

Shocking halt to trial

Disgraced priest's case hinges on results of psychiatric testing

By JANE SIMS, JUSTICE REPORTER, LONDON FREE PRESS (Can), Saturday, Sept.23, 2006

Irene Deschenes, one of the abuse victims of Rev. Charles Sylvestre, is hugged by her son, Marc, outside the courthouse in Chatham yesterday. (Morris Lamont, LP)

CHATHAM -- The stunned silence in the packed courtroom filled with abused women was broken by shockwaves of anger and disbelief.

Rev. Charles Sylvestre, 84, the disgraced Roman Catholic priest who pleaded guilty six weeks ago to 47 counts of indecent assault, listened to a judge order him to undergo a psychiatric assessment that will determine if his case will go further. "Do you understand?" Ontario Court Justice Bruce Thomas asked. "I do," Sylvestre said feebly.

Groans, giggles and tears echoed through the courtroom after a surprising last-minute development threatened to stop the case in its tracks.

In the same Chatham courtroom on Aug. 3, 21 women who grew up in parishes in Windsor, Sarnia, London, Chatham and Pain Court described the abuse they suffered at the hands of Sylvestre. Yesterday, the final 26 women abused as children by him were expected to read their victim impact statements. Instead, they were told the case may end on Oct. 6 if a second psychiatrist determines the retired priest is mentally unfit to continue.

One psychiatrist says Sylvestre has "a fluctuating cognitive impairment," his lawyer Andrew Bradie said.

Bradie told Thomas he had a call from Sylvestre's sister last week regarding his client's health. Sylvestre lives with her in Belle River in Essex County. Bradie contacted Dr. William Komer, a forensic psychiatrist who works at Regional Mental Health Care -- St. Thomas. Komer met with Sylvestre on Sept. 16 and again on Thursday.

Bradie told the judge Komer called him "literally while I was driving to court." The initial meeting went well, but at Thursday's meeting, Komer told the lawyer Sylvestre was "confused, disoriented." It was Komer's opinion that Sylvestre was unfit to stand trial, Bradie said. He asked the case be "aborted at this point" until there is a determination of Sylvestre's mental fitness.

The Crown's office contacted London psychiatrist Dr. Arun Prakash, who agreed to see Sylvestre before Oct. 6.

Sylvestre said nothing as he was led to a waiting car. He shooed away reporters before climbing into the backseat and driving away.

Chatham-Kent Crown Attorney Paul Bailey said the delay was distressing, calling it "exactly the worst-case scenario." "We have many victims who had to summon up every bit of strength they had to come to court today because the psychological injuries for them have been crushing."

In a highly unusual proceeding, Bailey made arrangements so that the women could read their victim impact statements in the courtroom to each other. Two victims suggested the church somehow orchestrated Sylvestre's sudden mental defects.

"It's a very powerful organization we're up against and they will stop at nothing to make us go away," said Joanne Morrison of White Rock, B.C., whose name is not part of the court-ordered publication ban. "He is a prime example of what is wrong in a very powerful institution."

Carol Ann Mieras of Kingston said the church "paid good money for a lawyer to do what they wanted: to get Father Sylvestre off." "It's one more time all of us have been re-victimized and the church is just burying it once again," she added.

The Diocese of London issued a statement saying it "deeply regrets" the delay. "We profoundly regret any additional hurt that may be experienced by victims who had come to court ready to make their victim impact statements," the diocese said. "We are thankful that the victims have nevertheless been given an opportunity to tell their stories to representatives of the Diocese in a specially called afternoon meeting."