



**STATEMENT OF COMMISSIONER G. NORMAND GLAUDE
CORNWALL PUBLIC INQUIRY**

SEPTEMBER 5, 2008

THIS WEEK WE HAVE MOVED TO EVIDENCE RELATED TO THE CHILDREN'S AID SOCIETY OF STORMONT, DUNDAS & GLENGARRY. BEFORE WE CONTINUE WITH THIS INSTITUTION TODAY, I WILL BE TAKING AN OPPORTUNITY TO CANVASS PROGRESS SINCE MY LAST STATEMENT AND TO INDICATE WHAT YOU CAN EXPECT OVER THE COMING MONTHS IN BOTH PHASE 1 AND PHASE 2.

I CONTINUE TO BELIEVE IT IS IMPORTANT IN A COMPLEX PROCESS SUCH AS A PUBLIC INQUIRY TO PERIODICALLY REVIEW THE OVERALL "ROAD MAP". UPDATES ARE ALSO IN KEEPING WITH THE MANY MECHANISMS WE HAVE IN PLACE TO ENSURE THIS INQUIRY IS ACCESSIBLE TO THE PUBLIC. THESE INCLUDE RELIABLE POSTING OF TRANSCRIPTS ON AN OVERNIGHT BASIS AND THE WEBCAST CAPACITY THAT LETS MANY OF YOU AT HOME OR IN YOUR OFFICES LISTEN TO THE PROCEEDINGS TODAY.

WE HAVE HAD IN PLACE FOR SOME TIME A PLAN TO RECEIVE THE EVIDENCE RELEVANT TO THE MANDATE OF THIS INQUIRY IN AN ORDERLY MANNER. WE HAVE FOLLOWED THAT PLAN, WHICH HAS BEEN REGULARLY REVIEWED WITH YOU. IN PROCEEDING METHODICALLY AND THOROUGHLY, WE HAVE CANVASSED THE FOLLOWING AREAS OF EVIDENCE:

- EXPERT EVIDENCE TO PROVIDE CONTEXT ON KEY AREAS OF RELEVANCE TO THIS INQUIRY;
- EVIDENCE RELATED TO THE EVOLUTION OF CORPORATE POLICIES OF INSTITUTIONAL PARTIES BEFORE THIS INQUIRY, AS WELL AS OVERVIEWS OF ORGANIZATIONAL STRUCTURE;
- EVIDENCE FROM THOSE WHO REPORTED BEING SEXUALLY ABUSED AS A CHILD OR YOUNG PERSON AND IN SOME CASES, EVIDENCE OF THEIR FAMILY MEMBERS; AND
- COMMUNITY CONTEXT EVIDENCE.

IN PURSUING OUR GOALS IN RESPECT TO COMMUNITY CONTEXT EVIDENCE, WE HAD HOPED TO HEAR FROM MR. PERRY DUNLOP. BECAUSE HE HAS CHOSEN NOT TO APPEAR, WE HAVE BROUGHT FORWARD EVIDENCE IN OTHER WAYS AND HAVE MOVED ON WITH THE WORK OF OUR MANDATE. MR. DUNLOP'S REFUSAL TO APPEAR

BEFORE THIS INQUIRY WAS CONSIDERED BY THE COURTS OF ONTARIO AND HE WAS FOUND IN CIVIL CONTEMPT OF LEGITIMATE ORDERS TO APPEAR. HE WAS ORDERED TO SERVE SIX MONTHS. HE WAS ALSO FOUND GUILTY OF CRIMINAL CONTEMPT IN RESPECT TO FAILURE TO RESPOND TO THE ORDERS OF ONTARIO COURTS. RECENTLY, IN TERMS OF SENTENCING FOR THE CRIMINAL CONTEMPT, I WANT TO MAKE SOME BRIEF COMMENTS. THE MINISTRY OF THE ATTORNEY GENERAL TAKES THE LEAD IN SENTENCING MATTERS IN ALL CRIMINAL MATTERS. THEY RETAINED OUTSIDE COUNSEL WHO ATTENDED AND PROVIDED A BRIEF ON THE RELEVANT SENTENCING FACTORS. OUR COUNSEL'S ROLE WAS TO SPEAK ONLY IF CALLED ON, AS A COURTESY TO THE COURT. WE DID NOT TAKE AN ADVERSARIAL ROLE. THE DIVISIONAL COURT DECIDED THIS WEEK THAT THE SENTENCE SHOULD BE AN EXTRA 30 DAYS.

FOR US, THE REALITY IS THAT WE HAVE NOW MOVED WELL INTO THE DIRECT EVIDENCE OF INSTITUTIONAL RESPONSE TO COMPLAINTS OF ABUSE OF YOUNG PEOPLE. TO DO THIS, WE ARE HEARING FROM WITNESSES RELATED TO INSTITUTIONAL PARTIES WHO WERE EMPLOYEES OR THOSE CARRYING OUT VARIOUS FUNCTIONS FOR THE INSTITUTIONS. WE STARTED WITH THE MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL

SERVICES. WE FOLLOWED WITH THE CORNWALL COMMUNITY POLICE SERVICE AND THE DIOCESE OF ALEXANDRIA-CORNWALL.

THE CHILDREN'S AID SOCIETY STARTS THIS WEEK. AFTER THIS EVIDENCE CONCLUDES, WE EXPECT ONLY A SHORT PERIOD FOR THE TWO SCHOOL BOARDS. WE WILL THEN REACH THE ONTARIO PROVINCIAL POLICE, WHICH INCLUDES PROJECT TRUTH. OUR LAST INSTITUTIONAL PARTY WILL BE THE MINISTRY OF THE ATTORNEY GENERAL. WE WILL BE SITTING UNTIL WE COMPLETE THE EVIDENTIARY RESPONSIBILITIES OF THIS INQUIRY, CONCLUDING AT THE END OF DECEMBER OR AT THE LATEST, JANUARY.

SINCE WE ARE IN SIGHT OF THE END OF THE HEARINGS, I WILL SOON BE SETTING SPECIFIC DATES FOR SUBMISSIONS ON PHASE 1.

WHILE LAWYERS UNDERSTAND WHAT SUBMISSIONS ARE, I WANT TO GIVE AN EXPANDED EXPLANATION TO THE PUBLIC. THIS IS VERY IMPORTANT TO FULFILLING ONE GOAL OF A PUBLIC INQUIRY – THAT IT BE ACCESSIBLE TO THE WIDER PUBLIC UNDERSTANDING.

ALL THE PARTIES BEFORE ME WILL HAVE AN OPPORTUNITY THROUGH THEIR COUNSEL TO EXPRESS THEIR VIEWS ON THE CONCLUSIONS THEY ARGUE ARE TO BE FOUND IN THE EXTENSIVE EVIDENTIARY RECORD BEFORE ME. THEY CAN SUMMARIZE THE

KEY FINDINGS AND VIEWPOINTS THAT THEY ADVOCATE ARE MOST IMPORTANT TO MY REPORT TO THE GOVERNMENT OF ONTARIO. I AM, OF COURSE, INDEPENDENT AND WILL MAKE FINDINGS AND REACH MY OWN CONCLUSIONS, BUT THERE IS OPPORTUNITY FOR PARTIES TO MAKE THEIR CASE TO ME, TO ASSIST ME IN ARRIVING AT MY FINAL DETERMINATIONS. BECAUSE I WANT TO ENSURE PUBLIC UNDERSTANDING OF OUR PROCESSES, I WILL EXPLAIN THAT COMMISSION COUNSEL DO NOT MAKE SUBMISSIONS TO ME. THE SPECIAL ROLE OF COMMISSION COUNSEL IS TO BRING OUT INFORMATION, IN A BALANCED AND FAIR WAY. COMMISSION COUNSEL DO NOT ADVOCATE FOR ANY PARTICULAR INTEREST, BUT ACT IN THE PUBLIC INTEREST.

IN REVIEWING THE RECORD OF THE PAST, AND POSSIBLE CONCLUSIONS ABOUT THAT PAST, PARTIES CAN ALSO LOOK FORWARD. PHASE 1 SUBMISSIONS ARE A TIME TO SUGGEST CHANGES IN POLICIES AND PRACTICES TO IMPROVE RESPONSES TO ALLEGATIONS OF ABUSE. YOU WILL RECALL THAT MANY WITNESSES MADE SUGGESTIONS FOR FUTURE CHANGE.

THE SUBMISSION PROCESS ALLOWS PARTIES TO CLEARLY PUT FORWARD THEIR SUGGESTIONS AND TO TELL ME – AND THE PUBLIC – OF PROGRESSIVE IDEAS THAT COULD AFFECT PUBLIC POLICY ACROSS THIS PROVINCE.

I WILL NOW DISCUSS SOME OF THE DETAILS RELATED TO THE SUBMISSION PROCESS. FOLLOWING OUR LAST DAY OF HEARINGS, WE WILL HAVE A BREAK OF A FEW WEEKS FOR FILING OF WRITTEN SUBMISSIONS. COUNSEL WILL THEN BE PERMITTED TO RESPOND IN WRITING TO THE SUBMISSIONS OF OTHER PARTIES OR TO ADOPT SUBMISSIONS OF OTHERS, IN WHOLE OR IN PART.

ONCE THIS PROCESS IS COMPLETE, WE WILL MAKE ALL INITIAL AND REPLY SUBMISSIONS PUBLICLY AVAILABLE BY POSTING THEM ON OUR WEBSITE, AT THE BEGINNING OF ORAL SUBMISSIONS.

THERE WILL BE A PERIOD OF SEVERAL DAYS SET ASIDE FOR ALL COUNSEL TO ORALLY ADDRESS THEIR SUBMISSIONS, TO HIGHLIGHT AREAS OF PARTICULAR SIGNIFICANCE TO THEIR CLIENTS, AND TO STRESS IMPORTANT PHASE 1 RECOMMENDATIONS. THERE WILL BE STRICT TIME LIMITS FOR ORAL SUBMISSIONS GIVEN TO EACH PARTY.

THE SUBMISSIONS PROCESS IS AN IMPORTANT ONE FOR THIS INQUIRY AND FOR MANY WITNESSES WHO HAVE APPEARED BEFORE ME. I WANT TO ENSURE ADEQUATE PREPARATION TIME FOR THOSE SUBMISSIONS AND ADVANCE NOTICE OF THE RULES GOVERNING PHASE 1 SUBMISSIONS. AT THIS TIME, I ANTICIPATE THAT PHASE 1

WRITTEN SUBMISSIONS WILL BE RECEIVED BY ME IN EARLY 2009 AND TIME SET ASIDE FOR ORAL PHASE 1 SUBMISSIONS IN MARCH.

LATER THIS FALL, WE WILL GIVE FORMAL NOTICE OF THE EXACT DATES FOR WRITTEN AND ORAL SUBMISSIONS. HOWEVER, TODAY I AM GIVING A HIGH LEVEL OVERVIEW WITH SUFFICIENT DETAIL OF WHAT TO EXPECT AND APPROXIMATE TIMING TO FACILITATE WORK PLANNING THAT WILL MEET NECESSARY DEADLINES FROM NOW UNTIL THE END OF THE INQUIRY.

THROUGHOUT THIS INQUIRY I HAVE REITERATED TO THE PUBLIC THE IMPORTANCE OF WAITING, AS I WILL DO, UNTIL ALL EVIDENCE IS HEARD. WE ARE SOON REACHING THAT TIME, BUT I CONTINUE TO URGE EVERYONE TO WAIT FOR THE PHASE 1 HEARINGS AND SUBMISSIONS TO FINISH BEFORE FORMING ANY CONCLUSIONS.

AS I TOUCH UPON THE MECHANICS OF GATHERING EVIDENCE, PRESENTING CONCLUSIONS AND ADVOCATING FOR THE FUTURE, I NEVER FORGET THE HEART OF THESE MATTERS – WHY WE ARE HERE AND WHAT WE CAME TO DO.

PUBLIC INQUIRIES ARE PARTICULARLY SUITED TO THE THOROUGH EXAMINATION OF COMPLEX AND SENSITIVE MATTERS, WITHOUT MAKING FINDINGS OF CIVIL OR CRIMINAL LIABILITY. THERE WAS PUBLIC DEMAND FOR A PUBLIC INQUIRY IN CORNWALL TO BE

THOROUGH AND FAIR MINDED. OUR WORK HAS ALWAYS BEEN DIRECTED AT THIS FUNDAMENTAL PURPOSE. WE CAME TO DO AN IMPORTANT JOB ON BEHALF OF THE PUBLIC, CAREFULLY, COMPASSIONATELY AND COMPLETELY. IT HAS GUIDED ALL WE DO AND WILL CONTINUE TO GUIDE ALL WE DO.

I WILL NOW UPDATE YOU ON PHASE 2 OF THE WORK OF THIS INQUIRY – THE FOSTERING OF AN IMPROVED ENVIRONMENT FOR HEALING AND RECONCILIATION.

ONE ASPECT OF PHASE 2 WORK HAS BEEN RESEARCH. WE HAVE FUNDED RESEARCH RECOMMENDED TO ME BY MY ADVISORY PANEL ON A NUMBER OF PRACTICAL AND RELEVANT TOPICS. THIS HAS INCLUDED MATTERS SUCH AS WHETHER A CHANGE IN THE LAW OF APOLOGIES IS DESIRABLE, THE POSSIBILITY OF A SPECIALIZED OMBUDSMAN, AND SERVICES FOR MEN WHO HAVE A HISTORY OF CHILDHOOD ABUSE BUT ARE ALSO ADULT ABUSERS. OUR RESEARCH AGENDA ALSO INCLUDES MATERIAL WE HOPE TO POST ON OUR WEBSITE THIS WEEK, CALLED “SURVIVORS HELPING SURVIVORS.” AND LATER THIS YEAR, WE ALSO EXPECT A “HOW TO” MANUAL ON ESTABLISHING SERVICES FOR MEN. BOTH ARE PREPARED AS PARTY RESEARCH BY THE MEN’S PROJECT.

WE HAVE ALSO FUNDED LOCAL INITIATIVES TO LOOK AT SPECIFIC IDEAS HERE IN CORNWALL, WHETHER FOR BROADER EDUCATION AND AWARENESS, PROFESSIONAL EDUCATION OR FOR SPECIFIC FACILITIES OR SERVICES.

I WANT TO INDICATE THAT AS WE BEGIN TO REACH THE END OF OUR ACTIVITIES HERE, THAT I HAVE DECIDED TO LEAVE OUR DOORS OPEN – JUST A LITTLE LONGER – FOR ANY RESEARCH PROPOSALS COMING FROM THOSE IN THE CORNWALL AND SD&G AREA. MY ADVISORY PANEL WILL BE OPEN TO REVIEWING ANY LOCAL PROPOSALS FOR POSSIBLE RECOMMENDATION TO ME, UP TO NOVEMBER 14, 2008. WE ARE NOW CLOSED FOR ANY RESEARCH PROPOSALS OUTSIDE OF THE CORNWALL AREA. I URGE THOSE OF YOU WHO MAY HAVE LOCAL RESEARCH PROPOSALS TO STEP FORWARD SOON.

PART OF THE WORK OF PHASE 2 HAS BEEN MEETING TO DISCUSS IMPORTANT ISSUES FOR THE FUTURE. THE ISSUES WE CHOOSE FOR THESE MEETINGS USUALLY COME FROM ISSUES THE PUBLIC TELLS US MATTER TO THEM. FOR EXAMPLE, WE HELD A REVEALING SESSION ON THE RISKS OF THE INTERNET AND HOW TO KEEP OUR CHILDREN AND COMMUNITY MORE INTERNET SAFE. THIS WAS AN ISSUE FLAGGED BY THE PUBLIC AS BEING IMPORTANT.

MANY ATTENDING PHASE 2 MEETINGS HAVE RAISED THE ISSUE OF SENTENCING IN RESPECT TO THOSE CONVICTED OF SEXUAL OFFENCES RELATED TO CHILDREN AND YOUNG PEOPLE. AS A RESULT, ON OCTOBER 22 MY ADVISORY PANEL WILL HOST AN EVENING EVENT ENTITLED “TALK ABOUT SENTENCING”. WE WILL PRESENT SOME RESEARCH TRENDS ON SENTENCING AND BRING IN SOME EXPERTS TO DISCUSS THE MANY CONSIDERATIONS IN SENTENCING. AND MEMBERS OF THE PUBLIC CAN EXPRESS THEIR VIEWPOINTS ON POSSIBLE FUTURE APPROACHES TO SENTENCING.

WE ARE ALSO WORKING ON THREE OTHER POLICY ROUNDTABLE DISCUSSIONS OF POSSIBLE RELEVANCE TO FUTURE POLICY. PHASE 2 IS FORWARD LOOKING, BECAUSE HOPE FOR A BETTER FUTURE IS PART OF HEALING. WE ASK: “WHAT WOULD BE THE BEST WAY TO ADDRESS AN ISSUE IN THE FUTURE. IS THERE A BETTER WAY TO PREVENT ABUSE, ADDRESS IT WHEN IT HAPPENS AND HELP THOSE HURT?” POLICY ROUNDTABLES COULD HELP IN ANSWERING THESE QUESTIONS.

THERE ARE THREE TOPICS UNDER CONSIDERATIONS FOR POLICY ROUNDTABLES:

- HOMOPHOBIA AND FEARS ABOUT PEDOPHILIA – HOW HOMOPHOBIA CAN HURT EFFORTS TO PREVENT CHILD SEXUAL ABUSE OR ADDRESS IT WHEN IT HAPPENS

- CONFIDENTIALITY PROVISIONS IN CIVIL SETTLEMENTS – ARE THERE SITUATIONS IN WHICH SUCH PROVISIONS SHOULD BE LIFTED, IN THE PUBLIC INTEREST?

- ISSUES IN ENCOURAGING REPORTING OF CHILD ABUSE AND THE MANDATORY DUTY TO REPORT

ALL PARTIES AND THEIR COUNSEL WILL HAVE THE OPPORTUNITY TO CONTRIBUTE TO POLICY DISCUSSIONS IN THE ROUNDTABLE FORMAT.

AS WE POST SPECIFIC DATES ON OUR WEBSITE, I HOPE THOSE IN THE BROADER COMMUNITY COME OUT OR REVIEW OUR MEETING SUMMARIES ON LINE TO LEARN ABOUT ISSUES WORTHY OF POLICY DEBATE AND DEVELOPMENT.

WE ARE IN THE PROCESS OF SETTING ASIDE DATES FOR THESE ROUNDTABLE DISCUSSIONS DURING NON-HEARING WEEKS THIS FALL OR IN THE EVENING OF HEARING WEEKS.

OUR FIRST DATE IS OCTOBER 1, ON THE TOPIC OF HOMOPHOBIA AND THE HARM IT MAY CAUSE IN PREVENTING AND ADDRESSING PEDOPHILIA. IT APPEARS THAT THE SESSION ON CONFIDENTIALITY PROVISIONS IN CIVIL SETTLEMENTS WILL BE DECEMBER 4. OTHER SESSIONS ARE BEING SCHEDULED, BASED ON THE AVAILABILITY OF KEY PANEL PARTICIPANTS.

IN ADDITION TO A BUSY SCHEDULE OF POLICY DISCUSSIONS, I NOTE WE ARE REPEATING A WELL-REGARDED SERIES OF TRAINING WORKSHOPS FOR PROFESSIONALS, DELIVERED BY THE MEN'S PROJECT. MANY OF THESE TRAINING OPPORTUNITIES REACHED CAPACITY LAST TIME AND WE HAD "WAIT LISTS". PLEASE LOOK ON OUR WEBSITE AT THE OPPORTUNITIES OFFERED FROM SEPTEMBER 2008 TO FEBRUARY 2009 AND SIGN UP SOON. THESE SESSIONS ARE FREE TO PARTICIPANTS AND OFFERED HERE IN CORNWALL. THEY ARE AVAILABLE TO PROFESSIONALS FROM THIS COMMUNITY AND OUTSIDE THIS COMMUNITY.

ONE OF THE OPPORTUNITIES IN PHASE 2 IS INFORMAL TESTIMONY. ANYONE AFFECTED BY THIS INQUIRY WHO WANTS TO GIVE INFORMAL TESTIMONY IN A PRIVATE, SUPPORTIVE ENVIRONMENT CAN GET IN TOUCH WITH PHASE 2 STAFF TO REGISTER. INFORMAL TESTIMONY BEFORE MEMBERS OF MY ADVISORY PANEL IS AVAILABLE UNTIL NOVEMBER 18TH OF THIS YEAR. THERE IS QUITE

A BIT OF FLEXIBILITY AND CHOICE IN THE INFORMAL TESTIMONY PROCESS. THOSE INTERESTED CAN DISCUSS WHAT IS INVOLVED BEFORE COMMITTING TO COME, AND PHASE 2 STAFF WELCOME CALLS TO DISCUSS WHAT IS INVOLVED. WHILE WHAT IS SAID CANNOT BE PART OF PHASE 1 FINDINGS, I CAN ASSURE THOSE WHO PARTICIPATE THAT I WILL READ EACH SUMMARY WITH GREAT CARE AND WILL CONSIDER WHAT IS SAID BEFORE I COMPLETE MY PHASE 2 REPORT. THE HEALING AND RECONCILIATION MANDATE OF THIS INQUIRY CONTINUES TO HAVE MY CLOSE AND CAREFUL ATTENTION.

LIKE PHASE 1, PHASE 2 WILL HAVE A FORMAL OPPORTUNITY FOR PARTIES AND THEIR COUNSEL TO GIVE SUBMISSIONS ABOUT HEALING AND RECONCILIATION. THE FORMAL SUBMISSIONS PROCESS FOR PHASE 2 WILL FOLLOW PHASE 1 SUBMISSIONS, WITH A BRIEF BREAK. I WANT TO ENSURE PARTIES GIVE THEIR FULL ATTENTION TO HEALING AND RECONCILIATION, HAVING COMPLETED PHASE 1 SUBMISSIONS. I WOULD NOTE THAT PHASE 2 SUBMISSIONS CAN COVER ANY PARTY COMMENTS OR RECOMMENDATIONS ON COUNSELLING SUPPORT AND WITNESS SUPPORT. WHILE RELATED TO PHASE 1 TO SOME EXTENT, WE WILL TREAT BOTH SUPPORT PROGRAMS AS PART OF PHASE 2 SUBMISSIONS.

I WILL GIVE SPECIFIC DIRECTIONS FOR PHASE 2 SUBMISSIONS AT THE SAME TIME AS I GIVE DIRECTIONS ON PHASE 1 SUBMISSIONS. HOWEVER, THEY WILL BE SIMILAR TO PROCESSES FOR PHASE 1. WE WILL ALSO PROVIDE SEVERAL DAYS FOR ORAL SUBMISSIONS ON PHASE 2, WITH TIME LIMITS FOR THOSE COUNSEL GIVING ORAL SUBMISSIONS. PHASE 2 SUBMISSIONS WILL BE POSTED ON OUR WEBSITE, IN THE SAME WAY AS PHASE 1 SUBMISSIONS.

HOWEVER, WE HAVE GREATER LATITUDE IN PHASE 2 TO INVOLVE THE PUBLIC IN SUBMISSIONS. I HAVE THEREFORE ASKED MY ADVISORY PANEL TO CREATE MORE OPPORTUNITIES FOR THOSE INTERESTED IN HEALING AND RECONCILIATION TO SAY WHAT THEY WANT TO BUILD HEALING AND RECONCILIATION IN FUTURE.

TO DO THIS, I WANT TO CREATE OPPORTUNITIES THAT ARE PUBLIC. I ALSO WANT TO GIVE THOSE WHO ARE PRIVATE PEOPLE, PRIVATE OPPORTUNITIES TO TALK ABOUT THEIR VISION FOR HEALING AND RECONCILIATION. PRIVATE OPPORTUNITIES CAN BE ACCESSED THROUGH INFORMAL TESTIMONY THIS FALL. SESSIONS CAN BE COMPLETELY ABOUT IDEAS FOR THE FUTURE, OR THERE CAN BE A MIXING OF PERSONAL EXPERIENCES AND IDEAS FOR FUTURE CHANGE.

IN TERMS OF A PUBLIC SUBMISSIONS PROCESS, WE ARE WORKING ON CREATING OPPORTUNITIES FOR THE PUBLIC TO MAKE PHASE 2 SUBMISSIONS ON HEALING AND RECONCILIATION. THESE SESSIONS ARE LIKELY TO BE SCHEDULED IN EARLY 2009.

THIS COMPLETES MY UPDATE ON THE PROGRESS IN THE WORK OF THIS INQUIRY. WE WILL NOW TURN BACK TO THE EVIDENCE OF THE CHILDREN'S AID SOCIETY OF STORMONT, DUNDAS & GLENGARRY.