

**Institutional Child Abuse in
Canada :**

Criminal Cases

By Goldie Shea

This paper was prepared for the Law Commission of Canada. The views expressed are those of the author and do not necessarily reflect the views of the Commission. The accuracy of the information contained in the paper is the sole responsibility of the author.

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By Goldie M. Shea
October, 1999**

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METHODOLOGY

This research document contains a listing of criminal cases involving allegations of institutional child abuse in Canada. The list includes the institution where the offence allegedly occurred, a synopsis of the charge, the initial determination and the eventual outcome. They have been organised alphabetically in charts and are separated by province. The list contains some indication of pending cases as well as reported and unreported decisions for all Canadian jurisdictions. No criminal cases were found in either Manitoba or Prince Edward Island.

The information collected has been obtained mainly by manual case law searches and by using Quicklaw. In the event that the decision has not been reported, the facts of the case were obtained either through media reports, books, conversations with defence counsel, the investigating police officer or the Crown Attorney. Those cases are noted to be “unreported” and the official details are unavailable. Best efforts have been made to confirm the accuracy of the details through verification with the Crown Attorney who prosecuted each case. This has not always been possible.

BRITISH COLUMBIA

| Case Name | Institution | Charge | Determination |
|--|---|---|--|
| <i>R. v. Clarke</i> [Unreported]. | St. George's Indian Residential School in Lytton. | Charged with 12 counts of gross indecency, six counts of buggery and one count of assault with intent to commit buggery. | Entered a guilty plea on March 14, 1988 to 11 counts of buggery and six counts of indecent assault. He was sentenced in April of 1988 to 12 years in prison. |
| <i>R. v. Critchley</i> (September 8, 1992) 39397 (B.C.S.C.). | Arden Park Youth Ranch | Charged with sexual assault regarding 16 victims. | Entered guilty plea and was sentenced to 17 years in prison. |
| <i>R. v. Curry</i> (1993) [Unreported]. | Children's Foundation | Charged with one count of attempted buggery, two counts of buggery and 19 counts of gross indecency. | Found guilty on 22 counts but died before sentencing. |
| <i>R. v. Doughty</i> (1991) [Unreported]. | St. Joseph's Mission | Four counts of gross indecency | Entered guilty plea and was sentenced to one year in jail. |
| <i>R. v. Doughty</i> (1995) [Unreported]. | Kuper Island School | Charged with sexual offences including six counts of indecent assault and gross indecency. | Entered guilty plea to three counts and the rest were stayed. Sentenced to four months in prison. |
| <i>R. v. Gallagher</i> - Trial: [1995] B.C.J. No. 1408 (S.C.); Sentencing: [1995] B.C.J. No. 1753 (BCSC). | Jericho Hill School (Dental Clinic) | Charged with sexual offences regarding seven complainants. | Convicted on three counts of indecent assault. Sentenced to one-year in prison concurrent on each of the three counts. |
| <i>R. v. Griffiths</i> (1992) [Unreported]. | Boys and Girls Club of Vernon | Five charges of indecent assault, four charges of gross indecency, two charges of sexual assault and two counts of sexual touching. | Entered a guilty plea and was sentenced to six years in prison. |
| <i>R. v. Harding</i> [Unreported]. | St. George's Indian Residential School in Lytton | Charged with three counts of gross indecency and one count of buggery | Found not guilty by a jury. |
| <i>R. v. Maczynski</i> [1997] B.C.J No. 2623 (C.A.) (appeal of sentence). | Lower Post Residential School | Indecent Assault (11) Buggery (6) Attempted Buggery (1) Gross Indecency (9) Attempted Gross Indecency (1) | Found guilty and sentenced to 16 years in prison. His appeal on sentencing was dismissed. |
| <i>R. v. McIntee</i> (1989) [Unreported] | St. Joseph's Mission Residential School | 17 counts of sexual assault. | Entered guilty plea and was sentenced to a two-year jail term and three years probation. He was also ordered to meet |

| Case Name | Institution | Charge | Determination |
|---|---|---|--|
| | | | families of his victims to hear their stories face-to-face. |
| <p>R. v. O'Connor - Trial: [1996] B.C.J. No. 1663 (S.C.); Sentencing: [1996] B.C.J. No.2784 (S.C.); Appeal of Convictions: [1998] B.C.J. No. 649 (C.A.).</p> | St. Joseph's Mission Residential School | The accused was charged with two counts of rape and two counts of indecent assault. | <p>Found guilty of one count of indecent assault and one count of rape</p> <p>The perpetrator was sentenced to two and a half years for the rape and three months for the indecent assault charge to be served concurrently.</p> <p>An appeal from the convictions of rape and indecent assault was allowed at the Court of Appeal. A new trial was ordered on the rape charge and an acquittal was entered on the indecent assault. The rape charge was dropped after the woman involved, the RCMP and the Attorney General's Ministry agreed to a healing circle to avoid further court proceedings.</p> |
| <i>R. v. Plint</i> [Unreported]. | Alberni Residential School | The accused was charged with a number of sex-related offences. | The accused entered a guilty plea and was sentenced to 11 years in prison. |

NEW BRUNSWICK

| Case Name | Institution | Charge | Determination |
|---|---|--|---|
| <i>R. v. Carey</i> (1994) [Unreported] | The New Brunswick Protestant Orphans Home | Charged with three counts of indecent assault. | Found guilty and sentenced to six months in jail, one-year probation and 50 hours of community service. |
| <i>R. v. Duguay</i> (1992) [Unreported]. | The New Brunswick Training School at Kingsclear | Charged with three counts of indecent assault and one count of buggery. | Convicted and sentenced to five months in prison. |
| <i>R. v. Nickerson</i> (1993) [Unreported] | The New Brunswick Protestant Orphans Home | Charged with 49 counts of charges ranging from indecent assault to buggery. | Pleaded guilty and was sentenced to 12 years in prison. |
| <i>R. v. Raymond</i> (November 1992) [Unreported]. | The New Brunswick Training School at Kingsclear | Charged with 3 counts of indecent assault. | Jury found him not guilty on two counts and unable to reach a verdict on the third count. |
| <i>R. v. Robertson</i> [1995] N.B.J. No. 7 (Q.B.). | Boys' Industrial Home | Sexual offences including charges of indecent assault and buggery. | Convicted by a jury of nine sexual offences on five different boys. Sentenced to a total of nine years (one year for each offence). |
| <i>R. v. Stackhouse</i> (1993) [Unreported] | The New Brunswick Protestant Orphans Home | Charged with three counts of indecent assault and one count of forced sexual intercourse. | Found guilty. |
| <i>R. v. Toft</i> [1992] N.B.J. No. 765 (Q.B.). | The New Brunswick Training School at Kingsclear | 34 sex related charges regarding 19 complainants (11 counts of sexual assault, 11 counts of buggery, 12 counts of indecent assault). | Entered guilty plea and sentenced to 13 years in prison. |

NEWFOUNDLAND

| Case Name | Institution | Charge - Issue | Determination/Sentence |
|--|------------------------|---|---|
| <p>R. v. Barry - Trial: [1998] N.J. No. 187 (S.C.); Sentencing: [1998] N.J. No. 255 (Nfld. S.C.T.D.)</p> <p>Note - The determination on conviction and sentencing were appealed to the Court of Appeal on September 11, 1998. No date is set for the hearing of the appeal.</p> | Mount Cashel Orphanage | Charged with five counts of indecent assault and gross indecency. | <p>The accused was convicted on four counts:</p> <p>Gross indecency – Sentenced to two years</p> <p>Indecent assault – Sentenced to six months concurrent</p> <p>Indecent assault – Sentenced to six months consecutive</p> <p>Indecent assault – Sentenced to six months consecutive</p> <p>Total sentence: Three years</p> |
| <p>R. v. Bromley -Sentencing: [1998] N.J. No. 229 (S.C.).</p> <p>Note – The conviction and sentence was appealed to the Court of Appeal in September 1998. The appeal is to be argued on November 22, 1999.</p> | Whitbourne Boys' Home | Charged with 31 counts involving gross indecency, indecent assault, sexual assault and buggery. | <p>The accused was convicted by a jury on 11 of 31 counts as follows:</p> <p>Indecent Assault (5)</p> <p>Gross Indecency (4)</p> <p>Buggery (2)</p> <p>Sexual Assault (1)</p> <p>Total sentence: Six and a half years.</p> |
| <p>R. v. Burke - Conviction: [1991] N.J. No. 368 (S.C.); Sentencing: [1991] N.J. No. 369 (S.C.) ; Appeal of Convictions: [1994] N.J. No. 70 (C.A.); Appeal of sentence: [1996] N.J. No. 179 (Nfld. C.A.); [1996] 1 S.C.R. 474 (S.C.C.).</p> | Mount Cashel Orphanage | The accused was charged with seven counts of indecent assault and one count of assault causing bodily harm. | <p>The accused was convicted of three counts of indecent assault and one count of assault causing bodily harm.</p> <ul style="list-style-type: none"> Accused sentenced to a total of 25 months in prison for all charges <p>The accused appealed the convictions. The Court of Appeal confirmed his convictions and dismissed the appeal. The case was then appealed to the Supreme Court of Canada. The S.C.C. allowed the appeal and quashed the convictions for indecent assault. The appeal regarding the conviction for assault causing bodily harm was dismissed and that decision was upheld.</p> <p>The accused appealed the one-month sentence of in prison for the conviction of assault causing bodily harm. The conviction was set aside and the accused was discharged absolutely.</p> |
| <i>R. v. Clancy</i> (10 November | Mount Cashel | The accused plead | He was sentenced on November 10, |

| Case Name | Institution | Charge - Issue | Determination/Sentence |
|---|----------------------------|---|--|
| 1998) [Unreported]. | Orphanage | guilty to two counts of sexual assault | 1998 to 4 months in prison and 2 years probation. |
| R. v. E.(E.) [1989] N.J. No. 261 (S.C.). | Mount Cashel Orphanage | Applications by four unnamed persons for Stay of Proceedings (Charter argument). | Applications dismissed. |
| R. v. English - Sentencing: (1991) 95 Nfld. & P.E.I.R. 147 (S.C.); Appeal of Convictions: [1993] N.J. No. 252 (Nfld. C.A.); Appeal of Sentence: [1994] N.J. No. 240 (C.A); | Mount Cashel | The accused was charged with 12 counts of indecent assault, five counts of gross indecency and two counts of assault causing bodily harm. | <p>The accused was found guilty by a jury on nine charges of indecent assault, two charges of gross indecency and two counts of assault causing bodily harm.</p> <ul style="list-style-type: none"> Sentenced to consecutive terms of in prison for each of sexual assault, indecent assault and assault causing bodily injuries. Sentenced concurrently to a total term of incarceration of 13 years. <p>Appeal from 13 convictions of sex related charges. Grounds: abuse of process, pre-trial publicity, flawed jury selection, flawed jury direction and bias.</p> <ul style="list-style-type: none"> Appeal dismissed except that the two convictions for gross indecency were set aside. <p>English appealed his 13-year sentence on the grounds that it was disproportionate with the sentence of others who were convicted of the same offences.</p> <ul style="list-style-type: none"> At the Court of Appeal his sentence was reduced to 10 years in prison. |
| R. v. French - Sentencing: (1991), 93 Nfld. and P.E.I.R. 34 (S.C.). | Mount Cashel Orphanage | The accused was charged with a number of counts of indecent assault on a male person. | The accused was found guilty by a jury of three counts of indecent assault on a male person and sentenced to a total of 18 months in jail. |
| R. v. Harris [1993] N.J. No. 199 (Prov. Ct.). | Whitbourne Training School | Charged with Indecent assault. | The accused entered a guilty plea and was sentenced to 30 months in jail. |
| R. v. Hickey (January 1988) [Unreported]. | Mount Cashel | Charged with 20 Counts of Sex Abuse on young boys. | Sentenced to five years in prison. |
| R. v. Kenny - Conviction: [1992] N.J. No. 88 (S.C); | Mount Cashel Orphanage | The accused was charged with nine | The accused was found guilty on seven counts of indecent assault. |

| Case Name | Institution | Charge - Issue | Determination/Sentence |
|--|------------------------|--|--|
| Sentencing: [1992] N.J. No. 118 (Nfld. S.C); Appeal of Sentence: [1994] N.J. No. 325 (C.A.); Appeal of Conviction: [1996] N.J. No. 180 (CA); [1996] S.C.C.A. No. 482 (S.C.C.). | | counts of indecent assault, three counts of gross indecency and two counts of assault causing bodily harm. | <p>The Crown appealed the five-year sentence to the Court of Appeal. The appeal was allowed and the sentence was increased to seven years.</p> <p>The accused appealed against a conviction of seven counts of indecent assault.</p> <ul style="list-style-type: none"> • The appeal was dismissed. • An application for leave to appeal to the Supreme Court of Canada was dismissed without reasons. |
| <i>R. v. Kernan</i> [Unreported]. | Mount Cashel Orphanage | Charged with seven counts of Indecent assault and five counts of gross indecency. | Acquitted in the fall of 1998. |
| <i>R. v. Lasik</i> [1999] N.J. No. 207 (S.C.). Note – Appeal of conviction and sentence was filed in August, 1999. No date is set for the hearing of the appeal. | Mount Cashel Orphanage | The accused was charged with nine counts of indecent assault, six counts of buggery, two counts of gross indecency and seven counts of common assault. | On June 5, 1999 a jury found the accused guilty of six counts of indecent assault, six counts of buggery, two counts of gross indecency and five counts of common assault. Mr. Lasik was sentenced to a total of 11 years minus time served. |
| <i>R. v. Lawlor</i> [Unreported]. | Mount Cashel Orphanage | Indicted on March 31, 1998 on one count of indecent assault. | Acquitted after trial in January of 1999. |
| <i>R. v Pelley</i> [1991] N.J. No. 360 (S.C.). | Mount Cashel Orphanage | Charged with gross indecency and indecent assault. | <p>Convicted on two counts of gross indecency and one count of indecent assault.</p> <p>Sentenced to:</p> <ul style="list-style-type: none"> - Indecent assault – six months - gross indecency – one year - gross indecency – one year |
| <i>R. v. Ralph</i> - Sentenced: [1992] N.J. No. 37 (S.C.); appeal of sentence: [1993] N.J. No. 46 (C.A.). | Mount Cashel Orphanage | The accused was charged with ten counts of indecent assault and one count of gross indecency. | <p>The accused entered a guilty plea to ten counts of indecent assault and one count of gross indecency. He was sentenced to a total of four years in prison.</p> <p>The Crown appealed the sentence and the Court of Appeal increased it</p> |

| Case Name | Institution | Charge - Issue | Determination/Sentence |
|--|------------------------|---|---|
| | | | to six years in prison. |
| R. v. Rooney - Sentencing: [1991] N.J. No. 162 (S.C.). | Mount Cashel Orphanage | The accused was charged with counts of indecent assault and acts of gross indecency on two children under ten years of age. | The accused was found guilty of six out of ten sexual abuse charges and sentenced to six years in prison. |
| R. v. Thorne - Sentencing: (1991-92), 92 (Nfld. and P.E.I.R.) 310 (Nfld. S.C.). | Mount Cashel Orphanage | The accused was charged with gross indecency, indecent assault and buggery. | The accused was convicted by a jury of gross indecency, indecent assault and buggery and sentenced to six months in prison for the indecent assault, six years for buggery and four years each for two counts of gross indecency to be served concurrently. |

NORTHWEST TERRITORIES

| Case Name | Institution | Charge | Determination |
|--|---------------|--|--|
| <i>R. v. Comeau</i> [1998] N.W.T.J. No. 34 (S.C.). | Grollier Hall | The accused was charged with two counts of indecent assault. | The accused entered a guilty plea and was sentenced to a jail term of one year on each count to be served concurrently. |
| <i>R. v. Leroux</i> [1998] N.W.T.J. No. 139 (S.C.); Trial: [1998] N.W.T.J. No. 140 (S.C.) Sentencing: [1998] N.W.T.J. No. 141 (S.C.). | Grollier Hall | The accused was charged with 21 counts including indecent assault, gross indecency and incitement to commit buggery. | Seven counts were dismissed and convictions were entered on 14 counts. The accused was sentenced to a global term of 10 years in prison. |
| <i>R. v. Maczynski</i> (1998) [Unreported]. | Grollier Hall | The accused was charged with five counts including indecent assault, gross indecency and buggery. | The accused entered a guilty plea and was sentenced to four years. |

NOVA SCOTIA

| Case Name | Institution | Charge | Determination |
|---|--|--|---|
| <i>R. v. Hollett</i> [1993] N.S.J. No. 76 (S.C.). | Nova Scotia School for Girls | The accused was charged with having a sexual relationship with a female of previous chaste character between ages 14 and 16 contrary to section 146(2) of the Criminal Code. | The accused was convicted by a jury and sentenced to in prison for two years and four months. |
| <i>R. v. MacDougall</i> (1993) [Unreported]. | The Shelburne Youth Training Centre | Charged with numerous sexual offences. | Convicted in 1993 and sentenced to six years in prison. |
| <i>R. v. Milbury</i> – Ongoing. | Amherst Provincial Resource Centre for the Hearing handicapped | Charged with three counts of sexual abuse and one count of gross indecency in regard to three complainants. | Preliminary Hearing set for January 11, 2000 |
| <i>R. v. Moss</i> (1992) [Unreported]. | Nova Scotia Residential Centre | Charged with 4 counts of indecent assault. | The accused pleaded guilty and was sentenced to one year in prison. |

ONTARIO

| Case Name | Institution | Charge | Determination |
|---|---|---|---|
| <i>R. v. Baker</i> (1993) [Unreported]. | Sir James Whitney School for the Deaf | Four counts of indecent assault. | Entered guilty plea and was sentenced to 60 days in jail. |
| <i>R. v. Bergeron</i> [1992] A.O. No 977 (Gen. Div.); [1992] A.O. No. 2353 (Gen. Div.). | St. Joseph's Training School for Boys | Two counts of indecent assault and one count of buggery. | Convicted in April, 1992 and sentenced September 1992 to two years less a day. |
| <i>R. v. Blais</i> [Unreported]. | St. Anne Residential School | October, 1997 - Charged with one count of indecent assault on a male. | The accused was found guilty. The sentence given did not include jail time. |
| <i>R. v. Bradshaw</i> (1995-96) [Unreported]. | Sir James Whitney School for the Deaf | Charged with 5 counts of indecent assault. | Found guilty of two charges of indecent assault and acquitted on three charges. Sentenced to one year in prison. |
| <i>R. v. Charbonneau</i> [Unreported]. | St. Joseph's Training School for Boys | 17 charges. | Entered guilty plea and was sentenced in February 1994 to six years in prison. |
| <i>R. v. Chenier</i> (1997) [Unreported]. | St. Anne Residential School | Charged with 1 count of indecent assault on a minor. | The case was tried in the spring 1998. The charges were withdrawn because the complainant wouldn't show up. |
| <i>R. v. Clarke</i> (1993) [Unreported]. | St. John's Training School | Charged with buggery, indecent assault and assault causing bodily harm. | Entered guilty plea in March 1993 and was sentenced to two years less a day. |
| <i>R. v. Clarke</i> (1995) [Unreported]. | St. John's Training School | Additional charges of buggery, gross indecency and indecent assault. | Entered guilty plea in January of 1995 and was sentenced to nine months in jail. |
| <i>R. v. Clement</i> [1993] A.O. No. 1688 (Gen. Div.). | St. Joseph's Training School for Boys | Charged with assault causing bodily harm and indecent Assault. | Acquitted. |
| <i>R. v. Collin</i> [Unreported]. | St. Joseph's Training School for Boys | Buggery and assault causing bodily harm. | Acquitted in February of 1993. |
| <i>R. v. Cushing</i> (1997) [Unreported] | St. Anne Residential School | Charged with indecent assault on a male. | Entered a plea of not guilty and was acquitted after trial on July 2, 1999. |

| Case Name | Institution | Charge | Determination |
|---|--|--|--|
| R. v. Dagenais [1993] A.O. No. 1681 (Gen. Div.). | St. Joseph's Training School for Boys | The accused was charged with 18 counts including buggery, assault causing bodily harm and indecent assault. | Convicted in December of 1992 on 15 of 18 counts and was sentenced in March of 1993 to five years. Appealed but abandoned appeal. |
| R. v. Desjardins [Unreported]. | St. Joseph's Training School for Boys | Charged with buggery and indecent assault. | Acquitted in October of 1993. |
| R. v. Dugas [Unreported]. | St. John's Training School | Charged with indecent assault and assault causing bodily harm. | Acquitted in 1993 (Died 1994). |
| R. v. Durocher [Unreported]. | St. Joseph's Training School for Boys | Three counts of indecent assault and one each for buggery and indecent assault. | Charges stayed in June of 1992 for medical reasons. |
| R. v. Ferguson [Unreported]. | Grandview School for Girls | Charged with one count of assisting an inmate to escape custody, one count of sexual intercourse with a female ward and two counts of breach of trust by a public officer. | Acquitted of all four charges in June, 1994. |
| R. v. Finley [1998] O.J. No. 974 (Gen. Div.). | Grandview School for Girls | Entered guilty plea to numerous counts of sexual assault. | Entered guilty plea to numerous counts of sexual assault and was sentenced to three years in prison. |
| R. v. Fortin [1992] A.O. No. 3080 (Gen. Div.). | St. Joseph's Training School for Boys | One charge of assault causing bodily harm. | The accused made an application for a stay of proceedings based on a Charter argument. The application was allowed and a stay was granted. |
| R. v. Hall - Conviction: [1993] O.J. No. 3344 (Gen. Div.); Sentencing: [1993] O.J. No. 3345 (Gen. Div.). | E. C. Drury School for the Deaf - Milton Ont. (1970-73) Robarts School for the Hearing Impaired, London, Ont. (1974-83) | Charge with rape, sexual assault, indecent assault and gross indecency. | The accused was convicted and sentenced to 9, 12, 12, 6 and 18 months respectively for the five counts of gross indecency and to incarceration for three years for the sexual assault. |
| R. v. Hands [1996] O.J. No. 264 (Gen. Div.). | Pelican Lake Residential School | Charged with 19 counts of indecent assault. | The accused entered a guilty plea and was sentenced to four years in prison. |
| R. v. Huot [1992] A. O. No. 1380 (Gen. Div.); 16 O.R. (3d) 214 (C.A.); | St. Joseph's Training School for | The accused was charged with one count of buggery and two counts of indecent | The accused was found guilty and sentenced in October 1992 |

| Case Name | Institution | Charge | Determination |
|---|---------------------------------------|---|--|
| [1994] 3 S.C.R. 827 (S.C.C.). | Boys | assault. | to two years less a day. <ul style="list-style-type: none"> The accused appealed from his conviction on the basis that the Trial Judge erred in admitting similar fact evidence. <p>The Court of Appeal determined that the Trial Judge did err but the error did not result in a substantial wrong or a miscarriage of justice. The appeal was denied.</p> <p>Application for leave to appeal to the Supreme Court of Canada was dismissed.</p> |
| R. v. Jeurond [1992] A.O. No. 3079 (Gen. Div.). | St. Joseph's Training School for Boys | Charged with three counts of indecent assault. | The accused entered a guilty plea and was sentenced to four months in jail. |
| <i>R. v. Kakeychewan</i> [Unreported]. | St. Anne Residential School | Charged with three counts of assault causing bodily harm in October of 1997. | Found guilty after a two-week trial and given a conditional sentence. |
| <i>R. v. Lambert</i> [Unreported]. | St. Anne Residential School | Charged with one count of indecent assault on a male. | Guilty plea entered – sentenced to eight months in prison. |
| <i>R. v. Lessard</i> [Unreported]. | St. John's Training School | Charged with one count of buggery. | Acquitted of buggery in March of 1993 but entered guilty plea in September 1996 to three counts of gross indecency and three counts of indecent assault. Sentenced on April 18, 1997 to 14 months in jail. |
| <i>R. v. Loker</i> [Unreported]. | Grandview School for Girls | Charges laid [unspecified]. | Charges stayed August, 1997. |
| <i>R. v. McDonald</i> (1993) [Unreported]. | Ontario School for the Deaf | Charged with sexual assault. | Determination unknown. |
| <i>R. v. McGrath</i> [Unreported] Faces new charges of buggery, gross indecency and indecent assault. Discussed at: [1997] O.J. No. 588 (Prov. Div.) (B. Recker). | St. John's Training School | One charge of assault. | Conditional discharge and one year's probation. |
| <i>R. v. McKillop</i> [Unreported]. | Grandview School for Girls | Charged with having sexual intercourse with a female ward, indecent assaults, | Charges dropped 1996. |

| Case Name | Institution | Charge | Determination |
|---|---------------------------------------|---|---|
| | | breach of trust and gross indecency. | |
| <i>R. v. Monaghan</i> [Unreported]. | St. John's Training School | Charged with buggery and indecent assault. | Determination unknown. |
| R. v. Monfils [1993] A.O. No. 1838 (Gen. Div.). | St. Joseph's Training School for Boys | Application for a stay of proceedings on six charges of assault causing bodily harm. | The application was allowed. The accused was nearly 80 years old. He died in 1994. |
| R. v. Monette [1992] A.O. No. 2570 (Gen. Div.). | St. Joseph's Training School for Boys | 27 charges including indecent assault, assault causing bodily harm and buggery. | Convicted of 11 counts and sentenced in May, 1993 to five years. |
| R. v. Morrissey [1992] O.J. No. 2965 (Gen. Div.); appeal of convictions: (1995) 97 C.C.C. (3d) 193 (C.A.). | St. John's Training School | Charged with seven counts including indecent assault, attempted buggery, gross indecency and assault causing bodily harm. | <p>The accused was convicted of two counts of indecent assault; one count of attempted buggery, one count of gross indecency and one count of assault causing bodily harm (5/7).</p> <ul style="list-style-type: none"> ▪ Sentenced: To in prison for total duration of 18 months. The accused then appealed his convictions. ▪ The Appeal was allowed in part. The appeal from the convictions for the sexual offences was allowed and a new trial ordered; the appeal from conviction for assault causing bodily harm was dismissed but the sentence was reduced. |
| <i>R. v. Mummery</i> [Unreported]. | Grandview School for Girls | Charged with several counts of breach of trust and indecent assault. | Charges dropped in July of 1997 because the complainant had difficulty identifying the assailant. |
| <i>R. v. Nadeau</i> (Gilles) [Unreported]. | St. Joseph's Training School for Boys | Two charges of assault causing bodily harm. | The charges were withdrawn in October 1992. |
| R. v. Nadeau (Laurent) [1992] O.J. No. 3344 (C.A.). | St. Joseph's Training School for Boys | Unspecified charges. | Appeal by Crown from sentence of 19 months. Leave to Appeal allowed but dismissed. |
| <i>R. v. Nadeau</i> (Rejean) [Unreported]. | St. Joseph's Training School for Boys | Charged with indecent assault and buggery. | Acquitted in August of 1992. |

| Case Name | Institution | Charge | Determination |
|---|---------------------------------------|--|--|
| <i>R. v. O'Donnell</i> [Unreported]. | St. John's Training School | Charged with one count of assault causing bodily harm. | Found not guilty in November of 1992. |
| R. v. Pagé (1993) [Unreported]; appeal of conviction: [1994] A.O. no. 2495 (C.A.).. | St. Joseph's Training School for Boys | Four charges of indecent assault. | Convicted in August 1993 and sentenced to four months in prison and eighteen months' probation. The conviction was appealed and the accused was acquitted on one count and a new trial was ordered on the other three. The final determination is unknown. |
| <i>R. v. Perrault</i> [Unreported]. | St. Joseph's Training School for Boys | Two charges of Assault causing bodily harm. | Convicted and given a \$2, 000 fine, two years' probation and 200 hours of community service. |
| R. v. Provencher [1995] O.J. No. 1088 (C.A.). | St. Joseph's Training School for Boys | Charged with 3 counts of indecent assault. | Convicted in May of 1993 of two of three counts and sentenced to two years less a day. <ul style="list-style-type: none">The accused appealed from conviction on the basis that the Trial Judge erred in reversing the burden of proof and admitting similar fact evidence. The appeal was dismissed. |
| <i>R. v. Radford</i> (1993) [Unreported]. | St. John's Training School | Two counts of assault causing bodily harm. | The charges were withdrawn in April of 1993. |
| <i>R. v. Ravacley</i> [Unreported]. | St. Joseph's Training School for Boys | The accused was charged with buggery, assault causing bodily harm and two charges of indecent assault. | The charges were stayed in November of 1992 for medical reasons. |
| R. v. Recker [1993] O.J. No. 186 (Gen. Div.). | St. John's Training School | The accused was charged with 10 counts including assault causing bodily harm and common assault. | The accused was convicted of one count of assault causing bodily harm and two counts of common assault. He was given a conditional discharge with 18 months probation. |
| <i>R. v. Rodrigue</i> [Unreported]. | St. Anne's Residential School | Charged with five counts of indecent assault and two counts of gross indecency in October of 1997. | The accused entered a guilty plea to five counts of indecent assault on a male. The Crown withdrew the charges of gross indecency. He was sentenced to |

| Case Name | Institution | Charge | Determination |
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| | | | 18 months in jail. |
| R. v. Ross [1997] O.J. No. 4627 (Gen. Div.). | Grandview Training School for Girls | Charged with 21 counts of breach of trust, indecent assault, gross indecency, illicit sexual intercourse and rape. | At trial, Ross was found not guilty of six charges of sexual abuse and jurors could not decide on the remaining 11/17. The result was a mistrial. When the Crown indicated an intention to prosecute again on the 11 counts, the accused applied for a stay of proceedings on the grounds that he was unable to make a full answer and defence. <ul style="list-style-type: none">The Application for Stay of Proceedings was granted. |
| R. v. St. Jean [1992] A.O. No. 2568 (Gen. Div.). | St. Joseph's Training School for Boys in Alfred | The accused was charged with indecent assault. | The accused was found guilty and sentenced in November 1992 to one year in jail. Appeal from conviction for indecent assault. The appeal was allowed, the conviction set aside and a new trial ordered. |
| R. v. Travers [1994] O.J. No. 693 (Gen. Div.). | Brookside Training School in Cobourg | One charge of sexual assault. | Motion for mistrial was allowed, the mistrial was granted. |
| R. v. Vader [1993] O.J. No. 1628 (Gen. Div.). | Ontario School for the Deaf | Charged with indecent assault. | Acquitted. |
| <i>R. v. Valade</i> [Unreported]. | St. Joseph's Training School | Charged with indecent assault in June of 1992. | Pleaded guilty to one count of indecent assault and given a suspended sentence and thirty days probation. He apologised to his victim. |
| R. v. Walker [1998] O.J. No. 3856 (Gen. Div.). | Grandview | Charged with one count of rape, one count of breach of trust and five counts of indecent assault. | Convicted in April, 1998. Sentenced on June 26, 1998 to five years in prison. |
| <i>R. v. Webb</i> (1993) [Unreported] | Sir James Whitney School for the Deaf | Charged with seven counts of indecent assault. | Pleaded guilty to three out of seven counts and was sentenced to 30 days in jail. |
| <i>R. v. Wesley</i> [Unreported] | St. Anne Residential School | Charged with two counts of assault causing bodily harm and five counts of administering a noxious substance in October of | Convicted at a jury trial in April of 1999 on three counts of administering a noxious substance and two counts of simple assault. Given a |

| Case Name | Institution | Charge | Determination |
|-----------|-------------|--------|-----------------------|
| | | 1997. | conditional sentence. |

QUEBEC

| Case Name | Institution | Charge | Determination |
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| <i>R. v. Burton</i> (29 February 1996) [Unreported]. | Duplessis Orphanage | Charge of indecent assault (privately laid). | Pleaded guilty and given a six month suspended sentence and six months probation. |

SASKATCHEWAN

| Case Name | Institution | Charge | Determination |
|--|---------------------------|--|---|
| <i>R. v. Starr</i> (1993) [Unreported] | Gordon Residential School | Charged with 10 counts of sexual assault | Entered guilty plea and sentenced to four and a half years in prison. |

THE YUKON TERRITORIES

| Case Name | Institution | Charge | Determination |
|---|--------------------|---|---|
| <i>R. v. Frappier</i> [1990] Y.J. No.163 (Terr. Ct.). | Coudert Hall | The accused was charged with 13 counts of indecent assault. | The accused entered a guilty plea. On all counts the accused was sentenced to five years to be served concurrently. |