

EXCEEDING EXPECTATIONS



PINESOLD
REALTY INC. BROKERAGE

SELL phone:
905-321-2261
www.pinesold.com

DEBBIE PINE
SALES REPRESENTATIVE 905.892.0222

ROYAL LEPAGE CANADA'S NRC Realty Brokerage
Independently Owned & Operated

debbiepine@royallepage.ca

The Voice

of Pelham and Central Niagara

Vol.26 No.3 ★★★

JANUARY 26 2022

Published every Wednesday

DARCY RICHARDSON
Real Estate Group



Darcy Richardson, CPA, CA | Broker

DARCYRICHARDSON.CA
darcy@darcyrichardson.ca
905.321.6292

REVEL
REALTY INC. BROKERAGE

DUNCAN VERDICT: GUILTY ON ALL COUNTS



Charles Duncan's former practice in Fonthill. He resigned and surrendered his medical license in 2019.

VOICE FILE

Disgraced former family doctor sexually assaulted five females

BY DON RICKERS
CONTRIBUTING NEWS EDITOR

Guilty on all counts. That was the verdict received by former Pelham family physician Charles Duncan on Friday, Jan. 21, via teleconference from a St. Catharines courtroom.

Justice Deborah Calderwood was among those appearing via Zoom, with only the court clerk and a few spectators physically present in the courtroom at the Robert S.K. Welch Courthouse in St. Catharines.

Calderwood reiterated that a publication ban prohibited the release of any information that could identify the named complainants in the case.

Duncan, 77, was charged with six counts of sexual assault under Section 271 of the Criminal Code, in relation to five different complainants. Calderwood pronounced him guilty on all counts.

The charges stemmed from acts committed by Duncan in his medical practice, and elsewhere, between the dates of January 1 and October 31, 1999; November 27, 2000; June 23, 2009; June 30, 2009; September 25, 2016, and between the dates of September 1 and September 30, 2018.

The next court appearance for Duncan will involve Crown counsel and defence lawyers discussing sentencing with Calderwood.

His lawyers informed the court that Duncan has medical issues which need to be addressed in February, and suggested a March date for sentencing submissions. However, Calderwood

and the lawyers could not find a date that fit their respective schedules in March, and a date of Friday, April 8 was set.

Duncan, who practiced family medicine in Pelham for decades, resigned from the College of



Artist's rendering of former family doctor Charles Duncan listening to court proceedings via teleconference last Friday, Jan. 21. VOICE GRAPHIC

Physicians and Surgeons of Ontario in October 2019 and gave up his license to practice medicine, after the College commenced an investigation into allegations against him of professional misconduct and incompetence.

After one of Duncan's victims told her story to the Voice that autumn, several other women came forward with similar allegations. Following a Voice editorial in late 2019 questioning why Niagara police had not acted earlier, Duncan was arrested by the NRPS and was ultimately charged with seven counts of sexual assault and one of sexual exploitation by February 2020.

The women involved were aged 16 to 64 at the time of the assaults.

Victims, their family members, react to the decision

BY VOICE STAFF

The Voice reached out to women and their family members who had contacted the newspaper in 2019 with allegations of Duncan's conduct to ask for their reaction to the guilty verdicts. The news media is under a publication ban from revealing information about the plaintiffs sufficient to identify them. It should not be assumed that any of those commenting below were necessarily among the plaintiffs in this case.

Age 65

I re-read my earlier letters to you about the experience I had in 2019 involving an examination. I am still confused and uncertain about whether my experience crossed the line of appropriate clinical assessment.

The fact that Dr. Duncan was convicted on several counts does not clarify the matter for me. I remain confused and uncertain. The uncomfortable feeling of what he

did remains. I almost wish I was more definitely angry and vengeful about all this. At least there would be certainty of some kind. And given the obvious pattern of his towards his female patients, I should be more upset. But I am also sad and I don't understand it.

His conviction should tip the balance for me to conclude his behaviour was also inappropriate in

See REACTION Page 11

LOCAL REALTOR® SERVING EVERYONE



LINDSAY ALLISON
REAL ESTATE SALES REPRESENTATIVE
289-686-1856



RE/MAX
GARDEN CITY
REALTY INC. BROKERAGE
EACH OFFICE INDEPENDENTLY OWNED & OPERATED



PELHAM
FUNERAL HOME LTD.
CREMATION & BURIAL SERVICES
Formerly James L Pedlar Funeral Home
1292 Pelham St, Fonthill, ON

TRUST, COMPASSION, AFFORDABILITY.
Today is a good day to plan for tomorrow.
If it is important to you, it's important to us.

905-892-5762 email: pelhamfuneralhome@cogeco.ca
Family owned and operated by **TINA F. MOESSNER**
visit our website: www.pelhamfuneralhome.ca




EXCEEDING EXPECTATIONS



PINESOLD
REAL ESTATE BROKERAGE

SELL phone:
905-321-2261
www.pinesOLD.com

DEBBIE PINE
SALES REPRESENTATIVE 905.892.0222

ROYAL LEPAGE CANADA'S REAL ESTATE COMPANY
NRC Realty, Brokerage
Independently Owned & Operated

debbiepine@royalpage.ca

The Voice

of Pelham and Central Niagara

Vol.26 No.22 ★★★

JUNE 8 2022

Published every Wednesday

DARCY RICHARDSON
Real Estate Group



Darcy Richardson, CPA, CA | Broker

DARCYRICHARDSON.CA
darcy@darcyrichardson.ca
905.321.6292

REVEL
REALTY INC. BROKERAGE

Jail time for disgraced ex-doctor

Convicted of sexual assault in January, Charles Duncan given 15 months incarceration

BY VOICE STAFF

Expectations were upended on Friday, June 3. Some onlookers of the Charles Duncan trial expected him to be sentenced to no more than house arrest. They were wrong.

In a lengthy decision delivered to those assembled in courtroom six at the Robert S.K. Welch Courthouse in downtown St. Catharines on Friday morning, Justice Deborah Calderwood handed down a sentence of 15 months incarceration, and three years probation for the ex-family physician.

Terms of the probation include no contact with the five victims whose cases ended up being prosecuted, and counseling as assigned by Duncan's parole officer. In addition, the former physician must submit a DNA sample, and will be a registered sex offender for life.

Calderwood specified that the period of incarceration should be served at a correctional facility that is not a federal penitentiary. At the conclusion of the hearing, Duncan was immediately taken into custody.

Duncan was found guilty on January 21 by Justice Calderwood on all six counts of sexual assault under Section 271 of the Criminal Code, in relation to five different complainants. The charges stemmed from acts committed by Duncan in his medical

practice and elsewhere between January 1 and October 31 of 1999; November 27, 2000; June 23, 2009; June 30, 2009; September 25, 2016; and from September 1 to September 30 of 2018.

"Damage was caused the moment the victim's trust was breached"

Sentencing submissions were previously presented by defense counsel Seth Weinstein, and Crown prosecutor Todd Morris.

Duncan, who practiced family medicine in Pelham for decades, resigned from the College of Physicians and Surgeons of Ontario in October 2019, and was required to give up his license to practice medicine, after the College commenced an investigation into allegations against him of professional misconduct and incompetence.

After one of the sexual assault victims told her story to the Voice that aut-

See SENTENCE Page 12



Ex-family doctor Charles Duncan leaves the St. Catharines courthouse on April 8.

VOICE FILE

Column Six

A tale of two foxes

After dad disappears, mom carries on

BY HELEN TRAN
SPECIAL TO THE VOICE

Chicken thief or spirit guide? A ghostly omen, or a sign of good luck? The fox has had a mixed reputation across the myths, legends and folktales of the world.

Growing up with my Asian parents, I heard tales of fox spirits that would lurk just outside one's window. In these stories, foxes were supernatural creatures, their wisdom and magical power denoted by the number of tails they sported—the most powerful being the nine-tailed fox. These foxes would slowly steal your life force, or alter the mood and fortune of the family they chose to haunt.

As a child I would watch Disney's animated *Robin Hood*, in which the anthropomorphic titular heroic character was drawn as a fox. I still cheer as an adult when I see Robin Hood outsmart the evil King John, and swing his way to safety, sprinkling gold coins among the poor.

To my eight-year-old self, magic was still to be respected and believed in.

See COLUMN SIX Page 10

ROYAL LEPAGE CANADA'S REAL ESTATE COMPANY
NRC Realty, Brokerage, Independently Owned & Operated www.NRCRealty.ca

EXCEEDING EXPECTATIONS

PINESOLD EXCEEDING EXPECTATIONS

DEBBIE PINE
SALES REPRESENTATIVE 905.892.0222

www.pinesOLD.com

NIAGARA / FONTHILL, ON

debbiepine@royalpage.ca
SELL phone: 905-321-2261




Somewhere down the road you're going to have to think about it.



Spring is a time of renewal. Time to tidy up the house and yard. But how much time have you allotted to tidying up your affairs?

You've probably revisited your Will, but have you detailed your final wishes? Prepared your Estate?

Let us help you get your affairs in order.

Call Pelham Funeral Home at **905 892-5762**

✉ pelhamfuneralhome@cogeco.ca

SIDEBAR

Reaction to Charles Duncan sentence

The Voice reached out for comment from former patients of Charles Duncan's—victims and alleged victims, as well as supporters—who had previously contacted the newspaper after allegations of his conduct arose in 2019.

Female, non-patient, 29 at time of assault

Today while I was sitting in court listening to Her Honour reading the sentence for Mr. Duncan, I found myself looking over in his direction for the first time since the trial began. I watched him shake his head at times in what appeared to be disbelief as Her Honour talked about the evidence, the impact on each victim and his lack of contrition. I saw a man who is deeply troubled. Although I hoped for a custodial sentence, my deep mistrust in people and systems of power and authority did not allow for that hope. I was mistaken. Crown attorney Mr. Morris, the detective with the NRPS, and especially our

liaison with victims services all played integral roles in supporting me through these past two years. This journey has been difficult for myself, my family and many others. This final chapter I hope will allow healing to begin.

Mother of victim

It has been a long, drawn-out process, but I was happy with the sentence, although he should be serving it in the penitentiary. At least he will maybe realize the damage he has caused to the brave women who came forward. That was very personal to them and they should be commended for seeing it through with no objective other than to hold him accountable for his actions.

Throughout all of this Duncan has shown zero remorse—in fact shaking his head in denial at every opportunity.

He is a despicable reprobate and I feel for his family who did not ask for this to be foisted on them.

I do believe that recidivism in this man is very real should the slightest opportunity arise.

Female, patient, 45 at time of assault, 64 when pressing charges

As one of his victims and testifying and sitting through many court sessions, it's mixed feelings we are dealing with now. Some of us are in different places mentally and physically in our lives but none of us are unaffected by the acts of Charles Duncan.

While we want to celebrate the fact that Judge Calderwood came to her decisions in a most thorough and decisive manner, we also need to recognize that new precedents need to be put in place for these types of sexual assaults. I personally applaud Her Honour for hearing us and considering all the facts as they were presented. The whole process has left scars on all the women he has deliberately abused. We never stopped living them while all this has been going on. I pray we can all move forward now. The decisions he made over decades to continually assault women is finally seeing consequences. One must reap what they sow and I feel justice

has been fairly served in this case.

We are all truly disappointed by the fact that Charles Duncan never showed any remorse and was unwilling to acknowledge his abusive behaviour or apologize. How could he possibly ever think he had done nothing wrong? Perhaps therein lies the problem.

Female, patient, age 62 at time of potential assault

I am conflicted in so many ways about this case and still think my experience falls into a grey zone. I cannot make any sense of the whole situation nor of the sentencing, especially the registration as a sex offender.

What I see in the pictures is a broken, frail man and, despite his actions, I have some compassion for him. I also have compassion for the many victims and hope the sentence helps them recover.

Female, patient, age 45 at time of assault

I am almost happy with the outcome. I would still want retribution

for the quality of my life I have lost over what he did to my health—mental and physical. Which is a lot of time. I was 45 years old. I had a Harley that I wasn't able to ride due to my health issues that were caused by that dirty, dirty person.

Male, patient, supporter

He was always kind and caring in the 40-plus years of my care.

I'm shocked at the outcome of this. I guess you don't know the true person after 40 years of trust. I just wonder if the outcome would of been different if each case was separate. Questions were raised and when you pile evidence on top of evidence sometimes cases become muddled. Not saying what happened was right or wrong, just a thought.

Female, patient, age 47 at time of assault

Wasn't this quite the roller coaster ride for all the victims who were able to have their days

See REACTION Page 15

SENTENCE

continued from Page 1

turn, several other women came forward with similar accounts. Following a Voice editorial that questioned the seeming police disinterest in pursuing the women's allegations, Duncan was arrested by the NRPS in November

2019 and formally charged with seven counts of sexual assault and one of sexual exploitation. The women involved were aged 16 to 64 at the time of the incidents.

Her Honour reiterated that a publication ban continued to prohibit the publication of any information that could identify the

named complainants in the case.

During the trial, some 50 letters of support for Duncan were entered from family members, former patients, staff, and medical colleagues. Duncan had no prior criminal history, and previously had an unblemished record with the

College of Physicians and Surgeons of Ontario.

Defense counsel Weinstein had argued that a Conditional Sentence Order (CSO) was appropriate in Duncan's case, and had recommended 18 months of non-custodial house arrest. He suggested that Duncan's crimes were on "the lower end of the spectrum" with regard to sexual assault, involving mainly inappropriate touching, and insisted that Duncan's age (he will be 79 in July) and poor health (he has been diagnosed with leukemia and prostate cancer, and is receiving treatment for both) deserved consideration.

This position was contested by Morris for the Crown, who insisted that a period of incarceration of two to four years was a more fitting sentence. Morris noted that the crimes represented a significant breach of trust, involved multiple victims over a lengthy period spanning two decades. He sought a sentence "proportional to the gravity of the offense."

Duncan had previously

declined an opportunity to address the court and remained silent as the sentence was delivered.

Justice Calderwood stressed that her focus was on a sentence that was appropriate and personalized—"There is no mathematical formula to be applied," she said—and cited numerous court cases to buttress her decision. It was clear that Calderwood intended to send a strong message of denunciation to healthcare professionals who breach the trust implicit in their codes of ethics.

Victim impact statements appeared to have had a compelling influence. Calderwood recounted for the court the feelings of shame, embarrassment, anxiety, and depression felt by the women, some who related that their personal relationships have suffered, and that they have ongoing problems trusting others, and receiving affection.

"Charles Duncan took advantage of his patients' vulnerability," said Calderwood. "The power im-

balance weighed heavily in his favour, and he used it to the detriment of his victims."

Mitigating factors included Duncan's poor health and advanced age, continued support from his family, and the many positive references to his expertise and care as a family physician over the decades.

Aggravating factors, said Calderwood, included his breach of trust, the intense negative impact of his actions on the victims (one who was a minor), and his apparent lack of contrition.

"He never gained insight into the harm he had caused," said Calderwood. "Damage was caused the moment the victim's trust was breached."

Calderwood also noted that the charges stemmed from actions which occurred over almost two decades.

"This was not an isolated lapse of judgment. Only a real jail sentence will send the appropriate message."

See Sidebar, above, for reaction from Duncan supporters, victims, and alleged victims.




custom.

Pick where and when you want to go. With fixed fares, there are no surprises.

safe.

Courteous, trained drivers will take you to your destination on time.

convenient.

Get picked up at the intersection nearest to you.



Transit for everyone.

Download and Ride or Call 289-302-2172

niagararegion.ca/transit

Download on the App Store

GET IT ON Google Play

Try it now! \$10 Credit with promo code: **NRTPRINT**



KWIKFIT NIAGARA

1 Highway 20 W, Fonthill, ON L0S 1E0 ♦ www.kwikfit.ca

Hours: Mon-Fri 7 a.m. - 7 p.m., Weekends 9 a.m. - 12 p.m.

CALL FRANK ADAMSON AT 905-892-0200

3 sessions for \$29.95 And we will donate \$100 to rebuild the Rotary/Summerfest Arches



WE'VE MOVED!
Now in the brand-new
1 Highway 20 W!

COVID-19 PROTOCOLS IN PLACE

Improve Health and Fitness

Kwikfit Niagara has improved the performance of people from all walks of life from busy professionals, homemakers, and business owners, and especially senior citizens.

A research-based program for strength training, body building, and complete fitness in just 12 minutes per week.

Trying to make peace with the past

Speaking publicly for the first time, another alleged victim of disgraced doctor Charles Duncan recounts her experiences with him as a teenager, and stresses the importance of justice in helping her and other victims heal and move on

BY HELEN TRAN
SPECIAL TO THE VOICE

This article contains references to grooming, abuse, and sexual assault. If you have been the target of unwanted sexual or physical contact, help is a phone call away. See the list of community resources on page 4.

On a chilly spring evening in 1990, a car was travelling through the meandering backroads of Pelham towards Fonthill. In that car were two people. The driver was Charles Duncan, a doctor who had practiced and would continue to practice family medicine in the area for decades, before his eventual arrest and conviction for sexually assaulting women between the ages of 16 and 64, many of whom were his patients. The passenger was Kirstyn A., the Duncan family babysitter, a high schooler who had recently turned 18. They were headed to her home after Kirstyn had finished babysitting Charles and Mary Martin Duncan's baby daughter.

(The Voice has agreed to withhold Kirstyn's last name to protect the privacy of her own children and other family members.)

Kirstyn's mother and stepfather had been friends with the Duncans for some time, and she had been attending parties and gatherings at the Duncan house since she was 15 years old. That night, it seemed natural for Duncan to give her a ride home.

The alleged events that unfolded during that car ride, and immediately afterward, would change Kirstyn's life, splintering her memories of the Duncan family into a maelstrom of what-ifs, whys and how-could-he's.

Kirstyn would cut off contact with the Duncan family soon after that night. In the decades that followed, she would hear about others who had allegedly been assaulted by Duncan over the course of his decades-long career as a family doctor. Eventually, Duncan resigned from the College of Physicians and Surgeons of Ontario in October 2019, and also gave up his medical license, after the College investigated him over allegations of professional misconduct and incompetence.

After one of the sexual assault victims told her story to the Voice in the autumn of 2019, more women came forward with similar allegations. Duncan was arrested by the Niagara Regional Police in November of that year, and eventually charged with a total of six counts of sexual assault. A publication ban prohibits the release of any information that would identify the named complainants.

In January 2022, Duncan was found guilty in a St. Catharines courtroom on all six counts under

Section 271 of the Criminal Code. Charges were in relation to five different complainants and acts committed by Duncan inside and outside his medical practice between January 1999 and September 2018. Although there were five legal complainants, a dozen-plus women subsequently came forward to the Voice and have posted statements online about other alleged assaults.

Duncan was sentenced in June 2022 to 15 months incarceration, and three years probation. Probation terms include no contact

"The youngest victim looked at me and said, 'You are the missing puzzle piece'"

with the five victims, and counseling assigned by Duncan's parole officer. Duncan was also required to submit a DNA sample and comply with sex offender registration. However, two weeks into his sentence and after filing an appeal, Duncan was released from jail pending a future court date to be determined, and is now free. Appeals are currently taking between 18 months and two years to come before a court.

Meeting fellow victims

Some three decades after that night, and months after the Duncan verdict, Kirstyn would contact the Voice, saying she wished to go public. The story that follows is comprised of detailed recollections by Kirstyn and her mother spanning many years, and has been pieced together following extensive interviews with both women, as well as from Kirstyn's written statements, which have been lightly edited for clarity.

On the final day of interviews, mother and daughter sat across from each other in Kirstyn's bright living room, looking much younger than their respective 50 and 80 years. Now a high school teacher with daughters of her own, Kirstyn described feeling an immediate chill when she saw the first article about Duncan in the Voice.

When more victims came forward, she said that she "wanted to join" them in speaking up, but

also struggled with the lingering trauma of her experience, which she still needed to process. "You feel so empowered in the moment," said Kirstyn, "and then reality pulls you back."

With the support of her mother as well as her partner, she mustered the courage to attend Duncan's sentencing in June. There, she "talked to one of the youngest victims," and was approached by the other complainants, who expressed curiosity about who she was. Kirstyn made the decision to tell them.

Since her alleged assault by Duncan occurred over a decade prior to the earliest incident for which he was charged, it meant that Duncan was allegedly preying on women well before the 20 years that the criminal charges spanned.

"The youngest victim looked at me," said Kirstyn, "and she said, 'You are the missing puzzle piece.'"

According to Kirstyn, this victim had heard of her —she was known as "The Babysitter"—and had been trying to locate her for many years.

Both Kirstyn and the youngest victim found their experiences, in Kirstyn's words, "eerily similar." Since the assaults, both women have suffered from an impulse control disorder called Trichotillomania, which involves compulsive hair pulling (this can include hair from the head, or the eyebrows, or other parts of the body) to the point of visual hair loss. The disorder is a form of self-harm and is the sufferer's way of coping with anxiety, stress, depression, or PTSD.

"She's a young girl still," said Kirstyn, "and by her own statement she's had a hard time, and lots of psychological issues." Kirstyn said that after she read the first article about the Duncan case, she stopped pulling her hair for over a year. Aside from a brief relapse into Trichotillomania as she attended the sentencing, for the most part "something happened, a lightness... the sentencing helped. I'm in a really good place now."

After the incident in the spring of 1990, Kirstyn would connect with other victims in the community and hear about yet others who had also allegedly been assaulted by Duncan. There was a commonly known nickname given to him by many within the Pelham community, say Kirstyn and her mother: "Dr. Touchy," and that women and girls were warned not to go see him if they had just minor colds or a sore throat, lest he



As a teenager, Kirstyn's parents were family friends of the Duncan family, and Kirstyn babysat for Duncan's infant daughter until a series of small incidents culminated in an alleged sexual assault, leaving the families permanently estranged.

HELEN TRAN

"take their tops off."

Over the years, Kirstyn would continue to be haunted by what happened to her, and after detailed reflection, she came to believe that Duncan had attempted to groom her from a young age. Grooming is defined as any attempt to become friends with a child or minor with the specific intention of persuading or influencing the child to have a sexual relationship in the future.

Kirstyn described her healing journey as "a long road," and up until this point she had only told her mother and a few others about the incident—out of a desire to protect her privacy, that of other family members, and of her children.

Another factor that influenced Kirstyn to come forward so many years later, aside from the intent to support the other victims, was the fact that Duncan was released on bail pending his appeal, serving very briefly as an inmate at the Central North Correctional Centre, in Penetanguishene, before his release. His current partner, Barbara Vryostko, and his son Callum Duncan, posted bonds

of \$10,000 each and are listed as sureties. Conditions of the bail order include counseling, residing with his partner and surety, Vryostko, and advising anyone entering the home of his convictions and the conditions of his release. Duncan cannot communicate or be within 50 metres of any of the women named in the legal action, or their immediate families. He is also barred from being in the physical presence of any person under the age of 16, unless one of his sureties is present. He cannot attend any public area or place where persons under the age of 16 are present or expected to be present, again unless he is with one of his sureties.

Nonetheless, the Voice understands that Duncan has travelled alone from Vryostko's home in Port Robinson to downtown Fonthill, stopping into the Canada Post location on Pelham Town Square, opposite Peace Park, where youth often congregate.

The Voice requested comment for this story from Duncan's lawyers, their assistants, and from Duncan himself through Barbara Vryostko. These requests went

unacknowledged.

Kirstyn explained that she felt a need for the community—especially those who have been vocal in supporting Duncan—to understand the amount of trauma the victims went through, and the importance of not allowing people in positions of authority to abuse their power.

"With predators like him, this was a lifelong pattern. This is who he was, and this is who he is. I honestly believe that if he wasn't as feeble as he is now, he would have continued."

In her own words

My contact with Charles was from the time I was 15, until I was 18.

While these encounters happened over 35 years ago, in hindsight I now realize that many seemingly innocent conversations were actually him testing the waters to see what he could potentially get away with.

When I was 15 years old, my mother and stepfather introduced my older sister and me to Dr. Duncan and his girlfriend, Mary Martin. Initially it was an exciting re-

lationship. We would visit often as a family, attend large Christmas parties at the Duncan home, and go for winter hikes through the trails of their elaborate property. In the summer we would often enjoy visits by the pool. As a 15-year-old, I thought visiting the Duncan house was awesome. They had so many things that I did not, and we always had a good time.

The year I turned 15, I attended a Christmas party at the Duncan house. I was wearing my Laura Ashley dress — I have a vivid recollection of this dress, because I thought it was such a fancy dress for a young girl, and I felt I fit the décor and tone of their home. I recall all of the people mingling and having fun. I spent a lot of time prior to the party with Mary as she prepped food. She made a dessert I had never heard of, called Charlotte Drambuie. I was in awe of her life—she seemed to have it all. I guess you could say I looked up to her.

The night was a lot of fun. I mingled for a while, but it was mostly adults so I went to watch TV at one point. A few times during the party, Charles would enter the

room where I was by myself. The family had a small TV room on the main floor outside of the kitchen. I would come here to watch TV during visits when I got bored of sitting with the adults. This was the first time he would randomly pop in and stand in the doorway, watching me. In later years, he would do this a lot.

When I look back and put all of the small, seemingly isolated awkward interactions with Charles into perspective, I now see that he was feeling me out as a potential victim. I was known to be a "people-pleaser" in my youth, so I never reacted assertively to his inappropriate comments or touches, as I did not want to ruin the friendship dynamic I had built with him and his family since I was 15.

My earliest recollection of the first vividly uncomfortable moment with Charles was at the pool one day when I was 16. My family had popped by his house for an impromptu visit. While the weather was nice and we were sitting outside, we had not intended to swim. I recall Charles approaching me as I was standing by the pool and asking me if I was going to go for

a swim.

When I replied that I did not have a bathing suit, he said that I could go in my bra and underwear. I laughed it off uncomfortably and said no, but then he persisted and tried to convince me that there was no difference between a bra and underwear and a bathing suit. But to me there was a clear difference.

Charles was my family doctor and he had referred me to a clinical psychologist at my mother's request (the psychologist shared the same office building as Duncan in Fonthill) for my eating disorder issues. I suffered from very low self-esteem at this time and was struggling with moderate anorexia and bulimic issues.

I recall two occasions as a patient that I went into Duncan's practice for minor illnesses, such as a sore throat. Charles would examine my throat, my ears, etc., but then there would be a need to check my heart and my breasts. It felt awkward and unnecessary, but I was only 16. He always explained his behaviour away as being necessary as my doctor.

Charles offered me the opportunity to do some filing in his office.

He was very friendly during this time, and would often engage in small talk. He even bought me lunch from Keith's Restaurant, which I thought nothing of since I was a family friend. However, as he walked me through the filing process, he would sit at the desk with me and place his hand on my shoulder. He would rub my shoulders and lean in close to tell me what my duties were for the day. It was uncomfortable for me, but I ignored the alarm bells. As a teenager, I wrote it off as me simply being uncomfortable for no reason—I didn't think he would do anything questionable.

When I turned 17, Charles discovered that I was dating my first boyfriend. One time, when we were alone in the car (he had picked me up for a babysitting shift) he suddenly asked me if I was sexually active with my boyfriend. I felt awkward, and he laughed it off and said that he was asking because he was my doctor. I quickly left the car to end the conversation and went inside to say hello to Mary.

See JUSTICE next page

JUSTICE
continued from previous page

Charles started to suddenly come home during times when I was babysitting. He would enter whichever room I was in, which I found odd, since if he had come home because he had forgotten something, he could have just grabbed whatever it was and left. He did not need to see me.

One day, Charles came home several times. He said that I looked stressed, and gave me a long massage while I sat on the couch watching a movie. Eventually I learned to say, "Oh, I hear the baby," as an excuse to escape. When I mentioned to Mary that Charles had come home twice in one day, she reacted intensely and seemed triggered and suspicious.

The last incident was the one that broke my relationship with Charles and Mary. Charles drove me home from

babysitting in the spring of 1990. But he took a different route, down the back roads, past Bissell's Hideaway. I remember thinking at the time that it was strange, as it was not a very well-lit road and quite dark. He explained it away as a shortcut to my house.

During the drive, Charles said that his hands were cold and maybe I could help warm them up. He proceeded to put his hand between my thighs. I froze as he said, "That is much better." After a few seconds, he took his hand away and we continued the drive to my house. He tried again a second time. Again, I froze.

Charles said, "You're just so warm. I don't know why I feel so cold."

My mind was flashing. This was before the time of cell phones, so I couldn't call or text anyone. I kept thinking about how weird it all was, and I waited for the drive to be over.

When we pulled into my

driveway, I immediately tried to get out of the car but Charles asked for a hug. I did not want to upset him or cause any conflict, so I reluctantly leaned over and gave him a quick hug.

I ran into my house and felt awkward and dirty. Then after two or three minutes, the doorbell rang. It was around 11 PM and I hoped that it was my friend, as we had made plans to go out late that night.

When I opened the door, Charles was standing there with money in his hand and he said, "I forgot to pay you for babysitting."

As he said this, he pushed the door open, pushed into the house, and grabbed my face. He kissed me and stuck his tongue down my throat.

At this point, I pushed him back outside, shut the front door and locked it. I remember shaking a lot. To a small extent, I felt dirty, as though he had been trying to pay me for his sexual advances. My friend picked me

up shortly thereafter and we went out. It wasn't until around two in the morning that I went to my mother, shaking and crying, and

would think Charles capable of the things he was clearly capable of.

The community response to the revelations of his assaults does not surprise me. If you were not one of Charles' targeted victims, he would have been cordial and professional. Many women who felt uncomfortable in his office may have questioned their own internal voice, or sensed something wrong but did not want to cause trouble or upset anyone. In many criminal cases, when people hear that someone in a small community was charged with unthinkable crimes, you often hear people say that they are surprised, or that they never would have thought this person capable of the things that they were charged with. People in the community may have had their children or grandchildren in his care. In my opinion, those who support him may feel a need to believe that he was good, to appease their own guilt for not speaking up.

relayed the story of what had happened. She took the reins from there.

When I was a teen, no one in my family sensed anything was out of the ordinary at first where Charles' behaviour was concerned. He was a master of his craft. He always made his comments, or his advances, when no one else was around. His inappropriate touching was done subtly and he always had a prepared answer if you questioned him—he would justify and explain away so well that you started to question yourself and even feel guilty that you

I was sexually assaulted by Dr. Charles Duncan, and even I could not believe it for the longest time, because he was a family friend, a person in a position of trust. He was the master of abuse. He

knew exactly who to target and who to avoid; he knew not to cross a line too quickly (instead, he groomed), he was patient, and made small moves at first. When the victim did not resist much, he then pushed further, until there was no denying that what he was doing was sick and wrong.

As for Charles, at trial he had the choice to say something like, "I am sorry, I did not realize my behaviour has impacted all of you so deeply and that I hurt you to the core of your being. I apologize for all the tears you shed over what I did to you. I am sorry that you felt shame and guilt for a decision that was mine and mine alone."

A simple acknowledgment of the pain he caused and a heartfelt apology would have been a start to healing.

Yet he did none of this. I will never forget how he stood up for sentencing and even as the sentence was being read by the judge, he shook his head in denial—almost like he was the victim. He took zero responsibility for the lives he ruined, and for that I will never forgive him.

The experience did give me one gift that I have passed on to my daughters.

"If you were not one of Charles' targeted victims, he would have been cordial and professional"

petvalu
your pet - your store

Last Thursday of every month is **SENIORS' DAY**

Save 10%*
on regular priced merchandise

Fonthill Plaza
(905) 892-5443

See an in-store Pet Expert for details. petvalu.com > follow us on

*Discounts apply to regular priced merchandise on Seniors' Day only. Must be at least 60 years of age and be a valid Your Rewards member to qualify for the discount. Excludes sale items, adoption fees, gift cards, grooming services and license fees. Not combinable with other offers. See cashier for details. Pet Valu has the right to change the date of Seniors' Day without notice.

Happy 90th!
to **Shirley Lazareth!**
AUGUST 23

Pelham Cares Inc.
Serving Our Community Since 1983

Bring Back Time
Music Through the Decades
'60s '70s '80s

5th Annual Fundraiser
Dinner & Dance

\$60 /Person
No ticket sales at the door

DJ Dancing Food & More!

Saturday September 17th
6:30 - Midnight
Door opens 6:00pm

Fonthill Legion
141 Hwy 20 East

Purchase tickets
905-892-5300
info@pelhamcares.org
www.pelhamcares.org

Scan for tickets

We're Hiring!

Our company offers a variety of professional developments that can help you achieve your career goals!

APPLY TODAY!

Drop a resume off at our office:
799 Balfour St. Fenwick, ON L0S 1C0

Call: 905.892.6908
Email: office@dekorteslandscaping.com

DEKORTE'S
LANDSCAPING

Thank you Sponsors

Gold
MILLER
DKI
BOGGIO
FAMILY OF PHARMACIES
PELHAM

Silver
DENTISTRY
Pelham Hills
PharmaChoice

Bronze
MARANDO
SUNSHINE ON THE HILL
R|B|W
SAPPHIRES

It's empowered me to tell my daughters to listen to the inner voice: if something feels wrong, then it probably is. If something doesn't feel right, or makes you uncomfortable, get out of the situation immediately and tell someone. Don't worry about the predator's feelings—he doesn't care about yours. People always taught their daughters to be nice, to not rock the boat—but no one has the right to touch you. Thankfully, we are more vocal now than we were 30 years ago.

The events leading up to and the traumatic event itself have definitely impacted me throughout my adult life. I have gone through most of my life since engaging in emotionally unhealthy relationships, carrying this shame and guilt with me—believing that I was less than deserving of a healthy relationship. I felt myself unloveable. It has been a long road of healing and if I was to be completely honest, my path to healing and healthy relationships really started after I read the first article outing Charles. Somehow, after that, a weight was lifted that I didn't even know I was carrying.

A mother's protection

There was a moment of silence in Kirstyn's living room after she finished recounting her side of the events of that spring night.

"Thank god I had the support of my mom."

Kirstyn described her mother as "blunt and no-nonsense," as well as instrumental that evening in providing support and validation. After she told her mother about what happened a few hours after the incident, her mother sprang into action.

"I was angry, very angry," said Kirstyn's mother. "I called Charles at his office the next day and told him he had to show up [at my house]."

She described Duncan as he arrived at her front door in his customary long coat. When he asked if he should take the coat off, she replied: "No. You won't be here long."

"He tried to downplay what happened," she continued. "He said it was only a fatherly kiss. I had to say 'You put your tongue in my daughter's mouth,' to spell it out. I told him that I would not call Mary, but if Mary calls me, I will not lie to her. He must have gone home and told her something, because Mary called me and said, again, that it was only a fatherly kiss. I had to spell out the details again—after that we had a lengthy conversation."

According to Kirstyn's mother, Mary was upset during the conversation, and frequently repeated that she didn't know what to do.

"I told her, 'You have a baby daughter

now, and you're going to have girls and teenage girls in your home. I suggest you keep an eye on it.'"

When asked if Mary ultimately believed her and Kirstyn, Kirstyn's mother said that Mary stopped short of admitting it. She speculated that Mary was afraid of damaging the family reputation, but declared that Mary had always been fond of Kirstyn.

"Mary did say, at least, 'I know Kirstyn wouldn't say anything to hurt me.' To which I responded, 'I know.'"

"It would have been overwhelming for her," Kirstyn interjected. "She was very young when she married Charles, and he was much older than her too."

According to Kirstyn and her mother, Mary was a young nurse when she met Duncan at a local hospital, while he was still married to his first wife. When they visited, Mary was always "energetic and full of life...all about doing big parties at the big house."

Mary stayed with Duncan in 1990, but the relationship would ultimately end years later. Kirstyn emphasized that her heart still hurt for Mary, and that she held "no ill will" towards her, as she had a young baby. "I have not walked in her shoes, so I make no judgments."

After the disintegration of the friendship, Kirstyn said, her mother found a new doctor for the family. She never saw Mary or Charles Duncan again, partly because she moved away from the area for university. Her mother, however, encountered Mary many years later. They briefly exchanged greetings in a Starbucks line in St. Catharines, but that was where the conversation ended.

Kirstyn's only later interaction with members of the Duncan family was when Mary's daughter Alexandra appeared in a high school class Kirstyn was teaching. Kirstyn never acknowledged the former relationship at that time, but described seeing the girl whom she used to babysit as, "very hard, emotionally."



There was another lull, and then conversation erupted again, as Kirstyn engaged with her mother in some banter and speculation as to whether Duncan's children supported their father's side (neither Mary nor Alexandra attended the trial, and Duncan's two sons only attended the final hearings), and where Mary might have gone (nobody knew) after her relationship with Duncan ended.

The Voice was unable to locate either Mary or Alexandra to request comment.

See *JUSTICE* next page

LABOUR DAY 2022: SOLIDARITY IS THE WAY FORWARD

The past two and a half years have been some of the most challenging times Canadians have faced in a generation and this pandemic has impacted the most vulnerable among us in more ways than we know. The pandemic also showed us how resilient we can be when we all stand together.

It's been a tough time but as a nation we've proven that we're ready to work together for the common good for all.

We must hold onto that solidarity and continue to stand united as we move forward with an ambitious plan for recovery.

Now, here in the Niagara Region we are in the midst of an affordability crisis. We are all worried about the increasing cost of housing, food, medication and transportation.

As we continue to recover from the pandemic and the economic turmoil it has and is causing, many workers are still just scraping by, struggling to find good jobs. Some have left the job market entirely and this is why we continue to call for a pandemic recovery that is focused on replacing lost jobs with better ones.

Health care workers in the Niagara Region and across Canada have been sounding the alarm on the state of care in Canada for decades. Health care work is vital, but it is often unstable, undervalued and underpaid. Health care services were brought to a breaking point under the strain of the pandemic. Our economy relies heavily on paid and unpaid Health care work, with the burden of Health care often falling to women. In order to achieve full and equal labour-market participation for all, Canada needs a cohesive plan for providing affordable, quality, public childcare, as well as care for the elderly and people living with disabilities. We need a care strategy, backed by significant investment to ensure that Canadians have the world-class care services we all deserve.

THIS LABOUR DAY, LET'S ORGANIZE FOR A BETTER CANADA FOR ALL WORKERS.



Canadian Labour Congress
Congrès du travail du Canada

Niagara Regional Labour Council
nrlc.clc@gmail.com
www.niagaralabour.ca
facebook: @niagaralabour

Awana® Club for Kids

Ages 3 through Grade 6
Please call to Register
Tuesday Evenings starting in
September 6:30pm to 8:00pm
Ridgeville Bible Chapel
418 Canboro Road

Games,
Memorization
and More!



Please contact 905-892-4121

www.ridgevillebiblechapel.com



KWIKFIT NIAGARA

1 Highway 20 W, Fonthill, ON L0S 1E0 ♦ www.kwikfit.ca
Hours: Mon-Fri 7 a.m. - 7 p.m., Weekends 9 a.m. - 12 p.m.
CALL FRANK ADAMSON AT 905-892-0200

3 sessions for \$29.95 And we will donate \$100 to rebuild the Rotary/Summerfest Arches



Improve Health and Fitness

Kwikfit Niagara has improved the performance of people from all walks of life from busy professionals, homemakers, and business owners, and especially senior citizens.

A research-based program for strength training, body building, and complete fitness in just 12 minutes per week.

Crown drops one charge against Darren Ottaway

BY DON RICKERS
CONTRIBUTING NEWS EDITOR

Former Town of Pelham CAO Darren Ottaway had a court date in Cochrane on August 16 before Justice Michel Labelle, to answer to four charges related to incidents alleged to have occurred prior to 2019, when Ottaway was still working in Pelham. As in past court proceedings, Ottaway did not appear in person, but was represented by his defense counsel Paul Bragagnolo.

In July, Bragagnolo told Justice Labelle and the Cochrane court that his client had suffered a medical emergency, and was in the intensive care unit at an unspecified southern Ontario hospital. Bragagnolo said that Ottaway had

suffered seizures, and may have a brain tumour.

Ottaway's medical prognosis is still unknown, but Bragagnolo told the court on August 16 that he had been released from hospital "with life-threatening medical concerns." Bragagnolo said that he had not had an opportunity to speak with Ottaway to receive instructions on how he wanted to proceed.

A judicial pretrial, or JPT, occurred on August 12. Ottaway had been facing two assault charges, a sexual interference charge, and a sexual assault charge. However, Crown Prosecutor Justin Renaud withdrew one of the charges against Ottaway last week, telling the court that the single count of common assault against Ottaway's

wife, Paula, "has no reasonable prospect of conviction."

The second assault charge against Ottaway, involving his step-son, Jay Jackson-Ottaway, is marked for trial in Cochrane on October 4, Justice Ralph Carr presiding.

Bragagnolo told the court that his wish was to return to Niagara for the sexual assault and sexual interference charges against Ottaway to be addressed, subject to his client's instructions. Bragagnolo had informed the court last month of his intent to have the charges brought back to the jurisdiction where they allegedly occurred, namely Pelham.

Justice Labelle ruled that the matter be adjourned until September 13, to set a date for trial or

resolution.

Since his dismissal from Pelham, Ottaway has been employed as the Chief Administrative Officer for the Town of Cochrane, a community of 5000 located south of Moosonee in northeastern Ontario. He was granted bail at his initial court appearance on January 24, and has been on a leave of absence from his Cochrane CAO role during the court case, with the Town initially appointing an acting CAO in his place.

The Cochrane Times-Post reports that Cochrane's Town Council held a special meeting on August 11, at which interim-CAO Monika Malherbe was promoted to CAO.

Cochrane Mayor Denis Clement told the paper that Ottaway was

"absent due to ill health. We have no anticipated date for his return to duties, however, we wish Mr. Ottaway a speedy return to full health. In a measure to ensure that the Town's affairs are properly looked after and in compliance with our legal obligation, we have appointed Mrs. Monika Malherbe as CAO to oversee operations."

Officially, Cochrane now has two CAOs, but Clement was quick to point out that one of them was on leave, without pay.

"We are not paying two CAOs. We are only paying one Chief Administrative Officer."

Clement noted that Cochrane's council had been discussing the CAO issue for some time. He did not respond to a request for comment from the Voice.

JUSTICE

continued from previous page

On the day that impact statements were made before the judge, Kirstyn remembers almost getting onto the elevator at the courthouse when suddenly her partner pulled her back and announced that they would wait for the next one. Kirstyn realized that the old man standing in the elevator was Charles Duncan.

"I guess I didn't recognize Charles, as he had aged so much and appeared so frail. I always remembered Charles as the man he was in his 40s."

Her feelings of nausea and anxiety increased as they waited outside the courtroom. Once the proceedings were underway, she realized that she had started pulling her hair again as the youngest victim made her impact statement and recount-

ed her experiences, which Kirstyn described as very similar to hers. She began to shake uncontrollably.

After the first sentencing hearing concluded, Kirstyn stayed and spoke with the families of the victims for over an hour, an experience she described as "very emotional but also very validating. I felt vindicated. I thanked the young girl for having the bravery that I did not at her age to come forward. I was so impressed with her courage and strength and I told her how much I respected her and how it was her voice that lent strength to my own."

In contrast to the admiration she felt for the youngest victim, she felt full of rage when she saw Duncan derisively shaking his head during each victim's testimony. To see him "take no responsibility" and "look bothered, like a smug child," as the women spoke about

the lasting impacts his actions had on their lives, was painful.

"I wanted to scream," said Kirstyn. "I wanted to scream that he had been preying on girls for even longer than 20 years—actually more than 30 years."

Kirstyn described feeling curious about how Duncan was described as a "family man" by his defense team.

"His sons were only at the final sentencing and his daughter was noticeably absent."

Kirstyn expressed sympathy for Alexandra, and speculates that she would likely have heard rumours in the community decades ago about her father's inappropriate behaviour as a doctor.

Kirstyn even felt a brief stab of sympathy for Duncan as the sentence was read. The sentence was what she expected him to get, but the sense of sympathy surprised her, even though "it lasted only a moment."

She said that she hoped the time spent in jail would lead Duncan to "reflect upon how his behaviour destroyed the lives of so many of us, as he went about his life never giving us a second thought."

Kirstyn described the other victims as feeling "vindicated to some extent" during the sentencing, but they "worried that he may not serve time in jail or that he would appeal. We all react differently. I have had 33 years to live with this guilt and shame, so the verdict and sentencing felt like closure for me. It did not seem that way for the others who had been through the trial, as their wounds were much fresher than my own."

After the sentence was read, Kirstyn described the courtroom as starting to empty, with the victims moving into the corridor. However Kirstyn was frozen to the spot.

"I needed to see him in handcuffs," she said. "I

needed it to be real."

A few of the victims saw that Kirstyn had remained and they came back into the courtroom to stand with her and watch together as Duncan was led away in those handcuffs.

"I believe this was a small way of taking back our power. Charles was no longer a threat. Maybe even in some small way, he would get a small taste in his physical prison of how we all felt over these years in the mental prison he sentenced us to."

Once Duncan was taken away, Kirstyn said that all the victims hugged and spent some time talking about their experiences and giving each other advice on how to move past the trauma. Kirstyn said that the victims felt re-traumatized after the trial—they described the testimony and cross-examination process to her as "gruelling" and how "demeaned" they felt by the lawyers.

The women ultimately decided to go out for lunch together that afternoon. According to Kirstyn, the victims felt stronger as a group and were able to "stay the course and prevail. It is easy when we have truth on our side."

Kirstyn described the mood of the lunch as somber but still celebratory, with the women alternating between discussing how to move past the trauma, and what they would do with their lives now. Many were worried about what would happen if Duncan was released early, or if he won his appeal.

"He has been exposed, and for me, that is good," said Kirstyn. "Over the years and even a few months ago, I felt that I was weak. I drove past his office many times and wanted to confront him, but couldn't. The other victims helped so many other women with their testimonies. I told the other women who came forward, 'You did what I couldn't. Was I weak, or was I this or that? Over time you realize, no. It was him. He was a predator.'"

Kirstyn stood and went to the window, then opened her front door and sat outside. She paused, and took a deep breath, clearly emotional.

"He put us in this prison, an emotional and mental prison. The closure and empowerment of him being led away, and us able to leave free, and walk out into the fresh air...It is a bittersweet cycle." ☀



Is the rustling of a Bermuda palm one of the wonders of sound?

Take an ONLINE HEARING TEST



Introducing Paradise Hearing Aids.

- ✓ Crisp & Natural Sounds
- ✓ Tap to Hear the Weather
- ✓ Built-in Motion Sensor
- ✓ Receive Calls while Streaming
- ✓ Dynamic Noise Cancellation
- ✓ Rechargeable

Call to TRY Paradise today!

HearAgain
BALANCE & HEARING CLINICS

Fonthill (289) 897-8665
20 Hwy 20 E.

Niagara Falls (905) 354-2757
4725 Dorchester Rd

Proudly serving Niagara Region · HearAgainClinics.com



FONTHILL FAMILY FRUIT FARM
(formerly Williams Orchards)

NOW OPEN EVERY DAY!

with fantastic farm fresh fruits and vegetables!!!



1724 Pelham St. N
905 892 5811



SALON ALLEGRA
...complete maniquary

Barbering...

- hair cuts
- hot towel and neck shaves
- head shaves
- hair colour
- hair removal

TRACY STRYCKER 289.213.3834
34 Deerpark, Fonthill salonallegra.com

HOURS: Mon-Fri 11-7, Sat 9-1
BOOK ONLINE:
xandar.com/myfamily1



LAMPMAN FUNERAL HOME

Our family serving your family since 1911

724 CANBORO ROAD, FENWICK

Cremation and Burial Services

www.lampmanfuneralhome.com

905-892-4701