

Top court says abuse victim can reopen claim against London diocese

A victim of former priest and notorious sexual abuser Charles Sylvestre can reopen her civil suit against the Diocese of London, the Supreme Court of Canada ruled Feb. 11.

For more than a decade Irene Deschenes of London, Ont., has been trying to have the suit – settled in 2000 – reopened after finding documents that proved diocesan officials knew of the late Sylvestre’s predatory behaviour dating back to the 1960s.

Deschenes suffered abuse at his hands in the 1970s. The ruling means the diocese and Deschenes can begin renegotiating her claim. Deschenes is seeking \$4.83 million in damages, CBC reported.

The diocese expressed disappointment with the ruling in a statement released Feb. 11, saying “we felt strongly that the facts of the case deserved to be presented in court.”

“Our appeals were motivated by this belief, as well as our obligation to be good stewards of the resources entrusted to us,” said the statement.

Earlier court rulings (the Ontario Superior Court in 2018, upheld by the Court of Appeal in 2020) found the discovery of a 1962 police report on Sylvester could have affected the amount of the settlement Deschenes received. The diocese disagreed.

“We believe that report would not have made a material difference in the final settlement,” the statement said, adding, “We also note that the court held that this was an ‘innocent misrepresentation’ on the part of the diocese.”

The diocese also said it regrets Sylvestre wasn’t removed from ministry “as he would have been today,” and recognized it was a failing on the diocese’s part. The diocese also hopes the resolution of legal proceedings will help with Deschenes’ healing.

Sylvester was convicted of abusing 47 girls in southwestern Ontario between 1954 and 1986 and died in 2007 while serving a three-year prison sentence.