

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

The Honourable Edward (Ted) N. Hughes, OC, QC, LL.D. (Hon),
Commissioner

VOLUME 1

TRANSCRIPT OF PROCEEDINGS before the Commission,
held at the Winnipeg Convention Centre, 375 York Avenue,
Winnipeg, Manitoba, on the 28th day of June, 2011.

1 genuine and demonstrated concern about the issues raised in
2 the inquiry mandate and has a particular perspective or
3 expertise that may assist you.

4 In granting standing you have the discretion to
5 determine on what terms a party or an intervener may
6 participate and the nature and extent of such
7 participation.

8 You may also direct that a number of applicants
9 share in a single grant of standing, whether as a party or
10 an intervener.

11 As provided in our rules, Mr. Commissioner, in
12 order to ensure the orderly conduct of the inquiry,
13 Commission counsel has standing throughout. As Commission
14 counsel, I have the primary responsibility for representing
15 the public interest at this inquiry, including the
16 responsibility to ensure that all matters that bear upon
17 the public interest are brought to your attention.

18 Professor Ratushny, in his text, the Conduct of
19 Public Inquiries states that:

20
21 Of course Commission counsel have
22 standing since they act according
23 to the instructions given by the
24 commissioner and are responsible
25 for adducing the evidence before
26 him. Through the participation of
27 Commission counsel in that manner,
28 you will have the benefit of
29 hearing all of the relevant facts
30 or evidence, unvarnished by the
31 perspective of someone with an
32 interest in a particular outcome.

33
34

Turning to some of the authorities on the issue