



---

COMMISSION OF INQUIRY INTO THE CIRCUMSTANCES  
SURROUNDING THE DEATH OF PHOENIX SINCLAIR

---

**Commission Disclosure 2072**



**Anishinaabe Child & Family Services**  
Outreach Office  
401-286 Smith Street, Winnipeg, Manitoba R3C 1K4  
Telephone Number: (204) 942-0788 Fax Number: (204) 957-1734



Phoenix Sinclair Inquiry

RECEIVED

MAY 15 2012

May 10, 2012

Commission of Inquiry into the Circumstances  
Surrounding the Death of Phoenix Sinclair  
1801-155 Carlton Street  
Winnipeg, MB R3C 3H8

**Attention: Sherri Walsh, Commission Counsel**

Dear Madam:

**Re: Anishinaabe Child and Family Services and Your letter of April 11, 2012**

Your letter of April 11, 2012 has been forwarded to me as the administrator of Anishinaabe Child and Family Services ("ACFS") for reply.

In your letter, you have asked what ACFS' intentions and reasons had been in participating in the child protection proceedings involving Phoenix Sinclair in the summer of 2003.

ACFS was served with the Petition and Notice of Hearing concerning Phoenix Victoria Hope Sinclair because the native band for her father, Nelson Draper Steve Sinclair, is Lake St. Martin First Nation which is a First Nation served by ACFS. The transcripts you have provided indicate that Mr. Harvie and Mr. Clark attended on behalf of ACFS and requested particulars concerning the placement plan for Phoenix Sinclair. The matter appears to have been adjourned several times and it is clear from the transcript of proceedings from the 13<sup>th</sup> of August, 2003, at page 3, that ACFS' intentions and reasons for participating in the proceedings were clearly stated on the record.

Section 421 of the Program Standards Manual for Child and Family Services Agencies, was, I believe, applicable at the time of the hearings referenced in the transcripts that you have provided. It was the standard procedure of ACFS at the time, to attend Court when it was served with a Petition and Notice of Hearing pertaining to a child from a community served by ACFS. This was done to attempt to ensure that placement priorities set out in Section 421 were followed. In this case ACFS could not locate an extended family or community of origin placement for Phoenix Sinclair, however, the placement referenced by the worker in the transcript of proceedings from August 13, 2003 indicates that both of the

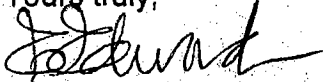
"Our Families; Our Foundation For Strength and Unity"

43574

foster parents were known to, and accepted by, the Director of Child and Family Services and the biological parents. The foster mother was stated by the worker to be of aboriginal background. Lacking any other placement to put forward to the petitioner, this was acceptable to ACFS as stated on the record.

Trusting this is the information that you require, please contact John Harvie at Myers Weinberg LLP if you have any further questions you wish to refer to ACFS.

Yours truly,



Emma Edwards, Administrator  
Anishinaabe Child and Family Services

cc. John Harvie