

**Rogers, Adrienne (MRC)**

---

8

**Subject:** FW: Motherisk Commission  
**Attachments:** Order dated February 24, 2016.pdf

**From:** Glass, Lorne (MRC)  
**Sent:** February-24-16 4:40 PM

Dear Counsel

I know that you have all been involved in reviewing files in accordance with the Policy Directive, CW004-15, that you received from the Ministry of Children and Youth Services in December 2015. To date the Commission has not received many files for review and we are hoping that each of your agencies will be in a position to send us the high priority files within the next short while.

I am attaching an Order dated today that Justice Beaman has made with respect to you sending files to the Commission for review. This Order is also being sent to the executive director of each children's aid society in Ontario and it is hoped that all of the high priority files will begin coming in to the Commission quickly.

Justice Beaman recognizes that it has been a lot of work to review the files and to get them ready to be sent to the Commission. She appreciates that you and the staff at each of your agencies has been asked to do a lot of unexpected work and she thanks you for this.

Justice Beaman has asked that the files be sent to us electronically if possible and these can all be sent to my e-mail address at the Commission which is [Lorne.Glass@motheriskcommission.ca](mailto:Lorne.Glass@motheriskcommission.ca).

I know that there have been questions about whether you are permitted to send the files to us in light of the confidentiality provisions of the *Child and Family Services Act*. I can advise you that the Order in Council setting up the Motherisk Commission specifically refers to this and provides as follows:

*"In accordance with the Public Inquiries Act, 2009, the Commissioner shall obtain all records necessary to perform her duties and, for that purpose, may require the production of information that is confidential or inadmissible under any Act or regulation."*

I look forward to receiving the files from each of your agencies that have been identified by you as being ones that qualify as high priority files. These are files that are in one of the following six categories:

1. Cases where a child had been placed for adoption and the adoption was finalized during the period December 17, 2015 to today;
2. Cases where a child has been placed for adoption but the adoption has not yet been finalized;
3. Cases where a custody order under section 57.1 was made during the period December 17, 2015 to today;

4. Cases where a child has been made a crown ward and is in the care of a society but has not yet been placed for adoption;
5. Cases where a child is a crown ward and is in the care of a society and an application for a custody order under section 65.2 is pending; and
6. Cases where an application is pending in court to make a child a crown ward or for a custody order under section 57.1.

-  
If there are any questions about any aspect of this please call me directly at 416-212-0526.

I can tell you that it is the intention of the Commission to complete our review of each file as quickly as possible in order to avoid delaying any matters unnecessarily.

Thank you very much for your work.

Lorne Glass  
Counsel  
Motherisk Commission