

March 30, 2021

Call for Applications for Participation (Standing) at the Mass Casualty Commission

The Government of Canada and the Government of Nova Scotia established the Mass Casualty Commission, a Joint Federal/Provincial Public Inquiry, on October 21, 2020. The Commissioners appointed to conduct the Inquiry are the Honourable J. Michael MacDonald, Chief Commissioner, Commissioner Leanne J. Fitch, and Commissioner Kim Stanton.

The Commission's mandate, set out in Orders-in-Council under the authority of the Government of Canada and the Government of Nova Scotia, is to examine the April 18 and 19, 2020 mass casualty in Nova Scotia to determine what happened and to provide recommendations to help avoid such events in the future. The Orders-in-Council have provided an opportunity for appropriate participation to include the following:

1. the victims and families of the victims of the mass casualty;
2. the Government of Canada and the Government of Nova Scotia;
3. any other person who satisfies the Commissioners that they have a substantial and direct interest in the subject matter of the Commission.

The Mass Casualty Commission is now accepting Applications for Participation (sometimes referred to as "standing"). This process allows individuals and groups to apply to participate in the Commission's proceedings and to apply for funding to do so. These proceedings include the fact-finding and policy aspects of the Commission's activities. They are not the only way in which to participate in the public activities of the Commission. Members of the public who wish to observe Commission activities may do so without seeking participant status.

The Commission issued a Notice to Potential Participants on February 9, 2021 in order to hear from those individuals and groups with an interest in participating in the Commission's activities. The Commission will conduct a range of activities in order to gather the information needed to fulfill its mandate. These activities include investigation, witness interviews, community, expert and institutional proceedings, policy roundtables, and research. Some of these activities will involve hearing from people who provide information to the Commission. A participant may participate on their own behalf, be represented by a lawyer, or, with the approval of the Commissioners, by a non-lawyer (a "representative").

Certain people were granted an opportunity for appropriate participation in the Orders-in-Council establishing the Commission: the victims and families of the victims and the federal and provincial governments have this opportunity. Unless a member of these two groups, you must show that you have a “direct and substantial interest” in the Commission’s mandate.

Applications for Participation at the Commission’s proceedings are invited from any person with a substantial and direct interest in the subject matter of the Commission. The manner of participation of the persons given participant status shall be determined by the Commissioners.

The Commissioners may also make recommendations for funding to the Clerk of the Privy Council to support an applicant’s ability to participate in the Commission where, in the view of the Commissioners, that person would not otherwise be able to participate.

Application Process

Any individual or group who wishes to be a participant must download the PDF application form (<https://masscasualtycommission.ca/files/documents/participation/participation-and-funding-form.pdf>) and send the completed form via email to participation@masscasualtycommission.ca no later than **April 12, 2021**.

Should you require support completing your form, or if you would like to receive a hard copy form, please contact Maureen Wheller, Community Liaison Director for assistance: Maureen.Wheller@masscasualtycommission.ca or 902-626-8673. Please visit the Mass Casualty Commission website for additional information on the Applications for Participation: <https://masscasualtycommission.ca/participation/>.

Please note that victims and families of victims do not need to complete a form for participation. With regard to the funding application, unrepresented victims and families of victims should contact the Community Liaison team for assistance: Maureen.Wheller@masscasualtycommission.ca or 902-626-8673.

Decisions by the Commissioners on participation and funding are expected to be made on the basis of the written information provided in the application form and the accompanying documentation. Should oral submissions be required, the Commissioners will determine the date and format for the oral submissions.

Decisions regarding applications for participation and funding will be listed on the Commission website.

Participation Enquiries

For additional information, please see Frequently Asked Questions: <https://masscasualtycommission.ca/participation/faq/>. Should you have further enquiries please contact us at participation@masscasualtycommission.ca.

RULES ON PARTICIPATION AND FUNDING

General

1. These Rules on participation and funding apply to the Mass Casualty Commission (the “Commission”), established pursuant to Nova Scotia Government Order in Council 2020-293 and Government of Canada Order in Council 2020-0822.
2. The Commissioners may amend, supplement, vary, or depart from any rule as they deem necessary to ensure the Commission is thorough, fair, and timely.
3. These Rules relate to the opportunity for participation in the Commission’s proceedings, including the fact-finding and policy aspects of the mandate.
4. In these Rules, “participants”, refers to individuals, groups, governments, agencies, institutions, or other entities granted an opportunity to participate in the Commission’s proceedings.
5. Those applying for an opportunity for appropriate participation are “applicants” in these Rules.
6. All participants, witnesses, and their lawyer or representative in the proceedings shall be deemed to undertake to adhere to these Rules, and may raise any issue of non-compliance with the Commissioners.
7. The Commissioners may deal with a breach of these Rules as they deem appropriate.
8. Commission Counsel have the primary responsibility of representing the public interest throughout the Commission, including the responsibility to ensure that all matters that bear on the public interest are brought to the attention of the Commissioners. Commission Counsel will assist the Commissioners throughout the inquiry and ensure the orderly conduct of the inquiry process.

Participation

9. Any individual or group who wishes to be a participant must download the PDF application form (<https://masscasualtycommission.ca/files/documents/participation/participation-and-funding-form.pdf>) and send the completed form via email to participation@masscasualtycommission.ca no later than April 12, 2021. Should you require support completing your form, or if you would like to receive a hard copy form, please contact Maureen Wheller, Community Liaison Director for assistance: Maureen.Wheller@masscasualtycommission.ca or 902-626-8673.

Please visit the Mass Casualty Commission website for additional information on the Applications for Participation: <https://masscasualtycommission.ca/participation/>.

10. Applications in writing for the opportunity to participate must include the following information:
 - (a) The applicant's name, address, telephone number, email address;
 - (b) The name of the lawyer or representative, if any, representing the applicant together with their address, telephone number, and email address;
 - (c) An explanation of the applicant's substantial and direct interest in the subject matter of the Commission having specific regard to the mandate of the Commission.
11. Participation in various aspects of the Commission's work will be granted at the discretion of the Commissioners in accordance with the mandate.
12. The Commissioners will make decisions about participation in the Commission's proceedings based on the completed application form and supporting documentation. Should oral submissions be required, the Commissioners will determine an appropriate time and format.
13. The Commissioners may determine those aspects of the Commission's work in which a person granted an opportunity for appropriate participation may engage and the form of their participation.
14. The Commissioners may direct that a number of applicants share participation with those with whom they have a common interest.
15. Those granted an opportunity for participation will be designated as "participants" before the Commission.
16. Further information with respect to participation may be available on the Commission's website: <https://masscasualtycommission.ca/>.

Funding

17. Pursuant to the mandate of the Commission, the Commissioners may make recommendations to the Clerk of the Privy Council regarding funding for a participant, where, in the view of the Commissioners, the person would not otherwise be able to participate in the Commission without such funding. Funding recommendations will correlate with the Commissioners' determination of the appropriate degree of participation for each application for funding.

18. Any individual or group who wishes to be a participant must download the PDF application form (<https://masscasualtycommission.ca/files/documents/participation/participation-and-funding-form.pdf>) and send the completed form via email to participation@masscasualtycommission.ca no later than April 12, 2021. Should you require support completing your form, or if you would like to receive a hard copy form, please contact Maureen Wheller, Community Liaison Director for assistance: Maureen.Wheller@masscasualtycommission.ca or 902-626-8673. Please visit the Mass Casualty Commission website for additional information on the Applications for Participation: <https://masscasualtycommission.ca/participation/>.
19. Applications in writing for funding must include the following information:
- a) The applicant's name, address, telephone number, email address;
 - b) The name of the lawyer or the representative, if any, representing the applicant, together with their address, telephone number, and email address;
 - c) An indication that the applicant requests funding due to the risk of personal financial hardship which would prevent participation; or an indication that the applicant does not require funding in order to participate.
20. Funding will be recommended at the discretion of the Commissioners in accordance with the Government of Canada Order in Council 2020-0822 (1) (f) (vi) and the Nova Scotia Government Order in Council 2020-293 (1) (f) (vi).
21. Where the Commissioners' funding recommendation is accepted, funding shall be in accordance with Treasury Board guidelines respecting rates of remuneration and reimbursement and the assessment of accounts.
22. Further information with respect to funding may be available on the Commission's website: <https://masscasualtycommission.ca/>.