

**THE MOTHERISK  
COMMISSION**

The Honourable Judith C. Beaman,  
Commissioner



**LA COMMISSION  
MOTHERISK**

L'honorable Judith C. Beaman,  
Commissaire

**ORDER**

**WHEREAS**, as per the *Public Inquiries Act*, the Order in Council 4/2016, dated January 13, 2016, established the Motherisk Commission and provided for the appointment of Justice Judith C. Beaman as the Commissioner, effective January 15, 2016;

**AND WHEREAS**, paragraph 6 of the Order in Council 4/2016 states:

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;

**AND WHEREAS**, the Children's Aid Societies in Ontario are the custodians of the *Child and Family Services Act*, (R.S.O. 1990, c. C.11 as am.) case files in which individuals and their families were potentially affected by flawed Motherisk Drug Testing Laboratory hair strand test results;

**AND WHEREAS**, the Ministry of Children and Youth Services released a Policy Directive: CW004-15 Directions Related to Certain High Priority Cases Involving Motherisk Drug Testing Laboratory (MDTL) Hair Testing to all Children's Aid Societies on December 17, 2015;

**AND WHEREAS**, as part of the Policy Directive CW004-15, the Ministry of Children and Youth Services directed the Children's Aid Societies to immediately

- 1) identify all cases involving MDTL hair testing results in which a Children's Aid Society intends to place a child for adoption or in which a child has been placed for adoption but an adoption order has not yet been made; and
- 2) contact the parents or

their lawyers and advise them of the potentially flawed hair test results and the creation of the Motherisk Commission;

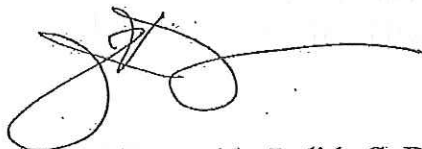
**AND WHEREAS**, Order in Council 4/2016, authorizes Commissioner Beaman to require all Children Aid Societies in Ontario to release information pertaining to such other high priority case files in which Motherisk hair testing was conducted as she deems appropriate;

**AND WHEREAS**, in order to fulfil the Motherisk Commission's mandate and to perform her duties as per Order in Council 4/2016, Commissioner Judith C. Beaman requires complete copies of the unredacted files that have been identified as high priority cases by herself and by the Children's Aid Societies in Ontario.

**THIS COMMISSION ORDERS THAT:**

The Children's Aid Societies in Ontario shall release complete electronic or paper copies of the unredacted case files, which have been identified by herself and by the Children's Aid Societies as high priority cases, to the Motherisk Commission as soon as possible but no later than 14 days following receipt of this Order.

ORDERED at Toronto, Ontario, this 24<sup>th</sup> day of February 2016



The Honourable Judith C. Beaman  
Commissioner