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Please refer to File
S.V.P. Se référer au dossier
No. 206320



October 25, 2005

VIA FACSIMILE TO: 1-613-938-7463

*Nov 7/05
Exhibit 4*

The Honourable G. Normand Glaude, Commissioner
The Cornwall Public Inquiry
709 Cotton Mill Street
Cornwall ON K6H 7K7

Dear Justice Glaude:

Re: Application for Standing

We act for the Attorney General for Ontario, who seeks standing at the Cornwall Public Inquiry.

In the Inquiry's Notice of Hearing, persons seeking standing are instructed to address two issues. The first is whether standing is sought for Part I and/or Part II of the Inquiry, and the second is to state how the applicant satisfies the criteria for standing set out in the Inquiry's Rules of Practice and Procedure.

With respect to the first issue, please be advised that the Attorney General for Ontario seeks standing with respect to Part I of the Inquiry.

We understand that in Part I, the Commission will inquire into "the institutional response of the justice system...to allegations of historical abuse of young people in the Cornwall area". The Inquiry under Part I will include "the policies and practices then in place to respond to such allegations" and "the creation and development of policies and practices that were designed to improve the response to allegations of abuse". The Commission will make recommendations "directed to the further improvement of the response" of the justice system "in similar circumstances".

With respect to the second issue, it is respectfully submitted that the Attorney General for Ontario will be "directly and substantially affected" by Part I of the Inquiry and is therefore entitled to standing under s.5(1) of the *Public Inquiries Act* and under s.8 of the Inquiry's Rules of Practice and Procedure.

Pursuant to cl.5(c) of the *Ministry of the Attorney General Act*, R.S.O. 1990, c.M.17, the Attorney General is responsible for "superintend(ing) all matters connected with the administration of justice in Ontario". As a result, the mandate of the Inquiry to inquire into the "institutional response of the justice system" directly affects the duties of the Attorney General.

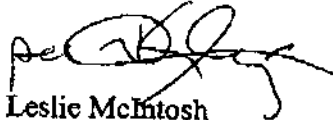
In addition, under s.11 of the *Crown Attorneys Act*, R.S.O. 1990, c.C.49, Crown Attorneys are required to "aid in the local administration of justice and perform the duties that are assigned to Crown Attorneys under the laws in force in Ontario", including the duties enumerated in that section. The *Crown Attorneys Act* also provides, in s.10, that Crown Attorneys are the agents of the Attorney General for the purposes of the *Criminal Code (Canada)*.

The Attorney General for Ontario therefore seeks to be granted full standing with respect to Part I of the Inquiry, with full rights of participation, including the right to call, examine and cross-examine witnesses in accordance with the Inquiry's Rules of Practice and Procedure, on all matters relevant to the Attorney General for Ontario's interests as set out above.

Our present understanding is that the issues raised by Part II of the Inquiry, that is, the "processes, services or programs that will encourage community healing and reconciliation in Cornwall", will not involve issues related to the responsibilities of the Attorney General for Ontario. However, if it transpires that that is not the case, then we respectfully reserve our right to seek standing at that time.

We trust this is sufficient to enable the Commission to grant standing to the Attorney General for Ontario for Part I of the Inquiry, but should further information be required, please do not hesitate to contact me. We look forward to being of assistance to the Commission in fulfilling its mandate.

Yours very truly,



Leslie McIntosh
General Counsel