



COMMISSION OF INQUIRY INTO THE CIRCUMSTANCES
SURROUNDING THE DEATH OF PHOENIX SINCLAIR

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NOVEMBER 2, 2011

COMMISSION OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING
THE DEATH OF PHOENIX SINCLAIR OBTAINS ORDER FOR DISCLOSURE
OF CFS RECORDS

The Commission of Inquiry into the Circumstances Surrounding the Death of Phoenix Sinclair has obtained a court order allowing disclosure to it of certain confidential records, and has now set an anticipated start date for the public hearings.

Since the appointment of the Commissioner, the Honourable Edward (Ted) N. Hughes, OC, QC, LL.D (Hon.), in March 2011, the Commission has worked steadily toward its goal of conducting a thorough public inquiry into the child welfare services provided to Phoenix Sinclair and her family, and why her death remained undiscovered for several months.

As was made public at the standing hearings on June 28 and 29, 2011, the Commission's mandate requires that it look into services that were documented in child welfare records. Those records were protected from disclosure by virtue of *The Child and Family Services Act*. In keeping with the schedule outlined by Commission Counsel at the standing hearings, the Commissioner made an application to The Court of Queen's Bench for disclosure of the confidential records.

On October 21, 2011, the Honourable Chief Justice Joyal granted an order which gives the Commission access to and the ability to make use of the confidential records.

Now that the Commission has received this order, it will be in a position to review and investigate the many Child and Family Services files and other related records, including confidential reports listed in the Order-In-Council, which the Commissioner must consider in fulfilling his mandate. The Commission will also be in a position to interview the dozens of witnesses who provided child welfare services to, or had contact with, Phoenix Sinclair or her family during her life. The Commission will continue to work steadily between now and early 2012 in order to complete interviews and prepare for the public hearings.

All parties have agreed to cooperate with the Commission's anticipated timetable, which sets out that the public hearings will start in the spring of 2012. This is the earliest possible start date for the public inquiry given the need:

- To review all of the files that will now be released to the Commission;
- To identify the potential witnesses (of which there are expected to be many);
- For Commission Counsel to interview each witness prior to the hearing; and
- To prepare for anticipated preliminary applications.

As articulated at the standing hearings, the Commission's anticipated timetable will necessitate that the Commissioner seek an extension for the completion of his report, which he is proceeding to do.

INFORMATION ATTACHED: ANTICIPATED TIMETABLE