



Fast

FACTS

CANADIAN CENTRE FOR POLICY ALTERNATIVES – MANITOBA

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62 recommendations and the legacy of Phoenix Sinclair

“the social and economic conditions that render children vulnerable to abuse and neglect are well beyond the scope of the child welfare system” (Hon. Ted Hughes, Commissioner, [The Legacy of Phoenix Sinclair: Achieving the Best for All Our Children](#)).

Phoenix Sinclair spent much of her young life in and out of the care of Child and Family Services. She died at the hands of her parents in 2005.

On December 31, 2013, the Phoenix Sinclair Inquiry Commission released its much anticipated final report. Also known as the “Hughes Report” this comprehensive, 3-volume, 870-page document examines the circumstances surrounding the tragic death of 5-year old Phoenix Sinclair and outlines 62 recommendations for action resulting from 21 months of intense proceedings.

Justice Hughes began his report by describing Phoenix Victoria Hope Sinclair as a healthy baby who came into the world “with a lifetime of possibility ahead of her.” But he also noted that “she entered life in circumstances that were fraught with risk.”

Ted Hughes’ scathing report describes a seriously flawed child welfare system that failed Phoenix Sinclair but also continues to fail troubled families and protect vulnerable children. The report rightly delves far deeper, examining the structural issues surrounding the tragedy of Phoenix Sinclair and others embroiled in the child welfare system. It tells

the story of an indigenous child who died not because one individual or one system failed her, but because a deeply flawed network of systems failed her.

Commissioner Hughes dedicated the third and final phase of the Inquiry to examining the broader social and economic context of children in care and their families. Deep poverty, inadequate housing, intergenerational trauma resulting from residential school experiences and the “sixties scoop”, systemic racism and other systemic issues emerged as common experiences of families involved in the child welfare system.

Many of these issues and responding policy actions were also outlined in the 2009 [View From Here: Manitobans Call for a Poverty Reduction Plan](#). A call for implementation of the View From Here is included among Commissioner Hughes 62 recommendations. The comprehensive poverty reduction plan includes a call on the Province to enact direct measures to address poverty including income assistance and wage increases, as well as measures such as enhanced early childhood education, access to adult education, social housing and support for community-based organizations focused on prevention and cultural reclamation. These measures align with Hughes

there is an alternative.

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conclusions that fixing what is clearly broken will take significant structural changes beyond the child welfare system. [The View From Here \(updated in 2015\)](#) continues to have broad community support, endorsed by over 100 community based organizations.

As reported by the Children's Advocate, the Province has been slow to act on implementation of the 62 recommendations. She notes a mere 26 percent of the recommendations put forward by Hughes have been implemented. Although the previous NDP government acted on some of the recommendations in the Hughes report, including some of those outlined in *The View From Here*, many remain outstanding and advocates continue to call for its full implementation. Assembly of Manitoba Chiefs (AMC) First Nation Family Advocate is also expressing concern with the lack of progress on the Hughes recommendations as well as recommendations brought forward by Indigenous families through the AMC. Indigenous children represent 90 percent of those in the care of CFS and it is not a coincidence that Indigenous children are over represented among those living in poverty—fully 76 percent First Nation children on reserve and 39 percent off reserve live in poverty—and children in care most often come from poor families.

The Children's Advocate, AMC Advocate and anti-poverty advocates have good reason to believe that the government is not listening. Make Poverty History Manitoba launched a campaign to increase EIA rates as part of a comprehensive poverty reduction plan at the legislature the day before the 2016 throne speech was released. Not a single Progressive Conservative MLA attended to hear the testimonials of people living in poverty who courageously shared their stories.

This lack of apparent interest was reflected in the throne speech itself. There was no mention of poverty and no mention of progress or plans specific to the Hughes recommendations.

What was in the Throne Speech?

The new government made a vague promise specific to child and family services, noting it would “develop a comprehensive plan that acts upon the many outstanding reports and recommendations and which will achieve better outcomes for children...”

It's not clear what that means, but here might be a better idea.

The new government can expedite the implementation of each and every one of the recommendations outlined in the Phoenix Sinclair Inquiry Report. It's a comprehensive report that if implemented, will surely take care of the recommendations in whatever reports remain “outstanding”.

The circumstances surrounding Phoenix's life were complex. The 62 recommendations in the Hughes Report capture this complexity and provide a comprehensive roadmap toward transformative change that if implemented will provide measurable result. As described in the Hughes report,

The root causes of neglect—including poverty, poor housing, food insecurity, and substance abuse—lie beyond the scope of the child welfare system to resolve. But a collaborative approach, working with parents and harnessing the collective resources of child welfare and other provincial government departments, other levels of government, and the province's many community-based organizations, can make a difference for vulnerable families.

The 62 recommendations in the Hughes Report represent the legacy of Phoenix Sinclair. It is the responsibility of all Manitobans to ensure that they are implemented.

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