# PUBLIC INQUIRY RESPECTING GROUND SEARCH AND RESCUE FOR LOST AND MISSING PERSONS

(VOLUME 1)

## HEARD BEFORE COMISSIONER IGLOLIORTE

August 27, 2021

### PRESENT:

Mr. Geoff Budden	Inquiry Counsel		
Peter Ralph, Q.C./	Counsel for the Province of NL		
Mr. Paul Carter Execu	tive Director of the Department of Justice		
	and Public Safety		
Mr. Mark Freeman/ Corinne Bedford (remotely)			
Coun	sel for the Department of Justice Canada		
Tom Williams, Q.CCounse	I for the Family of the late Burton Winters		
Ms. Marcella Mulrooney	Hearing Clerk		

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#### LIST OF EXHIBITS

### August 27, 2021

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81. Exhibit entered and marked P-081	
82. Exhibit entered and marked P-082	
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1. MS. MULROONEY: 2 Q. This Commission of Inquiry is now open. 3 Commissioner James Igloliorte presiding as commissioner. Please be seated. 4 5 COMMISSIONER IGLOLIORTE: 6 0. Yes, good morning, everyone. Good morning, 7 counsel. The Public Inquiry Respecting Ground Search and Rescue for Lost and 8 9 Missing Persons was established by the Terms 10 of Reference ordered by the Government of 11 Newfoundland and Labrador on January 14th, 12 2021, pursuant to Part Two of the Public 13 Inquiries Act 2006, Statutes of Newfoundland 14 and Labrador 2006, Chapter P-38.1. This is 15 the first hearing for the Newfoundland and 16 Labrador Public Inquiry Respecting Ground Search and Rescue for Lost and Missing 17 18 Persons, and the purpose of this hearing is 19 to introduce exhibits. Mr. Geoff Budden, 20 inquiry counsel, will start the proceedings 21 here at St. John's, Newfoundland and 22 Labrador. It's 10:00 A.M., August 27th, 23 Friday. Mr. Budden. MR. BUDDEN: 24 25 Q. Thank you, Commissioner Igloliorte. The

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1		first order of business, perhaps the other	
2		counsel present and on the phone can	
3		introduce themselves. Perhaps for	
4		simplicity, the counsel who are in Nova	
5		Scotia could go first.	
6	MR. FREEMA	AN :	
7	Q.	Good morning, Commissioner and inquiry	
8		counsel. Are you able to hear me okay?	
9	MR. BUDDEN	<u>ī</u> :	
10	Q.	Yes.	
11	RALPH, Q.C	2. :	
12	Q.	Just a second, I think we're having	
13		difficulty picking it up.	
14	MR. BUDDEN	N :	
15	Q.	I think we will be okay.	
16	MR. FREEMAN:		
17	Q.	Thank you. So, Judge Igloliorte, it's Mark	
18		Freeman, and Corinne Bedford on the line.	
19		We're counsel with the Department of Justice	
20		Canada representing the federal entities who	
21		are voluntarily participating in the public	
22		inquiry. It's a pleasure to meet you on the	
23		phone, and I look forward to working with	
24		the inquiry.	
25	MR. BUDDE	N :	

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August 27, 2021 1 Q. And perhaps other counsel can now introduce 2 themselves. RALPH, Q.C.: 3 0. Mr. Williams. 4 5 WILLIAMS, Q.C.: 6 Q. Good morning, Mr. Commissioner, fellow 7 counsel. Tom Williams, I'm representing the family of the late Burton Winters. 8 9 RALPH, Q.C.: 10 Q. Peter Ralph, I'm counsel for the Province of 11 Newfoundland and Labrador, and with me a colleague of mine, executive member of the 12 13 Department of Justice and Public Safety. 14 MR. BUDDEN: 15 Ο. Thank you. 16 RALPH, Q.C.: 17 Ο. I'm sorry, his name is Paul Carter. MR. BUDDEN: 18 Ο. Thank you. The exercise today will be the 19 20 entering of, I believe, 74 exhibits. We 21 will be going through a similar exercise 22 most likely Wednesday of next week. That 23 will be finalized, and counsel will be notified shortly. The purpose of that 24 25 meeting-of that session, like today's, will

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1	be enter documents. The goal is to the
2	degree possible to have all documents
3	entered, all exhibits entered and publicly
4	available on our website in advance of the
5	Makkovik sessions, which begin on January
6	7 <sup>th</sup> . In fact, we hope to have some
7	documents-sorry, September 7 <sup>th</sup> . We, in fact,
8	hope to have some documents up on our
9	website within a couple of business days and
10	the balance to follow within a similar
11	period after our next session. So, what I
12	plan to do today is, as we enter the
13	exhibits, I will very briefly for the
14	convenience of the parties describe them;
15	and by briefly, I mean, reading just the
16	title, so when Ms. Clerk is ready, I will
17	begin. The first exhibit we propose to
18	enter is the Order in Council dated January
19	14 <sup>th</sup> , 2021. The second exhibit we propose to
20	enter -
21	MS. MULROONEY:
22	Q. That exhibit will be P001.
23	EXHIBIT ENTERED ON INQUIRY AND MARKED: P-001
24	MR. BUDDEN:
25	Q. My apologies, thank you. The second exhibit

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1 we propose to enter is the Order in Council 2 dated June 10th of 2021. MS. MULROONEY: 3 That will be Exhibit P-002 4 Ο. 5 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-002 6 MR. BUDDEN: 7 Q. Thank you. The third exhibit is the Rules 8 and Procedure of this Public Inquiry. MS. MULROONEY: 9 10 Q. P-003. 11 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-003 MR. BUDDEN: 12 0. The fourth will be the Draft Discussion 13 14 Paper completed by Mr. Richard Smith and put 15 up on our website at the beginning of July. 16 MS. MULROONEY: O. Exhibit P-004. 17 18 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-004 19 MR. BUDDEN: 20 Q. The fifth exhibit will be Mr. Thomas 21 Williams' response on behalf of the family of Burton Winters to that Draft Discussion 22 Paper dated July 22<sup>nd</sup> of 2021. 23 MS. MULROONEY: 24 25 Q. Exhibit P-005.

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1 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-005 2 MR. BUDDEN: Q. The next exhibit, number six, will the 3 Government of Canada's submission in 4 response to that Draft Discussion Paper of 2 5 August 2021. 6 7 MS. MULROONEY: 0. Exhibit P-006. 8 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-006 9 10 MR. BUDDEN: O. The next exhibit will be the Government of 11 12 Newfoundland and Labrador's submission in 13 response to that Draft Discussion Paper 14 dated 13 August 2021. 15 MS. MULROONEY: O. P-007. 16 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-007 17 MR. BUDDEN: 18 O. The next exhibit will be the Concerned 19 20 Citizens for SAR, for Search and Rescue, 21 submission in response to that Draft Discussion Paper of August 2nd. 22 MS. MULROONEY: 23 24 Q. P-008. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-008 25

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1 MR. BUDDEN: The next will be a corrected version of that 2 Ο. 3 submission from that same party dated 4 several days thereafter. 5 MS. MULROONEY: 6 Q. Exhibit P-009. 7 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-009 MR. BUDDEN: 8 9 Ο. The next exhibit is correspondence from a 10 Mr. Maurice Murphy submitted on 28 July 11 2021, and also in response to the Discussion 12 Paper. MS. MULROONEY: 13 14 P-010. Q. 15 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-010 MR. BUDDEN: 16 17 Q. The next eight exhibits are all exhibits 18 that were submitted in response to a 19 commission request by the Government of 20 Canada; and, again, the titles here are 21 approximate. The next exhibit is B-Division 22 Operations Manual, an excerpt dated 2019 06 23 12. 24 MS. MULROONEY: 25 P-011. Q.

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EXHIBIT ENTERED ON INQUIRY AND MARKED: P-011 1 2 MR. BUDDEN: Q. The next exhibit is B-Division Operation 3 Manual dated 2011 04 20. 4 5 MS. MULROONEY: O. P-012 6 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-012 7 MR. BUDDEN: 8 Q. The next is a document entitled-and, again, 9 10 these titles are working titles for today only. I have no official meeting, and 11 they're approximate-"Lost, Overdue Persons", 12 and that was submitted-that is dated, 13 rather, 2005 11 29. 14 MS. MULROONEY: 15 16 Q. P-013. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-013 17 18 MR. BUDDEN: Q. The next exhibit has an identical title, 19 Lost, Overdue Persons, and is dated 2019 08 20 22. 21 MS. MULROONEY: 22 23 Ο. P-014 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-014 24 MR. BUDDEN: 25

August 27, 2021 1 Q. The next exhibit is the Operations Manual, 2 Search and Rescue dated 2008 07 09. MS. MULROONEY: 3 4 O. P-015 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-015 5 MR. BUDDEN: 6 7 The next exhibit is Operations Manual, Search and 8 Rescue, same title. However, this one is dated 2017 11 24. 9 10 MS. MULROONEY: 11 O. P-016. 12 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-016 MR. BUDDEN: 13 14 Q. The next is a document of-also a federal 15 government document simply entitled 16 "Occurrence Details". MS. MULROONEY: 17 18 Q. P-017. 19 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-017 MR. BUDDEN: 20 21 Q. The next is a similar federal government 22 document entitled "Briefing Note to 23 Commissioner". 24 MS. MULROONEY: 25 Q. P-018.

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1 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-018 2 MR. BUDDEN: Q. And the final federal government document is 3 entitled "Government of Canada, Government 4 of Newfoundland Agreement of 15 August 5 1983". 6 7 MS. MULROONEY: 8 Ο. P-019. EXHIBIT ENTERED ON INQUIRY AND MARKED: 9 P-019 MR. BUDDEN: 10 We are now going to a tranche of about 50 11 Ο. 12 documents that were submitted pursuant to a 13 subpoena-to a summons, rather, by the Government of Newfoundland and Labrador; 14 and, again, these titles are working titles 15 16 and are approximate. The next exhibit is an 17 e-mail of 23 January 2012, Frampton to McCormick, SAR Support Request from RCMP to 18 FES-NL. 19 20 MS. MULROONEY: 21 Ο. P-020. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-020 22 MR. BUDDEN: 23 The next is an e-mail of 30 January 2012, 24 0. 25 Peddle to English entitled "Search

1	Makkovik".
2	MS. MULROONEY:
3	Q. P-021
4	EXHIBIT ENTERED ON INQUIRY AND MARKED: P-021
5	MR. BUDDEN:
6	Q. And essentially most of these titles I'm
7	simply taking from the subject line of the
8	e-mails. The next is an e-mail also dated
9	30 January 2012, Gullage to Peddle, Media
10	Release from Makkovik RCMP Search for
11	Missing 14-Year-Old.
12	MS. MULROONEY:
13	Q. P-022.
14	EXHIBIT ENTERED ON INQUIRY AND MARKED: P-022
15	MR. BUDDEN:
16	Q. The next exhibit is of the same date
17	involving the same parties, Gullage to
18	Peddle, Update on Missing Snowmobiler in
19	Makkovik.
20	MS. MULROONEY:
21	Q. P-023.
22	EXHIBIT ENTERED ON INQUIRY AND MARKED: P-023
23	MR. BUDDEN:
24	Q. The next is an e-mail of 31 January 2012,
25	Sampson to FES-NL, The Search in Makkovik.

MS. MULROONEY: 1 Q. P-024. 2 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-024 3 MR. BUDDEN: 4 Q. The next is an e-mail dated 30 January 2012 5 6 titled Air Services Divisions Reservation Printout. 7 MS. MULROONEY: 8 9 O. P-025. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-025 10 11 MR. BUDDEN: Q. The next is an e-mail of 1 February 2012, 12 FES-NL to McCormick et. al. entitled "Search 13 14 in Makkovik". 15 MS. MULROONEY: 16 Q. P-026. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-026 17 MR. BUDDEN: 18 19 Q. The next is also an e-mail of February 1<sup>st</sup>, 20 2012, Pretty to Clarke, CF OPS in NL Last 24 21 Hours. MS. MULROONEY: 22 23 O. P-027. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-027 24 25 MR. BUDDEN:

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1	Q.	The next is also an exhibit is an e-mail of
2		February 1 <sup>st</sup> , 2012, Gullage to Peddle et. al.
3		entitled "Missing Person Makkovik".
4	MS. MULRO	ONEY:
5	Q.	P-028.
6	EXHIBIT E	NTERED ON INQUIRY AND MARKED: P-028
7	MR. BUDDE	N :
8	Q.	The next is an e-mail of February 2 <sup>nd</sup> , 2012,
9		also from Gullage to Peddle et. al. entitled
10		"Media Request and Draft Response".
11	MS. MULRO	ONEY:
12	Q.	P-029.
13	EXHIBIT E	NTERED ON INQUIRY AND MARKED: P-029
14	MR. BUDDE	N :
15	Q.	The next is an e-mail of 3 February 2012,
16		Sampson to Gullage entitled "Bullet for
17		Approval".
18	MS. MULRO	ONEY:
19	Q.	P-030.
20	EXHIBIT E	NTERED ON INQUIRY AND MARKED: P-030
21	MR. BUDDE	N :
22	Q.	The next is an e-mail of 6 February 2012,
23		also Sampson to Gullage entitled "Revised
24		for Approval Air Services Engagement".
25	MS. MULRO	ONEY:

1 O. P-031. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-031 2 MR. BUDDEN: 3 Q. The next is an e-mail of 7 February 2012 4 5 entitled "Universal Helicopters Newfoundland 6 Limited Invoices". MS. MULROONEY: 7 Q. P-032. 8 9 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-032 MR. BUDDEN: 10 11 Q. The next is an e-mail of 29 February 2012, Peddle to Hogan et. al. entitled "Makkovik 12 Incident". 13 14 RALPH, Q.C.: 15 Q. I'm sorry, what's the date of that? I'm sorry, what's the date of that e-mail. 16 MR. BUDDEN: 17 18 Q. The date of that e-mail is 29 February 2012. 19 For those following in the binders, there are two exhibits that we will return to next 20 21 one-next session because some work needs to be done redacting those exhibits. 22 MS. MULROONEY: 23 Q. They're done. 24 25 RALPH, Q.C.:

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I'm sorry, I -1 Ο. 2 MS. MULROONEY: 3 That's been done. Ο. 4 MR. BUDDEN: Okay. Okay, in that case we will enter them 5 Ο. immediately after this e-mail if we can do 6 7 that. 8 MS. MULROONEY: 9 Q. So, that e-mail dated February 29, 2012, 10 Peddle to Hogan Re Makkovik Incident is P-11 033. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-033 12 MR. BUDDEN: 13 14 Q. Thank you. The next e-mail is essentially a 15 collection of telephone records, and I would 16 note that these have been significantly 17 redacted to remove extraneous numbers that 18 have nothing to do with the subject matter, 19 and that is dated, I believe, 18 February 20 2012, so we can entitle that for these 21 working purposes Telephone Records of that date. 22 23 MS. MULROONEY: 24 Q. P-034. 25 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-034

1 MR. BUDDEN: Q. The next exhibit -2 3 RALPH, Q.C.: Q. I'm sorry, I just want to try to follow 4 5 along here. 6 MS. MULROONEY: Q. Okay. 7 8 RALPH, Q.C.: Q. So, that one, was that the Bell Aliant 9 invoice, or was that the -10 11 MS. MULROONEY: Q. Bell Aliant dated February 18, 2012. 12 RALPH, O.C.: 13 Q. Yes. 14 MS. MULROONEY: 15 Q. It's the thicker one. 16 RALPH, Q.C.: 17 Q. Right, and so that -18 19 MS. MULROONEY: O. And that one is P-034. 20 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-034 21 22 RALPH, Q.C.: Q. Okay. 23 24 MR. BUDDEN: Q. Thank you. 25

MS. MULROONEY: 1 2 Ο. And this is the other one. It's an e-mail, 3 this one. 4 MR. BUDDEN: 5 Q. The next is an e-mail of 23 February 2012 6 from Peddle to Rogers, and the subject is 7 Long Distance from January 31 to February 1, 8 2012, and it is also a list of phone numbers 9 of which-of many-in fact, most of them 10 redacted because they are extraneous to this 11 matter. MS. MULROONEY: 12 This one is P-035. 13 Ο. 14 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-035 15 MR. BUDDEN: 16 Q. The next is an e-mail of 5 March 2012, 17 Laaouan-I'm not pronouncing that name 18 correctly at all-to Moores et. al. entitled 19 "Meeting Fire and Emergency Services NL". 20 MS. MULROONEY: 21 Q. P-036. 22 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-036 MR. BUDDEN: 23 24 Q. The next is an e-mail of 26 March 2012, 25 Dutton to Sampson, "Operational Log January

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30, 2012". 1 2 MS. MULROONEY: 3 Q. P-037. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-037 4 MR. BUDDEN: 5 6 0. The next is a document entitled "JRCC 7 Halifax Incident Description". MS. MULROONEY: 8 9 O. P-038. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-038 10 11 MR. BUDDEN: 12 Q. The next is an e-mail of 22 February 2012, 13 Gullage to Sampson et. al., "DND Newser 14 Transcription February 8th, 2012". 15 MS. MULROONEY: Q. P-039 16 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-039 17 MR. BUDDEN: 18 19 Q. The next is an e-mail of 8 February 2012, 20 Sampson to Gullage entitled "Script". 21 MS. MULROONEY: Q. P-040. 22 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-040 23 MR. BUDDEN: 24 25 Q. Thank you. The next is an e-mail of 27

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1 March 2012, Sampson to Dutton entitled 2 "Updated Timelines Makkovik Search". MS. MULROONEY: 3 4 Q. P-041. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-041 5 MR. BUDDEN: 6 7 Q. Next is an e-mail of that same date, e-mail of 27 March 2012, Sampson to Gullage, in 8 9 this instance entitled "Makkovik SAR 10 Analysis". 11 MS. MULROONEY: Q. P-042. 12 13 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-042 14 MR. BUDDEN: 15 Q. The next is an e-mail also of that same 16 date, 27 March 2012, also from Sampson to 17 Gullage entitled "Media Reply for Approval". MS. MULROONEY: 18 19 Q. P-043. 20 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-043 21 MR. BUDDEN: 22 Ο. The next is an e-mail also of 27 March 2012, 23 Dutton to Sampson entitled "Makkovik SAR 24 Weather and Asset Analysis". MS. MULROONEY: 25

1 O. P-044. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-044 2 MR. BUDDEN: 3 Q. Next is a memorandum dated April 4, 2012, 4 Sampson to O'Brien entitled "Review of FES-5 NL Involvement of the GSAR Incident at 6 Makkovik". 7 MS. MULROONEY: 8 9 Q. P-045. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-045 10 11 MR. BUDDEN: Q. The next exhibit is an e-mail of 4 May 2012, 12 McCormick to Gullage, "Response to be Sent 13 to CBC". That would be 46, I believe. 14 MS. MULROONEY: 15 Q. It says, "Re: as discussed." 16 17 UNKNOWN SPEAKER: Q. Yes, and I just put the document number. 18 MS. MULROONEY: 19 Q. Oh, I'm sorry, P-046. 20 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-046 21 MR. BUDDEN: 22 Q. Next is an e-mail of 5 May 2012, Hollett to 23 Blackmore. 24 25 RALPH, Q.C.:

Q. I'm sorry, I lost you there, I apologize. I 1 2 was -MR. BUDDEN: 3 4 Q. The title in that one wasn't the subject 5 line. 6 RALPH, Q.C.: 7 Q. Oh, okay. MR. BUDDEN: 8 9 Q. That was more an approximation of the 10 content, so the -11 MS. MULROONEY: Q. The subject line was "Re as discussed". 12 13 RALPH, Q.C.: 14 Q. Okay. MS. MULROONEY: 15 Q. That's number 46. 16 RALPH, Q.C.: 17 Q. Right on, okay. Right on. 18 MR. BUDDEN: 19 Q. The subject line was quite uninformative, so 20 I tried to be -21 22 RALPH, Q.C.: Q. Fair enough, yes, so that's 46, right? 23 24 MS. MULROONEY: Q. That's 46. 25

1 MR. BUDDEN: 2 Q. That's right. 3 RALPH, Q.C.: Q. Okay, great, thank you. 4 5 MR. BUDDEN: 6 Q. You're welcome. As I said, these titles are 7 working titles-RALPH, O.C.: 8 9 Q. Fair enough, absolutely. 10 MR. BUDDEN: 11 Q. -and in most cases are the subject line-12 RALPH, Q.C.: O. No worries. 13 MR. BUDDEN: 14 15 Q. -but not always. 16 RALPH, Q.C.: O. Yeş. 17 MR. BUDDEN: 18 19 Q. The next is an e-mail of 5 May 2012, Hollett to Blackmore entitled "Winters SAR 20 Commission". 21 22 MS. MULROONEY: 23 Q. P-047. 24 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-047 25 MR. BUDDEN:

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1	Q.	Next is an e-mail entitled "SAR Recordings
2		Redacted for Release Makkovik dated 30
3		January 2012".
4	WILLIAMS,	Q.C.:
5	Q.	30th of January?
6	MR. BUDDEI	Ñ :
7	Q.	Pardon?
8	WILLIAMS,	Q.C.:
9	Q.	Sorry, 30 <sup>th</sup> of January?
10	MR. BUDDE	N :
11	Q.	30 <sup>th</sup> of January 2012, that is correct.
12	MS. MULRO	ONEY:
13	Q.	P-048.
14	EXHIBIT E	NTERED ON INQUIRY AND MARKED: P-048
15	MR. BUDDE	N :
16	Q.	And I should say there's a group of four
17		exhibits here all with the same title, just
18		sequential dates, so the next in that
19		sequence is also obviously entitled "SAR
20		Recordings Redacted for Release Makkovik".
21		This one is dated 31 January 2012.
22	MS. MULRO	ONEY:
23	Q.	P-049.
24	EXHIBIT E	NTERED ON INQUIRY AND MARKED: P-049
25	MR. BUDDE	N :

The next in the sequence, same title dated 1 1 Q. February 2012. 2 MS. MULROONEY: 3 Q. P-050. 4 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-050 5 6 RALPH, Q.C.: Q. Commission Counsel, if I could just make a 7 point here, we recently were reviewing 8 9 these, and I'm not sure which one-I think it might be February 1st-was actually a 10 11 conversation that took place -12 MR. CARTER: Q. The day before. 13 14 RALPH, Q.C.: Q. One of the dates is not correct because I 15 believe they were relying on Zulu time or 16 Greenwich Mean Time, and I can't remember 17 exactly what -18 MR. BUDDEN: 19 20 O. When the clock had rolled over? 21 RALPH, O.C.: Q. But just to point that out now, and I will 22 clarify that later as we go. 23 MR. BUDDEN: 24 25 Q. Sure.

RALPH, Q.C.: 1 2 But one of those, I think-so, basically, it Q. was into Wednesday that the conversation had 3 4 taken place; but because of the time difference, it's recorded as Tuesday. 5 6 MR. BUDDEN: 7 Ο. Okay. RALPH, Q.C.: 8 9 0. I believe that's-something of that nature. 10 Anyway, I just wanted you to know that now, 11 but we'll straighten that up later. MR. BUDDEN: 12 13 Sure, okay, well, thank you. And the final Q. 14 one in that sequence is the same title, SAR Recordings Redacted for Release Makkovik 15 dated 2 February 2012. 16 MS. MULROONEY: 17 18 Ο. P-051. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-051 19 20 COMMISSIONER IGLOLIORTE: 21 Ο. I'll just ask the technician, Ms. Gibbons, 22 if the sound quality is fine from each of 23 the speakers? 24 **REPORTER:** Yes, Mr. Commissioner. 25 Q.

1 COMMISSIONER IGLOLIORTE: 2 Q. Great, thank you. MR. BUDDEN: 3 Ο. Thank you. The next exhibit is an e-mail of 4 5 7 May 2012, Gullage to Sampson entitled 6 "RCMP B-Division Response to CBC News Story, 7 May 2012". 7 MS. MULROONEY: 8 9 Ο. P-052. 10 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-052 MR. BUDDEN: 11 Q. The next is an e-mail also of 7 May 2012, 12 13 Blagdon to Sampson entitled "Briefing Note". MS. MULROONEY: 14 15 Ο. Subject, "Makkovik, May 7, Attached Briefing Note"? 16 MR. BUDDEN: 17 18 Q. Yes, that would be it, yes. 19 MS. MULROONEY: 20 Q. Okay, P-053. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-053 21 22 MR. BUDDEN: 23 The next or the next several is an e-mail Ο. 24 also of May 7, 2012. This one is Peddle to 25 Sampson, and the title is "Makkovik

1 Weather". 2 MS. MULROONEY: 3 Q. P-054. 4 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-054 5 MR. BUDDEN: The next is an e-mail of 7 May 2012, Gullage 6 Q. 7 to Sampson et. al., Timeline Press Release. 8 I believe if we turn the page, that's just a 9 one-page document. MS. MULROONEY: 10 11 Q. Okay. 12 MR. BUDDEN: 13 Q. Yes. MS. MULROONEY: 14 15 That one is P-055. Q. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-055 16 17 RALPH, Q.C.: 18 Q. I'm sorry. Once again, can I get you to 19 repeat that, which one that is? 20 MS. MULROONEY: 21 Q. It's NLIS Fire and Emergency Services, May 22 7, 2012, Timelines for Provincial Government 23 Response in Burton Winters' Case Entered and Verified by RCMP. 24 25 RALPH, Q.C.:

1 Q. Oh yes, okay, right on, and that's -2 MS. MULROONEY: Q. P-055. 3 RALPH, Q.C.: 4 5 Q. Great, thank you. MR. BUDDEN: 6 Q. The next is also an e-mail from Colman-Sadd 7 to Noble et. al. entitled "VOCM RCMP Denies 8 New Report on Winters' Case". 9 10 MS. MULROONEY: 11 O. P-056. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-056 12 MR. BUDDEN: 13 Q. The next is an e-mail of 8 May 2012, 14 Langmead to Thompson, Forwarded for Your 15 Information. 16 MS. MULROONEY: 17 18 O. P-057. 19 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-057 MR. BUDDEN: 20 21 Q. The next is an e-mail of 17 May 2012, 22 English to Thompson et. al., Significant 23 Event Timeline, May 17. 24 MS. MULROONEY: 25 Q. P-058.

1 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-058 2 MR. BUDDEN: 3 Q. The next is an e-mail of 23 May 2012, 4 Sampson to McCormick et. al. entitled 5 "Document Re 30 January 2012 Events". 6 That's the approximate title. That is a 7 one-pager-or two-pager, sorry. Yes, that's 8 the one. 9 MS. MULROONEY: 10 0. P-059. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-059 11 12 MR. BUDDEN: 13 The next is a document-it's, rather, an e-Q. 14 mail of 30 May 2012, Sampson to Gullage 15 entitled "Significant Event Timeline, May 16 23, Revised". 17 MS. MULROONEY: 18 Q. P-060. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-060 19 20 MR. BUDDEN: 21 Q. The next is an e-mail of 5 May 2012, Noble 22 to Boland, and the approximate title is 23 "Winter SAR Mission". 24 MS. MULROONEY: 25 Q. P-061.

EXHIBIT ENTERED ON INQUIRY AND MARKED: P-061 1 2 MR. BUDDEN: Ο. The next exhibit is an e-mail of 2 February 3 2012, Pretty to Clarke, and the title, I 4 believe, is "CF OPS in Newfoundland, NL, 5 6 Last 24 Hours". MS. MULROONEY: 7 Q. P-062. 8 9 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-062 10 MR. BUDDEN: 11 Q. The next is an e-mail of 1 February 2012, same parties, the same title, "CF OPS in NL, 12 13 Last 24 Hours". 14 MS. MULROONEY: 15 Q. P-063. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-063 16 MR. BUDDEN: 17 Q. The next is an approximate title. It's 18 19 "Meeting Note, Intergovernmental & 20 Aboriginal Affairs Secretariat, Rear Admiral David Gardam, March 16th, 2012, 10:00 A.M., 21 Premier's Office". 22 MS. MULROONEY: 23 Q. P-064. 24 25 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-064

MR. BUDDEN: 1 2 Q. The next is an information note, "Makkovik 3 SAR Weather and Asset Analysis". MS. MULROONEY: 4 5 Q. P-065. 6 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-065 7 MR. BUDDEN: 8 Q. The next is "Makkovik Incident, GSAR 9 Operations, FES-NL", and it's February 8, 10 2012. 11 MS. MULROONEY: O. P-066. 12 13 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-066 14 MR. BUDDEN: 15 Q. The next document-or next exhibit, rather, 16 is an e-mail of "7 May 2012, Coleman Saud to 17 Collins et. al., Media Interview'. 18 MS. MULROONEY: 19 Q. P-067. 20 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-067 21 MR. BUDDEN: 22 Q. The next is an e-mail of 30 May 2012, 23 English to Sampson entitled "Significant Events Timeline, May 23, Revised". 24 25 MS. MULROONEY:

Q. P-068. 1 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-068 2 3 MR. BUDDEN: Q. The next is a collection of some pages that 4 5 I've entitled for working purposes "Weather-6 Related Documents January and February 2012". 7 MS. MULROONEY: 8 O. P-069. 9 10 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-069 MR. BUDDEN: 11 Q. The next is an e-mail of 6 May 2012 from 12 Noble to Blackmore entitled "Winter SAR 13 Mission". 14 MS. MULROONEY: 15 O. P-070. 16 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-070 17 18 MR. BUDDEN: 19 Q. The final provincial government exhibit for now is entitled "Media Advisory, Premier 20 21 Tables Correspondence With D&D Minister", 22 and that covers a number of pages of materials. 23 24 MS. MULROONEY: 25 Q. P-071.

EXHIBIT ENTERED ON INQUIRY AND MARKED: P-071
MR. BUDDEN:

3 Ο. The next group of exhibits-there will be about five of them-are either accounts of or 4 submissions on behalf of, or both, relating 5 6 to various Search and Rescue operations 7 around the province as submitted by the 8 Search and Rescue teams. The first in that 9 sequence is entitled "Exploits SAR Report 10 (November 2020)". 11 MS. MULROONEY: 12 0. P-072. EXHIBIT ENTERED ON INQUIRY AND MARKED: P-072 13 14 MR. BUDDEN: 15 Q. The next in sequence is entitled "Deer Lake 16 SAR Report", and I believe it's undated. 17 MS. MULROONEY: 18 Q. P-073. 19 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-073 20 MR. BUDDEN: 21 Q. The next is entitled "Incident Summary 22 Report of November 2020". 23 MS. MULROONEY: 24 Q. P-074. 25 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-074

1 MR. BUDDEN: The next is entitled "Makkovik Search". Ο. 2 MS. MULROONEY: 3 0. P-075. 4 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-075 5 6 MR. BUDDEN: Q. And now just as a passing note, that is not 7 the Burton Winter search. It is an entirely 8 9 unrelated search. The next in sequence is entitled "Bay of Island Volunteer SAR 10 Submission of August 2021". 11 MS. MULROONEY: 12 P-076. 13 Ο. 14 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-076 15 MR. BUDDEN: The final group of exhibits are documents 16 Q. obtained from the Royal Newfoundland 17 18 Constabulary pursuant to a summons, and 19 there are six such documents, and I will 20 simply go with the titles that were in the correspondence I received from counsel for 21 22 the RNC. The first in that sequence is an exhibit which will be entitled "RNC General 23 Order 368 Issued June 13th, 2017, titled 24 25 Missing Persons".

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1 MS. MULROONEY: 2 Ο. P-077. 3 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-077 MR. BUDDEN: 4 Q. The next is RNC General Order 361 issued 5 September 2, 2016, titled "Ground Search and 6 7 Rescue". 8 MS. MULROONEY: O. P-078. 9 10 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-078 MR. BUDDEN: 11 Q. The next in sequence is entitled 12 "Newfoundland and Labrador Search and Rescue 13 14 Association Searcher Manual Dated July 2017". 15 MS. MULROONEY: 16 17 Ο. P-079. 18 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-079 MR. BUDDEN: 19 O. The next is entitled "Newfoundland and 20 21 Labrador Search and Rescue Association 22 Searcher Manual" with a different sequence 23 of numbers also dated July 2017. 24 MS. MULROONEY: Is that this one here? 25 Q.

MR. BUDDEN: 1 2 Q. Yes. 3 MS. MULROONEY: O. P-080. 4 5 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-080 MR. BUDDEN: 6 7 Ο. The next is entitled "Section V-1 Forms". MS. MULROONEY: 8 9 Ο. P-081. 10 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-081 11 MR. BUDDEN: 12 0. May I see 80 again just for one second? 13 That's right. Thank you. And the final one 14 in this sequence of documents and the final 15 exhibit to be entered in today is entitled 16 "Search and Rescue Management Initial 17 Response Through Extended Operations Best 18 Practices by Experienced Practitioners Dated 19 March 2018". 20 MS. MULROONEY: 21 0. P-082. 22 EXHIBIT ENTERED ON INQUIRY AND MARKED: P-082 23 MR. BUDDEN: Q. That is it for the exhibits we intend to 24 25 enter today. People may have noticed that

1 we did not enter the final report of the 2 Discussion Paper. We have that, and we 3 anticipate-well, we certainly will be in the position to submit it at the next hearing Δ 5 date, which we will notify counsel, but I 6 would anticipate would most likely be 7 Wednesday, but could possibly be Thursday of 8 next week. So, that is all that I have 9 today, and that's all we have scheduled 10 today unless there's some pressing matters 11 that counsel wish to raise. 12 COMMISSIONER IGLOLIORTE: 13 Ο. Go ahead, please. 14 WILLIAMS, Q.C.: 15 I guess I'd just like to add one Ο. 16 introductory remark, Mr. Commissioner, and 17 that is-for purposes of the record, I'll -18 MR. BUDDEN: 19 Ο. Just, Mr. Williams, for those who are coming 20 in by telephone, it's Mr. Thomas Williams 21 speaking on behalf of Burton Winters' 22 family. 23 WILLIAMS, O.C.: 24 Thank you, and I just wanted to notify the Ο. 25 commissioner that I've been speaking with

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the family regularly obviously since this 1 matter arose, as recently as yesterday, and 2 they are most pleased that this inquiry is 3 finally underway. While we appreciate it's 4 a Ground Search and Rescue Inquiry, they are 5 very pleased that, one, it's commencing in 6 Makkovik. It's not only the family, but 7 it's the community that will have an 8 interest in this, and they are quite eager 9 to participate in the inquiry to their 10 counsel; and, as well, we're hopeful that 11 some of the family members may have an 12 opportunity to speak. I know they've been 13 offered that opportunity. I would note on 14 probably a more tragic sense-is that not 15 only the community of Makkovik, but a number 16 of the northern communities have been going 17 through a very rough time over the last 18 19 number of months, and the family has been particularly affected by these, and as 20 recently as yesterday I've had members of 21 the family in touch with the support system 22 that the inquiry has put in place. Ms. 23 24 Louise Bradley, who has been in contact with them-so, that offer of support has been 25

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1		appreciated and will be availed of not only
2		now but will be availed of as we approach
3		the inquiry and perhaps even subsequent to
4		the inquiry because there's obviously long-
5		term effects from this. So, given the
6		amount of time that has elapsed since the
7		incidents pertaining to Burton's loss has
8		occurred, they are most pleased to see that
9		we're up and running, this being the first
10		official day, I would suggest, of the
11		inquiry, and I just want to put on the
12		record that the family is quite eager to see
13		this matter move along and thank the
14		commissioner and staff for their co-
15		operation to date.
16	COMMISSIO	NER IGLOLIORTE:
17	Q.	Thank you very much. Go ahead, sir.
18	RALPH, Q.C.:	
19	Q.	I have nothing to say, Commissioner. I
20		appreciate that.
21	COMMISSIONER IGLOLIORTE:	
22	Q.	All right.
23	RALPH, Q.C.:	
24	Q.	I guess I will say that, you know, the
25		province is also pleased. It's been a long

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time coming, and we appreciate this has not 1 2 been easy for the Winters' family waiting 3 for this to happen; and, you know, I hope that everything is in place to help this 4 5 family through this very difficult process. 6 I suspect this won't be easy either; but, 7 you know, again, the province is pleased 8 that we are moving forward on this inquiry. COMMISSIONER IGLOLIORTE: 9 10 Ο. Thank you. Mr. Freeman or Mr. Bedford, do 11 you wish to speak? 12 MR. FREEMAN: 13 Ο. Thank you. It's Mark Freeman here. 14 Appreciating I'm over the speaker phone, but I do want to echo what my friends have said. 15 Obviously very tragic circumstances, and 16 17 it's been a long time coming, and we are 18 eager to live up to the expectations of the 19 commissioner and inquiry to participate and help improve Search and Rescue, Ground 20 Search and Rescue in the province through 21 22 this process, and anything we can do to, you 23 know, assist and to co-operate, we will make 24 every effort to do so, so thank you. 25 MR. BUDDEN:

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1 Q. I have no-we have no further business today, Mr. Commissioner, so unless you desire 2 otherwise, we are prepared to close matters 3 here today. 4 5 COMMISSIONER IGLOLIORTE: 6 Ο. Well, thank you. I just want to add that 7 with the comments all counsel have made that we are most satisfied with the work that you 8 9 have done to date, particularly that of Mr. 10 Williams, but also of the participation of 11 all the parties, and I think that bodes 12 well. It says you have set the co-operative tone for this hearing. I want to assure you 13 14 that our staff, Ruth Steele, who is the 15 principal administrator, and her assistant, 16 Marcella Mulrooney, once you meet them, you 17 won't forget them; but as has been pointed 18 out, the community has already expressed its 19 welcome to each and every one of you, and 20 they consider this to be important work, and 21 they will greet you with great respect as 22 you will see, as will the commission, so I 23 want to say to everyone I'll be asking 24 Marcella to adjourn this hearing to the 7<sup>th</sup> 25 of September Tuesday when we pick up again.

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1 Is that correct, Mr. Budden? 2 MR. BUDDEN: We do have that other session next week, so 3 Q. perhaps you may wish to adjourn to either a 4 5 date uncertain, or perhaps we can even nail down a date now, Wednesday or Thursday of 6 7 next week. COMMISSIONER IGLOLIORTE: 8 And that purpose is to introduce the 9 Ο. 10 Discussion Paper? 11 MR. BUDDEN: Q. And the 50 or 60 or 70 or more exhibits that 12 13 we have received in the last couple of days 14 primarily from the Government of Canada and the Government of Newfoundland, and we will 15 enter those as well. 16 COMMISSIONER IGLOLIORTE: 17 And we'll use this location. 18 Ο. MR. BUDDEN: 19 Q. Yes, if it's available, so perhaps we can 20 tentatively adjourn to Wednesday, the 1st of 21 22 September. 23 COMMISSIONER IGLOLIORTE: 29<sup>th</sup>. 24 Q. MR. BUDDEN: 25

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1 Q. No, I think the 29th is Monday, Mr. 2 Commissioner. 3 COMMISSIONER IGLOLIORTE: 4 Q. Oh, sorry about that. What have I got. Ι 5 got September. This is August. Let me just 6 correct that. August 30th, no, that's Monday 7 next. 8 MR. BUDDEN: 9 Ο. That's Monday, right, so Wednesday, 10 September 1st, and perhaps we can adjourn to 11 that date at 10:00 A.M. subject to the 12 commission, ideally before the day is out, 13 confirming that date or else suggesting a 14 date, perhaps the following date. We have 15 to check on the availability of the room and 16 make sure we can get the documents processed 17 and so forth, so if that pleases the commissioner, perhaps we could adjourn to 18 the 1st of September subject to -19 20 COMMISSIONER IGLOLIORTE: 21 Q. Yes, let's double check with counsel now 22 starting with Mr. Ralph and Mr. Williams, 23 and then our participants on the phone. Wednesday, September 1st, 10:00 A.M. 24 25 RALPH, Q.C.:

1	Q.	Certainly I'm available, Commissioner, and
2		I'm hoping that we will have everything, the
3		remaining documents that we'll be forwarding
4		to you, forwarded before Wednesday. I
5		guess, I can't guarantee that a hundred
6		percent, but I'm hopeful that it'll be done
7		sort of Monday or Tuesday, so that'll give
8		you, I hope—and I don't anticipate a huge
9		onslaught of documents, the remaining
10		documents, so I'm hoping that that'll leave
11		commission counsel and staff and the
12		commissioner sufficient time to review those
13		documents; but, you know, again, we're going
14		as fast as we can. We'll be working the
15		weekend, but it may be that it's late in the
16		day, and you may want to wait until
17		Thursday.
18	COMMISSIO	NER IGLOLIORTE:
19	Q.	Okay.
20	RALPH, Q.	C.:
21	Q.	That's the only suggestion I would make;
22		but, again, I mean, I think Wednesday is
23		fine for now, and we can play it by ear
24		perhaps.
25	WILLIAMS,	Q.C.:

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1	Q.	I'll be available for Wednesday or Thursday.
2		I'm fairly fluid to meet -
3	COMMISSIC	NER IGLOLIORTE:
4	Q.	Thank you very much, and Mr. Freeman, Ms.
5		Bedford, please, any issue with those dates?
6	MR. FREEM	LAN:
7	Q.	No. Thank you, Mr. Commissioner, we'll make
8		ourselves available at your convenience.
9	COMMISSIC	NER IGLOLIORTE:
10	Q.	Thank you very much.
11	MS. MULRC	ONEY:
12	Q.	All rise. This Commission of Inquiry is
13		concluded for the day.
14	(Upon con	cluding at 10:40 A.M.)
15		

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1	CERTIFICATE				
2					
3	I, Joan Willmott, do hereby certify that the foregoing				
4	is a true and correct transcript of a Commission of				
5	Inquiry heard on the 27 <sup>th</sup> day of August 2021 at				
6	Confederation Building and was transcribed by me to				
7	the best of my ability by means of a sound apparatus.				
8					
9	Dated at St. John's, Newfoundland and Labrador, this				
10	l <sup>st</sup> day of September 2021.				
11					
12	Joan Willmott				