

SUPERIOR COURT OF JUSTICE

5 B E T W E E N:

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

10 Plaintiffs

- and -

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

20 Defendants

T R I A L P R O C E E D I N G S

BEFORE THE HONOURABLE JUSTICE J. LEIPER
25 on October 7, 8, 2019, at TORONTO, Ontario

APPEARANCES:

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SUPERIOR COURT OF JUSTICE

T A B L E O F C O N T E N T S

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LIST OF WITNESSES

<u>NAME</u>	<u>PAGE NO</u>
GILMORE, Byron	
Examination in-chief by Mr. Adair	1811
Cross-examination by Ms. Lombardi	1834
10 Re-examination by Mr. Adair	1852
NEWELL, William	
Examination in-chief by Mr. Boghosian	1854
Cross-examination by Ms. Merritt	1877
Re-examination by Mr. Boghosian	1899
15 FARNSWORTH, Donald	
Examination in-chief by Mr. Adair	1901
Cross-examination by Ms. Merritt	1967
MacNEIL, Ken	
Examination in-chief by Mr. Read-Ellis	1938
20 Cross-examination by Ms. Lombardi	2085

25

30

LIST OF EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
48	Grenville Christian College News, August 1980	1840
5 C	September 8, 2007 Article of the Brockville Recorder & Times	1900
49	Anno Domini Grenville Christian College	2084

10

15

20

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B. Gilmore - in-Ch.
(Mr. Adair)

MONDAY, OCTOBER 7, 2019

U P O N R E S U M I N G:

5 MR. ADAIR: If I may, I will call the Reverend
Byron Gilmore as the next witness.

THE COURT: Thank you.

BYRON GILMORE: SWORN

10 EXAMINATION IN-CHIEF BY MR. ADAIR:

Q. Reverend Gilmore, would you tell the court
your date of birth, please.

A. January 19th, 1961.

15 Q. And I understand that you attended Grenville
Christian College from September 1977 entering grade 10 until
June 1983, was it?

A. Two.

Q. Eighty-two. Concluding grade 13.

A. Yes.

20 Q. And can you tell us, sir, how it was that you
came to go to Grenville Christian College?

25 A. I was, I was doing very poorly in school. I
was socially isolated and I, I, I basically did about 1-year's
worth of credits in two years. So I, I performed poorly and my
parents gave me the opportunity to go to it. __

Q. Okay. I understand that you actually did
grade 13 at Grenville, and three semesters as...

A. I, I did, Yes, I did.

Q. ...as opposed to the usual two.

30 A. As opposed to the usual two, yes.

Q. And why was that?

A. I guess, I, I - I can't remember at the time.

B. Gilmore - in-Ch.
(Mr. Adair)

Probably I needed more time, perhaps. I, I, I was always somebody who enjoyed learning. I had, I, I had some learning disabilities. I had a mild form of dyslexia, so maybe that, maybe that was it.

5 Q. Okay. And how were your marks generally at the time you were at Grenville Christian college?

A. Generally, I would say, I was a solid B student; not, not exceptional. I wasn't Rhode a scholar. But I, I wasn't, I wasn't failing either.

10 Q. Okay. And tell me post-Grenville, after you left Grenville, can you give us a thumbnail sketch of your education and career up to today?

A. Okay. Education-wise, I, I when I left Grenville, I entered Carleton University in Ottawa. I graduated 15 years later with a Bachelor of Arts in Sociology. I entered the Ontario Provincial - I guess, I should say that while I was in university, I was in the reserve army. I was in the Governor General Foot Guards. I spent my summers doing the changing of the guard on Parliament Hill, and working, working to put myself 20 through school, as it were. I met my wife doing the changing of the guard, so thank you for paying your taxes.

After, after Carleton, I, I entered the Ontario Provincial Police. I, I served in the OPP for just shy of five 25 years. In, initially in the Greater Toronto Area and Whitby Detachment, but most of my, my five years was actually about, four, four of them were in the District of Thunder Bay. So I began in general, rather in, in highway duties, and, and but most of my policing career was in general policing.

Then I discerned - the church had discerned, and, 30 and my wife and I decided that I was, I was going to become and Anglican Priest. So I went to seminary Wycliffe College at the University of Toronto. So I have a Master of Divinity from

B. Gilmore - in-Ch.
(Mr. Adair)

Wycliffe College conjointly awarded by the University of Toronto.

5 I was ordained in the Anglican diocese of Algoma in Sault Ste. Marie. I spent almost two years there, and then, I, I, I took a year, did a Master of Theology at Wilfred Laurier at the Lutheran Seminary there.

10 After that, I was posted to a parish in Markdale, Ontario, which is where Chapman's Ice Cream comes from we were there for about three years, give or take, and about three and half, sorry, and our, our first son was born in Markdale. Then I went to St. Bartholomew's Church in Sarnia. I was there for in, also in the Diocese of Huron, I was there for five years, and during my time at, at Markdale, I completed a, a Doctor of Ministry degree.

15 Q. A doctor of?

A. Of Ministry degree through, through an organization called, the Graduate Theological Foundation.

Q. Okay.

20 A. I also a, I also have the diploma from the Ontario Police College, of course, because I was in the OPP, and so I, I loved learning, and I have been able, able to, able to learn over the years. Still love, still love to, to go on a conference or, or a, you know, a course, whatever.

25 Q. All right. And tell me, since the church in Sarnia, where have you been?

A. Oh, I've been in Brampton for the, the, this is 14th year at Christ Church in Brampton.

Q. And you are the Rector, I understand?

A. And I'm the Rector, yeah, the pastor.

30 Q. Okay. And you and your wife, I gather, have two sons?

A. We have two sons. Our son, Spencer - we were

B. Gilmore - in-Ch.
(Mr. Adair)

5 married 10 years without kids, so our son, Spencer is, is 20,
21. He is in his last year of social work at Laurier, and our
other son, Avery, who is taller than I am is in his second year
at the University of Guelph, and he is desirous to be a police
officer.

Q. Okay. And circling back to Grenville, and
when you entered Grenville, and throughout your years there,
where did you live?

10 A. I lived in the boys' dorm. All of that time
was, was the, the 4th floor of the main building. I, I think my
first year one half of it was boys' dorm and the other half was,
was the girls' dorm, and then moving forward, the whole floor
was, was the boys' dorm.

Q. And how was it - what was the setup there?

15 A. I would liken it to an army barracks. Very
large room, cordoned off in sections of, of eight beds in, and
divided with lockers, et cetera, that sort of thing.

Q. And how about were there staff in the dorms?

20 A. There, there were. There were staff living
with us. I can't remember how many, but they, they were there,
yes.

Q. And what was their function, in terms of the
dorm?

25 A. I, I think it would be to over, oversee the
functioning of the, of the dorm.

Q. Okay. And how was, how was life in the dorm?

30 A. Well, I mean, it was where you slept.
Grenville was a very active place. We, we, we seemed to always
be occupied doing something. I remember it to be a, you know,
it was, seemed to be a good place to live. It was - I, I had
grown up as a, you know, in a family of three, I was the only
boy, and so, so all of a sudden being with all these guys was,

B. Gilmore - in-Ch.
(Mr. Adair)

you know what that was okay.

Q. Now, if you can think back, can you describe what a typical weekday was like at Grenville?

5 A. Well, the lights usually went on somewhere around six o'clock, and there was opportunity to, you know, do your, get yourself ready. You needed to make your bed and be ready on time and usually the, the dorm section was kind of inspected for, for cleanliness. And so, you had to do a few
10 little chores like sweep the floor and that sort of thing. And be down for 7:00 a.m., which was breakfast.

Q. All right. And then what - carry on with the rest of the day.

A. Oh, okay, so, yeah, so breakfast would be in the dining hall, followed by chapel, sometimes that was in the
15 dining room. Often times, that was in the chapel as well.

Q. I gather, in your day the dining room and the chapel were right beside each other?

A. Most - when I began there, the dining room was in the basement to the main building, which was next door to
20 the chapel building.

Q. Okay.

A. And, yeah.

Q. And in any event, carry on. So you've had breakfast, you've gone to chapel, and then what?

25 A. The first bell, I believe that was somewhere around nine o'clock for the first class. There were two classes in the morning, and then there would be lunch, lunch in the dining room. Then there was about a 20-minute rest period after lunch. You could sort of go and stretch out on your bed and
30 close your eyes, if you wanted. And then the afternoon classes would begin, if I recall correctly, somewhere around 1:30. And I can't remember if there was 1:00 or 2:00 in the, in the

B. Gilmore - in-Ch.
(Mr. Adair)

afternoon, but usually by four o'clock, there was a, a variety of activities, sports or, or sometimes more jobs or sometimes, sometimes, practice for a drama, drama productions or that kind of thing. It was usually, usually an activity at four o'clock.

5 Q. And carry on then, post-activity.

A. Okay. And then the, the - so if you were involved in sports or whatever it was you, you, you do your thing, and then prepare for supper. Supper was, if I, again, if I recall correctly, it was, it was, was it five o'clock - I, I guess it was, again, was - I, I may have the time - I, I may have the time incorrect there. I believe dinner was somewhere around five o'clock, and it seem to me, between six o'clock and 7:00, there was free time. So, I, I may, I have gotten the start of the, the activities a little bit incorrect, it may have been earlier, it may have been 3:30, can't remember.

15 Q. All right.

A. I am sorry.

Q. And then after free time, study hall.

A. Study hall, yes.

20 Q. And how long was study hall?

A. It was - it, it always started at 7:00, and I believe it was 7:00 to 9:00, and there was a break in between, and with a, with a little snack, and then there was a, a service in the chapel for about 20 minutes, and then it was up to the dorm and lights out.

25 Q. Tell me the, the service in the chapel after study hall...

A. Yeah.

Q. ...was that mandatory or voluntary?

30 A. It was mandatory, yes.

Q. Mandatory. Okay. And how about a weekend at Grenville?

B. Gilmore - in-Ch.
(Mr. Adair)

5 A. Well, I, I remember Saturdays, you get to
sleep in a, sleep a whole hour, which for a teenager is not
really much, but we didn't, we didn't wear our uniforms on
Saturday. We work sort of work clothes. In the morning, there
would be breakfast followed by chapel and some sort of
10 devotional, and then followed by what was known as work jobs,
where the student body was basically divided into tasks, task
groups and, and usually supervised by a staff person, and that
was anything from working outside and mowing lawns or, or
cleaning toilets or, you know, taking care of the building
15 basically. And then there was lunch, and then there was
generally there was free time in the afternoon was, was
generally free.

20 There was, there was often a bus to town, and
that was a time that you could do homework or, or do whatever.
I think then I think supper was, think again, it was around five
o'clock, and then they had I think it was called "family night."
They had people divided into sort of staff, sort of met with,
with kids to, you know, have an evening of board games or
something of that nature.

25 Sunday was, in, in my time Sunday chapel was
eleven o'clock, and that was the first timing that had on
Sunday, so you didn't have go to breakfast, so I, I, I never
did. I always liked to sleep in as long as I could. And then
chapel was followed by usually rather large meal, and then
afternoon, we had free time, supper again, I believe was around
30 five o'clock, and there was usually some sort of a joint
activity Sunday evening as well. Sometimes it was singing,
sometimes it was, I seem to remember singing a lot on Sunday
night, but I, I, I....

Q. All right. Now, the - what sort of
activities were available to students?

B. Gilmore - in-Ch.
(Mr. Adair)

5 A. Well, there, there seemed to be a variety of sports. There was a track team, there was a basket ball team, there was a soccer team. There was a - people who you had opportunities to be in, in dramatic art performances, sometimes there were plays that were being rehearsed at the times operas, Gilbert and Sullivan operas. Those, those - I, I tended to be involved in those things more than the sports. I mean, I, I like that kind of stuff, so.

10 Q. And how about things like debating or public speaking, and....

15 A. There, there was, yes. There - thank you - there was debating. There was public speaking. I didn't - I, I - debating was - I, I was never on the debating team. Public speaking was something that was also kind of cored into the, into the curriculum itself. Everybody needed to, you know, be able to, you know, do some. Usually in lower grades, you do poetry recitation in, in front, you know, in front of an audience, and then later you needed to you know, deliver speeches in front of an audience, so the - I think that seemed
20 to be a value that they wanted us to be able to speak publicly.

Q. And who was the headmaster while you were there?

A. For the first couple of years, it was Al Haig and then it was Charles Farnsworth.

25 Q. Now, tell me what, what can you tell us about a part that religion played at Grenville?

30 A. It seem to be an integral part of, of Grenville. I mean, the chapel in the morning, chapel in the evening, prayer before classes began. It was a - it, it was central to their mission. They, they - it was a Christian community.

Q. And did you become aware of an organization

B. Gilmore - in-Ch.
(Mr. Adair)

called the Community of Jesus when you were at Grenville?

A. Yes.

Q. And what connection, if any, did you see between the Community of Jesus and the school?

5 A. First of all, it appeared that all the staff members were members of the Community of Jesus. They seem to go to the Community of Jesus for, for periods of time for retreats or for, for other, other reasons. And that seem to be, I mean, it was they, they seem to be integrated into the, into the
10 Community of Jesus.

Q. And did the - was there any effort that you were able to discern on the part of the school to persuade you to become interested in or affiliated with the Community of Jesus?

15 A. Not for me, no. I, I have never been to the place.

Q. Now, the meal times at Grenville, whether it was breakfast, lunch or supper, can you give us a snapshot of what meal times at Grenville were like, what went on?

20 A. Well, you obviously needed to be on time. Being on time was a big thing at, at Grenville. There, there was routine, it seemed. A, a bell was rung and then the doors were closed, and if you were late, you, you usually had some sort of remedial work to have to do. So being on time was, was
25 a value. It was that manners were highly valued. There were some very quaint customs, you know, you, you, you stood up when a lady came to the table. You helped a gal with her, with her chair. When a, when a - an adult or a teacher came to the table, you stood up, that was - we did that in, in the classroom
30 as well.

The manners were, you know, table manners were, were, were emphasized, and in fact it was a joke that if you had

B. Gilmore - in-Ch.
(Mr. Adair)

5 poor table manners, you had to go sit at Ms. Newman's table,
because she, she was good at getting peas on the back of your
fork or some. You, you needed to - there was emphasis on being
aware of other people and making sure that they had what they
needed and trying not to monopolize the conversation. It was,
yeah, usually, I think, I think there were about eight or ten
people at a table. You were assigned seating, so you couldn't
just sit with your friends. You had to, you had to sit with
10 people perhaps you didn't know, and I, I think there was
something positive in that, learn, helped you to learn to get
along with others.

Q. Okay. And how, how were meals, how did they
come to an end?

15 A. Well, they, they would always begin with an
with a prayer.

Q. Right.

A. And usually they would end with a prayer.
There was often or a - like some, some sort of sung song, a, a
devotional. There was usually announcements, and, and then
20 usually off you'd go.

Q. Okay. And was there, was there any form of,
of lecture or, or speech after meals?

A. Usually there, you know, sometimes the, the
chapel or the, the morning devotion would be in the, in the
25 dining room. Sometimes there was a, there was Bible study,
sometimes there was an address. In my early days, most of that
seem to be in the chapel, and later when the new dining room was
built, some of that more was in the dining room because it was
fair amount of distance between the dining room and the chapel.
30 Yeah, so sometimes it was devotion or, or chapel in the dining
room after the morning breakfast.

Q. All right. And opposed, as opposed to

B. Gilmore - in-Ch.
(Mr. Adair)

devotional where there - whether one calls them talks or lectures or speeches...

A. Yeah.

Q. ...about moral issues or this or that?

5

A. Could very well be, yes, yeah.

Q. All right. Do you know whether there was or wasn't?

A. Oh, there was, yes, yeah, yes.

Q. Oh.

10

A. Yes.

Q. Oh, okay. And how often would that happen?

15

A. That's hard to say. I mean, I, I, I - there was, there was usually an address about something. You know, again, after breakfast in that, in a sort of devotional time. It seem to me that Tuesdays, Thursdays, and Sundays, we've - Tuesdays, Thursdays, and Sundays, chapel was always in the chapel, and we had holy communion. The other days were open for everything. So sometimes there was a, a, a bible study. I think that was on Monday morning. And so, the Wednesdays and, and Friday slot were occupied by other things, like, sometimes and address, sometimes, singing, and sometimes a combination of both.

20

Q. Okay. And tell me about a social life at Grenville among students.

25

A. Well, I mean, you, you, you lived with people and you worked with them, and you studied with them, so, so you got to know them fairly well. I am, I am in contact with, with some of the kids I went to school with, and they are lifelong friends. So, so there was certainly a, a positive part of that. Generally speaking the, the whole day was, was highly structured, though, they - so you were, you were in environments where you weren't necessarily selecting who you were with, you

30

B. Gilmore - in-Ch.
(Mr. Adair)

were just kind of there. You were in a classroom or you were in a work job setting or you were at a table. Most of, most of the time, you were in some sort of structured, structured environment or structured setting, so you, you had, you know, the people you were with weren't of you choosing.

I guess one thing that, that sort of made it distinctive was that you know, we weren't allowed to - there was a big thing about not dating, dating the girls. You know, you weren't to be in a relationship with any of the girls. And that seemed to be a, that seemed to be big thing at Grenville, you know, you, you had to kind a treat everybody equally and, and you weren't supposed to have any sort of romantic attachments.

Q. Okay. And tell me in simple terms did, did you have an opportunity to make friends?

A. Yes. Yes. I mean, the, you know, that happens, I think when teenagers are together, friendships do form, right. And, I, I have friends from my, my, my Grenville days, you know, that, that I'm, I'm still in contact with and are, are important people in my life.

Q. Now, let's, let's talk about the rules at Grenville. Tell me what your understanding of the rules were, was.

A. Grenville was definitely and orderly, and ordered environment. There were lots of rules, there were lots of customs, there were lots of things that you, you knew you had to do. Some of them seemed quite quaint like the, the, the rising and you know, that you know, when the teacher came in the room, you stood. We were always wearing ties. We were always on time for things. And then the other sort of quaint thing was they had some gender-specific staircases. You know, there was there girls' staircase, and there was the boys' staircases until I think, I think my last year, they, they could relax, they

B. Gilmore - in-Ch.
(Mr. Adair)

relaxed that, and that was, it was quite popular, particularly among the guys.

Q. All right. And what - the, the rules, can you describe the rules you remember in particular?

5 A. Well, the big one was, you know, the six-inch rule, you know, you weren't supposed to be, you weren't supposed to be, you know, physically close to, to a girl, and I guess, the only exception to that would have been during square
10 dancing, and you know, maybe if you were sitting beside a girl in chapel, and that they - so the six-inch rule, the, the no dating rule, the, the being on time rule. They took a very dim view of smoking or drinking, or they took a very dim view of, of using any profane language, and I, I can remember that one thing that seemed quite quaint is if to answer a question in, in
15 class, you had to stand, and if you used incorrect grammar, you had to sit down.

So, again, it was, it was designed to, to help us to be able to, to be public speakers, and, and to speak correctly. So the big, yeah, there was, there was an emphasis
20 on community and on conformity at Grenville for certain. There were lots of rules.

Q. Okay. And how were the rules made known to you?

5 A. Well, I remember getting a, a great big
25 handout when, when I got there, and they were, they were all listed, and they were never written rules, but there were a number of things, you know, that you, you sensed that you shouldn't do, like you shouldn't talk back to a teacher, or you shouldn't, shouldn't use profanity. I think that was a written
30 rule too, but, but there, it had - there was definitely a culture there, and the culture was towards doing what you were told, and being where you were supposed to be and doing what you

B. Gilmore - in-Ch.
(Mr. Adair)

were supposed to do. So it was a little like the army that way.

Q. Okay.

A. You were always on time.

5 Q. And can you give us a, your experiences to enforcement of the rules.

A. Well, the, the, again, there were, there was a variety of, of repercussions from, you know, being spoken to to getting a demerit, to sometimes there was, there was what they referred to as light sessions, which were a person was, was 10 spoken to by more than one person; maybe, maybe a couple staff persons, and then of course, the, the other one of this, this light session was that they would, they would have public, a public dressing down of, of a people. Not a positive thing to be doing.

15 Q. Okay. And when, when you - we, we've heard the concept of being put on D ...

A. Uh-huh.

Q. ...was that part of the Grenville experience?

A. Yes, it was.

20 Q. And what did "being put on D," mean?

A. I understood it would mean that you would, first of all be removed from classes for - it, it was, it was usually for some period of time, a, a couple of days or, a, a week. It actually never happened to me personally, but it did 25 happen to some of my friends. You would be removed from class and you had work usually in the kitchen washing pots and, you know, and you would have your meals separately, and, I, I think by yourself, and, and you weren't supposed to talk to anybody. So you were put on silence, I think.

30 Q. And what about uniform?

A. You didn't wear your uniform, no, you work clothes. You were, you were....

B. Gilmore - in-Ch.
(Mr. Adair)

Q. Okay. So you know who was on D?

A. You knew who was on D. The, but they didn't eat with us, like and they weren't in class. So they, they, they were kind of, you kind of, yeah, you knew who was on D, yeah, at this point, yeah.

5

Q. Yeah. And tell me were, were there was a system, I gather, where there were prefects?

A. Yes.

Q. And were you yourself a prefect at some point?

10

A. Yes, I was. I was a prefect for, honestly, I can't remember, at least two years, I, I was, I was prefect in grade 12 and 13 for certain.

15

Q. Okay. And, and what were the duties of a prefect?

A. Well, you were place in charge of a, of a dorm section which would have been 8 boys. You did their laundry. You were, you were basically the person that was tasked to making sure everybody was up, and everybody was ready, and the dorm was clean, and the beds were made, and the bathroom was - the various sections would be on bathroom duty of various mornings.

20

So you - people needed to be up, ready, and, and, and good to go for, for breakfast at seven o'clock. You had a - I, I think you were expected to be kind of like a big brother to, to the, to the other kids, and you know, just be encouragement to, be a source of encouragement to them. But you were usually also a sort of a team lead on the dish crew or a work jobs. The, the most of the, most of the, the physical work around the school was kind of genderly assigned.

25

30

So the boys washed the dishes and the girls put the food away, for instance. Generally speaking, the boys

B. Gilmore - in-Ch.
(Mr. Adair)

shoveled the snow, and the girls vacuumed the carpets, and there were some highly sought after jobs, you know, like running the buffer was one the, you know, was a boy's job, but you got work with the girls, so that was always a highly sought after job.

5 And, you know, as a prefect, you were usually a team lead of a, of a dish crew along with a staff person. And so it was a, it was, it was a leadership role, and it was a, a role that we were supposed to take care of people doing, doing laundry was a, was a big one.

10 Q. Okay. You're, you're in a situation there where you're having to deal from time to time one on one with your, your peers.

A. Yes.

15 Q. And what would happen if one of your peers was recalcitrant or didn't, you know, didn't get along or comply with the rules or whatever...

A. Yeah.

Q. ...how would it be addressed?

20 A. Well, there would, I guess, hopefully sequentially, you know, the, the best thing would be to, to speak to the person and you know, advise them that that actually I need to do it. I think that was kind of known in the culture that that there was, there was high degree of, you know, following orders was a, was a big thing. They didn't use, they
25 didn't use the term, "following orders," but that never, nonetheless was what was required. When you were told to do something, it was expected that you did it. It was in some ways it was like a military culture that way. You, you, you were
30 when you were told to do something, you were, you were expected to, to do it. You were expected to be on - I'm sorry, that dumb time thing again - so there were, there were a variety of, of, I guess, consequences. One of the was, you know, getting a

B. Gilmore - in-Ch.
(Mr. Adair)

demerit, the other was, you know, being spoken to in one of these light sessions. There was a, I guess, and, and then, I guess, probably the top of the punishment hierarchy would be placed on D.

5 Q. And was there paddling?

A. Yes. Yes, there was, yeah.

10 Q. Now, tell me, in terms of your, your prefect duties and students disregarding you or not doing what they were supposed to do, what, what was the understanding or rules, whatever it was, in with respect to taking it further and reporting things to the staff if you had to?

15 A. Well, I, I, you know, first of all, by the way, most of the time, you know, like really, any kind of leadership role is, is about trying to get people to do things voluntarily, right. And most of the time, I think, you know, 99 percent of the time, that's really what happened. I, I recall that, that, that prefects had the, the, the capability to give people demerits, but, I mean, you, you didn't really want to do that.

20 Usually, the, the, the, you know, saying to somebody, you know, you know, if you don't do this, you could get a demerit was motivating for them to, to, to do it. I mean, then there was - and then you could speak to the person. There was this sort of I'm going to use the word, hierarchy of
25 consequences, right, and at sometimes unfortunately that, that sort of hierarchy got a little bit blurred I seemed. Like, there was the, the, the one would never, you know, there was no sort of public announcement about who, who got corporal punishment, for instance, or why, right. So there was always a
30 big mystery around that, and why it was done, and, and in fact, I wasn't aware of, of really who got paddled until the fact. I mean, it's, I, I, I was quite surprised to learn from some of my

B. Gilmore - in-Ch.
(Mr. Adair)

classmates that they got the paddle. You got paddled, really? And it was usually for something pretty, I mean, something minor sometimes, you know, which was, which was kind a, kinda dumb.

THE COURT: Sorry, couldn't hear the last word.

5 THE WITNESS: I'm sorry, am I, am I answering....

THE COURT: What, what was the last word? I couldn't hear you, "it was kind of?

10 THE WITNESS: Sometimes, sometimes, it for something minor, you know, like a, a, you know, one, one of my friends wanted to, I guess, have the afternoon off one - on a Saturday, and, and said to a teacher that he was busy, that he had to finish a project, and, and somehow, he, he didn't do that, so he got the paddle. You know, and I thought, well, that was kind a dumb, you know, and....

15 THE COURT: Oh, I see, that the word, okay.

THE WITNESS: I, I, I'm, I am sorry, that's a poor choice word. I thought that was excessive.

20 THE COURT: Uh-huh.

THE WITNESS: Yeah.

MR. ADAIR: Okay. Q. Reverend Gilmore, how about the matter of communication with parents, what can you tell us about that?

25 A. Well, we had a - we were required to write a letter every Saturday - every Sunday. And this was before cell phones, this was before any of us kind of modern tools of communication. I mean, I think we had to get a - we had to get permission to use the payphone. So we were to write a letter
30 every Sunday, and that was something you did after lunch on, on Sunday. So that was our communication to our parents. I'm happy to say, my, my, my, my mom and dad wrote me frequently,

B. Gilmore - in-Ch.
(Mr. Adair)

and it was always nice to get mail from them. There, there seem to be routing mailings that went from the college to, to our parents. Seasonally, I mean, kind of, I, I call it a newsletter. There, there seem to be a fair amount of that.

5 Q. I meant personal communications with your parents.

A. I, I'm not aware of my parents receiving any personal mail from the school.

10 Q. No. I, I mean from you, between you and your parents?

A. Oh, between me and my parents?

Q. Yes.

A. Oh, yeah, yeah. I, I wrote them every week.

Q. Yes.

15 A. I was required to do that.

Q. And as a prefect...

A. Yes.

Q. ...did you have something to do with those letters of others?

20 A. Yes. You were, you were required to collect a letter from each, each one of the boys in your section every Sunday.

Q. And what did you do with them?

A. You handed them to a staff member.

25 Q. And what were the envelopes, sealed, unsealed?

A. They were sealed. They were sealed.

Q. Okay.

A. Sealed, and they fixed a stamp on them.

30 Q. All right. Now, change the subject a little here. Obviously, you would be aware that there was a group referred to in this case as "Staff kids."

B. Gilmore - in-Ch.
(Mr. Adair)

A. Yes.

Q. Children of staff members.

A. Yes.

5 Q. And what was your, from your observations,
what was your, what, if any comments, can you offer...

A. Yeah.

Q. ...about their treatment?

10 A. I, I, I we definitely had it - as board, the
boarding students had it better than the staff kids. The staff
kids lived there. They never got to go home. They, they, they
I think they spent the summer doing work jobs or, I mean, you
know, and, and they, they, they, I think there was pressure on
them to sort of be the example and I, I, I, I was under the
impression that it would've been hard for them to leave. There
15 were certain careers that they would, that the school would
smile upon and leaving, I, I think seem to be - they, I don't
think they did endings very well with any of the staff. Which
is very said because they did endings very well with us, the
boarding students.

20 Like, we, we always knew that that one day we
would graduate and we would go onto whatever is next. And there
was always a great celebration around that, and it was as if
they were, they were, you know, applauding us on the way. And
it seemed very sad that, that when some of the staff kids left,
25 that there, there, there wasn't a, a great deal of affirmation
around that at all. You always had the sense that they were
somehow mad at them for, for doing something else. And I, I
thought that was sad. And, and also, some, I mean, I think it
would have been a, a, you know, as a child growing up there,
30 particularly as a young child, I, I think it would have been
difficult.

They, they seem to put the kids in, in - there

B. Gilmore - in-Ch.
(Mr. Adair)

5 seem to be all sorts of rotating domestic assignments for the, for the kids, right, they - I should clarify what I mean by that, it just, the kid, even the young children didn't always live with their parents. They seem to be living with, you know, with other staff, other staff people. Now that those of us who were, you know, the teenagers, the staff kids that are teenagers lived with us in the dorm. They were like, they were, they were integrated in, into you know, into the, into the boarding school life, right. But anyway.

10 Q. Reverend Gilmore, let me ask you about a few specific things. Number one, light sessions...

A. Uh-huh.

Q. ...and what I want to refer you to here is not more or less private light sessions...

15 A. Okay.

Q. ...but ones that involved a student body or a significant proportion thereof, and my question is were there occasions when there were such sessions where people were stood up and given a dressing down...

20 A. Yes.

Q. ...to use your words, were there such occasions?

A. Yes, there were, yes.

25 Q. And what was your view, as a student of those occasions?

A. It, it, again, there was a big, I wasn't going to use the phrase, there was a big question mark around that, whether or not anybody had the opportunity to address whatever the concerns before this. It seems at time way overboard and excessive, that the punishment seemed to outweigh the crime, whatever the crime was, you know.

30 Q. And what was your impression or observations

B. Gilmore - in-Ch.
(Mr. Adair)

of how the person on the receiving end would receive this?

5 A. Well, I, I mean, I means, some, some people would, would seem to be able, seem to be able to take it, and other people found it, found it very disturbing, and you know, there was sometimes you know people would end up in tears.

10 Q. As secondary, I want to ask you about is an area of punishment with a demeaning quality. And by that I mean, for example, if you were forced to cut the lawn with scissors, that would have a demeaning quality or pull rocks out of the ground with your bare hands in front of everybody. Did you see any such conduct of that nature?

A. I, I never saw anything like that.

15 Q. And a third area I want to ask you about is did you ever see staff members, including members of the administration engaged in swearing at or verbally abusing students with monikers like faggot or queer or filthy, or?

A. I, I personally never heard that. The, the use of profanity was a, was a huge like that was just a no-fly zone at Grenville; certainly at the time I was there.

20 Q. And what, what if any impressions did you form from your observations regarding the treatment of female students?

25 A. Well, there all sorts of quaint customs about, you know, standing up and offering chairs and that sort of stuff. I mean, I, I've, you know, I wasn't a female student, so I, I, I mean, I, I've read some things since Grenville that are disturbing. Some, some of the use of these names, and, I, I never witnessed that myself.

30 Q. Like, I am speaking specifically of calling or referring to female students as Jezebels or sluts or whores?

A. I, I never heard that. But I, I, but I've read that other people did, and...

B. Gilmore - in-Ch.
(Mr. Adair)

Q. All right.

A. ...perhaps that was in - I, I mean, I don't know and perhaps in just context where there was only girls present. I, I....

5 Q. Yeah. We don't want you to speculate.

A. Right. Okay. Yes, yeah.

Q. I asked if you were ever aware of that happening of yourself?

A. I never heard that myself, no.

10 Q. Okay. Now, tell me, sir, in a, in a general way to hopefully give the court a good overall flavor of, and how would you describe your own experience at Grenville?

A. Well, I, it was for me wonderfully positive. Now, I, I, I, I have a very rough time in high school before I went to Grenville. I had, again, speaking about myself, I was academically unmotivated. I was socially isolated. I was, I was a very awkward teenager. And basically, I had done about one year's of work, one year's worth of work in two years. So I, I wasn't, I was going down fast in, in my public high school. 15 And coming to Grenville for me was a very positive thing, because it, it was a structured environment.

It, it, it, it, provided motivation for me, academic motivation. I needed to apply myself, I needed to complete tasks. And that, that's, that framework was very good 20 for me. It - I received a lot of individual instruction there, and, and some individual help. And I, I my marks continually seem to improve until I graduated. And, and I did quite well in university. So, I was very grateful for that.

I had a guidance counsellor in my public high school told me I wasn't going to amount to a hill of beans, and that I was gonna probably be a janitor; not that there is 25 anything wrong with that. But I, I - it, it was not what I

B. Gilmore - in-Ch.
B. Gilmore - Cr-Ex.

needed to hear at the time, and when I went to Grenville, I received a lot of positive encouragement. So along coupled with, with the friendships I formed, it was a, was for me a good thing.

5 Q. Okay. And one more question. Based on your own observations...

A. Yes.

Q. ...your own observations, not what you read or anything like that...

10 A. Okay.

Q. ...your own observations, what can, what was your impression of the Grenville experience for your fellow students?

A. I would say overall positive.

15 Q. You would say overall positive.

A. Yeah. Yeah. I mean, 'cause, I've, I've heard things since, you know, since the closing of Grenville. But I would say, yeah, positive, yes.

20 Q. All right. Those are all the questions I have. Thank you, Your Honour.

THE COURT: Thank you. Cross-examination.

CROSS-EXAMINATION BY MS. LOMBARDI:

25 Q. When you were describing the, the daily routine at Grenville...

A. Uh-huh.

Q. ...you made a comment that you go to sleep in on the weekends.

A. I got to sleep in, yeah.

30 Q. Right.

A. A whole hour.

Q. Right, exactly. You said, you know, "a whole

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

hour." Which you also went on to say, you know, "it wasn't very much for a teenager."

A. No. no.

5 Q. So that schedule at Grenville, was it pretty intense?

A. It was pretty intense. Now, I did get to sleep in more on Sunday.

Q. Okay.

10 A. But it was, it was a highly structured environment, that's for certain, certainly.

Q. From 6:00 a.m. 'til almost 10:00 p.m. when lights went out, and sometimes there were late....

A. Yeah, you, you have about an hour and 20 minutes of unstructured time.

15 Q. Right.

A. At the most, right, in that, in that whole day.

Q. You had....

A. Typically, Monday to Friday, yes.

20 Q. In terms, you said, you mentioned that after lunch, there was like 20 minutes to maybe close your eyes or just...

A. Yeah.

Q. ...catch your breath, really, right?

25 A. Yeah.

Q. Yeah. You also, you also mentioned that there was no, that you were aware of the community of Jesus...

A. Yes.

30 Q. ...having a, having a very - having a presence at Grenville with the staff being members, but you never felt any pressure to, to join.

A. No, I didn't, no.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. But you were aware who the Community of Jesus leaders were?

A. I believe they were everybody, every, I believe all of the staff were, were members of the Community of Jesus.

Q. Were members. But the leaders of the Community of Jesus, you were aware who those leaders were?

A. The, the people....

Q. Mothers Kay and Judy.

A. Yeah. And, and, yes, yeah.

Q. Yeah.

A. I was aware of those, yes.

Q. And, and you knew that because they came to the school while you were there and they would speak to the student body during that retreat that they visited?

A. Yes.

Q. Yes. So you've, you've described Grenville as a place of, of rules and discipline, and it was with a strict schedule and that you knew those rules because some were provided to you in a handbook, is that correct?

A. Yes.

Q. And then others, you said, were part of the culture?

A. Yeah.

Q. Yeah. How did those cultural requirements, how did you come to know what those were?

A. I guess, you in any environment by, by just sort listening, and, and you know, the punctuality, you know, that was a high cultural value.

Q. Sure.

A. Politeness, you know, so these customs around standing and all that kind of stuff.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. Uh-huh. And saying, hello in the morning,
that was another politeness factor, wasn't it?

A. Yes, it was.

Q. In fact, you learned...

5

A. Yeah.

Q. ...to say, hello...

A. Yes, I did.

Q. ...in the morning...

A. Yes, I did.

10

Q. ...to Mrs. Haig specifically because...

A. Yes.

Q. ...you were called out at one of the public
light sessions...

A. Yes.

15

Q. ...assemblies for not saying hello to Mrs.
Haig.

A. Yes.

Q. Isn't that right?

A. That's correct, yes.

20

Q. And I bet you never forgot to say hello to
her again?

A. That's correct.

Q. "That's correct."

A. Sorry, I shouldn't laugh, but it's true.

25

Q. You know, you've described some of these,
these rules as being, "quaint," right, not saying hello, boys
and girls in different stairwells.

A. Yeah.

30

Q. What were some of the other topics at these
public assemblies where students would be sort of singled out?

A. Often, it - they would, they would mention or
call people out for having a bad attitude.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. Okay.

A. And that seem to be a sort of a blanket, you know, a, a, a, a blanket offence.

5 Q. Was it ever explained what in particular was bad about their attitude for the students to kind of understand why they were being singled out?

A. Well, I mean, it was usually, well, it would be explained while they were being singled out. You know, they - you've got a bad attitude about this, that, or whatever.

10 Q. And so, these light sessions were another way to learn the culture and the expectations of students, what was expected of you?

A. Yeah, yeah.

Q. Yeah.

15 A. It was.

Q. And were you ever subject to one of those smaller light sessions with a small group of staff?

A. I, I should - yes, I think I was, yeah. I, I can't remember an incidence, but I think I was, yeah.

20 Q. You think you were, but you don't, you don't recall?

A. Honestly, I can't, no. I mean, I - I, I think it's fair to say that my personality tends to be, I am a non-combative person, and I, I generally, I, I opt towards obeying the rules, so I, you know, like avoiding trouble was a, you know, something I'm generally pretty good at.

Q. Right.

A. Yes.

30 Q. And you also described Grenville as being military like, you said, the dorms were like an army barrack.

A. Yeah, yes.

Q. In terms of the structure and the schedule,

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

it was like military school, correct?

A. Well, it....

Q. Well, you said that just now.

5 A. In that, in, yeah, in that sense, yes, they
were. Like, like, but I, I've been in the military, so I've
been in the army, so...

Q. Right.

10 A. ...so, so the, that sense of being on time,
and you know, you always need to be, if I you're not early,
you're, you, you, you're not on time.

Q. Right.

A. Okay. So you - that's, that's something
that's very similar to the military.

Q. And, and making your bed in a certain way.

15 A. Yeah. I mean, it, it wasn't like
specifically like the army in a sense, in terms of you know, you
had to __that like from your pillow or anything like that.

Q. Right.

A. It, it did need to be tidy.

20 Q. Right. And it was inspected you would do it?

A. It was inspected, yes.

Q. Right. And you mentioned, it was the kind of
place where you had to do what you were told.

A. Yes.

25 Q. Right. Kind of like the military?

A. Kind of like the military.

Q. And, and you are a guy who is okay with that
structure. You were in the army reserves.

A. Yes.

30 Q. And then you were a police officer after
that.

A. Yes, yes, I was.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. And being a police officer, is that similar to that kind of army experience?

5 A. Similar in some ways, but, but, but different in others. I mean, you - there - being a police officer requires a great deal of listening and, and empathy and, not being rigid. And, and of course, gathering evidence, and listening to people, right, so....

Q. But in terms of taking orders from superior and things like that?

10 A. Yeah, yes, yes.

Q. Yeah. So that just suits your personality then?

A. Perhaps, yes.

15 Q. Yeah. You mentioned being a prefect at Grenville. In fact, I believe you were named prefect of the year in 1979 and '80. I have a document that I will show you. And this is the Grenville Christian College News, August 1980. We turn to the page 5.

A. Page 5.

20 Q. Can you - you'll see the page number at the upper right hand corner, page 5, the title is, "Highest Achievers Honoured." And then, it's a bit of grainy picture, but there is a caption underneath that center picture in the center column.

25 A. Oh.

Q. And it says, "Tim Haig, male athlete of the year, with Byron Gilmore, prefects prize winner."

A. Look at that young looking guy with that dark hair and that flat stomach. Sorry.

30 MS. LOMBARDI: Can we mark this as the next exhibit, please.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

EXHIBIT NUMBER 48: Grenville Christian College
News, August 1980 - produced and marked.

5 MS. LOMBARDI: Q. You were, you were the rules
personified at Grenville, weren't you?

A. Well, I, I don't know if I was. I, I, I do
tend to, yeah, do what I am told, yes.

10 Q. Okay. And part of those responsibilities of
being a prefect, you went over them with us in terms of dorm
duties and laundry. You also spoke, though, about having a
responsibility specifically with the students and, you know,
enforcing the rules. You have the power to issue demerits, but
beyond issuing demerits, that was sort of your pay grade, you
didn't discipline the students, beyond issuing demerits,
15 correct?

A. No.

Q. No.

A. I mean, you, you could, you, you could speak
to them, you know....

20 Q. Sure. I would imagine you would speak to
them, say, before you issued a demerit?

A. Yeah. I mean, I, I - yeah, I - you, you want
to get people to cooperate. You don't want to give demerits...

Q. Right.

25 A. ...because it's, it's, it's some little bit
much, right.

Q. Right.

A. Yeah.

30 Q. But there were occasions where as much as you
tried to motivate them...

A. Yes.

Q. ...you, you had to go up the chain of

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

command, is that right?

A. Yeah. I guess, that would be fair.

Q. We also spoke just a little bit about there was a, a rule, at least in the time that you were there, where you had to write your parents on a regular basis.

A. Yes.

Q. How often was that?

A. Every week.

Q. Every week.

A. Yes. It needed to be a page, at least.

Q. One page at least.

A. Yeah.

Q. And how would that be monitored to ensure that you wrote at least a page?

A. You had to hand, you had to hand in your, your letter to the prefect, right?

Q. I see.

A. And, you know, it's....

Q. And so, as a prefect, you would see these letters, and if you saw two sentences, you would hand it back tot student, and say try again.

A. I, I, I never looked at somebody's letter. I, I only received in sealed envelope.

Q. Okay.

A. I, I didn't read peoples' letters. That's....

Q. So....

A. Why would you?

Q. So how then would you - maybe not you, maybe it was staff, how would it be ensured that students were writing at least a page to their parents?

A. Well, I, I, I think it was the honour system.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

I, I, I - obvious - I was never - when I wrote a letter, I was never questioned, you know....

Q. You, you were a prefect for most of your time there, though?

5 A. Yeah.

Q. Was there one of those red or I guess, brown, Canada Post, post boxes on the campus of Grenville?

A. I guess, there was. I, I, I, sorry, I can't....

10 Q. Do you recall seeing one?

A. Honestly can't remember that?

Q. You don't recall?

A. No.

15 Q. But as far as you are concerned, you got the envelope as the prefect, and you handed it off to staff, and it would somehow get mailed?

A. Yeah.

Q. You, you didn't see it beyond that point?

A. No.

20 Q. You don't know what would happen to those letters, once you handed them off?

A. Well, they would go into the mail, I would assume.

Q. You would assume, but you don't know?

25 A. No.

Q. As a prefect, was it also your responsibility to sometimes supervise kids on work duties or shuffle them between work jobs or to and from the dorms?

30 A. Certainly, yeah, you would sometimes was were a team leader and a, and a like on a Sunday morning, like Saturday morning assignment. But there was usually a staff person that, that, that was there as well.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. And what about the kids on discipline who are doing the work duties, did you have to escort them to their work jobs?

A. No.

5 Q. Did you ever supervise any kids during discipline work duties?

A. No.

10 Q. You mentioned that they were separated at meal times from the, the regular student body. Were they also separated when they slept? Was there something called, "hotel d?"

A. Not in my time.

Q. Do you recall students ever having to go and sleep in infirmary of Grenville?

15 A. We didn't have an infirmary when I was there. That was a feature that happened later.

Q. Okay. Thank you.

A. There was, there was a nurse's office, but you, you couldn't get...

20 Q. No beds in there.

A. ...you, you couldn't sleep there, no.

Q. I see.

A. I, I got, I had mono in grade 12, and I had to sleep in the dorm. So it just, yeah.

25 Q. So if we can just go over a little bit what those kids on D had to do. Were you ever put on discipline?

A. I was never put on discipline.

Q. No. But you were aware that they were out of uniform, correct?

30 A. Yes.

Q. They wouldn't attend classes, correct?

A. No. Correct.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. And you said, it would be days up to a week long?

A. I, I, I, I can't remember. I knew it was usually a couple of days for sure.

5 Q. Okay.

A. Sometimes two or three.

Q. But as long as a week, do you remember that?

A. Honestly can't remember how long it went, but, I, I, you know, I would be willing to accept that it could be up to a week, yeah.

10 Q. Multiple days, in any event?

A. Multiple days, yes.

Q. Okay.

A. Yeah. Yes.

15 Q. And, and we just spoke about them not eating with anyone during meal times. Is it fair to say that they were isolated from the rest of the student body?

A. I think that's fair to say, yes.

20 Q. You also discussed, in terms of the escalation of discipline that, you know...

A. Uh-huh.

Q. ...it would start off possibly with a light sessions and it could lead all the way up to discipline, but you also mentioned that you were aware that corporal punishment...

25 A. Yes.

Q. ...was a form of discipline at Grenville. And you gave an example of a friend of yours that you learned...

A. Yes.

Q. ...had been subjected to corporal punishment.

30 A. Yes.

Q. And you said, it was for something, you know, really small, for wanting to take some time for work on an

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

assignment and he ended up, you know, getting the paddle.

A. Yes.

Q. Did he, did he tell you how many times he was
beaten?

5 A. He didn't, no, no. I....

Q. Did he show you the bruises?

A. No. I mean, this was - he told me years
after the fact.

10 Q. I see. You were never subjected to corporal
punishment yourself?

A. No.

Q. And you never witnessed it being implemented?

A. No.

15 Q. Were you aware how they implemented it, like,
what tool they used?

A. I had only heard bout it. I never saw it,
but I certainly heard about it.

20 Q. At the light sessions that would happen,
these public light sessions, like the one you that you had for
not saying hello to Mrs. Haig, you mentioned that one of the
other topics was bad behavior, having a bad attitude.

A. Yeah.

Q. Was being haughty, H-A-U-G-H-T-Y, one of the
topics at these, these public sessions?

25 A. Yes. That was, that was a, that was a
Grenvillle'ism.

Q. It was a Grenville'ism?

30 A. Yeah, yeah. Being haughty was not, I guess
they, they - anything from being rude or not being polite or,
you know, that was a....

Q. All the way up to being haughty?

A. Well, yeah, it seemed haughty seem to cover

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

all of that.

Q. I see.

A. Yeah. Not saying good morning could, could be evidence of being haughty.

5 Q. Possibly.

A. Possibly.

Q. And you remember some students crying, as a result of being stood up at these sessions?

A. Yeah.

10 Q. Yeah.

A. Yeah.

Q. And who would speak to these student who were stood up, was it....

A. Sorry?

15 Q. Who would speak to the student that would stood, was it just Father Haig or Father Farnsworth who were speaking or could it be other staff?

A. It could be other staff, yes.

20 Q. What about other students, would they ever participate?

A. That happens too, yes.

Q. How would you describe the tone of those meetings, especially as we have other staff and other students kind of joining in and reprimanding the student being stood up?

25 A. It sort of felt like a bit of a mob, you know.

30 Q. If we can just touch on the staff kids for a moment. Am I correct in understanding the evidence that you just gave this morning that you kind of felt sorry for staff kids?

A. Yeah. I mean, I - some of what I have read, you know, since and, and recently, the staff kids, you know,

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

they, they didn't have the choice to go there, right. My parents gave me the choice and not every boarding student had the choice to be there either. But, you know, they, they, they, they never seem to have an opportunity to be in an environment, other than, other than the sort of scheduled environment of Grenville.

Q. You said that it seem sad that they didn't get a lot of affirmation, and that the staff always seem to be mad at them.

A. Well, I, I - my, my context - my comment about the, the affirmation was specifically around the, the whole question of, of staff kids leaving or going someplace else, that I, I, I - there, there seem to be a, a, an expectation that they would stay and that they would work there. And I, I thought that was sad, yeah.

Q. And you mentioned that you were aware of those staff kids from a young age living with persons, other than their parents?

A. Yeah. Yeah.

Q. But by the time they were teens, they tended to be integrated into the dorm with you?

A. Yeah. Well, I, I mean, I went to Grenville in grade 10, and, and many of my classmates were staff kids.

Q. Okay.

A. So they lived in the dorm with us. Like, we're just integrated into the - they, they were like boarding students, only obviously their parents were....

Q. Were, were staff there.

A. Yeah.

Q. In terms of being integrated, though, they were subject to the same, you know, dorm rules?

A. Yes.

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. And the same general rules at the school as well?

A. Yes. Yeah.

Q. They engaged in the same activities?

5

A. I'm sorry?

Q. They engaged in the same activities.

A. The same activities.

Q. They would be on your sports teams, for example?

10

A. Yes.

Q. Yeah. You mentioned that there were sessions in the chapel and sometimes the dining room and that, was it Tuesday, Sundays, and Sundays were specifically days of worship?

15

A. Tuesdays, Thursdays, and Sundays were, were specifically for celebrating communion.

Q. I see.

A. So - yeah.

20

Q. And on other days, you mentioned that sometimes there is lots of signing, sometimes there would be a public light session. Were there also....

A. Or a public lecture, yes.

Q. Or a public lecture.

A. Yeah, yeah, yeah.

25

Q. So....

A. Yeah.

Q. What were some of the topics of those lectures or I guess they're homilies or....

30

A. Yeah. Yeah. A, a variety of subjects, I guess. I mean, I, I presumably what, what we were reading that day from scripture, that and then, you know, they, they, they did emphasize, you know, being, you know, they, they did emphasize conformity, and, and, you know, working hard. I, I

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

seem to remember having a, you know, the chapels on Saturday morning were about the value of work, right. We sang a couple of hymns that seem to have work in them, right.

Q. Right.

5

A. And, and off we went to work.

Q. But were topics like homosexuality ever part of the, the sermons in terms of maybe some of the scriptures that were selected to be read or?

10

A. I, I think it would be fair to say that they would, they would have viewed the whole expression of sex to be within the context of marriage, and then, and as it was understood in the 1970s.

Q. Right.

A. Yeah.

15

Q. And so, by that, do you mean, that homosexuality was considered a sin?

A. They, they would have considered it a sin, yes.

20

Q. Was the story of Jezebel ever, ever told at one of these sermons or homilies?

A. I don't remember that.

Q. You don't remember.

A. Yeah.

25

Q. You said that you had an opportunity to get to know people and that you made friends.

A. Yeah.

Q. Are you friends with Donald Farnsworth?

A. Donald Farnsworth.

Q. Uh-huh.

30

A. No.

Q. Yeah. Rudy Randall.

A. Ruth who?

B. Gilmore - Cr-Ex.
(Ms. Lombardi)

Q. Rudy Randall.

A. Oh.

Q. Is he a classmate of yours?

A. Randy Stembark (ph)?

5

Q. Not Steinbark (ph), no.

A. I'm sorry.

Q. Okay.

A. Randy Steinbark, yes, I would be friends with
him.

10

Q. Okay. You're not surprised, though, that
other students didn't fare as well as you at the school, is that
correct?

A. I am sad about that, yeah.

Q. The singling out of students publicly...

15

A. Yes.

Q. ...at those light sessions, their isolation
during their discipline and their ostracization from fellow
students, that was a common thing a Grenville, is that correct,
during your timer there?

20

A. I wouldn't use the term, "common." It, it
happened. It, it, it certainly wasn't - I didn't feel like it
was, it was a regular feature. But it did happen.

Q. But it was part of the culture?

A. It was part of the culture, yes.

25

Q. And it's not the way you would have done
things, correct?

A. No.

Q. Not at that time?

A. Not at that time.

30

Q. And not now in your current capacity as a
minister?

A. No. No.

B. Gilmore - Re-Ex.
(Mr. Adair)

Q. You'd never stand any of the youth of your congregation up and single them out in that fashion?

A. No.

Q. No. Thank you. Those are all my questions.

5

THE COURT: Any re-examination?

MR. ADAIR: Yes.

RE-EXAMINATION BY MR. ADAIR:

10 Q. Just a couple of questions, Reverend Gilmore. My friend asked you about leaders of the community of Jesus coming to the school, and...

A. Yes.

Q. ...and what I want to know is how often do you remember that happening?

15

A. I only remember them coming once.

Q. Thank you.

A. When I was in grade 10.

20 Q. And a, a second question I want to ask you is this, these what have been referred to as public light sessions with the student body or a significant part of it...

A. Yeah.

25 Q. ...present where somebody was given a dressing down, can you do your best, sir, to give us an idea of the frequency that that would have happened, per year or per month, or whatever you can.

A. I mean, there was no schedule on it. It would seem - it seem to be arbitrary. But, but it would, it would seem to happen at least once a semester.

30 Q. "Once a semester," or at least, "once a semester."

A. At least once a semester.

Q. Okay. And the last question I want to ask

B. Gilmore - Re-Ex.
(Mr. Adair)

you is my friend asked you about Grenville being a place of orders where you're expected to follow the orders.

A. Yeah.

5 Q. What do you say, sir, as to aside whether you liked the orders or not, what do you say, sir, as to generally, whether they were reasonable or unreasonable?

A. I think generally they were reasonable. They were, they were part of the structure making sure people were on time and, and...

10 Q. Okay.

A. ...doing your homework.

MR. ADAIR: Thank you, Reverend Gilmore.

15 THE COURT: Just have one question for you, as clarification in both in-chief and in cross-examination, you used the phrase, "light sessions."

THE WITNESS: Yes.

THE COURT: Can you tell me when you first heard that term, and who used it?

20 THE WITNESS: I definitely heard the term for the first time at Grenville. Who used it, I'm afraid, I, I can't remember. I....

THE COURT: All right. All right. Thank you. Are there any questions arising from my question?

25 MR. ADAIR: No, Your Honour.

MS. LOMBARDI: No, Your Honour.

THE COURT: Thank you for coming Reverend Gilmore. You're free to go.

THE WITNESS: Thank you, Your Honour.

30 THE COURT: Would you, would you care to take the morning break now, or would you like to start your next witness?

W. Newell - in-Ch.
(Mr. Boghosian)

MR. ADAIR: It would probably be helpful if it's acceptable to the court to do it now...

THE COURT: All right then.

MR. ADAIR: ...and if we can begin.

5

THE COURT: That's what we will do. We will take 20 minutes for the morning break.

R E C E S S

10

U P O N R E S U M I N G:

COURT REGISTRAR: Court has resumed, please, be seated.

15

MR. BOGHOSIAN: Your Honour, we'd like to call our next witness, William Newell.

THE COURT: William Newell?

MR. BOGHOSIAN: Yes.

THE COURT: Thank you.

20

WILLIAM NEWELL: SWORN

25

MR. BOGHOSIAN: Your Honour, before I begin, Mr. Adair wanted me to let you know that he is indisposed for something else until after until the lunch break.

THE COURT: Thank you.

EXAMINATION IN-CHIEF BY MR. BOGHOSIAN:

30

Q. Now, I understand, Mr. Newell, that your given name is William Newell, but you go by the nickname, let's say, "Lenny."

A. Yes.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. And how did that arise that you're called, "Lenny?"

5 A. I am William Allan Newell, the second, named after my grandfather. His wife, my grandmother, had a pet name for him, "Lenny," which I picked up when I was named after him.

Q. And do you mind if I call you "Lenny" during this examination?

A. No. Please, do.

Q. How old are you currently?

10 A. Fifty-three.

Q. And what is your date of birth?

A. March 27th, 1966.

Q. Where do you live?

A. Brockville, Ontario.

15 Q. Okay. Just go a little bit slower. Are you currently working?

A. Yes.

Q. What do you do for a living?

A. Asset management and construction.

20 Q. Okay. And how long have you been doing those two things?

A. More than 15 years.

Q. Okay. Now, I understand you attended Grenville Christian College.

25 A. That's correct.

Q. In what years did you attend?

A. Starting in the fall of 1978 through to the spring of 1981.

Q. And what grades did you take at Grenville?

30 A. Grades 8, 9, and 10.

Q. Did you live in residence at Grenville or the dorms, as they have been referred to, for any of those years?

W. Newell - in-Ch.
(Mr. Boghosian)

A. For all of them.

Q. Okay. And I understand you have a sister whose name was Annie Newell at the time, she is now Annie Glenn.

A. Correct.

5 Q. Did she also attend Grenville Christian College?

A. For the years 1980 and 1981.

Q. Okay. And did she eventually marry someone who had attended Grenville as well?

10 A. Yes, she did.

Q. What was his name?

A. Jay Glenn.

Q. Okay. And did Jay and Annie, your sister, have children?

15 A. Yes, they did.

Q. And did they later attend Grenville Christian College?

A. Yes, they did.

20 Q. Okay. And do you know when those kids left Grenville?

A. They left Grenville upon its closing.

Q. Okay. Now, I understand that you and Annie had some tragedy when you were kids.

A. That is correct.

25 Q. Can you briefly describe what happened?

A. My father passed away in the spring of 1979 when I was 13 years old.

Q. Okay. And what were the circumstances in which you found out about that?

30 A. We were on a trip coming up by boat from Florida, received a phone call, or placed a phone call to the house to find that the police were there and that my father had

W. Newell - in-Ch.
(Mr. Boghosian)

committed suicide.

Q. And, and why, why were you - what was the date that this happened?

A. May 5th, 1979.

5 Q. And why was it that you and your mother and siblings were on this boat and your father was back home?

A. My father had purchased this boat in Fort Lauderdale, and we were to rendezvous with him partway up the intercoastal waterway. He had business to deal with in Chicago, and obviously from what I previously stated, he didn't make it to, to meet us.

10 Q. Okay. Were you in Grenville at the time of his death?

A. Yes, I was.

15 Q. Now, you gave evidence on a cross-examination in June 2011 that suggested he passed away before you started at Grenville.

A. Yes. That was my mistake. I just simply got the dates wrong.

20 Q. Okay. And May of - would you still have been at school at Grenville in your first year there in Grade 8, at the time that you were on this boat trip?

A. Yes.

25 Q. And how is it that you came to be on a boat trip in the middle of the school year?

A. My, my parents have asked the school for permission, I was given, given my assignments that I would have missed and was expected to, to do those assignments while I was away on the trip.

30 Q. Okay. And where were you going to school before you enrolled at Grenville?

A. I was going to Central Public School in the

W. Newell - in-Ch.
(Mr. Boghosian)

Town of Prescott where we live.

Q. And how were you doing at school there?

A. A solid B student.

5 Q. Okay. And were you living in Prescott with your, your family at that time before you started at Grenville?

A. Yes, I was.

Q. And did your mother continue to live there while you were going to Grenville?

A. Yes, she, she did.

10 Q. Okay. And do you know why you were sent to Grenville?

A. It was not uncommon, I, I was probably a bit rebellious, but my family had a tradition, all of my brother siblings went to a boarding school at Lake, at Lakefield outside
15 of Peterborough. My one of my brothers went to a boarding school in Massachusetts. My father also went to boarding school. So, for all of those reasons, I believe I was enrolled at Grenville Christian College.

20 Q. Okay. I understand you've had some personal issues as an adult.

A. Yes, I have.

Q. Can you briefly tell us what those have been?

A. I am now 14 years recovering alcoholic. And I have been twice divorced.

25 Q. All right. Have you ever suffered from depression?

A. I have.

Q. Okay. And do you attribute any of these personal problems to having attended Grenville?

30 A. I certainly do not.

Q. And why not?

A. I believe the decisions I've made and the

W. Newell - in-Ch.
(Mr. Boghosian)

choices I have made in my life fall squarely between my own two shoulders. I made poor choices and had nothing to do whatsoever to do whatsoever with Grenville Christian College.

5 Q. Okay. And did you receive counselling for depression and or alcoholism...

A. Yes, I have.

Q. ...as an adult?

A. Yes.

10 Q. Now, how did you do academically over the three years you were there?

A. Solid B student.

Q. Okay. And what was your sense of the caliber of the academic teaching there? Yeah.

A. Excellent.

15 Q. Were you involved in extracurricular activities while you were at Grenville?

A. Yes, I was.

Q. And what activities were those?

20 A. Soccer, basketball, track, barbershop quartet.

Q. And were you involved in all of those throughout the three years you were at Grenville?

A. Yes.

25 Q. Did you enjoy participating in those activities?

A. I did.

Q. Now, do you recall arriving at the school when you were in grade 8, starting grade 8?

30 A. The, my, my first days, yes, I vaguely recall.

Q. And what was your initial impression of the school over the first days or weeks after your arrival?

W. Newell - in-Ch.
(Mr. Boghosian)

A. I believe I was probably a little scared, and apprehensive to be away from home.

Q. All right. And the reason you were scared?

5 A. I was a 13-year-old boy who is living in a strange place, natural reaction.

Q. Okay. And did that impression change over, over time?

A. It did.

Q. In what way?

10 A. I became more comfortable with my, my surroundings. I, I got to meet and get, got to know people. The - got to know the daily and weekly routine of school, and how the ebb and flow of the school worked; made me more comfortable.

15 Q. Okay. Were you ever told by anyone at Grenville that they were going to break you down and build you back up the Grenville way?

A. I never heard that.

20 Q. Did you ever have the sense that that was what they were trying to do?

A. I don't believe so.

Q. Did you ever get the sense that the staff were trying to indoctrinate you into the values of the Community of Jesus?

25 A. If by indoctrination you mean, to instill good Christian values, then the answer is yes. As far as the Community of Jesus, I never heard that the Community of - the Community of Jesus was trying to indoctrinate anyone.

30 Q. Okay. And did you ever attend the Community of Jesus?

A. I never did.

Q. Did you know what the Community of Jesus was

W. Newell - in-Ch.
(Mr. Boghosian)

when you were there?

A. I, I - it was known to me as perhaps a sister school or a place on the Cape of Massachusetts.

5 Q. And did anyone visit from the Community of Jesus to the school, to Grenville, when you were there?

A. I believe two ladies - and I recollect their names, maybe Kay and Judy, may have visited once or twice during my entire time at Grenville.

10 Q. And do you recall any interaction with them, did they give lectures or sermons or anything?

A. They may have spoken in the dining hall on when they were there, but it doesn't stick out in my mind.

Q. Okay. Did you - I think you - do you know if any non-staff kids were ever sent to the Community of Jesus?

15 A. No.

Q. Okay. Were - there were some students at Grenville when you were there that held to a higher standard than others?

20 A. I believe most of the staff children were held to a higher standard to set an example for the rest of the student body.

Q. And how was that reflected in your observations while you were there?

25 A. They were meant to get good grades, to have good attendance, to join extracurricular activities, and to, to hold a higher moral compass.

Q. Was there an atmosphere that you felt of fear and intimidation at Grenville?

A. No.

30 Q. Did any of your classmates while you were there ever tell you that they felt such an atmosphere?

THE COURT: I think that calls for an hearsay

W. Newell - in-Ch.
(Mr. Boghosian)

answer.

MR. BOGHOSIAN: Q. Did you ever have the sense that there wasn't a general atmosphere of fear and intimidation at Grenville?

5 A. No.

Q. Okay. Was there a formal system of discipline at Grenville when you were there?

A. It was called the demerit point system.

10 Q. And what was the demerit, demerit point system?

A. I can't remember how many demerit points you needed to get for infractions from improperly dressed or late for class or late for meals, but after a certain few demerits, maybe five, you would be asked to do extra menial tasks, dishes in the kitchen or maybe raking leaves or some sort of a, a disciplinary punishment.

Q. Okay. And what - you, you mentioned a few things - what, what other kinds of things would lead to a demerit point?

20 A. Late for class, improperly dressed, out after lights out, mostly what I can recall.

Q. Okay. Were you ever put on discipline at Grenville over the 3 years you were there?

A. Yes, I was.

25 Q. How many times?

A. Maybe 5 times.

Q. Okay. And what sorts of things were you put on discipline for?

30 A. Being late for class, improperly dressed, bed not properly made.

Q. And would it be an accumulation of things like that?

W. Newell - in-Ch.
(Mr. Boghosian)

A. It certainly would, yes.

Q. And when you were put on discipline, what did you have to do on those occasions?

5 A. What mostly sticks out in my mind was doing pots in the kitchen for a day.

Q. Would you be in or out of your school uniform?

A. I would not be in my school uniform.

10 Q. Would you be able to interact and speak with other students?

A. Speak when spoken to.

Q. Did you have to sleep somewhere, other than your dorm room?

A. Absolutely, not.

15 Q. What was the period of time each day that you're on discipline that you had to work doing these menial jobs?

A. It would always be during regular while school was in. So 9:00 until 3:30, like a with break for lunch.

20 Q. Did you ever have to work longer periods of time?

A. No.

Q. Did you ever have to work from when you got up at 6:00 a.m., to ten o'clock at night?

25 A. No.

Q. And how long were these stints of discipline doing these menial jobs that you've described?

A. For me, one day, maybe two days.

30 Q. Okay. So the, what was the longest that you were ever on discipline?

A. Two days, I believe, maybe three, but I don't think so.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. And were you fed properly when you're on discipline?

A. Yes.

Q. Did you continue to do your schoolwork?

5 A. I would have to get caught up in the evenings. We had enforced study hall five nights a week, no, four nights a week, sorry.

Q. So what would be involved in, in doing your schoolwork in study hall when you're on discipline?

10 A. So my discipline would be over. I would have had supper, I would have changed back into my school uniform, and after our free time after supper, we would all meet all students, unless you were doing something else, we'd meet in the dining hall from 7:00 until nine o'clock for enforced study hall
15 with several teachers who were there to help, if you needed.

Q. And how would you get caught up on your school assignments that you missed that day?

20 A. I would go and see my teachers and find out what I missed, and, and what was required, and get caught up, read textbooks, do the assignments.

Q. Okay. Did you feel that the discipline you received was warranted?

A. Certainly.

25 Q. And do you feel it was appropriate for your actions?

A. Yes.

Q. What's the longest time that you were aware of anyone being on discipline while you were at Grenville?

A. Four days, maybe.

30 Q. Are you aware - were you ever put on discipline for being haughty?

A. I was never put on discipline for being

W. Newell - in-Ch.
(Mr. Boghosian)

haughty, to my knowledge.

Q. Were you aware of anyone else being put on discipline for being haughty?

A. No.

5 Q. Now, I want to talk about paddling. Were you ever paddled, paddled during your time at Grenville?

A. Once.

Q. And do you recall why you were paddled on that occasion?

10 A. Yes.

Q. First of all, when was it, which grade, what year?

A. I, I believe it was in grade - in my second year.

15 Q. Which would be your grade 9?

A. In grade 9, yes.

Q. Okay. And what were the circumstances that led to the paddling?

20 A. I had brought a friend to my parents' house over thanksgiving weekend, we....

Q. Was he a student at Grenville?

25 A. He was also as student lived much further away. So because it was such a short duration, the school gave us permission to have him come to my parents. Sometime during the course of the evening, we got it in our heads that we would take my brother's car and go for a joy ride. I was 14 at the time. During that time, we ended up on the front driveway of Grenville Christian College and were subsequently pulled over by the police. I don't believe any charges were laid, but I don't
30 believe the school was very impressed with my actions.

Q. And did you receive a paddling for, for that?

A. Yes.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. And what, do you remember the time that you ended upon on the front driveway of Grenville?

A. Well after midnight.

Q. Okay. Was there any alcohol involved?

5 A. No.

Q. All right. How many licks, we'll call them, how many strikes by the paddle did you receive from that occasion?

A. Three.

10 Q. Who administered it?

A. I believe it was Father Haig.

Q. And did he appear to enjoy the experience?

A. He certainly did not.

15 Q. Were these, like, describe the intensity of the swing or the strike?

A. It, it was not a full swing of using the full arm. It was - the best description maybe a half a swing.

Q. Okay. And there were three of those?

A. Yes.

20 Q. And were, were you sore, was your rear-end sore after that?

A. A little bit.

Q. Do you know how long?

25 A. Maybe, oh, let's put it - I could, I could sit immediately afterwards. I - it, it wasn't like I couldn't sit down.

Q. All right. Was there any bleeding or bruising?

A. No.

30 Q. Was it always clear to you what the rules were at Grenville?

A. Very clear.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. And is there any reason you can think of why any of your fellow students would not have understood the rules clearly?

5 A. I cannot speak for anyone else, but I certainly did understand what was expected very clearly.

Q. And was it your experience that if you stayed within the rules you, you would not receive any punishment?

A. That is correct.

10 Q. Did it appear to you that some student were singled out for punishment because they were on some kind of bad kids list?

A. No.

15 Q. Did it appear to you that there were kids that got away with more than others because they were some kind of special treatment list?

A. No.

Q. Did you regard the discipline at Grenville was abusive?

A. No.

20 Q. Did you feel it was harassing or intended to inflict emotional suffering?

A. No.

Q. Do you recall the term, "light sessions," being used at Grenville?

25 A. Yes.

Q. And what was the term, "light sessions" used to describe?

A. I believed it to mean that things needed to be brought out into the light.

30 Q. And what form did these sessions take?

A. Usually the ones that I personally witnesses were just around lights out in the dorm with a small group maybe

W. Newell - in-Ch.
(Mr. Boghosian)

10 or 12 boys and some staff, and perhaps one boy would be getting called out for a transgression, and the rest of us were there to witness it. It, it was a humbling experience from the boys that were receiving the light session, certainly.

5 Q. Okay. And how long would these sessions go for, in your experience?

A. Fifteen, twenty minutes, maybe.

Q. Okay. And did you ever see any of the boys crying or visibly agitated during these sessions?

10 A. Not that I can recall.

Q. And how many light sessions of that nature you described it as some staff and a smaller group of boys, how, how frequently did you experience that over your three years at Grenville?

15 A. Perhaps four times.

Q. Okay. And there, and what sorts of behavior would be called out at these light sessions?

20 A. Cheating academically, out of, out of your dorm after lights out, rude, disrespectful behavior towards pretty much anyone, peers and staff alike.

Q. Was haughtiness something that was ever called out at a light session, in your experience?

A. I, I, I believe that to be the case, yes.

25 Q. And what was your understanding of the purpose of those light sessions as you've described them?

A. I, I, I believe it was to not only make the transgressor aware of their transgressions, but also to humble them in front, and make others aware of it as well so that you could change and modify your behavior.

30 Q. And in your opinion, were these light sessions effective in achieving a purpose?

A. I think so.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. Okay. Now, there has been talk about large assemblies involving the entire student body, where people would also get called out for transgressions. Did you ever see or experience that?

5 A. Twice, perhaps, yes.

Q. Twice in what period of time?

A. In the three years I was there.

Q. And were those large assemblies where that happened where people were called out, were they referred to as light sessions?

10

A. No.

Q. What, what did they call them?

A. I, I don't believe that they had a name.

Q. And describe one, if you could, to the best of your recollection?

15

A. Well, the, it was not un-similar to a light session, except for it would happen in front of the entire student body with the staff present as well.

Q. Okay. And What sorts of things would were called out on these couple of occasions...

20

A. I, I...

Q. ...where student were stood up in front....

A. ...I, I believe there were some, some cheating on exams was, was one that I do recall. And I, I simply can't recall any, any other ones that come to mind.

25

Q. Did you have the sense while you were at Grenville that you were constantly being watched for sins?

A. No.

Q. All right. And did you get the sense that there was a feeling amongst the student body that they were, felt that they were constantly being watched for sins?

30

A. No.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. Were you taught to expose or report other students' sins to staff?

A. No, I was not.

5 Q. Did you have a feeling that staff was always on the lookout for sins?

A. No.

Q. Did you have a sense that the student body generally felt that they were doing that, the staff?

A. I don't believe so, no.

10 Q. Were you in a state of fear throughout the time you were at Grenville that your sins would be exposed?

A. No.

Q. And did you have the sense that there was a state of fear amongst the student body generally?

15 A. Certainly, not.

Q. Did you have sense of fear of being judged or targeted for some transgression?

A. No.

20 Q. And did you have a sense that the student body generally felt that way while you were there?

A. I don't believe so.

Q. Did you ever hear the staff call anyone, yourself, or others that you heard names like, dumb, stupid, worthless?

25 A. No.

Q. What about fag or faggot?

A. I never heard that term at the school.

30 Q. Okay. When you were there, was there ever - was there, were the discussions about homosexuality, lectures or teachings, or sermons, or statements by staff?

A. To the best of my knowledge, there were never discussions about homosexuality at Grenville Christian College.

W. Newell - in-Ch.
(Mr. Boghosian)

Q. Would, was it a regular occurrence that staff would yell or scream at students?

A. Certainly, not.

5 Q. Did you make friendships with fellow male classmates when you were at Grenville?

A. Yes, I did.

Q. Would you regard them as close friendships in any of those cases?

10 A. Yes, I had two particular friends that, that during my entire time there that I got to know rather well, yes.

Q. And what were their names?

A. Greg Gauthier and Ian Maxwell.

Q. Okay. And did you continue to keep in touch with them and see them after you left Grenville?

15 A. I have not seen Ian since 2006. He is a missionary in Africa with his wife, and Greg, I saw the same year at a reunion, I believe it was 2006. He lives in Sudbury, and we keep in touch through social media.

20 Q. Did you get the sense that Grenville attempted to discourage or breakup male students who were becoming close to one another?

A. No.

Q. Did you have free time while you were at Grenville to make and cultivate friendships?

25 A. Yes.

Q. And when were those times?

30 A. We have a half an hour after lunch every day. We had an hour after supper every evening. We had maybe a half and hour before lights out. Saturday afternoons were always free times, Sundays as well.

Q. And you were free, were you free to speak to whatever male friend you felt like?

W. Newell - in-Ch.
(Mr. Boghosian)

A. Yes.

Q. What about females? I know, first of all, I shouldn't - was there a rule barring boyfriend, girlfriend relationships when you were at Grenville?

5

A. Yes.

Q. And did you, were you still allowed to speak to and congregate with female students?

A. Yes.

10

Q. Were you able to develop friendships with female students?

A. Yes.

Q. Did you have female friends while you were at Grenville?

A. I did.

15

Q. Was there opportunities to have casual conversations with teammates when you were engaged in supporting activities?

A. Yes.

20

Q. When you were in the dorm living there for these three years, were you moved around at all?

A. No.

Q. When I say, moved around, I mean, during the year?

25

A. No. My first year, I was in a private room, semi-private room with two other boys, and years 2 and 3, I was in the main dorm with sections of 10 boys per section.

Q. Okay. And did you remain for your grade 9 and 10 years in the same section throughout the entire year of the dorm?

30

A. Yes, yes, I did.

Q. Did you ever hear female students being referred to as whores, Jezebels or other similar offensive

W. Newell - in-Ch.
(Mr. Boghosian)

terms?

A. No, I did not.

5 Q. Were women generally referred to in such terms by either Father Haig or Father Farnsworth, or any of the other staff at any time when you were there?

A. Not to my knowledge, no.

Q. For example, in these public assembly sessions?

A. No.

10 Q. Did you ever witness an exorcism while you were at Grenville Christian College?

A. I did not.

15 Q. Did you ever witness anything that could be described along these lines, an event where people spoke in tongues, ran around praising Jesus, rolled in the aisles of the chapel looking like epileptic seizures and watching Charles Farnsworth proclaim that he had healed people?

A. I never witnessed anything like that.

20 Q. Did you ever hear Father Farnsworth or Father Haig, or any other staff for that matter speaking in tongues?

A. No.

Q. Do you know what speaking in tongues means?

A. I don't.

25 Q. Okay. Do you have some experience with a service in the Wesleyan faith?

A. Yes. I, I practice the Christian Wesleyan faith today, and speaking in tongues is not something that I know about, but it is something that I, I have, I've heard the term before.

30 Q. Were students ever told to speak in tongues in, in your presence in any of the time that you were at Grenville?

W. Newell - in-Ch.
(Mr. Boghosian)

A. Nobody was ever told to speak in tongues, and I don't believe that's possible anyhow.

Q. Why do you say, "it's not possible anyhow?"

5 A. Well, the way I understand it, if you are possessed by the Holy Spirit, you, you speak in tongues on your own, you can't actually dictate to do that.

Q. Did you ever experience firsthand or witness any student being awakened in the middle of the night and taken somewhere or made to confess their sins on the spot?

10 A. No.

Q. Were flashlights ever shone in people's faces during the evening light sessions that you refer to?

A. Any light session I was ever a part of was with all of the lights on, no flashlights.

15 Q. Were you required by Grenville to write home to your mother on a weekly basis or on any schedule?

A. No. I was never required to write home.

Q. Did you in fact write any letters to your mother while you were at Grenville?

20 A. I may have, but I'm more of a phone person than a letter writer.

Q. Okay. Did you have a girlfriend while you were at Grenville who was off campus?

A. Yes, I did.

25 Q. And what was her name?

A. Her name was Shannon Pitts.

Q. Did she write you letters while you were at Grenville to you at Grenville?

A. She did.

30 Q. And how were those letters packaged?

A. In scented envelopes.

Q. Like what kind of scent?

W. Newell - in-Ch.
(Mr. Boghosian)

A. The perfume she wore at the time.

Q. Okay. And were you ever questioned about having a girlfriend at any time that you were in Grenville?

5 A. I can't say that I was ever questioned. I may have been asked in passing, but certainly, using the terms, questioned is more harsh than....

Q. Okay. Was that questioning about some girl who was going to Grenville or was that generally about girlfriends?

10 A. Yeah. Just, just did I have a girlfriend, and if I said, yes, that would have been the end of it.

Q. Okay. Did you make or receive phone calls while you were at Grenville?

15 A. Yes. Sorry, excuse me. Phone calls were made at a pay phone in a public area. If I was receiving a calls, it would have had to have been on emergency basis. The only place to make phone calls was the pay phone in the downstairs hallway.

20 Q. Okay. And did you have a sense that the phone calls were being monitored by Grenville staff?

A. I had no sense of that whatsoever.

Q. Do you have any other basis to think that your phone calls were being monitored?

A. None.

25 Q. When the - when was the first time that you started thinking in detail about your time at Grenville Christian College?

A. I believe in 2011 when I was approached about this case coming before the court.

30 Q. And what did you do in 2011 to - did you do anything in 2011 that involved relating your experiences at Grenville?

W. Newell - in-Ch.
(Mr. Boghosian)

A. Yeah, I swore an affidavit. I believe I was questioned as well.

Q. Would that be cross-examined?

A. Cross-examined.

5 Q. And was - did those both take place in 2011?

A. I believe so, yes.

Q. Do you feel confident about your recollection of your time at Grenville here today?

A. I do.

10 Q. Have you done even more thinking about your time there in preparation for today than you...

MS. MERRITT: That's very leading.

MR. BOGHOSIAN: It calls for a yes or no answer. I mean, A, I didn't finish the question.

15 THE COURT: Will you finish the question, and just, please, wait, Mr. Newell, until I can hear it and think about it.

MR. BOGHOSIAN: My questions was going to be have you done even more thinking about your time at Grenville in preparation for today than you had leading up to the 2011 affidavit and cross-examination?

20 THE COURT: Preferably, it might be, have you done anything else? There is a bit of a suggestion that one might done more, but the, the witness is here for the questions, so I will allow it. Please, give us your best answer.

25 A. Okay. Thank you, Your Honour. Yes, I have done quite a bit more thinking about the cross-examination and my time spent at Grenville, having had an opportunity to re-read my cross-examination, I, I - there are a couple of

30

W. Newell - in-Ch.
W. Newell - Cr-Ex.

errors and omissions that I certainly didn't mean, but I just like to set the record straight is all.

5 MR. BOGHOSIAN: Okay. Q. So, are there a - what are the things that you are, are....

A. I believe in my cross-examination of 2011, I stated that there was no corporal punishment, and in fact, although not common, corporal punishment was used at that time rarely.

10 Q. Okay. And did you - you left Grenville after grade 11.

A. I did.

Q. And why did you leave Grenville at that time?

15 A. My sister who was also a student there, as I previously testified to, has - was graduating grade 13, and so she was prepared to leave Grenville, and I had been there for 3 years, my father had passed and I wanted to come home to my mother and, and have a stable home environment, so I, I asked and received permissions to go to public school, public high
20 school.

Q. Okay. And did your leaving Grenville have anything to do with the atmosphere there?

A. It did not.

25 Q. What was your general impression of life a Grenville while you were there from September 1978 to June 1981?

A. I thought the education and core values of the school were excellent. I thought that they in some small way shaped me into the person I am today.

Q. Okay. Thank you. Those are my questions.

30 THE COURT: Thank you. Cross-examination.

CROSS-EXAMINATION BY MS. MERRITT:

W. Newell - Cr-Ex.
(Ms. Merritt)

Q. Mr. Newell, you told my friend in your examination in-chief that nobody was disciplined for being haughty, but I take it you are familiar with that word being used?

5 A. I am familiar with the, the word.

Q. And you said that you were asked if you had a girlfriend, and you knew that if you said, yes, that would be the end of it. I take it you meant, you would be either disciplined or suspended, or expelled, or something?

10 A. Oh, no. I just meant that would be - would have been the end of the conversation.

Q. Oh, I see. So having girlfriends was allowed at Grenville?

15 A. Having a girlfriend that attended Grenville was not allowed. Having a girlfriend at home there was not disallowed.

20 Q. Oh. So you're not familiar with the student who was disciplined and letters were written to his parents because he had a girlfriend in Sweden when he was living with his parents in Sweden?

A. No. I have no recollection of that. Is there a name associated with that?

25 Q. Yeah, there is. But I, I don't need to take you to it...

A. Okay.

Q. ...if you don't know about you, you don't know about it?

A. I don't.

30 Q. All right. So maybe there were different rules for you than other people?

A. Maybe.

Q. All right. And you are now living in

W. Newell - Cr-Ex.
(Ms. Merritt)

Brockville, are you, sir?

A. Yes, I am.

Q. And I know you said, you haven't seen Gary or
Ian. Ian is far away, but Gary, you keep up with on social
5 media, but your friends with Don Farnsworth, right?

A. That's correct.

Q. All right. And your dad donated a lot of
money to the school around the time you were accepted, correct?

A. After I was accepted, I believe.

10 Q. Okay. Something like \$25,000 or a hundred
thousand dollars.

A. For the construction of the dining hall, yes.

Q. All right. And your mom, she lived about 7
miles from the school?

15 A. That's correct.

Q. And what did your parents do in Prescott for
a living?

A. My father was retired president of Newell
Manufacturing.

20 THE COURT: Sorry, of what?

A. He was the president of Newell Manufacturing
Corporation.

THE COURT: Can you spell it?

25 A. N-E-W-E-L-L. It's my last family name.

THE COURT: Oh, sorry. Yes, of course.

MS. MERRITT: All right.

Q. So, he owned his own business?

A. Yes, he did.

Q. In Prescott.

30 A. Yes.

Q. I see. And when you were at Grenville, you
knew - I, I think you had called it a sister school, but you

W. Newell - Cr-Ex.
(Ms. Merritt)

knew about the affiliation with the Community of Jesus, right?

A. I knew of the Community of Jesus, yes.

Q. And its affiliation with Grenville, yes?

5 A. I, I didn't know there was an affiliation. I
just knew that there was, there a sister school or, yes, I
suppose, affiliation is not....

Q. Okay. So affiliation is not an improper
word?

10 A. No. I, I would say, it's not improper. If
they're - I, I didn't realize there was an affiliation at that
time. It, it didn't concern me. I was just a 13, 14, 15-year
old boy.

15 Q. All right. Sir, you recall swearing an
affidavit in this matter, and you told us you reviewed that
before giving evidence, correct?

A. Yes.

Q. And you were careful to make some corrections
where you had made some errors or omissions...

A. Yes.

20 Q. ...correct?

A. Yes.

Q. All right. So in your affidavit....

25 MS. MERRITT: I'm going to just hand one up to
the judge and give you the next one. Can you
hand those up. In your affidavit, sir, at
paragraph 5, you say - and this is the third
sentence down, Your Honour, at page 2:

30 While I was at GCC, I knew that
it was affiliated with the
Community of Jesus.

W. Newell - Cr-Ex.
(Ms. Merritt)

A. Okay.

Q. So, does that refresh your recollection, sir?

A. Certainly.

5 Q. All right. So you did know at the time when
you're at GCC that it was affiliate with the Community of Jesus?

A. If that's what I said, yes.

10 Q. All right. And you knew that, sir, because
at the time while you were at GCC, there were open discussions
amongst staff and students about it, and you knew that the
Mothers, Kay and Judy, they were the face of the Community of
Jesus.

MR. BOGHOSIAN: Your Honour, I, I don't
understand that, "it" is. "You knew about it."

15 MS. MERRITT: The affiliation that he just
admitted to.

20 Q. The affiliation, we're talking about the
affiliation, right, you knew about the affiliation at the time
at GCC because there were open discussions amounts the student
and staff about it, and you knew about the Mothers, Kay and
Judy, who are the face of GCC, correct?

MR. BOGHOSIAN: Your Honour, the, the, the....

MS. MERRITT: Or, sorry, the face of the
Community of Jesus.

25 MR. BOGHOSIAN: Those are two questions rolled
into one, and it is not fair to the witness.

MS. MERRITT: He knew for two reasons, and I am
giving him both reasons.

30 Q. You knew about the affiliation because of two
reasons, one, there were open discussions with staff and
students, and two, the Mothers, Kay and Judy, were the face of
the Community of Jesus, and you knew about them too, right?

A. Open discussions between staff and students

W. Newell - Cr-Ex.
(Ms. Merritt)

about the Community of Jesus is, is, is in my opinion, pretty broad.

Q. Okay.

5 A. I don't think this was discussed on a daily, weekly, or monthly basis. The, like I said, it was so far removed. And even the terms, "affiliation" is maybe just a little bit strong. All I knew if there was perhaps another school on the Cape of Massachusetts that was the head of, was these two women who - that, that's all I knew.

10 Q. So you're taking....

A. I was just a young boy.

Q. So you take an issue with the, the use of the word, "open discussions?"

15 A. I, I'm taking issue with open discussions and affiliation.

Q. Okay. So I'd like then....

A. I'm, I'm not....

20 Q. Do you recall being cross-examined? I think you said you had a chance to review your cross-examination as well before giving evidence, correct?

A. Yeah. Fair enough.

25 MS. MERRITT: Fair enough. Okay. Your Honour, I'd like to refer you to page 12, question 83. And the question is, sir, you were asked, and in paragraph 5 of your affidavit, you make reference to the fact that you knew that the community was affiliation with the Community of Jesus while you were there, how did you become aware that it was affiliated with the Community of Jesus?

30 THE COURT: Is there a copy for the witness?

MS. MERRITT: I don't want him to read it.

THE COURT: Oh, I see.

W. Newell - Cr-Ex.
(Ms. Merritt)

MS. MERRITT: I want to read it to him. Thank you.

THE COURT: You're reading a question to him, okay.

5

MS. MERRITT: Yeah. And the answer you gave was "There were open discussions with the [student and staff body [sic]] staff and student body regarding the goings on at a place called, the Community of Jesus, which I learned was somewhere on the Cape, I believe Massachusetts."

10

A. Okay.

Q. Do you recall being asked that question and giving that answer, sir?

A. Oh, yes, I do, and yes, I agree.

15

Q. So....

A. As far as the how many, how many...

Q. We're talking about the....

A. ...how many times.

20

THE COURT: Let's let him, let him finish the answers. You, you recall, you were asked, you recall being asked the question?

A. Yes, I do.

THE COURT: And being given the answer?

A. Yes.

25

THE COURT: So if you an answer that question, then wait for the next question.

A. Okay. Thank you.

30

THE COURT: I know you're probably maybe anticipating you maybe asked something about it, but....

A. That's fair.

MS. MERRITT: So, I'm, I....

W. Newell - Cr-Ex.
(Ms. Merritt)

MR. BOGHOSIAN: Your Honour, in fairness, I, I think he's allowed to complete the answer and provide an explanation.

5 THE COURT: Perhaps we'll have - Mr. Newell, would you step out for one minute. I am going to speak with counsel about a matter, and then we'll bring you back in. Thank you. Just take a few minutes then.

10 ...WITNESS EXIT COURTROOM

15 THE COURT: I think the issue is - and, and we did run into this a little bit with some of the other cross-examinations when the witness tries to run ahead of the question, and I believe I've asked a couple of them to try to answer the question asked, and trying to get ahead of objections, but also to allow us to have an orderly presentation of the evidence. Do you
20 take an issue with that Mr. Boghosian?

MR. BOGHOSIAN: Well, as, as I heard at the beginning of his answer, it seem to me that he was going to be taking issue with this being any sort of regular occurrence in terms of any....

25 THE COURT: Oh, yes, he did earlier on. But I, I feel we've moved past that, now we're into the transcript.

30 MS. MERRITT: If that's what he was going to do, it was completely unresponsive, because I was asking about "open discussions," and specifically the use of that word, "open discussions," in the transcript, which he denied in the witness box.

W. Newell - Cr-Ex.
(Ms. Merritt)

So I'm impeaching it.

5 THE COURT: It does appear as if the most recent question was do you recall being asked the question and giving the answer. So I'm going to suggest we bring him in and then clearly, you go one way or the other and he'll give whatever answer he's going to give, but let's, let's do it step-by-step. All right. So we could have the witness back in.

10 ...WITNESS RESUMES

THE COURT: Thank you, Mr. Newell. Please, continue.

15 MS. MERRITT: Thank you.

Q. So I put the question and the answer to you, and in your answer, you said, "There were open discussions with the student and staff body [sic]." I agree you'll adopt that answer now, that that in fact was true when you said it, and it's true now?

A. Certainly.

Q. All right. Were you ever shown the movie, Patton, while you were at GCC, do you remember seeing that?

A. Doesn't ring a bell.

25 Q. Yeah. I am not sure what year it was, but let's move on. You'll agree with me that Grenville Christian College was pretty religious, right?

A. Yes.

30 Q. There were services six days a week in the chapel and Saturdays in the dining room, and....

A. Yes.

Q. And they were conducted by Father Haig and

W. Newell - Cr-Ex.
(Ms. Merritt)

Father Farnsworth, yes?

A. Yes.

Q. And there were no other clergy there on any kind of regular basis, correct?

5

A. No.

Q. Not correct, or, no, they were not there?

A. No, they were, they were not, no, no.

Q. Okay.

A. Dr. Stewart became ordained later on.

10

Q. All right. When you left Grenville and went to South Grenville District High School and then to the Thousand Island Secondary School for grade 12, you then went on to St. Lawrence College where you studied Hotel and Restaurant management, is that right?

15

A. That's correct.

Q. And you worked as a chef for a time?

A. I did.

Q. And you're now in the family business, Junco Holdings?

20

A. Correct?

Q. What kind of business is that, sir?

A. Commercial real estate and stock market portfolio.

25

Q. So you're, you're managing your family money?

A. Yes.

Q. All right. And I take it you don't have a bachelor of education degree?

A. I do not.

Q. And no degree in psychology either?

30

A. No.

Q. And you've never studied education or psychology, have you?

W. Newell - Cr-Ex.
(Ms. Merritt)

A. I have not.

Q. Okay. Would you agree that Grenville was a close knit community?

A. I would agree to that.

5 Q. And the teachers live there, ate their meals with the kids?

A. Yes.

Q. And Saturday night, you had family night at the teachers' houses.

10 A. Yes.

Q. And there were staff living in the dorms.

A. Yes.

Q. All right. And there were a lot of rules, it was pretty strict.

15 A. Yes.

Q. All right. And in addition to there being no boy-girl relationships allowed, there was actually a six-inch rule that you weren't to be any closer than six inches to a girl, do you recall that?

20 A. Yes, I do.

Q. No displays of physical affection at all were allowed, correct?

A. Correct.

25 Q. All right. And then there were some other rules, sort of the usual stuff you would expect, no smoking, no drinking, no cheating on tests, I think you told us. You have to say something for the record.

A. Yes, that's correct.

30 Q. Okay. Thank you. But there were also some unwritten rules, fair to say, like, no bad attitudes?

A. Yes. That wasn't in the student handbook.

Q. But you knew that Father Farnsworth didn't

W. Newell - Cr-Ex.
(Ms. Merritt)

like students to have a bad attitude, fair to say?

A. Fair to say.

Q. All right. And when you got disciplined, in fact, it was usually for having a bad attitude, wasn't it?

5 A. Yes.

Q. All right. And you remember feeling at the time that the punishments were unfair, yes?

A. Yes.

10 Q. And we've heard about this honour code, I don't know if it's always been called that, but code of honour or honour code, which meant that if you saw someone do something wrong, you should speak to them about it, and tell them to report themselves, and if they didn't do that, you were supposed to help them do that or do that in their stead. Do you recall
15 that, sir?

A. I do not.

20 Q. So - my memory maybe failing me a little bit here, can you just remind me of what you told Mr. Boghosian discipline consisted of, what were the things that was working? It think you said it was, it was one to two days, maybe up to four.

A. Yeah. It would - it started with a demerit point system that....

25 Q. Yeah, but I'm just talking once you got the discipline, what...

A. Okay.

Q. ...what would actually happen when you're on discipline?

30 A. Okay. So you would get up, you would have breakfast with everyone, and then when everyone went to class, you would go and either rake leaves or do the dishes or shovel snow or help out in the wood-shop or, something to that effect,

W. Newell - Cr-Ex.
(Ms. Merritt)

the stables, maybe.

Q. Uh-huh. Anything else?

A. Those are all I can recall.

Q. Okay. So you're describing the work duties.

5 But were there other components of, elements of other things that happened to students when they were on discipline? I'm sorry, I'm having trouble finding the words here.

A. No, no. That, as far as not speaking unless spoken to.

10 Q. Oh, yeah, I think you gave it, gave us that, yeah.

A. You, you weren't in school uniform.

Q. Okay.

A. That's it.

15 Q. And you didn't go to class?

A. And you didn't go to class.

Q. Right. And other students would, of course, be aware that you're on discipline?

20 A. Yes. And would you have a staff member or a prefect supervise when you're on discipline?

A. For a, a certain amount of time. If you were say, in the kitchen doing dishes, it wouldn't be monitored all day long.

25 Q. Okay. They would take you, though, from place to place?

A. If you needed to go somewhere, perhaps, yes.

Q. And, I, I think you said you were disciplined about four times?

A. Yes.

30 Q. All right. And, and three times were for bad attitude?

A. Or not making my bed or being late for class,

W. Newell - Cr-Ex.
(Ms. Merritt)

or....

Q. Okay. And, and, and what was the fourth time for again?

A. I can't, I can't recall specifically.

5 Q. Oh, okay.

A. This was usually a combination with the demerit point system, it wasn't a system whereby you didn't make your bed. So you had to go an miss a day of school.

Q. Were you disciplined for that car thing?

10 A. Yeah, I certainly was.

Q. Okay. So maybe that was the fourth one.

Three...

A. That was probably, yes.

15 Q. ...three were for small things, and the fourth one was for the taking the car for a joy ride. And would it be fair to say that they were usually about 4 days, these disciplines?

A. No, it would not.

20 Q. All right. I'm going to back to your transcript - oh, I am sorry, these were not your disciplines. I've made a mistake. You've known people, other people to be on discipline for up to 4 days, yes?

A. Yes.

25 Q. All right. And you've told us, sir, a little bit about the light sessions, they were disciplinary sessions where people were called out to be corrected for bad behaviour or misdeeds, fair to say?

A. Yes, ma'am.

30 Q. And sometimes that happened in small groups, I think you said, of maybe up to 10 where one person was being held to account, and others were there to watch and with some staff as well, correct?

W. Newell - Cr-Ex.
(Ms. Merritt)

A. That is correct.

Q. And then sometimes they were the whole school, yes?

A. Yes.

5 Q. All right. Let's talk about those small groups first, okay, where the - we'll call them the, "the small group light sessions, to make it easy. So, a, a student who did something wrong would be spoken to by a small group of staff, and, and the other students were there as, as witnesses, right?

10 A. Correct.

Q. And you were brought in to be a witness to these kinds of light sessions several times, yes?

A. Simply because whoever it was was being called out was perhaps in my section of the dorm anyway.

15 Q. Yeah. I'm not saying you were targeted as a witness, but....

A. No, no. But that's my, my recollection is that's who would be present for these would other people in that same section.

20 Q. All right. And sometimes staff raise, raised their voices and yelled at the kid who was light sessioned, right?

A. Yes.

25 Q. Okay. And now we're gonna talk for a moment about the whole school light sessions, okay.

A. Yes. Yes.

MR. BOGHOSIAN: He didn't refer to them as that.

THE COURT: Sorry?

30 MR. BOGHOSIAN: He did - he specifically said that the one were not called light sessions.

THE COURT: Yes. He did, that's correct. I think, I think earlier on, counsel use that

W. Newell - Cr-Ex.
(Ms. Merritt)

generic phrase to describe it as "when you were called up before or sometimes the school." But since he didn't use it, maybe it's better to just say, "whole school sessions" or something like that.

5

MS. MERRITT: Q. All right, sir, you recall that affidavit that you swore?

A. Yes.

10

MS. MERRITT: All right. So, Your Honour, at page 3 of the affidavit, there is a heading, "Light Sessions."

THE COURT: Okay. Page 3, all right.

15

MS. MERRITT: Q. Page 3, there is a heading, "Light Sessions" in paragraph 10 where you talked about, small group sessions called, "Light Sessions," and then in the following paragraph under the same heading, you say:

20

Two or three times during my 3 years at GCC, a student would be stoop up in the chapel in front of the whole school to address a serious transgression. I was once stood up, but [I don't remember] - I do not even remember why. I remember this was humiliating, but that was the point of the exercise.

25

MS. MERRITT: Q. You recall saying that?

30

A. Yes, I do.

Q. And that's true?

A. Yes, it is.

W. Newell - Cr-Ex.
(Ms. Merritt)

Q. And I'm suggesting to you, that's under the heading, "Light Sessions," that was a public assembly-type light session.

A. Okay.

5 Q. And these public assembly-type light sessions, the, they would happen in the chapel?

A. Or in the dining hall.

Q. All right. And when it happened to you, sir, it was humiliating?

10 A. And humbling, yes.

Q. And that was the point of the exercise, to humble and humiliate you, fair to say?

A. Fair to say.

15 Q. All right. To make an example of you or whoever was being light sessioned.

A. Yes.

Q. And you don't remember what you were stood up for that time?

20 A. Well, I'm gonna say it was probably the whole stealing my brother's car episode.

Q. Okay. Were people often light sessioned for stuff that didn't happen at school? I mean, you brought the car to the driveway, but the taking of the car and the driving through town, and all that, that wasn't really at school, was it?

25 A. Not necessarily, no. And I don't recall that being stood up in front of the student body was happening to people for things that did not happen on GCC property. This is just my own experience.

30 Q. All right. Give me a second. Brief indulgence, Your Honour. My memory is not as good as it used to, and I don't want to ask you questions I already asked.

W. Newell - Cr-Ex.
(Ms. Merritt)

A. Neither is mine.

Q. You know, sir, that students could be light sessioned for major rule infractions, yes?

A. Yes.

5

Q. Or attitudinal issues.

A. Yes.

Q. Or being rude or disrespectful or argumentative.

A. Yes.

10

Q. And you were never, I think you told us, the target of one of those small group light sessions, just a witness?

A. Yeah, that's right.

15

Q. All right. And I take it, from what you observed of those small group light sessions, you never wanted to be a target of a small group light session, fair to say?

A. Fair to say.

20

Q. All right. And would it also be fair to say that watching these small group light sessions made you want to get in line and follow the rules so you could avoid being a target?

A. Correct.

25

Q. And that would include following explicit rules, as well any implicit requirements of how you were to behave?

A. Yes.

Q. Do you recall Father Farnsworth ever talking about sin?

30

A. Father Farnsworth had to have spoken about sin. He was an ordained priest.

Q. So is that a, yes?

A. Yes.

W. Newell - Cr-Ex.
(Ms. Merritt)

Q. Okay. What kinds of sin, sins do you remember him talking about?

A. I cannot speak to specifics of sins from someone that, something that happened 40 some year ago.

5 Q. But you remember haughty, right?

A. I do remember that term, yes.

Q. Rebellious.

A. Yes.

Q. Bad attitude.

10 A. Yes.

Q. All right. So I'm curious, sir, in, in one of the items that you corrected when you were speaking with Mr. Boghosian about having read the affidavit and then testified here today, you realized one of the things you made a mistake about was corporal punishment.

15 A. Yes.

Q. You had said in your affidavit, there was no corporal punishment.

A. That's correct.

20 Q. And then you remember that it actually happened to you.

A. Yes. So, I blocked it out.

Q. I see. I'm just checking when you swore that affidavit.

25 A. March of 2011, I believe.

Q. Ah, yes, yes, yes, yes. So, so do you think you blocked it out from the time it happened up until March - oh, and beyond March...

A. And beyond, yes.

30 Q. ...2011 until now?

A. Yes.

Q. Okay. Do you recall being interviewed by

W. Newell - Cr-Ex.
(Ms. Merritt)

Michael Jiggins, a reporter for the Brockville Recorder and Times?

A. I don't.

5 Q. I am showing you a copy of the front page of the Recorder and Times, Saturday, September 8, 2007, and there is a story there: "A Tale of Two GCC Students," and the heading, "Strict Discipline had a different impact on Glenn and Grant." And it talks in the fourth paragraph: "Glenn was at GCC for Two years in '80 and '81 at around the same time as her
10 brother Lenny Newell, who attended from '79 to '81." Correct?

A. Yes.

Q. That's you? Yes, sir, that's you?

A. Yes. Yes. Yes, it is me.

15 Q. All right. So now skip over to the middle column, and the second paragraph from the bottom...

A. Yes.

Q. ...okay, and it says, "Newell," third, fourth line down, you see your name there, "Newell?"

A. Yes.

20 MS. MERRITT: "...now a Brockville sous chef..."

Q. That's true, you were a sous chef, correct?

A. Correct.

25 MS. MERRITT: "...readily admits that like many of his fellow students, the strict discipline, which included, what he was the rare use of the paddle was not to the liking of a rebellious teenage like himself."

A. Yes.

Q. So at least in 2007...

30 A. Yeah.

Q. ...you remembered the paddle was used.

A. Correct.

W. Newell - Cr-Ex.
(Ms. Merritt)

Q. All right. Sir, I think you mentioned you are 14 years a recovering alcoholic.

A. Yes.

5 Q. Congratulations, sir. When did you have your first drink?

A. When I was 15.

Q. All right. And was that while you were at GCC or before?

10 A. The summer off between my 9th and 10th grades.

Q. All right. And Richard Van Dusen testified that he bought a beer for you or, or bought beer, maybe even a case of beer for you while he is at GCC, do you recall that?

A. I don't.

15 Q. He, he says it was the, it was the time that you took the car and drove through Brockville, and he also got the paddle for that. Does that refresh your recollection?

20 A. No. It doesn't. The, the guy that - the, the other student that was with me, he is name was John MacGregor.

Q. Uh-huh. Okay. Yeah, Richard was a few years older than you, he said, he just bought you the beer. He didn't say he was with you.

A. No. Okay.

25 Q. Is that possibly true?

A. No. I don't believe so.

Q. All right. And he --

30 MS. MERRITT: Oh, again, oh, Your Honour, I need to make this article from Recorder & Times an exhibit, please.

COURT REGISTRAR: Exhibit 49.

MR. BOGHOSIAN: I - yeah, I'm not sure why we're

W. Newell - Cr-Ex.
(Ms. Merritt)

5 doing this. It's hearsay to the extent that he's adopted a statement that's fine, but there is all kinds of irrelevant stuff in here that's hearsay and prejudicial. I don't see it being - I don't think it should be marked as a number exhibit for the truth of its content. I think it should be marked as a letter exhibit for identification.

THE COURT: Does that make sense to you, Ms. Merritt?

10 MS. MERRITT: No. A letter exhibit is when you're gonna have a later witness authenticate it and mark it. I've used it and he's adopted the statement, and I think it certainly does go in for that.

15 MR. BOGHOSIAN: That, that is hardly the only use of a letter exhibit.

THE COURT: I believe we have marked another exhibit with a letter merely when it's been used for either impeachment and it, it's - there's
20 been extensive use to assist with the note-taking, but ultimately is it just the statement that's in that fore, in the center column that was adopted that you're seeking to tender it for?

25 MS. MERRITT: Oh, I see, my friend, I think has an issue with the right hand column, Farnsworth reaching out to ex-students, maybe.

MR. BOGHOSIAN: Well, and, and the stuff on the back as well.

30 THE COURT: There is all kinds of other material on it, so perhaps either it could redacted....

MS. MERRITT: Okay.

W. Newell - Re-Ex.
(Mr. Boghosian)

THE COURT: I'll leave it with you over the lunch break. Perhaps counsel can sort it out. But I, I, I see the problem.

5 MS. MERRITT: All right. All right. Those are all - oh, no, those are all my questions. Thank you.

THE COURT: Thank you. Any re-examination?

MR. BOGHOSIAN: I just have a couple.

10 THE COURT: Okay.

RE-EXAMINATION BY MR. BOGHOSIAN:

Q. Lenny, how frequently did discussions about the Community of Jesus take place between staff and students during your time at Grenville?

15 A. Rarely.

Q. And the three times you were put on menial jobs as discipline, were they for one transgression or for more than one in each case?

20 A. As I indicate previously, it was a demerit point system, so it was always an accumulation of infractions, as opposed to one infraction.

Q. You mentioned John MacGregor, he was the friend of yours that was off with you on the thanksgiving when this incident occurred that with the vehicle?

25 A. Yes, he was.

Q. Was he in the car when it ended upon on Grenville property?

A. Yes, he was.

30 MR. BOGHOSIAN: Okay. Thank you. Those, those are my questions.

THE COURT: Thank you. Thank you for coming. You're free to go.

1900.

W. Newell - Re-Ex.
(Mr. Boghosian)

A. Thank you very much.

THE COURT: Okay. All right. So for the afternoon, how many witnesses do you - are you planning to call for the balance of the day?

5 MR. BOGHOSIAN: I believe we're calling one, Don Farnsworth.

THE COURT: Okay. And you expect to be the afternoon with Mr. Farnsworth?

MR. BOGHOSIAN: Yes.

10 THE COURT: All right. So we will take a break until 2:30.

R E C E S S

15 U P O N R E S U M I N G:

COURT REGISTRAR: Court has resumed, please, be seated.

THE COURT: Thank you.

20 MS. MERRITT: Just before we get started, I have advised Mr. Boghosian, and he is content that we mark this as a, a lettered exhibit.

THE COURT: All right.

25 MS. MERRITT: This article, it's fine. And we don't have to worry about redacting or doing anything to it.

THE COURT: Okay.

MS. MERRITT: So I think that's Exhibit C.

COURT REGISTRAR: Exhibit C.

30 THE COURT: Thank you.

EXHIBIT C: September 8, 2007 Article of the

1901.

D. Farnsworth - in-Ch.
(Mr. Adair)

Brockville Recorder & Times - produced and marked

MR. ADAIR: Your Honour, if I may call the next
witness, Donald Farnsworth.

5

DONALD FARNSWORTH: SWORN

EXAMINATION IN-CHIEF BY MR. ADAIR:

10 Q. Mr. Farnsworth, what is your date of birth,
sir?

A. November 3rd, 1957.

Q. And I understand that you reside in
Brockville now?

15 A. I reside in Maitland, which is just about
five miles from Brockville.

Q. All right. And you've lived in that area for
many years?

A. Since 1972.

20 Q. All right. And you, you live there with your
wife, Sue.

A. Yes.

Q. How many years have you and Sue been married?

A. Thirty-four and just a few days.

Q. And how many children do you have?

25 A. We have three children.

Q. And I understand your father was the late,
Reverend Charles Farnsworth?

A. Yes, he was.

Q. And ordained Anglican Minister.

30 A. Yes.

Q. And you have a brother named Chuck, Charles.

A. Chuck, Charles, yes.

D. Farnsworth - in-Ch.
(Mr. Adair)

Q. And a brother named, Robert?

A. Yes.

Q. Any other siblings?

A. I have another brother named, William.

5 Q. William. And Mr. Farnsworth - oops, I am
sorry - I, I want to go over the history of your family
association with Grenville. Can you tell us how your family's
association with what became Grenville started?

10 A. We, we move there in 1969, but I should go a
year before that, and the year before that, 1968, my father was,
was one of the founders of school in Long Island, New York, a
Berean Christian School on Long Island - in Stoney Brook, New
York. That school was open for one year, and due to financial
15 problems that weren't associated with the school, it, it was, it
closed after one year. At the same time, one of, one of the
leaders, a co-leader with my father. Al Haig, had - and his
wife and family and moved to Canada, and they were looking to
start a school in Canada, and they found the property that
became Grenville Christian College. In....

20 Q. I'm gonna get you just to go slightly slower.

A. Oh, sorry.

Q. Okay.

A. Sure. The - as the school in Stoney Brook
was closing, it became apparent that that, that school was
25 opening, and my father, my mother, and several of the staff and
faculty members of the Berean in Stoney Brook moved to, to, to
Brockville to part of that school, also known as Berean
Christian School.

30 Q. And when did you, when did you and your
family arrive in Brockville at that time?

A. That would have been late August or early
September of 1969.

D. Farnsworth - in-Ch.
(Mr. Adair)

Q. All right. And how long was your family at Brockville for on that occasion?

5 A. On that occasion, my family was there probably until October of 1969, at which time, my parents and my three brothers went down to Dallas for a visit, and we technically lived there until December when my parents, when my father came up and picked me up, and we all move to Dallas to be part of the Berean Christian School there.

10 Q. He, he was - what position did he have at that school?

A. He was the, in today's terminology, I would have, I'm not sure what it would have been, but he was the director of the high school and the elementary school down in Dallas.

15 Q. All right. And I understand then, that you and your family returned to Brockville in September 1972 to pursue....

A. It was February 10th, 1972.

20 Q. Ah, I am sorry. In February 1972 to again, pursue operating a school with Reverend Haig?

A. Yes.

Q. And I gather that the school was then in operation as the Berean Christian School in Brockville?

A. Yes, it was.

25 Q. And was it on the same grounds, Grenville is on?

A. Yes, it, it was.

Q. And you were, I gather, 14 at the time?

A. I was 14, yes.

30 Q. And what, do you recall what grade you were in when you arrived?

A. I was in grade 9.

D. Farnsworth - in-Ch.
(Mr. Adair)

Q. Grade 9. And do I gather correctly that your father and mother became part of the staff of the Berean Christian School?

A. Yes, they did.

5 Q. And where did they live when they first arrived?

A. At that time, we moved into a trailer which was just behind the school.

10 Q. When had the school been before Berean Christian School?

A. In the one or two years before, it had been closed. But at that time, it was a Roman Catholic minor seminary run by the Redemptorist Order.

15 Q. Okay. And I gather the school changed its name at some point to Grenville Christian College?

A. I, I believe it was 1973 that it changed its name.

Q. And what was the purpose of changing the name, to your knowledge?

20 A. The Berean Christian School in Dallas had some trouble, and it had to do with morality of the, the leader of the school, and it pretty much closed down, and, and but even as it was closing, our school, under my impression as a youngster part of it, was - became independent. It separated
25 from that totally, and, and doing so, changed its name to Grenville Christian College after the county and a Christian school as we were.

30 Q. All right. And tell me, can you just describe the physical layout of the school back then, what, what lands and buildings there were?

A. There were about 225 acres, most of it wooded land. About 10 or 12 of those acres were on the St. Lawrence

D. Farnsworth - in-Ch.
(Mr. Adair)

5 River, which was beautiful. The, the main building was a 1918
cornerstone, and it was a just a beautiful limestone building
they've made from rocks that were from a quarry that was two
properties over, and that was where the school, the dormitories
for the girls and the boys and the classrooms were, and next to
that was another building, called, Murray Hall. That, that
building was where at the time most of the staff or many of the
staff lived, and, and to the west of that, there was a chapel,
and, and a gymnasium, and a few other classrooms. And behind
10 the school, there was, were acres, and acres of trails and
wooded lands.

Q. All right. Was there a barn or anything?

15 A. Oh, yes, there was a barn. We raised, we had
horses, we had cattle, we had pigs, and from time to time,
chickens, and rabbits, and geese.

Q. And tell me, the, the barn and the farm
animals were for how long did that continue to be part of the
college facility?

20 A. Well, I know that I did barn chores up on, as
a kid from time to time, up until the late 70s. I believe it
was probably 1977 or 1978 when we stopped raising animals;
except for horses, we, we still had horses.

25 Q. Okay. And Mr. Farnsworth, following the
change of name, I gather that your father and mother continued
on with Grenville Christian College for many years up to at
least, up about 1997?

A. Yes. They retired then.

30 Q. And your father occupied various positions,
mostly, I gather, as Reverend Haig's second in command, and then
as headmaster?

A. Yes. That's right.

Q. And, what, what years was he, your father,

D. Farnsworth - in-Ch.
(Mr. Adair)

headmaster for?

A. 1983 was when I think it was....
...INTERRUPTION RE UNRELATED MATTER

5 MR ADAIR: Q. Mr. Farnsworth, your own
history....

A. Do you want me to finish answering when my
father was....

10 Q. You attended Grenville for grades 9, sorry,
10, 11, 12, and 13, and part of grade 9, I gather?

A. That's right, yes.

Q. And during those years of high school, where
did you live?

15 A. Grade 9, I lived in the trailer. Thankfully,
in the grade 10, I got to live in the dorm. The trailer was a
little tight for, for all of us boys. In grade 11, I lived in
the dorm. In grade 12, my family moved into a house on the
property, and I lived with them on for my grade 12 year, and
then in grade 13, I move back into the dormitory.

20 Q. All right. And would you describe the dorm
in those years when you lived in it.

25 A. Pretty much half of the top floor of the main
building was the boys' residence. And there were six sections
of eight bed with, with tall lockers, with one each bed, and the
lockers and the beds were what separated each section of the six
sections. So we had eight boys, six to eight boys in each
section. And so, yeah, just that whole top floor was, was like
a barracks.

30 Q. And was the whole top floor boys the entire
time you were there?

A. Only the western half of the dorm was boys.
There were some apartments in the middle, one for men, single

D. Farnsworth - in-Ch.
(Mr. Adair)

men, and one for single women, and then a mirror image of that dormitory on the other side was for the girls.

Q. Okay. And separate stairwell, I gather?

A. Separate stairwells, yes.

5 Q. Okay. And sir, can you describe the daily routine for a boarding student at Grenville in those years. That will be, and when I say, "those years," I am referring to approximately 1973 until approximately 1976, when I understand you went off to Queen's University.

10 A. Sure. We would wake up. It was 6:30 back in those days, I am pretty sure, and, and people would hustle, get to through the showers, get ready for school, and then at seven o'clock, we would end up, we would clean the bathrooms, everyone would have chores to do to clean up the sections, so they could
15 be inspected for cleanliness, and then we would go to breakfast at 7:30. 7:30 in the dining room, which was on the lower floor of that main building at that time. And usually right after breakfast, we would have a chapel service.

20 Now, that chapel service probably two days during the week, we would have had the Holy Communion in the Anglican format, and the other days would have been some other type of chapel service. There was one day of the week, I should say that we actually didn't have chapel, because we crammed all the courses into the morning or an early afternoon so that we could
25 have activities.

30 So school classes went through the day until, until about noon when we would have lunch, a short break after lunch; afternoon classes, and afternoon classes, after those classes, we would have an activity or sports, or extracurricular activity period. I was involved in sports team, so I would always be either in the gym or outside training until, until as close to supper as we could make it which was usually about 5:15

1908.

D. Farnsworth - in-Ch.
(Mr. Adair)

for the end of sport, and then 5:30, we would have supper in the dining room again.

And after supper was generally some free time. Some days, there might have been a debating club practice, a theater practice, choir was usually after supper, between after
5 supper, and the next event, which was study hall. Study hall was approximately two hours. And for many of those years, it would have been divided into four, into four half hour sections, so that if a student took four classes, those four periods
10 would, they would move around to those four classes, and often times there would be a teacher from their classroom there to help them with their course, if they had any questions and to supervise the study hall.

We have five-minute break between each, each
15 study hall, and then afterwards at around 9:15, it would end. 9:25, we would go to the chapel again, where there would be three days of the week, we would have Compline service. Compline is a 10-minutes service that we would have. It was, it's really kind of a calming service. We would go there, and
20 then from there, people would go to their dorms. Lights would go out at 10:00. And usually, the senior student would be there to help make sure that the students were in bed. And when the lights went out, those that asked to have late lights could stay up until about eleven o'clock, if they needed to, to do more
25 homework.

Q. And tell me, the - you mentioned that one, one day, there was not chapel because of activities, can you elaborate on that. I thought activities were every day.

A. Well, this was, we could call them Friday
30 afternoon activities, unless that year - some years we had them on Wednesday afternoons. But on an activity day like that, we would have different activities that were just for fun. The

1909.

D. Farnsworth - in-Ch.
(Mr. Adair)

5 weren't for team practices. We would have skating. We'd go to a local skating rink. Earlier on in the history of the school, we would go to a swimming pool. There was curling. Some student would go curling. Some might go horseback riding, and, and some might do outdoor, other outdoor activities.

Q. Okay. And tell me, did, did the routine change in any material way over all the years you were associated with Grenville?

10 A. We from 19, the fall of 19 of 1972, we had been in what's called a semester system. And that was similar to what most of the public schools in Ontario were doing at the time. They would have half the course for half the year, and the other half at the second half of the year. We did go into that program that year, and it changed around 1994 where we went
15 back to what the private schools were doing, and that is to have all of your classes all year long. There might be some rotation in there because it's hard to fit eight classes into one day.

20 So that was the school schedule. I don't think the afternoon activities were quite as in the same method in the later years. I, I'm not sure of that. But primarily - well, one of the big changes that did happen was in, in the later '70s, we built a large dining room, and study hall were there, would be there, in stead of in separate classrooms. So all the students would go to one big dining room. Teachers would come
25 in and out and check on their students, and if they had questions, they would be able to help them out there in the dining room. But primarily, it was the same schedule throughout, I'd say.

30 Q. All right. And then I understand, sir, that you went on to Queen's University.

A. Yes.

Q. And when did you start at Queen's?

D. Farnsworth - in-Ch.
(Mr. Adair)

5 A. I took part-time courses starting in 1977, where I would actually live at the school and, and sometimes would travel into Kingston to go to Queen's night school there. Sometimes. There would be courses in Brockville that I, I would go take them there at one of the schools there, and for two years, I did that including the summers, and the - following that, in 1978, I went full-time for two years at Queen's University in Kingston.

10 Q. And when you, when did you finish at Queen's?

A. The spring of 1980.

Q. And did you achieve a degree?

A. Yes. I got my Bachelor of Arts degree with a concentration in mathematics.

15 Q. All right. And I gather that thereafter you return to live in the Grenville community full time?

A. Yes.

Q. And remain there until 2007, I think when the school closed?

20 A. I worked as a teacher and in various financial departments, fundraising and recruitment departments, and alumina departments until 2001. In 2001, I resigned. My family lived close by. We were I think in 2003, we moved into a house that was occupied by one of the families, close families and friends of the school, and my wife still work there until 25 after closing in 2007. I went on to, to work in Brockville as a financial planner.

Q. Oh, I am sorry. Okay.

A. In 2001.

30 Q. And what I'd like you to do, if you would, is take us from, is it 1980 you graduated from Queen's?

A. Yes.

Q. Take us from 1980 when you return to

D. Farnsworth - in-Ch.
(Mr. Adair)

Grenville up until 2001 and just tell us what roles you held and the approximate years?

5 A. In 1980, the fall of 1980 is when I taught my first math courses. I remember teaching grade 9 students, was the main class I took, and I also, I think, I believe I helped out with some music classes, and at the same time, I, I'd always wanted to be an auto mechanic, and so, I, I actually did a little bit of auto mechanic work on vehicles there and worked with the maintenance department part time. So I did half and
10 half for that first year. And at, I was also lived in the, the boys' residence. I was a single man. I lived in one end of the boys' residence for - we were actually living right outside in the dormitories with them for two of my years after that where we were supervisors and really the heads, one man would be head
15 of one side of the dorm, I would be the head of the other side of the dorm. By this time, the enrollment had grown so that the boys occupied the whole top floor. And....

Q. The girls were given a different space, right?

20 A. The girls were moved into what was formerly the staff residence in Murray Hall, yes.

Q. All right.

A. And so, I got involved with the financial committed, and did a little more and more with that. I helped
25 with fundraising. And....

Q. What I am trying to get you to do is give us blocks of time when you did the...

A. Okay.

Q. ...you start in 1980, and you're teaching.

30 A. Yes.

Q. And you doing residence duties.

A. Yes.

D. Farnsworth - in-Ch.
(Mr. Adair)

Q. And how long does that go on for?

5 A. I taught - I was a teacher until full-time right through the 80s, right until my 1990. At that point, my duties were, were splitting up a little bit. I was doing a lot business office work, fundraising work, and, and also the, the duties of, of being a, a dean for the boys. So I would say, I taught half-time and did administrative duties after that. In 1993, I was offered and accepted the position of director of admission, and I did that until 2000 and, I think the year, 10 2000.

Q. Okay.

A. That was my full-time role.

Q. And when did your father's tenure as headmaster come to an end?

15 A. It was 1997, to the best of my knowledge.

Q. Okay. Now, just briefly tells us - I think you've already touched on part of this with the dorms, but tell us, what, if any changes there were to the physical structure at Grenville over the years?

20 A. In 1988, we completed a new residence for the boys, and it would hold a number of boys, more than we had in the old, the old, the top floor areas, and it was also a more modern facility, it had more bathrooms and showers, more comfortable. We had up to six students in room in that building. That was a big change. And then you would have 25 instead of section leaders, you would have room leaders, and then you would also have the, the structure that I think people in the court have heard already, prefects and student leaders. They held positions to help get the chores done in the mornings, 30 to make sure students were in bed at night, and throughout the day, they would other various leadership roles.

Q. Okay. There, I, I gather there is a, a

D. Farnsworth - in-Ch.
(Mr. Adair)

difference between a student leader and prefect, is there?

A. Yes. The, the student leader as the, the first step into leadership. And student leaders would then graduate, if, if they qualified to being prefects.

5 Q. Okay. And, and the duties of a prefect you've just described some of them, what other duties did a prefect have?

A. Whenever there was a supervisory role, maybe even with students going into town, we would ask the prefect to, to assume a leadership role to, to help look after the students. If there was a trip somewhere, they might be asked to carry on a little more responsibility. There were always -- any trips were supervised by staff, from time to time, the, the prefects would help when, when students, when students were in any type of, of trouble, and if they had to be removed from the classroom, they would help us by take them to classes, if they were outside working when their classes were there. They would take turns sleeping with them in the, what was then the infirmary. We would sometimes have the student sleep separate from their dorms. It was an internal suspension. It's pretty hard to have a suspension at a boarding school because students live far away, so we would remove them from the general living quarters. There was also some rooms near the boys' dormitory that we used.

25 Q. Okay. And the, I, I just want to get some idea of the population size. When, when you started at what was then the Berean Christian School, I gather in those years, in 1973 to '76 or so, you would maybe have a hundred students in the whole school?

A. That was probably even less than that. It was, I remember at some point during my high school year when we reached a hundred, it wasn't in 1973, it was probably, you know, one or two years late, but I would say we had more than 50,

D. Farnsworth - in-Ch.
(Mr. Adair)

maybe up to 75 students.

Q. And would that be just the high school?

A. No. That would - well, that would, I would say pretty much, yeah. The elementary school was really small.

5 Q. Okay. And in, in those days, were the high school students predominantly boarders?

A. Yes.

10 Q. And then as, as time rolled on through the remainder of the 70s and the 80s, and indeed into the 90s, what, what was the peak enrollment approximately in the high school?

A. I would say, as we came up to 1989, 1990, we probably had 225 to 230 students in the high school. That's from grade 7 on up.

15 Q. Okay. And what percentage of those would be boarding students?

20 A. In grade 7 and 8, there was a mixture of day student and boarding students. From grade 9 on up, I think that was the time when we, we had, had said that we want, we want to be a boarding school for high school and everyone at that, at that age would have been a boarding student.

Q. All right. And I gather that the student body was in, in the high school section, grades 9 on, would be consist of and in part staff kids?

A. Yes.

25 Q. And in part some kids from the Community of Jesus?

A. Yes.

Q. And in part boarding students who were non-staff, non-Community of Jesus?

30 A. Yes. That was the greater part.

Q. Yeah. Can you help with a breakdown of the, where, when to get to numbers in excess of 200, what, what sort

D. Farnsworth - in-Ch.
(Mr. Adair)

of percentage or numbers would there be of staff kids, and then the same with the ones from the community of Jesus?

5 A. I would say there would be 12 and 16 students that were staff children, and that would fluctuate from year to year. And those from the Community of Jesus, it could be - earlier on, there might have been two or three, I think later on, probably got 10 to 15 at a time.

10 Q. And roughly, when, when you got, when the school got up to the size you've indicated of approximately 225 or so in the high school, roughly how many staff would there be at Grenville all together?

A. Ninety.

15 Q. And tell me what, where would the, the non-staff - let's talk about the non-staff, non-Community of Jesus for a few minutes. Where would the students come from?

20 A. We had throughout the 80s, I think our biggest concentration of our market was in the Toronto area. There were students from all over the world. We had since 1975 right on through a number of, of students from Asia. Started off with students primarily from Hong Kong, and, and then we incorporated some Japanese. We had Japanese parents who actually helped us recruit students from Japan. We had an agent who worked in Mexico who would bring us anywhere from 5 to eight children from Mexico. And Ottawa was a, was a pretty strong market. And until we, until we started having day students again, which was probably 1995, '96, that was pretty much it. Just across Canada, mostly from the larger centers, Montreal, 25 Ottawa, Toronto.

30 Q. All right. And, and tell me, in terms of students from Canada, what kind of students did Grenville attract?

A. During the 1980s, we tried to hold both a

D. Farnsworth - in-Ch.
(Mr. Adair)

5 general level education, which was not, not university bound students, and an academic level and advanced level of, of student. And those, the, the general level would generally graduate at a grade 12. The advanced ones would generally graduate at grade 13 and go onto university. So it was a pretty good mixture. I would say, probably at least a third of them were general level students. Some of those general level students were trying to upgrade so they could become advance level students. They, the type of students, I think a lot of the many of the families were looking at their kids needing some type of education where there was more structure involved, where they would be away from their peers, away from the influences they might have had in their public schools.

10 And, and some of them might have just they had been underachievers. Some of them might have been mischief makers. And so we, we had our share of people that had some troubles and we were careful not to have people that could be a big trouble because that would be a risk to the student body. The, and gradually we moved away from that because we realized that you can't do everything for everybody. You have to start specializing.

15 So in the 1990s, we changed that to - we pretty much eliminated our general level stream and went only to the university bound for most of those years that I remained. And, and the students at that point, I should say, beginning in 1993, we started doing academic testing so that not only would we, we'd look at their report cards and recommendations, we would give them entrance level tests to make sure that that way they could handle the program that we offered.

20 Q. And tell me, in terms of willingness, were all the students happy to come to Grenville or otherwise?

30 A. There were many during the 70s and 80s that

D. Farnsworth - in-Ch.
(Mr. Adair)

came because their parents told them they were coming, and we
accepted them without, without the students wanting to be there.
In 1993, the spring of '93, that's when I was able to - when I
took over my position, I was mentored by a wonderful former
5 headmaster of a school, and he told me, he said, Don, you really
need to make sure these children want to come to Grenville. IF
they don't to come, don't let them come; tell their parents they
can't come. That worked out very well actually.

And at that point, students had a choice in the
10 matter. They were able to say, yes, I want to, and most of them
did, most of them did say they wanted to come. I remember one
that, that that we did take, his parents told us that he chose
to come, and he didn't want to be there. The next year, I told
his parents that he couldn't, that their son could not attend
15 Grenville because he did not want to be there. I should add
that there were some kids that were left there by their parents
crying. They didn't want to be there.

And I think we learnt, we learned a lot about
that, that it really, like, you, you can't force someone to, to
20 be somewhere and have it be a good ending. So I think that,
that maybe in the 90s when we changed that policy, it was, it
was much better for everyone involved.

Q. Now, tell me, if you will, about the role
that religion played at Grenville?

25 A. We were upfront that we were a Christian
school, and everyone knew that coming in. People from faith
could attend, any other faith or religion could attend. They h
ad to go to our chapel services. Chapel service were, were some
of them were discussion time, some lesson times, teaching times.
30 Sundays would have been a, a holy communion, as well as one or
two days during the week would be holy communion. And at
nighttime, we would have the service of Compline, as I mentioned

D. Farnsworth - in-Ch.
(Mr. Adair)

earlier. We would pray before every meal. Some, some of the activities we would pray before those activities for God's blessing on the activity, and we just held ourselves out to be a, a Christian family of people, Christian community of people.
5 I wanted that to be the environment that our students, all of our students came to be part of.

Q. And how did you accommodate for if at all for example, students of different religions?

A. Sometimes the parents would ask, especially
10 a, a Muslim family, I remember telling them that - or a Sikh family - telling them that that it's, it's, it's a good thing for them to attend the cultural environment of other religions, and whether they participate in their hearts or not, it didn't matter so much as the fact that they really participated and
15 respected our chapel services and our way of life. Just that as we would respect theirs.

Q. And tell me, were there lectures of informal talks from time to time to the student body on moral or religious themes outside the context of regular religious
20 services?

A. Yes. On the mornings when we had chapel services that weren't the communion, we would often have a someone would speak, usually, it would be the headmaster, which was my father during most of those years, speaking. From time
25 to time, we have someone else come and speak. Sometimes we would have a, a sing along where some of us would be playing guitar, a piano, and, and leading the students through contemporary Christian music.

Q. Now, are you or were you in those days, 1980
30 to 1997 and Oblate member of the Community of Jesus?

A. I became a, what I think became termed, "an Oblate," of the Community in the late 70s after, after my

D. Farnsworth - in-Ch.
(Mr. Adair)

graduation from high school, but before my graduation from university.

Q. And what does that term, "Oblate" mean?

5 A. An "Oblate" typically in any community, monastery, convent, a religious group is really someone who takes on much of the lifestyle of the parent community, which in this case was the Community of Jesus, which was a Benedictine community, and but even though they don't live there, they call it their, their, their spiritual home where they would live many
10 of the principles of the daily life of that group that they could within reason and keep their day jobs.

Q. Okay. And did the - your personal association with the Community of Jesus over the years, I mentioned, what would that involve?

15 A. I would, well, we were asked to attend retreats there. I believe we were asked to attend at least two retreats during the year, and they would, they had several retreats there, but some of them were specifically for the Oblate members. And, and they also asked if we could come and spend a, a week there living in part of the community with them.
20

Q. And did you, in fact, generally do that?

A. I got to probably one retreat a year, and I would say half the years I get a week, a week down at the Community of Jesus.

25 Q. And these retreats, how, how long would they typically last?

A. They would start on Friday evenings, and they would go until Sunday after church in the morning.

30 Q. Okay. And tell me, to your knowledge, was the, the bishop of Kingston and Bishop Henry Hill a deputy of the Community of Jesus?

A. He was introduced to the Community of Jesus

D. Farnsworth - in-Ch.
(Mr. Adair)

and he built his own relationship with them. I think they, they loved him, and he loved that type of environment. He was a man who loved community stuff, people, Christian communities, and as far as I know, he had a really good relationship. I was not
5 involved in that, but we heard, we heard many times that how much he enjoyed there.

Q. Okay. And what, what if any role did the Community of Jesus play in the operation of Grenville Christian College, as opposed to the Grenville community of staff and
10 children?

A. You're asking what the....

Q. The school.

A. You're asking what the Community of Jesus played with the operations?

Q. Yeah, what role did they play in the school?
15

A. Well, they made it clear, they did not want to be involved in the operations of the school. Indirectly, there would have been involvement, because they had a strong impact on the lives of us as Christians, because we would go
20 there and had benefit from those retreats. But as far as the rules and the obligations of the school, we might use them for advice from time to time, but they had no direct impact.

Q. And in all your years at Grenville, how often did the leaders of the Community of Jesus come to Grenville?

A. I would say, you know, I'm, I, I'm not gonna be able to give an accurate answer, but at least once every two or three years.
25

Q. Okay. Now, I want to change the subject to subject here, Mr. Farnsworth. And I, I want you to listen
30 closely to this question, sir, and, and give us as full a picture as you can, what was the basic Grenville Christian College philosophy over the years from 1973 up to 1997 regarding

D. Farnsworth - in-Ch.
(Mr. Adair)

the treatment, care and education of the high school boarding students?

5 A. We wanted to offer them a quality education in a Christian environment. So those two things were very important. We wanted it to be safe for them, in other words, free from things like drugs and peer pressure, and we also wanted it to be a family environment for them. Those I think those are the main, the main things that I recall.

10 Q. And what were the main things that were done to support that, those objects or philosophy? In other words, how, how did Grenville choose to go about this?

A. Well, I'll start with the, the religious side. I think I've really gone through that.

Q. Yeah.

15 A. They were - they attended all the services, and, and they lived with families or they lived with - among us who were Christians. So the environment was a Christian environment. The, the family leading into that, we would eat all of our meals with the student then. And so they would be
20 assigned to our tables, breakfast, lunch and dinner. We would spend time with them and then every six weeks or so, we would change tables. They'd live with - they'd eat with a different group of students and a different group of staff members of family.

25 My family would eat with four to six students on a regular basis. On Saturday night, we called it family night. It became a Friday night activity at some point. We had family night activities. It might be just going and playing games, watching a movie, hanging out at someone's apartment. At the
30 time, there were times when we take our students on an activity such as bowling, ice skating on the Rideau Canal, and just playing outside, playing capture the flag, soccer, camp fires,

D. Farnsworth - in-Ch.
(Mr. Adair)

5 things like that. So that, that really integrated them into our families the best we could. As far as the safety structure, we were, we were careful. We were careful to, to make sure there as good supervision throughout the school so that students wouldn't be able to go out and smoke freely, and not that some of them did. But what we would, we prevented a lot of that from happening. We, we prevented, I believe we prevented a lot of drugs from ever coming on, whether it was marijuana or, or something like that.

10 So, those were things we wanted to protect them from. We, we lived out a way from the city, so they weren't free to just walk into town or go into town. And that kept a lot of influences from the town involved. So that, that adds I would say to the safety aspect of things. We did have trips to
15 town, but we wanted them to be in groups. And, and as far as the education, we, I think every single one of us tried to do our best to be good teachers. We had, we would have some people would go on seminars, we would, we would have observations of each other's classes to keep us on our toes and to make comments
20 about teachers who maybe needed a little extra help, if they did. And I think - I, I just really thing the quality of the education ended up being very good. It was a lot better than the public schools I knew, and it only got better over all of my years at Grenville.

25 Q. Okay. And, and the, the evidence we've heard and listening to you talk about the routine, there seems to be a sense of keeping busy and structure. Now, what, what role did that play in if any, in supporting the philosophies at Grenville?

30 A. You know, I, I think weekends when the students had a lot of free time, that was when they weren't as happy because they'd get bored or they would - they just

D. Farnsworth - in-Ch.
(Mr. Adair)

wouldn't have anything to do. Even though we tried to have a number of activities. So keeping them busy, it, it, it just preoccupied them and they, I think when teens were on those extracurricular activities, they would excel, many of them would excel, many of them would become singers. Choir, choir members with great voices that they didn't know they had. They would play musical instruments, and be quite accomplished. Some of them, some of them came with that skill already. But when you're in a small group and you're closed, you know, you're, you're in close proximity to so many, it's really easy to get involved. I was a member of the basketball team, and I am five foot five, and I was able to, to play with people. I was always the shortest man the team. I wouldn't have done that at a typical public school. I was, I did a lot of sports. I was in the choir. So yes, all and all, I think that busyness kept them and, you know, kept them out of trouble.

Q. Now, tell me, you, you spoke of activities, what sort of activities was there at Grenville?

A. The, as far as the extracurricular activities?

Q. Yeah.

A. We had the main sports, we had basketball for the girls and boys. We have soccer for the boys, we had volleyball for the boys and the girls, cross country running, cross country skiing, badminton, track and field, and I think there were some student that might have done a few other things, downhill skiing was an activity we did. We weren't really a - we didn't have a ski team until the very end when someone started that. And some of the student actually went to horse shows. That wasn't a very big part of our activities, but we tried to offer as many activities. We offered, generally offered too many activities, I think. And so, there were times

D. Farnsworth - in-Ch.
(Mr. Adair)

when students wanted to be on two different teams and as teachers, we had to say, no, pick one. And....

Q. Yeah. What about non-athletic activities?

A. Choir, choir would, would be a big one.

5 Debating, we had a, an excellent debating team, public speaking. There was a year book. You've seen the year books, I'm sure. That was run by student with a staff advisor, and that was a, you know, a yearlong program. There was in the spring, we had for many years it was a Gilbert and Sullivan Operetta. That
10 included a number of students and crew behind the scenes, and the cast and chorus up on the stage, as well as the orchestra. I'm sure I'm missing some things there, but there were lots of non-athletic activities too.

15 Q. And then aside from athletic and artistic endeavors or debates and things of that nature, were there, were there activities that were organized purely for fun on a regular basis?

A. There were, there was a ham radio club for students. There was a computer club for students, and I think
20 there were probably some, some other clubs that I am not remembering. But they, they could get involved in things like that. For some years, we had an outdoor club. Outdoor club would take students down to sometimes to the Adirondacks. Camping in the early years was really, really popular thing. In
25 fact, some of our teachers would take our students camping for almost everyone in the student body got to go camping either in the spring or the fall in the Adirondack Mountains. Skiing, downhill skiing activities started in the 80s. We would take our students to various ski hills. Tupper Lake, Big Tupper
30 Mountain was a popular destination.

Q. What is it? Would, would this be like on a bus, and....

1925.

D. Farnsworth - in-Ch.
(Mr. Adair)

5 A. Yes. Yeah, we took a bus load of students,
sometimes more than a bus load of student, and spend the
weekend. And on Wednesday, we had some, some friends of the
school who would give ski lessons at a smaller hill, Mount
Pakenham, which was about an hour and half drive from Grenville.

MR. ADAIR: Okay. Your Honour, I am about to go
into a new subject, if this is a convenient
place?

10 THE COURT: Sure. Sure, we'll take the afternoon
break.

R E C E S S

15 U P O N R E S U M I N G:

COURT REGISTRAR: Court has resumed, please, be
seated.

20 MR. ADAIR: Q. Mr. Farnsworth, just before we
go back to the Grenville philosophy and the implementation of
it, I want to ask you a question on a completely separate topic
before I forget. Was there at Grenville in the dining room a -
something with some saying on it about dependence upon God?

25 A. Yes. There was a banner. There were two
banners, and one of the banners said, "Humility is the place of
utter dependence upon God."

Q. And the, the first word, being very careful
with it, was what?

A. Humility.

30 Q. And was there anything that said,
"Humiliation is the place of entire dependence upon God?"

A. That's the first I've heard it. No. Never.

Q. And do you still have that decoration?

D. Farnsworth - in-Ch.
(Mr. Adair)

A. I have that banner, yes.

MR. ADAIR: All right. And okay. We're going to make every effort to get it before the court, Your Honour, but this is news to me, so.

5 Q. In any event, let's go back to where we were.

A. Can I, can I change one thing? I think it was, "the place of entire dependence upon God."

Q. And "Place of entire dependence."

A. Yes.

10 Q. All right. And then going back to where we were about the philosophy and, and the rules, and what I want to know is what, if any rules, were there at Grenville to support this overall philosophy?

A. We would meet with the students at the beginning of the year to go over all the rules. Some of them were generic rules. But some of those particular to Grenville, things like, not, we did not want them to have special relationship with anyone, no boys with girls. And there was no smoking. There was - they not to have their Walkmans, or at the time, they were Walkmans or Discmens, or any other type of music. There were no blue jeans. They were to wear casual clothes that were neat, and collared shirts, not jus t-shirts at the time, and I think the military would call it, no patch pocket pants, which was what jeans are typically. And some of the other rules, they weren't allowed to just go to town on a weekend.

25
30 So that would have be different from probably many schools, except that when we had a bus, a bus would take them to town. If they had an appointment or they needed to go to town for various reasons, they just, they would ask, and, and often times, they would be able to go to town; unless there was a reason that someone felt they shouldn't. They had doctor's

D. Farnsworth - in-Ch.
(Mr. Adair)

appointments, of course. I'm trying to think of any other specific rules. Swearing, they weren't allowed to swear. There was a - we were careful with the content they had. For example, they weren't to have any, any revealing pictures and books and things like that, and we would probably ask them not to have some types of books that we felt were not good for students.

Dungeons and Dragons was a big thing back in those days. And so we would, we would try to monitor the content of what came in on the campus. You know, there are probably lots of other rules that I am not remembering, but they would, I, I know that people have talked about telephone calls. There were times that they can make telephone calls, and there were times they were not. I think - I, I honestly can't remember whether they had to get a pass - I think they did have to get a permission slip to make a telephone call. There were some telephones throughout the building. And they would receive calls from their families.

The family, we actually preferred the families calling in because there were only two pay, two pay phones on the main floor of the main building, I believe. Those were - the dress code was important. Hair, students were to have hair that wasn't and not long for the boys, not, not dyed. They wouldn't want them to have - to keep their hair neat and trimmed. The clothing for the, for the girls, their guilts were about knee lengthy, I believe, so that that was a modest, modesty rule.

The, the - people have mentioned the six-inch rule, I don't think it was written as the six-inch rule, but was understood to be the six-inch rule that, you know, they, you know, basically, there is no physical contact between the boys and the girls, and no public displays of affection. I, I can't think of any further ones at this time.

D. Farnsworth - in-Ch.
(Mr. Adair)

Q. Okay. And what was the prevailing or general approach by the staff to enforcement of the rules?

5 A. Yeah. For - if someone was hanging out with a, a someone of the opposite sex, we would ask them to, to split up if we had a concern. Not, not that they weren't one boy talking with one girl from time to time, but if we sensed that there was a relationship or something budding there, we would, we would interfere. We would say, if you want to hang out, hang out with other people too. So, that, that would be the spoken, 10 the warning, I should say, or, or, or instruction. There would be if someone was smoking, there would, there would be consequences to them, and smoking was something that we really didn't want the students involved in. They would, they would - that was one of the, one of the upper level infractions at the 15 time. So they would probably have a one day of suspension the first time. Second time, at least three days, and if it continued, they would sent home for could be three days to a week.

20 Q. And what, when you say, suspension, what would that consist or, a one-day suspension?

A. In, internal suspension would mean they would probably spend the day working with another staff member or in the kitchen. The kitchen was a great place, it was always, there were always staff members there that could help supervise. 25 And for the boys, it would often mean pots, doing, cleaning pots throughout the day while they're cooking. Some of the times, they would work with the maintenance, the men or boys would work with the maintenance crew doing various things around the property.

30 They might rake leaves. They might shovel snow. There were - there is always work to do. They would be given time to study. They would - if it was one day, they maybe able

D. Farnsworth - in-Ch.
(Mr. Adair)

5 to sleep in their dormitory, if it was only one day. But they wouldn't be wearing uniform that day. If it was, if it was for three days, then they would be, they would just be out of commission for three days, as far as wearing their uniform and participating in normal activities. They wouldn't be able to play on their sports teams, they wouldn't be able to be part of any other extracurricular activities.

10 We as, as a teacher, I would always be told who was, who was not able to come to my class because of their, of disciplinary action, and I would try to get homework for them. And even from time to time, I would go meet with them to try to help them. And as a dean, I would often check upon them. I would check and, and ask them how they were doing. Really just trying to look after them knowing that discipline is a - can be
15 a hard time, but it can also be a time when we can, we can have communication with them, especially if they're upset or, or just, just to talk generally, get to know them better. So that was, that was the internal suspension. External would mean they would just go home for three days.

20 Q. All right. Focusing on internal for a moment, how long would that usually last for?

A. I remember for it was one day for a first
25 offence usually, I think. And it, and, and it was for something else, it was usually three days, and then if it was something was more serious, it could go five days. As a, as an educational institution, the - we had a phrase, the education of - the heart of education is the, is the education of the heart. So students weren't there just to get an education, we wanted them to grow as people, and we also felt that if, if they
30 learned some of those inward lessons, their academics would improve. We didn't like taking them from classes, but they knew if they went out smoking, that they were in fact suspending

D. Farnsworth - in-Ch.
(Mr. Adair)

themselves, that's the rule and they knew it.

Q. Okay. And what, what was the point of the no uniform?

5 A. We, we wanted the uniform to something that was earned and deserved as a student. If you broke the rules, then you were not attending school as a normal student. If you are not a normal student, we don't want, we didn't want them to be in, in their uniforms. At times, later on in the, in the
10 decades of the school, they were able to attend classes, but they would not attend in their uniforms if they on, on discipline. And it was really just our feeling that we wanted the wearing the uniform to be the privilege, and you that you lose that privilege when you, when you broke those rules.

15 Q. Now, when you talk about later on, by, by what year, to the best of your recollection, would it be that they were allowed to attend class as well on D, albeit, not in uniform?

A. I would think it was the 90s.

Q. Nineties.

20 A. Early 90s would have started that.

Q. Okay.

A. And in the earlier years, we would as teachers try to keep them up to speed with their courses.

25 Q. And then in addition to being put on D or discipline, was there a system of demerit points?

A. Yes.

Q. How did that work?

30 A. There were demerits given for students if they were late for an activity. If there was misbehavior in a classroom, that teacher could give demerits to the students. And those demerits could be anywhere from a detention in a study hall during their free time, not the regular times. It could -

D. Farnsworth - in-Ch.
(Mr. Adair)

they could, it could also be a half an hour of, of some type of extra duty, a dish crew for the boys. Just a way to, to give a minor, a minor punishment, a minor consequence to something that really wasn't a big deal.

5 Q. Mr. Farnsworth, in, in all of your years at Grenville, was, was there - did, did you ever observe any punishment that had a demeaning quality to it in the sense for example, forcing someone to cut a lawn with scissors or scrub a dumpster with a toothbrush?

10 A. I have never. I was never part of that, and I never heard of anyone, other than after that fact, people said that they, they had to cut grass with scissors. I would imagine they, they might have used clippers that looked like scissors to trim around trees or something, but never with scissors. I
15 never heard of and never would have been part of anything where a student was asked to clean a dumpster with a toothbrush.

Q. And what, that about - what - did you ever
observe in all your time at Grenville, staff hurling abuse at
student in the nature of calling them filthy, you're no good, or
20 faggot or queer, or any other disgusting moniker or anything of that nature?

A. That's something the staff would not do. And if they did do, they would, they would have their own consequences. No, I'd, I never heard that.

25 Q. Tell me about paddling. Was paddling part of the discipline at Grenville?

A. I would say that paddling would have been something that happened in the 70s and into the 80s, the early
80s. I received the paddle once myself. I administered it once
30 myself, and I think that was the last time a student was given the paddle.

Q. And when was that?

D. Farnsworth - in-Ch.
(Mr. Adair)

5 A. It would have been the early 80s. Jim MacNeil and I were there, and I was the dean, so I had to, to give a student the, the licks with the paddle. It was something that was done as a last resort. The - and I remember for the student that was involved with me, the parents were called, and we gave the parents the option, we, we said there, he could go home for a period of time or he could receive the paddle, and, and the parents chose the paddle instead of having him go home. And it didn't happen frequently, it was rare. It was rare, I believe. And I, I only, that one, that year, I think that was, that's only one I would remember from that whole year.

10 Q. Now, one other subject, sir, or another subject, something called, "light sessions."

A. Yeah.

15 Q. In quotes. And what I want to direct your attention to first is what we've heard of being described as a public light session where someone would be - Mr. Gilmore used and expressed, like, "dressing down," castigated, whatever you want to call it - in front of either the entire student body or a significant proportion thereof. That's what I am talking about at the moment when I speak of "light sessions," okay.

20 A. Okay.

Q. And did such things happen your years at Grenville?

25 A. There were times when someone was stood up and, and the whole student body would be present. And they would be confronted with what was wrong, whether, whatever that is. That could be a number of things. It could be, it could be something with regular misbehavior. Misbehavior in the sense, especially when it affected other student around them. If there was some type of bullying and maybe it wasn't physical bullying because if someone was physically bullying, that was, that was

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D. Farnsworth - in-Ch.
(Mr. Adair)

serious. But if there was someone who was putting down others, they could - they'll be - they could be dressed down publicly, yes. It - and there were times when students would also speak up about it, and, and different members of the staff would speak up. It's that did happen from to time. It wasn't something that we planned. It's something that we used to, to hurt them, it was something that we used to address a problem, and stop that problem from spreading any further.

10 Q. And how often over your years on an annual or semester basis would such an event occur?

15 A. Ah, let's see, when someone was stood up as an individual, you know, it's, it's hard to say. I, I - and there would be levels of it where, you know, it might be, you know, someone was really just had a, a rebellious attitude and were just not listening to anything, right down to the fact to the times when it was minor and some students might say, yes, I am part of that problem, and in intend to change or I am sorry. But I would say that, I'd say, three or four times a year wouldn't be uncommon. There are probably some years that once 20 or twice there might have been years when it happened more. I remember as a youngster myself, I was, I was standing in the front of the chapel and it wasn't a very pleasant time for me either.

25 Q. What, what happened on that occasion?

30 A. There was - we as a group of about seven staff boys had gone out into the woods in this, in the winter time, and one of, one of my friends - well, we, we found a, there was cabin someone build, a playhouse that someone had built for one of their, for their children, I would imagine - we went into it, didn't really do anything except we that we heard people coming, so we ran off. We ran away as fast as we could because we didn't want to be caught inside someone else's

D. Farnsworth - in-Ch.
(Mr. Adair)

property. And done of my friends, I didn't know until years later exactly what happened, he burnt the place down. But we were all there together, we were all, we had to all stand up in front of the student body, and, and got a pretty severe dressing
5 down, and we were disciplined. I don't remember how long, but we did, we did a lot of work to make up for it.

Q. And what, how did you feel when you were stood up in the presence of the entire student body on that occasion?

10 A. I was a grade 12 student, and it was tough, and I just remember trying to stand up and take it. You know, it was as if someone was beating me, and it was, it was hard. I - but afterwards, I, I - I mean, I knew I deserved it. I was part of that group. And I think in some ways, you, there would
15 have been students who would have been ashamed of you for what you did. There would have been some who probably said, way to go, you guys, you know, they would have looked up to us. That's, you know, I didn't - I did - at the time, I didn't appreciate that, but I know there were, I remember one student,
20 you know, saying how, say something along the lines that, you know, he was proud of us; was a young kid. But most, mostly we felt if humiliation is in a good - that was a good time to feel humiliated and, yes, I was.

Q. Okay. And what about the treatment of young,
25 well, let me rephrase that so there is no confusion. What about the treatment of female students at Grenville, what can you tell us about that?

A. Treatment by the staff?

Q. Yeah.

30 A. They, you know, we were all taught together most of the time, about relationships, about, about inappropriate relationships, about sex before marriage, and that

D. Farnsworth - in-Ch.
(Mr. Adair)

5 wasn't, you know, that wasn't - yeah, it was brought up publicly to everyone. I know that the girls had their own times in their own dormitories are separate from the boys and obviously I wasn't part of that. The way they would talk about things that girls would talk about. So I don't, I really, I mean, I could, I could imagine what they would have talked about so that the girls would be protected about, they would probably talk about clothing.

10 Q. All right. I, I don't want you to speculate.

A. Okay.

Q. If you don't know, you don't know.

15 A. Can I add one thing to that I do know. The boys were taught to respect the girls, open the door for the girls, stand up at the, the dinner table or the lunch or breakfast table when a girl came and, and help her be seated. That was something that we taught all the boys to do.

Q. One thing I haven't asked you about, on the whole, how did your Grenville graduates make out in terms of admissions to university?

20 A. I believe they made, they did very well going on. We, we would hear from them. We would stay in touch with them. I wish we had a, a formal alumni association earlier on so we could find out. We in the 90s, we started to track that a lot more. We had one member of our staff who would, would be the university guidance counsellor, and I know she, she would - and other administration, administrative staff in the, in, in the faculty would keep track of, of, of places where the students were accepted. Now, general level students were not going in for university, but we would help them with their college applications if that's what they were going to. And it was over 90 percent, and, and in, in some years it was a hundred percent that students got into a university of their

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D. Farnsworth - in-Ch.
(Mr. Adair)

choosing. We also try to keep track of how those student did later on in the later years, especially when I was working in the admissions office, we wanted to find out how many were graduating. That was an important statistic, but it was hard to keep track, and we didn't do a very good job tracking it. We wanted to make sure they were prepared, though.

Q. Okay. And one last question, sir, based on your personal observations over the years, what is your impression of the on a general level of the experience students had at Grenville?

A. I look back on the students when they were there, and, and I just remember a lot of fun, a lot of fun, a lot of happy times. I know if you look at the yearbooks at some of the slide-shows we used to have at the end of the year, you would see students having fun. You would see them participating in classes. I coached a lot of them. There was a lot of school spirit. There were, there were games where the whole school would gather in the gym or on the soccer field and support our, our student, boys and girls, and those were often times where everyone just pull together and cheered, and, and I think that type of school spirit created an atmosphere where people excel. They excelled in sports, they excelled in public speaking, debating.

We, we were a small school, but I like the analogy of David and Goliath, we did slay a lot giants in our, in our the activities that we participated with in other schools. All and all, when you know, there were obviously a few that were disgruntled. There are a few that didn't make it to the end of the year, unfortunately, but I think they experienced a time where they accomplished and achieved more than they expected of themselves, and that was the atmosphere we wanted for them. I think it was, it was beneficial to almost

D. Farnsworth - in-Ch.
(Mr. Adair)

everybody; not everybody, but almost.

MR. ADAIR: Thank you, Mr. Farnsworth, those are all the questions I have.

THE COURT: Cross-examination?

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MS. MERRITT: Actually, Your Honour, my friend and I have agreed that we will start the cross tomorrow. I got rather short notice of this witness, so if that's all right with the court's indulgence, I'd like to begin in the morning.

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THE COURT: Of course.

MR. ADAIR: Yeah. I should say, Your Honour, I did my best to give my friend notice, but couldn't until early Saturday. The, the pace we were going at Friday, I thought, I got to get another witness.

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THE COURT: So are we, are we moving faster than we thought or slower?

MR. ADAIR: Oh, faster.

THE COURT: Faster. All right.

20

MR. ADAIR: And I am wondering if we could meet you briefly in chambers after court to discuss scheduling for a moment?

THE COURT: Certainly.

MR. ADAIR: Thank you.

25

THE COURT: All right. Mr. Farnsworth, would you be good enough to come back tomorrow at 10:00 a.m., and we'll continue your evidence then.

A. Yes, Your Honour.

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THE COURT: Thank you. All right, and we will rise for the day.

...WHEREUPON COURT ADJOURNED

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

TUESDAY, OCTOBER 8, 2019

5 KEN W. MACNEIL: SWORN
(testifying via CCTV)

EXAMINATION IN-CHIEF BY MR. READ-ELLIS:

10 Q. Good afternoon, Mr. MacNeil. Can you please
spell your last name?

A. MacNeil, M-A-C-N-E-I-L.

Q. And where do you reside?

A. At 1131 Irace Drive, Brockville.

Q. And what is your profession, Mr. MacNeil?

15 A. I'm a retired teacher and principal.

Q. Now, I understand you were a staff member at
Grenville from 1979 until 2005. Can you tell us the different
roles that you occupied in that school in chronological order?

20 A. First of all, I was a teacher and continued
to be a teacher all of my time there, at least one class a day.
And then I was the principal of the high school and for two
interim periods I was headmaster of the school.

Q. Okay. So, as a teacher, what subjects did
you teach?

25 A. I taught mathematics.

Q. And you mentioned that you served as a
principal of the school. What - what period of time did you
fulfill that position?

A. 1979 to 1992.

30 Q. Okay. And then lastly, you mentioned two
interim periods as headmaster. Do you recall when - when you
served as headmaster?

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

A. This was after my retirement. I was asked to be headmaster in 2000 and again in 2003 because it's close.

Q. Okay. So, that first interim period, do - how long did you serve as headmaster?

5 A. It was nearly three years, I believe.

Q. Is that in - in total?

A. No.

Q. Okay.

A. First.

10 Q. And - and what about the second appointment, how long?

A. Probably several months.

Q. Now, when you were at Grenville and over that period of time, where did you live?

15 A. I lived in several places. I lived in the staff residences, apartments there. I lived in a house on campus. I lived - towards the end of it, I had lived a house in Prescott. I also a house in - in Brockville nearby the school.

20 Q. Okay. I want to understand your responsibilities and the various roles that you held at the school. So, let's start first as a teacher. What were your primary responsibilities as a teacher?

25 A. Well, as a teacher, I - I had prepared classes, taught the classes, presented exams, marked exams, communicated with parents, communicated with the administration of the school. Those types of general duties.

Q. Okay. Now, turning to your role as a principal, what were your primary responsibilities in that role?

30 A. I was in charge of the academic section of the - of the school - of the high school, and did have the responsibility of leading a team of teachers. I had the responsibility of making sure that the school was - was running

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

properly.

Q. Okay. Now, finally in your role as headmaster, what were your responsibilities - primary responsibilities in that role?

5 A. Well, as I said, it was an interim position, and I was -- and take charge over the whole school, of the school, the staff and the community that - that ran the school. So, that was essentially it.

10 Q. Okay. Now, apart from the responsibilities that we just spoke about in your role as teacher, principal and headmaster, did you have any other responsibilities at Grenville over your time there?

15 A. We - we had various responsibilities that came with part of being the staff. I led evening prayer, for example, in the chapel. I led counselling services or any other services as needed. I had. I had what we call night watch and I was --

Q. Okay. Let's discuss your background, Mr. MacNeil. Can you tell us about your educational background?

20 A. My - I'm a graduate at Mount Allison University in New Brunswick. I have a bachelor of science and a bachelor of education from (indiscernible). Later, I received an M, a graduate degree from Columbia in New York.

25 Q. And what was that - what was that graduate degree, in what subject?

A. Education and administration.

Q. Okay. And now, let's turn to your work experience. Can you tell us about your work experience before you came to Grenville?

30 A. My first year of teaching was in a small town in Nova Scotia. From there, I went to Ablert College in Brockville - in Belleville, and I was there for four years. And

1941.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

I was in New York City in Brooklyn for four years. And I went off - I went to Sydney, Australia for eight or nine years before coming to Grenville.

5 Q. Okay. And do you recall the years of your tenure at those schools?

A. Yes. In '61, '62 in - in Nova Scotia; '62 to '66 in Belleville, Albert College; '66 to '70 in New York; and from '70 to '79 in - in Australia.

10 Q. Okay. And I think what you said - that when you were in Nova Scotia you were a teacher, is that right?

A. That's right.

Q. And then in Belleville, what - what role did you hold at the Belleville school?

15 A. I was - I was a teacher, both math and physics, and I was also teaching (indiscernible) for three of those four years.

Q. Okay. And then in your time at the New York School, what - what was your position there?

20 A. I was a - a teacher, part-time teacher as well as, for the last two years, a headmaster of the school.

Q. All right. And then finally at your time at the school in Australia, what - what was your position there?

25 A. I was a teacher, teacher of mathematics, and then I was also a housemaster of one of the twelve boarding houses on the campus.

Q. Okay. So, I - I take it then that the school in Australia was a boarding school. Were any of the other schools you mentioned boarding schools?

30 A. Albert College was a boarding school and the one in Australia was a boarding school. That was it.

Q. What was your impression of Grenville compared to the other schools that you've worked at?

1942.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 A. Well, at the time when I arrived, it was a very - it was much smaller. It was very - I would say it was a school board with staff who were very much involved in the life of the students. This is something that impressed me a great deal, not only for the administration of activities, but for the care that they showed to - to the students. That also was - appealed to me that the staff was so united. Sometimes at schools, staff aren't always united and it's difficult to - to somehow believe that schools could have staff that were so well
10 into and - and united and doing the job of caring for students that I thought was exceptional.

Q. Mr. MacNeil, how was it that you ended up working at Grenville?

15 A. I thought after being there for nearly nine years, it was time to return to Canada, part because we did not want any of our children being married over there and then having an ocean separating our families.

Q. And when you say over there, what are you referring to?

20 A. In Australia because if - if our families were split, it's a big ocean to split us. So, before any - any of them got married we said, "Let's get home." They were - the boys were getting to that age when they were getting to be interested in that.

25 Q. Okay. So, how did you end up at Grenville specifically?

30 A. For many years going way back to my days at Mount Allison University, I had known Al Haig and he was the one who persuaded me to go to Albert College because he was there. He also persuaded me to join him in the starting of the Christian school in New York.

And then while I was in Australia, we

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

corresponded and Grenville had started and he was rather
persuasive to have me come and join him. I did - I postponed
that for a number of years. My wife had a visit to the school,
I had a visit to the school in the mean time, and when the time
5 came for us to leave, we decided that Grenville was where we
could (indiscernible).

Q. What was it that attracted you to working at
Grenville?

10 A. Apart from the friendship that we had with
both Al and Mary Haig, what I saw them doing with students and
the encouraging things that I had read and they were trying to -
they were trying to present a Christian - a strong Christian
witness to young people and that was - is what attracted me more
than anything.

15 Q. And what was your religious background before
you joined Grenville?

A. And Anglican, although I had been for a few
years in a Pentecostal church. I also was raised in a - in a
brethren church for the last few years. Anglican church.

20 THE COURT: Sorry, did I hear you say you were
raised in a brethren or Anglican church?

A. Brethren.

THE COURT: Brethren, thank you.

A. Yes.

25 MR. READ-ELLIS: Q. Did your religious
affiliation change in any way while you were at Grenville?

A. No, I don't think so.

Q. Are you aware of something called "The
Community of Jesus"?

30 A. Oh, yes.

Q. When did you become aware of that group?

A. I first became aware of it before I would

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 have went to Australia. I - we were in New York. I - I went
and I paid a visit to a Community of Jesus, and met some of the
people there. And so, later Al and Mary Haig had said that they
were thinking of going there, so I knew where they were coming
from.

Q. And did you ever have any relationship with
the Community of Jesus?

10 A. Yes, yes, I visited numbers of times. That
became an oblate - they call it an oblate to have somebody
that's not living right there, but is to that community.

Q. When did you become an oblate member?

A. I wish I could remember. I - I can't
remember if it was - it was in the mid-80s, I would think.

15 Q. And what prompted you to become an oblate
member of the Community of Jesus?

A. Well, and I know that they were doing an
excellent job, I was very impressed by all of the things that
they did. And because so many of the Grenville staff that I had
now joined were part of the Community of Jesus to be in unity
20 with them, I said, "I think I'll become a member - an oblate
member, as well."

25 Q. So, you just mentioned that a number of staff
at Grenville were members of the Community of Jesus. How - how
would you describe the relationship between the staff at
Grenville and the Community of Jesus?

A. Very close, very - I would say that there's a
lot of - there was certainly a lot of respect for what was going
on with the community. There was a lot of interest in their -
their mission, and it was something that I observed people were
30 interested in. I - I felt I could be part of that too.

Q. Okay. I want to change topics slightly to
talk about the school at Grenville, Grenville Christian College.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

A. Okay.

Q. How would you describe the mission or mandate of the school?

5 A. Well, it was - it was a school that provided a very rigorous education for students from kindergarten to, at that point, grade 13. And it - it wanted to present a Christian focus, so that every student would know and have a - be aware of the value of having a Christian faith. And so, there were chapels to do that and various study groups. But it was - it was to create an atmosphere in which students could learn to live with themselves or to live with each other and learn to live in the wider community.

10 Q. And when you say "learn to live in the wider community" what do you mean by that, Mr. MacNeil?

15 A. Well, I - I think that it's just that, it's getting - getting along in the world and be neighbourly, productive, being able to relate to families, spouses and work colleagues. Being able to - to conduct themselves in a very worthwhile manner.

20 Q. How - how would you describe your overall impression of the - the staff attitude towards the students at Grenville?

25 A. Well, it was - it was superb. I just felt that there was a - a great deal of care, a great deal of interest, a great deal of following through on - on them in - as far as their lives are concerned, as far as their schooling was concerned, as far as their - their feelings are concerned, whether there was any - any hurts, any - any problems that they might be facing. Staff were always there ready to help and to care for them in a way that I had never seen before.

30 Q. And you - you've pre-empted my - my next question a little bit there, but how did that compare to your

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

experience at the other schools you worked at?

A. It was personal care that I - I experienced at other schools. It was there in a way, but at Grenville, there was definitely a continuous care for the students.

5 Q. I'd like to talk about the leadership at Grenville, focusing on the school. How was the leadership structure?

10 A. Well, the headmaster was in charge of the whole school and the staff -- community. The headmaster was in charge of that. Underneath was the principal of the high school and I - I was -- There was also a principal of the elementary school. There was also deans both for the women and the men.

Q. Okay.

15 A. They were very (indiscernible apartments). That had maintenance and kitchen and grounds and stuff.

Q. So, you mentioned there is a principal of the elementary school. Was there more than one principal at the school?

20 A. Principal of the elementary school and principal of the high school. Those were two --

Q. Okay. And which - and which role did you fulfill?

A. Principal of the high school.

25 Q. Have you ever heard the term "the A team" in reference to leadership at Grenville?

A. Yes.

Q. Can you describe that?

30 A. The A team was a group that was formed for a while to assist the headmaster (indiscernible) at that time, to assist him in - in various aspects of life in the school. It was not a continuing group, but it was set up and established for a certain time.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

Q. And what's your memory of the time period over which that group was known as the A team?

A. It was - it was never more than two or three years and likely in the mid-80s.

5 Q. And in your role as principal, were you involved in - in the leadership of the school?

A. Yes, yes I was on that A team.

10 Q. Mr. MacNeil, I want to talk about your children. You mentioned earlier that you had children and you wanted to leave Australia before they got married. First of all, how many children do you have?

A. I have five.

Q. And....

A. Three boys, twin girls.

15 Q. And what was their age range when you started at Grenville in 1979?

20 A. The oldest would have been about 19, I suppose, and the youngest 13. Twins, twin girls that were 13, they were grade 7, I believe. And the oldest one was - he had finished - he had one year of university in Australia. He decided when he came to Canada to repeat one semester of grade 13 in order to go into Queen's.

Q. And did any of your children attend Grenville as students?

25 A. Yes, they all did.

Q. Where did they live when they were students at the school?

A. They lived in dormitories. Boy's dorm and a girl's dorm.

30 Q. And who was it that made the decision about where your children would live while they were at the school?

A. Well, it was an expectation - it was - the

1948.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

rest of the staff, their children lived in the dormitories, as well, so we went along with that and said, "Yes, they can attend there as well."

5 Q. Based on your experience at the school, Mr. MacNeil, were the children of staff treated any differently than the other students at the school?

10 A. Yes, I believe they were. And I can remember being so impressed by the abilities and maturity, and the abilities of some of the staff's children. Not all of them, most capable they were at taking responsibility (indiscernible)you'd expect an adult to do. So, they were - they were given more responsibility. They were expected - more was expected of them, and they rose to that occasion. And they certainly were - they knew that they had to be an example for 15 boarding students from outside the school and that they had to follow the rules even more closely than others.

Q. And what was your impression of your own children's experience as students at Grenville?

20 A. Mostly positive. There were (indiscernible)but I can't remember why. They had - had a positive experience. Two of them returned to teach at the school and two went to (indiscernible)the Community of Jesus fulltime.

25 Q. Okay. I'd like to talk about admissions for the non-staff children at Grenville. Were you involved in that process?

A. Yes.

Q. How so?

30 A. I - I was involved with interviewing students and parents, which was a major part of the admission process. Students were tested, given - given tests to write, but the interview was certainly very, very important. And we talked

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 them about the school, told them everything to expect and asked them about their - their own backgrounds, their academic achievements thus far, and general things. We told them about the Christian expectations of the school. So, that - that was a (indiscernible).

Q. And these student interviews, in what role would you be conducting those?

A. Oh, that would be as the principal of the high school.

10 Q. And....

A. I was only involved in interviewing high school students.

Q. And when you say "high school", what grades are you referring to at Grenville?

15 A. Grade seven to thirteen at that point.

Q. And is that a process that you participated in every year as a principal?

A. Yes.

20 Q. And what would you tell parents and potential students during the interview process about Grenville?

A. Well, we would talk to them about the history of the school, we'd talk about our facilities, talk about expectations of students as far as their academics were concerned, as far as their participation, as far as their involvement with other students, their fellow students. We talked about things in general, the life in general. But most of all it was their - the expectations that they would - they would have of the school and we of them.

30 Q. Okay. So, let's - let's turn to start talking about a life at the school for high school students. First of all, how would you describe the relationship between staff and the high school students?

1950.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 A. Well, it was - it was a very - one of the teachers were expected students to be respectful. They - they certainly would not put up with any disrespect. But there was - there was an unusual level of care that the teachers had for their students. They would go out of their way to do things. They would have them in their homes, they would get them things, they would buy things for them, they would entertain them (indiscernible) a relationship that was very, very caring and one that was very productive.

10 Q. Now, can you tell us what the typical day would have been like, a weekday for a boarding student at - at Grenville?

15 A. Yes, it was - they would - lights would go on at a certain time. I - I wasn't directly involved with the dormitories, so I can't be - be precise with the times. They would have to go to the (indiscernible) and - and wash up and shower and so on, and then make beds. They had - their beds had to be made. They - their room had to be inspected and make sure that it was clean and tidy and neat. They would then go off to
20 breakfast in the dining room.

25 After breakfast, there may be a - a talk in the dining room (indiscernible) or some talk about various Christian things. They would then go to class. At lunch time, they would go to the dining room for lunch. There was free time after lunch. And then from that go to afternoon classes. And then sports after class, various activities. And then from that time on they would finish up at dinner time. After dinner they would have a bit of free time and then go to study hall. After study hall, they - three days a week we had what we called a compline
30 service in the - in the chapel, candle light service and then it was off to bed. It's a pretty full day really.

Q. Okay. Can you describe what meal time was

1951.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

like in the dining room?

5 A. Well, the students were seated at tables headed by staff members (indiscernible) group of students sitting at our table. And whenever a girl came to the table, the boys would all stand and somebody nearby would usually help the student - help that girl student be seated. I'm talking about early days now, because things did change somewhat with the times.

10 Any staff member coming to the table, the students would all stand and it was served family-style so that the head of the table would serve plates and the students would clean up afterwards. There would be food put away. There would be (indiscernible) food that was leftover into receptacles and put in the cooler and the boys would do - they do the dishes.

15 Q. Okay. You mentioned that at breakfast there were sometimes talks in the dining room. Did that happen at any other meals?

A. Only in the context of announcements, but not - not regularly.

20 Q. Can you describe in a little bit more detail the talks that happened at breakfast? What - what was the subject matter, the length, who was speaking?

25 A. Oh, well it varied. It varied a lot, but the headmaster, headmaster's wife, they - the dean - one of the deans. It could be - it could be just about anybody who would give the talk. Mostly the headmaster or headmaster's wife.

Q. And - and what were some of the subjects that were addressed during these talks?

30 A. Mostly of a religious nature. Mostly of a biblical (indiscernible) mostly making the students aware of what was - what the Christian teaching was on a particular topic.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 Q. Okay. And you mentioned that there was
compline three days a week, and I apologize if you said this and
I missed it, but were there any other religious services other
than compline and - and what we just discussed in the dining
room?

A. No, there was also - there was also a
communion service - a (indiscernible) communion service with
Anglican. I've forgotten. A couple of times the wake - in the
morning, that was it.

10 Q. And where did that service take place?

A. In the chapel.

Q. Okay. You also mentioned that there was time
in a weekday for sports and activities. What are the types of
sports and activities that were offered to students?

15 A. Well, there was soccer, tennis, volleyball.
There was cross-country skiing, there was hockey at some points.
Those are examples of - not an exhaustive list, but examples of
what was going on.

20 Q. Okay. And do you remember any non-athletic
activities that were available to students?

A. Yearbook, musical, choir and small groups.
There was - every year a Gilbert and Sullivan (indiscernible)
was preformed and they'll have time practicing that. That would
be after school. So, there were a lot of music opportunities
25 that happened.

Q. And what was your overall impression of the
extracurricular activities that were available to the students?

30 A. I thought it kept them very busy, and
sometimes too busy. I would want sometimes them to spend more
times on their academics, but they - they seemed to be kept
pretty busy. Some might have wanted different ones
(indiscernible) because of our facilities. Generally

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

(indiscernible).

5 MR. READ-ELLIS: Your Honour, I'm mindful of the time. I know we got started late this afternoon, and I'm in your hands about when would you would like to break.

THE COURT: Mr. MacNeil, we normally take about a 10-minute break in the afternoon, and we sit until 4:30. How are you doing?

A. I'm fine.

10 THE COURT: All right. So, since we started a bit late, I'm going to propose we take about 10 more minutes of evidence and we'll take the break if that's all right with everybody?

MR. READ-ELLIS: Absolutely.

15 A. Okay.

THE COURT: Ten more minutes. We'll go 10 more minutes...

MR. READ-ELLIS: We'll go....

THE COURT: ...and then we'll take the break.

20 MR. READ-ELLIS: That's what I understood.

THE COURT: Yeah.

MR. READ-ELLIS: Q. Mr. MacNeil, did students have the opportunity to communicate with their parents while they were at school by phone and also by letters.

25 Q. Okay.

A. Their parents would visit time to time too.

Q. I'm sorry, I think you cut out there for a second. Can you just repeat that last sentence?

30 A. Oh, I said the parents would visit from time to time, as well.

Q. Okay. So, you mentioned phone calls. How would students make phone calls?

1954.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 A. Well, this was a day before we had cell phones, so they had phones in the hallways of the dormitories and of the - the school and they went and they (indiscernible) there that they could make their calls. They weren't private booths, they were just (indiscernible) phones that - that allowed some sense of privacy.

Q. And did you ever monitor or observe a staff member monitoring another student's phone call or a student's phone call?

10 A. No. That would be difficult because they would have to stand right beside the student to do it.

Q. Okay. You mentioned also that students would communicate via mail. Can you describe that process?

15 A. Well, they would - we encouraged them and we tried to mandate it, but not all that successfully, tried to encourage them to write a letter a week. And at one point, Monday morning coming to breakfast they had to produce a letter, it was a letter to their parents. What was in it? We don't know. It might have been blank pages.

20 Q. So, just to be clear, what - what is it that the students would present on Monday morning?

25 A. Well, they had to present a letter stamped, addressed envelope to their parents. And that was accepted, a letter (indiscernible) Some parents liked this very much. They wanted to hear from their - their children weekly. But it was not something (indiscernible) very often because it was just to difficult to impose.

Q. And when you said it was difficult to police, how would you police it while that - that practice was in place?

30 A. Well, there was likely a table near the door that was set aside for receiving those letters and (indiscernible) and that's about as far as I can remember what

1955.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

happened.

Q. Let's change topics slightly. I want to talk about the rules at Grenville. What were some of the major rules that you can remember?

5 A. There - there were a lot of rules at Grenville. But clearly respect for authority, not lying, respect for each other, respect for themselves, not - not to lie, not to steal, being responsible citizens of a school and a community. There was no - to be no relationships between boys
10 and girls that were to pair off. And if the relationship between girls and girls were to (indiscernible) that was discouraged or between boys if they were hanging out (indiscernible) with each other. We would encourage expanding (indiscernible). Those are a number of the main ones that come
15 to mind.

Q. And based on your observation, were students aware of the rules at Grenville?

A. Pretty much, yes. I would think so. They were - they were told of it, certainly reminded of it.

20 Q. And how were the students told about the rules?

A. They had handbooks that they were - these handbooks were distributed to them at the beginning of the year and then discussed with them. They - and then from time to time
25 one of the deans would talk or maybe they would talk in the dormitories about rules that were not being observed correctly and - and the opportunity was taken to remind students of their responsibilities.

Q. So, I want to start first talking about your
30 role as a teacher. What, if any, responsibility in that role did you have for enforcing the rules?

A. As a teacher, it was - there would be

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

(indiscernible) in class. Uniform - wear their uniform in class. Punctuality in class. Their attitudes towards each other, attitudes to me, as the teacher. And make sure that they had - they were doing their homework and things like that.

5 Those are the main ways that I - we acted with students.

Q. And so, again, in your role as a teacher, how would you deal with any issues with rule infractions?

10 A. Well, usually it was - I did not have much difficulty with discipline as a teacher. Students would listen to me and I was very firm and very straightforward with them and it's not often that (indiscernible). If I thought necessary, I would send them to the office for the guidance counsellors to deal with if it was an academic problem. I can't remember, but maybe, on occasion, sent to the headmaster's office.

15 Q. Okay. So, now let's turn to your role as a principal. In that role, what, if any, responsibility did you have for enforcing the rules?

20 A. Well, when (indiscernible) listen to students if they were sent to me for any infraction. What they were thinking, why they were doing that, and remind them of - of their responsibilities. And in the principal's office was usually a destination for some sort of academic infraction. If I thought it was necessary, again, I would - I would refer them to the headmaster or to a guidance counsellor. But - but most
25 of the time I was able to handle it myself.

MR. READ-ELLIS: Your Honour, this would be a convenient time to break, if that's acceptable.

THE COURT: Mr. MacNeil, we're going to break for 10 minutes.

30 A. Okay.

THE COURT: Standby, thank you.

1957.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

R E C E S

U P O N R E S U M I N G:

5 MR. READ-ELLIS: Q. Mr. MacNeil, can - can you
hear me again?

A. Yes, fine.

10 Q. Perfect. So, we were just talking about the
rules and enforcement of the rules. In your role as principal,
were you at all responsible for administering discipline at the
school?

15 A. It depends on - on what discipline.
Detentions, yes. That type of discipline. But not much beyond
that. I just - as things related to academic work, that's where
my role led.

Q. Okay. Could you describe your impression of
Grenville's philosophy on discipline?

20 A. Well, it was - it was certainly a strong view
of it. It was necessary, but it was - it was something - if
there's a teachable time for students that they were to learn
from it, any discipline that occurred was done, I believe, with
the best interest of the student at heart and it was - it was
done in a way that (indiscernible) in the long run, not the
short term but in the long run (indiscernible) But it was - it
25 seemed to me to be fair and not - not arbitrary, but very - very
much something that was - they really appreciated, parents
especially appreciated the discipline of (indiscernible) in most
cases, and they would express that.

30 Q. How - how do you know that parents were
appreciative?

A. Well, they would - they would write, they
would phone, they would express gratitude for something that

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

they felt was done fairly and done properly and they were happy with the results. Many parents liked what they saw in the changes that they saw in their student as they - they came home for holidays.

5 Q. Did you personally have any role in communicating with parents about discipline?

A. Yes, from time to time I would - I would explain to parents what the (indiscernible) was, what the circumstances were and what the actions were taken. And that I was always open to hear their complaints or to receive comments from them at any time. That was - I did a lot of --

10 Q. And at the time, were you aware of any major complaints or - or were you aware of any major complaints about parents - from parents about discipline?

A. Not major complaints, no. Major complaints, I'm (indiscernible) but I - I certainly never heard any.

15 Q. Okay. How would disciplinary problems be addressed at Grenville among the students?

A. (indiscernible) the problem itself would be discussed with the student. Their attitude towards the reprimand, if there was a reprimand, their attitude towards that would be taken into consideration. Sometimes it was just an apology and life went on. If there was anything more serious, it would be handled in a different way. They maybe put on discipline which is - meaning that they were taken out of class and put on a work assignment, and that work assignment was intended to - to help them see what they - what their - results of their behaviour were.

20
25
30 Q. Okay. So, let's talk about those work assignments for a moment. Who would make the decision about whether to place a student on - on a work assignment as - as a form of discipline?

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

5 A. Most of the time it would be one of the deans or the headmaster. I might have, on very rare occasions, but I - I can't remember specific cases, but it certainly would be well within my jurisdiction to do that. But mostly it was the deans or the headmaster.

Q. Could other staff members place students on discipline?

A. No, they can recommend it but not do it directly.

10 Q. Okay. And what were the basic features of work duty? You mentioned a few, but I'm just wondering if you can run through the basic features?

15 A. Well, one very common one was washing pots, what we call the (indiscernible) and that - that was very common among (indiscernible) where they were (indiscernible) it may not have been just on pots, it may have been other areas of the kitchen that they worked at. Or they were (indiscernible) all together. It varied depending upon what was appropriate and what was needed.

20 Q. So, apart from the actual work aspect of it, were there any other features of discipline that you can remember?

25 A. Well, they were definitely taken out of class, they were told not to communicate with fellow students. We felt the reason for that was that there was - they would always (indiscernible) to their (indiscernible) and that would only prolong the agony and so they were not allowed to speak to other students. They were most times taken out of uniform and put into work clothes. That's generally what happened.

30 Q. And based on your experience, how long would that form of discipline typically last?

A. It may - it may be from hours to days. It

1960.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

depends on the - on the situation and what it was and the response to the discipline. Mostly if the response was favourable and cooperative and they felt they had learned something from it, they're remorseful, it was often quite short.

5 Q. Okay. And you said sometimes days. Are you able to put a number on that?

A. Two or three. I don't know, maybe a week, but not - not that I can remember. Certainly no specific cases that I remember.

10 Q. And are you aware of any situation where a student was put on work duty as a form of discipline where they were not given the proper tools to do the job?

A. I can't remember and I don't know of it happening.

15 Q. So, for example, would you ever have seen a student cutting the grass with scissors?

A. No, I've never seen it.

Q. Or pulling rocks out of the ground with their bare hands?

20 A. No.

Q. How about cleaning the floor with a toothbrush?

A. No, I can't remember that. Never saw it.

25 Q. Okay. So, we talked about a talking to and work duty as a form of discipline. Were there any other discipline methods that were employed during your time at the school?

30 A. Well, sometimes students were suspended and they would be sent home for a day or two or a week. Sometimes there was expulsions. Very rarely, but there were expulsions. And - and on occasion, rare occasion, it might have been corporal punishment.

1961.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

Q. Okay. So, let's talk about corporal punishment for a moment. Is that a form of discipline that was used throughout your time at Grenville?

5 A. No, mostly at the beginning, but towards the end it was never used. It wasn't used very often, it was used rarely.

Q. And when did the practice of using corporal punishment stop at the school?

10 A. I can't remember, probably in the 90s (indiscernible) I'm guessing at that.

Q. Did you ever administer corporal punishment?

A. No.

Q. Were you ever present when it was administered?

15 A. Once, I was, yes.

Q. And who was it that would make the decision about whether to employ corporal punishment?

A. It was usually the headmaster (indiscernible) from the deans, but that's - that's as far as I know.

20 Q. Okay. Change topics a little bit. Are you familiar with the term "light session"?

A. Yes.

Q. And how would you describe what a light session is?

25 A. Well, a light session was a - was a practice that we used as a staff among ourselves. We called it a light session and we were in very tight groups and they were groups where we would get together and talk about feelings, talk about things that upset us, things that were not going well in our
30 lives and any feelings that we had that were not good. And we would have the opportunity of hearing from other people who might be able to give us some insight or light, as it's called,

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

on that particular situation. That's why we call it a light session.

5 Q. And were light sessions something that was used outside of the Grenville community with boarding students? Non-staff kids and non-Community of Jesus students?

10 A. Well, with the same practice might have - we didn't call it light session with - with students. It was certainly getting students together to talk about various things, (indiscernible)very tough to endure because things that were taking place were brought up and nothing was stuck inside, nothing was hidden, nothing was swept under the rug. It was confronted. Their behaviour was (indiscernible)needing help, it was confronted.

15 Q. And did a light session among students ever involve pulling students out of their bed in the middle of the night?

20 A. I don't know if it happening. I can remember only once when a student - all of the students were brought to the chapel early because of some theft that was taking place. And lockers were searched while the students remained in the chapel. Students went back to their lockers and emptied it out. A staff member was there to search it. That's one that I can remember.

25 Q. Okay. So, you mentioned that was because of a theft. What - what was the theft? Can you describe it?

30 A. Well, I - I can't remember. It was just before a holiday, I believe. Just before a holiday break and we knew that if - if it wasn't resolved quickly, there would be no chance of resolving. So, it was - it was dealt with that morning.

Q. During your time at the school, were you aware of any discipline - instances of discipline that you would

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

consider abusive?

5 A. I'm not sure I would use the word "abusive" but I didn't sense there was an abuse element in it. It was tough but it - it may have been viewed as abusive. I'm not - I'm not aware of what we would call abuse and certainly the modern day use of the term.

Q. Okay. Let's change topics. Did Grenville offer formal sexual education during your time at the school?

10 A. Formal? No, it was done generally in groups - small groups in their dormitories.

Q. Did you ever hear any staff refer to female students as using sexually derogatory names like "whores", "jezebel", "bitches in heat"?

15 A. No, I didn't.

Q. Mr. MacNeil, you should have a document - a brief in front of you called "Joint Exhibit Book, Volume Two", that's Exhibit 2. Do you have that brief, Mr. MacNeil?

A. Volume Two?

20 Q. Yes.

A. Yes.

Q. Can you turn to tab 105 of that brief?

A. Okay, yes. I have it.

Q. Do you recognize that document?

A. Yes.

25 Q. What is it, Mr. MacNeil?

A. It's a letter that was written by Joan Childs and myself to - to students. It was after very tumultuous time at the school. (indiscernible) the headmaster resigned. He had retired at that point and we had just a new - we wanted to find
30 a new way to do things, and this was part of that. We wanted to bring students up to date on what was happening.

Q. You mentioned Joan Childs. What was her role

1964.

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

at the time of the letter?

5 A. She was the head of the - what we call the
Community of the Good Shepherd which was community involving the
- the original Grenville staff. Not all staff were - belonged
to the Community of Good Shepherd. Some of the new hirings were
not.

Q. So, apart from you and Ms. Childs, did anyone
else have any input into the contents of this letter?

10 A. I don't recall any, I think it was our own.
We may have shown it to one or two people, but I don't - I don't
think that there was any major input from anybody else.

15 Q. Sir, if you look in the second paragraph of
that letter, starting on the - the second line, it says, "Father
Farnsworth retirement and the subsequent retirement of a number
of other staff caused a change in the complexion of the school.
Do you see that, Mr. MacNeil?

A. Yes.

20 Q. I understand Father Farnsworth retired in
1997?

A. Yes, it was approximately that time.

Q. And so, what - what was the change in the
complexion of the school that you were referring to there?

25 A. I think it was trying to come to terms with
the - a new atmosphere because his - his authority was - was
strong, he was definitely in charge and when he retired it was
difficult in trying to come to grips with what was - what was
expected of everyone. And I think that's why several other
people left at the same time.

30 Q. Okay. If you look at page two of the letter.

A. Yes.

Q. You'll see in the bottom paragraph, the
fourth line right at the end. You say, "We know that many of

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

you look back at much of your Grenville experience with gratitude, but we also know particularly from conversations with a number of alumni in the last few years that some of you also had negative experiences."

5 A. Yes.

Q. What were you referring to there, Mr. MacNeil?

10 A. Well, beginning to hear from various alumni that their - their experiences were anything but positive, but from time to time they had been subjected to punishments or abuse, as they call it, which were not according to the - the policies and the practices of Grenville. So, we were disturbed in what we were hearing from some alumni.

15 Q. And I'm going to turn the page right at the top of page three.

A. Okay.

Q. And you say, "To those of you for whom this was the case, we want to apologize." Do you see that?

A. Yes.

20 Q. And what....

A. That was certainly heartfelt and meaningful. We did want to apologize, we wanted to bring, if possible, some closure to their feelings of being hurt, their feelings of being not cared for. So, we wanted to apologize for that.

25 Q. Mr. MacNeil, I understand you continue to live in Brockville, is that right?

A. That's right.

Q. And where is your home in relation to the former Grenville campus?

30 A. It is - it's almost next-door. It was on Trace Drive, it's a subdivision which is adjoining the campus of Grenville Christian College, (indiscernible) retirement

Ken MacNeil - in-Ch.
(Mr. Read-Ellis)

(indiscernible) built there just to be part of the school.

Q. Based on your observations at your - your time at the school, how would you describe the general student experience?

5 A. I think generally, the experience was very positive. We've heard from a lot of students, visits from a lot of students, communications and phone calls, emails many, many students had a very positive experience.

10 MS. LOMBARDI: Sorry to interrupt, Your Honour, but this is - this is going into the realm of hearsay here. This is not in evidence.

THE COURT: It looks like you're asking for communication from third parties....

15 MR. READ-ELLIS: Q. So, Mr. MacNeil, my question was actually based on your experience at the time that you were at the school, how would you characterize the student experience. So, let's just focus on your observations while you were at the school.

20 A. When I was at the school, it was - I felt it was, for the most part, very positive for many students. Maybe not all, but for many students.

Q. Okay. And how do you - the allegations that are being made in this lawsuit compare to your experience at Grenville?

25 MS. LOMBARDI: I'm sorry to object...

A. I - I find...

MS. LOMBARDI: ...again.

A. ...that this...

30 THE COURT: Mr. MacNeil, just hang on for one second. There is an objection. You probably can't see counsel, but...

MS. LOMBARDI: The allegations in the lawsuit

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 relate to the students. Mr. MacNeil was not a student. I - I don't know how that question relates to anything that could be relevant here. THE COURT: I must say, I can't really understand the question. Precisely, what were you asking, counsel?

MR. READ-ELLIS: That - that's fine, Your Honour. THE COURT: You want to leave that one alone?

10 MR. READ-ELLIS: Those are all my questions.

DONALD FARNSWORTH: PREVIOUSLY SWORN

CROSS-EXAMINATION BY MS. MERRITT:

15 Q. Good morning, Mr. Farnsworth. I think you told Mr. Adair that you spent much of your life at Grenville, as a child and student, as a teacher, as an administrator. You were also married in the chapel; correct?

A. Yes.

20 Q. And you've donated money to the school over time?

A. Yes.

25 Q. And I heard a lot of things you said to Mr. Adair about the school -- nice things about the school. It sounds like you're very proud of the school that you -- you had; is that fair?

A. Yes.

30 Q. All right. The school enjoyed a good reputation in your opinion?

A. Yes.

Q. And that was important to you?

A. It was important to some extent, yes, but

1968.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

that wasn't the main -- the reason we ran a school.

Q. Oh no, I'm not suggesting it was, but maintaining a good reputation was important to you and the others as well?

5 A. We were a business, so yes.

Q. All right. And I understand, sir your father was from Atlanta, Georgia?

A. He was born in Augusta, Georgia.

10 Q. Augusta. Thank you. And he went to the University of Georgia, but he didn't complete his degree; correct?

A. He went to a different university in Georgia.

Q. Okay. So, he went to a university in Georgia, but did not finish his degree; correct?

15 A. That's correct.

Q. All right. And he worked at Lockheed Aircraft building airplanes for a time?

A. Yes.

Q. And then he became a pastor?

20 A. Yes.

Q. And in 1965 he moved down to Texas to join the Bereans; correct?

A. Yes, I think it was 1965.

Q. In or about, we'll...

25 A. Yes.

Q. All right. And he became the leader of the Berean Christian School in Stoneybrook, Long Island, New York, I believe you told us?

A. Yes, he and Al Haig together.

30 Q. Yes, Al Haig was there. Thank you. And it was Al Haig who first had the vision of starting a school in Canada?

1969.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Yes, that's right.

Q. And they found a property and they moved the school up in 1969?

5 A. All the faculty that were at the Berean in Stoneybrook were invited to move -- most did, I believe, and many of the students moved to Brockville, yes.

Q. All right. And your father was in Dallas at the Berean School there between 1969 and 1972 approximately?

A. Yes.

10 Q. And that was until he was fired; correct?

A. That's correct.

Q. And he was fired because he insisted that the head of the organization -- I think the man's name was Warren Listman be fired, because he was having an affair; correct?

15 A. He confronted Warren Listman, he didn't demand that he be fired. He demanded that he'd stop his affair and -- in order to run the school properly.

Q. Right. And because Warren didn't want to do that, your father ended up getting fired; correct?

20 A. I -- I don't know all the details, but I know that my father was fired by the -- the group of administrators down there, it wasn't just Warren's decision.

Q. All right. But it was around the time when he was confronting Warren about the affair; yes?

25 A. That's correct.

Q. And your dad then headed up to Canada after that?

A. Yes, he did.

30 Q. And I understand your father had no formal religious education or no seminary training; is that correct?

A. He had some type of training in Georgia. I don't know the details of that. I know he had a licence -- a

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Minister's licence down in Atlanta, Georgia, at the time, but I don't -- I really don't know the details. I just know that -- that he had two licences, one from the Anglican Church and one from the church that we were affiliated with in Atlanta.

5 Q. Right. But he never went to university or went to a seminary did he?

A. No, he did not go to a seminary.

10 Q. All right. And in the spring of 1973, Al Haig invited Mother Kay and Mother Judy, the leaders of the Community of Jesus up to Grenville to lead a retreat; correct?

A. That's right, yes.

Q. All right. And the purpose of that retreat, I take it, was religious teaching, spiritual growth for the faculty and staff; yes?

15 A. Yes.

Q. All right. And Mother Kay and Mother Judy suggested that the school needed more structure from a religious point of view, and it was decided that you would follow the Anglican Book of Common Prayer for religious services; correct?

20 A. I don't remember it that way. I believe they -- they were providing religious instruction. They didn't suggest that the school needed more religious structure. They did suggest that we have some -- some -- some physical structure and change in the -- in the program, including more cleanliness and a different type of order among the staff. They were not
25 advising on how to run the school, to my opinion. I was a student and that year didn't change anything in the school.

Q. All right. Sir, I'm going to refer you -- you remember having a cross-examination on your affidavit sworn
30 August 10th, 2011?

A. Where was that one taken place?

Q. This cross-examination was at Cornell,

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Catania Reporting Services.

A. What city?

Q. I don't know.

5 A. If that was in Ottawa, I'll probably remember
it, but I just know there were -- were several times I met.

10 Q. Well, you were cross-examined on your
affidavit once, and you were examined for a discovery and that
cross-examination took place on August 10t, 2011, and then you
had an examination for a discovery in Brockville on September
9th and 10th.

A. Okay. The 11th would have been on Ottawa, I
think.

Q. So, you remember that, do you?

A. Yes, I do.

15 MS. MERRITT: All right, Your Honour, I'm just
going to hand up the transcript.

Q. So, you were asked a bunch of questions at
the discov -- at that cross-examination?

A. Yes.

20 Q. And you answered them to the best of your
ability, truthfully as you could?

A. To the best of my ability, yes.

25 MS. MERRITT: All right. So, Your Honour, for
your reference I'm -- I'm at page 72, question
466.

Q. And I may have this wrong, so I'm gonna put
this to you, sir, and you'll -- you'll -- you'll clarify if need
be. At question 466, you were asked:

30 My understanding is that they
came to be ordained as Anglican
priests as a recommendation from

1972.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Mothers Kay and Judy, from the
Community of Jesus; are you
aware of that?

5

ANSWER: I don't think that's
true.

QUESTION: How did they become
ordained Anglican priests?

10

ANSWER: They got involved with
the Anglican Church by holding
Anglican services at the
permission of the Anglican
Church. Harrison Flint was a
priest at St. James Church in
Maitland, who befriended them.

15

Sorry, Harrison?

Harrison Flint.

Harrison Reverend Flint
befriended them.

20

QUESTION: Yes.

And introduced them to Bishop
Henry Hill.

QUESTION: I think you told me
that the Berean School on Long
Island was non-denominational?

25

ANSWER: That's right.

And why did they decide that
Grenville Christian College
should be Anglican?

30

ANSWER: Structure. They had
people from all sorts of
religious backgrounds and my
father was raised in an

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

episcopal background as a child
and it was advised to them, I
believe, perhaps by the Mothers
Kay and Judy, that you referred
to, or others that they should
come up with something that has
more structure, and for whatever
reason, they chose the Anglican
Book of Common Prayer.

5

10

A. Yes, but that is not why they became Anglican
priests.

15

Q. Well, no I didn't say that. I said -- my
question to you, sir, here today was, Mother Kay and Judy
suggested the school needed more structure from a religious
point of view and it was decided that you would follow the
Anglican Book of Common Prayer?

20

A. I -- I thought you asked that -- that they
became Anglican priests because of a recommendation from Mothers
Kay and Judy.

Q. Oh no, I wasn't talking about priests.

A. Okay. All right.

Q. The -- but Mothers Kay and Judy suggested you
needed more structure?

A. That's right, yes.

25

Q. All right. And, sir did the school fly an
Anglican flag?

A. No.

Q. No. There was no Anglican flag at the
school?

30

A. No, there was never an Anglican flag at the
school.

Q. All right. Did the bishop consecrate the

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

chapel, the Anglican bishop?

A. The Anglican bishop had a dedication service at the chapel, and a dedication is different than a consecration.

5 Q. Okay. Well, I -- I apologize, I -- I'm not as familiar, perhaps with some of these religious ceremonies and terms, so...

A. Sure.

10 Q. ...if I'm wrong, please correct me. But your father and Al Haig were eventually ordained as Anglican priests some time later in around 1977?

A. Yes, that's right.

15 Q. All right. And I have a -- a question. If you could Madame Registrar, put Exhibit 2, which is the joint exhibit book volume 2 to -- in front of the witness. If you flip, sir to Tab 123.

A. Okay.

20 Q. I'm not really sure what this document it is, and I -- I wanted to ask you if you know. It's -- it talks about the Grenville Christian College Foundation having a principle office at 46 South Orleans Road, Orleans, Massachusetts, with a zip code there. Is -- is that where the Community of Jesus is, in Orleans, Massachusetts?

A. Yes, it is.

25 Q. All right. And do you know why the Grenville Christian College Foundation had its head office, or it's principle office at -- in Orleans?

A. Can you tell me where it says it's a -- it's the foundation's office?

30 Q. Okay. So, it says "I, John"...

A. Yes.

Q. ..."Ingerswen Clark (ph) of Grenville

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Christian College Foundation Inc.", that's the exact name of the corporation, "having a principle office at 46 South Orleans Road, Orleans, Massachusetts, 02653."

A. Okay.

5

Q. Do you know why that is?

A. Why it's a principle office for the foundation? No, I don't.

Q. All right.

A. Let's just see.

10

Q. Maybe somebody else will be able to tell us. What is that foundation; do you know what that is?

15

A. The Grenville Christian College Foundation was a fundraising arm of the -- of the school. Many charities will -- will have a different -- a foundation to support the school, so that the funds can go into the foundation, be separated from operation funds of a school. So, it was strictly...

Q. Money in?

20

A. ...meant to -- to support financial -- financial -- fundraising.

Q. All right. And, sir isn't it true that all of the members of the staff of Grenville Christian College, at one time, became oblate, non-resident members of the Community of Jesus?

25

A. I think so. I think pretty much everyone became oblate members.

Q. All right. And the Grenville Christian College, I'm going to call it sometimes GCC, if that's okay?

A. It's fine, you can call it Grenville.

30

Q. Or Grenville, okay. Grenville staff were to consider the Community of Jesus their spiritual home and immerse themselves in the community life there, as much as possible; is

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

that fair to say?

5 A. I -- I don't know if immerse, because we couldn't immerse ourselves in their lives. We visited. We had retreats and times to live with the community, but I don't -- I don't know -- understand how you can immerse yourself from a distance.

Q. Okay. So, back to your cross-examination of August 10th, 2011. Your Honour, I'm at page 95, question 571.

10 For those Grenville staff members --

Here at the bottom of page 8, here, they're referring to a -- a document.

15 I see that they were to consider the Community of Jesus their spiritual home, immersing themselves in community life there, as often as possible.
20 So, that was their responsibility as residents in the fields; is that right?

ANSWER: That was the
25 Community's criteria for maintaining membership.

Do you agree with that, sir?

A. Yes, I think that was their criteria.

30 Q. All right. And between 1973 and 1997, Grenville staff visited the Community of Jesus and went on retreats and as well staff kids were sent there for periods of time; correct?

1977.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Not all staff kids, some staff kids. I was sent there for a period of time.

5 Q. All right. And the Mothers Kay and Judy visited Grenville and from time to time were asked for and gave advice to the leaders of Grenville?

A. Can you repeat that for me?

Q. The Mothers Kay and Judy visited Grenville...

A. Yes.

10 Q. ...and from time to time were asked for and gave advice to the leaders of Grenville?

A. I'm just -- I'm concerned about answering advice -- that advice question. One is they advised on a spiritual life. They did not advise directly to the running of the school. Now, it would have affected the running of the school, obviously, because the people would have changes in -- in their own religious spiritual life, so their objective wasn't to tell us how to run a school. They didn't know how to run a school.

20 Q. No, I'm not suggesting they did, sir...

A. Okay.

Q. ...but -- but as you've said, it would have affected things, because spiritual life was a very big part of Grenville was it not?

A. Spiritual life was, yes.

25 Q. All right. And you at Grenville were in endeavoring to live as a community of people, similar to the life that they lived at the Community of Jesus; correct?

A. Yes.

30 Q. All right. And staff of GCC, as the oblate non-resident members of the Community of Jesus, took vows, did they not?

A. Those that became oblate members, yes they

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

would have taken vows. They would have been invited to take a -- to have taken vows, yes.

Q. All right. If we could now turn to Exhibit 6.

5 THE COURT: I'm just finding my copy here.

MS. MERRITT: Q. This is the Community of Jesus vow of service. If you could, sir turn to page 9. I'm sure someone told us earlier in this trial, but I've forgotten, sir. Can you tell me the difference between the first vow and the
10 final vow? Is that all done at the same time, or is there some time gap in between, or do you remember?

A. Usually there was a first vow in that you -- you made a vow or a commitment to -- to try to follow the ways of -- of the community. In this case -- in this occasion, it
15 was the Community of Jesus, yes. The second vow was just a little more perfect -- permanent vow, sort of like an engagement is to a marriage.

Q. I see. Got it.

A. So, no they wouldn't be taken at the same
20 time. You would have experienced that life and decided if you wanted to go a step further.

Q. Okay. Got it. So, sticking now if we could to the Community of Jesus member's first vows, and this is on page 9, in -- in almost the middle of the page, there's some
25 bolded words there that'll help you find it. It says:

I express my obedience to you,
Jesus, through my yieldingness
and submission to the Community
30 of Jesus and to my spiritual
Mothers, Mother Kay and Mother
Judy.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

That's the vow you took, sir?

A. That's the vow I took back in the seventies.

5 Q. All right. And then if we can, turn over to
page 16, and this is the final vows, it says at the top of the
page. Sorry, go right over to 17, what I'm going to quote is
actually on 17. I just wanted you to see that it was the final
10 that's bolded, it says:

15 As part of this vow, I promise,
with the grace and help of God,
to let the Holy Spirit, with the
help of my spiritual Mothers and
brothers and sisters, correct,
admonish, chastise, and
discipline me according to the
disciplines which are deemed
20 most beneficial for the
sanctification of my soul.

And you took that vow as well, did you not, sir?

25 A. Yes and I just want you to -- to -- to be
clear that we were -- we had accepted their authority as
spiritual leaders. This was a -- a -- a vow for their resident
community members. We were one group that was not residents of
the actual Community of Jesus, so at that time, this was the
best fit. They changed this after a while, because we were not
30 residents, even though we called ourselves residents in the
field. So, we used their vows, because that's the -- those are
the ones for their own community.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. Right. I understand that and -- and -- and your spiritual authority at Grenville would have been Father Farnsworth, your father, and Father Haig; correct?

A. At the time of these vows...

5

Q. Yes.

A. ...it would have been Father Haig, yes.

Q. It would have been Father Haig and then later Father Farnsworth as well?

A. Yes.

10

Q. All right. And what was the worst, most humiliating or harshest discipline ever imposed on a member of the Community of Jesus, to your recollection?

A. Imposed? I'll have to think about that. To a faculty or a community member, one of us?

15

Q. Yeah.

A. Well, there were times when it was strongly recommended that we -- we spend some time at the Community of Jesus, for spiritual growth. I wouldn't call that a harsh discipline. There might have been a time when -- when we as a member of our staff would have been asked to -- to be on some type of discipline. Now, that wasn't like a students' discipline. That would have been where we were -- had more structure in our lives, you know, I think probably the worst thing was when someone had a reduction in pay.

20

Q. Okay.

A. That's always tough.

Q. You thought that was tough, okay. And if I could, sir just continuing on page 17 there, I think it is, at the bottom of that paragraph that we were just reading, it says:

30

I promise, as part of my vow of conversion, to live in the

1981.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

light.

Live in the light is in bold there.

5

Together with the called members
of the Community of Jesus, being
both a giver and recipient of
the truth, which is intended to
put my carnal come of flesh life
to death and to build the
spiritual life of Jesus Christ
within me.

10

15

So, I take it the method by which that was
implemented, the -- the promise to live in the light and be a
giver and recipient of truth, the method by which that was
implemented was light sessions; correct?

20

25

30

A. No, it wasn't the only method. That was a
method. That was a time when we as staff members, community
members, obviously in this case, would get together and we would
share things, our own feelings, things that we had that we felt
were wrong in our own lives, or if someone in our group we felt
needed something to change in their lives, we would bring that
up. However, that is not the main reason, or the main method.
The main method was if we were to see someone, or in our
interactions, if we had interactions with them and they -- we
thought they were out of line, we would speak to them. We
wouldn't let it go. We wouldn't talk behind their back. We
would -- and that was a -- an important rule, never talk about
someone else, unless they're right there in front of you.

Q. All right.

A. So, in our daily lives. Our daily lives were

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

meant to be honest.

5 Q. So, I get -- I -- I -- if I'm right, I -- I -- I get that the issue you're taking with my question is the method, as opposed to a method, so I'll rephrase it. Is it fair to say that light sessions were a method by which that promise to live in the light and be a giver and recipient of truth was implemented?

A. I -- I agree with that, yes.

10 Q. All right. And those vows, sir were usually made in Cape Cod?

A. These vows, yes.

Q. All right. And Grenville was a Christian community; correct?

A. Yes.

15 Q. All right. And you lived together as a group of Christians that followed a structure; yes?

A. Yes.

20 Q. And it was also a group of people that would have been in line with the principles and values that you wanted to share with the Grenville students; right?

A. Could you repeat that?

Q. Okay. Grenville was also a group of people that would have been in line with the principles and values that you wanted to share with the Grenville students; correct?

25 A. I don't -- I think that's -- that's not exactly correct. I think we wanted to live our lives in this method around them, but we certainly didn't want to impose this upon them, because they were not community members.

30 Q. I didn't say that. I said Grenville was a Christian community. You said yes. That followed a structure. Yes. And I said Grenville was also a group of people that would have been in line with the principles and values that you wanted

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

to share with the students?

A. Well, if sharing these values with the students, I just don't agree with that.

5 Q. I'm not talking about these values. I'm talking about the fact that Grenville was a community of people that were all in line with principles and values that you wanted to share with the students?

10 A. I -- I think we wanted to share those values among ourselves. I -- I'm sorry, I'm just -- I'm not catching what you're saying, but it sounds like what you're saying is that we wanted to share the same values with our students and ask them to live the same way. I -- I just disagree with that terminology.

15 Q. Okay. I understand that. All right. So, if I could, Your Honour I'm now referring to the examination for discovery of Donald Farnsworth held on the 9th and 10th of September, 2015, page 30, question 92:

20 QUESTION: I want you to tell me what, and I guess we're talking up until 1997, that's the cross period that we're interested in. During that period of time '73 to '97, what did one mean when
25 somebody said that Grenville Community in capital letters?

And your answer was, sir:

30 I would think we were a community, a Christian community, and I believe that's

1984.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 what would be referred to by the
Grenville community, in that we
would try to live as a group of
Christians that would follow a
structure. And that structure
was to have chapel, church on
Sundays, to interact with one
another. We had a few policies,
for example, to never talk
10 behind someone's back and if you
had something to say be honest
and upfront and perhaps have
someone else there, so you
could, you know, we could have
15 that interaction that close-knit
community.

Now here's the part I'm emphasizing.

20 It was also a group of people
that would have been in line
with the principles and values
that we wanted to share with our
students.

25 Did you make that answer, sir?

A. I -- I -- it looks like I did, yes.

30 Q. All right. Thank you. And, sir the people
that would have joined the Grenville community, they would have
joined knowing that your mission was to run a Christian school,
and if they liked that mission and felt called to them -- the
mission, they would join; correct?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. I think you should look at the fact that there were some people there long before the Community of Jesus had an involvement. Those people were already there and you could say that they decided to stay, when -- when...

5 Q. Okay.

A. ...when this all changed. Anyone after that period of time, yes they would have been part of that mission and then decided it was for them.

10 Q. Okay good. And it was important that they were not just coming for a job at the school, but they were a member of that Christian group and they were there to accomplish the mission; right?

A. That's right.

15 Q. Okay. And it was the intention that everyone that joined the community would stay for life?

A. That was what we -- we believed, yes.

20 Q. All right. And you were -- and the others were willing to come under the authority of the Headmaster who was the authority over the school, but also your spiritual leader, as you told me earlier; correct?

A. Yes.

25 Q. All right. And if the Headmaster felt that spiritually you were going in a direction that wasn't good for you, or wasn't good for those around you, he -- he would tell you and you would listen; correct?

A. He would or someone else would, yes.

Q. All right. Sometimes he'd pass the messages down through the A-Team?

30 A. Well, he wouldn't have the direct contact with everyone on a daily basis, so he might -- he doesn't know all the problems.

Q. Okay. All right.

1986.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. So, it depends on who you work with.

Q. Okay. And I understand that as members of the Community of Jesus, you had to write letters to Mothers Kay and Judy for a time confessing sins?

5 A. As part of the oblate community, we were...

THE COURT: I'm sorry, oblate?

MS. MERRITT: O-B-L-A-T-E, oblate.

THE COURT: Oblate.

10 DONALD FARNSWORTH: I -- I think we were to write notes from time to time, and I really -- I don't remember too many details, but I do know that if -- if I wrote a note to them, it would be not to confess sins, it would be to share things in our lives. It could be sins, it could be what God's doing in us, so no, were weren't -- they were not confessional notes.

15 MS. MERRITT: Q. All right. But the Mothers they came to visit Grenville; correct?

A. Yes, they did.

20 Q. And I take it they spoke to students during a special chapel service or services or assemblies in the 1980's?

A. They would have had some -- we would have had some services with them, yes with the students. Most of this -- most of the meetings would have been just with staff and
25 faculty, and some of those were actually -- they were, I believe in the summertime, where we would have public retreats where people would come from various churches.

Q. But they also spoke, you said at times at special services with the students there as well?

30 A. I -- I'm not for sure how many or what, but I think so, yes.

Q. All right. And during the mid-1990s there

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

were several retreats led by some of the leaders of the Community of Jesus for Grenville students, these would be days of lectures and preachings by people, like Paul Tingly, Holly Shackenfield, Ruse Vaught, Bill Debonaque?

5 A. Debaque.

Q. Debaque, thank you. Ron Minor and folks like that; correct?

10 A. Yeah, we would have them -- we would -- we would invite them to come up and share with the students, from time to time, as people that would have something to -- well, they would have been comfortable with youth ministry.

Q. All right.

15 A. And we enjoyed having outside people come in to share their lives. They just happened to be -- some of the ones we picked from the Community of Jesus.

Q. All right. And you remember the trip down to the Community of Jesus in 1994, where the Grenville students put on the Mikado, Mikado?

A. Yes.

20 Q. All right. I think we saw that in Tyler Holmes video. While -- while those students were down there, I understand that several Grenville students were put on discipline by Community of Jesus leaders, and specifically Rick Pugsley Jr. Were you aware of that, sir?

25 A. Put on discipline?

Q. Yeah.

30 A. I don't remember anyone being put on discipline. I know we helped with some of the preparations for their -- their -- they called it the Star-Spangled Spectacular. We were part of that, but we were also there, not just to sit around and just do our play, we were there to help in their preparations. We were extra man-power.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. I understand. But -- but...

A. I don't have anyone put on discipline.

Q. Are you saying it didn't happen or just that you're not aware of it?

5 A. I -- I'd be surprised if it was happened, so if it ever happened I don't think so.

Q. All right. And when the Mothers came to Grenville, they sometimes made recommendations about staff, job changes and changes in living arrangements; correct?

10 A. Could you repeat that?

Q. When the Mothers Kay and Judy came up to Grenville, they sometimes made recommendations about staff, job changes or changes in living arrangements; correct?

15 A. Kay and Judy, I don't know. I really don't know if they did that. They could have. I -- I am just not aware of it.

Q. Well, do you recall a meeting with Mothers Kay and Judy at your father's house, and at this time you were the business manager, and the Mothers gave your job to your wife and got some other position for you. I think you became the Director of Administrations?

A. Director of Admissions.

Q. Admissions, sorry.

A. That was not Mother Kay and Mother Judy.

25 Q. Oh who did that?

A. Well, when I became Director of Admission, I was -- there was another business consultant, he happened to be a member of the Community of Jesus. His name was John French and he helped -- he was invited to help with some of the school structure. I was named -- at that -- at a meeting at that time, to -- to be the Director of Admissions.

30 Q. Were -- were you upset that they gave your

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

wife your job?

A. No, I was delighted.

Q. Okay. Basically, everyone at -- in the Grenville community was involved in running the school; right?

5 A. Yeah. Yes, I mean they're not all involved directly with students and their instruction, but they'd be around cleaning -- cleaning staff, cooking staff, but there was a lot of interaction, so I don't know of anyone who would have not had students close to them, that's right.

10 Q. All right. And would it be fair to say that the Community of Jesus was heavily involved in the direction of Grenville, you got a lot of support from them, as to how you could live, as a community?

A. As a community, yes.

15 Q. And one of the things you learned from Community of Jesus was correction is not rejection; right?

A. Yes.

20 Q. And if people did not agree with what the leaders said, or were angry, it would have been frowned upon for them to publicly come out and say this is wrong; correct?

A. Yes, it would have.

Q. It was not an open democracy, was it, sir?

25 A. That's a good question. I don't think it was an open democracy. I think there was -- there was the opportunity to -- to disagree, but -- but yes I think sometimes those demands were imposed more than suggested.

Q. Okay. You all went along with the suggestions from leadership, because that's what was being part of the community was, and you trusted the leadership; correct?

30 A. We trusted them -- the leadership. I don't think anything was ever suggested to me, in a way that would go against what I wanted to do. So, if someone came and advised me

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

on how to do something differently or that I needed to do something differently, or that if my attitude needed adjustment, I would trust that they were -- they were coming with something that was -- was a good thing.

5 Q. Okay. But -- but what I'm suggesting, sir is that there was no outward dissent. That would have been frowned upon; correct?

A. Ongoing outward dissent, yes, but at the time there would have been dissent, yes.

10 Q. Well -- well, I don't understand. I -- my proposition to you is, and you can correct me if I'm wrong is, there was no outward dissent, that would have been frowned upon; is that fair to say?

15 A. I would go and -- when I -- when something happened that I disagreed with, it would take me a while to get -- to come around sometimes to that way of thinking, so...

Q. I'm talking about outward dissent.

A. Outward dissent?

Q. I'm not saying in your own mind.

20 A. Oh I would share it with a few people, but I wouldn't -- I wouldn't let everybody know, it wouldn't become airing my dirty laundry, no.

Q. Yeah, that would have been frowned upon, for...

25 A. Sure.

Q. ...you to go around complaining; correct?

A. That's right, yes.

30 Q. All right. Thank you. And would it be fair to say that by submitting to the authority of the Headmaster and the Mothers you felt you were following God's will?

A. Yes.

Q. And to do the opposite would be to turn your

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

back on God; correct?

A. It would be to turn my back on what I committed to do.

Q. All right.

5 A. So, it's not on God, on what I committed to do, as a vow to follow.

10 Q. All right. And I think we established these were supposed to be life vows, but by taking these vows, all of the staff agreed to submit to the authority and adhere to the teachings of the leaders; correct?

A. I would say generally, yes that's true.

Q. And all of you believed that this was the best way to serve God?

15 A. I can't speak for everybody, but generally that's what we believed as a community of people.

Q. All right. And the school was your mission?

A. The school was our mission.

20 Q. And the practices of living in the light, the correction, the obedience, et cetera, you all believed that that was the best way for you to serve God; correct?

A. Can you repeat that?

25 Q. The practices of living in the light and correction and obedience and some of the things that we saw in the -- in the vows, you believed that was the best way for you to serve God; correct?

A. No, I think that's putting the cart before the horse in a way. Our best way to serve God was to -- to do the things we felt were right in our lives to -- to do our jobs. Those were ways that we would help each other do a better job.

30 Q. Okay. Got it. And I take it helping each other do a better job was good for you, the staff, and it was also good for the students; correct?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. I hope so, yes.

Q. And would it be fair to say that it was hard to separate the school from the community?

5 A. Hard to say as -- to separate the school from the community. Well, the community of people were entrenched in the school. Could you have run it with a group of people? You could run the school, but not the way we did -- not the way we did. I think it was a real advantage to have our community of like-minded people running a school, so in that sense, in that
10 particular school, yes, I'd -- I'd agree with you.

Q. Okay. Thank you. And -- and the Mothers Kay and Judy were named directors of this school in its incorporated documents, its letters patent; correct?

15 A. There was one set that they were named as directors, yes. There were seven people on that document.

Q. Only once?

A. Only once, I believe. There was -- it would -- it had to have been -- well, it might have been revised, I should say when -- when Al Haig resigned.

20 Q. Well, if we could -- if we could maybe refresh your recollection. Let's go to the joint exhibit book number 1, Tab 12. These are the supplementary letters patent, firstly of the Berean Fellowship International changing its name to Grenville Christian College. Do you see that on the first
25 page?

A. Yes.

30 Q. In 1975? Okay. Now, unfortunately these pages aren't numbered, sir so we have to flip over, so count by twos. Two, four, page 6 there. Now, this handwriting is not particularly clear, but try your best if you can, sir. You see the -- this is -- this is a notice. If you look up at the top, it has the Ontario Corporation number. It says "Incorporated

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

August 29th, 1969" and then this special note is completed June 13th, 1986.

A. Okay.

5 Q. And then if you go down to section 4, this is -- Your Honour, this is the sixth page in. It's on the left side of the page, it's a special notice by an Ontario Corporation without share capital. Okay. So -- so, we've established that the date of the notice is 1986, and then in handwriting, the present directors, it looks like the first one
10 is the Reverend Charles Farnsworth. And then there's somebody else there. I -- maybe Mary Elizabeth Farnsworth?

A. Yes, I know who they are.

Q. And then it says Ms. Kay M. Anderson.

A. Yes.

15 Q. And Ms. Judy H. Sorensen.

A. Yes.

Q. That's the Mothers Kay and Judy, is it not?

A. That's correct, yes.

Q. All right. And then, if we flip over...

20 A. There are seven members there. You're just going to point out those?

Q. No, I don't need to point out those.

A. Okay.

25 Q. Page 10 of that same document, and this is a Form 1, Ontario Corporation Form 1 and it talks about director and officer information. This one fortunately is -- is easier to read. It says the director/officer name is Judy Sorensen; do you see that up at the top? In the first box -- are you on page 10?

30 A. I don't know.

Q. It looks like this.

A. Yes, I see several pages like that.

1994.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. Okay. So...

A. I -- yes, Judy Sorensen, yes I see it.

Q. All right. And then below that in the second officer/director space it's Betty Pugsley; correct?

5 A. That's right, yes.

Q. And the date -- if you go to the far right on that same page, there's -- there's a -- a date for Judy Sorenson and a date for Betty Pugsley, both dated January 6th, 1992?

A. Yes.

10 Q. All right.

A. I would think of this document as -- we filed these forms every -- annually, and so sometimes there was a change in the directors, so that would have indicated a change.

Q. I understand that. And -- and on that document, on that page -- no -- no -- sorry -- oh yes sorry, I missed something that I meant to put out to you. So, on that same page there where we saw 1992, if you look over on the left side under director information heading, there's a box with a date in it. It says date first elected September 8th, 1984. Do you see that?

20 A. Yes, for -- for Judy Sorensen, yes.

Q. Yeah. And Betty was new, because Mother Kay had died; right?

A. Yes, I think so.

25 Q. All right. Okay. Moving along. So, I understand, sir that during the class period between 1973 and 1997, no Grenville staff member ever married anyone who was not either within the Grenville community or a member of the Community of Jesus; right?

30 A. I think that's right. I think -- I -- I don't know if anyone who married someone from the Community of Jesus, but that could -- I could be wrong on that. Yes, they

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

generally -- we -- our relationships were among the people we worked with.

Q. Okay. And there were also, I suggest, sir direct financial ties to the Community of Jesus were there not?

5 A. There were donations.

Q. Yeah, staff made donations to Community of Jesus. That was expected; correct?

A. Yes.

10 Q. And Grenville itself supported the Community of Jesus financially in a couple of different ways; did they not?

A. We -- we -- we had an arrangement where we would have a -- pay a certain amount of money for -- for the -- for people going back and forth for -- for retreats or for stays or -- of some sort, so that's -- so, there was a formal agreement there that, yes we're going to -- we're -- we want our people to spend time there, as much time as they wanted for any of the retreats, so that our people didn't have to make those contributions every time they went, yes.

20 Q. And that would be tens of thousands of dollars per -- per year, I would suggest?

A. It was about 100,000 on average.

25 Q. And then, as well Grenville actually owned a house down there, in Massachusetts and Community of Jesus people lived there?

A. Yes, that was our way of supporting them, to own a house that -- that they could have for their own people, yes.

30 Q. All right. And other than the \$100,000 a year, did you pay for retreats on top of that?

A. No, that was -- and that was taken out of the donations from the staff, so that it didn't come out of the

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

operations of the school.

Q. All right. And I take it, sir that you at Grenville looked at the Community of Jesus as a tremendous source of development, through these retreats?

5 A. Spiritual development, yes.

Q. All right. And I noticed, in the later documents, there was a comment that the goal -- and this is, I think after your father retired, in fairness -- the goal is to have all finances separate and in place by July 1st. Do you know, sir in what way the -- the finances were mixed, before that?

A. I -- can you tell me the date?

Q. Okay. Let's -- let's look at the document. It's in Exhibit 2. This is Exhibit 2, the joint exhibit book volume 2, Tab 121 and this is a Board of Directors meeting from February 22nd, 2003, it says there at the top. Now, sadly I have -- oh yes, page 2, I've put my reference there. Page 2 there, item number 4, and if we look at little number I and then little number B, so 4-I-B.

20 The community is growing financially. The goal is to have all finances separated and in place by July 1st.

25 And my question to you, sir, is do you know in what way the finances were not separated before that time?

A. Well, you're looking at the Community of the Good Shepherd, which is what we named our own group of people, the Christian community, also called the Grenville Community.

30 Q. Right.

A. That's a completely different thing than the

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Community of Jesus.

Q. Okay. So -- so, what finances were being separated?

5 A. Well, we -- people would give their -- their contributions directly to Grenville Christian College, which was the registered charity. What we tried to do at this point was to keep track of those, so that they were separate. In fact, we looked at a way to create a corporation just for the Community of the Good Shepherd, so that they could be two different
10 entities. They -- they didn't -- we never got that far...

Q. Okay.

A. ...but the idea was let's keep our Community financial life separate from the school community -- financial life, so that perhaps they could be -- the resources could be
15 used for different things.

Q. I see. So, this was the community finances and the school finances as opposed to Grenville finances and the Community of Jesus' finances?

A. That's right. So, if...

20 Q. Okay.

A. ...we wanted to bring someone in for a retreat or for training, for the Community would -- we would have a different ledger account for the Community of the Good Shepherd.

25 Q. Okay. So, I believe you told Mr. Adair that Bishop Hill visited the Community of Jesus and I don't have your exact words, but I think it was something to the effect of that he had some relationship with them; correct?

A. Yes.

30 Q. All right. But, sir you'll agree with me that not all bishops felt that way or had that good relationship with them; correct?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 A. Yes, Bishop Hill was really interested in Christian communities. In fact, he often went to the -- the Romanian Orthodox Church to be there with Christian Communities, so he would share that with us. We in turn shared the Community of Jesus with him, and he became his own membership. I don't know how he did it, but I know they came down for a visit and loved it.

10 Q. Okay. And he loved it, but in fact, Bishop Mason went down to the Community of Jesus. He was a -- a bishop after Bishop Hill; correct?

A. Yes.

Q. And he went down there for a few days and he saw a light session and he said it wasn't his cup of tea?

A. Sure.

15 Q. All right. And he also said at that time, he didn't feel strongly enough to blow the whistle on them; do you recall that?

A. When did he say that?

Q. He said that in 2007.

20 A. Well, that was a completely different time period.

Q. Okay. He also said in 2007, that he was not aware that students at Grenville were being subjected to light sessions and he was surprised to hear it; correct?

25 A. At that time, there was a lot of animosity between certain churches and church members and -- so, that was after the school closed and I don't know why Bishop Mason was saying those things. It wasn't how we understand to him be during his time as our Bishop as a school.

30 Q. All right. At the ice storm retreat in 1998, this was the -- it wasn't actually a retreat designed around the ice storm, just an ice storm happened...

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. It just happened, yes.

Q. ...during a retreat; right? Retreat, yeah.
That was when Mother Pugsley who was then head of the Community
of Jesus came up to Grenville, in part because you were seeking
5 some help on how to separate the school and the Grenville
Community; correct?

A. We were in a transition period there and --
because my parents, my father had retired. We had an organizing
executive committee and we felt that we weren't making the
10 progress that we needed to. We would -- we sought their help
going forward and -- and particularly in the community
structure, yes.

Q. All right. And Grenville moved away from the
Community the (sic) of Jesus and its practices after that time;
15 correct?

A. I think that the Community of Jesus probably
played less and less of a role over several years following --
in or around 1997.

Q. And that's when your father retired; right?

A. Yes, but even so, I don't think the Community
20 of Jesus played as -- as great a role even right before he
retired. Following that I think there was a -- there was a
still a pretty strong connection, but I believe that the leaders
at the time started to feel that it wasn't as helpful in the
25 direction we were going.

Q. All right. And, sir I think you said that
Grenville Christian College, the school welcomed all faiths, but
it was singularly Christian in its practices; correct?

A. Yes.

Q. Students of different religions were required
30 to actively participate in your religious services, even if they
didn't believe it in their hearts? I think that's what you said

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

during your chief.

A. I -- I would say they didn't have to actively participate, but they had to attend services.

5 Q. All right. So, were students required to participate in chapel services and religious activities?

A. Yes.

Q. All right. And they were taught the Christian faith and received Bible training; correct?

A. At one point we had Bible classes.

10 Q. As staff you strove to introduce all students to your faith?

A. To -- in other words to -- to really convert them?

15 Q. No, to introduce them to Christianity and the -- and the faith by which you lived.

A. We would teach Christian principles. Now, I think it's important to realize Christian principles are not much different in a lot of ways as other values -- all faiths have similar values, which is loving and caring for other
20 people, helping those that are poor or hurt. So, I think that most of it was consistent with the values that those other students felt.

25 Q. All right. We'll going to get into that in a -- a little bit more, but certainly attendance at chapel was always mandatory for all students; correct?

A. Yes -- yes.

Q. All right. And would it be fair to say that students enjoyed an inordinately close relationship with staff and each other?

30 A. What do you mean by inordinately?

Q. I don't know I'm using your word.

A. Okay. I don't remember using it.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. So, you swore an affidavit in 2011. Your Honour, this is at paragraph 19...

THE COURT: I don't think I -- do I have the affidavit?

5

MS. MERRITT: The affidavit oh.

THE COURT: All I have is one transcription.

MS. MERRITT: Sorry, apologize.

THE COURT: That's all right.

10 MS. MERRITT: Q. On page 9 at paragraph 19, no -- no, sorry. That was attendant -- wrong reference, sorry -- page 7, paragraph 14. That was chapel is mandatory. Page 7, paragraph 14. I'm just going to read the first two sentences of this affidavit.

15

Students were busy and generally happy. They enjoyed an inordinately close relationship with staff and with each other.

20

Right?

25

A. Yeah, I don't know why I used that word, but they enjoyed a very close relationship, at least we tried to have them enjoy a very close relationship with us in their lives.

Q. All right. Well, it -- it -- it was a close-knit community; correct?

A. Yeah.

30

Q. The staff in the students were together in the classroom; yes?

A. Well, there was a teacher, yes.

Q. Teacher and -- yeah, so at -- a staff with

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

students in classrooms. Did they have the same teacher for every subject?

A. No.

5 Q. Right. So, students would be with teachers in classrooms; yes?

A. Yes.

Q. At meals?

A. Yes, they would.

Q. In the chapel?

10 A. Yes.

Q. On outings?

A. Yes.

Q. During extracurricular activities?

A. They would have a coach, yes.

15 Q. And on fun days and the fun activities, not just the competitive ones?

A. Yeah, but keep in mind not all the staff would attend those.

20 Q. I understand. I'm not saying every staff with every student on every occasion.

A. Okay.

Q. All right. And the students actually went to staff homes?

A. Family nights?

25 Q. On the family nights, yes. And so, basically, the students -- some students and some staff were together pretty much all the time when they were at the school, except when they were sleeping; fair to say?

A. Yes.

30 Q. All right. And some staff slept in the dorms as well...

A. I slept...

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. ...not right in the rooms, but in the dorm areas; yeah?

A. Yes.

5 Q. All right. And it was a communal atmosphere; yes?

A. Sure, yes.

Q. And a close-knit community atmosphere was part of the fabric of your daily life?

A. Yes.

10 Q. All right. I'd like if I can, sir now to have you look at Exhibit 2 in the joint exhibit book volume 2, Tab 96. This is the Grenville Christian College news and we can't -- it doesn't seem to have a -- a clear date on it, but if you look at the bottom of the picture on the front cover, it
15 looks like it says the class of 1995.

A. Yes.

Q. All right. And if we turn over the page 1 -- one flip over, on the backside of that first page, there's a letter there from the Headmaster Charles Farnsworth, that's who,
20 your father; right?

A. Yes.

Q. And he quotes there to the verses 7 to 14 from psalm 19.

A. Yes.

25 Q. And I'm just going to read you a couple of things here. It says there:

30 The law of the Lord is perfect
converting the soul. The fear
of the Lord is clean, enduring
forever. The judgments of the
Lord are true and righteous all

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

together.

A little further down:

5

Cleanse thou me from secret
faults. Keep back thy service
from presumptuous sins.

10

And then at the bottom he says:

15

I am convinced that these truths
are real and absolute. The
faculty and staff at Grenville
pass on to each of you our
gratitude for helping make our
mission and call a reality.

20

So, sir, I'm suggesting to you your father
believed that the law of the Lord would convert the soul;
correct?

25

A. You know, I -- I'm bothered that you only
read certain verses that talk about the law, rather than the
whole thing together, because a psalm, just like a song, is --
is an entire piece. So, there's -- it's a beautiful -- it's a
beautiful poem, or -- or psalm, and you only took out what would
tend to be a little more negative. That's in my opinion, so I
wouldn't want to take out those specific verses. I think the
whole thing together I would say he believed it, yes.

30

Q. All right. You father was convinced that the
truths in the whole thing altogether were real and absolute and
he saw Grenville as his mission and his calling and all of you
did too; correct?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Yes.

Q. All right. So, I take it you'll agree with me that your father was an authoritative leader?

5 A. Yes, he's on that side of the -- of the -- of the -- yeah.

Q. And he was not very good with changes, was he?

10 A. I don't know. Sometimes I think he was very good with changes. He'd make lots of changes from time to time. His personality maybe didn't change as much as people wanted him to.

15 Q. If I may just have a moment. Sometimes I can't read my own writing. Okay. Well, here -- here's what you said exactly, and I'll -- I'll just see if you want to adopt it. So, at page 23 of the discovery, Your Honour, do you have the discovery transcript? I apologize.

THE COURT: Thank you.

20 MS. MERRITT: Q. No, not page 73, I apologize. It's question 77. Hold on. Nope, I'm wrong. I can't seem to read my writing, but just bear with me. I'm in the cross-examination and I only have the two cross-examinations, sorry. I'll get it right, I apologize.

A. It's okay.

25 Q. I now have the discovery and I will figure out what I am talking about very shortly. Okay. So, at page 23, question 78, you were asked:

30 QUESTION: You mentioned that your father was not so good with some changes. What were some of the changes in his role as Headmaster that he would have

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

struggled with?

A. Change in uniform.

Q. Oh no, that wasn't my question. I was just reading what it said here.

5 A. I'm just saying that if we suggested a change in uniform...

Q. Okay.

A. ...then he would have a difficult time changing the uniform to something more casual.

10 Q. All right. Well, what you said was:

I don't think that he had trouble with the changes. I think that his -- I think a lot of it was that for someone who was authoritarian, when you can't keep control of every aspect of the company, and so I think that people at that time said we would like to have a little authority on our departments. For example, English department head would like to -- well, that's probably a bad example. Let's say the student residents would have wanted to make the uniforms a little more modern.

30 That's what you just said now.

A. Yes.

Q. So, instead of having a shirt and a tie and a

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

sweater for the boys and a kilt for the girls and a blouse for the girls with a sweater, they might want to have golf shirts included. And then it -- it -- it goes on and says, we're going to stop you as this is hypothetical. There's a little bit more
5 discussion, and they talk about some of -- some of the changes that he had difficulty with. So, would it be fair to say that at times your father had difficulty with changes?

A. I -- I think it -- when it had to do with values, yes. When it had to do with some of the structures, I
10 think he was always looking to -- to make things better. So, really, you know, and obviously his opinion would have mattered a lot. So, that's a tough question to answer specifically.

Q. All right. Well, let me ask it to you this way then, would you agree that some people felt his
15 authoritative leadership style was a little more than it should be? Some of the staff, for example, felt that way?

A. I think some of the staff felt that way and I think as -- as time grew on probably more felt that way, which was a good reason I think for a change in leadership.

Q. All right. And I think you -- you gave
20 before in the -- in the discovery an example that even though there was no real rule against beards, people knew that your father didn't like facial hair so they didn't grow beards; right?

A. I -- I think there was probably a pretty
25 definite rule against it. We were not to have beards...

Q. Oh.

A. ...and mustaches at the time.

Q. Okay. I thought it was just because they
30 knew he didn't like them?

A. No. Well, he -- he didn't like them, but -- but that was understood by all of the men.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. All right. And would it be fair to say that he lacked flexibility in his management style?

5 A. You'd -- you're talking about principles of management and leadership. People lead differently, and his leadership was -- was firm and strong and it worked for a period of time.

Q. But it, sorry.

10 A. So, is he -- did he lack flexibility? I think, you know, like Thomas Jefferson once said, in matters of style, change -- change as -- as a society does, but in matters values, stick to it, something along those lines. So, my father was -- was that type of person. He did not want to change things that would -- would effectively change the values for which the school stood for.

15 Q. And -- and -- sorry, is that a yes, you agree he lacked flexibility?

A. No, it's not a yes.

Q. Okay.

A. It's a qualified answer.

20 Q. Okay. So, I'm going to refer, Your Honour now to the examination for discovery transcript at page 25. And just above this you're talking about you were glad to see him retire, you didn't think he was confident leading, but people were looking for a change. You say the enrollment had declined.
25 This is at line 20, "He was -- I think he lacked flexibility in his management style." Did you make that statement, sir?

A. I made that statement at that time, yes.

30 Q. Okay. Thank you. And we've heard some evidence and seen some documents that there was an administrative board and a Board of Patrons, or sorry an advisory board and a -- and a Board of Patrons?

A. Yes.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. But they had no real power or authority over your father, did they?

A. The Board of Advisors was set up so that they could give advice and help the school in all the operations, financially, specifically fundraising. They -- if there was a disagreement, which there -- that was rare, but if there was a disagreement, then -- then the school had the right to choose. The school's administration and sometimes that would have been my father, primarily, but many times it would be a group of us who would have been -- who would have attended those board meetings. So, no, it was a bit of a straw board, I guess you could say. They -- in fact -- but they did play a valuable role. They didn't -- they were just there to be people who just benefited from association.

Q. Right. But neither of these boards either, the Board of Patrons or the Board of Advisors wielded any real power, did they?

A. No, and I don't think they wanted to.

Q. Okay. So, I think you mentioned, sir in your direct evidence that you became the Director of Admissions and I asked you about that earlier today from '93 to 2000. Was -- was that a promotion or a demotion or what was that, when you became the Director of Admissions?

A. It was -- it was sideways.

Q. Sideways, okay. And then you were moved out of Admissions and put in charge of the alumni and parent relations; correct?

A. Yes.

Q. Whose idea was that?

A. I don't know.

Q. How did you find out about it?

A. I found out -- I think as the school was

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

restructuring, they had interviews for positions -- positions that were occupied. I was interviewed for my job and I didn't get my job back, so I was offered this job by a group of people. It would have been Ken McNeil, Bill Bales, Joan Childs, I think they were the -- primarily the ones that were there.

Q. All right. So, this was after -- after your dad left?

A. Yeah, this would have been in 2000.

Q. I see. And then eventually you were just charged with responsibility for alumni and at that point you left; yeah?

A. I -- I was there for a year in that position and then I chose to leave, yes.

Q. All right. And do you remember writing an email to Ken McNeil and -- and Joan Childs around that time?

A. I probably wrote lots of emails.

Q. Okay. Well, I'm referring to one where you said that you were feeling held back and -- sorry, that feeling held back had always been a struggle for you; do you recall saying that?

A. I don't recall saying that.

Q. Do you recall saying that you always felt that your father only gave you so much latitude and then pulled you back in?

A. Yeah, my father would -- would -- would probably not want us to -- to go to a -- to go rogue, maybe that was what -- how he felt. It wasn't going rogue, but yes, I felt that, yes.

Q. And -- and I think in that email you said you felt you had to give up Grenville in order to get through what you were going through. What were you going through?

A. Was this -- was this at the time of my

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

resignation?

Q. Yeah, I think so.

A. Okay. So, that's a -- so that's not operational.

5 Q. I'll give you the exact date. You can look at the email if you'd like, sir...

A. No, that's okay.

10 Q. ...it's in Exhibit 2, joint exhibit book volume 2, Tab 109. This is an email Friday, September 14th, 2001. "Subject future plans from me from Don Farnsworth to Ken McNeil and Joan Childs."

A. Okay, yeah.

Q. And if you -- oh boy.

15 A. I think what I did was I met with them, I told them that I had plans to move on.

Q. Yeah and I'm just going to read you there the -- the fifth paragraph. It says:

20 Feeling held back has always been a struggle for me. Although some would say I got my position because of my parents, I have always felt I was given only so much latitude and then
25 pulled in by my father.

And then it goes on and then it says...

A. Do -- do you mind if I read the whole email?

Q. Sure, go right ahead.

30 A. I get the gist of me email. Thanks.

Q. All right. So, flipping over to page 2 of the email, on the third paragraph there, the last sentence you

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

say:

5 But I feel as though I have to
 give up Grenville in order to
 get through what I'm going
 through now.

 And I'm just wondering, sir, if you can help us
understand what you were going through then?

10 A. I wrote the email and you have to understand
 that in my heart I was committed to Grenville for life. I
 became a -- a part of the direction of Grenville by -- by the
 group of people I worked with that were in administration and I
 felt pushed out of that role. I felt that the school was going
15 in a bit of a different direction, actually in many ways and
 there was tension between me and the current leadership. And it
 was very difficult for me to fight against that leadership. I
 didn't want to be in conflict. I couldn't -- couldn't handle
 that personally.

20 So, you know when my father died, or excuse me,
 when my father retired, I felt there was a new freedom that I
 didn't have to -- to live under -- under that name -- under his
 leadership anymore. I could work more on my own. Or actually
 should say not on my own, but be my own person, be recognized as
25 my own person. Maybe I was I don't know, but I wasn't happy. I
 wasn't happy with administrative changes. I didn't come out and
 just say that, because really I wasn't there for -- for
 conflict. I was really there since -- our directions were not
 parallel -- no longer parallel anymore, I felt that I needed
30 some distance. So, that's -- that's pretty much it. It wasn't
 -- I wasn't leaving on bad terms, at least I don't think I was.
 I was leaving, because I felt it was the best for the school and

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

for me.

5 Q. Okay. Thank you, that's helpful. And I take it your father also didn't and at the time he retired in 1977 he didn't enjoy the support that he had in the earlier days; is that fair?

A. You know, it's hard to say. I don't know if he really...

Q. Sorry, I meant 1997 I think I said '77.

10 A. Okay. In 1997 I don't know if he -- if he knew that. We knew that.

Q. Right. But I'm just saying regardless of what he knew, he did not enjoy the support that he had had in the previous years; correct?

15 A. I don't think he had the support and I -- I believe that to be true, but I -- I just don't know how everyone else felt. But I agree -- I agree with you. I don't disagree with that.

20 Q. All right. Sir, would it be fair to say as an overall sort of way he was, that as far as your father was concerned, it was generally his way or the highway; is that fair?

A. That's a pretty strong statement. I think that goes further than it really is.

25 Q. All right. Well, let me take you to a specific example. I -- I'm suggesting to you, sir that your father did what he wanted to do, regardless of what others said and I'd like to take you specifically to the example of the AIDS policy. You -- you'll remember, sir that in the 1980s Grenville had a policy that all students should be tested for AIDS; right?

30 A. Yes.

Q. Okay. And we have that policy in the joint exhibit book volume 2, for Your Honour's reference. I'm not

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

going to take you to it. That policy was challenged legally;
correct, sir?

5 A. You know, it was there for probably a year or
two until anyone came and then there was a -- it all of a sudden
hit the media.

Q. Right.

10 A. I don't know if it was challenged legally.
There was the Department of Human Rights. Maybe it was going to
-- was going to address it, but I think there was a change in
leadership there, so it never -- it never made the courts.

Q. Oh no, I'm not saying it got to trial, but
there was a legal challenge to it, yes, with the Human Rights
Commission?

15 A. There was -- there was talk, but I don't know
if there was a legal challenge.

Q. All right. Well, you hired lawyers and got a
medical opinion about it; correct?

A. I -- I -- I think so, yes.

Q. All right. Well, let's...

20 A. We wanted -- we wanted to get it right.

Q. Okay. Well let's -- let's go to Exhibit 2 in
the joint exhibit book volume 2, Tab 76. And there there's a
letter for a bill in a -- a letter -- a covered letter to an --
a legal account February 27th, 1989, and then if you flip over
25 the page...

A. Sorry, what?

Q. Sorry, Tab 75.

A. Yeah.

30 Q. Sorry 76, my apologies. There's a letter
there at the front, you know...

A. Mm-hmm.

Q. ...from the law firm with the legal account

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

on the back of it. And then if you turn over the page there's a
letter there from Cathleen F. Gibbon, M.D., Director of the
Department of Clinical Laboratories, dated February 24th, 1989,
to your lawyer, who's Mr. Legge, who's the one who sent you the
5 bill or sent Father Farnsworth the bill. You see all that?

A. I'm...

Q. Okay.

A. ...I'm not sure which one I'm looking at.

What...

10 Q. All right. Let's go back...

A. ...September 27th?

Q. Let's -- we'll take it a bit slower. Let's
go to Tab 76.

A. Okay.

15 Q. And the first letter there is a letter dated
February 27th, 1989, from Bruce Legge to Father Farnsworth,
enclosing the bill for the work on the AIDS issue.

A. Yes.

20 Q. And on the backside of that page is the
actual bill.

A. Okay, yeah.

25 Q. Okay. Now, on the opposite page there,
there's a letter dated January 24th, 1989, to Mr. Legge your
father's lawyer from Cathleen F. Gibbon, who's a medical doctor
and the Director of the Department of Clinical Laboratories. Do
you see that letter?

A. Yes, I do.

30 Q. And in there, if you turn over the page, it
says:

Opinion on the efficacy of
mandatory human immune --

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Oh god...

A. HIV.

Q. HIV. Thank you, because I -- I am stumbling.

5

HIV antibody testing and the
prevention of the spread of AIDS
in a residential school
environment.

10

And then there's a -- there's an opinion, a
medical opinion there, yes? Goes on for some five pages with
references, you see that?

A. Yeah.

15

Q. All right. And if we could, on page 5 of the
letter, just before the references, read the conclusion. It
says:

20

In conclusion, it is my
professional opinion that
mandatory testing of students
and staff at Grenville Christian
College is not an effective
means of preventing or
mitigating the spread of AIDS
within the College. The risk of
infection is so slight that it
cannot be quantified. A
negative test for HIV antibodies
does not rule out the
possibility of infection in an
individual.

25

30

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

So that's the medical opinion the school got;
correct?

A. Yes.

5 Q. All right.

A. One of -- one of the medical opinions, I'm
sure.

Q. Okay. Well, we don't have any others. Do
you?

10 A. No, but I know we talked to other doctors,
too.

Q. All right. Were you -- were you shopping for
a favourable opinion?

A. I think we wanted to know -- we wanted to
15 know the truth, because it was such a politically charged
disease. In fact, it went -- we -- we had the AIDS testing
included on a -- on a medical questionnaire that had a -- a
number of things to test for and we were an international
school. We had students coming from -- from all over the world.
20 Some of those places might be places where there was a higher
rate of infection. So, what do you do, do you test just those
that didn't seem right, so everyone would have received the
test. So, that's -- that's what I would say was there.

Q. All right.

25 A. And it was -- it was -- it was after it had
been there a few years that it was actually challenged.

Q. Right. And -- and this legal opinion that
you paid for and you got from the doctor was there was no
medical basis for it?

30 A. Yeah.

Q. All right. So, I'd like you to flip over now
-- or turn back to Tab 68. And this is a document dated January

2018.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

3rd, 1989, called "notes Human Rights Commission v. GCC"
Wednesday, December 28th, 1988, lawyers meeting.

5

The head of the firm, Bruce
Legge is taking over the case.
Get the best medical opinion in
Canada. Dr. Bruce Salter, head
of Sick Kids, one of the most
famous doctors.

10

Anyway, it goes on, and on page -- yeah.

15

After research Dr. Salter's
report to us was that there was
no medical evidence to support
our cause and policy. He quoted
John Hopkins in the U.S.

20

I think that's where Simon Best works, isn't it?

A. Yes, it is.

Q. Yeah.

25

And the Royal Society of
Surgeons. We are on shaky
medical grounds with most
physicians.

30

You see that there, sir number three?

A. Yes.

Q. All right. And then if we go to number two,
it sets out the position of the Human Rights Commission.
They're determined. They haven't lost a case, your lawyer says.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

And then if we flip over to the next page, Roman numeral three -- sorry, before -- before number three, in number two there are options there.

5

We can tell the Human Rights Commission that we will not cooperate with an investigation and take our medicine.

10

Next one.

15

They get an order for us to make testing voluntary. Possible we would appeal. Costly fines imposed on us. Our lawyers to confer with each other and get back to us.

20

And then in item three it says:

Number one, Charles Farnsworth and GCC keep doing what we are doing and trust God.

25

And then:

30

Number three, it would be cowardly for us to back up. Principle cautious conviction. Appeal to parents in the public. Canada is not noted for fighting.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 So, I would suggest to you, Dr. -- Mr. Farnsworth reading this document as a whole, the natural and obvious conclusion is that, even in the face of overwhelming medical evidence, your father did not want to back down?

10 A. I think there's -- there's a lot more to this. Like I say it was politically charged and to have them go on the news and say this school is -- is -- I remember a headmaster in -- in Vancouver are going on the news and saying wow that's terrible, in his own words. It was politically charged and to have everyone just come in and say stop this, stop doing this, it was a policy. It was a policy and it was just a medical test. It didn't make any difference to the student at the time. It was just that we were testing for something. We never had it...

15 Q. Okay.

20 A. All right. We never had any -- we never had anyone infected as we know and I don't think the government should come in necessarily to a school that's separately funded and say you can or can't do this, unless they've got strong evidence. Now, as evidence -- evid -- I'm sorry, I just get distracted when...

Q. Sorry, I just looked at...

25 A. ...when you look around. As that evidence came forward, you know, we spoke to some other doctors, doctors that were not trying to force us to change, but were trying to talk us into proper change. I remember one doctor she was -- she actually worked in South Korea. I don't know if she was a doctor but she did a lot of research on AIDS and she told us
30 that those tests are not conclusive. Meaning that there could be a false sense of security by people coming and having negative results. So, in effect you could...

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. Wouldn't that -- wouldn't that be a reason
not to do it? I -- I'm not...

A. Well, that's...

Q. ...following your argument here.

5 A. Well, if you listen to the end...

Q. Okay.

A. ...I think it will make good sense to you.

Q. Sorry.

10 A. That was an argument that I took to my father
and to others, saying you know what here we're getting these
tests and they're not conclusive. I think it's time we drop the
AIDS testing, because it doesn't make sense. If we think all of
our students are free from AIDS and they're not. So, we decided
to stop it at that point.

15 Q. Isn't that exactly what the first doctor
said?

A. I don't know if we really had the discussion
with the doctor. And you can see there's -- there are a lot of
names listed at the bottom of that, including Boards -- members
20 of the Advisors and members of the Board of Patrons.

Q. But -- but -- but, sir if you look at Tab 76
the -- the letter enclosing the bill for legal services
rendered, after talking about the money and the tax receipts it
says "Enclosed is Dr. K. F. Gibbon's report." So, you had the
25 report, it was enclosed with the bill.

A. Yeah.

Q. All right.

30 A. And it's an opinion, but as I'm saying if --
if you look at that page you see Victor George, Pauline McGiven,
Trevor Eaton, Jean Watts, those people probably supported
keeping the testing policy. I don't know it, but their names
are on there obviously as references for people that would have

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

been -- would have given advice on it.

Q. So...

A. So, he didn't make that just unilaterally. He may have had the unilateral decision in -- in a sense, but he would have checked with those people pretty carefully, knowing my father.

5

Q. Okay. So -- so, he's going to lay people politically connected, you know, Trevor Eaton and Colleen Gibbon...

10

A. Not politically connected, those were people...

Q. High profile people.

A. They're not all high profile -- they're people that were really good friends and supporters of Grenville Christian College.

15

Q. Okay. And -- and he's -- he's taking their opinion over the doctor's opinion?

A. I think they would have been included in the doctor's opinion.

20

Q. All right.

A. And -- and, you know, ma'am, the parents also supported the decision to keep it there. In fact, dealing with the Human Rights Commission was something that was orchestrated by a parent, those parents who hadn't been involved in high-profile positions. We -- we followed his advice, mostly.

25

Q. Okay. So, you took the advice of the parent over your lawyer and the medical opinion?

A. He wasn't our lawyer. He was a lawyer we consulted.

30

MS. MERRITT: I see. All right. I notice it's 11:30, Your Honour, now might be an appropriate time, I'm about to move on to other stuff.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

THE COURT: All right. We will take the morning break. Mr. Farnsworth, because you're under cross-examination it's important you not discuss your evidence with anyone during the break.

5 DONALD FARNSWORTH: That's fine.

THE COURT: Please come back in 20 minutes.

DONALD FARNSWORTH: Thanks.

THE COURT: Thank you.

10 R E C E S S

U P O N R E S U M I N G:

MS. MERRITT: Q. So, before we took the break,
15 Mr. Farnsworth, you told me that the school never flew the Anglican flag. And I don't unfortunately have the photocopy here, but I am going to ask Ms. Lombardi to bring you a copy of the 1991-92 yearbook, and if you could just have a look at that picture. Do you see there on the right side there's an Anglican
20 flag flying in front of the school?

A. Yes, I do actually. I'm surprised to see an Anglican flag, because for most of those years it was the Christian flag.

Q. All right.

25 A. I -- I don't -- I think that's the Anglican flag. I trust it is, but you know what we -- we didn't fly that very long, if -- I'm surprised it's there.

Q. All right.

A. Yeah.

30 MS. MERRITT: Maybe we can make a photocopy of that on the -- the next break, Your Honour and make it an exhibit?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

DONALD FARNSWORTH: Okay. I just wonder, I mean I just want to make sure that other yearbooks would show this picture as the Christian flag?

5 MS. MERRITT: Q. In the ones that we have, there are no flags.

A. Okay. But if you look at any other pictures...

Q. I don't have all the years.

A. Yeah.

10 Q. But in any event, all right, let's just move along. Sir, was the idea of having younger staff children, and I'm -- I'm not talking about the -- the boarders, or when they became of an age to be boarding, but when they were younger, the staff kids when they were younger, was the idea of having those
15 younger staff kids live with people, other than their parents to avoid idolatry?

A. I don't -- I don't -- I wouldn't say that was the reason. I would say that it was -- as a community of people sometimes we felt that others could -- could play a healthy role
20 in -- in their children's lives. It wasn't everyone that was living with someone else, every young child. Some lived with their parents, some maybe didn't.

Q. Well...

A. My kids left -- left -- lived with us, so,
25 maybe if you can give me some examples.

Q. Well, Beth Granger. Beth Gillis...

A. Yes.

Q. ...didn't live with her parents much, did she?
30

A. I -- I don't know.

Q. What about Mike Phelan, he lived with you, didn't he?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. When Mike Phelan was with us, he was probably out of school. I -- but again, I -- I'm not sure, maybe he was in his senior year. He didn't sleep at our place, but he came to eat meals with us in the summertime.

5 Q. All right.

A. Beth lived with us too, but it was after she was out of school as well. And she actually did sleep in our apartment.

10 Q. Did it ever cross any of your minds that moving the kids around away from their parents so much might hinder their development or growth or might not be good for them?

A. You know I -- I -- I loved living in the dorm.

15 Q. I'm not talking about the dorm. I'm talking...

A. I know.

Q. ...about little kids not living with their parents.

20 A. Little children. When you say little kids?

Q. Like...

A. Michael Phelan wasn't...

Q. ...from whatever ages they were before grade seven.

25 A. Before...

Q. Beth Gillis.

A. I -- I don't know if -- where Beth lived before grade seven. I really didn't know she lived anywhere else.

30 Q. Okay.

A. But -- but, you know what...

Q. So, that's news and a surprise to you is it?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. It's not a surprise, it could happen. But...

Q. All right.

5 A. ...but I -- I believe that -- that there would have been different trains of thought on that. Some parents might have said no way and some would have said that's probably a good thing. I -- a lot of times there were students that in the summertime and this was -- would actually live in the dorm and they were usually grade seven on up and I'd be living in the dorm with them.

10 Q. I'm not talking about the dorm. I made that very clear, sir at the beginning of my question. I'm talking about kids that were younger. And Beth Gillis' evidence was it was not her parent's choice. They were not allowed to have a say in where she lived. That they were told and she was put where the leadership wanted her to be.

15 A. I -- I believe that could have happened, yes.

Q. All right. Thank you. And the non-staff kids who did live in the dorms, they were moved from dorm to dorm on a fairly regular schedule; correct?

20 A. No.

Q. You say they weren't moved? For all -- from the seventies...

A. The -- the non-staff children in the dormitories when they were there for the year?

25 Q. Yeah year after year, they were moved from place to place.

30 A. On a place to place -- no, they were usually -- they would stay in their sections or their rooms for most of the time. Some were moved around when there were -- when there were times that it would make sense, because some didn't get along, or there just might have been a bad combination, but no, on a regular basis we didn't try to move them from place to

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

place.

Q. Okay. Mike Phelan says that in the summer of what he thinks was 1995 Father Farnsworth once again assigned him to live with you and your wife, Sue; was that correct?

5 A. Can you tell me what year Michael Phelan graduated, so that I can put it into perspective?

Q. Oh I'm not sure I can. All right. If you say you don't know you don't know. Let's just...

10 A. But -- but I will say that he did -- he was part of our household. He didn't sleep at our house at all, never.

Q. All right.

15 A. But he -- he would eat -- in the summertime, he would eat his meals with us and he was -- he could have easily been a senior at the time and we would have welcomed him.

Q. Okay. And he says that during that summertime, contact with his own parents was to be kept to an absolute minimum and he was instructed not to discuss his disciplines with them. Do you recall that?

20 A. No.

Q. All right. He says that every aspect of his being came under scrutiny when he lived with you and -- and -- and any sense of self-worth he had was destroyed. Do you agree with that?

25 A. I would say the opposite. Michael was welcomed in our house. We enjoyed Michael. We had good interaction with him. That's a -- that's a distortion.

30 Q. Okay. He says that he was in a physically abusive boot camp discipline. I take it that's up in the morning running; do you recall that?

A. There was a -- I believe it was Dan Bales and maybe one other of the younger staff men who ran a bit of a boot

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

camp. And that was to -- to help some of them probably grow up...

Q. All right.

5 A. ...in a sense, you know, if it's a -- but was it physically abusive? I think it was more confidence building than anything else. It was, you know, you could -- you could look at that as being abusive. I suppose if he didn't want to do it. I think it was just a time of adding some extra training for them.

10 Q. All right. Well, Mr. Phelan says that you and Sue, your wife, would hold meetings with him over the course of the summer, mocking him for supposedly displaying effeminate attributes; do you recall that?

15 A. I never ever discussed that with Michael Phelan and neither did my wife, if -- if she was with me.

Q. Well, he says in one of these meetings your wife told him and you were present, that he walked like a girl and she proceeded to do an imitation of what she thought his walk looked like.

20 A. You know I don't remember my wife ever doing anything like that.

Q. All right. Did you know that it was added to one of his disciplines that he should make a conscious effort to walk more like a man?

25 MR. ADAIR: Well, excuse me, I object to that question. It -- it is one thing I suppose to keep asking questions presumed on someone who was never called as a witness saying such and such. It is quite another when my friend gets to the point of saying, did you know this happened to him, without calling the witness and should not
30 be put on that basis.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 MS. MERRITT: I'm happy to rephrase the question.
I have a reasonable basis for the belief and the
truth of the comments that I'm putting, and --
but I'm -- I'm -- my friend's point is taken and
I'll ask questions in the manner he suggests.

Q. At the time, did you know that Michael Phelan
had seen a chiropractor from the age of eight for issues with
his back, hips and feet? Were you aware of that back then?

A. No.

10 Q. All right. And did you, on the instruction
of your father Farnsworth encourage Mike Phelan to be less of an
artist and more of a man?

A. I -- I'm trying to think. You know, Mike was
there as a student, as a child, as a high school student. He
15 was there as a staff member and I -- I just don't know the time
frame when he's ask -- when you're asking.

Q. At any time did you ever suggest to him or
encourage him to be less of an artist and more of a man?

A. I don't recall any of that I don't think, no.

20 Q. All right. And do you recall he was
complaining of being exhausted? Was he complaining of that to
you that he was only getting two hours of sleep and begging that
his schedule be adjusted so he could get more sleep?

A. I don't recall that. Not to me.

25 Q. All right. In your affidavit sworn in 2011,
you said that the rules of Grenville included that students were
not allowed to become intimate with each other. Do you recall
putting that in your affidavit?

A. Yes but boys with girls, yes.

30 Q. Yes. All right. Well, I -- I imagine that
would include boys with boys and girls with girls, an
intimate...

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. It wasn't in the rules.

Q. That wasn't in the rules? They were allowed to have sexual relations?

A. We just never came across it.

5 Q. I see. Okay. Well, the statement that boys and girls were not allowed to be intimate was in your affidavit; correct?

A. It was they were not to have steady relations...

10 Q. All right.

A. ...would probably be more of the -- the ruling that would have been there, but intimate would have been implied, yes.

15 Q. All right. Well, let's just look at your affidavit to make it easy. I'm going to just read this to you. Your Honour, I'm at page 25 -- sorry, no I'm not, paragraph 25. Maybe not -- hold on. No, I've got it wrong. I apologize; I've got the wrong reference here, Your Honour, just bear with me a moment. I can't find it now. You know I'll come back to this. 20 No. I'm not -- I'm not finding it. I'm sorry I'll -- I'll move on. Sir, I take it the purpose of light groups was to have regularly planned light sessions among the Grenville staff?

25 A. Well, the purpose of light groups, that seems to be a redundant question. To have light groups, light sessions, but the purpose of them was to have honesty among the staff members.

30 Q. I -- I'm just actually referring you to Exhibit 7, which is a document we've marked as an exhibit. If you could, Madame Registrar? This is a document called "Light groups" and then we have different time slots with different people, and I take it this was for the regularly scheduled light sessions among staff; correct?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Yes -- yes it would have been, yes.

Q. Okay. And in Joan Childs' letter to the bishop she talks about being slapped across the face.

A. I don't know that.

5 Q. Did that happen?

A. I -- I don't know if it happened to Joan Childs or not.

Q. She said...

A. By whom?

10 Q. I don't know if she names the person. Maybe I can -- we can look at that. In Exhibit 10 -- let me just see if I can find it. Sorry, that's the -- I'm -- I'm in the wrong letter. That's the letter to Mother Betty. I don't believe she names the person.

15 THE COURT: Is this at page 32 of the exhibit?

MS. MERRITT: Thank you, Your Honour.

Q. It's a letter to Bishop Mason dated July 17th, 2001.

A. What date June 5th?

20 Q. I'll find it. July 17th, 2001, page 32, Your Honour tells me, but I'm still not finding it. Hold on.

A. Yes, I see it.

25 Q. You know again, I'm sorry -- I'm not finding the reference. All right. She -- she did mention in her evidence a middle of the night light session, because staff went on an unauthorized hayride. Do you recall that one?

A. I think so, yeah. It -- it wasn't middle of the night light session. I believe it was in the evening, but it -- it could have been later in the evening.

30 Q. All right. I think I found the reference to the -- the slap, yeah. So, the slap in the face is in the letter to Bishop Mason dated May 15th, 2001, on page 11. If you

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

flip over then to page 13 in the third paragraph...

THE COURT: My -- my letter only goes to page 10.

MS. MERRITT: Exhibit 10?

THE COURT: Yes.

5 MS. MERRITT: Oh.

THE COURT: Are -- are you in the letter to
Bishop Mason July 17th, 2001, that starts at page
32...

MS. MERRITT: No. I'm...

10 THE COURT: ...or a different letter?

MS. MERRITT: ...I'm in the earlier letter --
sorry.

THE COURT: That's all right.

15 MS. MERRITT: May 15th, 2001. Perhaps I numbered
these pages.

THE COURT: No, there it is. I've got it. Thank
you.

MS. MERRITT: Q. Okay. And so we're now on page
13. Have you found it, sir?

20 A. Yes.

Q. Okay. So, the third paragraph starts off "I
could write a lot." And then five lines down she says:

25 Here are some examples being
slapped across the face in a
meeting for disagreeing with a
leader.

30 A. I don't -- it doesn't look like she was
slapped. I don't know who was slapped she's referring to.

Q. I think she said in her evidence it was her
that was slapped.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Okay. I...

Q. You don't know about that?

A. I -- yeah, that's...

5 Q. All right. So, then back to what we were
saying, you -- you -- you said that it wasn't a middle of the
night light session, but there was a light session because the
staff went on a -- an unauthorized hayride; do you recall -- you
recall that, yeah?

10 A. I remember there was a meeting called and
they were away. There was a group of family, or couples that
were away and so they would have been away during, which means
it wouldn't have been in the middle of the night if they were on
a hayride.

15 Q. Okay. So, you're disputing the time of the
light session as opposed to its existence?

A. Well, I think that's important.

Q. Okay. But you agree there was a light
session because they went on an unauthorized hayride, yes?

20 A. I -- what I remember is we were having a -- a
staff meeting. I think it was a Sunday evening, it could have
been a Saturday evening, but -- but there were probably three or
four or five couples that were on a hayride celebrating a
birthday. I remember the incident and they were -- no one knew
where they were. I should say my father or whoever was leading
25 didn't know where they were and they would have probably been
admonished on that one.

Q. Okay.

A. I think.

30 Q. All right. And you -- or, rather Ms. Childs
also told us about a staff member having water thrown in their
face during a light session and told that they were told that
they were not being real. Did that happen?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 A. I -- it could have, I don't know. But, I think it's important also to realize that -- that these -- these were things that were done -- when's she's referring to this letter in 2000 -- the year 2000. I would imagine this was in 1975s, '80 or something like that. Well, I mean -- so those are -- those events are very old compared to the letter.

Q. Were you slapped by Ms. Haig because you were jealous of her son, Tim?

10 A. I was, not because I was jealous of her son, Tim. I made a comment and yes she did slap me.

Q. All right. And...

A. So, that's probably the -- the one that they're talking about. I don't think Joan was slapped.

15 Q. All right. I perhaps have that wrong. Joan Childs also said that on occasion, or at least one occasion, adults were spanked. Did that happen?

A. I think -- I know of one time when someone was spanked, there may have been more and I -- I wasn't there.

Q. All right.

20 A. And -- and it was -- it was -- it may have been a family member that -- again, it was -- it was not typical and I don't condone it.

Q. Okay. I understand, sir that topics that came up in light sessions included idolatry; yes?

25 A. Yes and in the way that we did it was referred to, yes, which is putting someone before or something before their God -- before God.

Q. Right. God should come in front of everything; right?

30 A. Well, as a Christian that's what we believe.

Q. Yeah, I got it. And jealousy as well came up in light sessions?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Yes.

Q. All right. And now moving to the public
light sessions -- actually, let -- let's go back to your
affidavit for a second. Your Honour, in the affidavit sworn in
5 2011, at paragraph 25. At the last sentence of the affidavit,
you're talking about rules and you say:

10 Students were aware that for
example they were not permitted
to smoke, to use drugs or
alcohol, disrespect each other
or staff members, become
intimate with each other, or act
15 in a way that dishonoured
themselves.

So, become intimate, that -- that's the rule that
you referred to in the affidavit; correct?

20 A. Well, I think all I was saying was that the
rule was that they don't have steady relationships. Whether
intimate was in the rule or not, I -- I don't think it really
matters.

Q. Yeah, okay. But -- but -- and -- and I think
you told Mr. Adair as well that special relationships were not
25 allowed at GCC; correct?

A. Yes, that's right.

Q. Yes. I -- I think you said there were to be
no public displays of affection; that was your wording?

A. And that was probably my wording.

30 Q. Yeah okay, but the truth is, sir there
weren't to be no private displays of affection allowed either;
were there?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Well, private doesn't mean display, but there was not to be no making out.

Q. Yeah.

A. In public or private.

5

Q. Is that was you mean?

A. Yeah.

Q. Right.

A. Period.

10 Q. Students were -- were disciplined for kissing in private; were they not?

A. If -- if there was found out, yes.

Q. Yeah and there was no going steady, no exclusive relationships, in fact there was the six-inch rule; correct?

15

A. Yeah and -- and that word exclusive relationship that was probably the biggest -- the most important things, because close relationships exclude other people and that's what we didn't want to happen.

20 Q. And was that true for friendships, close friendships too?

A. You know, there might have been two people that hung around each other all the time, so we tried to make that a -- a case. Now, where there were close relationships, girls with girls, boys with boys we didn't break them up, but we 25 certainly would have tried to discourage it, or encouraged them to be friends with all the students, not just some of the students, all the girls or all the boys.

Q. Okay. And they had separate stairwells?

A. They had separate stairwells, yes.

30

Q. I'm getting there. You knew, sir that it was your father's view that if girls dressed provocatively they could tempt boys in a sexual way; correct?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Yes, that's true.

Q. And that was the reason for the dress code?

A. No.

5 Q. No? Okay. But there were meetings that your father had with students where matters of a sexual nature were discussed?

A. There were always -- often meetings somehow about teaching about relationships and -- and responsible Christ -- relationship, yes.

10 Q. And...

A. He spoke against pre-marital sex.

Q. Yes. And you know as well that he spoke to the girls alone about things like vanity and pride and showiness and the sins of lust and jealousy?

15 A. I wasn't in any of those meetings with just the girls alone, so I can't tell you what was said.

Q. Well, you did tell us that was said at your discovery, sir?

20 A. You're right, I did and maybe that was speculation. I do know those were topics of those -- of those discussions, but I really -- I wasn't there, so if you want me to give you an accurate, you know, description of what was going, I really don't know.

Q. No, I'm not asking you for...

25 A. Okay.

Q. ...details. Topics is fine.

A. I know, okay. Yeah, I agree with you, yes, I do know that those topics were discussed.

30 Q. All right. And the whole idea as -- as I understand it, was about the girls not exhibiting their bodies in a provocation way, because that might lead to things like sexual harassment or rape?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 A. I, you know, they could lead to those things, but the idea was that's really what he was teaching them as a way to act. Not because of harassment or rape, just because that was a way he felt that it was important for the girls to dress.

Q. All right.

A. Big difference to me on that.

10 Q. But -- but I thought you had said he didn't want them to look like they were coming on to the guys by the way they dressed?

A. I might have said that.

Q. All right.

15 A. But it wasn't -- it was really just not to tempt the boys. Not to start them looking -- looking at them in -- in a sexual objective way like that. It was really they wanted to have relationships that were not sexual.

Q. Okay. And we've heard some evidence that that was the reason for the separate stairs, your father didn't want the boys looking up the girls skirts; have you heard that?

20 A. Well, I think that the girls might have felt uncomfortable if there were a group of boys coming up the stairs with their kilts, but on the other hand it was -- it also could be a place where there could be some physical contact that -- that we wanted to avoid, so separating -- we had two stairs, 25 they were close to each other, they could go up their separate ones and...

Q. Okay. So -- so would having the girls wear uniform pants not completely eliminate the looking up the skirts problem?

30 A. With the uniform, the kilt was the uniform and I think that's a traditional girl's uniform for that time period, so why would we go to pants?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. Okay. Now, you told Mr. Adair yesterday about the public light sessions where students were reprimanded on occasion; yes?

A. Yes.

5 Q. And at times during these sessions I'm suggesting to you confessions were urged; were they not?

A. We'd like people to admit to something if they did something. As -- I think an admission is different than a confession. A confession is something that you do voluntarily, because you feel guilt.

10

Q. But they were urged to confess; were they not?

A. They were urged to admit to something if they did something.

15

Q. Okay. So, turning, sir to page 14 or your affidavit of 2011, paragraph 29, you say:

20

There were occasional Light sessions during the eighties, where for example if there was a theft among the students the entire student body was called together in chapel, lectured as to this behaviour and the guilty party or parties urged to confess then and there, or speak to a staff member privately.

25

30

Do you agree, sir that they were urged to confess?

A. Yeah, I guess my -- over the years probably my thought has changed a little.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. All right. And things started to change, sir when your father left; correct?

5 A. I think things were -- well, yeah of course they -- they have different leadership. I don't know if there was just a -- there wasn't a grand change immediately following. I think we kept going on the same...

Q. All right.

A. ...direction for some time.

Q. All right. So more of a gradual change?

10 A. Yes.

Q. All right. And these public light sessions could be held, because of a lack of morale, or student's causing trouble, or where your dad felt that there was a behaviour affected the spirit of the school or the entire student body?

15 A. That could be; yes.

Q. All right. And these public light sessions, sir, I -- I believe you told Mr. Adair they happened two or three times per term, maybe five times a year?

20 A. You know I really don't know the number. I don't know.

Q. But would that be a fair estimate?

A. In my opinion, yes I think it would be.

Q. All right. And they were humiliating?

25 A. Not all, some of them were. Obviously when I was standing up it was humiliating.

Q. All right.

A. For some it would have been humiliating, yes.

Q. And they often occurred during regular chapel immediately after breakfast?

30 A. I think that was most of the time, yes.

Q. And I take it if no one was fessing up they could go on for a longer period of time; would that be fair?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. Some of them went on for a long period of time and I don't know whether it was because no one fessed up, but there might have been more issues.

Q. All right.

5 A. So, it's hard to pin that down.

Q. Do you remember the words haughty being used at times in light sessions?

A. Yes.

Q. Rebellious?

10 A. Yes.

Q. Bad attitude?

A. Yes.

Q. Sinning in your mind?

A. Sinning in your mind I don't recall that.

15 Q. Well, having sinful thoughts or lustful thoughts, or some -- I -- I -- I -- I'm not marrying you to the exact phrase, but the idea?

A. I -- I don't think. I -- I -- I don't remember those terms being used.

20 Q. All right. Will you agree, sir that these public light sessions were used to keep other students in line?

A. I think the light sessions -- well, I call them assemblies. Just so you know we have a difference of opinion. They were nicknamed light sessions, if you want to say that, but these assemblies were there to address problems. There might have been stealing going on...

Q. Okay.

A. ...and -- and that happened occasionally and we'd like to get to the point, get to find out who was stealing to protect all the students.

30 Q. Sir, if I could take your attention to Exhibit 9, this is the joint exhibit book volume 3 and if I

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

could have you turn to Tab 133. This is the document with
Father Farnsworth up in the right hand column or the right hand
corner, the page in handwriting.

A. Mm-hmm.

5 Q. And if you would, sir, turn over the page to
page 2. It says:

10 Although we have no formal
religious education classes at
any grade level, frequent talks
by the Headmaster or faculty
members in chapel services or
assemblies --

15 That's the word you like to use; correct?

A. Well, that's what we called them.

Q. Yeah.

20 ...stressed the spiritual and practical
responsibilities of life. This can be in the form of a
challenging exhortation or can be a...

A. Exhortation.

25 Q. Exhortation, sorry, you're right. I
mispronounced the word. I -- I'm having a little trouble today.

A. That's okay.

Q. Or can be a direct, caring reproof for any
area of irresponsibility. Attitude, which is stressed as being
paramount is commended or addressed as the need arises.

30 So, would -- would this be
talking about these public assem
-- assemblies that were

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

nicknamed light sessions we've
been talking about?

5 A. Yes, and I'm -- I'm trying to find out what
this -- this document is. It doesn't -- it looks like someone
wrote it and put Father Farnsworth's name at the top, so he
didn't write it. It was probably submitted for approval, maybe
for one of our marketing books perhaps, so I think so.

10 Q. Okay. Some parents complained about these
light sessions; didn't they?

A. I -- I'm sure they did, but I don't know.

Q. Well, if we could go to Exhibit 1, that's the
joint exhibit book...

A. Thanks.

15 Q. ...and volume 1 and at Tab 47, page 6. Now,
this doesn't have pages, I just numbered them myself, so you've
got to flip and count six in. It's a page that has five full
paragraphs on it.

A. Okay.

20 Q. Do you see it? All right. And...

A. In his criticisms is one of the subtitles?

Q. Yeah.

A. Okay.

25 Q. This is a -- a -- a summary I take it, if you
look -- but no, I'm sorry it's an actual parent response to the
survey. It says:

As we understand it, you have a
so called honour or caring
30 system...

Oh no, sorry. That's not the paragraph. It's

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

the second paragraph down under criticisms.

5

It also appears that some sort of group criticism sessions take place, in which a student has to stand up in public and accept critical comments from his/her peers (staff present or not)?

10

My information is complete.

This is a sort of popularity vote or lynch mob and it leads to excess group hysteria and non-rational judgments. If a student needs correction, help or guidance this should be provided discreetly by staff in a one-on-one interview, as I think you already do and perhaps occasionally by some kind of head prefect figure.

15

20

So, sir, you'll agree that at least one parent was complaining about the light sessions; correct or public assemblies, as you call them?

25

A. Yes, it looks like -- yeah definitely one parent. And I -- I think I should point out that why did we do these? It was, you know, I spoke to one of the Board of Directors. He was a lawyer for Albert College...

30

Q. I don't think we can get in to that.

A. Okay. All right. Fine.

Q. That's not in any way responsive...

A. All right.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. ...for my question, sir it's hearsay.

A. Sure.

Q. But you'll agree with me, sir that your father didn't like students to have a bad attitude; correct?

5 A. I -- yeah I would agree with that.

Q. All right. Let's talk about discipline for a moment. In the affidavit you swore in 2011, you referred to discipline as a day of discipline, which basically meant working in the kitchen; correct?

10 A. Yeah it could have been.

Q. All right. And I -- I'm just going to read a couple of paragraphs of the affidavit to you now. That's at page 12, Your Honour, paragraph 26. And to be fair, sir you're -- you're talking about students being first informally spoken to about their behaviour, and then in the fourth line you say:

15

Further problems might result in what was called a "day of discipline", which usually meant working in the kitchen.

20

Punishment as a general rule might be increased to three consecutive days of discipline, but would seldom go beyond that, because at that point any such further discipline was thought to be unproductive. In such circumstances parents would be called and asked to remove the student from the school for a week. Other forms in discipline might include working in the

25

30

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

barn, or with the maintenance crew around the property, a withdrawal of social privileges and or the right to wear the uniform. On rare occasion, corporal punishment in the form of paddle would be carried out for particularly serious and repeated breaches.

5

10

So, basically what you're saying there is it's working in the kitchen or the barn or on maintenance, there's no uniform and there's withdrawal of social privileges; correct?

A. Yes.

15

Q. All right. Now, you don't say anything there I suggest about missing classes?

A. I didn't say it there, no, I didn't.

Q. And you didn't say anything in there about Hotel D or sleeping in the infirmary, did you?

20

A. I don't think I used the term Hotel D, before, but I didn't say it there.

Q. You didn't say anything about students having to sleep separately?

A. No, I didn't.

25

Q. And you didn't say anything in there about students having to eat their meals separately?

A. No.

30

Q. But the -- all those things are true. They had to miss class, sleep separately and eat separately at least on occasion; right?

A. Yes, well I kind of think that removing social privileges is -- is sleeping or being separated from the

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

rest of the group.

Q. Oh I see, okay. And does that include -- does removing social privileges also include having a prefect escort you around?

5 A. Yes.

Q. I see. And there was nothing about silence being a requirement. In fact, if I can, sir, I'd like to read the last two sentences of paragraph 27 of your affidavit and this is on page 13. You say:

10

Finally, it is simply untrue that students were forbidden to speak while on discipline. That was never the case in all the years I was at Grenville.

15

A. At that time I believed that and I -- I don't know of any case where we told them we had to be quiet.

20

Q. Okay. So, in this affidavit you're saying the idea of them being on silence is not true and you're saying it here today, as well?

A. That's -- and I -- I'll just say that's what I remember.

25

Q. All right. Well, sir, I'm going to suggest to you there -- that we're -- there were three different ways students can be put on silence as part of discipline. One is there was a silence of discipline; wasn't there?

A. You have to explain that. What do you mean by that?

30

Q. Okay. Well...

A. Are you talking about a day of silence for everybody?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. I'm talking about -- at your discovery -- examination for discovery on September 9th and 10th. Your Honour, I'm referring to page 128 of the transcript.

5

QUESTION 421: What sorts of things in your experience did you see people put on silence discipline for?

10

ANSWER: I can't really remember any specifics. We would often have a day of the week where we would ask the students to have a silent day or a silent morning where they would not speak or unless spoken to.

15

A. Yes.

20

Q. All right. And -- sorry, I -- I actually gave you the wrong question. That was a whole day or a whole morning of silence; right?

A. Yeah, that was...

Q. Okay. Let...

A. ...that was -- that was -- that was campus wide.

25

Q. Sorry, let me back -- that was campus wide. Right. Okay. Let me back that up. At question 420 -- sorry, starting at 419:

30

Have you ever heard of silence discipline?

ANSWER: Yes.

QUESTION 420: What's your

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

understanding of it?

ANSWER: That someone would have
been on a silence discipline,
because they wouldn't listen and
we wanted them to learn to
listen rather than to talk.

5

So, that was a silence discipline; correct?

A. Yeah and I think there's a difference between
that and being put in the pot sink. Perhaps maybe I don't know
if I was connecting the two.

10

Q. All right. So, we've got the silence
discipline, we've got the whole day of silence, and then moving
right along here:

15

QUESTION 422: When it was given
out as a discipline or
punishment.

20

Oh, sorry. We got to go back up to the previous
question to have this make sense.

25

421: What sorts of things in
your experience did you see
people put on silence discipline
for?

ANSWER: You know, I can't really
remember specifics.

30

And you talk about the -- the day of silence and
it -- in most cases not being punishment. And then question
422:

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

When it was given out as a
discipline or punishment, how
long did that go on typically?

5

ANSWER: I don't know. Well,
maybe I can add a little bit to
that. It may have been if
someone was on discipline, we
would ask them to work quietly
during the pot sick or something
like that. The working
discipline of the pot sick we
would ask them to work quietly
and contemplate the reason they
were on discipline.

10

15

So, they were also asked to be silent when they
were on discipline...

20

A. Quiet, there's a difference. That doesn't
mean they can't go ask some question.

Q. Okay. But generally...

25

A. There -- there's a big difference to me when
you say quietly. I -- I -- I look at that as to -- to do the
work, work hard and think about what they were on discipline
for.

Q. Okay. You were talking about silence there
and you were asked -- I'm going to read it to you again, sir.

A. Okay.

30

Q. Question 422: When it...

...referring to silence...

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

...was given out as a discipline
or punishment how long did that
typically go on?

5

And you said:

They would be asked to be quiet,
work quietly when they were on
disc --

10

And you're now saying that that's something
different than silence?

15

A. Well, I think those two sentences are
separate in your document.

Q. All right. Well...

A. Two different things.

Q. All right. So...

20

A. I -- I can tell you the spirit of the rule is
we -- we would have times of silence when we felt it was --
well, we did it as a practice for the students. There were
times when someone would have been put on silence be -- for I
think the reasons you spoke about there. When they were on
discipline, yes we -- we expected them to be quiet, but I don't
think that's out of the ordinary. They're working. They're not
socializing.

25

Q. Okay. Okay. All right. And, sir would it
be fair to say that in all the years at Grenville, you never
knew of a student who broke silence blatantly?

30

A. Broke silence blatantly?

Q. Yeah.

A. I don't remember it.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 Q. All right. And it -- if students who were on discipline were supposed to be working quietly and not talking to the other students about why they were on discipline, for example, I take it that could lead to a fair bit of speculation as to why somebody was on discipline; fair enough?

A. I -- not sure if I understand your question.

10 Q. All right. So -- so, I'm working in the kitchen on discipline doing my pots and I'm not supposed to be talking to people; right? I'm supposed to be doing my work.

A. Mm-hmm.

15 Q. And thinking about why I'm on discipline; right?

A. Well, hopefully, but there wouldn't be any other students around unless there was someone else on discipline with them.

20 Q. Okay. And so, if -- if -- but the students who are on discipline it would be obvious to others in general when someone was on discipline, because they're out of uniform, they're out of class, they're supposed to be working quietly doing work jobs; correct?

A. Yeah.

25 Q. All right. So -- and they're not supposed to be talking to people, generally...

A. Right.

30 Q. ...they're should be doing their work; right?

A. Mm-hmm.

Q. Right. So, what I'm suggesting is those circumstances could lead to other students wondering hmmm, I wonder what so-and-so did that they're on discipline; fair enough?

A. Sure.

Q. All right. And would the students who had to

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

do the clean-up, the bussing of the plates into the kitchen, they would see the kids who were on D in the kitchen wouldn't they?

A. Yes, they would.

5 Q. All right. And discipline and D are one in the same; yes? It was sometimes called being on D?

A. Yes.

10 Q. All right. Now, you suggested in your affidavit that -- that discipline was -- started off with one day and we've heard a lot of evidence...

A. It didn't always start off with one day. Some days it was...

Q. Oh.

15 A. ...if it was serious it would be multiple days.

Q. All right. Can you name any witness who's testified for the defence in this trial that they had only one day of discipline?

20 A. That they only had one day of discipline? I don't remember any of the -- out of those instances, but I know that we had one day disciplines.

Q. All right.

A. And I don't know the witnesses for your trial, for -- for the defence.

25 Q. Okay. I'm talking about your witnesses, not mine.

A. My witnesses? I would imagine they're probably -- I -- I'd speculate, I won't speculate.

MR. ADAIR: The witness...

30 MS. MERRITT: Q. All right. Yeah, you don't have to -- you don't have to speculate. Isn't it true -- so -- so I -- I'm just curious about that. Let me just go back to

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

that for a second. So, you know there's an order excluding witnesses and -- and the witnesses are not allowed to be talking to each other about the evidence that they've given; yes?

A. Yes, I do.

5 Q. And you know you're exempt from that order; right, sir?

A. Yes, I do.

Q. Okay. So...

A. But I'm not talking to them anyways.

10 Q. I understand that you're not talking to the -- the witnesses, but are the lawyers not telling you what the evidence has been so far?

A. No.

Q. Oh okay. Isn't it true that the deans...

15 A. Actually I -- I should -- I should correct that. I do know that there was a discussion about the banner, but other than that there may have been a few things when I met with Mr. Adair yesterday morning, but the specifics of what they're saying I don't -- I really don't know.

20 Q. All right.

A. I was here for the end of -- of Ms. Bakken's...

Q. Okay.

A. ...testimony or cross-exam.

25 Q. Is it true, sir that when the deans checked on students who were on discipline, they sometimes gave them a one-on-one talking to or like a personal light session to help them see where they had gone wrong?

30 A. The deans would have a one-on-one conversation with the student? Yes, that would be probably most of the time.

Q. All right. And I understand, sir that in the

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

1990s there was declining enrollment at GCC?

A. Yes.

Q. And that was in part -- or that was part of the reason for some of the changes being made, I take it?

5 A. You mean that was the cause of the changes being made? I think that we at that point realized that with the -- the makeup of schools across Ontario was -- was a whole lot different. In the eighties there were probably less than 100 private schools in the -- in the -- before the -- before 10 1990. Later in the eighties and the early nineties there was over 600 private schools in Ontario, so they could go to day schools instead away to boarding schools to get that education. So, yeah there were a lot of things. So, we started having day students in the mid-nineties, again.

15 Q. Is it possible that students started being allowed to go to classes while on discipline, either after your father retired or -- or in unusual circumstances where students were on discipline for many weeks?

20 A. I -- I'm pretty sure my father was around when we started allowing students to go to classes out of uniform. In fact, I'm pretty certain of that.

Q. Okay. And if students were on discipline for a long stretch, they'd be allowed to go on to classes as well; right?

25 A. Yeah, and you know what -- what we had those long stretches it really wasn't good to keep them on campus. It's better for them to go home. That's why we...

Q. Yeah but like staff kids you couldn't send them home; right?

30 A. Well, they had homes on the campus.

Q. Right. Okay. So, I think when you were talking to Mr. Adair yesterday answering his questions you --

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

you told Mr. Adair that discipline meant work jobs, no uniform, no classes and we've established as well no sleeping in dorms. They also had to eat alone or with a prefect; correct?

A. Yeah usually.

5 Q. And as a -- they were generally kept separate from the general population; yes?

A. I think you know in the -- in the -- during the -- that time if there were more than one student on discipline, there would be a separate dining room. A lot of
10 them would eat in there.

Q. Okay.

A. And there'd be a prefect or two.

Q. Okay. And they were to eat quietly; were they?

15 A. I don't know. I don't remember.

Q. All right. And just bear with me a moment, sir, I'm looking for a specific reference. Yeah, so they would -- the prefect would eat with them, because you didn't want a student eating all by themselves somewhere; right?

20 A. Sure, yeah sounds right.

Q. All right. And the prefects would escort them back to their rooms if they were to sleep in their rooms or sometimes they slept separate; correct?

A. I think so, yes.

25 Q. All right. And I think you suggested either to me or to Mr. Adair that this was like an internal suspension, because it was a boarding school. This was really the only way you couldn't do it. You couldn't send some of them home to Europe or Hong Kong or wherever, so it's like an internal
30 suspension; yeah?

A. Well, for short terms it was -- it was unusually internal, but I should say that for longer term ones

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

for people that lived overseas, they would generally have a guardian where they could go.

5 Q. All right. But, sir, I'm going to suggest to you that if this were a regular day school and a student was suspended, they could still carry on their normal activities in the evening and sleep in their own beds and eat with their own families; right?

A. If they were suspended in a day school?

Q. Yeah.

10 A. They would go home?

Q. Yeah.

A. They wouldn't go to school.

Q. No, I know, but they could sleep in their own bed and eat with their families; yeah?

15 A. Yeah, but they didn't have classmates in their own bedroom.

Q. So, the point was isolating them from the other students?

20 A. Well, to keep the separate from the other students.

Q. All right.

25 A. Because you don't want to -- you don't want to have the student -- the pressure on the student to defend or -- or talk about everything he's been in -- he's been disciplined for.

Q. And -- and if you -- if you sent a kid home from Grenville, they could still eat with their friends and sleep in their own beds?

A. That's up -- totally up to the families.

30 Q. Yeah. And, sir, I'm suggesting to you, sir that what you at Grenville did with these disciplines and silence and not sleeping in their beds and not eating their

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

meals with the others that was over the top; wasn't it?

A. No. Why -- why? I mean, I -- I don't know if you're a psychiatrist and -- and -- and would suggest those things, but we had -- we had phycologists and psychiatrists that
5 knew our students and our policy...

Q. Well, I don't think...

A. ...they never told us that.

Q. ...I -- I don't think you're allowed to give a back door medical opinion through hearsay, so we can't go
10 there.

A. But you're asking me if it's over the top and I'm telling you that...

Q. You don't think so. Okay.

A. ...I don't think so.

Q. You know -- do you know that Beth Gillis was
15 once put on discipline for 29 days and never told how long it was going to last?

A. I don't know any of the details of that, but I know that Beth had gotten into troubles from time to time and
20 -- and that discipline, whether it was -- whether she attended classes I don't know. Well, did she -- do you know if she was taken out of school for 29 days or was she...

Q. I'm -- I'm asking you do you know she was
25 once put on discipline for 29 days, or a long stretch almost a month?

A. I don't know that she was taken out of classes for 29 days.

Q. Right.

A. There's a difference. Sometimes the
30 discipline doesn't involve removal from classes.

Q. Right. That's what I -- I said that earlier. I said to you sometimes...

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. But she might have been in uniform, so it depends on what that discipline is and I don't know what you're talking about.

5 Q. All right. But there were disciplines that lasted for weeks or months?

A. I think Beth went through some disciplines that were -- were logistical in that or in her classrooms. I was a teacher at one point and -- and -- and I know that -- I didn't put numerical grades on her results. Why? Because
10 whether it was her parents, or whether it was the administration or something, they were trying to help Beth with something different. So, I didn't put grades, but it's pretty obvious that what her grades were, because she did very well in my classes. So, you're asking is that a discipline? I think -- I
15 -- that would have been a -- I don't know if you're listening to me, but to me that would have been a discipline of some sort.

Q. Okay.

A. For Beth.

20 Q. Hiding her grades from her you're talking about?

A. I would say I didn't publish her grades to her.

25 Q. Not publishing her grades. Okay. All right. Some witnesses have testified that while on discipline it went even further than not being allowed to speak to a student on discipline. They were not even allowed to make eye contact with a student on discipline; do you agree with that, sir?

A. I don't know.

30 Q. All right.

THE COURT: Can you repeat...

DONALD FARNSWORTH: I don't -- I don't know. I don't know if that happened or not.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

MS. MERRITT: Q. All right. I think you said the paddle was used for something rather serious?

A. Yes.

Q. Like repeated smoking?

5 A. I -- it could have been for repeated smoking, but I think generally of someone who repeatedly smoked would have been on -- that would -- probably the third time would have might have been expelled.

Q. All right.

10 A. Not gotten the paddle.

Q. Okay. Let's talk about the paddle though, for repeated mis-behaviour?

A. For bringing on alcohol onto the campus would -- in the early eighties and during the seventies would -- could
15 cause the paddle.

Q. How about something of an attitudinal -- attitudinal nature?

A. I think the attitudinal nature had to go with some type of mis-behaviour that was breaking the rules in order
20 to get the paddle. No, we didn't give the paddle out to people just because they had a bad attitude.

Q. All right.

A. There had to be actions.

Q. Okay. So, I'm now going to -- again, Your
25 Honour, refer to the cross-examination of 2011, at page 130, question 712. Oh okay. Just for clarification in -- in question 711, four lines -- five lines in we're talking about the paddle was rarely used. The question at question 712 is:

30 Up until the time this was discontinued, what was it used for?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

And your answer was:

For punishment when a student
did something rather serious.

5

You agree with that; right, sir?

A. Yes.

Q. All right. And then 7 -- question 713:

10

Like what?

ANSWER: Repeated smoking,
repeated mis-behaviour of
something. May have involved
stealing, or it may have
involved something of an
attitude nature.

15

Did you make those answers, sir?

20

A. I think I did, yes. Attitude in nature would
-- again, it wasn't alone.

Q. All right.

25

A. Repeated smoking, I -- I remember a student
-- a parent was asked -- given the option, I think I said this
yesterday, about an option of the student can go home for a week
or longer.

Q. Do you know who that student was?

A. It may have been David Smith, which is the
student that I paddled.

30

Q. I see. And paddling I take it was used until
the mid-eighties?

A. Could be mid or early eighties, I don't know
for sure.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. Well...

A. I -- I only remember that as being the last paddle that was given, to David.

5 Q. All right. In your affidavit you swore at paragraph 31:

10 Attitudes changed as time went on. For example, the use of the paddle was discontinued in the mid 1980's.

A. Yeah, okay.

Q. Is that true?

A. Yeah, that makes sense, yes.

15 Q. All right. And I'd like to ask you a couple of questions about Mr. David Smith, the -- the boy you paddled. That was you said you administered the paddle for the last time to him?

20 A. I think so, yes. I -- I administered the paddle to him.

Q. All right. And where was he from?

A. Of Community of Jesus.

25 Q. Okay. And what did he do to deserve the -- the paddle?

A. I can't remember.

Q. Do you remember how many blows?

A. It was either three or five.

30 Q. All right. And, sir, I take it you know what cold grits is?

A. It was a group of boys that I remember.

Q. Yeah. And they were all punished at the same time?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. They were in a -- there was a group of, I don't know four or five, yes.

Q. And they had to get up early and run for at least a week; yeah?

5 A. I don't think it was running every day. I think running was -- was part of the routine, but I know I met with them and we watched -- we watched actually a movie on television to help -- a leadership movie on television in the mornings, so they wouldn't have been running.

10 Q. So, they didn't run?

A. I'm saying they did run, but I think we'd had a variety of different things with them.

Q. And I take it, sir that term was used because cold grits taste bad?

15 A. Yeah I think it was at the time it was a bit of a -- a humorous title given to them and it wasn't something to -- to relate them to something that tasted bad. Cold grits have a terrible texture. They not -- the taste doesn't change, but...

20 Q. Cold grits are awful; right?

A. I -- some people like them, but I -- but yes, they're not-- they're not usually -- you wouldn't get them in a restaurant that's for sure.

25 Q. All right. And you'll agree, sir that there could have also been a -- a group of girls who were referred to as cold grits and they did running at 5 a.m. as well; yes?

A. I -- I don't remember that there was a girl's group, but there could have easily been one but I just don't remember.

30 Q. All right. Do you remember, at least with the boys that you do -- you remember the cold grits for the boys. Were they on silence during the cold grits?

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

A. I don't remember.

Q. All right. And at least part of the time they'd-- they were on work duties?

5 A. You know what I -- I really don't remember. I can't remember if they went to classes or not. I think they went to classes.

Q. Right. But in addition perhaps to going to classes they were on work duties?

A. I don't know. I don't remember.

10 Q. All right. And were they escorted to and from classes by prefects?

A. I don't remember. I don't believe so.

15 Q. Okay. So, on your discovery -- yes, your discovery on September 9th and 10th, at page 145, question 476 we're talking about while on cold grits:

They were -- and they were -- sorry, and that they were escorted to and from classes by prefects and leaders?

20 ANSWER: It may have been that way part of the time. I don't recall it being all of the time.

25 So, do you agree with that, sir...

A. Yes.

Q. ...that it may have been?

A. Yes.

30 Q. All right. Now, sir, at Grenville you had a practice of having students inform on each other and you called it the code of honour; right?

A. Yes.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. And I'd like to take you to the joint exhibit book volume 2, Tab 127. No, it's not Tab 127. Shoot. The harassment policy, let me just find it. Okay. I'll have to come back to that. No, I don't have it.

5 MS. MERRITT: Your Honour, I notice the time. I -- I'm about five or ten minutes away. Would you rather I keep going, or take the lunch?

THE COURT: Yeah, let's -- let's do that.

MS. MERRITT: Okay.

10 THE COURT: I think the witness has been here all morning; it'd be nice for him to finish.

MS. MERRITT: Q. Okay. Sir, in -- in joint exhibit book volume 2, Tab 117, could -- could you take a look at that, please. Do you have the volume 2 there?

15 A. Yes.

Q. Okay. This is the document dated February 5th, 2002.

MR. ADAIR: What tab is it, I'm sorry?

MS. MERRITT: 117.

20 MR. ADAIR: Okay.

MS. MERRITT: Q. And this is a document, "The name we have adopted that we feel fits the charge given us by the community council is reconciliation and renewal task force." And I would like you to just look down to item number five there, and I'm going to read it to you and then ask you some questions about it.

25

30 It seems to us that there are several excessive behaviour issues that were be present in the past. We are not presenting this list as exhaustive and

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

complete at this time. They are simply issues we agree upon as being present. (a) Overemphasis on sin without the balance of accompanying grace.

5

Do you agree that was an excessive behaviour that occurred at Grenville?

A. No, not fully. I think things change over time and -- and I don't agree with that blanket statement.

10

Q. All right. Do you think at a time there was an overemphasis on sin without an a balance of an accompanying grace?

15

A. I can go on and on about that and I don't think you want to hear it.

Q. All right. How about item B "Strong submission to leadership." Do you agree that was a problem?

20

A. I think these are the opinions of a small group of people and I don't -- I didn't -- I -- so, I can't really...

Q. I'm asking you your opinion, sir.

A. No. I don't -- I think this is all written as an opinion piece...

25

Q. I know...

A. ...after the fact and due to some other influences it came into the Community afterwards.

Q. All right. And do you agree, again your opinion that:

30

...there was controlling leadership with individual development and creativity

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 squelched by the ideas of
leadership thought by them to be
superior. This overriding of
the individual, fostered false
submission, fear and rebellion
in members.

10 A. I -- I can't give you the answer you want on
this. I believe this is a small group of people with a strong
influence externally and they're -- they're trying to -- to
really tear up the history of the school, which -- which I'm
here to defend. So, if you expect me to agree with this, I
can't -- I can't go along with that.

Q. Okay. You can just say agree or disagree.

15 A. Well, I think -- I -- there, you know there
will be instances where it's yes, but generally I cannot agree
with that.

20 Q. Okay. So, well how about we do this. I'm
going to just read the last one.

25 Separation from families.
Families here on campus in some
cases and for undetermined
lengths of time, children were
placed in other member's homes,
parents being regarded as unable
to care for and especially
discipline their own children.

30 And then:

Extended families elsewhere we

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

were to deny our families and
this Community was to be our
only family.

5

So...

A. That's a -- that's a misinterpretation,
ma'am.

Q. All right. So, is there any of that you
agree with? You said there was some you agree with.

10

A. I think the slant of this is -- is not the
way it really was.

Q. Okay.

A. So, I dis -- I dis...

Q. So, there's nothing you agree with?

15

A. ...I disagree with that whole that statement.

Q. All right.

A. Because it's slanted.

Q. Okay. So, moving down to number seven:

20

Because we are dealing primarily
"in house" we do not believe any
overt, public spoken or written
apology or acknowledgment is
advisable or required. We have
the concern that any such
statement, document or action
might be taken out of context
and used against us in some way.

25

30

Do you recall discussions about not apologizing,
because it might be used against you?

A. I was not part of the Grenville Community --

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

well, I was part of the Community, but I was not part of any of the administration. This is 2002, and I had left.

Q. Okay.

A. But, ma'am, I -- I want you to know...

5

Q. But you were still -- sorry...

A. ...I have a...

Q. ...sorry.

A. ...I've apologized to student for when I think that I've gone over the top and -- and I'd be glad to do that any time, if someone came to me. So, it's -- it's not that we are against apologizing, it's just a corporate apology for the way we were as a school. I -- I don't -- I don't agree with that.

Q. Okay. And you were still a voting member of the Board at that time; were you not?

15

A. The Community I was a voting member, yes, but I didn't have too many interactions with the Community at that point.

Q. All right.

20

A. I -- I went elsewhere for church.

Q. Okay. And you said in your evidence to Mr. Adair that a lot of students had a good time or had an overall positive experience and I take it Simon Best was one of those students.

25

A. Yes.

Q. All right. You remember him do you?

A. Yes, very well.

Q. Yeah. Do you remember when his mother didn't want him to be a boarding student and so she pulled him out of the school and sent him to public school for three weeks?

30

A. We -- he would have been going into grade nine. We had a rule that students had to be boarding student

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

and there was -- that was a -- one of those issues where we were debating day students. I was -- I was on Simon and -- and Dr. Beth's side. I said you know we really -- really should have a place for Simon. He -- Stanley was local -- he wants to come to Grenville. Can we try it on a trial basis with Simon and other students in grade nine?

Q. So, he was the first?

A. At that -- after the change of policy. There was a change of policy. We changed it...

Q. For him.

A. ...we were -- we were going back into that to see if we can incorporate them into the lives again, so yes.

Q. He was the first?

A. I think he would have been one of the first.

Q. All right. And he was also I understand allowed to do his discipline on the weekends? So, he wouldn't...

A. I don't remember Simon on discipline.

Q. ...he wouldn't miss class?

A. All right. Sir, are you aware there -- that there are approximately 1,360 members in the plaintiff class?

A. No, I don't. Well, you mean as -- as a class that have joint?

Q. Yeah. Class. Potential class members taking all of this -- the students who would qualify as being in the class, minus any who have opted out we're left with a number of 1,360.

A. So, members -- they didn't join. They -- they're just automatically included; right? Is that what you're saying?

Q. Right.

A. Okay. That makes sense.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. I'm just saying.

A. Yeah.

5 A. That makes sense. Okay. And are you aware that at least as of March 19, there were about 275 who have as you say joined, meaning they've come forward and said they want to make some claim?

MR. ADAIR: Well, I -- I hope my friend is going to prove this at some point in the case or try to. It strikes me as a little late.

10 MS. MERRITT: I'm asking if he knows this from you, Mr. Adair.

MR. ADAIR: No, she's putting the proposition to him in both cases as a fact.

15 MS. MERRITT: Well, in one case it's an agreed fact.

MR. ADAIR: No, it isn't.

MS. MERRITT: It certainly is.

MR. ADAIR: There may be 1350 members...

20 THE COURT: Let's -- let's -- let's have order about it and deal with the objection. The objection is putting something to the witness without...

MR. ADAIR: Yeah, the -- the objection...

THE COURT: ...without having proved it first?

25 MR. ADAIR: ...the objection -- I'll state it this way. The witness is putting the question to Mr. Farnsworth regarding the number who are actually -- have actually joined in to the class as she puts it. How one -- what that means or how one does it is uncertain. She's putting it to him as a fact, not asking him does he know how many, and secondly she -- it -- it -- we have

30

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

agreed there are 1,350 class members, but my friend put it to the witness as if well there's 1,350 people who want to be in this action, knowing...

5 MS. MERRITT: No...

THE COURT: I -- I...

MR. ADAIR: ...well knowing there's...

THE COURT: ...I'm not sure that -- that's what I took from it.

10 MR. ADAIR: ...way more than that to it.

THE COURT: But let's -- let's just go back one step. What is this relevant to?

MS. MERRITT: Okay. So, we have an agreed statement of facts.

15 THE COURT: Yes.

MS. MERRITT: And in the agreed statement of facts we have in paragraph 9 agreed that the total number of students that were enrolled during the class period was 1,396. 36 have validly opted out following the notice of certification. Therefore the class is comprised of exactly 1,360 former students. That's agreed. That's the class size.

20

THE COURT: Right.

25 MS. MERRITT: This witness talked in his evidence about lots of people having a great time and I am entitled to cross-examine him on the fact that he knows that there are about 275 confirmed saying they want to make claims. That number's...

30 THE COURT: I see.

MS. MERRITT: ...been provided to...

THE COURT: I see.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

MS. MERRITT: ...defence counsel. It's a -- a fact that I am suggesting to him. I don't have to prove it, he can say yes or no. If he says no, I may not have evidence of it.

5 THE COURT: Or it may be collateral.

MS. MERRITT: Right.

THE COURT: All right. All right. Go ahead.

MS. MERRITT: Q. Did your lawyer tell you -- do you know that there are about 275 at least as of March 19 that have come forward and said they want to join or make some claims in relation to the way they were treated at Grenville?

MR. ADAIR: Well, with respect, there is no evidence and I couldn't possibly have told the witness that the plaintiffs have certain number have come forward wanting to make claims.

15 MS. MERRITT: Well...

MR. ADAIR: How do I know whether they want to make claims?

THE COURT: Well...

20 MR. ADAIR: It is, with respect, an unfair question.

THE COURT: Actually, could you step out, Mr. Farnsworth for one second. We'll -- we'll talk it through and bring you back in.

25 DONALD FARNSWORTH: Okay.

THE COURT: Hopefully not too far into the lunch break, because now I'm thinking we might want to take the break.

MS. MERRITT: Okay.

30 THE COURT: I -- I don't want to...

MS. MERRITT: I -- I'm very close to the end.

THE COURT: All right.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

MS. MERRITT: I have like one more question after this, or two.

...WITNESS EXCUSED

5

MS. MERRITT: So, we gave Mr. Adair a list of all of the names of all 275 of them with what they say happened.

10

THE COURT: I'm actually -- I -- I don't have an issue with that.

MS. MERRITT: Oh.

THE COURT: I -- I think I need to speak to Mr. Adair.

MS. MERRITT: Oh sorry.

15

THE COURT: It -- it strikes me that in cross-examination you can put forward propositions without having proved it to a witness. The witness is free to agree or disagree. And this case the foundation, as explained to me, is the fact that in-chief this witness said words to the effect that -- that the student body most of the people he saw had a good time, enjoyed themselves. So, I see what counsel's doing, they're trying to put to him the fact that there's a critical mass of people who have provided statements indicating they want relief. So, I don't see why she can't ask that question. Can you help me understand your reasoning as to why that question couldn't be put, given the foundation?

20

25

30

MR. ADAIR: Yeah, I -- I have every reason. It is a question that I -- I agree might be relevant

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 to the foundation. It is the way it is being put
as a fact that these plaintiffs have come forward
wanting to make a claim. For starters, with a
significant number of them, there's nothing about
what happened to them at Grenville.

THE COURT: Oh I see. So, you take issue with
the number and the fact that in your view it's
not even fact. So, you're taking issue with the
good faith basis for 275?

10 MR. ADAIR: Exactly.

THE COURT: I see.

MR. ADAIR: It's not even a fact and I -- it's
being put as a fact to the witness and it's...

THE COURT: Okay. I -- I understand.

15 MR. ADAIR: ...not really fair to -- as -- as
counsel for the plaintiff, do you know whether
275 people have come forward to us, the
plaintiffs wanting to make a claim?

20 THE COURT: Well, I suppose because we've got a
representative defendant, but I -- I understand
you're point so I'll -- I'll hear from Ms.
Merritt on the point of the good faith basis for
the number.

25 MR. ADAIR: And -- and furthermore, with respect,
if I can add one more thing. One of the rules of
examination in-chief is counsel has an obligation
to ask questions eliciting admissible evidence.
The evidence -- the -- the question asks for a
conclusion from the witness that is totally
30 irrelevant, collateral to the entire case
whatever he answers.

THE COURT: So, Ms. Merritt, can I hear from you

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

on the -- the argument that there's not a good
faith basis, because...

MS. MERRITT: Sure.

5

THE COURT: ...in some cases there's nothing for
someone that 275.

10

MS. MERRITT: Okay. So, Mr. Adair well knows,
because we sent to him in March 29th, 2019 the
list of names of all the people who contacted us
about being interested in the litigation, saying
here's my story, here's what I want, I'm
interested. Okay. I can rephrase as an interest
in the litigation, if you want, but they weren't
the 36 people that contacted Mr. Adair and said I
want out of it.

15

MR. ADAIR: Nobody contacted me and said I want
out of it. Not one...

MS. MERRITT: Well, they opted out.

MR. ADAIR: ...single person.

MS. MERRITT: They sent forms.

20

THE COURT: Let -- let's -- let's just let
counsel finish the response...

MS. MERRITT: Right?

THE COURT: ...and let's take it from there.

MR. ADAIR: Sorry.

25

THE COURT: That's all right.

MS. MERRITT: There were -- there were 36 as I
understand it that sent opt out letters to Mr.
Adair's firm. Maybe it was somebody else at his
firm.

30

MR. ADAIR: They -- nobody sent opt out letters
of any nature or kind to my firm ever. That is
not the way the process works. The process works

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

5 that the plaintiff sends them out and gets back
the opt out coupons. And in fact what's
troubling about this whole line of questions is I
have an affidavit from a member of my friend's --
one of the plaintiff's law firms stating all this
about who was notified, who opted out and of the
approximately 800 people who were even notified,
400 of the emails bounced back.

10 THE COURT: I am regrettably, including that
we're reaching the point of diminishing returns
and I think we need to finish the witness, so if
you can rephrase the question or move on.

MS. MERRITT: Okay.

15 THE COURT: I think that's the best way to handle
this. So, let's have the witness back in.

...WITNESS RESUMES

20 MS. MERRITT: Q. I'm just going to go back for a
second to the harassment policy. In the joint exhibit book
volume 2, Tab 107, there is a Grenville Christian College policy
and if you turn the page over its dated April 20th, 2001. Do
you see that, sir?

A. Yes, yes I do.

25 Q. Was that the first harassment policy of
Grenville?

A. It probably was.

Q. And...

A. I don't know for certain.

30 Q. ...that would have been part of the changes
that occurred after your father left?

A. Yes.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. All right. And we were talking before about your statement to Mr. Adair that a number of people had a -- a positive experience at GCC. Sir, the fact is at least one of your own brothers didn't have a very positive experience at GCC; isn't that fair to say?

A. Which brother?

Q. William.

A. William didn't have a fair experience at GCC. I thought he did.

Q. Did you?

A. Yes.

THE COURT: The answer was I thought he did?

DONALD FARNSWORTH: I think he did. I'm pretty sure he did, actually.

MS. MERRITT: Q. All right. I'm -- I'm going to show you a Facebook post. This appears to be a -- a Facebook post of your brother's. Do you recognize this -- him in the picture there?

A. Yes, it is.

Q. All right. And are you Facebook friends with him?

A. Yes, I am.

Q. And do you recall seeing this post?

A. No. Can -- can I read it though?

Q. Yeah, sure.

A. I just -- I really would like to know. Okay.

Q. All right, sir. The Facebook post talks about the stuff your dad did to me, meaning William last year. I -- I wake up...

A. In -- last year or in...

Q. In my last year, sorry.

A. Okay.

Donald Farnsworth - Cr-Ex.
(Ms. Merritt)

Q. I wake up in a raging sweat with my dreams infected with the corrupt abuse of abscess that I had for a father.

5

Were you aware that your brother considered your father an abusive abscess?

10

A. My brother is a -- swings from one way to the other frequently.

Q. All right.

15

A. This is a personal descript -- this is his personal interaction. It has nothing to do with I believe his time at Grenville Christian College. He was there at school, but it wasn't about his treatment as a student.

20

Q. He talks about on the night of his graduation sitting alone at home, resting his chin on a loaded 12-gauge shotgun and tickling the trigger for about 40 minutes, thinking about the repercussions it would cause and how it would be the ultimate response to him. Do you know why he was suicidal; what the incident was?

A. I don't think he had a 12-gauge. I don't believe him. I think my brother makes up things.

25

Q. Okay. But what was the incident that your dad did to him in his last year?

A. My father would have probably told him something he didn't agree to do or didn't -- didn't like to do. They were...

30

THE COURT: If -- do you know -- do you know what it is? You said...

DONALD FARNSWORTH: No, I don't know exactly.

THE COURT: If you don't -- if you don't know,

D. Farnsworth - Cr-Ex.
D. Farnsworth - Re-Ex.

don't speculate.

DONALD FARNSWORTH: Okay.

THE COURT: Thank you.

5 MS. MERRITT: Q. Do you agree that your brother
paid for and suffered way more than most for your father's evil
abuse?

A. No.

Q. All right.

10 A. I do know that he had a -- there was a father
-- there was a lot of tension between him and in some of those
tensions would become physical. He would try to hit my father.

Q. Okay. And Joan Childs, you know that she was
part of the A-Team?

A. Yes.

15 Q. And would it be fair to say that she was more
involved in and more privy to the administrative decisions
regarding philosophies and practices at GCC for a longer period
of time than you?

A. Yes.

20 MS. MERRITT: All right. Thank you, sir, those
are all my questions.

THE COURT: Re-examination.

RE-EXAMINATION BY MR. ADAIR:

25 Q. Yes. Mr. Farnsworth a couple of questions,
sir. My friend was asking you about the business and younger
children or young children, children of staff at Grenville
having to go and live with other parents. Did that have
anything at all to do, sir with the operation of the school
30 itself?

A. No, it did not.

Q. My friend asked you about Michael Phelan, was

D. Farnsworth - Re-Ex.
(Mr. Adair)

Michael Phelan a staff kid?

A. Yes, he was.

Q. Ms. Merritt asked you about light sessions --
light -- a light session for several couples who went on a
5 hayride at a time when a staff meeting was scheduled. You
remember that?

A. I remember the time...

Q. Yeah.

A. ...and a staff meeting may not have been
10 scheduled, so...

Q. Did that have anything at all to do with the
operation of the school?

A. No, it didn't.

Q. My friend asked you about some adult spanking
15 or something.

A. I -- I -- I know of one, yes.

Q. All right. And was that in the Community or
something to do with the school?

A. It was -- would have been in the Community.

Q. And then when you were talking about light
20 sessions about -- or my friend was talking to you about light
sessions about all the idolatry and jealousy, were you speaking
of Community or student light sessions?

A. That would have been a Community light
25 session.

Q. And Tab 117, this document of February 5,
2002, my friend showed you, did that -- did you have anything to
do with the preparation of that document?

A. No, nothing.

Q. And do you -- is -- is that document talking
30 about the operation of school or -- or is it problems with the
Community?

D. Farnsworth - Re-Ex.
(Mr. Adair)

A. It looks to me as it's strictly Community.

Q. Okay. And my last question is this. My friend asked you about a policy of students informing on each other.

5

A. Yes.

Q. When were students supposed to inform on each other?

10

A. I, you know, the -- the most important times would've been when there was something that could have hurt someone or hurt themselves.

MR. ADAIR: All right. Thank you, sir those are all the questions that I have.

15

THE COURT: Thank you. Mr. Farnsworth, I just had one clarification question. During cross-examination you were asked about small children being sent to live with other families as part of the Grenville Community and you said that you believed that could happen. Ms. Merritt asked you whether it would ever cross your mind whether it might not be good to move children away from their parents and -- and I don't believe you answered that. Are you able to answer that question?

20

DONALD FARNSWORTH: Well, I -- I can think of one case, would that help?

25

THE COURT: I...

DONALD FARNSWORTH: Of -- of a -- of a young staff kid, probably grade seven living with another family.

30

THE COURT: I think the question is more a personal one for you, as to whether you ever thought that that might not be a good idea rather

Cavanaugh v Haig

than an example. Just whether you ever thought about that.

DONALD FARNSWORTH: I -- I don't -- I -- I would not have objected to it as long as it was something that was well thought out, and I hope -- I would expect that it was. So, do I object to that overall? No, I don't object to it.

THE COURT: Okay. Thank you.

DONALD FARNSWORTH: But that's just strictly Community.

THE COURT: That's my understanding. Thank you very much.

DONALD FARNSWORTH: Thank you.

THE COURT: Thanks for coming. All right. We will have the lunch break and let's reconvene at 2:45. Does that work for your witness this afternoon? Give you time to get set up?

MS. MERRITT: Yeah.

MR. ADAIR: Thank you.

THE COURT: Very good.

MS. MERRITT: I apologize; I was a little longer than I thought, Your Honour.

THE COURT: We made it work and I think it's better to finish Mr. Farnsworth's evidence, so thank you all. See you all at 2:45.

R E C E S S

U P O N R E S U M I N G:

MS. MERRITT: Your Honour, I do have a copy of the photograph from the inside of the yearbook

Cavanaugh v Haig

with the Anglican flag and we can just mark that
as the next exhibit, please.

CLERK REGISTRAR: Exhibit 49.

5

EXHIBIT NUMBER 49: Anno Domini Grenville
Christian College - produced and marked.

MS. MERRITT: Thank you. It's actually Exhibit
50.

10

CLERK REGISTRAR: 49.

...Discussion regarding scheduling

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Certificate

FORM 2

Certificate of Transcript
Evidence Act, subsection 5(2)

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I, Octavia Cumberbatch, certify that this document is a true and accurate transcript of the recording of Lisa Cavanaugh et al. v. Alastair Haig et al. in the Superior Court of Justice, held at Toronto, Ontario, taken from Recording No. 4899_8-2_20191007_092551__10_LEIPERM.dcr, 4899_8-2_20191008_093041__10_LEIPERM.dcr, which has been certified in Form 1.

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July 3/20

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