

What's New – Consultation on Informal Opportunities for individuals affected by allegations of historical sexual abuse to talk privately about impact on their lives ...

The Advisory Panel of the Cornwall Public Inquiry is conducting a consultation. Your views are important and could affect advice given to the Commissioner of the Cornwall Public Inquiry. It's about the part of the Phase 2 mandate – healing and reconciliation – that provides the option of more informal opportunities for people to talk about the impact on their lives of allegations of historical sexual abuse. The Advisory Panel is interested in any comments about the ideas in the consultation paper prepared at the Commission. If you have comments, please email or write to:

Advisory Panel
Cornwall Public Inquiry
709 Cotton Mill St.
Cornwall, ON K6H 7K7

or email lori.loseth@ontario.ca

You must respond before **February 4, 2008**.

The Advisory Panel is also willing to meet with individuals who might be interested in the opportunities for informal testimony or who want to comment on the paper. The days set aside for meetings are **November 29 and 30, 2007**.

If you want to meet with the Advisory Panel for a group or personal discussion about options for informal testimony, you can get a private appointment on November 29 or 30 by calling or emailing the Cornwall Public Inquiry at:

Lori Loseth
613.938.7102
lori.loseth@ontario.ca

There will also be a public “drop in” for anyone to see the Advisory Panel between 7:00 p.m. and 8:00 p.m. on November 29th and between 8:30 a.m. and 10:00 a.m. on November 30th at the Ramada Inn, 805 Brookdale Avenue in Cornwall. We look forward to seeing you.



CORNWALL PUBLIC INQUIRY

PHASE 2

CONSULTATION ON NON-EVIDENTIARY MEETINGS OR OPPORTUNITIES TO EXPRESS EXPERIENCES OR LIFE IMPACT

NOVEMBER 2007

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WHAT IS THIS PAPER ABOUT?

The Cornwall Public Inquiry was established in late 2005 by the Government of Ontario. It has a two-part responsibility. The first part or phase involves an evidence-based hearing process, to make specific findings and recommendations regarding the institutional response of the justice system and other public institutions in relation to allegations of historical sexual abuse in Cornwall. The second main responsibility area involves community healing and reconciliation in Cornwall.

The mandate of the Cornwall Public Inquiry provides that:

The Commissioner may provide community meetings or other opportunities apart from formal evidentiary hearings for individuals affected by the allegations of historical abuse of young people in the Cornwall area to express their experiences of events and the impact on their lives.

The existing Rules of the Inquiry go on to provide that the community meetings and opportunities are part of the second part – Phase 2. In other words, these meetings and opportunities are about “encouraging community healing and reconciliation in Cornwall”. The healing mandate is unique to Canadian inquiries in terms of these types of healing meetings or opportunities. As a result, there are no exact precedents to follow. This consultation will help design a process that meets people’s needs. **It may be necessary to add to some of the Inquiry’s rules when a process is chosen.**

In the fall of 2006, the Commissioner started Phase 1 evidentiary hearings, starting with individuals who either were or were alleged to have been sexually abused as children. Following completion of this testimony and community context evidence, the Commissioner will hear the institutional response. **The non-evidentiary or informal testimony will occur after that.**

WHO MIGHT WANT TO GIVE INFORMAL TESTIMONY?

These are examples of different categories of individuals who might wish to take the opportunity to “tell their story” in a non-evidentiary, more informal context:

- o Those who could not testify in Phase 1 because they did not report to any institution and so the issue of institutional response did not come up.
- o Those who testified in Phase 1 but who felt they could not say all they wanted about the impact on their lives.

- o Family members of those convicted or those charged with sexual abuse involving children who may want to explain the impact on them.
- o Persons who believe they have been unfairly identified as being a child abuser or unfairly associated with those who were convicted of child sexual abuse.
- o Family members of persons who experienced childhood sexual abuse who want to talk of the impact on them as a spouse or member of the family.
- o Community members or professionals who are affected but did not have a place to testify in Phase 1 and who want to talk about the personal impact on them as community members or in their professional lives.

In consultation, we hope to find out more about the numbers of people who might want to take part in informal testimony.

Those who testified in Phase 1 will not be permitted to discuss the area of testimony already given, but can discuss other events and the impact on their lives.

WHAT IS THE PROCESS OF CONSULTATION?

To meet the needs of those who are interested in this informal, non-evidentiary testimony, it is important to talk to as many people as possible and to give quite a good idea of how things could work. To do this:

- o We have developed this consultation paper on models, accompanied by some questions about the models for consultation to try and get the answers we need.
- o This paper is provided to counsel for parties and is on the Inquiry website, but is also being mailed to people who have already expressed an interest in Phase 2.
- o The Director of Policy and Lead Commission Counsel have met with party counsel to discuss this paper and any ideas or issues party counsel want to raise.
- o We will have facilitated meetings with survivors, counselling providers and those in Cornwall who might participate in the non-evidentiary meetings to better understand viewpoints, preferences and issues. Advisory Panel members will attend.
- o The Cornwall Public Inquiry Advisory Panel will review information gathered in consultation and staff will prepare a report for Commissioner G. Normand Glaude for his consideration.
- o Commissioner G. Normand Glaude will make the final decision and this will be made public.

WHAT MODELS ARE “ON THE TABLE” TO THINK ABOUT?

In this paper, we have give details on several models for receiving informal testimony. There is also a final approach that could involve having some choice available among models, depending on what people feel would best suit them.

The first model we call the “**Commissioner Model**”. In this model, the Commissioner would receive all informal non-evidentiary testimony in a private, more informal setting. The session would be facilitated by a person who is a mediator or other person with the skill to ensure both a positive experience and the following of “ground rules” for the sessions. There might be some capacity to travel to other communities if there were enough people interested in informal testimony in that community. The sessions would be about one-and-a-half hours long. People could bring a small number of family members or friends. The sessions could be in English or French, or both. There would be no cross-examination, prior investigation, or swearing or affirming of informal testimony because this informal account is not evidence. There would be no finding of fault or determination of facts based on these accounts. There would be an option of a summary to be prepared but there would be no identifying information. Those who provide informal testimony would have the opportunity to review their summary before publication. The summary would be published as part of the Inquiry’s Phase 2 report, but only if the summary option was chosen.

The second model we call the “**Sensitive Professional Model**”. This is a situation where empathetic professionals would hear the informal testimony. People could choose between a man or a woman or whether to give their testimony in French or English. The sessions might be slightly longer – about two hours long. People could bring a small number of family members or friends. There would be no cross-examination, investigator or swearing or affirming of informal testimony because the informal account is not evidence. There would be no finding of fault or determination of facts based on these accounts. Summaries could be prepared at the option of the individual giving the account, but there would be no identifying information. The individual giving informal testimony could review the summary prior to publication, but after final preparation. The Commissioner would see the summaries prior to publication. The summaries would be published as part of the Inquiry’s Phase 2 report, but only if the summary option was chosen.

The third model we call the “**Community Listening Model**”. This would involve individuals from the community, such as institutional heads, if they were willing, to listen to informal testimony as an opportunity for individual or community reconciliation. The meeting would be chaired or facilitated by an Advisory Panel member, a psychologist or professional mediator. As with other models, a non-identifying summary would be prepared, if this option were chosen, and would be reviewed prior to publication. The Commissioner would see the summaries prior to publication but after final preparation. The summaries would be published as part of the Inquiry’s Phase 2 report if the summary

option was chosen. This model might be particularly attractive to community members who want to address their own interest in rebuilding community trust.

The fourth model we call the “**Written Model**”. A person would write out what they want to say and provide it, in confidence, to the Inquiry staff. Based on this written material, a non-identifying summary would be prepared, as with the other models. The Commissioner would see the summary after finalized and it would be published as part of the Inquiry’s Phase 2 report.

The last approach would involve a **choice** – for example, between a written model and one of the oral models – or between two oral models. If a model is chosen, all the parts of the model would need to be chosen. To be practical, the amount of choice would have to have some limits.

WHEN WOULD INFORMAL TESTIMONY TAKE PLACE?

In all models, no informal testimony would start until the completion of testimony in Phase 1 of the Cornwall Public Inquiry. This makes the distinction between the evidentiary and non-evidentiary processes clear.

WHAT ABOUT A “TOWN HALL” OR PUBLIC MODEL?

During the course of Phase 2 work, there have been and will continue to be structured and open community meetings to talk about community healing and reconciliation – and to discuss where the community of Cornwall wants to go in future and how to rebuilt trust or relationships if there is a desire to do this. There might be a component that reinforces awareness of the personal, family and community impact of historical abuse and allegations of historical abuse. In addition, there would be a session or sessions that explain what would happen today if a report was made of child sexual abuse or adult disclosure of childhood sexual abuse. However, the public nature of such meetings would not afford the time or the privacy for an individual to recount their life experiences.

WHAT ABOUT PREPARATION TO GIVE INFORMAL TESTIMONY?

In other situations where an impact statement is created – for example, in criminal court – some assistance is given in preparing to make a statement or speak in court. Many people do not need or want assistance, but some may not know where to start, or may need some ideas or support in preparing. They may need help in deciding the most important points they want to make in the time they have, or may need some emotional or therapeutic support in preparing to talk about their past.

We propose a number of ways that people could get assistance. For all the oral models, we suggest:

- o A written checklist or suggested outline for people to review ahead of time, prepared by Commission staff.
- o If a person has a counsellor approved through Counselling Support at the Cornwall Public Inquiry, the payment by the Inquiry of up to three hours to the counsellor to help with preparation and ensure well-being.
- o If a person does not have a counsellor, providing the option of going to a counsellor from an Inquiry roster who would help with preparation.

Counsellors who intend to support preparation would be required to have training to carry out their preparation role. Training will be provided through the Commission.

WHAT ABOUT COUNSELLING SUPPORT AND WITNESS SUPPORT?

Counselling Support will continue to be available for those who have been approved. In addition, as mentioned in the section on preparation, those who have a counsellor can ask their counsellor to help them in preparation and the Inquiry will pay up to three hours for this, if the counsellor is willing and has attended training.

Witness Support will also be available. Depending on what people want, Witness Support staff would:

- o Provide advance orientation – for example, showing those who may give informal testimony the space they will be in, where they sit, where their family or friends might sit and what they might expect at a session.
- o Set appointments for informal testimony and remind people of when and where to come and find out who else may attend with the person.
- o At the sessions, welcome the individual and introduce them to the facilitator.
- o Provide assistance with expense accounts for travel expenses; travel expenses include the cost of going to and from the sessions. Those coming from a distance that is far enough away that they must stay overnight will also be compensated for meals and accommodation; all expenses will be at government rates.
- o Follow up at a later time to check on well-being of those giving informal testimony.
- o Provide liaison with Counselling Support.

- o Provide referral to a counsellor if a person wants the assistance of a counsellor in preparation, but does not already have a counsellor.

WHAT ABOUT SUMMARIES OF WHAT WAS SAID?

In all the oral models, there is a summary option. If a person does not want a summary, there will be no summary prepared and no verbatim transcriber will be in attendance. If the individual wants a summary prepared, there will be a verbatim transcriber in attendance to ensure an accurate record of what was said. That record will be used only for summary preparation or verification of error and will be erased within 30 days after the day the account was given and will not be made available to any other individuals or to the individual giving informal testimony. A letter verifying erasure will be sent to each individual giving informal testimony.

The person writing summaries would review the transcript and prepare a summary. The summary would remove reference to names or to identifying information. The person who gave the account of experiences and the impact on their lives would have the opportunity to review the summary and indicate any errors or whether information may identify him or her or another person. The final summary would be provided to the person who gave the informal testimony and would be published in the Phase 2 Report of the Cornwall Public Inquiry. In the models where the Commissioner would not have attended personally, he would be given the summary to read prior to publication in the Phase 2 report, but after review by the individual who gave the account.

For the written model, the summary writer would review the written record and prepare a summary with names and identifying information removed in a format similar to oral summaries. The individual who provided the written material would review the summary to point out any errors or identifying information. In all cases involving the written model, the final summary would be provided to the individual and the Commissioner and be published in the Phase 2 Report of the Cornwall Public Inquiry.

WHAT COULD SUMMARIES LOOK LIKE?

If a person chose a summary option, it could not identify anyone. At the same time, people want to feel that the summary does reflect them and the impact their experiences have had on their lives. This is a difficult balancing act. To assist in talking about summaries, two types of summaries are provided. One is more “story-based” and gives more detail and uses the words of those speaking. The other is more likely the reports done in regulatory hearings.

Responses about summary preferences are asked for as part of consultation. Examples of summary types are given at the end of this consultation paper.

HOW DO WE MAKE INFORMAL TESTIMONY FEEL SAFE AND COMFORTABLE?

The existence of Witness Support and Counselling Support and preparation assistance can help an individual feel more comfortable in giving testimony, and in addressing aspects of the process that are stressful. **In addition, there are parts in the models that are designed to create more informality and a comfortable environment:**

- o A person can tell their story “in their own words” without being led or cross-examined by a lawyer.
- o Processes will be informal – a conversation – and if people need breaks, they can be accommodated, although there is an overall time limit for each session.
- o The set-up will not be like a hearing, it will be more informal with people gathered at a table, for example.
- o The sessions are private and the public and media cannot attend.
- o The person giving informal testimony can bring a small number of family members or friends for support.
- o Group presentations will be permitted – a couple or a family, for example, or several friends.
- o People will have a choice of whether a summary is prepared and can review their summary.

Because the informal testimony is not evidentiary and cannot be used to make findings of fact or wrong-doing, no counsel from the Commission or counsel for any party can attend the session.

If a person wants to have his or her own lawyer attend in support, this will be permitted. However, the Commissioner would not recommend any payment to the lawyer as they would not attend as counsel, but in a friendly support role. They would not be permitted to speak for the individual as it is important to hear a person’s own words.

WHAT HAPPENS IF INFORMAL TESTIMONY INDICATES A CHILD OR CHILDREN COULD BE AT RISK?

In the course of informal testimony, people might give new information that suggests a child or young person or children or young people are at a risk from an individual who has a history of inappropriate sexual conduct with youth and children.

In this situation, a strict protocol will be followed. There will be a report to the Children's Aid Society of the appropriate community, and the CAS will be given all information the Inquiry has, including the name and contact information of the person giving non-evidentiary testimony, if he or she has identified the risk.

Those testifying will also be reminded of their obligation to report directly to the Children's Aid Society in their community.

It is important that everyone understands this will be a strict “ground rule” for any informal testimony provided during Phase 2 of the Cornwall Public Inquiry. Everyone participating will be told this in advance.

WHAT HAPPENS IF INFORMAL TESTIMONY INDICATES THAT THE PERSON WHO IS TESTIFYING COULD CAUSE HARM TO HIMSELF OR OTHERS?

In the course of informal testimony, people might give information that indicates they have plans for suicide or to harm another person. The law requires that this be reported so that the despairing individual can be helped, and harm prevented.

It is important that everyone understands that this will be a strict “ground rule” for any informal testimony during Phase 2 of the Cornwall Public Inquiry. Everyone participating will be told this in advance.

WHAT ELSE SHOULD PEOPLE THINK ABOUT?

It would be helpful to try to “walk through” these models and think about how they could work. This could lead to ideas for improvement and flag issues to be addressed.

What is most important is to know what model or approaches will best meet people's needs in respect to giving informal testimony.

CAN YOU GIVE YOUR VIEWS ON THESE SPECIFIC QUESTIONS?

So that we have information to meet people's needs, please think about and respond to these questions about informal testimony in a non-evidentiary situation:

Question 1: Among the choices for informal testimony, which model or models do you like and why?

Question 2: Is there a model you like but you think needs some changes? If so, how would you change it, and for what reason?

- Question 3:** Several models indicate that a person could bring a certain number of friends or family as support for them. In your view, how many people should be permitted?
- Question 4:** Do you agree with the idea of having an option of a summary? What type of summary style do you think is better? Should there be a choice?
- Question 5:** Specific proposals are made in respect to preparation, counselling and witness support. Are these acceptable or do they need changes? If so, what changes are suggested and why?
- Question 6:** The proposals set out ideas to make giving informal testimony feel comfortable and safe. Are these good ideas? Are there any other things that could help?
- Question 7:** If the Cornwall Public Inquiry goes ahead with informal testimony, information about the opportunity will be on the Inquiry website and all parties and people who were involved in consultations will be notified. Is this enough or do you think there should be other ways to make sure people know of these opportunities? What would you suggest?
- Question 8:** Do you think you or someone you know would want to give informal testimony?
- Question 9:** Do you have any other ideas, comments or concerns you want to tell us about the opportunity for informal testimony?

CAN YOU SHOW ALL THE MODELS TOGETHER?

To help in seeing what is the same or different about models, we have set everything out on a four page chart at the end of this paper.

To get more detail, for example, on preparation or summaries or other issues, it is important to read the whole paper.

EXAMPLES OF TWO TYPES OF SUMMARIES

There are two types of possible summaries:

- o Summaries that are like regulatory reports
- o Summaries that use more of the words of the person giving the account

REGULATORY REPORT-LIKE SUMMARY EXAMPLES

Here are examples of summaries that are like regulatory reports. **These are all “made up” or hypothetical examples, not based on any person.**

Hypothetical Example 1:

A woman in her 50's, who currently resides outside Cornwall, alleges that she was sexually abused by a member of the clergy when she was about 12 or 13. She never reported to any institution because of a sense of shame, confusion, and because she feared being “in trouble”. She also feared her parents would not believe her because her family revered members of the clergy. The woman reported life-long problems including difficulty at school and in holding jobs, feeling like an outsider, having low self-esteem, and in the past drinking more than she should. She reported feeling anxious about her own children, to the point of being overly protective, and in having difficulty expressing affection and showing feelings. She reported feeling distrustful of those in authority and that this sometimes led her to have problems with persons in authority or to miss out on opportunities.

Hypothetical Example 2:

A woman who currently lives in the Cornwall area indicated her husband was abused by a man who was ultimately sent to jail. The impact of this abuse was described as including anxiety, a sense of worthlessness, difficulty trusting others, periods of anger and depression that required expensive drug therapy. Despite success in many life endeavors, including as a husband and father, the man tended to be fearful of the future and to see any good things in life as fragile or not likely to continue. The release of his perpetrator from prison was a source of anger and frustration to him as he reported feelings of apprehension for children who might be abused by this man in future. The wife reported that her husband's pain affected their relationship and she often worried about him. She reported feeling anger that her husband had not had the help he needed earlier in life and was not well treated by authorities. She felt it would have made a difference.

Hypothetical Example 3:

A man in his 40s who currently resides near Cornwall alleged that he had been sexually abused for several years, starting at age 14 and continuing to about age 18. He reported that due to the position of authority held over him by the abuser, he felt he could not “say no”. He reported feeling ashamed and, as a gay youth and man, he felt that if he disclosed what happened it would be treated as something he had wanted, so he did not disclose. He reported this experience made him feel self-hatred and it has taken years to feel comfortable and open about his sexual orientation. Despite success in education and in holding good jobs, the man indicated he had struggled with depression, had past problems with drugs and had difficulty in enjoying healthy activities outside of work. He indicated he thought he was a “workaholic” because he was trying to show he was worthy. He reported his relationship with his parents and siblings had broken down, in

part because he felt he could not tell them the truth. As a result, he reported feeling isolated and found certain times of the year, such as Christmas, very difficult.

Hypothetical Example 4:

A man reported that he is well-known in his community and has never been charged or convicted of any offence. He indicated that his name was on internet communications and other communications, suggesting he was a pedophile or turned a blind eye to pedophilia by others. This man relayed that he felt humiliated and feared people would believe these allegations, which he denies. On some occasions, comments were made to him or other family members that suggested the allegations were accepted as true. The man recounted the impact on his life over more than a decade: concern about denial of job opportunities, embarrassment to his family, lack of comfort in volunteering for activities that he formerly enjoyed and a sense of isolation. The man had experienced periods of sleep problems and often felt apprehensive in social situations involving people he did not know well, concerned they may think he has done something wrong.

EXAMPLES OF SUMMARIES THAT USE MORE OF THE WORDS OF THE PERSON GIVING THE ACCOUNT

These summaries are also “made up” or hypothetical examples to help consultation, not actual accounts.

Hypothetical Example #1

Mr. 1 indicated that he grew up in and around the Cornwall area. He came from a large family, and French was spoken at home, although for several reasons most of Mr. 1's schooling was in English. He found that a disadvantage at school. His parents had to leave school young and work hard. Sometimes his Dad was out of work and money was tight. Both parents were very traditional, especially his Mom, and they expected kids to be respectful to their parents and to anyone they thought was in authority, like teachers, police, clergy, government employees. If the kids got into trouble at school or elsewhere, or if they “talked back”, Mr. 1 said: *“My Dad would give us a hit – but my Mom would cry and that was worse.”* Mr. 1 remembers his mother as very loving and misses her, although she passed away many years before.

When Mr. 1 was about 13, he met the man he alleges abused him. This man was in a position of authority, and at first Mr. 1 felt pleased to be shown attention by this man. His parents trusted this man. The abuse continued for about two years. During this time, Mr. 1 had many feelings – confusion, fear, shame and anger. He hoped something would happen to stop it but it did not. His abuser gave him alcohol and would show him pornography. Over time, the kind of abuse progressed from kissing and touching to sex. Mr. 1 felt both excited and grown-up, but confused, frightened, disgusted: *“I was feeling bad – I knew it was dirty, but if this guy was doing it ...Anyway, I felt trapped.”*

After the abuse stopped when Mr. 1 was in high school, Mr. 1 sometimes saw his abuser who always acted like *“they were friends or something. I sometimes wondered – did he forget?”* Mr. 1 said he felt angry a lot and did poorly in school and dropped out. *“I felt no one understood – but I couldn’t say anything and just took it when people said I had a bad attitude. Of course, it would have killed my Mom to know.”*

Mr. 1 reported he moved around to get work, and had several girlfriends. *“Once I was dating two girls and they found out and were mad. I joked about it with the guys. I feel bad because I know now I was trying to prove I was a real man because of the abuse.”* Fortunately, Mr. 1 met his wife and they have been married for over 20 years: *“She stood by me.”* Although he loved his wife, he found it hard to open up because of his abuse, and only told her a few years ago. Mr. 1 had children who are all teens today, and he is very proud of them. *“They are good kids. I wish I told them more I loved them – I had trouble with that because of what happened. I was afraid to touch my kids.”* Mr. 1 also was very protective – he wouldn’t let his kids go to camp or to certain activities because he worried about abuse. He wanted his kids to get the education he did not, but was terribly worried when one child was chosen to go on a special school trip away from home for students who excelled in a certain area.

Mr. 1 wondered why no one noticed or commented about his abuser being with young boys all the time. *“People should have been watching and asking – it wasn’t normal and they should have noticed how these kids were angry, in trouble.”* Mr. 1 never went to anyone to make a formal complaint, but he heard someone else did but that it did not result in a conviction. Mr. 1 says, *“It happened and it hurt me and other guys. I think my life could have been different. I might have stayed in school, and I might have found it easier to show my family my feelings and not be ashamed and angry.”*

Mr. 1 attends counselling and he finds it has helped. *“My counsellor believed me, not like other people who just wouldn’t listen. I think it saved my life.”* Mr. 1 does not think he will ever forget, *“You don’t forget it.”* He feels angry when people say, *“Move on.”* He says, *“I will do what I can but others have to listen to how guys like me feel. It would matter a lot to me if there was an apology. There should be an apology and we should know what will change.”*

Mr. 1 talked about good things in his life: his wife and children, his best friend and fishing buddy, and his counsellor, all of whom attended. *“It was good to feel they were here for me and could hear what I wanted to say. I appreciate it.”* Mr. 1 hopes that what happened to him will not happen to others: *“We have to learn from this – no kid should go through this. I hope all this Inquiry will do some good. I am afraid it might not be any different.”*

Hypothetical Example #2

Mrs. 2 recounted that she moved to Cornwall as a young girl with her mother. Her Dad and Mom had split up when she was a toddler. *“I hardly remember him – he really did nothing – no money, or cards, or presents.”* Mrs. 2’s mother worked shift work and for

several years had a drinking problem, so there wasn't much at home. *"I would go to school with no lunch and no coat, but somehow no one noticed."*

Mrs. 2 indicated her mother met a man at work and he seemed nice at first. He bought food and would take them to the movies and *"that did not happen much before"*. The man in her mother's life also drank heavily, so there was a lot of drinking. He moved in and Mrs. 2's mother would leave him with Mrs. 2. Mrs. 2 alleged that the abuse started at about age 11, but she is not sure. *"It was a blur – he was drunk and would grab me. I didn't know what to think."* Things got worse by age 13 and Mrs. 2 reported that she ran away with another girl from school: *"Of course, we were caught. I said I hated that guy – and my mom. But I didn't say exactly why – just that he was drunk. I think someone should have asked or guessed."*

Mrs. 2's mother stopped seeing the boyfriend and sometimes it was better at home. *"And sometimes my mother would be angry that I ruined things – in her words."*

When Mrs. 2 was 14, she met another man who abused her. She had liked this man at first and he flattered her and helped her with her schoolwork. She looked up to him. He would drive her places. Then he started touching her and saying things to her, and he raped her when he had taken her somewhere. He had a friend and the friend would suggest that *"she should be his girlfriend too. It was sick – two grown men and a kid of 14 or 15."*

Mrs. 2 has always distrusted men because of what happened to her and when she got married, it was hard for her to trust her husband, and that relationship ended. She was ashamed of what had happened and feared people would look down on her if they knew. Many years later she did go to the police and one of her abusers was charged. Her mother criticized her: *"You should keep things like that private."* In terms of her experience in court, Mrs. 2 said: *"There was not much of a sentence – but they believed me. For me, it's a life sentence. There should have been more."* Later, she did remarry and her current husband knows her history. She indicates she still struggles with her self-esteem, and having the Inquiry in the news a lot has brought back difficult memories and feelings of hurt and rejection.

Mrs. 2 is proud of the fact that she went back to college after her child was born and got top marks. She has worked when she can, *"but sometimes I get pretty down."* She has a great relationship with her grown-up child but is currently worried about her husband, who has been seriously ill, and she feels guilty because her stress about her abuse affects him too. She concluded, *"I feel I could have done more in my life – I know I am smart and caring. If these things had not hurt me, maybe I would be a lawyer or doctor or social worker, and helped people. Everyone loses when this happens. People need to understand this."*

Hypothetical Example #3

Mr. 3 indicated he comes from a family that has resided in the Cornwall area for generations. He grew up in a large extended family and he was active in sports and youth

activities through his Church. At school, he was a top student and he recalls the pride of his mother when he graduated from university, where he met his wife of over 25 years: *“I really wanted to come back to Cornwall and convinced my wife, who was a city girl, that we should make our life in Cornwall.”* He and his wife had a family, cared for his aging parents and were active in Church and volunteer activities. Both progressed in their respective careers, attaining positions of some prominence: *“We though we had made the right decision for us and also that we had served our community. I was quite active in initiatives to recognize the equality of women, and to stop violence against children and women – I was proud of that.”*

During the early 1990’s and up to present time, Mr. 3 said his name appeared on internet sites and also he and his wife had heard: *“There was gossip about me – either I was after young boys or that I covered up about sexual assaults on boys.”* Mr. 3 relates being initially shocked but thought it would *“blow over”* and denies he did anything of this nature. However, he related: *“It took on a life of its own and although I was never even charged, I think some people still believe it.”* As a result, Mr. 3 and his wife resigned from volunteer posts. They tried to shield their children but one found out and was angry and distraught. They had to arrange for this young person to spend the summer away. Mr. 3 recollected that he believed this child *“would never come back to Cornwall to live and that’s pretty sad for us.”* Mr. 3 said he felt sympathy for those who were abused but *“the consequences for people who were falsely implicated is also pretty bad. I was depressed and felt I let down my family, even though I did nothing wrong. I felt alone – and sometimes very frightened or angry. I used to be pretty easygoing.”* Mr. 3 is grateful for his wife’s support and his close friends: *“They never stopped supporting me and making it clear they cared. My friend sometimes came by and insisted I come out with him – golf or church or something.”* Today Mr. 3 feels most people understand he did nothing wrong, but *“mud sticks”*.

NON EVIDENTIARY MEETING MODELS

CORNWALL PUBLIC INQUIRY – PHASE 2 INFORMAL TESTIMONY

NON EVIDENTIARY MEETING MODEL	RECIPIENT OF ACCOUNT	RECORDING	WRITTEN SUMMARY	ATTENDANCE	SAFETY SUPPORTS	OTHER KEY DESIGN ELEMENTS
1. Commissioner model	Commissioner with facilitator to guide and run the sessions.	Verbatim by Court Reporter if summary option chosen. Recording destroyed within 30 days.	Yes, if option chosen by individual. o Non-Identifying summary o Based on transcript of court reporter o Published only after review by individual who gave account of experience and impact o Provided to person expressing experience and impact and published in the Inquiry’s Report. o Two possible choices of summary style.	o Private with a small number of family and friends o No counsel of parties or Commission Counsel o Witness Support if desired o Own lawyer if desired (but not funded)	o Counselling support o Witness Support o No prior investigation or cross-examination permitted o Modification of room to be informal o Permit group statements/accounts o Private session o Choice of French or English o Preparation support o Choice in respect to whether summary prepared o Opportunity to review summary prior to finalization.	o Individual gives his or her account without being led or cross-examined o No swearing or affirmation o Maximum meeting time is 1.5 hours o Mainly “listening”, not finding of facts or fault o No requirement of prior investigation (not evidence) o Any disclosure regarding possible risk of abuse of children will be reported to the CAS and individual told of own obligation to report o Any disclosure regarding harm to self or others will be reported.
2. Sensitive Professional Model	Appropriate psychologist or mediator or other sensitive professionals with experience in this area. (2 people available – a man	o As above.	o As above. o Commissioner will see all summaries prior to publication.	o As above.	o As above but could also choose a woman to listen which could meet some needs.	As above, but maximum meeting time is 2 hours.

NON EVIDENTIARY MEETING MODEL	RECIPIENT OF ACCOUNT	RECORDING	WRITTEN SUMMARY	ATTENDANCE	SAFETY SUPPORTS	OTHER KEY DESIGN ELEMENTS
	and a woman).					
3. Community Listening Model	Representatives of community – institutional heads, Could have a chair who is: a) psychologist b) Advisory Panel member c) mediator	o As above.	Yes, as above.	As above.	As above.	As above, but would involve identifying who would be the right person to attend, as a community or institutional representative, as part of a reconciliation effort.
4. Written Model	Commission staff member	No	o As above, but based on written input. o However, there would be no option of a summary – it would be prepared in all cases.	N/A	o Individual not exposed to any oral process. o Reduces travel o Counselling support o Some preparation support o Choice of French or English	o Maintain confidentiality of record of original statements. o No swearing, affirmation or prior investigation as is not evidence. o Deadline to respond would be given.

NON EVIDENTIARY MEETING MODEL	RECIPIENT OF ACCOUNT	RECORDING	WRITTEN SUMMARY	ATTENDANCE	SAFETY SUPPORTS	OTHER KEY DESIGN ELEMENTS
						<ul style="list-style-type: none"> o Any disclosure regarding possible risk of abuse of children will be reported to the CAS and person told of own obligation to report. o Any disclosure regarding harm to self or others will be reported.
<p>5. Choice Model</p>	<p>Individual can choose between two models but must accept all attributes of the model.</p>	<p>Consistent with model chosen</p>	<p>Consistent with model.</p>	<p>Consistent with model chosen</p>	<p>Consistent with model chosen but element of choice could be an added safety factor – people choose what is right for them.</p>	<ul style="list-style-type: none"> o Consistent with model chosen but individuals can choose approach that suits them. o Choices would need to be reasonably limited.