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Via Email - Contact@goudgeinquiry.ca

Linda R. Rothstein
Paliare Roland Rosenberg Rothstein LLP
501-250 University Ave.
Toronto, ON, M5H 3E5

Dear Ms. Rothstein:

Re: Inquiry into Pediatric Forensic Pathology in Ontario

██████████ and ██████████

We have been retained by ██████████ and ██████████ to seek standing on their behalf at the Inquiry.

As you know, ██████████ is the father of ██████████, who died on January 23, 1998, and whose case is being examined by the Commission. ██████████ was the caregiver against whom a charge of second degree murder was laid by the police in connection with ██████████ death.

Dr. Charles Smith performed the autopsy on January 24, 1998 and subsequently delivered a Report of Post-Mortem Examination on December 12, 1998 concluding that the cause of death was "CNS Trauma". Dr. Smith was also a witness at ██████████ preliminary inquiry. The criminal proceedings concluded on January 22, 2001 when the Crown withdrew the charge. As you know, there were child apprehension proceedings after ██████████ involving ██████████ children, who are now in their teens.

I will not repeat here what we initially submitted in our Standing Application on behalf of the Affected Families Group, suggest that both ██████████ and ██████████ have a substantial and direct interest in the subject matter of the Inquiry. We ask that the Commissioner grant them standing as part of the Affected Families Group.

As you know, yesterday the Commissioner released his decision with respect to the confidentiality protocol proposed by Commission staff. As it presently stands, that protocol mandates that both ██████████ and ██████████ be referred by first name only during the Inquiry to safeguard non-publication obligations with respect to ██████████ daughter,

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[REDACTED], and her son, [REDACTED]. I have discussed this protocol with [REDACTED]. As you know, unlike the situation with some of my other clients, there was relatively little publicity with respect to [REDACTED] case, and although her name has been in the media from time to time, it is not as widely known, from example, as the names of Louise Reynolds or Brenda Waudby. [REDACTED] is concerned that if her full name is used in connection with these proceedings it may have some adverse impact on her children, particularly [REDACTED]. We respectfully submit that the existing protocol as approved by the Commissioner be left in place, without alterations; i.e. [REDACTED] and [REDACTED] would be referred only by their first names in testimony and submissions before the Commission.

I look forward to hearing from the Commissioner on these submissions as soon as possible.

Yours truly,

WARDLE DALEY BERNSTEIN LLP

Peter C. Wardle
PCW/lc

