

INQUIRY INTO PEDIATRIC FORENSIC PATHOLOGY IN ONTARIO

THE HONOURABLE STEPHEN T. GOUDGE, COMMISSIONER

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Updated April 4, 2008

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PUBLIC HEARINGS COMPLETED; COMMISSIONER'S REPORT DUE BY SEPTEMBER 30, 2008

THE INQUIRY'S PUBLIC HEARINGS WERE COMPLETED ON FEBRUARY 29, 2008. THEY BEGAN ON NOVEMBER 12, 2007 (LIST OF WITNESSES AND TRANSCRIPTS). ALL OF THE INQUIRY'S PROCEEDINGS WERE WEBCAST.

ORAL CLOSING SUBMISSIONS WERE HEARD ON MARCH 31 AND APRIL 1, 2008 ([TRANSCRIPTS](#)).

► [WRITTEN SUBMISSIONS](#) FROM THE PARTIES WITH STANDINGS

► [REPLIES TO THE WRITTEN SUBMISSIONS](#)

THE COMMISSIONER HAS BEEN GRANTED AN EXTENSION FOR THE DATE OF DELIVERY OF HIS REPORT TO SEPTEMBER 30, 2008. HE REQUESTED THE EXTENSION IN ORDER TO CONSIDER THOUGHTFULLY THE SIGNIFICANT AMOUNT OF EVIDENCE HEARD, THE LENGTHY SUBMISSIONS OF THE PARTIES, AND TO ALLOW TIME FOR WRITING, TRANSLATION AND PRODUCTION.

 [Commissioner's Statement at the Start of Public Hearings](#) (November 12, 2007) (22Kb / 9 pages)

 [Opening Statement of Commission Counsel](#) (November 12, 2007) (30Kb / 12 pages)

[FIND](#)

RULING ON THE REQUESTS FOR NON-PUBLICATION ORDERS

Commissioner Stephen T. Goudge, on November 1, 2007, issued his ruling on two motions requesting that he issue non-publication orders. The motions were heard on October 19, 2007.

 [The Ruling](#) (414Kb / 15 pages)

THE INQUIRY'S RESEARCH PROGRAM


All Inquiry research papers have been posted.

The Inquiry's mandate is to conduct a systemic review and an assessment of the policies, procedures, practices, accountability and oversight mechanisms, quality control measures and institutional arrangements of pediatric forensic pathology in Ontario from 1981 to 2001 as they relate to its practice and use in investigations and criminal proceedings. The Commissioner is to make recommendations to address systemic failings and restore and enhance public confidence in pediatric forensic pathology in Ontario. The Commissioner is to deliver his final Report and recommendations to the Attorney General no later than September 30, 2008.

The Commission's mandate does not include reporting on any individual cases that have been or may be subject to a criminal investigation or proceeding. However, following his opening statement members of the Commission met privately with individuals or families affected by practices in Ontario's pediatric forensic pathology system between 1981 and 2001. These meetings were not part of the formal hearing process, nor will they form a basis for fact-finding, the Commissioner said. There are no transcripts of the meetings.

The Commission may be contacted in confidence at (416) 212-6878 or by e-mail at: contact@goudgeinquiry.ca. The Commission's offices are at 180 Dundas Street West, Toronto, ON, M5G 1Z8.

▶ [The Order in Council Establishing the Inquiry](#)

 [Amendment to Order in Council \(changing date\)](#)

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Witness Name

Dates

Dr. Barry McLellan, former Chief Coroner of Ontario Dr. Michael Pollanen, Chief Forensic Pathologist for the Province of Ontario <i>(panel)</i>	November 12, 13, 14, 15, & 16, 2007
Dr. Jack Crane, State Pathologist for Northern Ireland Dr. Christopher Milroy, Chief Forensic Pathologist, Forensic Science Service, Professor of Forensic Pathology, University of Sheffield and Consultant Pathologist to the UK Home Office Dr. John Butt, Forensic Pathologist, former Chief Medical Examiner in Alberta and Nova Scotia <i>(panel)</i>	November 19, 20, 21, 22, & 23, 2007
Dr. James Cairns, Deputy Chief Coroner of Ontario	November 26, 27, 28, & 29, 2007
Dr. James Young, former Chief Coroner of Ontario	November 29 & 30, 2007 December 3 & 4, 2007 February 8, 2008
Dr. Michael Pollanen, Chief Forensic Pathologist for the Province of Ontario (additional information)	December 5 & 6, 2007
Dr. David Chlason, former Chief Forensic Pathologist for the Province of Ontario and Director of the Pediatric Forensic Pathology Unit, Hospital for Sick Children	December 7, 10, & 11, 2007
Dr. Helen Whitwell, Forensic Pathologist, U.K. Dr. Pekka Saukko, Professor of Forensic Medicine, University of Turku, Finland <i>(panel)</i>	December 12, 13, & 14, 2007
Maxine Johnson, Administrative Coordinator, Hospital for Sick Children (HSC), Pathology Division	December 17, 2007
Dr. Don Perrin, Pathologists' Assistant, HSC	December 17, 2007
Dr. Glenn Taylor, Head of the Division of Pathology, HSC Dr. Ernest Cutz, Pathologist, HSC (additional information) <i>(panel)</i>	December 18 & 19, 2007
Dr. Joseph de Nanassy, Head, Division of Anatomical Pathology, Children's Hospital of Eastern Ontario (CHEO) Dr. Jean Michaud, Head, Department of Pathology and Laboratory Medicine, Ottawa Hospital and CHEO Dr. Blair Carpenter, Head, Division of Anatomical Pathology, CHEO (past) <i>(panel)</i>	December 20 & 21, 2007
Dr. Bill Lucas Dr. James Edwards Dr. Albert Lauwers, Regional Supervising Coroners	January 7 & 8, 2008
Dr. Katy Driver Dr. Dirk Huyer Dr. Michelle Shouldice, HSC SCAN Team	January 9 & 10, 2008
Dr. Paul Thorne, HSC Division of Pathology	January 11, 2008
Inspector Robert Keetch, Sudbury Police	January 14, 2008
Sgt. Larry Charnley Cst. Scott Kirkland, Peterborough Police	January 15, 2008
Dr. Rocco Gerace Michele Mann	January 16, 2008

<http://www.goudgeinquiry.ca/schedule/witnesses.html>

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Elizabeth Doris, CPSO :

Dr. David Dexter
Dr. Chitra Rao
Dr. Michael Shkrum, Regional Pathology Units January 17, 18, 2008

Ed Bradley
Brian Gilkinson
Terri Regimbal, Crown counsel January 21, 22, 2008

Dr. Robert Wood, Odontologist January 23, 2008

Sgt. Greg MacLellan, OPP
Inspector Brian Begbie, Kingston Police January 24, 2008

Dr. Legge
Dr. Eden
Dr. McCallum, Regional Supervising Coroners January 25, 2008

Dr. Charles Smith January 28, 29, 30, 31, 2008
 February 1, 2008

Mr. Justice John McMahon February 5, 2008

David Gorrell
John Struthers
Bruce Hillier
(panel of three defence counsel) February 8, 2008

Policy Roundtables: February 11, 2008

Credentialing and Growing the Pediatric Forensic Pathology Service in Ontario
Panelists:
Drs. Stephen Cordner (Australia)*, Randy Hanzlick (United States)*, Christopher Milroy (England), Michael Pollanen (additional information), Dr. Michael Shkrum, and Prof. Avrum Gotlieb

Organizing Pediatric Forensic Pathology in Ontario
Panelists:
Drs. David Ranson (Australia)*, Randy Hanzlick (United States)*, Michael Pollanen, David Chiasson and Glenn Taylor

Policy Roundtables: February 12, 2008

Enhancing the Relationship Between the Coronial Service and the Pediatric Forensic Pathology Service
Panelists:
Drs. Stephen Cordner (Australia)*, Albert Lauwers, Michael Pollanen and the Chief Coroner, Dr. Bonita Porter

The Death Investigation Team in Pediatric Forensic Cases
Panelists:
Dr. David Ranson (Australia)*, Det. Sgts. Chris Buck and Gary Giroux, Crown counsel John Ayre, and Dr. Albert Lauwers

Policy Roundtable: Oversight and Accountability February 13, 2008
Panelists:
Professor Lorne Sossin*, Drs. Stephen Cordner and David Ranson (Australia)* and Dr. Ray Prime

Policy Roundtable: The Best Practices of Pediatric Forensic Pathology in a Particular Case February 14, 2008
Panelists:
Drs. Stephen Cordner (Australia)*, Christopher Milroy (England), David Chiasson, and Michael Pollanen

Policy Roundtable: Effective Communication between Pediatric Forensic Pathology and the Criminal Justice System February 15, 2008
Panelists:
Professor Gary Edmond (Australia)*, Dr. David Ranson (Australia)*, Professor Kent Roach, Professor Erica Beecher-Monas (United States), and Professor Kathy Gruspler*

Policy Roundtable: Crown, Defence and the Court February 19, 2008
Panelists:

Professor Michael Code, Bruce MacFarlane (Manitoba)*, Marlys Edwardh (lawyer), Paul Lindsay (Ass't Deputy Attorney General for Ontario), Paul McDermott (Assistant Crown Attorney), Rob Buchanan (Legal Aid Ontario), and Nye Thomas (Legal Aid Ontario) (additional information)

Policy Roundtable: Viable Complaints Processes February 20, 2008

Panelists:
Professor Joan Gilmour, Professor Lorne Sossin*, Dr. Rocco Gerace, and Dr. Catherine Yarrow

Policy Roundtables: February 21, 2008

Pediatric Forensic Pathology and Potential Wrongful Convictions

Panelists:
Alastair MacGregor, Q.C. (England), Dr. Michael Pollanen, Bruce MacFarlane (Manitoba)*, Mary Nethery, and Kerry Scullion

Pediatric Forensic Pathology and Potential Child Abuse

Panelists:
Professor Nicholas Bala*, Agnes Samler, Jane Fitzgerald and Andrew Koster

Policy Roundtables: The Judicial System and Expert Scientific Evidence (Two roundtables) February 22, 2008

Panelists:
The Honourable Patrick LeSage Q.C., The Honourable Mr. Justice Marc Rosenberg, Professor Gary Edmond (Australia)*, Andrew Robertson, Q.C. (England) (additional information), Professor Erica Beecher-Monas (United States), and Alastair MacGregor, Q.C. (England)

Policy Roundtables (In Thunder Bay): February 28, 2008

The Delivery of Forensic Pathology Services

Panelists:
Dr. Roger Strasser, Founding Dean of the Northern Ontario School of Medicine; Dr. Martin Queen, Chief of Laboratory Medicine and Pathology, Sudbury Regional Hospital; Dr. David Eden, Regional Supervising Coroner, Northern Ontario; Dr. David Chiasson, Director of the Ontario Pediatric Forensic Pathology Unit, Hospital for Sick Kids; Dr. William McCreedy; Dr. Bonita Porter

The Organization of Death Investigation

Panelists:
Dr. Shelagh McRae, Investigating Coroner; Det. Insp. Dennis Olinyk, Ontario Provincial Police; Dr. David Eden, Regional Supervising Coroner, Northern Ontario; Dr. Martin Queen, Chief of Laboratory Medicine and Pathology, Sudbury Regional Hospital; Dr. David Chiasson, Director of the Ontario Pediatric Forensic Pathology Unit, Hospital for Sick Kids; Mr. James Sargent, funeral director, Thunder Bay

Policy Roundtables (In Thunder Bay): February 29, 2008

Traditional Practices Regarding Death of Children in Aboriginal Community

Roundtable 1

Barriers to Pediatric Forensic Death Investigations in Remote Aboriginal Communities

Panelists:
Deputy Chief John Domm, NAPS; Chief Connie Gray-Mckay, Mishkeegogamang First Nation; TBA, Pikangikum First Nation; Dr. Martin Queen, Forensic Pathologist; Dr. David Eden, Regional Supervising Coroner

Roundtable 2

Limitations and Impact of Criminally Suspicious Investigations in Pediatric Death Cases

Panelists:
Mary Jean Robinson, Area Director, NAN-Legal Corp.; Barb

Hancock, Tikinagan Child and Family Services

Roundtable 3
Community Involvement with Death Investigations

Panelists:
Jim Morris, Sioux Lookout Health Authority; Dr. David Eden,
Regional Supervising Coroner

Roundtable 4
**Improving Communications Between Aboriginal Communities
and the OCCO**

Panelists:
Deputy Grand Chief Alvin Fiddler, Representative of Chiefs of
Ontario TBA; Dr. Bonita Porter, Chief Coroner; Dr. David Eden,
Regional Supervising Coroner; Kimberly Murray, ALST Executive
Director

*An asterisk indicates those participants who have provided research papers to the Commission. For the paper, click on the name.

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