

**In the matter of the *Public Inquiries Act*, R.S.O 1990, c. P.41**

**And in the matter of the**

**INQUIRY INTO PEDIATRIC FORENSIC PATHOLOGY IN ONTARIO**

**NOTICE OF APPLICATION FOR STANDING AND FUNDING  
OF  
DEFENCE FOR CHILDREN INTERNATIONAL-CANADA (DCI-CANADA)**

Defence for Children International-Canada (DCI-Canada) will make an application for standing and for funding in the Inquiry into Pediatric Forensic Pathology in Ontario (the Inquiry) before The Honourable Stephen T. Goudge, Commissioner. The application is to be heard orally on Wednesday, August 8, at 10:00 a.m. or as soon thereafter as the application can be heard.

In accordance with Rules 9 and 18 of the Rules of Standing and Funding, DCI-Canada submits:

1. DCI-Canada's name, address, telephone number, fax number and e-mail address are:

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2. The nature DCI-Canada's interest in the subject matter of the Inquiry, why it wishes standing, and how it proposes to contribute to the Inquiry are set out in the grounds below;
3. The reasons why DCI-Canada requires funding are set out in the grounds below;

4. DCI-Canada wishes to make oral submissions in support of this motion with respect to standing and funding.

The grounds for the application are:

1. Section 5 of the *Public Inquiries Act*, R.S.O 1990, c. P.41;
2. DCI-Canada is the Canadian section of Defence for Children International (DCI), an independent, grassroots human rights organization with a mission to promote and protect the rights of the child through concerted, international actions. It was founded in Geneva, Switzerland in 1979, the International Year of the Child. DCI played a significant role in the creation and ratification of the United Nations Convention on the Rights of the Child, which was adopted November 20, 1989 (the Convention). DCI has consultative status with the Economic and Social Council of the United Nations, UNICEF and the Council of Europe;
3. DCI-Canada is mandated to promote the implementation of the Convention in Canada, to monitor the implementation of the Convention by Canadian governments, and to education the public about the rights of the child. DCI-Canada has expertise and experience in the prevention of violence against children, and the prevention of institutional child abuse in particular;
4. Issues identified as being within the scope of the Inquiry include:
  - how key institutions within our justice system work together in regard to pediatric death investigations;
  - the evolution of pediatric death investigation procedures; and
  - different models of death investigation and reporting;

5. DCI-Canada is substantially and directly interested in preventing violence against children, and particularly in preventing institutional child abuse. DCI-Canada has experience and expertise in the investigation of deaths of children who died while in institutional care. This expertise relates both to the prevention of deaths of children in institutional care, and to the legislation, policies and procedures for pediatric death investigations;

6. DCI-Canada has issued reports, and made recommendations and submissions dealing with Ontario's legislation, policies and procedures for pediatric death investigations, and their role in identifying and preventing of violence against children;

7. DCI-Canada has expertise and experience in such issues and direct and substantial interest in the evidence to be led and recommendations to be made by the Commissioner regarding these issues;

8. DCI-Canada will not be able to participate in the Inquiry without funding being provided by the Attorney General in accordance with the Inquiry Terms of Reference;

9. At present, a substantial majority of DCI-Canada's revenues are dedicated to an international project funded by the Canadian International Development Agency (CIDA). This project supports non-government organizations in three African countries to work with young people affected by armed conflict. Funds received in relation to this project are subject to a contract with the Government of Canada, their use is closely monitored by CIDA, and the funds must be returned if not used in accordance with the contract; and

10. The balance of DCI-Canada's funds come from membership fees, individual donations and occasional minor grants that are dedicated for a specific purpose. The cost of legal representation in the Inquiry is far beyond DCI-Canada's financial capacity.

The following evidence will be relied upon by Defence for Children International-Canada:

1. The Affidavit of Les Horne sworn July 16, 2007, with Exhibits attached thereto;
2. The Affidavit of Judy Finlay sworn July 16, 2007; and
3. Such further and other evidence as counsel may advise and the Commissioner permits.

July 16, 2007

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