CITATION: Y.M. v. Commissioner Judith Beaman; C.T. v. Commissioner Judith Beaman; and C.R. v. Commissioner Judith Beaman, 2016 ONSC 7118
DIVISIONAL COURT FILE NOs.: 357/16, 358/16 and 359/16
DATE: 20161118

ONTARIO

SUPERIOR COURT OF JUSTICE
DIVISIONAL COURT

SHAW R.S.J., MOLLOY and PATTILLO JJ.

BETWEEN:	
Y.M. Applicant	*Julie M. Kirkpatrick*, for the Applicants
– and –	
COMMISSIONER JUDITH BEAMAN Respondent	*William C. McDowell* and *Mariam Moktar*, for the Respondent
AND BETWEEN:	
C.T. Applicant	
– and –	
COMMISSIONER JUDITH BEAMAN Respondent	
AND BETWEEN:	
C.R. Applicant	
– and –	
COMMISSIONER JUDITH BEAMAN Respondent	**HEARD at Toronto:** November 14, 2016 at Toronto

REASONS FOR DECISION

MOLLOY J:

The Application Before the Court

[1] Each of the applicants has brought a judicial review application seeking various forms of relief against Commissioner Judith Beaman. Each of the applicants is a mother and each has lost custody and control of a child or children in proceedings commenced by the Children's Aid Society (C.A.S.) in which, in some measure, one of the factors involved in the case was testing of hair follicles to determine drug use by the Motherisk Drug Testing Laboratory at Toronto's Hospital for Sick Children.

[2] Subsequent to the child protection proceedings in which all three applicants were involved, the validity and reliability of the Motherisk Laboratory testing methods were discredited by court decisions[1] as well as by a report by the Honourable Madam Justice Susan Lang, who had been appointed by Order in Council to conduct an Independent Review of the Motherisk Laboratory. Justice Lang's Report was released on December 15, 2016. Among the Report's recommendations was the establishment of a Second Review to examine individual cases that may have been affected by the Motherisk Laboratory's flawed hair testing methodology and to provide resources to those individuals to permit them to make informed decisions about any steps that might be available and appropriate.

[3] Acting on this recommendation, the Government of Ontario, by Order in Council dated January 15, 2016, established the Motherisk Commission and appointed Commissioner Judith Beaman to head the Commission. The mandate of the Motherisk Commission included a review of individual child protection cases that may have been affected by Motherisk hair tests between 1990 and 2015, on request or at the initiative of the Commissioner.

[4] Each of the applicants' cases was considered by the Motherisk Commission. Each of the applicants objects to the extent to which they were involved in or permitted to participate in that process. Each alleges breaches of principles of natural justice and procedural fairness and seeks orders of this Court compelling the Commissioner to do certain things in that regard.

[5] The respondent denies any breach of procedural fairness or natural justice. However, the respondent also argues that this Court ought not to deal with the merits of those arguments at this stage, but rather should dismiss the applications as being either premature or, with respect to C.R., moot.

[6] For the reasons set out below, all three applications are dismissed. The applications by Y.M. and C.T. are premature. They are at liberty to bring a further application after the process

---

[1] Notably, *R. v. Broomfield*, 2014 ONCA 725, in which the Ontario Court of Appeal quashed criminal convictions for administering cocaine to a child based on new evidence admitted on the appeal discrediting the methodology and reliability of evidence from the Motherisk Laboratory that was relied upon at trial.

before the Commission has been exhausted if they are not successful in obtaining the relief to which they believe they are entitled. The application by C.R. is dismissed as moot.

Publication of the Names of the Mothers and Children

[7] Each of the applicants, and their children, have been the subject of child protection proceedings to which the provisions of the *Child and Family Services Act*[2] ("CFSA") apply. Section 45(8) of the CFSA provides:

> No person shall publish or make public information that has the effect of identifying a child who is a witness at or a participant in a hearing or the subject of a proceeding, or the child's parent or foster parent or a member of the child's family.

[8] At the outset of the hearing before this Court, counsel for the Commissioner raised an issue as to whether there should be a publication ban with respect to information that would tend to identify the parents, children or families involved in the child protection proceedings. He noted that there was a reporter present from the Toronto Star who was interested in reporting on the proceedings and who proposed to publish the names of two of the mothers. Both of these mothers had previously given interviews to the Toronto Star and had been the subject of Toronto Star articles about the Motherisk hair testing. Both of these women were also the subject of other media coverage in the past. In these media stories, the names of the two mothers were disclosed, with their consent, but not the names of their children.

[9] The Toronto Star reporter, Ms. Mendleson, was given the opportunity to consult legal counsel on this issue. Although legal counsel was not available to speak to the matter, Ms. Mendleson did get advice and made submissions on the right of the Toronto Star to publish the names of these two mothers based on: (1) the public interest issues involved; (2) the waiver of the two women whose names would be published; and (3) the fact that this information was already in the public domain. She relied on the Supreme Court of Canada's landmark decision in *Dagenais.*[3]

[10] After considering the matter, we advised Ms. Mendleson that we considered the principles in *Dagenais* did not apply. We further advised that we did not see a need to make a specific non-publication order in this matter as in our view s. 45(8) of the CFSA was mandatory and continued to apply.

[11] On further review, I remain of the view that s. 45(8) of the CFSA is determinative. It is a statutory and mandatory direction that no information can be published that would tend to identify, not just the children, but also the parents and family involved in the child protection proceedings. There is no provision in the legislation for any waiver of that prohibition, whether by the court or any of the individuals involved.

[12] *Dagenais* involved an application by four individuals (who were facing criminal charges for sexual abuse of young boys) seeking an injunction restraining the CBC from publishing a mini-

---

[2] *Child and Family Services Act*, R.S.O. 1990, c, C.11.

[3] *Dagenais v. C.B.C.*, [1994] 3 S.C.R. 835

series dealing with similar subject matter. The order was made by a Superior Court judge as an exercise of common law discretion. There was no statutory publication ban involved. That is a very different case from this one.

[13] As far as I have been able to determine, the only case dealing directly with the CFSA publication ban is a decision of Aston J. holding that s. 45(8) cannot be waived. He held, in *P.(R.) v. Children's Aid Society of Lanark (County) & Smiths Falls (Town)*,[4] at para. 7:

> Section 45(8) of the *Child and Family Services Act*, R.S.O. 1990, c. C.11 [as amended] (and its predecessor), provides "no person shall publish or make public information that has the effect of identifying a child who is ... the subject of a proceeding or the child's parent or foster parent or a member of the child's family." **There is no provision in the *Act* whereby the child, upon attaining the age of majority, or the child's parent, foster parent or other member of the child's family, can waive this legislative provision.** The plaintiff's agent, Ms. Kerr-Hepworth, did not cite any authority that would support the granting of the order sought. These claims are therefore dismissed. [Emphasis added]

Although the Divisional Court reversed Justice Aston's decision on appeal, they did so on other grounds and did not comment on s. 45(8).[5]

[14] There are a number of other legislative provisions, both provincial and federal, prohibiting publication of information, but typically these allow for waiver in specified circumstances. For example, s. 99(1) of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, prohibits the publication of information tending to identify a young person in a provincial offence hearing. Section 99(3), however, specifically makes an exception for young persons who disclose the information themselves. This indicates that where the Ontario legislature intends to permit waiver, they specifically provide for it in the statute.

[15] Similarly, in the federal context, s. 110(1) of the *Youth Criminal Justice Act*, S.C. 2002, c. 1, prohibits the publication of information identifying a young person 'dealt with' under the *Act*, subject to certain exceptions. Section 110(3) specifically allows a young person to publish information that would identify themselves after they reach the age of 18 years. A youth may also apply for an order permitting the publication of identifying information before they reach 18 years of age under s. 110(6). Section 111(1) of the *YCJA* prohibits the publication of information identifying young victims and witnesses. Section 111(2) specifically allows a youth to publish the information themselves once they reach the age of 18, while the parents may publish the information if the youth is deceased. Section 111(3) allows a youth to apply to publish the information before reaching the age of 18.

[16] There are a number of provisions of the *Criminal Code* that provide for publication bans upon the application of a victim, witness, or party, with the issuance of the ban then being subject to the discretion of the judge. However, for child pornography offences, s. 486.4(3) provides for an automatic publication ban for information identifying a victim or witness under the age of 18. Unlike other publication bans in the *Code*, a s. 486.4(3) publication ban is not discretionary, and

---

[4] *P.(R.) v. Children's Aid Society of Lanark (County) & Smiths Falls (Town)*, 2006 CarswellOnt 9830 (S.C.)

[5] see 2008 CarswellOnt 4280 (Div. Ct.)

there are no exceptions. No provision is made for waiver. In this sense, it is similar to s. 45(8) of the *CFSA*.

[17] Section 486.4(3) of the *Criminal Code* was considered by Campbell J. of the Nova Scotia Provincial Court in *R. v. B(K)*[6]. In that case, media lawyers sought a revocation of a publication ban issued under s. 486.4(3) on the grounds that it conflicted with the *YCJA*, which, as explained above, permits waiver. Justice Campbell commented, at para. 23, "[s]ection 486.4(3) of the *Criminal Code* dealing with the mandatory ban in child pornography cases does not include a provision for a waiver by victims, parents or anyone else." Justice Campbell ultimately concluded that s. 486.4(3) does not conflict with the *YCJA*. Implicit in Justice Campbell's reasons is the assumption that if waiver were permitted under s. 486.4(3), then Parliament would have specifically provided for it, as they did in the *YCJA*.

[18] Although not binding on this Court, I consider the reasoning in these cases to be sound. In my view, the parties are not free to waive s. 45(8) of the CFSA, and this Court has no power to authorize publication that would contravene it. For that reason, the names of the applicants in this decision have been initialized.

The Mandate of the Motherisk Commission

[19] The Order in Council ("OIC") establishing the Motherisk Commission sets out its mandate as being: (a) to establish a Review and Resource Centre to offer "appropriate support and assistance to persons affected by the Motherisk test results, including information, counselling assistance, legal advice and alternative dispute resolution"; (b) to design and implement a process to notify affected persons; (c) to offer early advice and guidance identified by children's aid societies as high priority and review individual child protection cases that may have been affected by Motherisk tests between 1990 and 2015 on request or on the initiative of the Commissioner; (d) to determine eligibility criteria for and the level and type of services to be made available to affected persons; and (e) engage "as may be appropriate" with interested parties and stakeholders.

[20] The OIC specifically provides that the Commissioner shall not express any conclusion or recommendation regarding potential civil or criminal liability of any person.

[21] The Motherisk Commission was established under the *Public Inquiries Act*[7] and the Commissioner has the authority to establish rules and guidelines for the Commission. The Process Rules established by the Commission, and published in August 2016, provide for two phases: (1) Reviewing cases identified as high priority and those for which a member of the public has sought a review; and (2) Undertaking outreach inviting affected individuals to apply for resources offered at the Commission's Review and Resource Centre. With respect to the file review process, the OIC directs the Commissioner to determine whether the Motherisk testing had a "substantial impact." This is a defined term in the Process Rules, as follows:

---

[6] *R. v. B(K)*, 2014 NSPC 24, 345 N.S.R. (2d) 203

[7] *Public Inquiries Act, 2009*, S.O. 2009, c. 33, Sch.6

"substantial impact" when referring to a positive Motherisk test means that the test materially affected the outcome of the case having regard to one or more of the following factors:

(i) The creation of a status quo with respect to the child's living arrangements;

(ii) The position of the Children's Aid Society respecting the direction of the case; and

(iii) The decision of the court.

[22] The Process Rules provide that after the file review, the Commissioner will make one of three determinations:

(1) That the Motherisk testing did not have a substantial impact (in which case all parties requesting the review are to be advised of the finding and, where permanency planning has been put on hold, the Commissioner will authorize the CAS to take whatever further steps are necessary to plan permanency for the child);

(2) That the Motherisk testing did have a substantial impact (whereupon the Commission is to take reasonable steps to locate the parties and notify them); and

(3) Where the role of the Motherisk testing is unclear, further information is to be gathered, including but not limited to case notes, reports, assessments and court transcripts.

[23] The Commissioner, in accordance with her mandate under the OIC, established a Review and Resource Centre, which has the capacity to provide legal file reviews, counselling assistance, legal referral and alternative dispute resolution services. Under the Rules, where it is determined that the Motherisk testing did not have a substantial impact, the services available are counselling assistance, a meeting with the Commissioner and/or review counsel to discuss the outcome, reconsideration of the file review, and any other services the Commissioner deems appropriate having regard to the Terms of Reference in the OIC.

[24] Where the Commissioner determines that the Motherisk testing did have a substantial impact on the outcome of the case, Rule 16 provides for affected persons to be offered the following services:

(a) Counselling assistance;

(b) A meeting with the Commissioner and/or review counsel to discuss the outcome;

(c) Legal referral;

(d) Funding for legal services; and,

(e) Any other services the Commissioner deems appropriate, having regard to the terms of Reference.

[25] Rule 9 provides that an affected person who disagrees with the Commissioner's determination may request reconsideration within 30 days of being advised of the decision. Further, an affected person or children's aid society seeking reconsideration may file further material in support of their request.

C.R.'s Application is Moot

[26] The Commissioner reviewed C.R.'s case and issued a letter dated April 11, 2016 in which she stated that, "Although it was not the only evidence supporting the decision, it is clear the results of the Motherisk testing were a significant factor leading to the decision made in the case involving [C.R.]'s children." The full panoply of resources available from the Review and Resource Centre were made available to C.R., including the opportunity for counselling, legal referral, funding for legal services and alternative dispute resolution.

[27] C.R. objects to the wording of the Commissioner's letter and takes the position that there is no basis for the statement that the Motherisk results were "not the only evidence" supporting the decision. She seeks judicial review on the basis that she was not given the opportunity to make oral and written submissions, was not provided with all of the material upon which the Commissioner relied in reaching her determination, and was denied a hearing.

[28] C.R. was fully successful before the Commissioner. It is not necessary to engage in an analysis of the procedural fairness and natural justice standards required of the Commissioner at the various stages of the Commission's process. Regardless of whether there was a denial of procedural fairness (about which I make no finding), C.R. has obtained everything she could obtain from the Commission within the Commission's mandate. It is only the result of a decision that can be the subject of judicial review, not peripheral words in the reasons that have communicated that result. It is not the function of the reviewing court to rewrite the reasons of the tribunal, nor is judicial review available merely to attack extraneous words in a decision.

[29] I have no doubt that C.R. feels affronted by the reference to there being other factors involved in her losing her children. However, it is clear from the decision of the judge who decided the child protection proceedings that there were, in fact, other things he took into account. In my view, C.R.'s application is moot. She has already obtained a favourable ruling from the Commissioner and has access to all of the resources to which she was entitled. In any event, the remedies sought here are discretionary. I would not exercise my discretion to make any of the orders sought in this situation.

[30] I note that the Commissioner has agreed that C.R. may have 30 days to seek reconsideration of her decision in order to seek to have the language to which she objects removed. I leave that to C.R. and the Commissioner. There is no basis for this Court to intervene.

[31] Accordingly, her application is dismissed.

Y.M.'s Application is Premature

[32] Y.M.'s child has been placed in the final custody of her natural father. This occurred after family court proceedings were brought by the father, but in which the C.A.S. was involved. The C.A.S. supported the father's plan and relied upon positive Motherisk tests as evidence that Y.M.

was abusing alcohol. Evidence from Motherisk was introduced in the family court proceedings. When a final custody order was made in favour of the father on August 2, 2013, the C.A.S. withdrew its child protection application. The final custody order stipulated that Y.M. would have unsupervised day time access each Sunday from 12:00 to 5:00 p.m. and each Wednesday from 7:00 to 8:00 p.m. The order further provided that graduated overnight access is to begin at such time as Y.M. provided a Motherisk hair follicle test showing minimal or no alcohol consumption for a three month period, proving that there is no evidence that this would otherwise be contrary to the child's best interests.

[33] To date, Y.M. has not sought an order varying the access terms of the custody order.

[34] Y.M. requested that the Commissioner review her case. The Commissioner obtained the files from the C.A.S. and conducted a file review. The Commissioner determined on September 20, 2016 that further information was required in relation to the court proceeding, including a transcript of a hearing that took place on October 9, 2012, and has requested those documents. The final review has not yet been concluded. No decision has been made as to whether the Motherisk testing was a substantial factor in this case, and no determination has been made as to what resources will or will not be made available to Y.M.

[35] Y.M. seeks judicial review of the Commissioner's decision and seeks relief in the nature of mandamus compelling the Commissioner to receive written and oral submissions from the applicant prior to making a decision. She also originally sought an order compelling the Commissioner to provide her with disclosure of all documents sought and received by the Commissioner and an order compelling the Commissioner to order transcripts of the applicant's proceedings.[8]

[36] As a general principle, a court will not interfere in ongoing proceedings before an administrative tribunal. Absent exceptional circumstances, parties must exhaust all remedies available in the administrative process before turning to the courts. The rationale for this principle is well-summarized by Stratas J.A. in *C.B. Powell Limited v. Canada (Border Services Agency)*[9] as follows (at paras. 31-32):

> Administrative law judgments and textbooks describe this rule in many ways: the doctrine of exhaustion, the doctrine of adequate alternative remedies, the doctrine against fragmentation or bifurcation of administrative proceedings, the rule against interlocutory judicial reviews and the objection against premature judicial reviews. All of these express the same concept: absent exceptional circumstances, parties cannot proceed to the court system until the administrative process has run its course. This means that, absent exceptional circumstances, those who are dissatisfied with some matter arising in the ongoing administrative process must pursue all effective remedies that are available within that process; only when the administrative process has finished or when the administrative process affords no effective remedy can they proceed to court. Put another way, absent exceptional circumstances, courts should not

[8] These latter two forms of relief may now be moot as the Commissioner has sought transcripts and provided some materials to the applicant.

[9] *C.B. Powell Limited v. Canada (Border Services Agency)*, 2010 FCA 61

> interfere with ongoing administrative processes until after they are completed, or until the available, effective remedies are exhausted.
>
> This prevents fragmentation of the administrative process and piecemeal court proceedings, eliminates the large costs and delays associated with premature forays to court and avoids the waste associated with hearing an interlocutory judicial review when the applicant for judicial review may succeed at the end of the administrative process anyway: see, *e.g.*, *Consolidated Maybrun*, *supra* at paragraph 38; *Greater Moncton International Airport Authority v. Public Service Alliance of Canada*, 2008 FCA 68 at paragraph 1; *Ontario College of Art v. Ontario (Human Rights Commission)* (1992), 99 D.L.R. (4th) 738 (Ont. Div. Ct.). Further, only at the end of the administrative process will a reviewing court have all of the administrative decision-maker's findings; these findings may be suffused with expertise, legitimate policy judgments and valuable regulatory experience: see, *e.g.*, *Consolidated Maybrun*, *supra* at paragraph 43; *Delmas v. Vancouver Stock Exchange* (1994), 119 D.L.R. (4th) 136 (B.C.S.C.), aff'd (1995), 130 D.L.R. (4th) 461 (B.C.C.A.); *Jafine v. College of Veterinarians (Ontario)* (1991), 5 O.R. (3d) 439 (Gen. Div.). Finally, this approach is consistent with and supports the concept of judicial respect for administrative decision-makers who, like judges, have decision-making responsibilities to discharge: *Dunsmuir v. New Brunswick*, 2008 SCC 9, [2008] 1 S.C.R. 190 at paragraph 48.

[37] The exceptional situations in which courts will intervene in the midst of an administrative tribunal's process are rare, absent a true issue of jurisdiction (which clearly does not arise here). Typically, concerns about procedural fairness and natural justice are not sufficient to warrant intervention. In *Harelkin v. University of Regina*,[10] the Supreme Court of Canada recognized that the manner in which the university dealt with a student breached principles of natural justice, but nevertheless held that the courts were not entitled to intervene until the student had exhausted his internal remedies, which included the right of appeal to the university senate.

[38] Likewise, the Ontario Court of Appeal held in *Volochay v. College of Massage Therapists of Ontario*[11] that the Divisional Court was "wrong in principle" in quashing decisions of the College's investigatory bodies prior to Mr. Volochay exhausting his right of appeal to the Health Professions Appeal and Review Board ("HPARB"). This was so notwithstanding findings that the College had breached principles of procedural fairness and natural justice, which the Court of Appeal found did not constitute "exceptional circumstances," particularly in light of the availability of an adequate remedy from HPARB.

[39] In this case, there are no exceptional circumstances warranting intervention at this stage. The Commissioner is still in the process of reviewing the file. It is not for this court to dictate, prior to any decision, how the Commissioner should go about that task. Such an intervention would be completely inconsistent with principles of judicial deference to administrative tribunals. Further, after the Commissioner makes a decision, Y.M. has a right to seek reconsideration and to file any additional materials upon which she relies with the Commissioner for her consideration.

---

[10] *Harelkin v. University of Regina*, [1979] 3 S.C.R. 561

[11] *Volochay v. College of Massage Therapists of Ontario*, 2012 ONCA 541; see also *C.B. Powell*, *supra*, Note 9 at para. 33

It may be the case that, after all avenues before the Commission have been exhausted, Y.M. will have received everything to which she believes she is entitled. If so, that will be the end of the matter. If not, she may then seek judicial review, which can be conducted with the benefit of a full record of all proceedings before the Commission.

[40] Accordingly, this application is dismissed as premature.

C.T.'s Application is Premature

[41] C.T.'s daughter was made a Crown ward without access for purposes of adoption after a child protection trial and pursuant to the Order of Hardman J. dated December 15, 2015. That decision is currently under appeal. It would appear that the child was apprehended by the C.A.S. because of Motherisk hair testing that showed the presence of marijuana and cocaine for both C.T. and her child. C.T. contends this was the only basis upon which the C.A.S. acted. Motherisk results were introduced at the trial. However, in her reasons for decision, the trial judge referred to *R. v. Broomfield*[12] and the Independent Review being conducted by the Honourable Madam Justice Lang and held (at para. 162) that "given the concerns raised by the investigation, it is not possible for the court to rely on any of the tests filed to establish on their own the presence or absence of any drugs in the samples tested."

[42] C.T.'s case was identified by the C.A.S. as being a high priority and the file was sent to the Commission for review. Based on the file review, the Commissioner determined that the Motherisk testing did not have a substantial impact on the outcome of the case and advised the C.A.S. (by letter dated March 31, 2016) that there was "no reasonable basis related to [Motherisk] testing to question the legal process on the existing status quo of the child" and that the C.A.S. was "at liberty to take whatever future steps are deemed to be in the children's best interest."

[43] This letter was not initially provided to C.T., but she was advised of the result in April 2016, both orally and in writing. The Commissioner offered to provide counselling services, but C.T. has not taken advantage of that offer.

[44] Initially, the C.A.S. attached the Commissioner's letter as an exhibit to an affidavit and filed it in the appeal from the wardship Order made by Hardman J. However, upon the objection of counsel for C.T., that affidavit was withdrawn and the Commissioner's letter is now the subject of a motion by C.A.S. to adduce it as fresh evidence on the appeal. It is for the appeal court to determine whether or not the Commissioner's opinion as to the role of the Motherisk testing on the result in the case is relevant and admissible evidence on the appeal. It does not form a basis for judicial review in this court.

[45] C.T. objects to the Commissioner's determination that the Motherisk testing was not a significant factor in her case. She alleges that in reaching that determination the Commissioner failed to properly apply principles of procedural fairness and natural justice. Prior to commencing this judicial review application, C.T., through her counsel, advised the Commissioner of the appeal from the decision of Hardman J. and asked the Commissioner to review the material filed on the appeal, including the transcripts of the trial. The Commission responded that if C.T. requested

---

[12] *Supra*, Note 1.

reconsideration under the Rules, the Commissioner would review that material as part of the reconsideration. Instead, in July 2016, C.T. commenced this judicial review application.

[46] At the present time, the appeal of the wardship order is being held in abeyance while the parties are seeking to resolve the issues through an ADR process external to the Commission. While this is ongoing, C.T. does not want the Commissioner to be involved. Although provided for in the Rules for filing a reconsideration request has expired, the Commissioner, through her counsel, has undertaken to extend the time to 30 days after the outcome of the appeal, although it would also be open to C.T. to file her reconsideration request earlier if she wishes.

[47] C.T. has failed to exhaust all avenues of redress within the Rules of the Commission. That being so, her application is premature and is dismissed.

Conclusion and Order

[48] In the result, all three applications are dismissed. No findings are made with respect to the merits of any of the applications. The respondent does not seek costs, and none are awarded.

MOLLOY J.

I agree:

SHAW R.S.J.

I agree:

PATTILLO J.

Released: November 18, 2016

CITATION: Y.M. v. Commissioner Judith Beaman; C.T. v. Commissioner Judith Beaman; and C.R. v. Commissioner Judith Beaman, 2016 ONSC 7118
DIVISIONAL COURT FILE NOs.: 357/16, 358/16 and 359/16
DATE: 20161118

ONTARIO
SUPERIOR COURT OF JUSTICE
DIVISIONAL COURT

SHAW R.S.J., MOLLOY and PATILLO JJ.

BETWEEN:

Y.M.

Applicant

– and –

COMMISSIONER JUDITH BEAMAN

Respondent

AND BETWEEN:

C.T.

Applicant

– and –

COMMISSIONER JUDITH BEAMAN

Respondent

AND BETWEEN:

C.R.

Applicant

– and –

COMMISSIONER JUDITH BEAMAN

Respondent

REASONS FOR DECISION

MOLLOY J.

Released: November 18, 2016