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1 CLERK:  
 2 Q. This Commission of Inquiry is now open.  
 3 Commissioner James Igloliorte presiding as  
 4 commissioner. Please be seated.  
 5 COMMISSIONER:  
 6 Q. Thank you very much, Madame Clerk, and  
 7 welcome back everybody to this final  
 8 session, we're referring to as response to  
 9 the draft recommendations. Very happy to  
 10 see that everybody else has been able to  
 11 make it. I understand that Mr. O'Keefe may  
 12 or may not be here shortly, but in any  
 13 event, his submission is being covered off.  
 14 Thank you.  
 15 Yes, so just one word of housekeeping  
 16 and that is as before, we will be keeping  
 17 our masks on in this facility, but removing  
 18 them for the purpose of being able to hear  
 19 properly on the PA system. I think we're  
 20 about ready to begin.  
 21 I'll just make one little statement  
 22 from our last session. I hereby refute any  
 23 optimistic statements I made of being on  
 24 time or on budget completely. Hopefully  
 25 that'll work itself out, but yeah, we're

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1 very close thanks to all of your diligent  
 2 work. I'll hand it over now to Mr. Budden.  
 3 MR. BUDDEN:  
 4 Q. Thank you, Mr. Commissioner. Just for the  
 5 benefit of everybody here, since the  
 6 Commission last met at the end of the round  
 7 tables, we have been to Labrador.  
 8 Specifically, our intention was to fly to  
 9 Mary's Harbour to hear from the NunatuKavut  
 10 Community Council and unfortunately that  
 11 trip we were unable to make because of  
 12 weather issues that prevented our helicopter  
 13 flying. However, we were able to adapt with  
 14 great cooperation of President Russell and  
 15 his team and we had a very effective meeting  
 16 by Zoom and heard from the Community Council  
 17 and also from MP Yvonne Jones.  
 18 The following day, we went to Nain.  
 19 That trip was successful and we heard from  
 20 President Johannes Lampe of the NG and also  
 21 from Sid Pain of the Nain Ground Search and  
 22 Rescue Team.  
 23 We have further consultations planned  
 24 for later this week with representations of  
 25 the Innu Nation and GSAR team members from

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1 Natuashish and Sheshatshiu. So, that's a  
 2 little bit about the work of the Commission.  
 3 How we intend to proceed today is we'll  
 4 be hearing from, firstly from our mental  
 5 health, Louise Bradley; next from Harry  
 6 Blackmore, president of Newfoundland and  
 7 Labrador Search and Rescue Association; then  
 8 from Tom Williams, counsel to the Winters  
 9 family; then from Allison Philpott who is  
 10 counsel to the concerned citizens group,  
 11 Concerned Citizens for Search and Rescue I  
 12 believe; then from Peter Ralph for the  
 13 Government of Newfoundland and Labrador and  
 14 then from Mark Freeman and Corrine Bedford  
 15 on behalf of the Government of Canada and  
 16 its agencies represented here.  
 17 So, if there's no other further  
 18 housekeeping matters, perhaps Ms. Bradley,  
 19 you can begin with your comments on the  
 20 draft recommendations.  
 21 MS. BRADLEY:  
 22 Q. Thank you very much. I want to – just some  
 23 very brief comments and start off by saying  
 24 again congratulations to the Inquiry for  
 25 including mental health in such a robust

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1 way. I think that we heard countless times  
 2 when evidence was being given of the mental  
 3 health impacts from the trauma endured  
 4 during searches by both the searchers and  
 5 the families and I think casting a light on  
 6 that is extremely important and I think  
 7 that, you know, the next step then -- this  
 8 is one step towards making the mental health  
 9 component as important as the equipment and  
 10 other health components in searches.  
 11 So, I'm – I think that the  
 12 recommendations following all of those  
 13 evidence and discussions that I had with  
 14 individuals is reflective of what needs to  
 15 go forward. So, my sincere hope is that  
 16 those recommendations pertaining to mental  
 17 health supports and training will be heeded  
 18 and that there will be some action taken to  
 19 implementing them.  
 20 So, thank you very much for including  
 21 mental health and including myself. It has  
 22 been a real pleasure, to say nothing of a  
 23 huge learning curve, but it's wonderful.  
 24 So, thank you very much.  
 25 MR. BUDDEN:

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1 Q. Thank you, Ms. Bradley. I overlooked one  
 2 housekeeping matter. We have a number of  
 3 exhibits to enter, so I apologize, Harry,  
 4 perhaps if you could let me deal with this  
 5 and then we'll turn to you. So, we do have  
 6 some exhibits to enter that either came in  
 7 at the tail end of our final round of  
 8 roundtable discussions too late for us to  
 9 enter at that hearing or have come in in the  
 10 subsequent consultations.  
 11 So, Exhibit 202 will be the CASARA  
 12 PowerPoint presentation that we received at  
 13 our final day, I believe, or second final  
 14 day of the roundtable consultations. That  
 15 would be 202, Madame Clerk, I believe.  
 16 CLERK:  
 17 Q. Yes.  
 18 EXHIBIT ENTERED AND MARKED EXHIBIT 202  
 19 MR. BUDDEN:  
 20 Q. The next exhibit is the CASARA video, also  
 21 presented at that time, which would be  
 22 Exhibit P-203.  
 23 CLERK:  
 24 Q. Correct.  
 25 EXHIBIT ENTERED AND MARKED EXHIBIT P-203

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1 MR. BUDDEN:  
 2 Q. The next one was a submission from the  
 3 NunatuKavut Community Council that we  
 4 received – was presented to us this past  
 5 week, this past Tuesday I believe, and – or  
 6 Monday rather, and that would be Exhibit –  
 7 the submission is Exhibit P-204.  
 8 CLERK:  
 9 Q. Correct.  
 10 EXHIBIT ENTERED AND MARKED EXHIBIT P-204  
 11 MR. BUDDEN:  
 12 Q. P-205 would be a document entitled  
 13 Testimonials that was a companion document  
 14 to the submission also presented to us by  
 15 the NCC on that occasion. That would be P-  
 16 205.  
 17 CLERK:  
 18 Q. Correct.  
 19 EXHIBIT ENTERED AND MARKED EXHIBIT P-205  
 20 MR. BUDDEN:  
 21 Q. P-206 is a document entitled, I believe,  
 22 Speaking – Johannes Lampe Speaking Notes,  
 23 which would – was presented to us in Nain on  
 24 this past Tuesday. That would be P-206.  
 25 CLERK:

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1 Q. Correct.  
 2 EXHIBIT ENTERED AND MARKED EXHIBIT P-206  
 3 MR. BUDDEN:  
 4 Q. P-207 is the submission from Leonardo  
 5 Helicopters that we received late this past  
 6 week and that would be Exhibit P-207.  
 7 CLERK:  
 8 Q. Correct.  
 9 EXHIBIT ENTERED AND MARKED EXHIBIT P-207  
 10 MR. BUDDEN:  
 11 Q. 208 is the submission from Counsel Williams  
 12 on behalf of the Winters family that we  
 13 received yesterday, I believe, or Saturday,  
 14 and again that's 208.  
 15 CLERK:  
 16 Q. Correct.  
 17 EXHIBIT ENTERED AND MARKED EXHIBIT 208  
 18 MR. BUDDEN:  
 19 Q. That's our – no, yes, there's one more  
 20 exhibit. Exhibit 209 received just this  
 21 morning is the submission from the  
 22 Government of Canada and its agencies in  
 23 response to the draft recommendations. That  
 24 would be 209.  
 25 CLERK:

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1 Q. That's correct.  
 2 EXHIBIT ENTERED AND MARKED EXHIBIT 209  
 3 MR. BUDDEN:  
 4 Q. We anticipate several more submissions.  
 5 Yvonne Jones MP spoke to the Commission also  
 6 last Monday by Zoom from Mary's Harbour. I  
 7 understand from her office that her written  
 8 presentation will be received by us early  
 9 this week and I understand as well that the  
 10 Concerned Citizens for Search and Rescue  
 11 will be doing a write-up of their  
 12 submissions that we will hear in oral form  
 13 today and that we will receive in writing,  
 14 so I'm advised by Ms. Philpott, in the days  
 15 ahead.  
 16 MS. PHILPOTT:  
 17 Q. Correct.  
 18 MR. BUDDEN:  
 19 Q. So, that is it for – I believe, unless I've  
 20 missed something, Madame Clerk?  
 21 CLERK:  
 22 Q. No.  
 23 MR. BUDDEN:  
 24 Q. Thank you. So, those are the submissions  
 25 for the exhibits to enter today and perhaps

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1 Mr. Blackmore, you can give us your response  
 2 to the draft recommendations.  
 3 I should note as well, these very much  
 4 are draft recommendations. The Commissioner  
 5 obviously will be considering what he hears  
 6 here today in the shaping of those  
 7 recommendations into their final form. Go  
 8 ahead, Mr. Blackmore, when you're ready.  
 9 MR. BLACKMORE:  
 10 Q. Okay, thank you. Since the draft  
 11 recommendations come out -- I know there are  
 12 a few more exhibits that should be coming  
 13 in. I think they were sent to the  
 14 gсарinquiry.ca email this past weekend. So,  
 15 you should be getting a couple of more of  
 16 those.  
 17 But, after the draft recommendations  
 18 came out, we pretty well contacted most of  
 19 our teams that are out there, especially the  
 20 ones that were involved somewhere across the  
 21 Province and Labrador, to see what they  
 22 thought of it all. Overall, they thought  
 23 they were, in their words, all right.  
 24 And we went down through it all, piece  
 25 by piece. We are glad to see some of the

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1 recommendations that are in there. Some of  
 2 them I think, if they ever come to fruition  
 3 (phonetic), it'll be a miracle. If we can  
 4 get an MOU signed with everybody that's on  
 5 this sheet, good luck, because we've been  
 6 trying it for years.  
 7 But, I would like to thank the  
 8 Commission, if nothing else, for making the  
 9 general public and, I think, the Government  
 10 partners aware of how GSAR works in  
 11 Newfoundland and Labrador and since the  
 12 Inquiry, it's been very busy.  
 13 We actually have a team out again today  
 14 in Exploits. It's two young fellows went  
 15 out in a 14-foot aluminum boat with a two  
 16 horsepower motor in saltwater and right now,  
 17 we were tasked -- once we seen what we had,  
 18 we actually called in for Coast Guard and  
 19 because of certain people being involved,  
 20 last night the Cormorant was dispatched and  
 21 Aurora aircraft was dispatched. The Coast  
 22 Guard mothership was dispatched for this  
 23 person or people. They're hard to find  
 24 because there's all dressed in camo, plus  
 25 the boat. They were out duck hunting.

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1 And other teams have been also out that  
 2 made some comments on this from Red Indian  
 3 Lake, which you all heard out in Grand  
 4 Falls. They've been out three times in the  
 5 last week and a half. So, it's been busy.  
 6 Some of the conditions of this coastal  
 7 searches -- we're not 100 percent sure  
 8 exactly the way this reads, what's the  
 9 intent, but we do have a good working  
 10 relationship with Coast Guard when we do  
 11 call them. So, that one there, it's just  
 12 keep on going, see what we can do.  
 13 The 911 part, the Association feels  
 14 that we shouldn't be dispatched by 911.  
 15 That was only one team's organization. It  
 16 still should go through the police or the  
 17 ambulance department, if they're being  
 18 called. We don't self-task, so therefore  
 19 911 can't task us. They have to go through  
 20 one of the agencies or none of our  
 21 insurances will kick in place or anything  
 22 else. So, that's a bit of frustration for  
 23 them, but we are working on it.  
 24 Since then, there has been some  
 25 meetings on the go at the -- we'll call it

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1 the higher level of the Ministers to do with  
 2 the whole thing of dispatching GSAR for  
 3 people that are hurt in the woods. There  
 4 was another one this weekend in Torngat  
 5 Mountains. The Cormorant ended up going on  
 6 the end of it, but that happened this  
 7 weekend and it was done through an in-reach.  
 8 That's how they were actually spotted or  
 9 notified.  
 10 The funding part, we're happy with that  
 11 naturally, because if you go from nothing to  
 12 what's written in this, we got nowhere to go  
 13 but up and thank you for the year's work I  
 14 got ahead of me if that comes true.  
 15 The insurance part, hopefully this will  
 16 come and be straightened out. We're trying  
 17 to get a meeting with Government. We had  
 18 one planned for three weeks ago that was  
 19 cancelled again, so we're hoping this one  
 20 will go ahead and that's this month coming.  
 21 The insurance is a big part of what we're  
 22 doing and it takes care of a lot of  
 23 different things. We're having things like  
 24 this put in place, especially now that the  
 25 humanitarian issue has gone ahead basically

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1 from the Federal Government in Ottawa under  
 2 Public Safety Canada. Now that teams are  
 3 being brought from all over the country to  
 4 help with other Provinces and Territories,  
 5 so insurance is a big issue. We've had  
 6 meetings on it Friday past and we also had  
 7 them on Saturday, but it is moving forward  
 8 hopefully.

9 Recruitment. Recruitment, we looked at  
 10 here and to our part, we don't see anything  
 11 wrong with the recruitment. We want to make  
 12 sure that anybody who wants to join can join  
 13 and as I said to Mr. Budden earlier, we  
 14 don't see holding any particular recruitment  
 15 for anybody in particular because we don't  
 16 have discrimination against anybody. If  
 17 they want to join, join. And so our members  
 18 weren't 100 percent behind that one, but  
 19 it's open to whoever does want to come into  
 20 the system and they'll be trained the same  
 21 as everybody else. And I know there is a  
 22 submission coming in out of Natuashish  
 23 (phonetic). It should have come to you this  
 24 weekend. It was sent on Friday.

25 Training. We have no problems with the

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1 training part of it going through, where  
 2 it's all feasible to get done and, but with  
 3 training going into the communities, it's a  
 4 great idea. We've talked about it for  
 5 years, but hopefully now if some of this  
 6 funds come through, that's what we are  
 7 planning. But it all will depend on the  
 8 funding part of it itself. Otherwise, we  
 9 have to bring one person out and try to  
 10 train them to go back and that's all we can  
 11 do.

12 The areas of coverage was discussed  
 13 among the teams. We know there is a couple  
 14 of places we need to put a few more teams,  
 15 but it takes time, energy and money to get  
 16 it done. We have three identified in  
 17 Labrador that we've been working on. One is  
 18 pretty well a go. But, once that gets done  
 19 – one thing you have to remember, you can't  
 20 put a team in every single community. I  
 21 know we'd like to, but it just is impossible  
 22 to keep – to do and it is impossible to keep  
 23 straightened out and the funding, if you  
 24 think two million dollars is a lot, you  
 25 better open up your chequebook because every

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1 single team takes a certain amount of energy  
 2 out there to get done. So, we look at it  
 3 that if a team is fairly close, one team can  
 4 cover off other areas. They can have two or  
 5 three people, because people can join from  
 6 different spots and go from there.

7 Civil air search and rescue, we'll be  
 8 working with those people the same as we  
 9 always work with them. If we can use them,  
 10 we'll use them. That's not a problem.

11 Technology, that's pretty well  
 12 straightforward. As much as we can do with  
 13 technology, we will. In reaches, SAT  
 14 phones, all that type stuff that we've been  
 15 using, that's to continue on and hopefully  
 16 if the Inquiry's funding process goes  
 17 through, we can help burden some of the  
 18 teams with that in paying for their in  
 19 reaches and everything else that they're  
 20 using.

21 We had a great discussion on the audit  
 22 part of search and rescue and doing an  
 23 external audit, an assessment and training  
 24 on the core competency. We follow the  
 25 national core competencies of Canada, which

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1 are laid out by Search and Rescue Volunteer  
 2 Association of Canada, straightforward.  
 3 Everybody here have a copy of those. So,  
 4 that's what we follow. As to bringing an  
 5 external person in to do an audit, I don't  
 6 know who you would bring in, but we're open  
 7 to any kind of audit, whether it's financial  
 8 or training wise. Doesn't matter to us. We  
 9 got it all done. We're doing it all the  
 10 time to ourselves and one of the big things  
 11 is with our provincial training committee,  
 12 we have those people who are doing audits on  
 13 this all the time to make sure that  
 14 everything is done and tracked under the  
 15 technology system under EMRIC (phonetic) is  
 16 the one we use.

17 And at the present time, we're involved  
 18 with a group out of Saskatchewan called  
 19 CanOps. They're actually doing a study on  
 20 all the tracking systems right across the  
 21 country for GSAR. They sent me an invite  
 22 yesterday or Friday, matter of fact, to do a  
 23 meeting in Vancouver in December. So, I  
 24 told them that'll be declined for sure, too  
 25 close to Christmas. And but we will talk to

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1 them by Zoom. But it's been looked at as  
 2 between the EMRIC (phonetic), D4H.  
 3 Saskatchewan has a separate one. CanOps is  
 4 trying to put a federal one in. So, there's  
 5 three or four on the move along with  
 6 Canadian Coast Guard.  
 7 Mental health, we've already started  
 8 some discussions with different people.  
 9 Some people are from the Health Sciences  
 10 that we were dealing with and I would be  
 11 very surprised if Ms. Bradley doesn't hear  
 12 from some people by Christmas or just after.  
 13 We're just waiting to see where all this  
 14 unfolds first. But, that's been a big issue  
 15 with us, so we're going to go ahead with  
 16 that one anyway, one way or another, and see  
 17 where it all goes.  
 18 The rest of it that we seen, the  
 19 interaction with families, to us that's a  
 20 police thing. We do do some interaction  
 21 with them, but mainly that is a police thing  
 22 that we see overall.  
 23 But we're happy with the Commission on  
 24 what we've seen and heard so far. We are  
 25 looking forward to the final draft that

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1 would come out the end of the month  
 2 hopefully and go from there.  
 3 We've been talking to the different  
 4 teams since this came out. Barry Anderson,  
 5 who you all met, he did an interview with  
 6 CBC in Labrador. They did call and we put  
 7 them straight back to Barry because it was a  
 8 Labrador. Since then, we had an AGM held in  
 9 St. John's. We brought most of – asked all  
 10 the teams to come. We got most of them.  
 11 And Barry is now the director for search and  
 12 rescue on the north coast of Labrador. We  
 13 split Labrador into two regions. One takes  
 14 in all the coast, which would be Barry, and  
 15 the other one will take in the three teams  
 16 from Goose Bay to Lab West and Churchill  
 17 Falls. So, they're all moving forward with  
 18 our provincial training team, how we're  
 19 trying to do it, and go from there.  
 20 Overall, it's not a big – much more we  
 21 got to say about it. We think this has to  
 22 be tightened up a little bit because of the  
 23 MOU part and if the Commissioner can get the  
 24 MOU part to work. I know it's only a  
 25 recommendation. Kudos to him.

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1 We all work together in a cohesive way,  
 2 I suppose. It's just that the bureaucracy  
 3 part of it a little bit gets everybody  
 4 frustrated and that happens. But, we have  
 5 been talking to different people. We met  
 6 with the new wing commander from Nine Wing  
 7 Gander last Friday.  
 8 And we are putting in a NIF grant,  
 9 which we told you about before. Last year  
 10 we got turned down to do highline rescue  
 11 with the smaller helicopters because it's  
 12 all right to say someone is hurt in the  
 13 woods and stuff like this, but if we got to  
 14 get them out, a lot of times we got to wait  
 15 three-four hours for a helicopter and so,  
 16 she actually gave us a letter of support  
 17 from DND supporting the highline system that  
 18 we're talking about, which is called Boost,  
 19 so that if we do have a person that's  
 20 injured, we can get them out of the woods  
 21 fairly quick. It's great when you can get  
 22 them out with the Cormorant, but if you got  
 23 to wait four to five hours, which we've done  
 24 numerous times, that's not on for us.  
 25 Nighttime makes a bit of difference, but if

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1 we got to, we can stay overnight and lift  
 2 them out in the morning, if we got to, or  
 3 get the bigger gear in.  
 4 But we still find the smaller  
 5 helicopters better than the big stuff. The  
 6 bigger helicopters are great for big, big  
 7 searches, but in small area when they come  
 8 in, it does make things a bit difficult  
 9 trying to get everything done because they  
 10 blow the tops off the trees on you just  
 11 about. So, but we're working altogether and  
 12 hopefully if we get a NIF grant this year,  
 13 we'll be able to put this in park. If not,  
 14 we'll be going back to Government again. We  
 15 went back to them last June to try to get  
 16 this put in through the Provincial  
 17 Government and we haven't heard anything on  
 18 it since. So, hopefully all that part will  
 19 work too, and they are supporting our NIF  
 20 program to try to get it through the Federal  
 21 funds, but we don't know if that'll come or  
 22 not.  
 23 So, overall, that's my take on the  
 24 recommendations. Like I said, we are glad  
 25 to see them and I just hope a lot of it can

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1 be put into the system. I do understand  
 2 it's only a recommendation and you have no  
 3 power to be able to do it. But, I guess  
 4 then it's up to us to go after the  
 5 Department of Justice, who we answer to, to  
 6 make sure as much of this is put in place as  
 7 possible. Thank you.

8 MR. BUDDEN:  
 9 Q. Thank you very much, Mr. Blackmore. Mr.  
 10 Ralph, would you like to make your – no, I'm  
 11 sorry, I overlooked Mr. Williams.

12 WILLIAMS, Q.C.:  
 13 Q. Thank you, Mr. Budden. Good morning,  
 14 everybody. Nice to see everybody back  
 15 again. Hopefully we'll get things wound up  
 16 today and the matter will be in the  
 17 Commissioner's hands.  
 18 First of all, I'd like to take the  
 19 opportunity to thank both the Commissioner  
 20 and his staff, as well as all parties in the  
 21 room with respect to their sincere  
 22 expressions and gestures that were shown to  
 23 the Winters family throughout this entire  
 24 process. I've had an opportunity since  
 25 obviously this matter has been concluded

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1 from the formal hearings to speak with the  
 2 Winters family and they are all very  
 3 grateful for the respect that they were  
 4 shown, as well as they truly felt like they  
 5 were included in this process and they were  
 6 listened to, and I think that's something  
 7 that's very important.  
 8 I'll keep my remarks relatively brief,  
 9 given that I have submitted a very detailed  
 10 written brief both for the Commissioner's  
 11 benefit and as well for the benefit of the  
 12 family.  
 13 As we all know, this matter, I guess,  
 14 came to fruition or started back in January  
 15 2012 when the Winters family, together with  
 16 the community in Labrador at large, as well  
 17 as the Province, and even across the  
 18 country, fought for an inquiry into the loss  
 19 of young Burton Winters. I think everybody  
 20 would agree that this inquiry probably would  
 21 not have happened but for their relentless  
 22 dedication for nearly ten years to make it  
 23 happen.  
 24 On January 14th, 2021, that all came to  
 25 fruition when the inquiry was officially

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1 called. And although it wasn't solely  
 2 focused on Burton's loss, it would serve a  
 3 greater good to try and ensure that this  
 4 type incident may never happen again and no  
 5 other family would have to endure the pain  
 6 and suffering that the Winters family have  
 7 gone through.  
 8 Mr. Commissioner, the Winters family,  
 9 and on their behalf, we've taken this  
 10 process very serious from the very outset,  
 11 both as it relates to the loss of their son  
 12 and their grandson and as well as to see  
 13 improvements to the system as a whole.  
 14 They've stated publicly on a number of  
 15 occasions that while they know they can't  
 16 bring Burton back, they just hope that the  
 17 system can be improved so nobody else has to  
 18 go through it again.  
 19 As everyone knows, the family has been  
 20 engaged, first working with myself over the  
 21 last four years in particular, as well as  
 22 meeting with the Commissioner and his staff  
 23 on a number of occasions and fully  
 24 participating in the Inquiry proceedings at  
 25 every opportunity they had, and again are

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1 grateful for the opportunities that the  
 2 Province, as well as the Commissioner,  
 3 provided them to participate both in their  
 4 home community of Makkovik, as well as  
 5 having the opportunity to attend in St.  
 6 John's. They attended every day that they  
 7 could be here.  
 8 Mr. Commissioner, as you're aware,  
 9 we've submitted a very detailed submission  
 10 on behalf of the family and in discussing  
 11 this matter with them, they were of the  
 12 opinion that their views and concerns should  
 13 be captured in writing for the record and  
 14 given their commitment to the process, they  
 15 wanted a document that captured their issues  
 16 and concerns into the future.  
 17 As recently as this weekend, Natalie  
 18 Jacque emailed me and stated "Tom, thank you  
 19 for putting this together. It's difficult  
 20 to read through, but it will be a keepsake  
 21 as a timeline throughout this whole ordeal.  
 22 It means a lot." And while we all have  
 23 electronic systems, I think being able to  
 24 provide them with a paper document that they  
 25 will carry into the future means something.

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1 As you know from the outline, I'm not  
 2 intending to go through the entire  
 3 submission that we've made, but I think  
 4 through this process, we are grateful that  
 5 the Commissioner saw fit to take time in  
 6 Makkovik, as well as his counsel, to  
 7 recognize some of the events and to review  
 8 the situations that happened in relation to  
 9 Burton. This is something that was very  
 10 important to the family and we stated it at  
 11 the very outset when the terms of reference  
 12 were being stated that we would like to look  
 13 on this at this aspect and I know there were  
 14 other cases that were included.  
 15 I'm not going to go through the  
 16 detailed analysis of the events back in  
 17 January of 2012 but I think that that study  
 18 and the time that we spent on it was  
 19 worthwhile in that it brought to light a  
 20 number of things that we can take forward  
 21 and take out of this, both for the Winters  
 22 family, as well as ground search and rescue  
 23 as a whole.  
 24 First of all, the family wanted to note  
 25 the commitment and the dedication of the

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1 GSAR crews and the community volunteers.  
 2 They said it was absolutely phenomenal how  
 3 the community came together and went out and  
 4 helped their family look for their son, as  
 5 well as the efforts that were put in by  
 6 local RCMP officers.  
 7 There were some issues, and again,  
 8 we're not going to dwell on all of them, but  
 9 I will highlight them for the purposes of  
 10 the record that they had noted in our  
 11 discussions. There exists obviously some  
 12 serious issues with respect to the lines of  
 13 communication as it relates to when GSAR  
 14 missions are initiated and followed through,  
 15 those being discussions and communications  
 16 between RCMP and police resources, GSAR  
 17 resources, FESNL, and Department of National  
 18 Defence when authorizing and deploying  
 19 resources. They just feel that this could  
 20 be done in a more timely and efficient  
 21 manner.  
 22 I think also that came out and was a  
 23 discussion in Labrador is with respect to  
 24 some of the definitions and application as  
 25 to what constitutes marine incidents. I

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1 knew and I appreciate that the Federal  
 2 Government are here through their own  
 3 cooperation and we are grateful and  
 4 acknowledge that and we know also appreciate  
 5 that the Inquiry does not have the authority  
 6 to make binding recommendations on  
 7 Department of National Defence. But I think  
 8 by having some of these matters highlighted  
 9 in the manner in which the Commissioner has  
 10 done in his draft recommendations, it does  
 11 allow for consideration by both Provincial  
 12 and Federal counterparts of what they could  
 13 do to improve the system. I think we'll all  
 14 agree, while none of this can be mandated,  
 15 everybody wants to see some improvements in  
 16 the system and one such improvement may be  
 17 the review of portions of the operational  
 18 manuals for search and rescue by the Federal  
 19 Government so that some of the, I think,  
 20 deficiencies or some of the issues that we  
 21 saw in terms of defining vessels, defining  
 22 marine incidents. You know, the  
 23 seadoo/skidoo example that we talked about  
 24 kind of highlighted some of the things that  
 25 could be looked at going forward.

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1 There also appears to be some serious  
 2 issues with respect to Labrador, and this is  
 3 for search and rescue in general. Labrador,  
 4 because of its geographical structure, its  
 5 harsh climate, has its own unique systems.  
 6 Not only is it the north, but there are a  
 7 number of coastal communities, and when we  
 8 speak about the deployment of resources, and  
 9 whether they be Provincial resources or  
 10 whether they be Federal resources, just the  
 11 time lag of trying to get resources deployed  
 12 out of various areas seems to be a concern.  
 13 While we appreciate that DND do have  
 14 resources in Happy Valley, in this  
 15 particular instance, they were down and so  
 16 resources may have had to be deployed out of  
 17 Gander. Well, we were talking timelines  
 18 between readiness and actually getting  
 19 there, five, six, possibly seven hours, and  
 20 in the case of search and rescue, that's a  
 21 long period of time.  
 22 So, given the geographic location and  
 23 the uniqueness of Labrador, we really need  
 24 to have a look of having sufficient  
 25 resources placed in Labrador so they can

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1 respond in a more timely manner to search  
 2 and rescue requirements.  
 3 Again, whether or not there needs to be  
 4 reviewing of maintenance and upkeep records  
 5 so that -- in this case obviously nothing  
 6 was intentional, but it seemed like the  
 7 Bermuda triangle when it came to maintenance  
 8 records and that there were a number of  
 9 resources down, and whether or not there  
 10 needs to be review on this aspect.  
 11 As highlighted by the Commissioner,  
 12 perhaps one of the biggest issues that  
 13 surfaced is that the Province has no ability  
 14 for nighttime search and rescue efforts by  
 15 way of aeronautical resources. This to me  
 16 seems to be a blatant void in the system.  
 17 We should not have a system whereby once it  
 18 gets dark we have to call off search and  
 19 rescue because we don't have resources.  
 20 Obviously ground search and rescue crews are  
 21 limited by where they can go in the dark,  
 22 but if there was proper resources, they  
 23 should be readily available.  
 24 And I think that also came to highlight  
 25 that while, you know, we don't anticipate

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1 that the Province is going to bring on its  
 2 own helicopter fleet for search and rescue,  
 3 given expenses, we did have the opportunity  
 4 to see that there are private resources that  
 5 may be available to be utilized. Now, these  
 6 are all big ticket items, big ticket money  
 7 items, and we appreciate that, but that's  
 8 not to say that the Province could not look  
 9 at a pilot project in consultation with  
 10 private resources whereby some of these  
 11 resources could be utilized when required.  
 12 I guess the final issue in terms of the  
 13 Makkovik matter, and I know it's been  
 14 highlighted quite clearly in our report, is  
 15 that there should be a policy whereby no  
 16 resource is not made available if required  
 17 to be engaged. Again, I won't go through  
 18 this in any great detail, but that is  
 19 probably one of the most troubling aspects  
 20 for the family as a whole is that there were  
 21 resources available that weren't deployed  
 22 and whether or not this process and policy  
 23 protocols need to be reviewed.  
 24 With respect to the roundtable sessions  
 25 and the cases that were under study, we

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1 thought this was a very good format in that  
 2 it allowed to see not only the strong points  
 3 of the system, but also some deficiencies  
 4 that may exist in our Provincial system.  
 5 There's clearly 26 highly trained and  
 6 dedicated SAR teams that are committed  
 7 volunteers across this Province. I think it  
 8 became obvious to all of us who were  
 9 involved in this process as a whole from the  
 10 very beginning that we had no idea of the  
 11 level of commitment, dedication and training  
 12 that is required of volunteers. And you  
 13 know, it's something that I think the  
 14 citizens of the Province should be made more  
 15 aware of for a couple of purposes, not only  
 16 for justification of more resources being  
 17 put into this field, but also for purposes  
 18 of recruitment in that we have a lot of  
 19 outdoorsmen, we have a lot of hunters, we  
 20 have a lot of people who enjoy using the  
 21 outdoors, who if were aware that this  
 22 service was in need of further volunteers,  
 23 they may give consideration to the same.  
 24 Without a doubt, there needs to be more  
 25 dedicated funding. While Government is

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1 under tight financial restraints, the area  
 2 of search and rescue is life and death.  
 3 This has to be a priority for Government and  
 4 we fully endorse the Commissioner's  
 5 recommendations in that extent.  
 6 As well, when it comes to funding, you  
 7 also have to look at technology. I know Mr.  
 8 Blackmore had the occasion to speak to the  
 9 drone resource that they have, the Rovers in  
 10 St. John's have, and the extensive use that  
 11 can be made of. While we know there  
 12 probably can't be 26 drones placed  
 13 throughout the Province, it comes to light  
 14 that both in the Winters' case and I know in  
 15 the more recent -- some of the more recent  
 16 search and rescue missions that missions are  
 17 delayed given the fact that resources have  
 18 to be flown in to conduct, whether it be  
 19 underwater searches, whether it be drone  
 20 searches, and if we had even regionally  
 21 placed resources so that this could be  
 22 accessed a little quicker, I think it would  
 23 certainly add to the system. So technology  
 24 needs to be reviewed.  
 25 Not everything is a money item. One of

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1 the things that I think that were  
 2 highlighted was the lack of communication  
 3 that exists between all search and rescue  
 4 agencies. While there are – there is  
 5 interplay obviously between police agencies  
 6 -- we have police agencies, we have ground  
 7 search and rescue, we have marine search and  
 8 rescue, and we have CASARA. It doesn't seem  
 9 – I'll quote because it kind of resonated  
 10 with me when she said it, when Edna Winters  
 11 came out and said "it seems like everybody's  
 12 in the sandbox, but they're not playing  
 13 together". It kind of rang true for a lot  
 14 of reasons.  
 15 We have all these great and talented  
 16 groups, but it seems that not everybody is  
 17 coordinating efforts, and this is just a  
 18 matter of setting up a system whereby these  
 19 groups could meet perhaps on a biannual  
 20 basis to review priorities and seek lobbying  
 21 of their own authorities to improve the  
 22 system. And I think this came out through a  
 23 number of people. I think of both the  
 24 Concerned Citizens Coalition, Merv Wiseman,  
 25 and I had the opportunity to speak with

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1 other Coast Guard rescue coordinators who  
 2 said that there needs to be better  
 3 communication and coordination as amongst  
 4 resources and while obviously for  
 5 jurisdictional purposes we do have  
 6 Provincial jurisdiction and Federal  
 7 jurisdiction, the area of search and rescue  
 8 requires that these blend together in a  
 9 better format.  
 10 The next area that I think we could  
 11 have a look at, without having a big money  
 12 item, is the area of mental health, and I  
 13 thank Louise Bradbury – Bradley, I'm sorry,  
 14 for her efforts and I thank the Commission  
 15 and Government because they brought Louise  
 16 in very early as a support system for the  
 17 Inquiry. But I think as a result of her  
 18 involvement in this Inquiry, we got a bigger  
 19 picture. It wasn't not just for the support  
 20 of families that were involved or searchers  
 21 and police resources. Through our  
 22 discussions, we realized that mental health  
 23 has been a major void in search and rescue  
 24 and I think if nothing else, this Inquiry  
 25 has established that and I think to address

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1 some of these issues could be done without a  
 2 big economic consequence.  
 3 I guess the only other aspect of people  
 4 who participated in the policy sessions was  
 5 CASARA, and I was contacted by members of  
 6 CASARA after we finished up our hearings and  
 7 I think again it came to light that this is  
 8 another resource that we have readily  
 9 available that is, for all intent and  
 10 purposes, a volunteer resource. These are  
 11 people who have their own equipment who  
 12 again like NLSARA are highly trained and  
 13 they can't wait to help out. And the  
 14 message that was given to me through  
 15 discussions with them is that "we're  
 16 underutilized. We're there to help, but we  
 17 don't get called to the degree that we  
 18 could." And again, that's something  
 19 obviously for the agencies involved to  
 20 consider and review with respect to  
 21 implementing changes to that end.  
 22 Mr. Commissioner, I won't go through  
 23 all the draft recommendations. I've  
 24 highlighted some aspects. We do endorse –  
 25 we endorse all the draft recommendations.

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1 Our report highlights it because I'm sure we  
 2 could all come up with a list of 15 or 20  
 3 items we'd like to see, all different from  
 4 the ones submitted. But obviously I was  
 5 pleased that it was highlighted and limited  
 6 to a degree that we're not looking at  
 7 hundreds of recommendations coming here that  
 8 are going to sit in a report and sit on a  
 9 shelf and never be acted.  
 10 I thought the efficiency of the report,  
 11 the draft recommendations was very good.  
 12 Our recommendations, we have expanded on  
 13 some. The issue with respect to  
 14 communications with families we thought was  
 15 very important in that that seems to be  
 16 there, but as Mr. Blackmore noted, that's  
 17 more the first line of defence that comes to  
 18 police resources and yet, when asked, they  
 19 don't have any formal policies they do try  
 20 to put in practice and that's not meant as a  
 21 criticism, but I think something that came  
 22 out of this whole inquiry is how important  
 23 communications is with both families during  
 24 traumatic events, as well as immediately  
 25 after to keep them updated and things of

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1 that nature.  
 2 So, our recommendations are before the  
 3 Inquiry. Like I said, we did add some new  
 4 ones and we've also tried to supplement some  
 5 other ones. But I think the important thing  
 6 about having submissions and having formal  
 7 records and transcripts of these things is  
 8 that even though a report will be formulated  
 9 and they're frequently not acted upon  
 10 immediately, that they were there. These  
 11 reports will be there for families of  
 12 missing persons. They'll be there for  
 13 police agencies related to search and rescue  
 14 and they'll be there for the Newfoundland  
 15 Search and Rescue Association that they will  
 16 be able to use and to continue to fight to  
 17 get the improvements that are needed.  
 18 So, this Inquiry started on a very  
 19 small isolated incident of one mission that  
 20 meant a lot to a family and to a region and  
 21 I think it's grown to serve the Province and  
 22 maybe search and rescue across the country  
 23 very well in that those comments that have  
 24 been made, and there's been evidence adduced  
 25 by experts in the field that we will

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1 hopefully see benefits to our Provincial  
 2 system and the system as a whole.  
 3 So once again, on behalf of the family,  
 4 we thank you for the opportunity to have  
 5 been involved to the extent that we are and  
 6 we wish all the best to you in the  
 7 completion of your report.  
 8 MR. BUDDEN:  
 9 Q. Thank you, Mr. Williams. Ms. Philpott,  
 10 would you now like to give the submission on  
 11 behalf of your group?  
 12 MS. PHILPOTT:  
 13 Q. So, I just have some brief comments, and as  
 14 Mr. Budden mentioned, we'll circulate them  
 15 in writing just shortly following today's  
 16 session.  
 17 So, first, we'd just like to endorse  
 18 the important recommendations included in  
 19 the draft regarding addressing funding and  
 20 recruitment for the GSAR groups, mental  
 21 health support for survivors and GSAR  
 22 personnel, examination of the 911  
 23 communications system in Labrador and  
 24 promoting the organization of GSAR teams in  
 25 communities where gaps exist on the southern

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1 Labrador coast. We saw all those areas that  
 2 needed to be addressed. So, we're pleased  
 3 to see them as part of the draft  
 4 recommendations.  
 5 In terms of proposed additions to the  
 6 recommendations, there are two topics we  
 7 feel are also important to consider moving  
 8 forward, one being a recommendation  
 9 regarding future efforts to further  
 10 harmonize ground search and rescue  
 11 coordination with maritime coordination, and  
 12 secondly recommendation to address the lack  
 13 of primary resources for large geographic  
 14 northern regions like Labrador. For  
 15 example, primary resources being stationed  
 16 in the Goose Bay military airbase or  
 17 civilian airport and the Inquiry did hear  
 18 evidence regarding commercial operators in  
 19 the Province that could be engaged for this  
 20 purpose.  
 21 And that's all at this moment that we  
 22 have to offer in terms of comments on the  
 23 recommendations, and we'll circulate this in  
 24 writing as well after the Inquiry. So, we  
 25 may provide some more details in that.

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1 Thank you.  
 2 MR. BUDDEN:  
 3 Q. Thank you, Ms. Philpott. Mr. Ralph, would  
 4 you like to now make the submission on  
 5 behalf of the Provincial Government?  
 6 MR. RALPH:  
 7 Q. Yes, thank you, Mr. Budden. Good morning,  
 8 Commissioner. For those who don't know, my  
 9 name is Peter Ralph and I represent the  
 10 Province of Newfoundland and Labrador and I  
 11 understand that the purpose of today's  
 12 hearing is to provide entities who are  
 13 involved with this Inquiry an opportunity to  
 14 make submissions regarding the draft  
 15 submissions which you've released.  
 16 On behalf of the Province, I will not  
 17 direct my comments to the substance of the  
 18 recommendations. I will have one comment  
 19 about the recommendations, but that comment,  
 20 I would suggest, is more about form than  
 21 substance. In fact, what I intend to do  
 22 today is to explain why the Province is not  
 23 making submissions about the substance or  
 24 content of the draft recommendations.  
 25 This Inquiry was created by an Order of

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1 Lieutenant Governor in Council.  
 2 Effectively, the Inquiry was created by the  
 3 executive branch of the Provincial  
 4 Government. I will refer to the Provincial  
 5 Government as the Province for ease of  
 6 reference.  
 7 I think it's fair to say that this  
 8 Inquiry happened because of the death of  
 9 Burton Winters and after his death, there  
 10 was a considerable amount of discussion  
 11 about what had happened. But much of that  
 12 discussion was not impartial and not  
 13 independent and I'd suggest that that's  
 14 finally happened. This has happened much  
 15 later than perhaps it should have, but it  
 16 has happened.  
 17 This Inquiry conducted an independent  
 18 examination of the search for Burton, and  
 19 most importantly, it was done in Makkovik  
 20 amidst the family and community that loved  
 21 Burton. So, I think the Province believes  
 22 this Inquiry has already accomplished  
 23 something very significant.  
 24 It's interesting to note that the terms  
 25 of reference did not require you,

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1 Commissioner, to do that. Clearly it was a  
 2 logistical challenge to conduct hearings in  
 3 that community and perhaps that wasn't  
 4 apparent to the public, but I think many  
 5 people would have abandoned the plan to  
 6 conduct the hearings there.  
 7 The conduct of the hearing in Makkovik  
 8 was not an essential part of the mandate as  
 9 enunciated by the terms of reference, but it  
 10 will be one of the most impactful things to  
 11 come out of it. And that may not have  
 12 happened, Commissioner, if anyone else but  
 13 you were the Commissioner.  
 14 The Province created the Inquiry and  
 15 what the Province wanted to get out of this  
 16 Inquiry is described in Section 9 of the  
 17 Terms of Reference. Section 9 states "the  
 18 Commissioner shall prepare a final report  
 19 which shall review the organization and  
 20 operation of ground search and rescue in the  
 21 Province, including air support for ground  
 22 search and rescue, and make recommendations  
 23 that the Commissioner considers necessary  
 24 and advisable related to ground search and  
 25 rescue in the Province." The Province asked

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1 you to review ground search and rescue and  
 2 make recommendations that you consider  
 3 necessary and advisable.  
 4 The Province did not have to create a  
 5 public inquiry in order to get advice about  
 6 ground search and rescue. Civil servants  
 7 employed with the Province provide advice  
 8 every day. The Province could have asked  
 9 for advice from the civil service, but chose  
 10 not to do so. The Province also routinely  
 11 retains experts outside Government to  
 12 provide advice and the Province chose not to  
 13 do that. The Province decided to create a  
 14 public inquiry instead and there are two  
 15 main reasons, I'd suggest, to create an  
 16 inquiry rather than use civil servants or  
 17 outside experts, and they are transparency  
 18 and independence.  
 19 Clearly transparency was an essential  
 20 aspect of the examination of the search for  
 21 Burton. No other type of examination could  
 22 have accomplished what was accomplished in  
 23 Makkovik in September. That examination had  
 24 to be done in public with the family, the  
 25 community and the Province watching and

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1 listening to the people that were involved  
 2 in the search for Burton, and I think we  
 3 learned a lot. Certainly, it's hard to  
 4 imagine that anyone who listened to all the  
 5 evidence did not develop a better  
 6 understanding of what happened.  
 7 The other important value of a public  
 8 inquiry is that in a public inquiry, the  
 9 Commissioner is independent and you are  
 10 independent in a number of ways. Firstly,  
 11 you're independent to interpret your  
 12 mandate. The Province gave you a mandate,  
 13 but you were free to interpret how to carry  
 14 out the mandate as you saw fit, and you are  
 15 also free to make whatever recommendations  
 16 you see fit.  
 17 The advice you give the Government will  
 18 also be independent in another sense. You  
 19 have no agenda, no axe to grind, and this  
 20 does not happen very often. A government  
 21 usually gets advice from people or entities  
 22 and the people or entities giving the advice  
 23 usually have a stake in the matter.  
 24 Therefore, the Province does not  
 25 believe that it's appropriate at this point

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1 to attempt to influence the recommendations  
 2 of the draft recommendations. To do so is  
 3 almost contrary to the reasons why the  
 4 Province created a public inquiry in the  
 5 first place.  
 6 Now, the terms of reference require  
 7 that the final report is given to the  
 8 Minister of Justice and Public Safety. It  
 9 does not go to the House of Assembly. It is  
 10 not released to the public first. The  
 11 report is given to a minister who is a  
 12 member of the Executive Council or the  
 13 Cabinet.  
 14 This is a report containing advice for  
 15 Executive Council and ultimately the  
 16 Province will consider your recommendations  
 17 in the context of many competing demands and  
 18 scarce resources. And this situation leads  
 19 to really one comment, which I believe is  
 20 more about form than substance, one comment  
 21 about the draft recommendations.  
 22 I suggest that on behalf of the  
 23 Province that where recommendations are  
 24 addressed to a government, the  
 25 recommendation should be addressed to the

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1 Province and not the Federal Government.  
 2 There are two related reasons for this and  
 3 both reasons are about jurisdiction. I'm  
 4 going to ask you to look at one of your  
 5 recommendations to demonstrate the point.  
 6 Recommendation one states "the  
 7 Commissioner therefore recommends that  
 8 Government of Newfoundland and Labrador and  
 9 the Government of Canada, in consultation  
 10 with policing agencies and GSAR and MSAR  
 11 agencies, seek to arrive at a memorandum of  
 12 understanding."  
 13 And I suggest that you consider  
 14 changing the wording as follows: The  
 15 Commissioner therefore recommends that the  
 16 Government of Newfoundland and Labrador, in  
 17 consultation with policing agencies and GSAR  
 18 and MSAR agencies, seek to arrive at a  
 19 memorandum of understanding with the  
 20 Government of Canada."  
 21 I don't think that that change in  
 22 wording changes the substance of your  
 23 recommendations and that's why I suggest  
 24 it's more about form than substance. A  
 25 provincially constituted inquiry though

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1 should not be making recommendations, the  
 2 Province suggests, to the Federal Government  
 3 about how it conducts policy.  
 4 Secondly, an examination of marine and  
 5 aeronautical search and rescue is not part  
 6 of the mandated inquiry. That would have  
 7 been a different inquiry. It would have  
 8 involved looking at the legal context for  
 9 marine and aeronautical search and rescue,  
 10 both domestic and international. It would  
 11 have involved looking at budgets for the  
 12 military and the Coast Guard and it would  
 13 have involved looking at demands with  
 14 respect to marine and aeronautical search  
 15 and rescue.  
 16 But it is certainly within the  
 17 jurisdiction of this Inquiry to recommend  
 18 that the Province approach the Federal  
 19 Government and ask the Federal Government to  
 20 reconsider its policy in terms of the  
 21 Federal Government policies' impact on  
 22 ground search and rescue.  
 23 It is fair to say that this Inquiry did  
 24 not look at marine and aeronautical search  
 25 and rescue in a comprehensive manner, but

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1 that is not true of ground search and  
 2 rescue. You are in a position to make  
 3 recommendations as to how the Province  
 4 should conduct ground search and rescue.  
 5 There are also recommendations that are  
 6 directed at NLSARA and other ground search  
 7 and rescue teams. However, I don't think  
 8 anyone can take issue with that. NLSARA and  
 9 the associated teams are conducting a  
 10 service which can be considered an aspect of  
 11 Provincial policing and therefore within the  
 12 jurisdiction of a Provincial inquiry.  
 13 Secondly, the Inquiry has examined NLSARA  
 14 and the associated teams in a comprehensive  
 15 manner.  
 16 The Province has earlier expressed  
 17 thanks in a comprehensive manner at the  
 18 Inquiry. However, the Province again would  
 19 like to express its thanks to everyone that  
 20 has participated in the Inquiry, especially  
 21 the family of Burton Winters.  
 22 The Province would like to thank you,  
 23 Commissioner, personally for taking on this  
 24 Inquiry. It was no small task and there are  
 25 likely many things that you would rather be

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1 doing with your time at this point in your  
 2 life than an inquiry. However, the Province  
 3 wants to acknowledge that this Inquiry will  
 4 be remembered for several things and one of  
 5 those things would be the manner in which it  
 6 was conducted. Commissioner, you are quite  
 7 justly respected throughout the Province and  
 8 why this is so was demonstrated during this  
 9 Inquiry. Everyone involved in this Inquiry  
 10 was treated respectfully and that's a rare  
 11 quality, I'd suggest, in an inquiry, but  
 12 that speaks to you, who you are as a person.  
 13 The Province is blessed to have you as the  
 14 Commissioner of this Inquiry and the  
 15 Province thanks you.  
 16 MR. BUDDEN:  
 17 Q. Thank you, Mr. Ralph. If I may, Mr.  
 18 Commissioner, I just had, I guess, a  
 19 question for Mr. Ralph, and I'll be asking  
 20 the same question of Mr. Freeman or Ms.  
 21 Bedford, whoever makes the submission.  
 22 The Inquiry, as you know, solicited an  
 23 opinion from Adrian Ding and Michael  
 24 Collins, which is at Exhibit 198, and the  
 25 conclusion of that is – I'll just read as

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1 follows, the very last section of it.  
 2 Sorry, one second.  
 3 I'm just reading off a – yes, the  
 4 Constitution, this is the Constitution of  
 5 Canada, "describes the Federal and  
 6 Provincial Governments' powers not their  
 7 responsibility. How the Provincial and  
 8 Federal Governments use their constitutional  
 9 powers to allow effective searches in  
 10 coastal areas is a question of politics and  
 11 administration rather than law. By  
 12 providing a wide area of overlapping  
 13 jurisdiction, the Constitution provides each  
 14 Government with room to act, experiment and  
 15 cooperate."  
 16 I'm just wondering if you have any  
 17 comment on that legal opinion or on that  
 18 conclusion generally with respect to your  
 19 submission on the relative powers of the  
 20 governments with regard to ground search and  
 21 rescue in coastal areas in particular.  
 22 MR. RALPH:  
 23 Q. Certainly the Province is familiar with the  
 24 opinion and we don't take issue with the  
 25 opinion. So, I'm not sure exactly what you

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1 want me to comment on. But again, I think  
 2 it's correct.  
 3 MR. BUDDEN:  
 4 Q. Okay. That's – that comment is helpful.  
 5 Thank you.  
 6 MR. RALPH:  
 7 Q. You're welcome.  
 8 MR. BUDDEN:  
 9 Q. Mr. Freeman or Ms. Bedford, I'm not sure  
 10 whom of you will be making the submission,  
 11 so I'll turn it over to you guys.  
 12 MR. FREEMAN:  
 13 Q. Thank you, Mr. Budden. It's Mark Freeman  
 14 and Corinne Bedford and we're here  
 15 representing the Attorney General of Canada  
 16 and all of our clients, various departments.  
 17 Thank you, Mr. Commissioner. We remain, as  
 18 we have throughout, honoured to be able to  
 19 participate and to hopefully positively  
 20 impact on the recommendations that you are  
 21 creating.  
 22 I have provided, we have provided a  
 23 written version essentially of what we  
 24 intend to say here today. I will be  
 25 sticking fairly close to the script, as they

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1 say, given the number of people and  
 2 departments who take this very seriously and  
 3 who have given us detailed instructions as  
 4 to how to proceed. So, I'll go right to our  
 5 written submissions, which have now been  
 6 marked, I believe, as an exhibit.  
 7 I agree with my friend, my learned  
 8 friend, Mr. Ralph, with respect to this  
 9 being a provincial inquiry and for that  
 10 reason, the Inquiry's recommendations should  
 11 most appropriately be directed to the  
 12 Province primarily saying "the Province  
 13 should seek to" or an equivalent phrase and  
 14 I think that doesn't deny the ability to say  
 15 the Province should seek to ask the  
 16 Government of Canada to do X, Y or Z and  
 17 that's, I think, what Mr. Ralph is saying as  
 18 well. It's just a minor thing and we think  
 19 that that change would be beneficial for the  
 20 purposes of this provincial inquiry. This  
 21 is coming from our general suggestions in  
 22 our submissions.  
 23 We have several other suggestions  
 24 there. I won't go into detail. They're  
 25 mostly stylistic with respect to how things

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1 are referenced in the search and rescue  
 2 world and we'll let those speak for  
 3 themselves and we've spoken to Inquiry  
 4 counsel about those, and it seems like maybe  
 5 those will be agreeable changes, but we'll  
 6 wait and see. Referring to the Canadian  
 7 military as Canadian Armed Forces, for  
 8 example, and referring to military search  
 9 and rescue as MSAR I think may just be a  
 10 typo or something like that that'll be dealt  
 11 with without issue.

12 So, in terms of general suggestions,  
 13 really the biggest overhanging umbrella  
 14 suggestion is that the recommendations, if  
 15 they were to speak in the language of the  
 16 Province should seek to, with respect to  
 17 their jurisdiction over ground search and  
 18 rescue, that would be very helpful, so thank  
 19 you.

20 With respect to recommendation number  
 21 one, the Government of Canada, obviously we  
 22 saw the reference to an equal basis in that  
 23 recommendation and we found that somewhat  
 24 unclear and we hope maybe that can be  
 25 clarified. Of course, when it comes to

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1 aeronautical and maritime search and rescue,  
 2 the Government of Canada is the lead. So,  
 3 it's difficult to say that Canada should  
 4 support ground search and rescue in the same  
 5 way that it supports aeronautical and  
 6 maritime search and rescue because really  
 7 what Canada is doing when it comes to  
 8 aeronautical and maritime search and rescue  
 9 is running it as the lead agencies.

10 So, we think this recommendation means  
 11 to say that Canada should provide helicopter  
 12 resources for GSAR whenever they're asked  
 13 for and they shouldn't do a separate sort of  
 14 humanitarian assistance assessment. I think  
 15 that that's what this recommendation is  
 16 really driving at. It's not meant to say  
 17 that Canada should be the lead on all GSAR,  
 18 although we were a little concerned that  
 19 might be how it might be read.

20 For that purpose, I mean, the Province  
 21 at the moment provides its own air support  
 22 for ground search and rescue, as we know,  
 23 through private contractors and CAF,  
 24 Canadian Armed Forces, is called on a  
 25 humanitarian basis when necessary and we

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1 would say for the most part, in 2021, this  
 2 system is working. The Canadian Armed  
 3 Forces responds affirmatively to virtually  
 4 all of the Provincial humanitarian ground  
 5 search and rescue requests, as you heard  
 6 from Lieutenant Colonel Marshall. The MOU  
 7 contemplated in that regard really may not  
 8 change the functional status quo, I guess is  
 9 how I would put it. If the Canadian Armed  
 10 Forces are already responding affirmatively  
 11 to almost virtually all humanitarian  
 12 requests, the MOU may not change that  
 13 functional status quo, but that's 2021 and  
 14 that's how things are – we think things are  
 15 working now.

16 One issue in that recommendation number  
 17 one that we wanted to raise was the idea  
 18 that Canadian Armed Forces would abandon an  
 19 ongoing humanitarian GSAR mission for an  
 20 aeronautical search and rescue call as if to  
 21 say it's like a light switch where if a call  
 22 comes and it has an airplane involved that  
 23 CAF would just abandon a ground search.  
 24 It's much more nuanced than that and  
 25 Lieutenant Colonel Marshall did his best to

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1 describe that and perhaps it just didn't  
 2 come through, but once a GSAR mission is  
 3 underway and CAF is participating – Canadian  
 4 Armed Forces is participating, they won't  
 5 simply disappear from that scene blindly  
 6 without some triaging or decision making  
 7 thought process being put into it by the  
 8 officer in charge.

9 So, imagine a scenario where the  
 10 cormorant is about to lower a cable to hoist  
 11 someone out of search and rescue  
 12 provincially and an aeronautical call comes  
 13 in. Well, it would never be that CAF would  
 14 simply leave as the phone rings for an  
 15 aeronautical search without more nuanced  
 16 thinking and decision making as to what was  
 17 the nature of what they were doing at the  
 18 time and how many GSARs and/or nautical SARs  
 19 are under go at the same time and where are  
 20 they. It's a question of urgency and  
 21 location and mission and the resources. So,  
 22 there is a thought process there. It's not  
 23 as simple as a light switch I would call,  
 24 you know, the analogy.

25 I think the thrust of the first

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1 recommendation is that the Province  
 2 presently doesn't have sufficient owned or  
 3 contracted air support for ground search and  
 4 rescue and the Inquiry is suggesting that  
 5 maybe the Province and Canada could arrive  
 6 at an MOU in that regard. However, we do  
 7 note that the Inquiry heard evidence  
 8 respecting commercial operators in the  
 9 Province being able to provide contracted  
 10 air support to the Province for ground  
 11 search and rescue and the Province is  
 12 responsible for ground search and rescue.  
 13 So, if the Inquiry wants to recommend  
 14 that the Province improve its air support  
 15 for ground search and rescue, which makes  
 16 sense, then the focus shouldn't be so  
 17 limited as to just the MOU, potential MOU  
 18 with Canada. You can never say, and Mr.  
 19 Blackmore's points are well taken, you can  
 20 never say that an MOU will be struck. You  
 21 know, people can make best efforts to do so,  
 22 but governments and politics and resources  
 23 and things will play into that. And so, the  
 24 idea that – if it's been identified that the  
 25 air support isn't sufficient, to just use

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1 the MOU as the only suggestion to the  
 2 Province may be leaving it not fully  
 3 developed, I guess. Perhaps you could say  
 4 to the Province "seek an MOU with Canada  
 5 and/or contract provincially with private  
 6 operators as necessary". Basically to put  
 7 it another way, suggest to the Province that  
 8 they improve their air support and then  
 9 leave it to the Province to determine how  
 10 best to do that and/or suggest menu options  
 11 for them to pursue.  
 12 So, that's with respect to  
 13 recommendation number one. We really think  
 14 that there's something there that can be  
 15 developed and maybe if the Commissioner  
 16 would consider our comments on that, we  
 17 would appreciate it.  
 18 With respect to recommendation number  
 19 two, we sort of – we see this one as almost  
 20 the flip side of the coin and appreciate the  
 21 gesture, although what we would say is in  
 22 respect of the opposite situation where it's  
 23 a primarily aeronautical or primarily a  
 24 maritime search and rescue, the Inquiry  
 25 really hasn't heard enough evidence because

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1 it's not really the mandate of the Inquiry  
 2 to deal with those types of searches when  
 3 the lead agencies are CAF or Coast Guard.  
 4 So, the Inquiry appears to be  
 5 recommending here what Canada should do and  
 6 able to better respond to aeronautical or  
 7 maritime incidents when they need to call on  
 8 GSAR. And this would be sort of like what  
 9 happened in Makkovik when we had a downed  
 10 aircraft and CAF couldn't get there and  
 11 needed the heroic efforts of ground search  
 12 and rescue people.  
 13 We're not – Canada is not presently  
 14 encountering any difficulty engaging GSAR  
 15 resources when needed, and so the MOU that  
 16 maybe is contemplated here, we don't feel  
 17 would be necessary at this time. The  
 18 mechanisms – there are mechanisms in place  
 19 for JRCC to call NLSARA and/or the Province  
 20 to get that or the RCMP for that matter, to  
 21 get ground support when needed, and those  
 22 mechanisms are functioning satisfactorily.  
 23 So number two, we would say respectfully, is  
 24 somewhat outside the mandate and we'd also  
 25 suggest maybe not necessary at this time,

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1 from our perspective.  
 2 In terms of recommendation number  
 3 three, there's – we're – a lot of our  
 4 clients are experts in this area and that's  
 5 probably why they don't feel that there's  
 6 uncertainty and confusion around coastal  
 7 searches. They live this work every day and  
 8 the system, again in 2021, they feel is  
 9 working.  
 10 We agree with the legal opinion, as Mr.  
 11 Budden, has mentioned that this is an area  
 12 essentially of cooperative federalism, where  
 13 each of the respective governments has  
 14 occupied the field, as they say in  
 15 constitutional law, in a certain way and the  
 16 field has been occupied as it has and that's  
 17 the way things are working and we think  
 18 they're working well.  
 19 So, we think that it's correct that the  
 20 public and possibly people in the system  
 21 aren't clear on how that works and so, we've  
 22 done our best to describe that aeronautical  
 23 search and rescue is a search and rescue  
 24 involving an aircraft and that's going to be  
 25 led by Canadian Armed Forces. Maritime

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1 search and rescue is going to be involving a  
 2 vessel and a Federal waterway and that's  
 3 going to be led by Coast Guard. And then  
 4 anything else, anything that's not  
 5 aeronautical and maritime, is ground search  
 6 and rescue.  
 7 And the players who answer the calls  
 8 and go out in the middle of the night have a  
 9 clear understanding of how this works, but  
 10 perhaps if the Province were to produce a  
 11 document to educate the public or perhaps  
 12 the report itself will do that task, to  
 13 educate the public as to how coastal  
 14 searches are organized, because we do feel  
 15 that they are working appropriately.  
 16 So recommendation number three, we  
 17 think could – maybe not an MOU, but perhaps  
 18 just the report itself may do the work here,  
 19 which is to educate the public as to how an  
 20 aeronautical search is run by and a maritime  
 21 search is run by the Feds, the Federal  
 22 departments that is, CAF and/or Coast Guard  
 23 through JRCC as the lead agency, and then a  
 24 ground search and rescue incident which is  
 25 run by the police as the primary agency

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1 consulting with the Province.  
 2 So, that's recommendations one through  
 3 three. The next recommendation we wanted to  
 4 make a comment on is recommendation number  
 5 six.  
 6 Canada is, you know, mildly concerned,  
 7 I would say that, about whether this  
 8 recommendation could be interpreted as  
 9 meaning that NLSARA are only covered by  
 10 insurance if the RCMP are involved in a  
 11 particular mission. And so, we wouldn't  
 12 want to get in a situation by the  
 13 recommendations where RCMP could be  
 14 bootstrapped essentially to searches in  
 15 order to make sure that that coverage is in  
 16 place.  
 17 But we agree with the thrust of this  
 18 recommendation, which is that the present  
 19 insurance coverage for NLSARA seems to lack  
 20 clarity and we agree that perhaps this  
 21 recommendation could ask the Province to  
 22 advise NLSARA about their current coverage  
 23 and maybe in an organized fashion say "if  
 24 you are sent out by RCMP, here's your  
 25 coverage. If you are sent out by CAF, here

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1 is your coverage. By Coast Guard, here is  
 2 your coverage" or how that all works. We  
 3 think that – we agree that there may be some  
 4 lack of clarity there and we've heard that  
 5 from NLSARA. We just wouldn't want this  
 6 recommendation to lead to RCMP being added  
 7 on to a search when it wasn't really their  
 8 primary search, just to get the insurance  
 9 coverage. So, more clarity in that regard  
 10 would be helpful. So, recommendation number  
 11 six is a positive one overall.  
 12 With respect to recommendation number  
 13 14, this is with respect to mental health  
 14 training for dealing with people who are  
 15 lost who may have mental health issues.  
 16 This hasn't really been the subject of much  
 17 exploration at the Inquiry, but the RCMP  
 18 does provide that sort of training already  
 19 to its members and so, while it may be  
 20 helpful for NLSARA or other participants in  
 21 the system, we feel that that training that  
 22 RCMP is receiving with respect to dealing  
 23 with people with mental health issues is  
 24 presently working. But more training in  
 25 these areas could never hurt, and so we

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1 appreciate the gist of what's desired there,  
 2 but we do want to say that the RCMP does  
 3 train its members dealing with people with  
 4 mental health issues who are involved in the  
 5 justice system and/or who are lost.  
 6 With respect to 14.2 – so, that first  
 7 comment was on 14.1. With respect to 14.2  
 8 of your recommendations, Mr. Commissioner,  
 9 respectfully Canada thinks that such an  
 10 initiative should be clearly directed again  
 11 toward the Province, and that may be covered  
 12 by my earlier comments, but the Government  
 13 of Newfoundland and Labrador, maybe in  
 14 consultation with the agencies, could  
 15 determine how to assign such an individual,  
 16 if such an individual is assigned to help  
 17 with finding people who have mental health  
 18 issues. So, just it would – important that  
 19 the more clarity about who's responsible for  
 20 what when it comes to the recommendations  
 21 would be helpful and this is one where you  
 22 wouldn't want there to be confusion in the  
 23 middle of the night about who's getting the  
 24 person to help us understand the person with  
 25 autism spectrum or something like that. It

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1 would be good to know that it's Provincial  
 2 contract that's in place. This person will  
 3 come and help and talk to the searchers as  
 4 needed then or how that might work. So,  
 5 just some more clarity in that area perhaps  
 6 with 14.2.  
 7 With respect to recommendation number  
 8 15, and this is for the health, the mental  
 9 health of the people participating in the  
 10 system more so, so the officers, NLSARA  
 11 members and things like that. Again, we do  
 12 – we want to make sure that the Inquiry  
 13 understands that the police officers, while  
 14 some of them you did hear from, have  
 15 experienced critical stress from their jobs,  
 16 they are receiving support and we've listed  
 17 some of the support that they do receive  
 18 here in our written submissions. So, the  
 19 RCMP members themselves, while experiencing  
 20 trauma still from some of these searches, in  
 21 particular Winters, the search for Burton  
 22 Winters, they are receiving support. But of  
 23 course, we'd support that funding from the  
 24 Province for mental health services for  
 25 NLSARA is a good idea and if NLSARA is not

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1 presently sufficiently covered in that  
 2 regard, then more funding for employee  
 3 assistance program or whatever the  
 4 equivalent might be provincially makes  
 5 sense, for recommendation number 15 that is.  
 6 So, we think the police are – the RCMP  
 7 anyway are in okay shape in that regard when  
 8 it comes to taking care of the members.  
 9 With respect to recommendation 16, the  
 10 RCMP generally assigns a family liaison when  
 11 a GSAR incident occurs and we do have RCMP  
 12 policy in that regard. So, it's Exhibit No.  
 13 11 at the Inquiry here. It talks about how  
 14 to designate a family liaison officer and  
 15 communicate with the family. That said,  
 16 there are times when those communications  
 17 break down and we understand that that can  
 18 be very painful for the families involved.  
 19 So, but the RCMP does make an effort to do  
 20 that and I'm not sure on the RNC side how  
 21 that works obviously, and perhaps this is  
 22 more directed to them, but we do have a  
 23 policy in place about regular interactions  
 24 with families during incidents.  
 25 In terms of long term follow-up though

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1 with families, that wouldn't be something we  
 2 would see as police, a police matter.  
 3 Normally the RCMP's involvement ends when  
 4 the file is closed. So, a long-term follow-  
 5 up for mental health would be more of a  
 6 provincial health care mandate, we would  
 7 say, with respect to recommendation number  
 8 16.  
 9 And really that is the sum of our  
 10 comments here today, Mr. Commissioner.  
 11 Again, we are honoured to have been able to  
 12 participate. We hope that these comments,  
 13 which you'll receive in writing as well,  
 14 will be helpful as you finalize your  
 15 recommendations which for the most part seem  
 16 that they'll be very beneficial for all the  
 17 parties involved.  
 18 And so, unless you have any questions  
 19 for us, I'll conclude our submissions there.  
 20 Thank you.  
 21 MR. BUDDEN:  
 22 Q. That's it for the evidence here today, I  
 23 believe. If I may, Commissioner, if I may  
 24 make a couple of comments. It's the last  
 25 day of the hearing and I would like to thank

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1 everybody on – the Commissioner, I'm sure,  
 2 will make his own remarks, but just on my  
 3 own personal behalf. I was ironically  
 4 somewhat the last person of the major  
 5 players, as they then existed, to come to  
 6 this Inquiry in that there was already – the  
 7 Inquiry had been called and Mr. Williams, of  
 8 course, had been engaged on a long-term  
 9 basis with the Winters family, but Mr. Ralph  
 10 and Mr. Carter and Mr. Freeman and others  
 11 here had already been involved and had done  
 12 a terrific amount of work and background  
 13 work and I benefitted from, not just that,  
 14 but from their willingness to help educate  
 15 me in the early going especially and all of  
 16 that was offered with real grace and spirit  
 17 of cooperation, which I'm very grateful.  
 18 And just on my own behalf, as this will  
 19 be our final session, I would like to thank  
 20 counsel and Mr. Carter and Mr. Blackmore and  
 21 Ms. Bradley and everybody else who has been  
 22 part of this Inquiry for the cooperation and  
 23 constant decency and spirit of collaboration  
 24 that they have shown myself, in particular,  
 25 and then also the staff that we've been

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1 extremely fortunate to have, Ruth Steele and  
 2 Marcella Mulrooney.  
 3 I've been involved in a number of  
 4 commissions and I think this is the one,  
 5 even – it needn't have been this way because  
 6 it's – there's a horrible loss at the heart  
 7 of this and other searches we looked at also  
 8 involve loss and heartbreak, but the parties  
 9 involved, and especially the Winters family  
 10 and also the Sweetapple and Lovell families  
 11 and others rose above their personal traumas  
 12 to act in a progressive and ultimately an  
 13 extremely respectful manner to all the  
 14 players and that really made for an  
 15 experience that could have been very  
 16 confrontational and bitter and divisive. I  
 17 think that it is instead something that  
 18 hopefully will be positive for everybody  
 19 going forward, particularly for people who  
 20 are yet to be lost and to go missing and  
 21 hopefully be found.  
 22 So, finally, I'd like to thank Mr.  
 23 Commissioner for taking me on back in  
 24 January and whom I've had the pleasure of  
 25 working together in many capacities,

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1 including appearing before him for the first  
 2 time 30 years ago, and working with you has  
 3 been a pleasure, every minute of it. Thank  
 4 you.  
 5 So, on my behalf, I just – I did want  
 6 to take the liberty of saying those comments  
 7 and to thank everybody personally for the  
 8 great help that's been extended to me.  
 9 Okay. Any additional closing comments  
 10 before I wrap this up.  
 11 MS. PHILPOTT:  
 12 Q. I just had a question there from my client.  
 13 He was wondering if we can expect additional  
 14 modified recommendations a result of the  
 15 most – of the new presentations last week in  
 16 Labrador where you had attended that NCC or  
 17 Nain GSAR, I believe.  
 18 MR. BUDDEN:  
 19 Q. Yes, that's a very good question and thank  
 20 you, Ms. Philpott, and one I should have  
 21 clarified. That was my oversight. We have,  
 22 as I said at the very beginning, everybody  
 23 will have noticed that these draft  
 24 recommendations had a preamble that said  
 25 firstly these are draft. They will be

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1 stronger for the submissions here today, I  
 2 believe, and also they will be stronger for  
 3 submissions that we had yet to receive when  
 4 we authored this two weeks ago, that for  
 5 weather and other reasons, it was simply not  
 6 possible to consult – to have some very  
 7 important consultations that have now taken  
 8 place.  
 9 So, I don't believe we're anticipating  
 10 a further round of draft recommendations.  
 11 There isn't time for that. But just as the  
 12 comments here today will inform the final  
 13 report and the final recommendations, so  
 14 will what we heard virtually from Mary's  
 15 Harbour and we heard in person from Nain and  
 16 we will hear this week in Goose Bay and  
 17 further consultations that we've had  
 18 discussions around with other parties.  
 19 So, yes, the answer is yes, I think  
 20 that I can say that the – what we heard in  
 21 Mary's Harbour, I think you may be referring  
 22 to in particular, but other matters will  
 23 inform the final report and final  
 24 recommendations.  
 25 MS. PHILPOTT:

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1 Q. Okay, thank you.  
 2 COMMISSIONER:  
 3 Q. In a similar vein, I expect Federal counsel,  
 4 you may want to look at a recently received  
 5 exhibit, Cormorant midlife upgrade projects.  
 6 So, if you want to put a Federal lens on  
 7 that before things are all said and done,  
 8 we'd be happy to receive that as well.  
 9 MR. FREEMAN:  
 10 Q. Thank you, Mr. Commissioner. We'll  
 11 certainly review anything that you direct us  
 12 to and respond as needed.  
 13 MR. BUDDEN:  
 14 Q. And I should also say that as these  
 15 documents have been entered here today and  
 16 we anticipate a couple of more that will be  
 17 entered and there will likely be transcripts  
 18 posted online. So, if parties feel the need  
 19 to respond to those that can be done in  
 20 writing. I would ask that people try to do  
 21 it in a timely fashion because we're very,  
 22 very close to our final deadline.  
 23 COMMISSIONER:  
 24 Q. Well, I want to say thank you to each and  
 25 every one of you for having participated and

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1 made your submissions today. It's very  
 2 clear that the level of advocacy that you  
 3 bring to your area of responsibility is  
 4 extremely high and it's appreciated by the  
 5 Commission.  
 6 My thanks should go out to Ruth and  
 7 Marcella for the wonderful work they've done  
 8 since we began and we haven't forgotten  
 9 Richard Smith, who was contracted through  
 10 the grace of the Province's counsel, and we  
 11 certainly found the right individual to give  
 12 us the necessary overall view of ground  
 13 search and rescue, as well as what he  
 14 famously now refers to as interoperability,  
 15 and without that interoperability  
 16 discussion, I think that there would be a  
 17 lot missed on this Inquiry.  
 18 Absolutely this has been a learning  
 19 experience for the Commission and for the  
 20 public in general. As Federal counsel  
 21 points out that the nuances of how the  
 22 ground search and rescue system works and  
 23 how the Federal ground search and rescue  
 24 system works does have some areas where we  
 25 have to consider what happens between the

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1 two levels of organization and if we simply  
 2 make a statement that there is one solution  
 3 for both the Province and Canada, the  
 4 nation, we're really missing out a lot of  
 5 what actually happens.  
 6 As for the generous comments you've  
 7 made about myself, I want to remind you that  
 8 I'm handsomely compensated for what I do.  
 9 I do want to reflect on what is  
 10 mentioned in the trilogy of works around  
 11 Canadian inquiries and in one of them, I  
 12 read from an author named Bessner &  
 13 Lightstone who says "the uniquely Canadian  
 14 model of investigating wrongs and developing  
 15 solutions to public policy issues is done  
 16 through the use of inquiries" and he talks  
 17 about how counsel have to use their advocacy  
 18 skills not to prove or disprove a criminal  
 19 charge or to assign fault between civil  
 20 litigants but – or in criminal cases to  
 21 criminal charges, and in case of the civil  
 22 litigants, but as lawyers to study  
 23 holistically how certain events transpired  
 24 and to make meaningful recommendations to  
 25 alleviate a particular problem and to

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1 prevent its recurrence.  
 2 And you have all very seriously adhered  
 3 to this Canadian institution of inquiries in  
 4 the way that you've presented yourselves and  
 5 the position of the parties for whom you are  
 6 very able advocate. Without either of any  
 7 of you having been participating, this would  
 8 really have been an exercise of one hand  
 9 clapping. It would not be able to have been  
 10 done without the kind of information each  
 11 one of you have presented. So, we're very  
 12 grateful for the knowledge you're giving not  
 13 only to the Commission and my counsel, but  
 14 also to the Province and the country as a  
 15 whole. Recognizing the value of  
 16 volunteerism, recognizing the value of the  
 17 Federal constitutional arrangements we have  
 18 between the Province and Canada, and also,  
 19 most importantly seeing that there are many  
 20 areas which allow both of these parties to  
 21 work together to achieve a great nation.  
 22 So, I want to say, in closing, that  
 23 it's been a wonderful exercise. That we,  
 24 Mr. Budden and I, will try to stick to the  
 25 schedule that the Province has given us,

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1 apart from possibly a little delay, but  
 2 hopefully I'll push him very hard and at  
 3 least try to get to that point.  
 4 So, thank you all. Thank you for your  
 5 attendance, your participation and your  
 6 willingness to work for the Province and for  
 7 the country. Thank you.  
 8 CLERK:  
 9 Q. All rise. This Commission of Inquiry is  
 10 concluded. Thank you.  
 11 COMMISSIONER:  
 12 Q. Thank you.  
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CERTIFICATE

I, Cindy Sooley, hereby certify that the foregoing is a true and correct transcript of a hearing of the Public Inquiry Respecting Ground Search and Rescue heard on the 15th day of November, 2021 before Commissioner James Igloliorte in St. John's, NL, and was transcribed by me to the best of my ability by means of a sound apparatus.

Dated at St. John's, Newfoundland and Labrador  
This 24th day of November, 2021

Cindy Sooley  
DISCOVERIES UNLIMITED INC.

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