

Court File No. 08-CV-347100CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

LISA CAVANAUGH, ANDREW HALE-BYRNE,  
RICHARD VAN DUSEN, MARGARET GRANGER  
and TIM BLACKLOCK

Plaintiffs

and

GRENVILLE CHRISTIAN COLLEGE, THE INCORPORATED SYNOD  
OF THE DIOCESE OF ONTARIO, CHARLES FARNSWORTH, BETTY  
FARNSWORTH, JUDY HAY, THE EXECUTRIX FOR THE ESTATE OF  
J. ALASTAIR HAIG, and MARY HAIG

Defendants

**STATEMENT OF DEFENCE OF THE DEFENDANTS,  
GRENVILLE CHRISTIAN COLLEGE and CHARLES FARNSWORTH**

1. The defendants pleading admit the allegations contained in paragraphs 2, 3, 4, 5, 6 and 8 of the Amended Amended Statement of Claim. These defendants deny all other allegations made therein.

2. Grenville Christian College ("Grenville"), originally known as the Berean Christian School, was at all material times relevant to this action a respected educational institution in the Province of Ontario. The Grenville campus was located on a beautiful rural parcel of land just east of the city of Brockville, adjacent to the St. Lawrence River.

3. Grenville's first Headmaster, the Reverend J. Alastair Haig, served as such from 1969 to 1983. The Reverend Charles Farnsworth assumed the role of Headmaster and continued to guide and direct the activities of Grenville from 1983 until his retirement in or about 1997. Throughout, Grenville enjoyed the benefit of advice from a strong group of advisors and patrons in the early years and thereafter from a Board of Directors drawn largely from among prominent citizens in the province. Grenville's staff and administration was composed of caring, committed, competent men and women whose goal was to educate students while at the same time promoting the development of good moral character and a strong work ethic on the part of students.

4. Grenville enjoyed a good reputation over the years in Ontario and elsewhere for its academic prowess, extra-curricular activities and caring approach toward the betterment of young people in its charge. Grenville students enjoyed a high rate of admission to universities in the Province of Ontario and elsewhere. Grenville encouraged participation in a multi-faceted extra-curricular program of arts and athletics. Grenville staff spent countless unpaid hours directing plays, coaching athletic teams and the like. Year after year Grenville students experienced much success in intra-school competitions, whether

the event at hand involved artistic endeavours such as Gilbert & Sullivan plays, debating societies or athletic games such as soccer, volleyball and a wide variety of other sports. The reputation of Grenville was such that it attracted students from Ontario, elsewhere in Canada, the United States, Mexico, Europe and Asia.

5. Grenville did not ignore the value of religion in the lives of its students. Grenville was non-denominational in the sense that all religions were welcome as Grenville students. The school did, for part of its history, hold itself out as Anglican, not in suggesting that they were formally affiliated with the Anglican Church, but rather as indicating that the Grenville teaching community was primarily of the Anglican faith and that Anglican religious services would be practiced at Grenville.

6. Grenville was more than a school. It was in fact a close-knit community. Staff and administration lived for the most part on the Grenville campus. Their children attended Grenville Christian College and participated in every aspect of student life including residence life. Staff and students regularly and frequently interacted socially at staff member's homes, at meal times, in chapel and on group outings together. The staff in this way engaged students on a regular and frequent basis. This allowed the staff to provide leadership, to promote a communal atmosphere of respect for others and to be aware of and in a position to respond to and address student concerns or complaints promptly. This close-knit community atmosphere was part of the fabric of daily life at Grenville.

7. The young people attending Grenville as "boarding" or "residence" students were in the care of Grenville staff and administration during the school year, other than for visits home. Rules and discipline are required in such situations for the benefit of one and all. Students were aware that, for example, they were not permitted to smoke, use drugs or alcohol, disrespect each other or staff members, become intimate with each other or act in a way that dishonoured themselves or the school.

8. Grenville responded to student misconduct by addressing the matter with the offending student at the earliest opportunity. A discipline issue might be met with words cautioning against such conduct. More serious or repeated transgressions, always subject to the discretion of the staff and/or administration, might be met with detentions, a period of working in the Grenville kitchen or at other jobs on the property, a withdrawal of social privileges or the right to wear the Grenville uniform, and the like. On rare occasion, corporal punishment in the form of a paddle would be carried out for particularly serious and repeated breaches of discipline.

9. Grenville's approach to matters of discipline was to respond to same promptly and strictly, yet fairly. Such discipline as was imposed was never addressed in an arbitrary, mean-spirited, harsh or vindictive way, nor was it demeaning or abusive in its nature.

10. Grenville met with considerable success over the years in its efforts to promote the educational, artistic and athletic well-being of the students in its charge. The significant majority of Grenville students accepted and embraced life at Grenville without difficulty.

A few students not unexpectedly, were unhappy with Grenville rules and did not respond well to life at Grenville despite best efforts of Grenville and its staff. These, for the most part, were students who arrived from other institutions with difficulties of one sort or another and who did not stay at Grenville for long.

### *Denial of Claims*

11. Grenville and Charles Farnsworth state that there is no factual basis whatsoever for the allegations contained in paragraphs 29-34 of the Amended Amended Statement of Claim. Grenville did not breach any obligations it owed to students. Punishments were never abusive, nor were they imposed without justification. Grenville and Charles Farnsworth did not foster an atmosphere of fear or intimidation. They did not deprive students of communication with family nor did they engage in practices which were intended to cause physical, emotional or mental suffering or damage. There is no truth whatsoever to these allegations.

12. There was most assuredly never any systemic practices, policies or actions, the product of negligence or otherwise, that promoted any system of abuse, humiliation, degradation or the infliction of intentional mental suffering. Such suggestions were utterly contrary to the Grenville practices and ideals.

13. The defendants pleading further specifically deny that there was any “systemic campaign to promote and indoctrinate Students in the teachings and practices of the Community of Jesus”. What was “promoted” at Grenville was conducting oneself with respect for others and in accordance with basic human moral values predominately accepted as such in Canadian society.

14. Further, the defendants pleading deny that they failed to properly supervise and train staff, or to have in place practices and procedures to avoid students experiencing or suffering abuse, humiliation, degradation or mental suffering. The very close-knit fabric of life at Grenville made certain that there was adequate and appropriate supervision of students and that student concerns would be addressed. The competence of the staff was never questioned by educational authorities and was borne out by the success in being admitted to various universities enjoyed by so many Grenville students. There is no truth to the allegations of negligent acts made against Grenville in para. 33 of the Amended Amended Statement of Claim.

### *The Representative Plaintiffs*

15. The representative plaintiffs were never, advertently or inadvertently, subjected to any conduct in the nature of physical or mental abuse, the intentional infliction of mental suffering or the like. They were not harmed, humiliated or caused to live in fear or

anxiety. No one was accused of being “demonic” or called “sluts”, “whores” or the like. The plaintiffs were never under surveillance or improperly searched. Communication with parents was assiduously fostered, not prohibited. There was no cruel and unusual punishment such as “digging rocks out of the ground with his bare hands”. There is no truth whatsoever to the allegations made in paras. 35-40 of the Amended Amended Statement of Claim herein.

16. The representative plaintiffs were not subjected to any surveillance or other oppression of the kind they complain of. Grenville staff did its best to give them a quality education in a nurturing atmosphere and to provide for their well-being at all times.

17. To the extent that any of the representative plaintiffs experienced feelings of unhappiness, humiliation or mental suffering at Grenville, such was a product of their own subjective reaction to particular events or life at Grenville in general. There was nothing about the conduct of Grenville, its staff or administration or Charles Farnsworth that would have caused an objective reasonable person in like circumstances to have experienced either such feelings, or lasting injury or damage arising out of same.

### *Limitation Defence*

18. Each of the representative plaintiffs and each member of the proposed class has known for many years of the existence of the facts relied upon in support of their cause of

action. Each of the representative plaintiffs and proposed class members accordingly have lost the right in law to proceed with the causes of action advanced in the Amended Amended Statement of Claim herein.

19. These defendants plead and rely upon the *Limitations Act 2002*, S.O. 2002, Chapter 24, s.24(3) and amendments thereto.

### ***Certification***

20. The defendants plead that this action ought not to be certified as a class proceeding as the action does not meet the requirements of the *Class Proceedings Act 1992*, S.O. 1992, Chapter 6, s. 5(1) and amendments thereto.

### ***Damages***

21. Grenville denies that any of the representative plaintiffs or proposed class members were sexually, physically, mentally, emotionally and spiritually traumatized by reason of their experiences arising from their attendance at Grenville Christian College as pleaded in paragraphs 43 and 44 of the Statement of Claim herein.

22. Grenville and Charles Farnsworth acknowledge that most certainly there would have been some students over the years who experienced unhappiness from time to time



at Grenville or who felt anxious or perceived that they were suffering humiliation. These, however, are ordinary human feelings experienced to greater or lesser degrees in all individuals. They were not the product of any negligent or deliberate infliction of mental suffering on the part of the plaintiffs.

23. Grenville and Charles Farnsworth deny that the plaintiffs have sustained the kinds of damages claimed in para. 44 of the Amended Amended Statement of Claim as a consequence of any misconduct or breach of duty on the part of Grenville staff or administration, or otherwise, over the years.

24. These defendants therefore submit that the within action be dismissed as against them with costs.

DATED: September 17, 2010

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