

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

BETWEEN:

THE HONOURABLE G. NORMAND GLAUDE,  
COMMISSIONER OF THE CORNWALL PUBLIC INQUIRY

Applicant

- and -

PERRY DUNLOP and HELEN DUNLOP

Respondent

**AFFIDAVIT OF MAYA HAMOU  
(Sworn August 9, 2007)**

I, Maya Hamou, Counsel, of the City of Montreal, in the Province of Quebec, MAKE OATH AND SAY AS FOLLOWS:

1. I am counsel for the Cornwall Public Inquiry. As such I have knowledge of the matters to which I hereinafter depose, except where such knowledge is stated to be based on information and belief, in which case I confirm the source of my information and belief.
2. The Cornwall Public Inquiry was established by the Government of Ontario on April 14, 2005, pursuant to section 2 of the *Public Inquiries Act*. The Honourable G. Normand Glaude of the Ontario Court of Justice was appointed to act as Commissioner (the "Commissioner"). A copy of the Order-in-Council is attached as Exhibit "A" to my Affidavit.
3. The preamble to the Order-in-Council states:  
Whereas allegations of abuse of young people have surrounded the City of Cornwall and its citizens for many years. The Police

investigations and criminal prosecutions relating to these allegations have concluded. Community members have indicated that a public inquiry will encourage individual and community healing...

4. The Commission's mandate is set out in sections 2 and 3 of the Order-in-Council:

2. The Commission shall inquire into and report on the institutional response of the justice system and other public institutions, including the interaction of that response with other public and community sectors, in relation to:

a) allegations of historical abuse of young people in the Cornwall area, including the policies and practices then in place to respond to such allegations, and

b) the creation and development of policies and practices that were designed to improve the response to allegations of abuse

in order to make recommendations directed to the further improvement of the response in similar circumstances.

3. The Commission shall inquire into and report on processes, services or programs that would encourage community healing and reconciliation in Cornwall.

5. The Commissioner has ruled that the focus of Part I of the Inquiry will be to "inquire and report in the manner in which public institutions responded to the allegations of abuse as reported to them by the citizens of this community." The Hearings in respect of Part I of the Inquiry commenced on February 13, 2006. An excerpt of the Commissioner's Ruling on Standing and Funding, dated November 17, 2005 is attached as Exhibit "B" to my Affidavit.

6. To date, the Inquiry has heard testimony from contextual experts and from representatives of the various institutions that have standing at the Inquiry to provide context for the issues and evidence with respect to the history, structure and operations of these institutions. The Commission has also heard evidence from alleged victims of child sexual abuse and some of their relatives.

7. In the course of the Inquiry, the Commission has obtained a copy of the Will State of the respondent Perry Dunlop, which is dated April 7, 2000 and which was

prepared further to a request by Staff Sergeant Garry Derochie dated January 10, 2000 ordering full disclosure of documentation and information. A copy of the letter by Staff Sergeant Garry Derochie is attached as Exhibit "C" to my Affidavit. A copy of the Will State of Perry Dunlop dated April 7, 2000 is attached as Exhibit "D" of my Affidavit.

8. Pursuant to his authority in section 7 of the *Public Inquiries Act*, R.S.O. 1990, c. P.41, the Commissioner has issued summonses for Perry Dunlop and his wife Helen Dunlop, to appear before the Commission on September 17, 2007. A copy of the Summons to Witness for Perry Dunlop is attached as Exhibit "E" to my Affidavit. A copy of the Summons to Witness for Helen Dunlop is attached as Exhibit "F" to my Affidavit.
9. The evidence of Perry and Helen Dunlop is necessary and essential to the Cornwall Public Inquiry for the reasons that follow.

#### **Factual Background**

10. On December 9, 1992, David Silmsler ("Silmsler"), reported to the Cornwall Police Service ("CPS") that he had been sexually abused when he was a child by Father Charles MacDonald and by Ken Seguin ("Seguin"), a Cornwall Probation Officer. The CPS started an investigation as a result of Silmsler's allegations.
11. At around the same time, Silmsler reported to the Diocese of Alexandria-Cornwall ("the Diocese"), that Father Charles MacDonald had sexually abused him as a child.
12. While the CPS investigation was still underway, Silmsler negotiated a settlement of \$32,000.00 with the Diocese. Silmsler agreed to sign a document releasing the Diocese from any civil liability and agreed to direct the CPS to end their investigation.

### **Perry and Helen Dunlop's involvement**

13. I have reviewed Perry Dunlop's Will State, which I believe to be an accurate summary of the evidence that he would have given at a criminal trial. In summary, the Will State provides:

- a. Perry Dunlop, a CPS Officer at the time, became aware of Silmsers's complaint and the fact that Silmsers had directed the CPS to close their investigation. Perry Dunlop obtained a copy of Silmsers's statement to the CPS. He provided a copy of this statement to the Executive Director of the Children's Aid Society for the United Counties of Stormont, Dundas and Glengarry ("the CAS"). The CAS commenced its own investigation.
- b. Subsequently, in October of 1993 the CPS launched an internal investigation in regards to Perry Dunlop's disclosure of the Silmsers statement to the CAS.
- c. Prior to the completion of the internal investigation launched by the CPS, Perry Dunlop went on disability leave from the CPS in January 1994 until May 1997.
- d. Following a citizens complaint by David Silmsers, Perry Dunlop was advised on May 1993 that he had been charged under the *Police Services Act* with offences relating to his disclosure of the Silmsers statement to the CAS.
- e. Over a period of numerous years starting in or around 1994, Perry and his wife, Helen Dunlop collected information on other alleged victims of child sexual abuse in the Cornwall area. Perry Dunlop interviewed numerous alleged victims and potential witnesses, collecting *inter alia*, statements, affidavits, drawings, audio and video interviews. Perry and Helen Dunlop also obtained information about an alleged clan of pedophiles in the Cornwall area and information about an alleged conspiracy of Father Charles MacDonald, Ken Seguin and Malcolm MacDonald to murder him

- (Perry Dunlop) and the members of his family. Furthermore, Perry and Helen Dunlop collected information on a conspiracy to obstruct justice in the late Summer 1993 by prominent members of the Cornwall community including Malcolm MacDonald, the Crown Attorney, the Bishop of the Diocese and the Chief of Police, with regard to the original Silmsler investigation by the CPS.
- f. On December 18, 1996, Perry Dunlop compiled some documents and information obtained through his investigation. This documentation was provided to the Chief of the London Police Service. On March 14, 1997, Perry Dunlop sent the OPP victim statements. On April 8, 1997, Perry Dunlop delivered the documentation to John Periversoff Special Assistant, Policing Office of Deputy Solicitor General Department who refuses to accept the documents. On this same day, he also delivered the documentation to the Ontario Civilian Commission on Policing and to the Attorney General Charles Harnick.

#### **News media**

14. Perry Dunlop's Will State also references the extensive media coverage of his involvement, including:
- a. in December 1995, during the summer of 1996 and in February 1997 the CBC television program the "Fifth Estate" broadcasted a 30 minute piece on the charges under the *Police Services Act* against Perry Dunlop and alleged cover-up by the CPS; and
  - b. in the March 1999 issue of *Chatelaine*, an article was published about Perry and Perry Dunlop. In the article a picture shows Perry Dunlop in his living room surrounded with case files. The article titled "Would you blow the whistle on sex abuse" in the March 1999 issue of *Chatelaine* is attached as Exhibit "G" to my Affidavit.

