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1 October 7, 2021
 2
 3 THE CLERK:
 4 All rise. This Commission of Inquiry is now
 5 open. Commissioner James Igloliorte presiding as
 6 Commissioner.
 7
 8 Please be seated.
 9 MR. BUDDEN:
 10 Good morning, Mr. Commissioner.
 11 COMMISSIONER IGLOLIORTE:
 12 Good morning, sir.
 13 MR. BUDDEN:
 14 The witness this morning will be short. I expect
 15 in all likelihood, we'll be done by about 11:00.
 16 And then I'll have a brief chat about what we'll
 17 be doing tomorrow.
 18
 19 Today we'll be hearing from Mr. Merv Wiseman of
 20 the Concerned Citizens for Search and Rescue.
 21
 22 As been our practice, the direct evidence will
 23 come out through his counsel, Mr. Darren O'Keefe.
 24

Page 2

1 Then we'll have a quick break. Then we may hear
 2 from another witness, but first, Mr. Wiseman.
 3
 4 So, Mr. O'Keefe, perhaps you can take the floor.
 5 MR. O'KEEFE:
 6 Okay. Good morning, thank you, Mr. Budden. My
 7 name is Darren O'Keefe, and I represent the
 8 Concerned Citizens for Search and Rescue.
 9
 10 The Concerned Citizens for Search and Rescue are
 11 a group of like-minded individuals who have been
 12 involved in search and rescue over the past
 13 number of decades.
 14
 15 Included as their chairman, our witness here
 16 today, Mr. Mervin Wiseman. Others in the group
 17 include Johanna Ryan Guy, Captain Wilfred
 18 Bartlett who is also here today, and some others.
 19
 20 The mandate of the group was set out on a website
 21 they established last year, and they did so in
 22 direct response to this Inquiry with the
 23 intention of participating in this Inquiry.
 24

Page 3

1 And as a matter of public record the group had
 2 indicated very early on that they wished to be
 3 heard here to express some concerns and hopefully
 4 some constructive comments on search and rescue
 5 in the province.
 6
 7 They are obviously aware of the mandate of this
 8 Inquiry and, I guess, the restrictions of this
 9 Inquiry.
 10
 11 The Concerned Citizens group's mandate as per
 12 their website is to achieve through citizen
 13 advocacy a superior, world-class, 24/7 search and
 14 rescue system provincially and nationally that
 15 excels at saving lives at risk on land and sea,
 16 and one that is reflective of unique regional
 17 needs associated with geography, culture,
 18 language, climactic characteristics, as well as
 19 having the capacity to adapt to an ever-changing
 20 environment.
 21
 22 Mr. Commissioner, before we get into
 23 Mr. Wiseman's comments, my approach here this
 24 morning is to basically guide him through his

Page 4

1 experience.
 2
 3 He'll give an introduction in terms of his
 4 working experience. He was the search and rescue
 5 coordinator at the Marine Centre in St. John's
 6 for over 20 years.
 7
 8 I will say before we start, we're obviously
 9 cognisant and aware of the jurisdictional
 10 limitations of this Inquiry, and we're aware that
 11 this is a provincial inquiry looking at ground
 12 search and rescue. So that fact is certainly not
 13 lost on us.
 14
 15 Mr. Wiseman's evidence here today or testimony
 16 here today, he will draw on his experience from
 17 the marine perspective and from the land
 18 perspective, and hopefully, with a view to
 19 providing insight in terms of how things may be
 20 done differently, or things may be done better.
 21 And that's the goal of his submissions today, as
 22 I understand it.
 23
 24 But I just wanted to note up front that we are

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1 aware of the sensitivities around jurisdiction in
 2 the parties in the room. We know their concerns.
 3
 4 So we'll the best we can to make sure that his
 5 evidence is relevant and within the confines of
 6 what we're here to achieve.
 7
 8 With that being said, I'm going to turn it over
 9 to Mr. Wiseman and allow him to introduce
 10 himself. And then to facilitate his evidence I
 11 will ask a few sort of broad questions, and
 12 obviously then it will be up to other counsel and
 13 participants to ask follow-up questions as they
 14 see fit, obviously subject to your direction,
 15 Mr. Commissioner.
 16
 17 So I'll pass it to Mr. Wiseman.
 18 COMMISSIONER IGLOLIORTE:
 19 Yeah. Thank you very much. Sorry to interrupt
 20 you, Mr. Wiseman, before you begin. I appreciate
 21 the candour in setting out what might be
 22 testimony respecting extra jurisdictional points.
 23
 24 I think one of the hallmarks of this open

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1 process, as we've seen up to this point, is the
 2 cooperation from Canada and its willingness to
 3 share for the specific searches that have been
 4 conducted involving both the federal governments
 5 and the Province.
 6
 7 That there is, as Mr. Smith has pointed out, a
 8 fair degree of interoperability in ensuring that
 9 things work. And we have seen, as well, in the
 10 history of changes since at least 2012, that
 11 there is becoming a sense of openness in how
 12 these matters are conducted.
 13
 14 So I think we should extend to you the utmost,
 15 professional courtesy and give you a bit of
 16 leeway, recognizing that the ultimate aim of the
 17 final report is to see how we can make changes
 18 that will improve ground search and rescue,
 19 recognizing that in almost every situation we've
 20 seen there has to be a fair degree of cooperation
 21 involving federal resources and provincial
 22 resources as we proceed.
 23
 24 So in that light, I'm quite prepared to hear what

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1 your witness has to say.
 2 MR. O'KEEFE:
 3 And, Mr. Commissioner, if I may before I start, I
 4 would be remiss if I didn't mention two other
 5 points. I apologize, I should have mentioned
 6 them a moment ago.
 7
 8 The first point is obviously we came into the
 9 Inquiry late or later than -- I should say later
 10 than some of the other parties. And we this
 11 morning will try as much as we can not to cover
 12 issues or delve into topics that have likely been
 13 covered in the other sessions with some degree of
 14 detail.
 15
 16 And, secondly, we will try to be respectful and
 17 courteous of all parties in how we frame the
 18 issues.
 19
 20 So without any further comments from me, I'll
 21 pass it over to Mr. Wiseman.
 22 MR. WISEMAN:
 23 Thank you, Mr. Commissioner. Thank you for your
 24 comments and with respect to all the other

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1 participants, legal counsel, and family. Thank
 2 you for the opportunity that you've given me here
 3 this morning.
 4
 5 I'll just give you a little bit of my background
 6 in a second. But I just wanted to say in keeping
 7 with, I guess, the goals and objectives of our
 8 group, the Concerned Citizens, it's important for
 9 us, I think, and important for the public to at
 10 least have a voice, which we hope to be able to
 11 give.
 12
 13 And in saying that, I want to be able to say that
 14 we're also not necessarily confined to talking,
 15 if you will, but to listening. And I've listened
 16 intently since coming here Monday and listening
 17 to all the testimony and we have learned a lot.
 18 We have learned an awful lot.
 19
 20 The Ground Search and Rescue president,
 21 Mr. Blackmore, and the testimony has been
 22 extremely beneficial. And I must say, I think
 23 Mr. Blackmore should definitely get the Order of
 24 Canada, that's for sure, for all his volunteer

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1 work. And likewise, the testimony and the few
 2 things we've heard from the family has been very
 3 appreciative, and I certainly appreciate hearing
 4 that.
 5
 6 I'm a retired maritime search and rescue
 7 coordinator. I worked at the Marine Rescue
 8 Sub-Centre in St. John's, and I've been retired
 9 since 2012. Actually. The same year that we had
 10 the Burton Winters case.
 11
 12 And I certainly followed a lot of those
 13 proceedings, but I've also followed a lot of
 14 other issues and proceedings around search and
 15 rescue.
 16
 17 And again, from a public standpoint, from the
 18 perspective of trying to contribute in a
 19 meaningful way, we've certainly learned the power
 20 of advocacy, and what that means.
 21
 22 I guess my best example was with the Marine
 23 Rescue Sub-Centre. I retired in 2012 because,
 24 basically, the Rescue Sub-Centre closed and

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1 that's it. We were out of a job.
 2
 3 Fortunately, for me, I was at the age where I
 4 could retire. But certainly, in the subsequent
 5 years after that there was an aggressive
 6 campaign, public campaign in many fashions to get
 7 the Marine Rescue Sub-Centre re-opened, which we
 8 did achieve, I believe, to a large degree because
 9 of our advocacy. And in 2016/2017 it re-opened
 10 again.
 11
 12 I had 35 years with the Canadian Coast Guard,
 13 starting in 1977. And my first 15 years was
 14 spent as a vessel traffic services expert, I
 15 guess if you want to call it that.
 16
 17 But in that profession of the Coast Guard, I
 18 served as a supervisor here in St. John's with
 19 St. John's Traffic. And also, administering a
 20 lot of the regulations pertaining to shipping in
 21 and out of Canadian waters.
 22
 23 And also, I spent four navigation seasons in
 24 Iqaluit working with the sealift operations and

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1 also screening vessels coming in and out of the
 2 Arctic with regard to their compliance with
 3 various regulations.
 4
 5 And also facilitating ships routing through ice,
 6 ice navigation, things of that sort. And also,
 7 with facilitating collaboratively with other
 8 players at times, such as the JRCCs when a search
 9 and rescue case is needed to be put in effect.
 10
 11 So we were part of that service from the north.
 12 Of course, answering to the people with mandates,
 13 such as the JRCCs.
 14
 15 But then for the last 20 years, I applied within
 16 the system and I was a maritime search and rescue
 17 coordinator along with that.
 18
 19 My training leading up to that, of course, with
 20 the Canadian Coast Guard was in Nautical Science
 21 at the Marine Institute, and I am a certified
 22 Ship's Officer. But I didn't go to sea much
 23 after because of the kind of work that I did with
 24 Coast Guard was land-based.

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1 So that's a little bit of the history of my
 2 background.
 3 MR. O'KEEFE:
 4 Okay. Mr. Commissioner, we've heard
 5 Mr. Wiseman's background. As he's noted, his
 6 background is primarily in marine.
 7 BY MR. O'KEEFE:
 8 Q. The first question I wanted to ask Mr. Wiseman to
 9 facilitate this discussion this morning is to ask
 10 him to draw on that experience in Marine Search
 11 and Rescue and ask Mr. Wiseman whether he can
 12 offer comments to this Commission on how, in his
 13 view, based on his experience, things may be done
 14 better with Ground Search and Rescue.
 15
 16 And before I pass the mic back, it's my
 17 understanding, and Mr. Wiseman can speak about
 18 this, that firstly, part of the group's
 19 submissions prior to our appearance today to this
 20 Commission and to the government has been that
 21 they acknowledge what they call a gray area or an
 22 overlap area between the land-based search and
 23 rescue missions that are conducted in this
 24 province and the marine-based.

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1 And this is something that we raised in passing
2 in some of our questions earlier this week, but I
3 think it's something that Mr. Wiseman will speak
4 about.

5
6 It's something that we all acknowledge being on
7 an island surrounded by water obviously, and
8 having the majority of our communities on the
9 coast.

10
11 There's obviously a significant overlap in how we
12 live our lives from a geographic perspective with
13 the land-based searching and marine searching.
14

15 So simply put, Commissioner, the question I'm
16 going to ask Mr. Wiseman is drawing in his
17 experience in Marine Search and Rescue if he
18 could offer his perspective on how things may be
19 done better with Ground Search and Rescue?

20 MR. WISEMAN:

21 A. Thank you. I would say right up front I believe
22 the rescue coordination and the gold standard for
23 rescue coordination in this country is from a
24 Maritime Search and Rescue's standpoint.

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1 I've had experience in my capacity as a rescue
2 coordinator to work with Ground Search and Rescue
3 in what we would call -- in the beginning it was
4 called Aid to Civil Authority.

5
6 Some classifications changed and not going to get
7 hung up on definitions or classifications, but I
8 think we've come to know it today as the
9 humanitarian cases.

10
11 One of the first things that strikes me is, and I
12 think this relates to some part of the
13 presentation that Mr. Smith had given earlier in
14 the week about command and control, and about the
15 efficiency and the immediacy of being able to act
16 under some very difficult circumstances involving
17 life and death.

18
19 And if I could quote again the Senate Report that
20 talked about, entitled their study, "Every Minute
21 Counts," and I would agree with a comment that
22 was made yesterday that really it's every second
23 counts.
24

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1 I've had cases, too many cases to remember, where
2 if we had had another minute, maybe two, we would
3 have saved a life.
4

5 I've seen many cases where if we hadn't got there
6 that particular minute then a life wouldn't have
7 been saved, but a life was saved.
8

9 I think the most overriding part about Maritime
10 Search and Rescue, and I say it's a gold
11 standard, is that Maritime Search and Rescue
12 coordinators are really empowered to effect the
13 kind of and respond in a way that they're
14 governed by a legislative framework, if you will,
15 under the Canada Shipping Act.
16

17 It allows a rescue coordinator -- and this whole
18 decision-making matrix, for example, and I'll
19 just give a little example of the contrast
20 between what would happen to the Ground Search
21 and Rescue situation and with Maritime Rescue
22 Coordination.
23

24 The decision-making matrix and that command and

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1 control begins with the search and rescue
2 coordinator.
3

4 If a vessel is on fire or sinking anywhere within
5 our mandated period of location and coordination,
6 then as a rescue coordinator I have the
7 empowerment and the authority, without consulting
8 any levels of the management structure, to
9 proceed and direct resources to do the kinds of
10 things that we would want to resolve that
11 situation.
12

13 It would mean that if there's a vessel of
14 opportunity that's close by that we can direct
15 them to proceed to assist. We can give all kinds
16 of instructions that's delineated under the
17 Canada Shipping Act. That level of empowerment
18 is there.
19

20 It also gives us the empowerment to act as
21 coordinators and to proceed as we see fit with
22 government resources, primary resources,
23 secondary resources, all the things that we've
24 heard about here this week.

Page 17

1 So there's that immediate response, quick and
 2 efficient. And there's also the capacity and the
 3 ability of maritime rescue coordinators to
 4 conduct the search planning and to really be at
 5 the apex, if you will, of that command and
 6 control. And to be able to -- and having a full
 7 situation awareness of every possible resource
 8 that could work in that particular situation is
 9 an ongoing effort 24/7.
 10
 11 And that's, I guess, reinforced, that ability and
 12 that expertise and the training that we have, is
 13 reinforced by the fact that we do this as a
 14 maritime rescue coordinator.
 15
 16 We do this on a continuous basis, many times, 12,
 17 15, 20 times a day. Some days there's less; some
 18 days there's more.
 19
 20 So that level of experience that comes with that
 21 allows you to perfect your profession to the
 22 point where it becomes very efficient.
 23
 24 When I receive another -- by way of an example,

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1 when I receive a call for help from the police,
 2 so all of a sudden we're now switching to a
 3 ground and rescue effort.
 4
 5 It may have been and quite often we had cases
 6 where someone had fell off the cliff here on
 7 Signal Hill. It's happened a number of times.
 8 And so the Fire and Emergency Services are
 9 responding. The police are on scene. Obviously
 10 they're in control of this case. They're the
 11 lead agency and so on.
 12
 13 But because of the coastline and the sea, they're
 14 coming to me as a rescue coordinator asking can
 15 we have the assistance of one of your Coast Guard
 16 vessels that we know is in the area or might be
 17 in the area, whatever the case might be, a fast
 18 rescue craft and so on and so forth.
 19
 20 So I take that request, but as a rescue
 21 coordinator in that situation, because it's now a
 22 humanitarian situation with the agency, then I
 23 have no authority as a rescue coordinator to make
 24 the kinds of decisions that I just illustrated to

Page 19

1 you that I could.
 2
 3 I now have to follow my chain of command and
 4 proceed to my officer in charge to get permission
 5 to proceed with that request. I do not have that
 6 authority.
 7
 8 Once the authority is achieved, of course, then
 9 we engage, and but not in a lead role, of course.
 10 But we engage and we assist, and we send our fast
 11 rescue craft, if that's what it might be, and we
 12 give them the kinds of guidance and the tasking
 13 and search areas and all of the search planning
 14 that's needed in collaboration with the police
 15 who is, of course, the lead agency.
 16
 17 I have seen examples where, just to take you away
 18 from the Signal Hill scenario where a Coast Guard
 19 vessel has been requested, for example, in an
 20 area remote from here. And it's a legitimate
 21 request from the RCMP.
 22
 23 They've seen the need to help with a shoreline
 24 search, again by way of example, and so I've gone

Page 20

1 to my chain of command to pass that request
 2 along.
 3
 4 The chain of command has got to take a few
 5 minutes to consult his superior about whether or
 6 not he can take the vessel off the program where
 7 he might be involved in fisheries patrol, high
 8 level fisheries patrol or by tendering, if you
 9 will, Aids to Navigation Program.
 10
 11 And I've seen that chain of command sometimes
 12 move up through different levels that have taken
 13 quite a period of time. And very frustrating as
 14 a rescue coordinator to have to sit and watch.
 15 And I think if I could use the words of Harry
 16 Blackmore that I seen quoted earlier this week in
 17 his testimony, that sometimes the request for
 18 assistance for humanitarian support becomes very
 19 convoluted.
 20
 21 I think that these words are very appropriate in
 22 cases like that. I don't want to say that it's
 23 in all cases. We try to expedite as quickly and
 24 efficiently as we can. But my experience has

Page 21

1 been, in the past, not great when it comes to a
 2 command and control situation starting to get
 3 diluted or not being accommodated because other
 4 players in other positions have had to make a
 5 decision about an important resource that could
 6 save a life.

7
 8 So I think that's the big contrast. I did have
 9 an example that I wanted to reference. I'm not
 10 sure if I could consult with my legal counsel on
 11 the Broomfield case, that if I could proceed with
 12 that?

13 MR. O'KEEFE:

14 Q. You go ahead (audio difficulties).

15 COMMISSIONER IGLOLIORTE:

16 I got no problem with that.

17 MR. WISEMAN:

18 A. Okay, thank you. I think one of the cases that
 19 stands out for me a lot, especially in light of
 20 the Burton Winters situation, by way of an
 21 example again, just to illustrate a point is an
 22 individual called Todd Broomfield from Makkovik.

23
 24 In June of 2011, about seven months, I guess, or

Page 22

1 so before the Burton Winters case, I came on duty
 2 from a night shift at 7:00 p.m.

3
 4 Shortly after, about five minutes later, I
 5 received a call from Todd Broomfield's wife in
 6 Makkovik who had talked to her husband Todd by
 7 satellite telephone.

8
 9 He had been marooned on Cape Harrison, about 40
 10 nautical miles or so from Makkovik. And he had
 11 been marooned there with two of his companions.
 12 They had gone ashore. They were taking on water.
 13 They were wet.

14
 15 They were fortunate in that they were able to
 16 keep their satellite telephone with them and it
 17 didn't become defective through the process of
 18 them being in the water.

19
 20 And so when his wife Ruth called me, of course, I
 21 immediately recognized that this is a Maritime
 22 Search and Rescue matter. So I could act
 23 immediately on what the need was.

24

Page 23

1 Having a full situation awareness of resources
 2 that would be needed to effect this rescue, I
 3 quickly recognized that we had no maritime
 4 resources, so we needed aircraft support.

5
 6 So I very quickly got on the phone with the Joint
 7 Rescue Coordination Centre because they are the
 8 lead authority on this. Anything with aircraft
 9 deployment would be from the JRCC Halifax.

10
 11 I won't go into the full relationship between the
 12 Marine Rescue Sub-Centre and the JRCC, but
 13 needless to say, that if there's any description
 14 that I could give about how close we are, we are
 15 literally joined at the hip when it comes to
 16 rescue coordination. And that continuous open
 17 mic is there between the Rescue Coordination
 18 Centre, the JRCC and ourselves as Maritime Rescue
 19 coordinators.

20
 21 We are the Maritime Rescue Sub-Centre as they
 22 have deemed us, who reports on a continuous basis
 23 and collaborates on a continuous basis with the
 24 JRCC.

Page 24

1 So in this particular case, there's a quick
 2 briefing. As in all cases, there's a quick
 3 briefing of the air controller on duty and we
 4 quickly established who will be the search
 5 mission coordinator. The SMC as we called it.

6
 7 We established very clearly who would take the
 8 lead on this case, and in this situation we
 9 quickly agreed for obvious reason that I would as
 10 a rescue coordinator in St. John's proceed with
 11 what was necessary in being the command and
 12 control coordinator in this particular case.

13
 14 My first request was for the Cormorant in Gander,
 15 because that's what my assessment and the air
 16 coordinator concurred with that, that we should
 17 have a Cormorant out of Gander as quickly as
 18 possible.

19
 20 And so I went back online with Mrs. Broomfield to
 21 indicate that we had a Cormorant, the crew being
 22 recalled to duty to take on that mission.

23
 24 I gathered a bit more information from that and

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1 then went back again to the JRCC to talk more
 2 about top cover.
 3
 4 What we call top cover is maybe a technical term.
 5 In other words, to have the helicopter proceed to
 6 that kind of a location in particular, that it
 7 would need the support of a Hercules aircraft.
 8 So I, again, asked to have the Hercules aircraft
 9 engaged out of Greenwood.
 10
 11 And so that quite simply was the mission. And
 12 from just slightly after 7:00 until about
 13 midnight these resources arrived on scene and the
 14 top cover, the Hercules, arrived just about the
 15 same time as the helicopter acting, of course, as
 16 a platform for communications and searching to
 17 locate if they had to. But illumination,
 18 effecting all the illumination requirements,
 19 flare droppings and things like that.
 20
 21 Very shortly within a half an hour the rescue was
 22 achieved and the three individuals were airlifted
 23 to Makkovik. And around 2:00 in the morning and
 24 they were home, warm, drinking coffee with their

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1 families.
 2
 3 So I think that, for me, is an illustration, I
 4 think, of being able to respond with the very
 5 best resource and the very best service that we
 6 had available.
 7
 8 And having that command and control and
 9 situational awareness all coming together and
 10 being able to effect that kind of a search,
 11 without having to involve all the peripherals,
 12 bringing in different individuals to take the
 13 time, with great respect, to try to do what they
 14 feel was best.
 15
 16 I can only conjecture, and I guess it's not the
 17 place to conjecture, that had this call taken a
 18 different route, if it was defined as a Ground
 19 Search and Rescue situation, that it may have
 20 taken a different route.
 21
 22 They were on land but because of the way we
 23 proceed with certain definitions and the way they
 24 landed on Cape Harrison, we deemed that to be,

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1 without question, no issues with regard to the
 2 fact that we deemed this to be a Maritime Search
 3 and Rescue.
 4
 5 Had it been a Ground Search and Rescue, then I
 6 think we can see that the police in Makkovik
 7 would have been involved. They may have taken a
 8 different route.
 9
 10 They may have considered their own options,
 11 calling their own particular people in authority
 12 to requisition resources, to exhaust that avenue,
 13 that effort and so on, and it may have ultimately
 14 ended up going to the JRCC in a humanitarian kind
 15 of scenario asking for resources.
 16
 17 It may have turned out exactly the same thing,
 18 but there's this intermediate process, I think,
 19 that I think has to be considered as somewhat of
 20 an impediment.
 21
 22 So I will conclude that little example by trying
 23 to fit this into some of the presentation that I
 24 observed from Mr. Smith when he talked about

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1 command and control and having that authority to
 2 do things, and having the efficiency and the
 3 utility to be able to do it.
 4
 5 And I know that Mr. Smith, as well, talked about
 6 a good EOC (Emergency Operations Centre), and
 7 having that infrastructural arrangement to ensure
 8 that if it was not a Maritime Search and Rescue
 9 case, that we would at least try to receive that
 10 level of equivalency.
 11
 12 So that's why I make that point; that there is a
 13 contrast and there is a difference. And I think
 14 quite often can be an impediment to achieving the
 15 kind of outcome that we would want.
 16 MR. O'KEEFE:
 17 Q. Mr. Wiseman, I've heard you mention before the
 18 person who's in need of search and rescue
 19 services, in the moment they need those services
 20 are not concerned whether it's the provincial
 21 government or the federal government or who it is
 22 that comes to their aid. They're just seeking
 23 aid in that moment.
 24

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1 And in the context of the evidence that you just
 2 gave, could you offer any perspective on, I
 3 guess, what I would call the artificiality of the
 4 land versus marine divide that we experience in
 5 this province, and how, perhaps, we could work
 6 towards a more streamlined process going forward
 7 that acknowledges that what we would call
 8 artificial distinction?

9 MR. WISEMAN:

10 A. Yeah. Well, certainly not an easy one to deal
 11 with. Obviously, we're aware of jurisdictional
 12 issues.

13
 14 So that division of authority and enabling powers
 15 and legalisation to do things all comes into
 16 play.

17
 18 I mean, if we were to use the model of which I
 19 consider to be the gold plate model of rescue
 20 coordination from the maritime environment, I
 21 mean, in Canada the level of search and rescue
 22 cases from a maritime standpoint is well in
 23 excess of 60 percent.

24

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1 I mean, I have to take -- I read one of the case
 2 studies that came out of the JRCC with regard to
 3 the Burton Winters case.

4
 5 It's one of the exhibits. I think it's maybe 97,
 6 98. And I saw at one point where they had
 7 referenced the Emergency Operations Centre in St.
 8 John's, in Newfoundland, had requested resources
 9 from the JRCC. And the discussion had come up
 10 about CASARA.

11
 12 And the person that was on the other line from
 13 the province didn't know what CASARA was. And
 14 I'm thinking, oh, that would never be a situation
 15 where a Maritime Rescue coordinator wouldn't know
 16 and be infinitely and intimately familiar with
 17 all of the significant players.

18
 19 And I think that speaks to a concern that we
 20 would have as concerned citizens, that we would
 21 have some inadequacy in our system where a person
 22 in a position looking for the right kind of
 23 resource for the right kind of situation wouldn't
 24 be aware of an agency like CASARA.

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1 I always heard we were using the figure in excess
 2 of 80 percent. I noticed in the Senate Report of
 3 2018, "When Every Minute Counts," that the level
 4 of Maritime Search and Rescue cases that needed
 5 to be coordinated was between 60 and 65 percent
 6 maritime.

7
 8 So that means there's an order of upwards of 40
 9 percent that's Ground Search and Rescue.

10
 11 Could we have some level of consistency or
 12 service by having the rescue coordination and
 13 having some enabling MOU, if you will, say that
 14 rescue coordinators would take on the same
 15 coordinating role and responsibility for Ground
 16 Search and Rescue as it would with Maritime
 17 Search and Rescue in the name of efficiency? Or
 18 at least, as I said, before the alternate to that
 19 would be to have the kind of framework that
 20 Mr. Smith has been giving in his presentations on
 21 a very efficient and active EOC (Emergency
 22 Operations Centre) with the right kind and right
 23 level of expertise and so on that we should have.

24

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1 So I think from the point of view of the person
 2 that's out there in trouble, whether it's on a
 3 skidoo or whether it's in a vessel, or whatever
 4 the case might be, it seems to me the expectation
 5 would be from that person, clearly from that
 6 person and from the public in general, that there
 7 should be and there must be an entitlement to the
 8 same level of service that's afforded to other
 9 Canadians, if you will. And that the best
 10 resource is needed for that particular situation
 11 is available.

12
 13 And I can't help but talk about the issues of
 14 resources from a secondary and a primary
 15 standpoint.

16
 17 And one of the things that's come up often from
 18 our standpoint is really the lack of primary
 19 capacity in northern areas.

20
 21 It came up in the Senate Report. I think it's a
 22 good point of reference, good terms of reference
 23 about some of the concerns and the needs that's
 24 in our northern areas.

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1 It came up during the case in Labrador just last
 2 week when we lost the two individuals at sea. It
 3 was a huge public debate about the lack of
 4 primary resources in Labrador.
 5
 6 Harry Blackmore mentioned yesterday that he
 7 believes there should be primary resources in
 8 Deer Lake and in Goose Bay to name a few.
 9
 10 Well, there can be debate around that, but it is
 11 distressing to see that there's no primary search
 12 and rescue capacity in Goose Bay in particular to
 13 be able to service the Labrador region.
 14
 15 And I think that was illustrated, really, in the
 16 Burton Winters case where the best we had to
 17 offer in this country was not available to
 18 Labrador.
 19
 20 And we can talk about all the nuances around
 21 that, but, generally speaking, the best and most
 22 capable resources -- and when I think about a
 23 primary search and rescue unit, like the 103 in
 24 Gander, and I think about the Cormorant and the

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1 ability of that aircraft, that's why we have it.
 2 That's why we paid the billions of dollars to
 3 have it. The capabilities related to endurance
 4 --
 5 RALPH, Q.C.:
 6 Excuse me, Commissioner, I'm not sure now if we
 7 are going down a road which is appropriate. I
 8 think now we're basically talking about how the
 9 federal government should be spending its money
 10 in terms of primary and secondary assets.
 11
 12 I'm not sure. I appreciate the other point he's
 13 making, but again, I mean, we asked the federal
 14 government to participate in this basically to
 15 address the humanitarian assistance. And I'm not
 16 sure at this point that we are now still within
 17 Ground Search and Rescue.
 18 COMMISSIONER IGLOLIORTE:
 19 I'll allow comments all around, please, from
 20 counsel.
 21 MR. FREEMAN:
 22 Mark Freeman for Justice Canada. I mean, we're
 23 inclined to agree with Mr. Ralph obviously. But
 24 I've been taking the cues from the Inquiry

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1 counsel and from yourself, Mr. Commissioner, this
 2 morning from your comments as we began.
 3
 4 And you are essentially asking us to give breadth
 5 and respect to the witness as much as possible,
 6 and I'm more than confident that you know the
 7 terms of reference and what the scope of this
 8 Inquiry is and isn't.
 9
 10 And if you're prepared to hear it or interested
 11 in hearing it, that's okay. But again, the
 12 placement of air assets federally is not part of
 13 this Inquiry. But that's not to say that
 14 potentially the placement of provincial air
 15 assets in Deer Lake and Corner Brook provided by
 16 Cougar, hypothetically, as we heard about
 17 yesterday, couldn't be something that you might
 18 be thinking about.
 19
 20 So if we're just talking about where our assets
 21 should be, and not who should be buying them or
 22 placing them or why or when, then that may be
 23 something where you're prepared to hear about.
 24

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1 So like I said, I'm not going to be full-throated
 2 objection. I just would caution some attention
 3 to the Terms of Reference when it comes to this,
 4 how much weight you are giving to some of this
 5 information.
 6 COMMISSIONER IGLOLIORTE:
 7 Mr. Budden and then Mr. O'Keefe?
 8 MR. BUDDEN:
 9 I think that Mr. Freeman's comments are accurate.
 10 The call was for primary resource. It is
 11 understood, Mr. Wiseman -- I think there are
 12 other aspects of Mr. Wiseman's evidence that,
 13 perhaps, can be challenged on Mr. Ralph's basis.
 14
 15 But as I took Mr. Blackmore's call and, perhaps,
 16 Mr. Wiseman's echoing of it, they don't really
 17 care who puts those resources in place. They
 18 simply ask that a primary resource be put in
 19 place.
 20
 21 So in which case it seems to be within the scope
 22 of this Inquiry.
 23 RALPH, Q.C.:
 24 That's fine. Because I understood the primary

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1 and secondary --
 2 COMMISSIONER IGLOLIORTE:
 3 Mr. Williams, go ahead.
 4 WILLIAMS, Q.C.:
 5 Thank you, Mr. Commissioner. Again, the tenor in
 6 which Mr. Wiseman's counsel introduced what his
 7 evidence was going to be, I think was in keeping
 8 with the mandate of the Inquiry in the sense that
 9 I think it's enlightening to hear from
 10 individuals, while we know what the
 11 jurisdictional issues are, who have experience
 12 obviously as Mr. Wiseman does in both marine and
 13 ground rescue because often their resources are
 14 called in.
 15
 16 So I see his evidence, at least to date, as being
 17 very holistic in the sense of he's looking at the
 18 system as a whole. He's speaking of issues that
 19 could benefit the system.
 20
 21 I mean, if we get into saying we got to put
 22 federal resources here and provincial resources
 23 here, maybe there might be some argument. But
 24 that's not where I see his evidence at this point

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1 comments.
 2
 3 The first comment that I'll make is that the
 4 evidence that Mr. Wiseman is giving from his
 5 experience and the comments he's making, I didn't
 6 hear that evidence as him trying to suggest that
 7 there should be an additional expense incurred by
 8 the federal government or the provincial
 9 government, in fact.
 10
 11 I think if he was to finish his evidence, he
 12 would have suggested that it could, in fact, be
 13 the provincial government who could take on a
 14 revised search and rescue program and invest the
 15 money in their own resources, which is certainly
 16 conceivable.
 17
 18 Notwithstanding what budgetary limitations may be
 19 out there, but it's certainly conceivable that
 20 could be done. Or alternatively, it's
 21 conceivable that one of the companies that we
 22 heard from yesterday could be contracted to
 23 provide those resources.
 24

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1 or where I see it going.
 2 COMMISSIONER IGLOLIORTE:
 3 And, sorry, Mr. Ralph, go ahead.
 4 RALPH, Q.C.:
 5 That's fine. No, because I understood primary
 6 had a certain meaning, and the meaning was in
 7 relation to the JRCC. And that there's really --
 8 those words have no meaning with regard to Ground
 9 Search and Rescue. But it is. Those words
 10 "primary" and "secondary" deal with federal
 11 policy.
 12
 13 So again, I don't think that that language -- I
 14 appreciate it if the point is that there should
 15 be a helicopter in Goose Bay that has a similar
 16 sort of, I guess, ability to respond as defined
 17 by primary, then I guess that's a different
 18 question.
 19
 20 But it seems to me when they are using language
 21 like "primary" or "secondary," you are dealing
 22 with language that's about federal policy.
 23 MR. O'KEEFE:
 24 Mr. Commissioner, I'll make just a couple of

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1 On the second point regarding the definition of
 2 primary resources, secondary resources, I'll
 3 mention very briefly Exhibit No. 9.
 4
 5 I don't have to pull it up because I don't want
 6 to get in to the content. But the definition of
 7 -- the meaning and role of primary resources
 8 versus secondary resources, in fact, our client
 9 raised that in the initial submissions on the
 10 working paper back in August calling for a better
 11 definition of those terms and how they're applied
 12 to search and rescue.
 13
 14 So while I appreciate my learned friend's
 15 comments regarding not throwing terms around
 16 loosely that may have other implications, I think
 17 it may be in the context -- and I'll let
 18 Mr. Wiseman speak again now, in the context of a
 19 submission here today and deliberations following
 20 these hearings and recommendations, it may be
 21 appropriate to review those terms and to see what
 22 terms are applicable going forward and how we use
 23 those definitions and those terms in talking and
 24 having an open dialogue about search and rescue.

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1 So I take the point that as those terms are used
2 currently they may have certain connotations and
3 may have certain definitions associated.
4

5 But if I understand Mr. Wiseman's evidence, what
6 he's essentially trying to say, when he talks
7 about primary resources, is essentially a direct
8 access resource available within the province.
9

10 So that's it. Those would be my comments.

11 COMMISSIONER IGLOLIORTE:

12 Thank you. Yes. So we're dealing with an
13 objection by the Province in assistance of the
14 federal government with respect to how we
15 delineate what this Commission can talk about,
16 what it can recommend, what it can receive as
17 evidence in coming to those conclusions.
18

19 And the objection specifically relates to the
20 witness beginning to stray into areas where we
21 are now talking about how the federal government
22 should act or should spend money, or should
23 arrange certain kinds of possibly non-ground
24 search and rescue circumstances.

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1 I think it's a valid point to raise as a caution.
2 There's no question. I believe that even as
3 counsel for Mr. Wiseman, for the Concerned
4 Citizens, opened that there are areas we are
5 simply not going to be able to make any
6 recommendations on.
7

8 That there are areas that really, while we talk
9 about them, will have no lasting benefit for this
10 Inquiry.
11

12 Nonetheless, we have seen that everyone desires a
13 bit of a paradigm shift now in how Ground Search
14 and Rescue has traditionally operated and how it
15 should now move forward in light of different
16 circumstances.
17

18 For example, we accept that health services
19 should become a large part of how Ground Search
20 and Rescue works. That mental health is vitally
21 important.
22

23 We've seen other examples during the course of
24 this Commission where the practices and

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1 procedures may need to be challenged.
2

3 So I think that the witness is simply bringing up
4 other ways of looking at the way the world has
5 worked in Ground Search and Rescue and the way
6 that it may work more efficiently going forward.
7

8 I agree that after having invited Canada to sit
9 in on these provincially grounded hearings, that
10 we should offer them the greatest deference in
11 ensuring that we -- after having invited them to
12 come here and participate, that we suddenly turn
13 around and make life very difficult for them in
14 the sense that we somehow change the rules about
15 what we had decided to talk about.
16

17 Nonetheless, the spirit of Mr. Wiseman's comments
18 are really quite important for deliberations by
19 this Inquiry.
20

21 And clearly, he is offering hugely experienced
22 comments about what he has done and what he has
23 observed. And what, as he refers to Mr. Smith's
24 own groundwork as an expert, the Commission may

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1 want to consider in its final recommendations.
2

3 So I think we've gone down the path of talking
4 about the kind of resources that might be placed
5 or should be placed by the province versus the
6 federal government.
7

8 I think that what Mr. Ralph has raised is a good
9 caution, but, in fact, we are quite ready to move
10 on and try to stay within the parameters.
11

12 So there's really no harm being done up to this
13 point to how the recommendations will impact on
14 what we say, and what Mr. Wiseman is saying is
15 quite enlightening.
16

17 So I'm prepared to continue giving your client
18 that caution. I'm sure he's at the point of the
19 getting close to his main dissertation anyway.
20

21 So let's continue on.

22 MR. O'KEEFE:

23 Thank you, Commissioner.
24

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1 MR. WISEMAN:
 2 A. Yes, thank you very much for that explanation.
 3 And if I could just on the primary versus
 4 secondary piece, I really meant it in a generic
 5 sense, and really not in the context of a federal
 6 piece.
 7
 8 Obviously, the federal government and the
 9 provincial government and who's into search and
 10 rescue, deployment resources and so on, that they
 11 recognize from a generic standpoint the point
 12 that I'm talking about.
 13
 14 I mean, quite clearly, a primary search and
 15 rescue unit, whether it's federal, provincial or
 16 whatever it might be, just brings with it a level
 17 of characteristics different from secondary.
 18
 19 It means that there has to be standards on
 20 training that's there that has to be present all
 21 the time. There has to be a standby posture, for
 22 example.
 23
 24 And I really was going kind of in the direction

1 have.
 2
 3 Like knowing what I know about search and rescue
 4 technicians, I would put my life in the hands of
 5 a SAR tech, as we call them, quicker than I would
 6 a surgeon. They are just heroes in my mind. And
 7 so all that capacity is there, but certainly the
 8 Cougar service is there.
 9
 10 So I think that's a consideration that in lieu
 11 and in consideration of the huge geographical
 12 spread that we have, in Labrador in particular on
 13 this one, that the Commission would take under
 14 advisement something that's evolving.
 15
 16 And when we go back to the Senate Report, they
 17 had done work towards trends that was evolving
 18 and projected that the frequency of need in
 19 northern areas, including the Arctic, including
 20 Labrador, that was increasing and is going to
 21 continue to increase. So in light of all that,
 22 that's really the point that I wanted to make.
 23
 24 So maybe you can get me back on track here?

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1 of the presentation that I saw yesterday where
 2 there was -- I was very impressed with what
 3 Provincial Airlines (PAL) had to offer in terms
 4 of services. Very impressed with Cougar and what
 5 they had to offer.
 6
 7 And I wouldn't necessarily say that the federal
 8 government, within the scope of its search and
 9 rescue mandate, has the responsibility to take on
 10 all the financial implications and the things
 11 that go with that.
 12
 13 I mean, I think from what I could see yesterday
 14 was really a pitch to the province to take on
 15 this very valuable kind of a resource, and
 16 especially the Cougar.
 17
 18 I mean, the Cougar crews and the craft that they
 19 have, it's coming very, very close to some of the
 20 best standards we have.
 21
 22 I mean, I really want to be complimentary to
 23 what's in Gander with the Cormorant, for example,
 24 and the search and rescue technicians that they

1 MR. O'KEEFE:
 2 I'll do my best. And we don't have a lot more
 3 ground to cover, Mr. Commissioner. The main
 4 topics that I understand Concerned Citizens Group
 5 wanted to advance have more or less been covered
 6 in what we've heard.
 7
 8 I think as a final question I'll ask Mr. Wiseman
 9 about if he could summarize in sort of point form
 10 from his group's perspective what they feel or
 11 what they think, I should say, should be done
 12 going forward to improve things. And then I
 13 think we'll be finished and other counsel can ask
 14 whatever questions they wish.
 15 BY MR. O'KEEFE:
 16 Q. So, Mr. Wiseman, I guess it's your opportunity,
 17 in summary, if there's other points that you wish
 18 to raise I think you certainly can, but my
 19 question would be, if you could inform everyone
 20 here today in this Commission -- if you could
 21 sort of enumerate in point form what do you
 22 believe should be considered by this Commission
 23 in terms of improving Ground Search and Rescue
 24 going forward?

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1 MR. WISEMAN:
 2 A. Thank you. Yeah, I certainly appreciate that.
 3 And I think one of the overarching things in
 4 summary to all this, one of the overarching
 5 things that I've observed through testimony of
 6 Mr. Blackmore, the police, and others and,
 7 certainly, the presentation made by Mr. Smith,
 8 was this overarching effort to cooperate and to
 9 collaborate the goodwill that's out there.
 10
 11 And oftentimes in lieu of levels of resources and
 12 expertise, sometimes the goodwill that's there
 13 pushed things to a successful conclusion lots of
 14 times.
 15
 16 Again, my experience in a maritime environment is
 17 that the level of collaboration between --
 18 internationally, for example, between the United
 19 States and Canada, between Japan and Canada, it
 20 doesn't matter where it is, England, whatever the
 21 case might be, it's absolutely staggering.
 22
 23 There's treaties. There's bilateral agreements.
 24 There's exchange of resources. There's all kinds

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1 of things. So I'm just thinking that if we can
 2 have that level of collaboration and effort and
 3 coordination to achieve the goals and objectives
 4 of saving lives, then certainly we should be able
 5 to have a high level, an enhanced level of
 6 collaboration among our provinces.
 7
 8 From observing Mr. Smith's presentation and Harry
 9 Blackmore's presentation, the differences that we
 10 have among provinces and wouldn't it be great to
 11 have almost a generic approach, if you will, a
 12 consistent approach?
 13
 14 I know we're trying to achieve that, so I would
 15 just use the international environment as an
 16 example of that and something to consider and to
 17 look at.
 18
 19 But overall I think the levels of efficiency that
 20 I spoke about can be achieved, and the levels of
 21 the all-important command and control by having
 22 good rescue coordination and have the
 23 infrastructure that rescue coordination has done
 24 from a good emergency operation centre, a good

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1 EOC, if you will, is infinitely important.
 2
 3 And again, without belabouring the point of
 4 resources and the level of services that's an
 5 entitlement to all of us, no matter where we are
 6 in Canada, no matter where we are in this
 7 province, that level of entitlement should and
 8 must be achieved for all. And not just for a few
 9 that we should not have this difference in
 10 services.
 11
 12 We need to strive to achieve that. And that's
 13 where I would make the point about covering, I
 14 believe, is an area of deficiency from provincial
 15 or federal standpoint or whatever standpoint you
 16 would talk about. This area of deficiency that
 17 continues to exist and manifest itself in
 18 Labrador, in particular. And having a primary
 19 search and rescue unit in Goose Bay I think would
 20 solve a lot of that. Thank you.
 21 MR. O'KEEFE:
 22 Q. Okay. I just had two quick follow-up points,
 23 just to make sure that everyone understands, I
 24 guess, what I understand your submissions to be.

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1 You had mentioned in your submissions in your
 2 experience as a Maritime Search and Rescue
 3 coordinator that you had delegated authority, if
 4 you will, through the Canada Shipping Act.
 5
 6 Is it your suggestion, Mr. Wiseman, that there
 7 should be similar-type legislative framework put
 8 in place for Ground Search and Rescue in this
 9 province? Is that what you are suggesting?
 10
 11 MR. WISEMAN:
 12 A. Yeah, exactly. I think that level of empowerment
 13 is absolutely necessary, reinforced with some
 14 levels of direction and procedure.
 15
 16 Again, as a point of reference in some of the
 17 things that I've heard, and Mr. Smith can correct
 18 me on this one, that it seemed to have been an
 19 integral part of the basic criteria that if we
 20 were going to achieve the all-important command
 21 and control that it needs to have that level of
 22 legislative empowerment. And whether it comes
 23 from the province or any other jurisdiction that
 24 somehow that must be achieved.

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1 MR. O'KEEFE:
 2 Q. The second point I just want to clarify is you
 3 gave the example of international collaboration
 4 in the marine context, I believe, to illustrate
 5 the broader point that you'd like to see more
 6 collaboration, if you will, within Ground Search
 7 and Rescue.
 8
 9 Did you want to make any comment, Mr. Wiseman, or
 10 can you make any comment regarding the suggestion
 11 that there should be some form of an overarching,
 12 what we call MOU document or should we be seeking
 13 to have some form of overarching framework that
 14 includes all stakeholders and outlines the
 15 various sort of roles, responsibilities and, more
 16 importantly, contributions as suggested in
 17 Mr. Smith's presentation?
 18
 19 Do you want to comment on that?
 20 MR. WISEMAN:
 21 A. Yeah, just very quickly. And I was probably a
 22 little more robust about achieving that level of
 23 collaboration, if you will, if I could use that
 24 word, before coming probably to the Inquiry where

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1 I'm starting to learn about different levels of
 2 services provincially right across the country
 3 and different levels of jurisdiction and how you
 4 share all that.
 5
 6 I mean, I've often said and compelled to say that
 7 if rescue coordination, Maritime Rescue
 8 coordination is the gold standard, how difficult
 9 would it be to harmonize that and standardize
 10 that with Ground Search and Rescue coordination
 11 and have the services of rescue coordination
 12 being performed out of JRCC in Canada, either
 13 Halifax or Trenton or Victoria?
 14
 15 And, yeah, I understand it. It would entail
 16 significant changes and levels of how you
 17 delineate jurisdictional issues. And I'm sure
 18 that there would be issues of cost.
 19
 20 I'm sure cost recovery and all these things that
 21 you would expect, that I'm no expert at doing,
 22 but obviously if we had the level of
 23 collaboration and if we could have some level of
 24 agreement signed off through an MOU or

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1 legislative arrangement among provinces that this
 2 is what could happen.
 3
 4 That would be an ideal. And I can't help but
 5 reflect on that because I do see quite a
 6 different level of that all-important
 7 communication collaboration, command and control
 8 coordination that exists between Maritime and
 9 Ground Search at the moment.
 10 MR. O'KEEFE:
 11 Q. And the last point, Mr. Commissioner, I just
 12 wanted Mr. Wiseman just to clarify his group's
 13 position on this primary versus secondary
 14 resources.
 15
 16 Mr. Wiseman, I understand your position to be
 17 that, simply put, you believe there should be
 18 primary or direct access resources within the
 19 province available to Ground Search and Rescue is
 20 the first point.
 21
 22 And as a second point, I understand your group's
 23 position is that those services, resources, if
 24 you will, should be importantly available in

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1 Labrador, given the size of the territory.
 2
 3 Can you comment on that?
 4 MR. WISEMAN:
 5 A. Thank you. Yeah, exactly. And without having to
 6 revisit where I started with this level of
 7 service, if you will, that's available, and the
 8 gold standard of service and so on, I think my
 9 observation here, my comments is pretty much in
 10 keeping -- I can be corrected on this by
 11 Mr. Blackmore. That this is pretty much in
 12 keeping with his testimony and his presentations
 13 earlier on this week.
 14
 15 Because it was raised, as well, that in order to
 16 get the kind of resources that's needed in the
 17 moment, in the second, if you will, that there
 18 has to be the issue of triage, for example, as to
 19 whether or not a federal resource on a
 20 humanitarian mission would leave the scene of an
 21 injured person.
 22
 23 And Mr. Blackmore gave an illustration by saying
 24 that a search and rescue technician was half way

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1 down the hoist when he got called off on a
 2 maritime medevac situation. And that was -- it
 3 struck me as a little bit odd.
 4
 5 We did get an explanation. That there was a
 6 triage situation. But I think the evidence in
 7 the past have shown us that it's not so much
 8 triage as it is priority. That it's been seen
 9 that mandate for the resources from a maritime
 10 point of view, the priority is to serve the
 11 maritime environment.
 12
 13 Anything that the Ground Search and Rescue crews
 14 can get is kind of luck of the draw in some ways.
 15
 16 So the issue of triage, yeah, I don't want to say
 17 that it wouldn't be there. Of course, I would
 18 never do that, and I'm sure triage does enter the
 19 picture. But there has to be a very clear and
 20 definitive route to that particular resource
 21 without having to consider that there could be a
 22 priority in another area rather than send it to
 23 the place where a person is indeed in that
 24 life-and-death situation.

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1 MR. O'KEEFE:
 2 Okay. Mr. Commissioner, thank you for your
 3 indulgence on some of this subject matter.
 4
 5 My questions are finished. So if any -- and
 6 obviously at your direction and we're finished
 7 with our questions.
 8 COMMISSIONER IGLOLIORTE:
 9 Okay, sir. Go ahead, Mr. Budden.
 10 MR. BUDDEN:
 11 Thank you, Mr. Commissioner. I don't have a
 12 whole lot for Mr. Wiseman and I don't want to
 13 cover ground that other counsel may be more in a
 14 better position to cover. But I do have, I
 15 guess, a question or two for you, Mr. Wiseman.
 16 BY MR. BUDDEN:
 17 Q. As I understand your evidence with respect to a
 18 marine search, in your day, at least in the
 19 substation, you could conceivably take a call
 20 directly from an affected person who may be
 21 calling from a satellite phone or in this case
 22 relayed through their wife. And you, as a civil
 23 servant in St. John's, would be the person who
 24 would make the call to JRCC and ask them to send

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1 a helicopter; am I correct on that?
 2 MR. WISEMAN:
 3 A. Yeah, that's correct.
 4 MR. BUDDEN:
 5 Q. And you would have had specific training as to
 6 how to appropriately respond. So that, for
 7 instance, a person would tell you a situation.
 8 You would have training that would say, well,
 9 this is a call for a helicopter as opposed to a
 10 call for a Coast Guard vessel or something like
 11 that?
 12 MR. WISEMAN:
 13 A. Yes. That situation -- and I guess, if you want
 14 to use the word "triage," you come to the
 15 determination because of your training and your
 16 expertise and your experience and so on, that
 17 this warrants nothing less than an aircraft,
 18 fixed-wing or rotary, or that a surface resource
 19 is simply necessary.
 20
 21 It could be a Coast Guard ship that's in the
 22 vicinity. Like I say, it could be a vessel of
 23 opportunity. And so that empowerment that I
 24 explained extends by statute, through a

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1 legislative process extends to the rescue
 2 coordinator. If you put myself in that position
 3 to say to a vessel of opportunity that maybe a
 4 government resource, non-government resource, a
 5 private resource that we are now instructing you
 6 to proceed to rescue a person.
 7
 8 It might be on the water, wherever the case might
 9 be is. So that is the level of authority.
 10 MR. BUDDEN:
 11 Q. Sure. Now the ground search and rescue situation
 12 as we've heard, and obviously most ground search
 13 and rescue won't be probably a coastal situation.
 14
 15 They would be berry pickers in the Red Indian
 16 Lake area or perhaps snowmobilers or a lost child
 17 or something.
 18
 19 There will be circumstances such as the Winters
 20 case, but quite often, perhaps, mostly ground
 21 search and rescue is less ambiguously ground.
 22 And what we've heard there is that the incident
 23 commander and the search manager jointly come to
 24 a determination as to what resources might be

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1 helpful.

2

3 So, for instance, if they come to the decision

4 that air support is necessary, that's the

5 decision they make.

6

7 You're not suggesting - or maybe you are - that,

8 say, a civil servant in an office in St. John's

9 would be better placed to make that determination

10 than would the search manager and the incident

11 manager actually on the ground in an area they

12 presumably know quite well?

13 MR. WISEMAN:

14 A. No. I mean, again, this is a procedural issue

15 that is very unambiguous, if I might say, in that

16 scenario that you just elicited, that you put on

17 the table.

18

19 Clearly, the relationship between the police and

20 the JRCC would come into play. That the JRCC

21 would probably be the first point of entry on

22 this one. That's what I'm expecting from a

23 procedural standpoint.

24

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1 In the case of Red Indian Lake, obviously there's

2 no Coast Guard resources or Coast Guard mandate

3 to be in a place like that.

4

5 But it could very well be that a marine resource

6 in the form of a fast rescue craft or any other

7 equipment facilities and so on that Coast Guard

8 would have. But then that direction to proceed,

9 once a humanitarian case was open and it was

10 determined by the JRCC that they would be

11 proceeding, if there was that kind of a need,

12 that's clearly at the purview and the discretion,

13 not of and should not be, whether it's a civil

14 servant in St. John's or otherwise, this is

15 clearly at the purview of a Joint Rescue

16 Coordination Centre coordinator who may very well

17 call me as a Maritime Rescue coordinator and say,

18 hey, we're looking for one of your FRC's or one

19 of your mobile units or whatever the case might

20 be.

21

22 Then it would be up to me to respond to that need

23 that's been identified and requested from a JRCC

24 point of view.

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1 MR. BUDDEN:

2 Q. I guess I would just push a little further on

3 that, Mr. Wiseman, because the system, as I

4 understand it, now for ground search and rescue

5 is that people on the ground.

6

7 Whether that would be Barry Anderson and Corporal

8 Anstey on the ground in Makkovik or the other

9 officers we've heard on the ground in Red Indian

10 Lake, would determine on the ground what resource

11 is most useful to them.

12

13 And at that point the RCMP would make a request

14 for your support. You don't have an issue with

15 that particular model, I take it?

16 MR. WISEMAN:

17 A. Oh, no, not at all. I mean, I guess if you're

18 going to look at, again, the command and control

19 process -- even in a command and control process

20 where there's a mandate from a Joint Rescue

21 Coordination Centre coordinator or a Maritime

22 coordinator, I mean, one of the very first things

23 you do is to establish that on-scene commander,

24 that incident commander.

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1 Even at sea, you take, quite often, direction

2 from that appointment of the on-scene commander

3 that's there. Oftentimes the need is identified

4 by the on-scene commander.

5

6 So that's very critical. And I certainly

7 wouldn't want to see or even suggest that we

8 should move away from that in any fashion, to

9 have a different kind of a regime structure that

10 would override that important piece of on-scene.

11 MR. BUDDEN:

12 Q. Okay, because that leads to my next question.

13

14 The reality of what we have now is that the RCMP

15 officer or, perhaps, through an intermediate RCMP

16 officer, but places a call to what is now

17 Emergency Measures and essentially says we need

18 air support for this search in Red Indian Lake or

19 Makkovik, or whatever the case might be. And the

20 process goes to Emergency Measures.

21

22 And what we've further heard is Emergency

23 Measures then, in what appears to be from the

24 case studies we've looked at, very quick

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1 turnovers, two minutes here, three minutes there,
2 maybe five or seven minutes, place a call to
3 JRCC.

4
5 So I guess what I'm saying and putting to you is,
6 the mechanism, the arrangement that's currently
7 in place for ground search and rescue up to the
8 point of calling JRCC would appear to be, I would
9 suggest, a fairly timely movement from the point
10 of the person on the ground thinking a search is
11 necessary or, rather, air support is necessary to
12 a call being placed at JRCC.

13
14 Do you see that model as being problematic the
15 way it's operating now, up to the point the call
16 is made to JRCC?

17 MR. WISEMAN:

18 A. Yeah, I see, and I think I've said before, that
19 there's some time lapses that could creep in
20 there. There's some influences that could creep
21 in there that would ultimately determine whether
22 or not that particular resource that's being
23 requested gets turned down.
24

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1 That was the point that I made. That if the
2 coordination of that incident were it to fall
3 with the rescue coordinator at the JRCC, with the
4 full empowerment and the level of authority
5 that's there, that, first off, the whole
6 situation awareness, including the awareness, the
7 situation awareness of all the resources and all
8 the best resources, is really at the fingertips
9 of the Joint Rescue Coordination Centre
10 coordinator.

11 MR. BUDDEN:

12 Q. But that's because you're a federal employee with
13 a federal range of assets at your fingertips.

14 MR. WISEMAN:

15 A. Exactly.

16 MR. BUDDEN:

17 Q. Absent having a range of such assets at your
18 fingertips, you don't disagree in principle that
19 there has to be a clearing house provincially
20 where a decision can be made whether to access
21 provincial assets or provincially contracted
22 assets or federal assets?
23

24 I guess what I'm saying to you, if we have a

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1 model where the Province lacks a primary fleet,
2 can you not see why it is necessary to have an
3 emergency measures as a clearinghouse?

4 MR. WISEMAN:

5 A. It's what we have. It's the reality of what we
6 have.

7
8 Do we continue with that or do we have some other
9 kind of collaborative arrangement through MOU to
10 have a very quick line of requests for resources
11 to support an incident directly from the police,
12 right directly to the JRCC?

13
14 And the JRCC then actions an open case and takes
15 on the full responsibility of making that full
16 assessment?

17
18 The route that we have now, if we follow it, and
19 quite often, I'm sure, it's quite efficient, and
20 quite often that clearinghouse, if you will, of
21 resources that's available might, in fact, solve
22 the situation that's needed.

23
24 But quite often the case comes where that real

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1 specialized resource, which could be a Cormorant,
2 for example, as it often is, is absolutely
3 necessary.

4
5 So when the JRCC gets it and because it comes
6 from a ground search and rescue in a humanitarian
7 situation, that there is another level of
8 dilution that occurs from the point of view that
9 the rescue coordinator, who's then no longer got
10 the authority that I explained in the Canada
11 Shipping Act to act and proceed, but then he's
12 got to start to look through his chain of command
13 and have a briefing and have a discussion on
14 whether or not this is the right resource to
15 send.

16
17 And the chain of command sometimes will elevate
18 itself through different processes causing
19 unnecessary delays and influences where the
20 resource may not be actioned.

21 MR. BUDDEN:

22 Q. So would it be fair to sum up your evidence - and
23 if it's not fair, do tell me - as the submission
24 in a nutshell is saying that there should either

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1 be a provincial resource -- there should be
 2 provincially owned or contracted resources that
 3 can respond to any range of ground search and
 4 rescue situations, including 24/7 air support, or
 5 there should be an MOU that would allow the
 6 officers in the field to, perhaps, directly or
 7 almost directly, reach out to JRCC and have the
 8 same ability to access those assets as you would
 9 have had in your capacity as a Marine Search and
 10 Rescue coordinator?

11 MR. WISEMAN:

12 A. Yes. You've put it properly. There's no
 13 question. And I think you've seen testimony and
 14 presentations throughout the week to indicate
 15 that there is a shortcoming.

16
 17 More often than not that there is a shortcoming,
 18 especially when you consider night flights and
 19 specialized equipment and things.

20
 21 That if that shortcoming is going to be made up,
 22 obviously there's consequence from a financial
 23 standpoint and so on.

24

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1 COMMISSIONER IGLOLIORTE:

2 (Audio difficulties.)

3 MR. FREEMAN:

4 No, Mr. Commissioner, thank you.

5

6 I appreciate your presentation, Mr. Wiseman. So
 7 thank you very much.

8 COMMISSIONER IGLOLIORTE:

9 Mr. Williams?

10 WILLIAMS, Q.C.:

11 Q. Mr. Wiseman, I just have one area I'd like to
 12 address and I think it's been probably echoed
 13 throughout this Inquiry, and as well as in
 14 preparation of the Inquiry discussing with other
 15 people involved to both the federal system and
 16 the provincial system.

17
 18 And during the course of just this conversation
 19 this morning I wrote down some of the words, the
 20 language that we're using. And the language is
 21 collaboration, communication, coordination,
 22 cooperation. It all starts with a C. But that
 23 is language we're hearing repetitively throughout
 24 the last four weeks.

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1 But I think clearly the presentation that we saw
 2 yesterday, the two presentations from Cougar and
 3 PAL, becomes very relevant.

4
 5 If it continues to be an aggravating situation
 6 that the kind of resources that the Province
 7 would want to requisition in its current
 8 framework is not readily available in an
 9 efficient and acceptable way that would give that
 10 level of service, then it's either replace it or
 11 we continue with the situation that we have.

12 MR. BUDDEN:

13 Q. Thank you, Mr. Wiseman. I have no further
 14 questions for you; however, I would imagine other
 15 counsel will.

16
 17 Do you wish to go next, Mr. Ralph?

18 RALPH, Q.C.:

19 Commissioner, the Province has no questions.

20

21 I'd like to thank Mr. Wiseman. I really
 22 appreciate your comments and they have been
 23 really helpful. Thank you.

24

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1 It was summed up in a rather simplistic manner
 2 yesterday by Edna Winters in saying, "It seems
 3 like everybody is in the sandbox but nobody is
 4 playing together."

5

6 And I just wondered, because I am aware that in a
 7 number of years ago that there had been a group
 8 formed through JRCC, if I'm not mistaken, whereby
 9 -- and I'm talking an extended number of years
 10 ago, and may have been while you were there and
 11 maybe not, but it was an effort made to bring all
 12 the players together.

13

14 And when I say "all the players," we're talking
 15 police forces. So we got the RNC and the RCMP.
 16 We have provincial sources being EM -- well, it
 17 was EMO. It's EMS now, if I'm not mistaken or
 18 proper acronym. ESD, I'm sorry. I'm trying to
 19 keep it straight. We have ground search and
 20 rescue here, NLSARA, and we have, obviously, DND.

21

22 And everybody seems to be looking to accomplish
 23 the best system available. But because of
 24 federal/provincial jurisdictional issues, it

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1 doesn't seem like that always happens.
 2
 3 And we don't need to go into the details. We've
 4 heard it throughout the course of the Inquiry of
 5 how there can be gaps in those services.
 6
 7 Are you aware of any efforts or any formulation
 8 of what I'm thinking of is a working group to
 9 address the issues?
 10
 11 I mean, obviously the Inquiry doesn't have
 12 control of mandating things in federal
 13 jurisdiction, but the Commissioner has already
 14 alluded to on a number of occasions the Province
 15 being able to make recommendations to work with
 16 the federal counterparts.
 17
 18 Is there anything in place whereby all these
 19 players sit down and address issues? And I don't
 20 mean once. I mean on a regular basis. Because
 21 this system we've seen is made up of four or five
 22 moving parts, and I have yet to hear anything
 23 whereby they're all in one room talking quarterly
 24 about the system.

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1 I mean, Harry Blackmore can identify, as well as
 2 Mr. Smith has identified, every single search and
 3 rescue mission has deficiencies. And that's the
 4 nature of the beast.
 5
 6 But it seems to me and I know I'm giving a bit of
 7 a speech here, but it seems to me is this an area
 8 that's lacking or is this something that we
 9 should be looking at, because everybody wants the
 10 best, but it doesn't seem like we're all pulling
 11 on the same rope?
 12 MR. WISEMAN:
 13 A. I mean, that's a toughie for me. I mean, it just
 14 goes beyond, really, I don't know if level of
 15 expertise is a right way to put it. But I mean
 16 I'm certainly taking stock of presentations
 17 that's been here this week by Mr. Smith and, in
 18 particular, Harry.
 19
 20 And I know that Mr. Blackmore has some past
 21 experiences trying to achieve that level of
 22 collaboration from a federal standpoint.
 23 Interprovincial, call it what you like.
 24

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1 And I think Mr. Smith has really highlighted and
 2 illustrated a need, as you have, with your
 3 statement.
 4
 5 I'm not aware of any group or any effort to do
 6 that. It's clearly needed. I mean, I've often
 7 said shouldn't there be an oversight group,
 8 search and rescue oversight arrangement,
 9 framework where we can achieve the kinds of
 10 things that you've referenced?
 11
 12 In my mind there should be and I don't know why
 13 there's an absence of that.
 14
 15 Even addressing issues and grievances, for
 16 example, from the public about search and rescue.
 17 I mean, why is it that we have to wait for an
 18 Inquiry to correct the course, to adjust our
 19 course on where we should be? That's a long
 20 time.
 21
 22 I mean, the time lag between 2012 and the Burton
 23 Winters tragedy and today is, you do the math,
 24 it's nine years.

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1 We really have no mechanism to address the issues
 2 and grievances and to make the kinds of
 3 corrections that the family would want to see or
 4 that the public would want to see in the interest
 5 of preventing this in the future.
 6
 7 So I mean, I can come up with all kinds of ideas
 8 on how to do that, but, quite simply, there is an
 9 absence of it right now.
 10
 11 And I know I don't want to discredit some efforts
 12 where levels of debriefing has occurred or levels
 13 of special operations reports, SAR operations
 14 report, what they try to achieve. Debriefing,
 15 immediate debriefing with different players on
 16 major cases and so on and so forth. I don't want
 17 to discredit that.
 18
 19 And I know because I think everybody -- I really
 20 believe that the intent and, really, the goodwill
 21 of everybody who are there would like to achieve
 22 the kinds of things that you flag there, but we
 23 just continue to come up with that level of
 24 frustration of being able to make it function in

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1 a functional kind of a way.
 2
 3 That's why, in part, I reference the high level
 4 of collaboration and arrangements and frameworks
 5 in an international search and rescue arena. In
 6 treaties and bilateral agreements and all this,
 7 we seem to be able to achieve that pretty good,
 8 but we don't seem -- from my observations and
 9 everything, we don't seem to be able to do the
 10 same thing inter-provincially, which is rather
 11 strange.

12 WILLIAMS, Q.C.:

13 Q. And maybe I could throw it out because, in
14 fairness, we do have active participants.

15
 16 Maybe Mr. Rumbolt or Sergeant Williams or
 17 Mr. Blackmore can comment as to whether or not
 18 any search group exists currently, or any
 19 benefits that you would see in terms of
 20 formulation of such a working group going
 21 forward?

22 MR. RUMBOLT:

23 A. Good morning, Commissioner. It's Mitch Rumbolt
24 here from the Emergency Services Division.

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1 So I guess basically, as I alluded to yesterday
 2 in reference to my relationship with Cougar, that
 3 applies to almost any government entity.
 4

5 I have the means and ability to contact the
 6 officer in charge of JRCC casually at any moment,
 7 any time of the day.
 8

9 The same would apply to Sergeant Williams. The
 10 same would apply to Mr. Blackmore or any other
 11 colleagues and another avenue.

12
 13 While it's an informal process, I take that to be
 14 almost more timely and more efficient because we
 15 don't have to wait for a scheduled meeting.
 16

17 We don't have to wait to get together face-to-
 18 face. If an issue or a concern arises, we
 19 address it right at that moment, as soon as it is
 20 practical to, and have it concluded and see what
 21 we can do then to prevent that from occurring in
 22 future.

23 SGT. WILLIAMS:

24 A. Sergeant Williams here. So I guess the

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1 conclusion of our search is that we perform with
 2 the GSAR teams as well. There is a look in at
 3 what could have been improved.
 4

5 I guess the different levels at which things can
 6 be improved, it might be on the ground or it
 7 might be in terms of resources, but as
 8 Mr. Rumbolt alluded to, there are those open
 9 avenues externally to those other partners to
 10 also discuss those.
 11

12 There have been a few over the years that myself
 13 and, specifically, Mr. Blackmore have spoken
 14 about and addressed those or made things a little
 15 more clear moving forward.
 16

17 So I guess from that standpoint there is that
 18 consultation that happens from the ground. And
 19 in that open communication that's able to happen,
 20 I guess, upward and outward to external partners
 21 and internal partners as well.

22 MR. FREEMAN:

23 And Mr. Williams, I'll just add from the federal
24 perspective.

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1 So there is the National Search and Rescue
 2 Secretariat which comes under Public Safety. And
 3 they're responsible for managing and coordinating
 4 Canada's search and rescue with provincial,
 5 federal, and territorial partners. And they're
 6 interested in interoperability and
 7 multi-jurisdictional efforts being facilitated.
 8

9 So those communications between the Province and
 10 the federal government would likely take place
 11 under the auspices of that, the National Search
 12 and Rescue Secretariat, which is part of Public
 13 Safety Canada.

14 MR. BLACKMORE:

15 A. Just to start off with, yes, there was a group
 16 put together. It was the National Search and
 17 Rescue Secretariat that was put together after
 18 the Ocean Ranger disaster.
 19

20 They did try to have meetings throughout
 21 different times of the year. They did do one
 22 about six or seven years ago now, that they
 23 brought everybody from across Canada together to
 24 debate the search and rescue aspect of a

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1 provincial, federal and everything else. And I
 2 mean, everybody was there from the admirals of
 3 JRCCs, the admiral from Canadian Forces, the
 4 actual minister was there and everybody else.
 5
 6 By the time the report got out, and I know this
 7 very well, and I may get a smack for saying it,
 8 but the report was watered down that much. After
 9 the fifth revision it finally did come out, which
 10 didn't address a big lot.
 11
 12 But NSS was the avenue for all of us at the time.
 13 It has now since been watered down since it went
 14 under Public Safety. It was under DND where it
 15 worked very well, in my opinion, but due to
 16 different avenues, I guess, governments change it
 17 around.
 18
 19 But there are meetings that need to be happening.
 20 But you have to understand, too, that when
 21 everybody is together they don't want to hurt
 22 each other's feelings, I guess, I'll put it down
 23 to. I don't know if the full truth actually
 24 comes out.

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1 And as to putting it together, we do try to get
 2 together with everybody, especially in this
 3 province, as much as we can.
 4
 5 There are more meetings probably needed to take
 6 the search and rescue aspect of it, especially
 7 for ground, because that's what we're talking
 8 about pretty well here in this province, because
 9 the federal assets take care of the marine and
 10 aeronautical.
 11
 12 But meetings are needed. We have brought it up.
 13 It has been brought up again lately, and
 14 hopefully to work with Justice to be able to set
 15 up some type of meeting that would take this
 16 fashion.
 17
 18 And as Mr. Wiseman said, there's a lot of
 19 different things and moving parts in this. But
 20 every time you bring up a problem, if it involves
 21 search and rescue nationally with us, it's
 22 always, no, it's the right of the province and
 23 territory. They take care of ground search and
 24 rescue so we can't discuss it.

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1 But it needs to be discussed and the
 2 interdepartmental search and rescue secretariat
 3 at that time, at least they did bring all the
 4 avenues together and it's still needed.
 5
 6 Now that Public Safety Canada actually runs it, I
 7 don't think it will ever happen again. But that
 8 was the avenue to bring everybody together
 9 nationwide to discuss air, marine, and ground
 10 search and rescue.
 11
 12 And pretty well ground search and rescue as we
 13 run it here is exactly the way it's run across
 14 the country. Not much difference.
 15
 16 But the more meetings, the better, more meetings
 17 we have on this or an avenue to that if somebody
 18 has a problem to be able to go to the person that
 19 we're hopefully directing to makes it easier.
 20
 21 But it's like in government, people move around,
 22 so things change. And you may be dealing with
 23 the same person for a while, everything is going
 24 along and then all of a sudden shift stuff will

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1 change and then you got to educate somebody else.
 2
 3 So there's a lot of information that needs to be
 4 passed on. I think the only way you will do it
 5 is with such a meeting at least twice a year to
 6 bring everybody together and be able to express
 7 their opinions on it.
 8
 9 Thank you.
 10 MR. BUDDEN:
 11 If there's nothing arising or you have nothing,
 12 Mr. Commissioner, perhaps we could -- I realize
 13 we are on a relatively tight time schedule this
 14 morning, but if we can take a couple of minutes
 15 now just so I can speak to Mr. O'Keefe and one
 16 other potential witness this morning?
 17 COMMISSIONER IGLOLIORTE:
 18 Yes, I think the discussion between yourself and
 19 Mr. O'Keefe must also include Mr. Williams. Any
 20 testimony that we hear will have to pass the test
 21 of being trauma informed.
 22
 23 We're not here to add any grief to the family.
 24 So that we look very carefully about what next

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1 might be said, but clearly Mr. Williams has to
2 have a say at the beginning as to whether or not
3 it is advisable.

4
5 So, yes, ten minutes we'll be back to continue.
6 I've got to leave around 20 after 11:00.

7 MR. BUDDEN:

8 Thank you.

9 THE CLERK:

10 All rise.

11

12 (Recess)

13

14 THE CLERK:

15 All rise. This Commission of Inquiry is now in
16 session. Please be seated.

17 COMMISSIONER IGLOLIORTE:

18 You may proceed, Mr. Budden or Mr. Williams.

19 MR. BUDDEN:

20 Perhaps I'll speak briefly. We have had some
21 good discussions with Mr. Williams, with the
22 family, with Ms. Bradley's customary help, and
23 with Mr. O'Keefe and Captain Bartlett.

24

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1 How we are going to proceed is rather than give
2 vive voce evidence, Captain Bartlett has spoken
3 twice, and helpfully, and we understand that he
4 will now prepare with counsel a statement that
5 will most likely be submitted and considered as
6 evidence. But he will not be speaking here
7 today.

8
9 So that being the case, I'll hear from other
10 counsel on that, and then perhaps we can talk
11 very briefly about how tomorrow will proceed.

12 COMMISSIONER IGLOLIORTE:

13 Thank you very much. And go ahead, counsel.

14 WILLIAMS, Q.C.:

15 Yes, thank you, Mr. Commissioner. And I think
16 Mr. Budden has accurately reflected the feelings.

17 The family are very happy that there's been a
18 Concerned Citizens Group provided with an
19 opportunity to express their opinions and
20 concerns. And that the Commission has
21 facilitated that and they're satisfied with
22 proceeding in that manner.

23 COMMISSIONER IGLOLIORTE:

24 Thank you. Mr. O'Keefe?

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1 MR. O'KEEFE:

2 Thank you, Commissioner. We're in agreement to
3 proceed in that fashion. We'll submit any
4 additional written submissions that Captain
5 Bartlett wishes to make to the Commission.

6 MR. BUDDEN:

7 I don't know if Mr. Ralph or federal counsel have
8 anything to add to that?

9 MR. FREEMAN:

10 No, we support your approach. Inquiry Counsel,
11 thank you very much for taking that under
12 consideration and proceeding in that manner. We
13 think that's very appropriate.

14 MR. BUDDEN:

15 Thank you. And Mr. Ralph?

16 RALPH, Q.C.:

17 That's fine. Thank you.

18 MR. BUDDEN:

19 Thanks. A couple of other matters before we
20 conclude here today.

21

22 Our plan for tomorrow, a fixed plan is to have a
23 round table commencing at 1:30 that will bring in
24 some people we've heard from before, some new

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1 people. And that will be a fairly -- and
2 Mr. Michael Claire will facilitate that.

3

4 I will, as will all counsel, I think we'll be
5 somewhat in the background and we'll hear
6 directly from the search and rescue community and
7 people who can contribute to that discussion. So
8 I'm looking forward to that.

9

10 One other bit of business tomorrow will be
11 CASARA. We're meeting with CASARA tonight. They
12 will be giving a presentation tomorrow.

13

14 I would guess, based on past matters, we're
15 looking at an hour max.

16

17 The question we have, the Commissioner and I just
18 discussed, and we're putting it out there for
19 consideration, do we start at our usual time of,
20 say, 9:00, break at 10:00 and come back at 1:30?

21

22 Do we come later in the morning, break and come
23 back at 1:30?

24

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1 Or do we simply start, say, at 12:30 and carry on
 2 through the afternoon?
 3
 4 It's a bit of an unusual time to start, but it
 5 does have some advantages.
 6
 7 So the starting point, I would suggest we start
 8 at, maybe, 12:30 and I'll hear from CASARA. Then
 9 break for a couple of minutes. Then get the
 10 roundtable up and running. However, that's just
 11 a suggestion.
 12
 13 What do other counsel think of that?
 14 RALPH, Q.C.:
 15 Commissioner, I'm not sure exactly how tomorrow
 16 is working in terms of roundtable. I don't know.
 17
 18 Have I received an email or something about what
 19 the plan is for tomorrow afternoon, because I'm
 20 not familiar with the plans.
 21 MR. BUDDEN:
 22 I can talk a bit more about that. Other people
 23 may -- we've had discussions about it.
 24

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1 What we're envisioning is a roundtable that will
 2 include the members of the search and rescue
 3 community who are here today: Mr. Rumbolt,
 4 Mr. Williams, Mr. Blackmore, Mr. Smith,
 5 Ms. Bradley, and a couple of others with perhaps
 6 counsel, Mr. Lieutenant Colonel Williams, and
 7 perhaps counsel stepping back a bit.
 8
 9 Added to that will be some other members of the
 10 search and rescue community, a couple from Bay of
 11 Islands, including Adam Gaudet and Garry
 12 Dalrymple and Christine Doucet.
 13
 14 Melanie O'Brien will be back. We will be
 15 hearing, possibly, from Karen Didham and also
 16 from a woman Jen Gerson who works in search and
 17 rescue in Labrador -- rather, in Alberta.
 18
 19 And we'll also be hearing from a person from the
 20 School of Social Work at Memorial, somebody from
 21 the Volunteer Bureau at Memorial, and from one or
 22 other two people from the outdoors volunteer
 23 community.
 24

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1 And what we envision is a discussion that's
 2 really focused around two questions.
 3
 4 One is given the decline in the search and rescue
 5 NLSARA membership which, as we've heard, is
 6 really a product of people moving out of
 7 Newfoundland and the community growing older, how
 8 best to recruit.
 9
 10 How to appeal to perhaps members of groups that
 11 are somewhat underrepresented in the present
 12 community. And a little bit about, perhaps,
 13 bringing people in, say, from a social work
 14 background who might be particularly helpful
 15 given how search and rescue -- the dynamics of
 16 who is being searched is changing. And the
 17 second discussion will really be more around
 18 that.
 19
 20 The future of search and rescue. Talk a little
 21 more about the necessity of adapting to a world
 22 where, perhaps, the majority of the searches will
 23 become searches for individuals with mental
 24 illnesses and similar challenges rather than the

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1 traditional lost berry picker.
 2
 3 So that would be more of a traditional
 4 roundtable, less of a judicial process like we
 5 are having here. But it will be fairly a
 6 discussion led by Michael Claire. Thank you.
 7
 8 So I hope you find that helpful, Mr. Ralph. And
 9 that leaves the matter of the scheduling of
 10 CASARA, and whether people feel to start at
 11 12:30, which is a bit of an awkward time to
 12 start, but it might make sense for rather than
 13 all of us come here and come back several hours
 14 later.
 15
 16 Perhaps put it this way: Does anybody have an
 17 issue with starting at 12:30?
 18
 19 Would their preference be to start at 9:00 and
 20 then break for three hours or so?
 21 RALPH, Q.C.:
 22 Yeah. I mean, a 12:30 start is fine with me. In
 23 terms of judging how much time is required to do
 24 the work that you're anticipating, I mean I

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1 wouldn't be able to make comment on that.
 2
 3 But certainly, if you want me here 12:30, and
 4 Mr. Rumbolt to be here 12:30, then we'll
 5 certainly oblige.
 6 MR. BUDDEN:
 7 Thank you. Counsel for the federal government?
 8 MR. FREEMAN:
 9 We'd be okay with the 12:30 start as well, and
 10 that sounds fine. And Sergeant Williams is
 11 prepared to participate in that
 12 conversation/roundtable, as you've proposed.
 13
 14 Am I correct in hearing that perhaps Lieutenant
 15 Colonel Marshall would not be required to be in
 16 attendance tomorrow; is that right?
 17 MR. BUDDEN:
 18 I understand if he is unable to be here, and I
 19 agree that we've heard valuable evidence from
 20 him, and perhaps tomorrow where this is really
 21 more about, pretty explicitly, ground search and
 22 rescue, not air support, him being excused isn't
 23 an issue.
 24

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1 There is the CASARA piece, but, again, we've
 2 heard valuable evidence from him. We will have
 3 Mr. Williams here.
 4 MR. FREEMAN:
 5 Thank you.
 6 MR. BUDDEN:
 7 If he is unable to be here, that's not an issue
 8 for the Commission I don't think.
 9 MR. FREEMAN:
 10 Okay. Thank you. And it should be -- he very
 11 well may be. I just wanted to check and see if
 12 you were expecting him as part of the roundtable
 13 that you were referring to, but it sounds like
 14 not.
 15
 16 But as you said, with the CASARA piece that maybe
 17 that will be a different topic that he would be
 18 more apt to be involved in. So we'll reserve on
 19 that for now.
 20 MR. BUDDEN:
 21 I don't think we anticipate dragging anybody from
 22 the roundtable, but I guess certain people seem
 23 to naturally be a fit for it. And if others feel
 24 they should be there, then it's a big room.

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1 MR. FREEMAN:
 2 Thank you.
 3 MR. BUDDEN:
 4 Mr. O'Keefe, are you fine with a 12:30 start?
 5 MR. O'KEEFE:
 6 Yes, that's okay. Thank you.
 7 MR. BUDDEN:
 8 Mr. Williams?
 9 WILLIAMS, Q.C.:
 10 I have no problems for 12:30 start. I just
 11 wondered would it make more sense if we had a
 12 9:00 start and worked all the way through. And
 13 then it being the start of a long weekend, or do
 14 we have to wait until --
 15 MR. BUDDEN:
 16 We thought of that, but where a valuable person
 17 is coming in from Alberta and we didn't feel we
 18 could fairly ask that person to start at 5:30
 19 a.m. And also some of the Corner Brook people,
 20 various people from the afternoon simply works
 21 better.
 22 WILLIAMS, Q.C.:
 23 I have no objections.
 24

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1 COMMISSIONER IGLOLIORTE:
 2 Before Mr. Bartlett leaves, I just want to say
 3 thank you so much for having participated all
 4 along.
 5
 6 Thank you very much from the family for taking
 7 their thoughts into consideration, and for you
 8 and Mr. O'Keefe to be able to still submit what
 9 you had to say.
 10
 11 I've seen your life history. I've seen how much
 12 you've accomplished and how passionate you are
 13 about search and rescue, as well as your work
 14 with Canadian Coast Guard and Coast Guard
 15 Auxiliary, but most of all we have to be firmly
 16 in belief that we should add no more harm to the
 17 family who have experienced so much trauma.
 18
 19 But again, thank you for your consideration.
 20 It's really valuable that you would take that
 21 step.
 22 MR. BUDDEN:
 23 Thank you, Mr. Commissioner. I think our work
 24 here is done.

1 And perhaps we can break until tomorrow at 12:30.

2 THE CLERK:

3 All rise. This Commission of Inquiry is
4 concluded for the day. Thank you.

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6 (Inquiry is adjourned.)

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4 C E R T I F I C A T E

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8 I, Beverly Guest, of Elite Transcription, of
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18 Certified By:

19

20

21 _____
22 Beverly Guest,
23 Court Reporter

22

23

24

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