

Virtual Progress Update (Transcript) – September 9, 2021

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COMMISSIONER MACDONALD:

Good afternoon and welcome. Bonjour et bienvenue. I'm Michael MacDonald, Chair of the Mass Casualty Commission. Before we begin, I would like to acknowledge that we are joining you from Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.

The Mass Casualty Commission is the independent public inquiry examining the April 2020 mass casualty in Nova Scotia, working to provide meaningful recommendations to help protect Canadians in the future.

La Commission des pertes massives est une enquête publique indépendante créée pour examiner les pertes massives en avril 2020 en Nouvelle-Écosse et pour formuler des recommandations pour contribuer à la protection de la population canadienne à l'avenir.

The memories of those who lost their lives, their families and all those affected by this casualty are the driving force behind *all* our efforts.

Today, we are sharing an update on the Commission's progress, what we are focused on now, and our next steps. The events of April 18-19, 2020 took the lives of many innocent people and left others with serious physical and emotional injuries. The scale of the loss and trauma caused fear, anger and grief in Nova Scotia, across Canada, and beyond.

The communities where the mass casualty happened are beautiful places, home to caring people who look out for and help each other every day. We know there are many villages, towns and neighbourhoods just like these right across our nation. Yet, too many of these people in too many of these communities, who would once have gone to bed with their hearts light and doors unlocked, have had their sense of safety and security shattered by these terrible events.

But, these are communities of people who are resilient, united in a determination to help each other to heal and find strength. We have seen that resilience at work here in Nova Scotia, where the phrase Nova Scotia Strong united our province and our nation. Commissioners Fitch, Stanton and I – along with the entire Commission team – share in that determination to foster strong, safe communities.

We remain incredibly humbled to be undertaking this important work – and are entirely committed to bringing all our shared capabilities and expertise together to fulfil our mandate, to give you answers and to recommend a way forward. Today, we are pleased to report on our progress to date and to share what you can expect over the coming year.

We've organised our work into three Phases:

- Phase 1 is answering the question of what happened here in Nova Scotia on April 18-19, 2020
- Phase 2 is exploring the broader context and related issues to answer why and how it happened, and
- Phase 3 is to make findings and recommendations to keep communities throughout Canada safer – so we can all go to bed feeling safe each night.

Our mandate was set out in October 2020 – and we have made steady progress since then. We remain on track to complete our final report in November 2022.

Our Commission, from the outset, has been completely independent. We started our work from scratch. We independently built our team, selecting the best people for the job. Using our power to subpoena, we have been conducting an independent investigation into what happened, and with the power to control our own processes, we have created rules of practice and procedure. They are available for viewing on our website. We continue to subpoena documents and interview witnesses to ensure we are able to get to the bottom of what happened and why.

We are committed to doing our work transparently and respectfully. We are also approaching our work in a trauma-informed manner, meaning we will do our utmost to make sure we do not cause more harm to those who have already suffered too much.

Although I am the former Chief Justice of Nova Scotia, I would like to stress that our Commission is *not* a court. Our approach is very different from a civil trial or criminal prosecution, which are adversarial. We cannot and will not make findings of civil or criminal liability or assign punishment. However, difficult questions and uncomfortable truths will be explored.

Instead, our approach is investigative, consultative and collaborative. It is about listening, gathering facts, exploring related issues and, ultimately, making recommendations. You will see this approach in

action in the work our team is doing now, and throughout the three phases. Our entire team is objective and impartial.

The work we are doing is complex. There are multiple layers and we are advancing many pieces at once, including investigations, analysis of data and information, research, proceedings and community engagement. In this process, we must balance two competing but very important considerations; namely honouring the public's right to understand what happened while protecting the privacy and dignity of those who have already suffered so much.

There is much to do, but we are not doing it alone. Our Commission team is working in collaboration with those most affected, community members, Participants and others who are taking part in this inquiry – together we will get the answers that Nova Scotians and Canadians seek.

Before I hand over to my fellow Commissioners, let me say how honoured I am to be serving with them. Commissioner Fitch brings the experience of more than three decades in municipal policing, including seven years as Chief of Police for the Fredericton Police Force. Commissioner Stanton brings expertise from her legal career spanning diverse areas including constitutional and human rights law, transitional justice and public inquiries. Both of my fellow Commissioners have made significant contributions to advance community safety and equity in this country – and I know we share a commitment to continue that important work through this inquiry.

I will now ask Commissioner Fitch to talk more about our team, the phases of our work and the progress we are making.

COMMISSIONER FITCH:

Thank you Commissioner MacDonald and hello everyone. As Commissioner MacDonald said, it is an honour to be serving on this inquiry. As an Atlantic Canadian, I echo Commissioner MacDonald's thoughts about the resilience and strength of communities here in our region and throughout the nation.

Let me assure you that no one working on this Commission takes our responsibility lightly. We are driven to fulfil our mandate and we have great confidence in our team to help us get there.

The Commission team includes leading experts in investigations, research and policy, law, mental health, and public engagement. Together, these people share many decades of practical experience in their fields of expertise. I invite you to learn more about them on our website.

Together, we are advancing our work through a series of key phases over the two-year duration of the Commission. In Phase 1, we will find out what happened. We are working to gather and bring together that information, and we will share it in a way that minimizes harm for those most affected. Once we have established this foundation, we will focus on understanding why and how the mass casualty happened, exploring related issues that may have contributed to the events. Finally, we will focus on shaping and sharing findings and recommendations to help protect Canadians in the future. We will share an interim report this coming May and our final report is scheduled to be completed in November 2022 – both of which will be available on our website.

To date, we have held many conversations with those most affected and with the Participants. Participants are a highly engaged group of 60 organizations and individuals who will help to inform and advance our work. Those families who were most affected were automatically granted participation. Other Participants include people, institutions, and organizations who have substantial or direct interest in the subject matter of this Commission.

Over the summer, we released our Participation Decision which identifies the people, institutions, and organizations who have standing in the Commission’s proceedings – the Decision is available on our website.

We are continuing our conversations with Participants through regular outreach to those most affected and ongoing Participant meetings. We Commissioners have also had introductory meetings with the families, First Responders, community members and groups in the most affected communities. This work will continue.

With Participants’ input, we developed the Rules of Practice & Procedure, which will guide the Commission’s various public proceedings – including public hearings, roundtables, witness panels and community meetings. These Rules will ensure everyone taking part in our public proceedings has a common understanding of roles, process and approach.

Of most interest to many has been our independent investigation into what happened. Our investigators and other team members have been on the ground in Nova Scotia, working to understand the geography, timing, terrain, and communities – including visits to Portapique, Wentworth, Enfield, Debert and surrounding communities. All of this work is being done with consideration for those affected and with the intention of minimizing disruptions wherever possible.

Our investigations and legal teams have conducted numerous witness and evidence-gathering interviews, both with those who had shared information already and new people who were identified or

who came forward through our work. We continue to seek evidence and will do so over the course of the inquiry. We encourage anyone who has something to share, no matter how small, to contact the Commission.

We have gathered and are examining thousands of pieces of documentary, audio and visual evidence, building a strong understanding of what happened. Consistent with our consultative approach, the documents and information we are collecting are being made available to Participants through disclosure, so they are fully informed when engaging with the Commission's work.

The facts and evidence we gather are being used to create what are referred to as Foundational Documents. There will be various Foundational Documents created throughout the inquiry. Each of these documents will cover the facts of a specific topic, issue, period of time or location.

The Foundational Documents will form an important part of the proceedings. Our team is compiling "what we know" and outstanding questions. We will be sharing with the Participants what we are learning and asking them if they have further questions or if there are areas they feel need further investigation. As this consultation process is completed for each Foundational Document, it will be shared with the public through hearings and other mechanisms. This may prompt further questions and bring forward additional evidence. Foundational documents will be available on our website and we will continue to add to them as needed.

As we hope you can appreciate, this kind of inquiry takes time, rigour and care. Consistent with the Commission's independence and commitment to create a thorough, evidence-based record, we *must* conduct our own investigation of what happened on April 18-19, 2020.

The Commission team has worked steadily in the public interest in the last eleven months, but we are not doing this work alone – we are grateful to all those who have been supporting the inquiry and our work – including members of the public who have come forward to engage and provide insights or information about the mass casualty. There is of course more work to do and we are committed to keep making progress in ways that are thoughtful and thorough. Commissioner Stanton will now speak about our proceedings and work to explore related issues.

COMMISSIONER STANTON:

Thank you Commissioner Fitch and hello everyone. As you have heard from Commissioners MacDonald and Fitch, this Commission is focused on both the specific events of the April 2020 mass casualty in Nova Scotia and delving deeper into the broader context and related issues, leading up to findings and recommendations that will be of use Canada-wide.

Having been raised in rural southern Alberta, and having lived and practiced law over the years in British Columbia and Ontario, part of my commitment is to help bring a broader, national perspective to the Commission's work – not only because this is an important part of our mandate, but also because regardless of where people live or come from, everyone in Canada should feel safe in their homes and communities.

Much of our progress will rely on the Commission's proceedings. These are a diverse range of investigative and consultative activities that will provide opportunities for the Commission and the public to learn about what happened on April 18-19, 2020, how and why it happened and what lessons can be drawn from it.

Updates like today's livestream – and the livestream of the Commission's Participation Decision in May – are part of our proceedings, as are hearings, witness panels, roundtables with experts and others, and community meetings.

The introductory meetings we held over the summer with First Responders and other service providers are also part of the proceedings. In these conversations, the Commission sought input on how best to conduct a process that allows us to find out exactly what happened and why, while remaining trauma-informed and mindful of those frontline workers who responded to the mass casualty. We are also conducting meetings with community leaders and organizations to ensure we stay engaged with those communities who were most affected and understand their needs as our work progresses.

Later this month we are holding a series of public open houses in several of the affected communities to share information with community members about the Commission. These meetings are an opportunity for those of you in those communities to learn more about our work and ask questions. You are welcome to drop in any time during the open house to gather information or have a conversation with Commission team members. More information about these sessions is available on our website, which is also where we will share opportunities for more community engagement in the months ahead. For those who are not in Nova Scotia, there will be opportunities for virtual engagement in the future.

The initial hearings will begin this fall, on October 26, with many of the hearing activities taking place at the Halifax Convention Centre. As Commissioner MacDonald said earlier, these hearings will not be like a criminal or civil trial. Instead, they will be public sessions in which the factual record that our independent investigation is producing will be shared.

The work done at the fall proceedings will begin to answer what happened, but it does **not** mark the end of our fact-finding work; rather it is an opportunity to share and collaborate. Our investigations, disclosure, and Participant consultation will continue throughout our two-year mandate.

We have taken care to design our approach so as to ensure access to the Commission process for those not able to attend for a range of reasons. Public hearings will be broadcast in real time on our website. Documents, including Foundational Documents, will also be posted on our website.

We will rely upon the factual foundation created in Phase 1 of our work in Phase 2 when we explore why and how the mass casualty happened. Phase 2 will draw from our research and policy work, also currently underway. Part of the research and policy work in Phase 2 will involve holding facilitated discussions and roundtables. These are sessions where experts and others with helpful knowledge are invited to share their perspectives, experience and research on a specific theme, issue or topic.

During the third phase of our work, we will hold in-person and online proceedings to seek input on our findings and recommendations from all those who are interested here in Nova Scotia and across Canada.

The approach we are taking to Phase 1 will ensure that the Participants and the public have the factual information and foundation they need to engage with and inform the Commission in the second and third phases of the work. This is key to empowering Participants and the public to be actively engaged in the work of coming to understand why and how this could happen and what should be done about it.

Consistent with our commitment to health and safety and in line with our COVID-19 protocols, we will plan for both in-person and virtual proceedings as needed, following the latest public health guidelines. Proceedings will be available by webcast, and recordings and additional information will be available online.

In addition to finding out what happened on April 18 and 19, 2020, we are focused on digging deeper to understand the broader context that may have contributed to the mass casualty, exploring related issues, including firearms access, police and service-provider responses, gender-based and intimate partner violence and emergency communications. These issues will be considered in relation to the evidence identified during the first phase of our work determining what happened during the April 2020 mass casualty.

As we have said, we are committed to working with independence, respect and transparency. This approach includes making sure we remain open to understanding *all* of the factors that may have

contributed to the mass casualty, to assist in understanding indicators that could prevent violence and help to make our communities safer in future.

As part of our work on exploring related issues, we have built interdisciplinary teams within the Commission to explore critical areas under the themes of communities, policing and violence. These teams are reviewing a wide range of information so that all sides of the various issues are heard, providing important insight into how individuals and institutions have responded to the April 2020 mass casualty in Nova Scotia and similar incidents elsewhere. In the months ahead, this work will form the basis for roundtables that will enable Participants and the public to assist us with a deeper understanding of those areas of our mandate and what we can do in our communities to make them safer.

To assist in this work, we have engaged a Research Advisory Board to provide expert input into our research and policy process. The members of the Research Advisory Board are distinguished academics and experts in community engagement policy processes. Their collective research spans areas that will be important to our work, including criminology, law, psychology and sociology. There will be more information about this Board shared on our website.

As we continue to make progress with our work, including our investigation and proceedings, we remain committed to acting in the public interest as we conduct an independent, fact-based, evidence-driven inquiry. Now, back to Commissioner MacDonald for his concluding remarks.

COMMISSIONER MACDONALD:

Thank you Commissioner Stanton and Commissioner Fitch for sharing those updates. And thank you to everyone who is watching this update. As we have said – the ability of this Commission to deliver meaningful recommendations that will help all Canadians depends on your engagement.

We know the nature of the events and issues we are investigating can be difficult, and we encourage you to use the mental health and other supports that are available through our website.

Please stay connected with the Commission's work via our website and social media, and please take the coming opportunities to watch our public proceedings and to share your perspectives on how we can keep our communities safe and strong.

In closing, please know the Mass Casualty Commission is well under way. We have a lot of work to do together. But, we are making steady progress and our teams continue to work incredibly hard to get the

answers sought by the public. Together, we are going to help make Canadian communities safer for everyone.