

How a child's sad life ended up in a tragic death

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By Murdoch Davis

This is a Canadian story. It's about a girl's life.

This is how it ends: at age 5, Phoenix Victoria Sinclair is confined, sometimes in an animal cage, beaten with a broom handle, shot with a pellet gun, deprived of water and food, and finally killed and buried by a garbage dump.

It takes nine months for anyone to notice she's gone, or at least anyone adult. Police hear of the abuse from a 12-year-old boy with the same father (in the sense that he sired Phoenix). Her mother (in the sense she gave birth) is charged with the murder. So is her live-in mate.

This is how it begins: Phoenix is born in Winnipeg in April 2000. For reasons that can be presumed to reflect badly on the infant's care, she is taken into government custody 10 days later. Seven months later she is returned to her mother, Samantha Dawn Kematch, and father Steve Sinclair.

In April 2001, Phoenix's sister Echo is born. She dies three months later, of pneumonia. Kim Edwards, a friend of Sinclair, assumes care of Phoenix. Edwards has her, off and on, for a couple of years, then Phoenix goes to Sinclair's home.

In February 2003, Phoenix is treated at hospital for an infection. Winnipeg Child and Family Services reopens her file. Five months later she's placed in official foster care with Edwards. Shortly after she's taken back because Kematch and Sinclair want her transferred to a new native-run agency.

Native agencies were recommended several years ago by a provincial inquiry into

aboriginal justice. The idea is children and families will fare better with "culturally appropriate" care.

Phoenix goes back and forth and forth and back from Edwards's home to Sinclair's to that of Edwards's ex-husband, Rohan Stephanson. One day Kematch takes her from Stephanson's home for an outing. They never return.

It will never be known whether "culturally sensitive" care would have helped Phoenix. Incredibly, sadly, tragically, instead of being transferred, her file is closed by the Winnipeg agency in March 2005. Phoenix is returned to Kematch with no provision for social worker visits or anything that might save her from an unthinkable life.

Three months later, she dies an unthinkable death.

Police say a few weeks ago, "certain information" led them first to Carl Wesley McKay, 43, Kematch's mate, at Fisher River Cree Nation, 220 kilometres north of Winnipeg. Kematch allegedly said Phoenix was still in foster care in Winnipeg. (Local media say she still claims this from jail.) Police say someone tried to pass off another girl as Phoenix.

Police allege Phoenix was killed June 11, 2005. A couple of weeks ago McKay was charged with second-degree murder and Kematch with lesser counts. But March 15 first-degree murder charges were brought against both. Deliberate, premeditated killing is alleged.

Phoenix's body hasn't been found. Searching was slow due to frozen ground and efforts to preserve evidence. Thursday, police

said a shallow grave was found and they fear the remains were taken by wild animals.

Monday, Manitoba announced separate reviews by its Children's Advocate and ombudsman, to go along with a probe by the chief medical examiner, and the criminal proceedings.

Family Services Minister Christine Melnick is under attack in the legislature and local media. She comes across as bureaucratic and defensive, and is criticized for not showing remorse or emotion. A 5-year-old is shuffled, neglected, abused and killed, and the minister speaks of "respecting the processes that are in place."

Monday she said, "We want to find out if something went wrong here, what went wrong here and how do we improve." Presumably, "if something went wrong" won't take long to determine.

Racial tensions arose when it was initially reported that the native agency had responsibility. Manitoba Grand Chief Ron Evans objected that people were too willing to

assume the tragedy meant the native agencies don't work. Child-care unions have insisted the changes were rushed and suggest other files — other children at risk — might have been lost.

Statistics that might not be relevant to Phoenix's case, but which intuitively point to increased failure, stoke political heat. Manitoba has about 5,500 minors in its care. (Seventy per cent are native.) Nine died in 2005 from homicide (not accidents or suicide). Between 2000 and 2004, 22 were killed; from 1990 to 2000 there were 40.

By all accounts, Kim Edwards looked after Phoenix better than anyone, motivated by little but goodness. She said publicly what many think: "How can she be gone this long and no one has known? This is just unbelievable."

Sadly, it isn't.

***Murdoch Davis** is a writer and editor who has worked in Edmonton, Victoria, Winnipeg and Toronto. He is editor of *The Beaver* magazine*