hide (**November 27, 2007 Vol. 167 at p. 27**)
- That he and Gerry Renshaw would have met on two occasions to discuss the contents of his statement and Renshaw's interaction with Perry Dunlop and Carson Chisholm (**November 27, 2007 Vol. 167 at pp. 29-31**)

- That Gerry Renshaw admitted to him that he personally knew of not sexual misconduct by Ken Seguin or Father Charles MacDonald (**November 27, 2007, Vol. 167 at p. 30**)
- That Mr. Seguin felt that Gerry Renshaw did not appreciate the difference between facts known to him personally and innuendo and hearsay he received from others (**November 27, 2007 Vol. 167 at pp. 30-31**)
- That what was in Gerry Renshaw's statement was information he received from others (**November 27, 2007 Vol. 167 at pp. 30-31**)

67. As a basis for this information, Mr. Ruel used the typed notes that Mr. Seguin had prepared for his counsel in furtherance of his defence of his civil lawsuit. These typed notes became exhibit 1043. These notes were prepared two weeks after Mr. Seguin would have met with Gerry Renshaw on the second occasion.

68. Counsel to Gerry Renshaw sought to specifically attack the credibility of Doug Seguin as it impacted his client. The basis of his attack was that the conversations Doug had with Gerry Renshaw were not reflected in his notebooks but only in the typed notes drafted two weeks after his conversations with Gerry Renshaw. The inference being that since Doug does not have hand written notes, the typed notes must be fabricated.

69. Two points ought to be made. Firstly, there is nothing wrong or sinister in making typed notes in lieu of handwritten notes. Doug Seguin was not a member of a public institution under a legal obligation to take notes or to take notes in a specified manner. Secondly, and more to the point, Doug Seguin replies that notes were in fact made about these conversations, they were made on the statement provided to him by Gerry Renshaw:

MR. LEE: As an example, if you go a few more down with the paragraph starting, "In fact": "In fact, Renshaw told my wife and I that he personally knew of no sexual misconduct by my brother, Ken, or Father Charles MacDonald." Then we have a number of handwritten notes. Is that right?

MR. SEGUIN: That's correct.

MR. LEE: With respect to the January 23rd meeting with Gerald Renshaw where we looked at the brief entry in your notes, you'd agree with me that there's considerably more detail here about what was in that conversation than there are in your notes?

MR. SEGUIN: There is more. Yeah, there is, from what I can see in the --

MR. LEE: Sir, as far as the February 5, '97 conversation with Gerry Renshaw goes, we have no notes from you on that?

MR. SEGUIN: I think you do. I — there's a — sure I read them in the book, but in — 'cause I was looking at the book, but I would have to look back in the book.

THE COMMISSIONER: All right. Well, why does he ---

MR. SEGUIN: Because I remember writing this down after I was talking to him and ---

MR. LEE: We have a few notebooks that you've produced, sir. The longest one is the one I've just shown you. You looked at one yesterday dealing with Mr. Leroux ---

MR. SEGUIN: M'hm.

MR. LEE: --- exclusively. We have another one that has absolutely no mention of Gerry Renshaw in it all.

MR. SEGUIN: That's right.

MR. LEE: Are we missing something, sir?

MR. SEGUIN: I think so. M'hm. But I'm not sure what it is, where that comes from. I know I wrote this material down.

MR. LEE: You read those ---

MR. SEGUIN: The first meeting I wrote in that book, and at length I believe, and ---

MR. LEE: And what about the second meeting?

MR. SEGUIN: And the second one, I didn't write it in the book. What I did was I had his statement and I was making notes on the statement with a pencil. I typed and — and asking him questions.

MR. LEE: Do you have a copy of that for us, sir?

MR. SEGUIN: No. I don't think it was ---

MR. LEE: But you would've had both of those. If you made notes, you would've had them when you were drafting this document. Is that right?

MR. SEGUIN: That's right.

MR. LEE: And when were these handwritten notes added, sir?

MR. SEGUIN: I guess — well, I would get on the computer and I would make this out, and then I would look it over, and if I hadn't been complete, then I would add and ---

THE COMMISSIONER: So on or about February 10th, 1997, is that when you were to make those notes?

MR. SEGUIN: Yeah. M'hm.

MR. LEE: And, in any event, before February 24th, the next version of this document. Is that right? Because if we look at that document — that's Exhibit 1043 — that will be in your binder; it will be the one that you had turned up. Do you see that, sir, the February 24th document?

MR. SEGUIN: Yes.

THE COMMISSIONER: Mr. Lee, how much longer do you think you'll be?

MR. LEE: Hopefully, 15 minutes.

MR. SEGUIN: Yeah. It was in January that I had talked to him first. And then it was, I think, February the 5th or whatever that I — and something like that, when I had talked to him the second time, I believe. So this would've been made after, as I remember those conversations.

MR. LEE: The point I'm trying to make, sir, is we have a very brief notebook entry from you relating to the January 23rd conversation. We have no notes from you relating to the February 5th is it — February 5th conversation. And at some point on February 10th, we end up with a fairly lengthy document outlining all kinds of allegations and your story of what Mr. Renshaw told you. Two weeks later on February 24th, we have a considerably longer version with a number of new details added.

Sir, the point is that from your purposes — or for your purposes and from your perspective, this story just keeps on getting better as we go through these documents?

MR. SEGUIN: I think it's based on what he told us.

MR. LEE: Well, it's based on what he told you or is it what he told you?

MR. SEGUIN: Now, I'm sure I — a lot of these are — you know, there are my words in here as well, but he told us — told us this — based on what he told us.

Transcript of Evidence, Doug Seguin, Vol. 168, November 28, 2007, at pp. 81-83.

70. Regrettably, the allegation made by Mr. Lee was unfortunate because of the fact that the document was in existence and the Commission failed to disclose it to the parties. Commission Counsel knew of its existence. That document has now become Exhibit 3312 and Commission Counsel corrected the error.

71. Significantly, however, Exhibit 3312 further confirms that Gerry Renshaw did not have any personal first hand knowledge or witness any misconduct other than his own allegations at Ken Seguin's house.

72. While Doug Seguin might have made some errors in judgment along the way, he certainly cannot be faulted for his willingness to not accept allegations at face value. It must be recalled that Doug is not a professional investigator. He did not have many resources at his disposal. And furthermore, given the magnitude and rate at which the rumors and innuendos were spreading in the public and media, the Seguin family certainly had their backs up against the wall. Thus, while some may perceive his

actions as defending his brother, the Seguin family ought to be commended for not simply accepting rumors at face value.

Conclusions

73. On January 18, 2008 in a ruling concerning the subject matter of the CPI the Court of Appeal for Ontario concisely stated the mandate of the Inquiry:

Properly construed, the OIC empowers the Commissioner to look into and report on institutional responses – past, present and future – relating to allegations of historical abuse of young people in the Cornwall area by persons in authority or positions of trust, including the allegations investigated in Project Truth as well as similar such allegations. Allegations that were reported at the time of the abuse, or years later, or both, would fall within this mandate. In other words, the Commissioner can look at the response of various institutions to allegations made and reported in the 1950s, as well as their response to allegations made for the first time or renewed in the 1990s.

Ontario Provincial Police v. The Cornwall Public Inquiry, [2008] OJ No 153

74. In arriving at this conclusion about the mandate, the Court of Appeal relied on the following “factual matrix” which gave rise to the CPI:

- a clan of pedophiles allegedly operated in the Cornwall area for a very long period of time;
- prominent local citizens allegedly conspired to cover up the activities of the clan of pedophiles; and
- Project Truth and the prosecutions it spawned failed to generate satisfactory results and a cloud of suspicion and mistrust continues to hang over the citizens of Cornwall.

75. In many ways, the “Factual matrix” of the controversy in Cornwall arises to a significant extent, from the civil law suit of Perry Dunlop, the Leroux affidavit and the allegations made by C-8. Dunlop effectively went on a crusade to establish the existence of a clan of pedophiles and the cover up of allegations. His mouthpieces were largely Leroux and C-8 with the assistance of his young inexperienced counsel,

Charlie Bourgoise. Thus, the “factual matrix” giving rise to the CPI is one that is in large part created by Dunlop and his crusade.

76. Dunlop’s crusade targeted various people. Allegations brought forward by Dunlop were disseminated in the media which in turn created an atmosphere of paranoia that a “problem” existed in Cornwall. Names were put on lists and branded as being members of pedophile rings through rumor and innuendo. Many innocent people were personally targeted and deeply affected by the seriousness of the allegations.
77. During the contextual phase of the evidence, it was learned that in the period between 1993 and 2002, the knowledge and understanding of historical sexual abuse was in a state of development. During this state of development, the ingredients to the perfect storm were coming together to create massive controversy and a loss of confidence in public institutions. Rumors and allegations began to be accepted as absolute truths. And the more the allegations were disseminated, the larger the “problem” became.
78. Ken Seguin became a central figure in the “factual matrix” of Perry Dunlop. He, along with others such as Father Charles MacDonald, Malcolm MacDonald, Jacque Leduc and the Bishop, for instance were alleged to have acted in concert to prevent the Silmsler allegations for being prosecuted. Ken Seguin’s home in Summerstown became a focal point for clan meetings and sexual improprieties.
79. The clan theories and cover ups however, remain without foundation. After three years of evidence at the CPI, it is submitted that the controversy in Cornwall stems from misinformation, rumor and unproven allegations. More specifically, Ken Seguin’s alleged conduct as a member of a clan remains baseless. Despite the allegations that were made after his death, at the height of the controversy, they remain simply allegations.
80. What the events in Cornwall do is shed light on a much deeper problem of perception in society. That is, allegations of abuse, once made are taken as absolute truths and

proof of guilt. This presumption of guilt and that the offender should prove his or her innocence has the potential for serious consequences.

81. In law, there are safeguards that protect against the shifting of the presumption of innocence and burden of proof. These safeguards unfortunately do not apply to the public and public perception, which are free to assume guilt on the whim of a statement. This perception of “guilty until proven innocent” is more than just being misinformed; it can cause irreparable harm to innocent people. An accused person is nevertheless a person with a life outside of the four walls of a courtroom. To this person, it is cold comfort to know that the legal system presumes he is innocent, but to others, he may forever be a pedophile despite being acquitted or faced with unproven allegations.

82. Ken Seguin was a person who appears to have assisted many people. He had a caring family and was successful at his job. What happened in Cornwall to Ken Seguin, and other, however illustrates how allegations that have never been proven can label a person as a perpetual pedophile.

83. When society begins to place the onus on the perpetrator to prove their innocence, future Cornwall’s and Ken Seguin’s can become realities.

84. Accordingly, it is submitted, that a primary goal of the CPI is to not only make recommendations that will prevent future “Cornwalls” from occurring, but also to educate the public on the presumption of innocence as a fundamental constitutional principle of our justice system. It is only through education and information that perceptions can slowly be changed and the controversy that surrounded Cornwall can be prevented in the future.