

## Public Hearing

## Audience publique

### Commissioners / Commissaires

The Honourable / L'honorable J. Michael MacDonald,  
Chair / Président

Leanne J. Fitch (Ret. Police Chief, M.O.M)

Dr. Kim Stanton

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Halifax, Nova Scotia

--- Upon commencing on Thursday, May 12th, 2022, at 9:31 a.m.

**COMMISSIONER FITCH:** Hello, and welcome. Bonjour, et bienvenue. It's cozy quarters up here on the platform this morning. We join you today from Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq. Today, like every day, we remember those whose lives were taken or were harmed, their families, and all those affected by the April 2020 mass casualty in Nova Scotia.

Yesterday, we heard from witness, Michael Hallowes, who helped provide a broader context about public alerting. He will join us again today via Zoom. We also heard more submissions from Participants on this topic.

Today, we will hear from a roundtable of members with the range of perspectives focussed on public communications and alerting during emergency events. We thank those Participants who provided input to help us shape our questions for a roundtable discussion on these topics.

A reminder that roundtables and commissioned reports are two of the many ways through which we are exploring how and why the mass casualty happened. A commissioned report related to public alerting and communications during emergencies is currently on our website, and we are pleased that one of its authors will join us today.

I will now ask Krista Smith from our Research and Policy Team to introduce the members of this morning's roundtables. Krista?

**MS. KRISTA SMITH:** Thank you, Commissioner Fitch.

**--- ROUNDTABLE: PUBLIC COMMUNICATIONS DURING EMERGENCY EVENTS, INCLUDING EMERGENCY ALERTING: SYSTEMS DESIGN AND IMPLEMENTATION:**

**MS. KRISTA SMITH:** Good morning, and welcome to our second roundtable in the series, and I'm very pleased to welcome a panel today of individuals who have been working with emergency alerting in Canada as a significant part of their

1 lives, and they're going to share with us today some of the key considerations in  
2 systems, design, common misconceptions, and where we are headed in Canada. So  
3 this should be a very interesting conversation, and I'm excited to hear from each of  
4 them.

5 Just a reminder of sort of the format of roundtable proceedings: I  
6 will be moderating the sessions, so I will be directing the questions, asking follow ups  
7 and moderating dialogue. The Commissioners may choose to pose a question or ask  
8 for clarification at any point. The roundtable discussions form part of the Commission  
9 record and are being live-streamed and will be publicly available on the Commission's  
10 website.

11 As with every roundtable discussion, the intention is to provide the  
12 Commissioners and the public with a deeper understanding of the core themes so that  
13 everyone is well-positioned to engage in conversation in Phase 3 about lessons learned  
14 and potential recommendations.

15 So to get us started, I am going to ask each of the roundtable  
16 members to introduce themselves and explain their connection to the topic of  
17 emergency alerting. I think I'll start -- we'll go around the circle.

18 So Jennifer, would you like to introduce yourself?

19 **MS. JENNIFER JESTY:** Pjila'si wel'ta'si pejitaioq. Welcome, and  
20 so nice to see you all. My name is Jennifer Jesty. I am an Eskasoni Band member.  
21 Currently, I am the Manager of Emergency Management for the Union of Nova Scotia  
22 Mi'kmaq, who recently developed our own emergency alert system for our Indigenous  
23 communities in Cape Breton Island. I am also the first Indigenous woman to become a  
24 member of the Nova Scotia Firefighters Association, and the first Indigenous woman to  
25 be an advanced care paramedic in Nova Scotia. And thank you for inviting me.

26 **MS. CHERYL McNEIL:** Good morning, everyone. My name is  
27 Cheryl McNeil. I am here as one of the authors of the Communications, Interoperability  
28 and Alert Ready System Report by Landsdowne. I also have an emergency services

1 background. For 20 years, I was a 9-1-1 operator and dispatcher for the Toronto Police  
2 Service. At about 2007, I made the transition to our headquarters and entered the world  
3 of emergency management. Quite regularly, I would liaise with the City of Toronto  
4 Office of Emergency Management. I was involved in several emergencies and major  
5 events in a planning and response capacity.

6 I also went on to earn a Masters degree in Disaster Emergency  
7 Management from York University, and transitioned to a provincial and a national level  
8 as the Coordinator of the Ontario Association of Chiefs of Police Emergency  
9 Preparedness Committee, and then on to the CACP for their Emergency Management  
10 Committee. I was quite closely involved with drafting the resolution that you referred to  
11 yesterday. And I'd just like to end off by saying it is a privilege to have been invited here  
12 today. Thank you very much.

13 **MR. PAUL MASON:** I'm Paul Mason, Executive Director of the  
14 Province of Nova Scotia Emergency Management Office. I oversee the Office of the  
15 Fire Marshal as well. I've been involved in emergency alerting in various capacities for  
16 approximately 10 years, both on the Governance Council federally and as a member of  
17 the senior officials responsible for emergency management. So I'm happy to be here  
18 today to discuss that topic and I appreciate the opportunity.

19 **MS. KRISTA SMITH:** I don't think I really introduced myself. So I  
20 am Krista Smith, and I'm on the Research and Policy Team of the Mass Casualty  
21 Commission.

22 **MR. TIM TRYTTEN:** Hello, my name is Tim Trytten. I'm the --  
23 again, I'd like to thank the Commission for the opportunity to attend and presenting this  
24 information. I was a steward of the Alberta Emergency Alerting Program for  
25 approximately eight years, CAPS Canada's longest running Alberta Emergency Alert  
26 Program. I have also been active at the national and local/regional level in terms of  
27 advancing alerting across Canada and around the world.

28 **MS. KRISTA SMITH:** Michael?

1                   **MR. MICHAEL HALLOWES:** Well, good morning, and again,  
2 thank you for the privilege to be a part of such a distinguished panel.

3                   I'm Michael Hallowes. I'm an independent strategic advisor to  
4 governments on public warning systems. My knowledge comes from 30 years with the  
5 police in London, here in the UK, and six years in Australia as the Emergency Services  
6 Commissioner for the State of Victoria, and National Director of Australia's Emergency  
7 Alert Program, which will be the equivalent of Alert Ready.

8                   My involvement has been, I was invited yesterday to give testimony  
9 before the Commission, and I've had some years of experience of working with  
10 colleagues in Canada on this very subject of maximising the opportunities of an  
11 effective public warning system. And thank you again for the invitation.

12                   **MS. KRISTA SMITH:** Thanks, Michael.

13                   So we're very excited to have each of you here. It's a huge  
14 contribution, and we are going to learn a lot from you, I know.

15                   So I want to start us off today by picking up on some of what we  
16 heard yesterday. Michael Hallowes explained to us that there is more than one kind of  
17 alerting system in the world. In fact, it can be described as centralised, decentralised  
18 and hybrid, and as well, there are also private platforms for doing emergency alerts  
19 within local communities.

20                   So I'd just to take a moment to talk about what each of those  
21 systems are. So Michael, maybe I'll start with you to remind us what the options are  
22 when it comes to alerting, and we'll go from there.

23                   **MR. MICHAEL HALLOWES:** Thank you. So with a centralised  
24 version of the capability, the idea is to set up a hub that acts on behalf of all of the  
25 organisations that are -- will have a responsibility to warn the communities in times of  
26 whatever emergency they lead on behalf of the federal, provincial, or territorial  
27 governments.

28                   The alternative, and it doesn't have to be an either/or, black and



1 white, is one where it is distributed to each organisation for them to have direct access  
2 to the system. There can always be the hybrid of both working together, whether one  
3 provides a 24/7 overnight or the others are not a 24/7 capability, but that's the very  
4 basics of the two options. But they are not black and white, you can have a hybrid.

5 **MS. KRISTA SMITH:** Thanks, Michael.

6 So Paul, I'd like to take it over to you. And can you tell us a little bit  
7 about the system in Nova Scotia and how it's changed over time?

8 **MR. PAUL MASON:** Certainly. The system was first deployed in  
9 its early days in 2011, and it would be, you know, as was noted a moment ago, more of  
10 a centralized system. And that was common in all jurisdictions across the country, with  
11 the exception, I believe, of Alberta, which had more of a decentralized system.

12 That way of doing business, for lack of a better term, remained in  
13 place with ourselves; that is, EMO Nova Scotia being able to issue alerts and response  
14 to specific events. As has been touched on in some of the prior discussions, there's a  
15 list that was nationally agreed to of 32 broadcast intrusive alert types, with specific  
16 definitions, and what have you. And that list really provided guidance in the midst of an  
17 event. For example, a hurricane or critical infrastructure failure, something along those  
18 lines.

19 So that's the model that existed in Nova Scotia. After the mass  
20 casualty, we moved to more of what I would refer to or has been described as that  
21 hybrid system, where EMO still retains the ability to issue alerts for the types of  
22 emergencies that we typically would deal with, you know, that could impact the  
23 province, but specifically with regard to law enforcement agencies and their utilization of  
24 the system, some of our partners in that area have opted to take direct access,  
25 specifically the RCMP and HPD. So they can now issue alerts for events which fall  
26 within their area of jurisdiction.

27 In effect, what we've done is of that list of those 32 alert types, the  
28 ones that would have a policing utilization; civil emergency, terrorism, explosive, those

1 types of things, they now have the ability to go in and issue directly. Other police  
2 departments can continue to request that through ourselves.

3 So we currently have what I would describe as a hybrid model.

4 **MS. KRISTA SMITH:** Okay, thanks. And you mentioned HPD,  
5 that's Halifax Police Department?

6 **MR. PAUL MASON:** Correct, yes.

7 **MS. KRISTA SMITH:** Okay, thank you.

8 So Jennifer, over to you. I know that you are from Unama'ki, and  
9 you've had a role in implementing a system there. Can you tell us about that?

10 **MS. JENNIFER JESTY:** Yes. And, again, thank you for the  
11 opportunity to share what we've done so far.

12 So we've decided to go with the Everbridge platform as our own  
13 emergency alert system, and we've named it the Unama'ki Emergency Alert System.

14 Since its inception 18 months ago, we've so far sent out 102 alerts,  
15 and reuniting 35 young people with their families. It's an opt-in only system, so people  
16 have to register for the system in order to receive the alerts, but you tell us how you  
17 want us to notify you. So through the system we're able to notify you through text, a  
18 phone call to your house, a phone call to your cell phone, or an email. And when you're  
19 registering for the system, you give us that information to tell us how you'd like to be  
20 contacted.

21 When the Chief signs in to send out his alert, he simply puts in his  
22 user name and password; he types out the message and hits send. Right now we have  
23 two separate options available where there's a text-only option where the message only  
24 goes to text and email, and then there's an all-paths option; that's the option where  
25 we're actually ringing the Elder's house phone, doesn't matter what time day or night.

26 The major selling point for us to select the Everbridge platform was  
27 the use of cultural appropriateness and language. And what we were able to do there is  
28 the Chief is actually able to record his own voice in his own language. So when the

1 Elder is answering that phone on the other end, they're actually hearing something that  
2 they can clearly understand.

3 **MS. KRISTA SMITH:** How many subscribers do you have,  
4 roughly, right now?

5 **MS. JENNIFER JESTY:** So far for us across the five communities  
6 we have just over 3,000 subscribers.

7 **MS. KRISTA SMITH:** Thank you.

8 So that was just a bit of a refresher, really, for us to understand the  
9 types of systems. So I'd like to go now to thinking about the pros and cons of those  
10 systems. So Cheryl, I'd ask you to start. Can you give us some of the upsides of  
11 centralized, decentralized; and downsides, as you wish?

12 **MS. CHERYL McNEIL:** I do think that for a smaller, very cohesive  
13 community something like an Everbridge is very useful. It's a great communication tool  
14 for a community, as you say, that you have the cultural capability, understanding a very  
15 cohesive community.

16 What could be an issue on -- in a greater, say, a metropolitan area,  
17 you have a lot of transient people in and out, whether they -- there is tourists working, et  
18 cetera, that wouldn't necessarily receive that type of alert because they're not a  
19 subscriber to the system. I think as Mr. Hallowes answered yesterday, that you do want  
20 to get the people that are coming through any particular area who will be affected by a  
21 particular disaster emergency, just by virtue of where they are at that point in time. That  
22 is a consideration.

23 The interoperability between the two systems needs to be worked  
24 out. It would be unfortunate to have competing messages go out to the community if  
25 they weren't well-coordinated or collaborated amongst the issuers.

26 **MS. KRISTA SMITH:** I just want to clarify there; what is  
27 interoperability?

28 **MS. CHERYL McNEIL:** It was mentioned yesterday. There is a

1 formal definition of interoperability. I like to think of it more as an outcome in a state,  
2 and it's essentially getting the right information to the right people at the right time.  
3 There is a process for it. We saw the five lanes of interoperability which provides a  
4 model of how to achieve that state of interoperability. But the very base of it, in my  
5 mind, is the beginning -- starting that relationship and that, communicating with all the  
6 stakeholders with respect to a particular issue that needs that interoperability, that  
7 collaboration, that cooperation; the communication.

8 **MS. KRISTA SMITH:** And you talked about interoperability  
9 between the two systems. What two systems were you referring to?

10 **MS. CHERYL McNEIL:** For example, Alert Ready versus a private  
11 entity, Everbridge or an alternate model to what is currently offered in Canada on a  
12 national basis.

13 **MS. KRISTA SMITH:** Okay. So you were flagging the potential  
14 for, perhaps, if a national alert were -- if an alert through the national system were to go  
15 out, and were to contradict or not be consistent with what was issued locally?

16 **MS. CHERYL McNEIL:** Perhaps that could be an issue, yes.

17 **MS. KRISTA SMITH:** Okay. Okay, just making sure I got you  
18 there.

19 Okay, so let's take it over to Tim, and we're talking about the pros  
20 and cons of centralized, decentralized, hybrid, and other types of models.

21 **MR. TIM TRYTTEN:** Yeah, thank you.

22 I mean, the centralized model has a number of strengths; it's easier  
23 to implement because you limit the number of users to a small, trained core; you can  
24 control the messaging; approvals can be generated. It's a much more formalized  
25 approach. The advantage of that is that you hopefully control the number of errors, you  
26 deliver a standardized and approved message.

27 The disadvantage of the centralized model is it takes time. And I  
28 think that we have to understand that emergencies are not all the same. Emergencies

1 can be long, short duration. They can be fast developing, or they can be slowly  
2 developing like a wildfire I see here in Nova Scotia developing.

3                   So there's some really strong points to this but on the other side, it  
4 takes time to get things ready to go.

5                   The decentralized model is faster; you have people on scene who  
6 can actually issue the alert. The quality of the information is based on the individual's  
7 perception at the moment, but it is -- it can be quicker.

8                   On the other side of the coin, there's a greater chance of errors.  
9 There's a greater chance of training. And we have to remember that these are low-  
10 frequency, high-severity events so that the user does not get a lot of chance to practice  
11 unless they consciously do that, and so, all of a sudden, they're in a high-stress  
12 situation, it's 00-dark and you have to issue an alert about something serious. And now  
13 things like, do you remember your password; do you remember the key sequence, you  
14 know. And having issued approximately 150 alerts, there's a lot of terror that goes with  
15 that when you have to say something to the entire population as a whole. It's a very  
16 significant event to issue an alert, particularly if it goes broadcast immediate and  
17 province-wide.

18                   The hybrid model walks the line between the two of those, in that  
19 you have designated users in communities, in organizations. Alberta and  
20 Saskatchewan both use this model. And that gives the chance for the person on scene  
21 to react quickly. If they need help, then you, as we say in Alberta, you warn the pop,  
22 9276 is the number we tell them; that means warn, and -- as a mnemonic. And you can  
23 call upon a professional who can give you that kind of assistance.

24                   You have to note, though, that low-frequency, high-severity  
25 consumes a lot of resources. You have to people on-call, trained, capable, and ready to  
26 go 24/7, and that consumes a lot of resources in a smaller -- in a smaller shop, in  
27 particular. So, you know, there's trade-offs; there's always trade-offs. You never can  
28 get everything in one position.

1                   If some jurisdictions are, unfortunately, major events -- emergency  
2 events are more common, so they're prepared to allocate those resources on a --  
3 because they know it's coming. It's predictable. Whereas others, it's quite rare.  
4 Emergency events are quite rare. So then they're prepared to make those economic  
5 trade offs. And that's important.

6                   **MS. KRISTA SMITH:** Thank you, Tim.

7                   Michael, anything you would add to this conversation?

8                   **MR. MICHAEL HALLOWES:** Thank you, no. I think everyone has  
9 given comprehensive answers. Certainly I don't need to anything more. But thank you.

10                  **MS. KRISTA SMITH:** Okay. Great. I think we'll head -- we'll move  
11 on now to consider -- there's a series of what I've come to think of as common  
12 misconceptions about public alerting. So I'd like to explore a few of those now, turn to  
13 that.

14                  The first is we've heard it said that the issuance of an emergency  
15 alert could cause mass panic among the population, it could actually get in the way of  
16 the critical incident response if citizens are calling the 9-1-1 -- are calling 9-1-1 and  
17 overrunning the system. So I'd like to hear from each of you on this topic and what the  
18 considerations are around this.

19                  So maybe I could start with Paul?

20                  **MR. PAUL MASON:** Well thank you. You know, since, you know,  
21 the mass casualty event, we've utilized the system very frequently here in Nova Scotia,  
22 and I believe we had approximately 12 issuances for police related events, and we've  
23 had a number of non-police related events that we've issued for as well, water  
24 advisories and what have you.

25                  We haven't seen what I would define as mass panic in response to  
26 utilizations of those systems. Part of that is, because, of course, as the system was  
27 rolled out nationally, there was fairly extensive testing to make people aware of the  
28 system, which began in December of 2015 and was done basically quarterly up until the

1 mass casualty and has continued.

2                   So there was public education with it beyond the tests. There were  
3 media campaigns, television commercials, social media, web presences, and what have  
4 you.

5                   So there was certainly, you know, effort put in to make people  
6 aware of the system so that when it was used, it wouldn't be the first time they'd ever  
7 heard that sound or what have you; right?

8                   So we haven't seen that. There have been a couple of instances  
9 where there have been surges in calls to 9-1-1 and what have you, but generally my  
10 take on it would be that we have not seen mass panic in response to utilization of the  
11 system.

12                   **MS. KRISTA SMITH:** Thank you.

13                   Cheryl?

14                   **MS. CHERYL McNEIL:** I am aware that there is academic  
15 research that addresses the panic myth and that it really doesn't exist, and that in fact,  
16 fear response or fleeing behaviour is actually quite a rational course of action in the face  
17 of danger.

18                   I don't recall the specific study, however, the outcome was the time  
19 when people panic is when they have no options left.

20                   Relating that to alerts, as long as alerts are clear, concisely stated,  
21 and provide a direction, I don't see how panic can be an expected outcome of advising  
22 the public of information that they need to know.

23                   **MS. KRISTA SMITH:** Jennifer, what's been the experience within  
24 Unama'ki with the alerts?

25                   **JENNIFER JESTY:** So we've not seen that either. As a matter of  
26 fact, it's getting to the point now where if there is something transpiring within  
27 community, they're actually going on social media saying, "Where's the alert?" So  
28 they're expecting that information now and that communication.

1                   As I'm sure most people are aware, a lot of our Indigenous  
2 communities are, to some degree, isolated. So getting that information out in a timely  
3 manner is usually very important.

4                   So in the event that one of our communities experienced our own  
5 shooting and was a weapons call and an event that caused quite some panic through  
6 social media, it was at that time that we were able to send out an alert and say, "Yes,  
7 there is something going on in our community. We advise you to take precautions.  
8 However, it's not the time to panic and we'll pass along more information."

9                   We've had other instances within our communities as well where  
10 there have been, let's say, a weapons complaint, for example, and there's been a large  
11 police presence. And so in order to not hamper that investigation, we've sent out an  
12 alert that simply says, "Yes, there's a large police presence in your community, but no,  
13 it's not a threat to public safety."

14                   So getting the information out there has been severely beneficial to  
15 our communities and, like I said, to the point now that they're actually requesting those  
16 alerts.

17                   So no, we've not seen anything along the lines of a mass panic.

18                   **MS. KRISTA SMITH:** Thank you very much.

19                   Michael?

20                   **MR. MICHAEL HALLOWES:** Thank you. I have only one  
21 experience, and it was very, very early on in our learning, really, from the implication of  
22 the system.

23                   What we had was a grass fire moving very fast towards a housing  
24 area in rural Maldon and there were two consequences. First and foremost, parents  
25 dashed to the school that was in the middle of the housing development to collect their  
26 children, and the other was that everybody got on the road at the same time, which  
27 meant that those closest to the danger on the periphery of the fence line where the fire  
28 was closest found themselves unable to evacuate quickly enough because everybody



1 else was on the road in front of them.

2 Now, not necessarily panic, but unintended consequences. It was  
3 a one off because we learned from that about what to now put into the message  
4 content. And it's rather like boarding an airplane. Those seated at the back of the  
5 plane can go in first. Those at the front go in last. So we changed the content of the  
6 message to give more specific instructions. Plus the parents were educated that the  
7 school actually has an evacuation process. You don't need to drive to the school. The  
8 school will take care of that.

9 So no real examples thereafter of any form of panic, just a better  
10 understanding of human behaviours and making sure message content helps the  
11 emergency services control that.

12 **MS. KRISTA SMITH:** Thank you.

13 And Tim, what has been your experience in Alberta with this?

14 **MR. TIM TRYTTEN:** Yeah, I'd like to build on the material that  
15 Cheryl, Mike, and Jennifer just mentioned, that we haven't seen that. One of the cases  
16 specifically was Fort McMurray. We evacuated 80,000 people as a result of a wildfire  
17 coming into town.

18 And I think what we're really talking about, as Mike has just said, is  
19 human behaviour and warning response.

20 So humans live their lives with the belief that they're not at risk.  
21 That's fundamental. We go day to day on that.

22 So the primary challenge to an alerter, to the organization, is  
23 therefore to motivate people to take protective action. That's what we're asking them to  
24 do.

25 They must believe the message that's coming to them. It must be  
26 verified. It must come from a trusted source. And that it impacts them directly.

27 So I think when you're talking about mass panic, you're actually  
28 talking about two separate things. One is fearful behaviour. It's not panic, per say,

1 that's the issue, but rather, fearful behaviour. People do silly things because they're  
2 afraid.

3 Now, generally the way -- and some of the research you're talking  
4 about is coming out of the University of Albany, their Center for Emergency  
5 Management and Warning. And what the -- what they've said is that withholding  
6 information is more likely to produce a panic response, simply because people don't  
7 know. They have to make up a scenario of their own that fits the situation. If you can  
8 see the flames, there's clearly a threat. What do I do?

9 So using advisories or information alerts in advance, "Be prepared  
10 to evacuate," the standard one. Gather your pills, your pets, your photos, your  
11 passports. Fill your car with gas and be prepared to evacuate on short notice. There's  
12 a common alert that issued in a wildfire situation. And I draw on that on, Paul, simply  
13 because that's what, you know, you're facing right now.

14 So people are ready to go. They already have some information,  
15 they have a trusted source, and they're prepared.

16 And so at that point, you've already dealt with some of the panic  
17 because you've given the best quality information.

18 Jennifer, you spoke to that, I think, exactly.

19 The second part of that then is the evacuation process, which Mike  
20 mentioned. Now that, to me, speaks to the issue of an alerter must be able to play the  
21 game, "What happens next?" They must be able to think ahead and say, "What  
22 happens next?" So it's incumbent upon the issuer to prepare alerts in advance, to think  
23 about these situations in advance, so that you can talk about evacuation routes.

24 I'll draw on Fort Mac, but it's dated, it's six years old. But, you  
25 know, there's only one way in and one way out. So you have to think about evacuation.

26 And then a lot of times, what you do is you sequence the alert. "If  
27 you're in this community, Abasand, or if you're in this area north of the river, do this." "If  
28 you're south of the river, do that." That's simply giving good quality information. And

1 the sooner you get that warning out, the less likely you are to have panic, because  
2 people have more time to prepare and respond. It's sort of, message designed with a  
3 very powerful tool is critical in getting good behavioural responses.

4 So to work on it, you know, for me, it's simple, clear, concise,  
5 complete. Those are the -- SC3. Those are the things that must be in there. And you  
6 can add timely as part of that as well.

7 So I think if you do the preplanning, it means a whole difference in  
8 operational capacity to delivery timely effective messages.

9 Rod, in his testimony, spoke about his binder. And in the alerting  
10 world, that's called templates. And that is, we can look back at history, prepare  
11 templates knowing that these things may occur, you can't predict where and when, but  
12 you know that certain events are more likely to occur than others, and prepare for them.  
13 if you do that, the public trusts you, the likelihood of panic is greatly reduced.

14 And I agree with your term, Cheryl. I think the myth of panic is --  
15 more likely reflects a lack of preparation and experience than it does of actual human  
16 behaviour.

17 **MS. KRISTA SMITH:** Thank you, Tim.

18 Picking up on that, I was thinking about, Michael, something you  
19 said earlier this week, just in our preparation. You talked about three levels of alerts in  
20 Australia; the watch -- let me make sure I get it right. You're going to know. So watch,  
21 warning, and act. Can you tell us a little more about that?

22 **MR. MICHAEL HALLOWES:** Yes. As others have alluded to, and  
23 particularly Tim, the dynamics of an emergency can be very, very fast, slow burn, and  
24 the first responder, getting their situational awareness, will refer back to the command  
25 control centre where the alert will come from, that will determine, "This looks like it's  
26 going to escalate, so I'm not going to send out just an advice message, which is  
27 effectively putting everybody on notice to prepare that you may have to move."

28 As the situation builds, it's a watch and act. So you now really are

1 going to have to get yourself ready and you are almost certainly going to have to act.  
2 And when you receive the emergency alert as the third phase, you will act. And that's  
3 exactly what happens.

4                   Some events, of course, will go straight to the emergency alert.  
5 There is no build up. It is straight to the emergency alert and then it -- what will follow is  
6 as the scenario continues to develop, more alerts will be distributed as emergency  
7 alerts to update. And if the situation moves, like a bush fire can change direction in the  
8 wind or an active shooter could go to another suburb, the emergency locate ability  
9 follows that, trying to predict the areas to warn.

10                   So yes, we have the advice, "Wake up." Watch and act, "Get  
11 ready." Emergency alert, "Go now. Act."

12                   **MS. KRISTA SMITH:** Thank you. And tying into all of that is the  
13 accuracy of a trusted source's information. That's what I want to turn to next. And you  
14 mentioned, Michael, yesterday the paralysis of accuracy, I think is how you put it. And  
15 Cheryl told me yesterday, there's another one, paralysis of analysis.

16                   And so I'd like maybe each of you to speak about what you're  
17 talking about there and how that can get in the way of an effective emergency response.

18                   I think, Michael, since you just spoke, I'll pass it over to Cheryl and  
19 we'll come back to you.

20                   **MS. CHERYL McNEIL:** Paralysis of analysis, essentially, it entails  
21 waiting for perfect conditions, perfect amount of information before acting on it.

22                   One can become so consumed with seeking 100 percent accuracy  
23 that the opportunity passes them by.

24                   There's also a concept within policing which is called, "What did  
25 you know? When did you know it? And what did you do about it?"

26                   Even within emergency management, there is also the concept of  
27 communicating with what you know. This is what we know now and you have an  
28 obligation to communicate with communities, particularly people who are being affected.

1 “We don’t know everything, but this is what we know now.” And I think it’s incredibly  
2 valuable and it’s an obligation to communicate with the people who are affected by the  
3 information that you have that pertains to their safety. One does not want to get caught  
4 up in the paralysis of analysis because then you won’t move. You won’t make a  
5 decision.

6 **MS. KRISTA SMITH:** Yeah.

7 **MS. CHERYL McNEIL:** It’s a risk.

8 **MS. KRISTA SMITH:** Michael, anything you would add to that?

9 **MR. MICHAEL HALLOWES:** Time to give me another go at this.  
10 But there are other component parts that can contribute to this paralysis of analysis or  
11 accuracy. Some of the worst I have seen is message content language, where the  
12 message is then rooted to behavioural scientists to go through the language being used  
13 to check whether or not it will actually engender the right human behaviour. Just  
14 building in totally unnecessary layers of bureaucracy before the message goes out.  
15 And once there’s that void, other channels, which are uncontrolled from social media,  
16 will fill that void.

17 And we certainly saw that in 2005, the 7/7 terrorist attacks, where  
18 there was more than 60 minutes before we were actually fully able to comprehend it  
19 was a sustained terrorist campaign of forced -- not simultaneous, but almost  
20 simultaneous devices. We said nothing to the public. I was there in the control room.  
21 And it was a big learning for us because in that void of our silence, all sorts of other stuff  
22 was being said in speculation.

23 As Cheryl just said, being able to say something, “This is what we  
24 know right now. It may change, but on the basis of what we know now, we need you to  
25 take the following action.” And those three questions, “What did you know? When did  
26 you know? What did you do about it?” I know very well as a former senior detective,  
27 they really come back and bite you if you hold on to information that you control that  
28 would actually affect the safety and reduce harm to the public.

1                   **MS. KRISTA SMITH:** So, Tim, I'm thinking about how this  
2 conversation ties in to processes of emergency alerting and centralized decentralized  
3 systems.

4                   How do -- how can processes contribute to the paralysis of  
5 analysis?

6                   **MR. TIM TRYTTEN:** Yeah, the approval process is one that you're  
7 never going to have all the information you need at the time you need it and be able to  
8 deliver that. So I think you have to understand that you're going to go with your best  
9 guess.

10                  Personally, as an alert issuer, I've always believed that I can  
11 apologize for things not getting as bad as I thought they were going to be. I can't  
12 apologize for not saying anything. I have to be able to have done that.

13                  So preparation, preparation, preparation is critical. You prepare for  
14 events, you let the public know that you're prepared and you're ready, and that's the  
15 whole point of Emergency Preparedness Week that we've just gone through last week.  
16 And also, preparing for the accidental, or mistakes. That's part of a good alerting  
17 process and alerting program.

18                  I can -- you know, we can all draw on situations where alerts were  
19 issued either accidentally or with errors. That's part of the process.

20                  One of the things I see regularly is we train people how to issue an  
21 alert. We don't train them how to fix an alert and how to adjust the message when the  
22 situation either changes or the information you received was just plain wrong. And that  
23 happens. Simply highly fluid situation. Again, it's oh-dark and you have to make  
24 decisions based on what you know and what you see. So preparing for accidental  
25 warnings should be a normal course of business.

26                  Every alert has three phases: the original issuance, we send out  
27 the alert; an update, in other words, the situation has changed; and some kind of  
28 cancellation process or cancellation message. Each one of those is a predictable step.

1 This is all predictable. Therefore, deal with it, and prepare for it, and help your people  
2 who are on the keyboard, and in the ops centre, like Mike was talking about, prepare for  
3 each of those eventualities. That's good training and that has to be reiterated time and  
4 time again. People have to practice that.

5 One of the concerns I have is that there's a separation between the  
6 issuance and the approval. And that can cause a delay, both in terms of updating and  
7 issuing the message, but also in cancelling it when it's inappropriate because you have  
8 to get approval from somebody above you. And this becomes the liability argument. If  
9 we say something and it wasn't right, we're in trouble. If we admit to that, we could be  
10 in even more trouble. That's the reality of mass communications when you're on the  
11 societal level. You don't have all the information, so you plan for it and prepare for it.  
12 That's good training, that's good alert training.

13 **MS. KRISTA SMITH:** And I'm just thinking about our roundtable  
14 package materials, and in there was a little bundle of media coverage of alert -- alerts in  
15 recent times, and one was an example in Pickering, I believe. Was it? Can you speak  
16 a little bit about that and how these concepts tie into that?

17 **MR. TIM TRYTTEN:** So my knowledge here is second hand  
18 because I wasn't in the Operation Centre, but I can -- I can follow through with the  
19 report. And you know, Paul, that that was presented.

20 That in the Pickering situation, the NAAD system, they were -- they  
21 were training as part of their standard operating procedure, the EMO, the Emergency  
22 Management Organisation was training on Sunday morning. They were using --  
23 thought they were using the NAADs training system. They in fact went live with the  
24 message, basically, it was there is no event. They went -- accidentally went live, and  
25 then there was a delay in the 40-minute range, I don't have the specifics in front of me,  
26 but around 40-minutes.

27 That brings the whole system into disrepute because people are  
28 saying, "You sent out a message that there is no event." And instead of having the

1 issue or have the ability to instantly say, "Oops, we made a mistake. Sorry, there is no -  
2 - nothing to be concerned about.", sending out a cancellation message, they -- there  
3 was a delay, and that delay causes concern. The public is not sure what's going on.  
4 You've used a very powerful tool. And so, you know, they put steps in afterwards,  
5 learned from that experience and put steps in.

6 Alerting is a human behaviour, and as a result, will be subject to  
7 error. It's the reality. Now, you can do a lot of things to minimise that, but that will  
8 happen, and that's with any human behaviour.

9 **MS. KRISTA SMITH:** Paul, I'm wondering what your take is on the  
10 -- getting the -- how do you manage that sort of tension between accuracy and moving  
11 quickly, making sure that it's a trusted -- it's trusted, good information, in a highly  
12 dynamic and emerging situation?

13 **MR. PAUL MASON:** Sure. It really depends on the kind of the  
14 scenario in which the system is being utilised. You know, what I would kind of phrase  
15 as a conventional utilisation for us would be a situation where we're the lead agency.  
16 So it could be something like a hurricane or a critical infrastructure failure, or what have  
17 you, a part of our standard operating procedures whenever we have an event like that  
18 occur is pretty much the first thing we do is activate our Provincial Coordination Centre,  
19 and that will bring in EMO staff, we will staff that up, but also bring in our partner  
20 agencies specific to the event. So if it's something that's being driven, you know, for  
21 example, a large ice storm or some type of a technical failure impacting, you know,  
22 power or telecommunications, or maybe the outputs of a large hurricane, we'll have the  
23 key partners there with us and we'll be in a unified command scenario. So it'll be us,  
24 other provincial departments that will be relevant to the response, and critical  
25 infrastructure partners and other groups.

26 We're looking at that list of 32 alert types, and we're looking to see  
27 if those events are happening, and then we're looking at our standard operating  
28 procedures to see, based on the information we're getting of what's happening, is the



1 severity of this to the point where conventional media, technologies, social media,  
2 Everbridge, what have you, are -- is the severity of the event requiring an alert? And if  
3 it's yes, and it's an alert type, then we've got that information there from our partners  
4 because, whether it be coming in from a CI partner, critical infrastructure, or another  
5 provincial department, we've got it, we've made that determination, we have staff in our  
6 PCC who are ready and trained on this, we simply input the message and we get it out.  
7 So we can make that determination quickly.

8           You know, if it's a scenario where it's events that we're not lead on,  
9 we're dependent on the entity which is lead making that determination independently  
10 that the alert is required, you know, they're determining that other means of  
11 communication aren't sufficient in that scenario, and then contacting us and providing  
12 that message, at which point we'll load it up and get it out. So that's kind of the realm in  
13 which we're operating with.

14           So if it's something that we're kind of leading or in a unified  
15 command scenario we're well-positioned to move quickly on that. If it's in events that  
16 we're not directly involved in, you know, we're dependent upon that partner. And that's  
17 that tension which was spoken to earlier around the centralised versus the  
18 decentralised or the hybrid; right?

19           With regard to the actual message itself, I mean, analysis paralysis  
20 is certainly well-known, and you know, you don't want to be in scenarios where you're  
21 waiting to get it perfect and you don't get it out. We've certainly recently had scenarios  
22 where we have issued alerts for landslides, and what have you, when we saw events  
23 developing quickly.

24           So you can structure a message in our experience. We're not  
25 going to be overly specific if we don't have the specific details. So we'll frame the  
26 message so that it's relevant to the information that we have, and then keeping the  
27 timeliness in mind, seek to get that message out.

28           **MS. KRISTA SMITH:** So when you're in a situation where the

1 central figure, the NSEMO, is not the lead in response, and it's a situation where time is  
2 of the essence, how do you -- how do you get the right balance between being sure that  
3 you're getting good information from a trusted source?

4 **MR. PAUL MASON:** The lead agency needs to make that  
5 determination. In many cases, we may not even have situational awareness, you know,  
6 that there's an event underway. So basically, that agency would have to make that  
7 determination and contact us, and then we would, you know, get the information  
8 required from them for the alert and look to load it up into the system and distribute. But  
9 we're -- we don't have situational awareness on things that aren't falling under EMO's  
10 kind of purview, per se, for lack of a better term.

11 **MS. KRISTA SMITH:** And I guess I'm thinking of a situation, say,  
12 where, especially some of the police agencies in rural areas can be very small ---

13 **MR. PAUL MASON:** Sure.

14 **MS. KRISTA SMITH:** --- and may -- it could be that the individual  
15 who has the authority to contact you to issue an alert is actually quite involved in the  
16 critical incident response. How do you -- how do you -- how do you verify that the right  
17 person is giving you this direction ---

18 **MR. PAUL MASON:** Yeah.

19 **MS. KRISTA SMITH:** --- when it's a really high, fast-paced  
20 emerging situation?

21 **MR. PAUL MASON:** Certainly. So some of the updates that we  
22 have put in place since the mass casualty, and this would be specific for police  
23 agencies which do not have direct access, so what they would do is they would contact  
24 us. And we have a form that we've developed in collaboration with them, and really, the  
25 intent of that form is to organise the required information in the format that's needed to  
26 get it quickly inputted into the Alert Ready kind of web interface, for lack of a better term.

27 The way that we verify who that person is — because of course  
28 there are security concerns, I mean, similar to, you know, as Tim was speaking to a

1 moment around Pickering — you want to protect the integrity of the system, you don't  
2 want to have a false alert go out if at all possible, especially in a -- in a law enforcement  
3 scenario. So for these agencies which are still requesting through us, they have  
4 identified particular officers who they have delegated authority to to request alerts. We  
5 train with them quarterly, just to make sure that they're comfortable with the platform  
6 and an opportunity for them to ask any questions or bring any concerns. We have also  
7 put in place verification protocols so that they can be uniquely identified when they  
8 contact us so that we can be sure that the person coming in with that request is  
9 authorised. So that's how we address it.

10 **MS. KRISTA SMITH:** Thank you very much.

11 I think I'm going to move on to another area if that's okay with  
12 everyone. Okay?

13 Another thing that we heard yesterday from Michael was, I guess  
14 this is me thinking a little bit as well, but we heard -- we heard the term "alerting fatigue",  
15 and I want to talk about that concept a little bit. And the other thing I got from you  
16 yesterday, Michael, is that you would use alerts when the normal first responder  
17 response isn't going to -- isn't going to do it, like something more is needed. And so  
18 there can be times when, say, an emergency response, or sorry, an emergency alert is  
19 sent when it's -- it doesn't reach that threshold. So I want to talk a little bit about the  
20 threshold, but I was thinking of it as kind of a spectrum. There's, on one end, you've got  
21 the issuing an alert, say, for a commonplace type of situation on one end of the  
22 spectrum where you perhaps run the risk of alerting fatigue and then at the other end of  
23 the spectrum, you have the view that an alert will only be issued as the absolute last  
24 resort.

25 And so I want to explore what's the sweet spot here. What --  
26 what's -- what's the right point at which -- at which an alert should be issued along the  
27 spectrum?

28 So Michael, I was tying that into your -- to your evidence yesterday,

1 but I'd really -- actually, I'd like to start with you, Jennifer, if that's all right, especially  
2 given that maybe also speak, if you can -- speak to types of alerts, you know. There's  
3 different types of alerts for different situations.

4 **MS. JENNIFER JESTY:** Yeah, so we worried about the fatigue as  
5 well. We -- so Everbridge is an amazing platform and it can basically do everything but  
6 wash your dishes, so we had to work with Everbridge to ask them to tailor their program  
7 to our needs. And our needs may be different than most other needs.

8 Our needs were emergency alert only. We're not sending out  
9 information about, you know, something happening in the local community, you know,  
10 there's a community gathering, there's a powwow. It's not about that.

11 When we're sending you something, it's because it's something you  
12 need to know about.

13 So we've sent alerts for everything from, as I've referenced already,  
14 that we had a community that we did have a weapons complaint and there was shots  
15 fired and somebody was, in fact, shot in our community. We've sent alerts out for boil  
16 water orders. Of course, that's going to be important and affect your entire community.

17 We -- most of our communities do only have a one way in/one way  
18 out. One of our communities had a very severe motor vehicle accident and it shut down  
19 the highway. The beauty of sending that alert was there were people that were not in  
20 community and now they knew they couldn't get back home, so had they not received  
21 that alert, they would have been sitting there on the highway without whatever means  
22 necessary that, you know, medication. The road ended up being closed for four hours,  
23 and so thankfully, those community members knew, don't attempt to come back. You're  
24 not going to get into your community, the same as you're not going to be able to exit the  
25 community as well.

26 The alerts we've sent out specifically for missing children have  
27 been a wide array. And I want to point out when we're talking about language and the  
28 wording that you need to use in these alerts, you have to be very careful because you

1 don't want to instill panic and you also don't want to put information that is really  
2 irrelevant to the situation.

3                   So we've had situations where young people have gone missing  
4 but we know they have threatened self-harm and we need to find their whereabouts.  
5 We're not broadcasting that information. We're saying that we're concerned for their  
6 well-being, could you help us locate the person.

7                   Every single alert we've sent, all 35, have been reunited with their  
8 families in less than an hour.

9                   We've had the RCMP come to us and say, "You did, in less than an  
10 hour, what we couldn't do in 24 hours or more".

11                   So our alerts have been successful, but the wording is very  
12 important. When we the shooting within one of our communities, we -- you did -- we  
13 didn't know what was happening. It was random. Somebody was shot within their  
14 home. We had no more information about that.

15                   Community was panicked thinking we're having a repeat of the  
16 reason why we're all here today, and so information had to get out very quickly. And  
17 social media can be your friend and your enemy, and it was evolving on social media  
18 before we even had all the information within our communities.

19                   So when we sent out that alert, we had to be very careful to use the  
20 language that's appropriate for the situation. The minute you say the words "active  
21 shooter", that is going to instill a whole new level of fear.

22                   So we had to be very careful and word it specifically saying that,  
23 yes, there's something going on, but hang on a second, it's not time to panic yet, and  
24 here's the reason why.

25                   **MS. KRISTA SMITH:** And I was thinking also about what you were  
26 describing to me in the last little while about -- I think you have a couple ways to send  
27 the alerts, depending on the situation, so -- and the story you told about the first time  
28 that you issued an alert.

1                   **MS. JENNIFER JESTY:** Yeah. So I won't lie. I made mistakes  
2 because that's to be expected. This was brand new to me.

3                   And the very first alert we ever sent out, we had -- actually, it was  
4 the -- the system was supposed to become live on September 1st, and this was on  
5 August 27th. So the system had been promoted, we had about 1,000 people registered  
6 in one specific community, so people knew about it, they knew it was coming, but  
7 everybody also knew that the launch date was September 1st.

8                   But I received a phone call at quarter to 1:00 in the morning that  
9 there was a young lady missing in this particular community. "I know your system's not  
10 active, but can you send the alert anyway?"

11                   Well, sure, of course. I'm never going to say no to that instance.

12                   Spoke with the RCMP. They were involved in the investigation.  
13 And it was agreed that we were going to send out the alert.

14                   Well, I'm kind of trembling waiting to hit that send button because  
15 I'm about to wake up 1,000 people in a community to tell them this and, you know, I  
16 make sure to the RCMP, "Are you sure?". And he says, "Yes, send the alert".

17                   I hit the send button and I'm literally pacing the floor because this is  
18 our very first alert, it's going to be well received or not. It's going to be on social media  
19 or not. And within seconds, it was posted on social media.

20                   It was extremely well received except we rang the Elder's house  
21 phone at quarter to 1:00 in the morning to tell him that a young person was missing.  
22 We rang them again 45 minutes later to tell them they were found. Probably not our  
23 best decision. It was after that that we realized, okay, wait a minute. There's got to be  
24 a better way to do this where that may not have necessarily been necessary to wake up  
25 the entire community.

26                   And so we were able to work with the people at Everbridge to come  
27 up with what call a text-only option where it's sends out a text message and an email  
28 only and it dose not ring the Elder's house phone.

1                   So we've made that decision now and the majority of our alerts will  
2 go out in that manner unless it's something that directly affects and is imminent threat to  
3 life and safety of everybody in the community. A boil water order is an example of that.  
4 We are going to send that out by all paths. We're going to ring that Elder's house  
5 phone.

6                   And then other than that, it's probably going to be something along  
7 the lines of a mass evacuation, something that is going to directly affect them where we  
8 do need to wake them in the middle of the night.

9                   **MS. KRISTA SMITH:** Thank you.

10                  Cheryl, I'll turn it to you now just to comment on sort of the sweet  
11 spot. What is the sweet spot for too frequent alerts or not -- you know, not frequent  
12 enough?

13                  **MS. CHERYL McNEIL:** I don't think I have the answer for that. I  
14 could share a few ideas.

15                  You know, we live in such an information-rich, almost overload  
16 society that we're -- we get communication from so many sources. You know, we have  
17 historically the -- you know, the traditional news media, social media, now this tool and I  
18 think the hard work needs to be done to really sort out those different levels of  
19 communicating.

20                  Tim, you mentioned the imminent threat, the threat to life, safety,  
21 the highest notification level possible that requires that interruptive broadcast, intrusive  
22 alert, and then perhaps cascading down on some sort of scale. This is still important  
23 information, it needs to be shared, but perhaps it isn't relevant to the mass population of  
24 a province.

25                  And you know, using, for example, Amber Alerts, the complaints  
26 received in Ontario of an Amber Alert issued in Thunder Bay and complaints from south  
27 -- southern Ontario about receiving the Amber Alert at 4:00 in the morning.

28                  I know there are two sides of opinion on that. Some are -- they

1 don't find it relevant to them and others say, "Bring it on. Bring every alert there is".

2 I think the hard work needs to be done of communicating and  
3 feedback with all stakeholders and -- to find that spot, whether it is a cascading range of  
4 these kinds of alerts, that hard pedantic planning, gathering information work in  
5 advance. We don't want to wait until it's happening to do this thinking. It needs to be  
6 set up in advance.

7 And with smaller, you know your communities. They're more  
8 cohesive. I think it's easier. In a larger, metropolitan area, it's more challenging.

9 We have a very diverse country. We have different regional  
10 populations, expectations. Every one of those need to be taken into account. It's going  
11 to be hard work. It's that planning piece of the emergency management cycle which not  
12 everyone really likes to do. It's hard. It's difficult. It's detailed. That's where you do all  
13 that mitigating, planning. It's far easier to respond and solve problems on the fly. It  
14 gives that adrenaline, that problem solving. But it's the hard piece in the middle where  
15 the bulk of the work needs to happen.

16 **MS. KRISTA SMITH:** Thank you, Cheryl.

17 I'm just thinking, Tim, about a report that came out in 2021 about  
18 public attitudes towards wireless public alerting and how that plays into determining  
19 what the sweet spot is.

20 **MR. TIM TRYTTEN:** Yeah, I'm going to be in violent agreement  
21 with both Jennifer and Cheryl here. I think they're hitting the thing right on the head.

22 We talk about alerting as if it was a homogenous event. It is not.  
23 There are grades and gradations between A and B.

24 At the broadcast intrusive level, the most serious, where all  
25 channels fire using every means possible to alert the public, I think we're faced with four  
26 real criteria. This is what we teach.

27 One, there must be a rare and extreme event. It has to be a threat  
28 to the public safety. It must be an egregious threat. It can't be something that just



1 happens. You know, a minor traffic accident resulting in, unfortunately, a death.

2                   Second, the risk must be immediate and is happening now.

3                   Third, that the normal communication channels are not available.

4 In other words, we don't have other ways to get the information out.

5                   And finally, that the alert will provide critical lifesaving information.

6                   Many things happen in the world in which we can do nothing about.

7                   One of the -- I'll just give you a quick fun example. One of the  
8 things when we're teaching is a space ship is coming to earth, it's going to land in  
9 Canada. Do you issue an alert for that? What would be your instruction? Look up? So  
10 in that case, my answer would be no.

11                   So those four criteria must be met, otherwise we get into the alert  
12 fatigue, where we're starting to fire alerts for a BOLO, be on the lookout for, those kinds  
13 of things.

14                   The sweet spot is to be able to understand that criteria and  
15 selectively decide to issue an alert when it is appropriate and meets those needs of  
16 imminent need.

17                   What Jennifer was talking about is then second and third level  
18 alerts. I call them advisories, communications, public notifications. And then health  
19 alerts. And we've certainly seen that in COVID.

20                   The methods that you use to reach the public with those alerts will  
21 be contingent upon the urgency, severity, and certainty of the event, and the threat to  
22 the public.

23                   So that's -- we can't talk about a sweet spot. I think you have to  
24 think about multiple sweet spots and nuance discussion because, for example, Jennifer,  
25 in your situation, that was particularly germane for that community. But if you'd gone  
26 province wide with that alert, the pushback is considerable. And this goes now to your  
27 comment about the WPA study done by the CRTC. And also, the private alerting  
28 company, Peasi, has issued -- or has voluntarily conducted surveys following each test

1 since 2018. This test was done on last Wednesday. They've just released preliminary  
2 data on Monday of 70 -- approximately 7,100 respondents. And people support, in  
3 general, if I can summarize this stuff, people support alerts if it's relevant and germane  
4 to them.

5 I often say that people will complain -- if I live on the top of the hill, I  
6 don't care about the flood. If I live at the bottom of the hill, I really care about the flood.

7 So they want that information to be directed germane to them.

8 The question of Amber Alerts that Cheryl raised has generated  
9 considerable pushback, particularly in Ontario, because people feel that information,  
10 using all tools, broadcast immediate, broadcast intrusive, if you will, is not germane to  
11 them, and therefore, "Why am I getting this alert?"

12 So we have to be conscious. Remember I said earlier, you have to  
13 play the what happens next game. You have to be good at that. And issuing an alert to  
14 all people for something that doesn't directly affect them is likely to produce some kind  
15 of pushback. And that's a problem. They start turning the system off.

16 So those decisions on terms of the alert level and type lie with  
17 SOREM and with the alert issuers of the day. And they have to make that decision  
18 based on their perception of the situation and the benefits to the public.

19 **MS. KRISTA SMITH:** Michael, anything you'd add to this  
20 conversation?

21 **MR. MICHAEL HALLOWES:** I'm going to be the difficult child. I'm  
22 going to be far more robust.

23 From my experience, we started out with the National Telephony  
24 Warning System Guidelines, one of the exhibits from yesterday, in which we said it  
25 would be good, our message would be more effective if it had one or other of these  
26 conditions met. That's on page 8. Our learning moves very quickly.

27 And there are two other exhibits I'd draw the Commissioners to.  
28 One was my presentation to CACP on the May 12<sup>th</sup>, 2021. And thank you, Cheryl, for

1 allowing me to present to your audience. The other was my notes, pages 55 and 56.

2                   What we realized is that you need very clear implication criteria and  
3 authorization criteria, and those exhibits set those out. If the conditions are not met,  
4 then the alert does not go. And I could go through them if it would be helpful, but as  
5 you've had them before, and I talked about them more briefly yesterday, it's your  
6 choice, Krista, do you want me to mention them again?

7                   **MS. KRISTA SMITH:** Just if you can do it quite briefly? Just for ---

8                   **MR. MICHAEL HALLOWES:** Yeah, there has to be an imminent  
9 or actual threat. And as Tim articulated, there are conditions that go with that. Time is  
10 of the essence, it's geographically targeted, the message content tells people quite  
11 clearly where it is and what they have to do, and it uses language that gets that across.  
12 If you haven't got that, then you cannot use the system. And you'll find, in those  
13 exhibits, they are yes or no. And if you do not have a full set of yesses, the message  
14 doesn't go. In that way, in Australia, we have avoided -- or they have avoided now,  
15 message fatigue, because there are very, very clear criteria that must be met before the  
16 button is pressed.

17                   I hope that helps.

18                   **MS. KRISTA SMITH:** Thank you, Michael.

19                   Paul, anything you'd like to add on this topic?

20                   **MR. PAUL MASON:** No, I think it's been well covered. Basically  
21 the message content is key and obviously striking that balance between, you know,  
22 accuracy and useful information versus time is one of the variables that has to be  
23 considered. But I think Tim and Michael have covered it well.

24                   **MS. KRISTA SMITH:** Thank you. I think -- I'm aware we're  
25 referring to several documents right now. I'm just going to confirm the exhibit numbers  
26 and state those in a moment.

27                   I'm thinking, if it's all right, I know we're a little bit early, but if we  
28 could take a break, please? Thank you.

1                   **COMMISSIONER MacDONALD:** Yes. Thank you. We'll break for  
2 15 minutes.

3 --- Upon breaking at 10:39 a.m.

4 --- Upon resuming at 11:02 a.m.

5                   **MS. KRISTA SMITH:** Okay. I think we're ready to resume.

6                   And before we get back into the substantive discussion, I have just  
7 a couple of housekeeping notes.

8                   One, which I should have said at the outset, is that these  
9 proceedings are being transcribed, and also translated into ASL. So just a reminder to  
10 speak nice and slowly so our translator can keep up. That's housekeeping one.

11                   And then the second is I wanted to connect some of the documents  
12 we've been referring to. I want to be sure it's clear which documents we're speaking of.  
13 So I can provide the exhibit numbers and COMM numbers for those.

14                   So just before the break, I spoke about a recent CRTC report called  
15 Attitudes Towards Wireless Public Alerting System in Canada. And that's entered as  
16 Exhibit 1371, and COMM reference is 0057393. We also referenced the slide deck that  
17 Michael Hallowes presented to the CACP in May of 2021. That's Exhibit 1348, and  
18 that's COMM0057413. And finally, I referenced the bundle or a few pages of  
19 summarising media reports in the last few years about alerting that our Research and  
20 Policy Team prepared. That's Exhibit 1370, COMM Number 00057392.

21                   Okay? So that is the housekeeping piece. I think we'll move back  
22 into the conversation.

23                   So I'd like to turn now to a discussion of alerting technologies. So  
24 as, you know, we're looking at systems, design, and also the technology. So I'd like to  
25 check in with each of you on, you know, maybe speaking a little bit about systems, the  
26 technology that you're familiar with from your experience, and its pros and cons, as well  
27 as where it -- where the technology could go, where it -- where it might in fact be going,  
28 and what some of the considerations we need to have in mind coming down the road for

1 us.

2                   So Michael, maybe I'll start with you, because we know you spoke  
3 to us about systems used in Europe and Australia, which I've heard called bidirectional  
4 alerting, I've also -- I think you referred to it as two-way or -- two-way SMS alerting. Can  
5 you tell us a little bit about that and its up and downsides?

6                   **MR. MICHAEL HALLOWES:** Of course. I'll just take you back a  
7 stage. So in Europe, as well as in Australia, and elsewhere in the world, it used to be  
8 an either/or. You either went down the technology of broadcasting, which was cell  
9 broadcast. We went down the technology route of location based SMS. You -- they  
10 have different functionalities, and it was a very clear choice as to what you wanted from  
11 you -- based upon your operational requirements. That world has moved on now to  
12 having a hybrid, where many countries have now purchased a platform that offers them  
13 both capabilities.

14                   Where the requirement is now taking many emergency services is  
15 the ability to engender a two-way conversation with the recipient of the message. One  
16 in particular is offered by the supplier. I haven't yet seen it been put into use, but it  
17 gives the recipient the opportunity in the content to reply to the SMS, and it is only via  
18 SMS, one, for example, they type one to say, "I have received the alert, and I am  
19 compliant with the instruction"; two, "I've received the alert, but I'm choosing", for  
20 example, "I'm not going to evacuate, I'm going to stay and defend"; and three, "I have  
21 received the message, and I need help." And there are processes behind the platform  
22 that then trigger a response individually back to each individual who has pressed  
23 Number 3; otherwise, the system will stall the ones and the twos as well as stall the  
24 threes.

25                   So that can be used, not only in country, but for citizens when they  
26 are travelling overseas, the same capability. And we have seen when citizens have  
27 returned to Canada during COVID, their cell phone registration is picked up and they  
28 receive a message by virtue of the fact they have returned to Canada that explains to

1 them their quarantine isolation conditions. So that's the where technology is taking us  
2 at the moment, but I know that there are broader ones looking at a whole range of  
3 streaming and internet service -- services that we're used to.

4 **MS. KRISTA SMITH:** All right. And maybe just to quick -- quickly  
5 touch on your evidence yesterday. So that's talking about the future. What about the  
6 present with that? The other thing to be clear about is you mentioned broadcast type  
7 and SMS type. Can you -- can you define those clearly and tell us where we're at today  
8 with the SMS?

9 **MR. MICHAEL HALLOWES:** In the Canadian context, you are not  
10 in the SMS environment. Whilst you may use SMS to send to the population that there  
11 will be an Alert Ready test, the actual test runs over the cell broadcast capability, so  
12 they're very different.

13 The issues with a cell broadcast is it's very good for fast time, fast  
14 moving events where you want to just send a message to everybody about an event,  
15 such as a Tornado. Therefore, the emergency services, particularly the police and fire,  
16 fire rescue services, the value-add from SMS is it actually shows you how many cell  
17 phones are registering within the warning area. When you send the message, it tells  
18 you precisely how many of those cell phones the system successfully delivered them to,  
19 and there are other features in there. It'll tell you what type of device it is because it  
20 may be something like a handheld bank card reader you're never going to get a  
21 response from. It doesn't see SMS but it's still on the network. You can get a range of  
22 other features because out of the -- your IMSI, the SIM card number, we know the  
23 country code, so we know how many nationalities we have, and possibly other  
24 languages. All feature sets that are valuable now, that were latent, but are now being  
25 exploited for public safety.

26 One of the other value-adds that comes with SMS, because it's  
27 taken the registration from a network, you will see as the instant commander, by using  
28 the system it can display the data with actually sending an alert by constantly monitoring

1 cell phone registrations within the warning area, a heat map to show you the  
2 concentrations of people. Now, that could be people who are trapped, or it could be  
3 people who are making their way out of an area to evacuate, which you can see the  
4 effectiveness in effectively real time or near real time. And by that, I mean it's about a  
5 two second delay.

6 So those are the types of capability that having moved from -- in  
7 most countries the genesis has been weather-related, natural disaster related, so it was  
8 very much a broadcast, to now one of policing and emergencies that affect public safety  
9 in a different context, so they are police led, that the police instant commanders need a  
10 much richer source of data to get situational awareness remotely from the ground  
11 through the ubiquitous nature of having the population most of whom carry a cell phone.

12 **MS. KRISTA SMITH:** Okay, thank you, Michael.

13 Tim, I think I'd like to turn to you, maybe just to pick up on Michael's  
14 comments. What -- are there -- are there any -- are there any considerations or  
15 downsides to using that type of SMS system in Canada?

16 **MR. TIM TRYTTEN:** Yes. So Mike, you and I agree on most  
17 things. On this one, we agree to disagree. So this discussion regarding wireless  
18 technology was extensively reviewed and researched under two CRTC, Canadian  
19 Radio-Television and Telecommunications, Decision 2017-91, paragraphs 50 to 55. I --  
20 because Mike and I talk about this and I'm familiar with these sections.

21 So their -- SMS, Mike is exactly correct, has been used voluntarily  
22 by the telecommunications providers for people who are returning to Canada. When  
23 their phone's picked up the new thing, they received a COVID message, and it was a  
24 way to provide new restrictions and information to that. The Commission, though, the  
25 Radio and Television Commission, the CRTC, Telecommunications Commission,  
26 though, asked for comment on this back in 2017, and made a decision, which was fully  
27 supported by the Telcos. We have to understand there is costs associated to these,  
28 and these costs are not borne by the -- by the government, they're borne by the Telcos

1 who are providing the service at the -- at the direction of the CRTC.

2                   So there has been some very specific discussion about LBSMS  
3 versus CB. The decision we've landed on is CB. That's the way it is. It -- the  
4 advantage of it, as Mike said, is speed. We -- it broadcasts like a radio or a television.  
5 Anybody in the area receives it, anybody coming into the area receives it. SMS allows  
6 for a better feedback, bidirectional communications, as Mike said, and that's a great  
7 advantage; however, you run into the question of time. How much time does it take to  
8 go through those? And certainly, in 2017, when the major wireless service providers  
9 were just presenting to the CRTC, they talked about time as a difficult thing to manage.  
10 Now, Mike, we can talk about the advances in the last five years, but that was one of  
11 the major considerations given at that point.

12                   **MS. KRISTA SMITH:** Thank you, Tim. And just for the benefit of  
13 those who don't live this, what's CB?

14                   **MR. TIM TRYTTEN:** Cell broadcast.

15                   **MS. KRISTA SMITH:** Cell broadcast?

16                   **MR. TIM TRYTTEN:** M'hm. It's like a radio station or TV station.  
17 Anyone -- a message goes out, 4870, 4876 channel, which is a hidden channel on your  
18 cell phone, and you receive the message and a notification pops up, complete with the  
19 alert tone, the Canadian Alert Attention Signal, "honk, honk, honk"; it's an eight-second  
20 tone.

21                   **MS. KRISTA SMITH:** And how is it different from an SMS, and  
22 what is -- I forget what SMS ---

23                   **MR. TIM TRYTTEN:** Short Message Services.

24                   **MS. KRISTA SMITH:** Short Message Service.

25                   **MR. TIM TRYTTEN:** Yeah. An SMS message is the one we're all  
26 familiar with when we text with our children or with others. It's a one-to-one  
27 communication. One of the leading proponents, Mike, if I remember right, was Wanda  
28 Mene (ph) out of Norway, of that service. Everbridge has adopted that as well. Many of



1 the commercial alerting services have adopted that. That is effectively a one-to-one.

2           So my understanding -- and there's technical engineers who can  
3 better explain this, but my understanding is before the alert is issued, they draw a  
4 polygon and they identify all the ESNs, the numbers, phone numbers, if you will,  
5 identification, in that area and then they just go through that list and blast an alert to  
6 each -- a text message to each.

7           They both work, and Australia's had some very good examples of  
8 this, some European countries are very good. Canada and the United States have  
9 adopted a cell broadcast model. And one of the rationales for CB use in Canada was  
10 that we have interoperability with the United States.

11           Cheryl, over to you on interoperability.

12           **MS. CHERYL McNEIL:** So technology really isn't my forte, but I do  
13 have some thoughts and some questions to add.

14           I always think that technology really doesn't -- to suit the needs of  
15 the user. I think the users needs to come first before forcing a service into the  
16 parameters of a technology. That's just a principle that I support.

17           I think we also need to look at some of the unintended  
18 consequences, for example, with -- and maybe we need to clarify, I'm not sure. With  
19 the cell broadcast, if Canadians are unable to silence that alarm, if they're on the LTE  
20 network. I understand it won't be an issue if they're on a lower generation phone. But I  
21 just picture if my daughter is in a lockdown situation at a school with an active shooter  
22 and she gets an alert and she can't turn that off, I just don't even want to think about  
23 that.

24           I think we also need to consider what kind of technology update has  
25 occurred over the past five years. We're talking SMS, cell broadcast, what else is  
26 possibly out there on an international basis? Technology is advancing so rapidly  
27 throughout the world. We may end up communicating in vastly different ways in the  
28 not-to-distant future. We're already down to communicating via emoji. It's almost like

1 we're reverting back to hieroglyphics. So I think there's -- we're on the cusp of some  
2 mass change in communicating, and I think we need to be open to that.

3           You mentioned costs. I'm going to take it back; I think alerting is a  
4 public good and we need to remember that in that context. So who pays for it? I  
5 believe we're all still paying the \$.32 for 9-1-1 on our phone bills. I think it's a public  
6 good that belongs to all Canadians, and however that unrolls, in whatever format, we  
7 have to be open to getting the best technological product that fits the needs of  
8 Canadians, not the other way around. That's just my thoughts.

9           **MS. KRISTA SMITH:** Thank you, Cheryl.

10           And, Jennifer, I'm just thinking about the evolution of technology as  
11 it is used within your -- the communities that you're working with, and where it could go  
12 and what might work well.

13           **MS. JENNIFER JESTY:** So as I've mentioned before, Everbridge  
14 is a very complex tool. And although we don't utilize it to its full potential, I would like to  
15 point out some really cool features that go along with the communications theme.

16           So the way we have it set right now is you have to subscribe to the  
17 system and tell us what community you're from. If you want to receive alerts from all  
18 communities, that's possible as well. And now we've worked with Everbridge where  
19 before what was happening if somebody from Membertou sent out an alert and there  
20 were people that didn't live in Membertou; say, lived in Eskasoni and getting the alert  
21 they didn't know what community it was coming from because there was no identifier in  
22 there to say where that alert was generated from.

23           We've worked with Everbridge and now the community name is  
24 directly imprinted right in the body of the text message. So as soon as you see it, the  
25 community name is what you see first. So Everbridge has been really great to adapt to  
26 our needs.

27           One of the other really cool features -- we don't specifically use it,  
28 but it was given as an option to us -- is that if we decided that we wanted to send the

1 alert to this geographical location, we can go into the Everbridge system, literally draw a  
2 circle on a map, and say, "Send this to everybody here," and it will ping every cell phone  
3 there in that location and send out the SMS message.

4 The other nice feature about it as well, and, again, it's something  
5 we don't currently utilize because we're not there yet, and I do see that the system has  
6 evolved, even in the 18 months since we've started, and I do see it going forward and  
7 evolving even more, but one of the features is that when the person receives the SMS  
8 message, they do have to click that they have received it or acknowledge the message.  
9 But we have it set that that's not a requirement. If you don't, it's no big deal.

10 The other thing is when you're registering for the system, we ask  
11 you to tell us your name, the communication method in which you'd like us to contact  
12 you, and then that information, be it a home phone number, cell phone number, or email  
13 address, but we really don't need to even know your name. I don't -- it doesn't matter if  
14 we're sending it to you or to Donald Duck; it doesn't matter. I need to know where  
15 you're located and that this event is affecting you directly.

16 So it was more important for us to understand where you're located  
17 or where this message is going to originate from and who's affected, and how to contact  
18 you, not so much your name.

19 **MS. KRISTA SMITH:** Thank you, Cheryl [*sic*].

20 Paul, I just check in with you on the Nova Scotia experience and  
21 especially with CB.

22 **MR. PAUL MASON:** Sure.

23 **MS. KRISTA SMITH:** The use of CB.

24 **MR. PAUL MASON:** Yeah, everyone's had really good comments,  
25 you know, around this. Two things that I was thinking was, as I was listening to  
26 everyone speak, specifically with regard, the first item really being around, you know,  
27 the 4G model that's being used by the Alert Ready system now, versus the SMS model  
28 which Michael was speaking about.

1                   You know, what kind of came to my mind is really the evolution of  
2 the system and its potential utilizations. You know, certainly the mindset, you know, in  
3 the earlier days was really just a platform to get a message out to the mass audience  
4 very quickly, you know. And as I understand some of the points and the advantages  
5 which Michael is touching on with regard to SMS, it seems like that's almost -- whether  
6 it be an evolution or another potential utilization, but certainly from that more tactical first  
7 responder lens, it allows you to kind of think beyond simply the message is now out.  
8 Now you can look at how are people reacting to my message; how many people are in  
9 there; do I need to send another message?

10                   So, you know, I'm sure there are some privacy considerations and  
11 what have you around it, but I can certainly see the value in that additional functionality,  
12 for lack of a better term.

13                   With regard more broadly to communications and our experience at  
14 the Emergency Management Office, we try to think of communications when we're in  
15 the midst of events, you know, holistically. And I see them as really complementary,  
16 you know. Whether that be in collaborating with our partners, so when we're activated  
17 for events for which we're either leading or in a unified command scenario, we'll have  
18 communication resources from the Province people deployed at our coordination  
19 centre. So we're monitoring social media, Everbridge utilizations and what have you,  
20 from some of our partners, whether those be municipalities, you know, or critical  
21 infrastructure partners, obviously we're collaborating with other provincial departments  
22 as well. So we're active in that social media front.

23                   We also use Everbridge ourselves, more internally to communicate  
24 with our partners. We have probably about 500 stakeholders, whether they be CI,  
25 critical infrastructure partners, provincial agencies, various reps. So we use that tool to  
26 advise them when we're activating for an event. We use that tool to distribute situation  
27 reports to them during events which we're actively engaged in. So we kind of move  
28 along that spectrum.

1                   And then of course, on the far end is really the alert ready system.  
2 When we're activated for events which we're, you know, once again leading our unified  
3 command on, we're looking at that alert, listening those 32 alerts, we're utilizing those  
4 conventional tools, and as for SOPs, if we see those things happening, we can then  
5 kind of pull the lever on the Alert Ready functionality, for lack of a better term.

6                   So that's kind our experience with it. You know, once again, the  
7 SMS. In our role, we're not a first response agency. We're collaborating with some of  
8 them dependent upon the event. So we're very rarely tactically deploying assets. But I  
9 could see how some of our partners could potentially utilize that functionality, which is  
10 my thoughts.

11                   **MS. KRISTA SMITH:** Thank you very much.

12                   Before we move on from the technology topic, Tim, you and I have  
13 had a couple conversations this week around emergent technologies and some of what  
14 you've been working on. I just wanted to flag, sort of on the what's possible front, it  
15 would be nice to mention that.

16                   **MR. TIM TRYTTEN:** I'd like to go back to the people process  
17 technology model, because I think that follows briefly.

18                   On the people side, we see the emergence of bidirectional alerting.  
19 And that is using the general public as remote sensors, and that they provide  
20 information back to do that.

21                   The first time this was done, really, in North America was the Puget  
22 Sound First to See app, in which you were able to take a picture and send it back to the  
23 OC.

24                   In Alberta, we used a very similar approach when we used the  
25 Virtual Operation Support Team in 2017 under the great work of Patrice Cloutier to  
26 monitor social media and take that information and put it into the ConOps and the report  
27 that we were doing.

28                   The second part is around the technology side, if I can jump to that

1 and just ignore the process for a moment. The technology side, there are probably  
2 three or four big things happening. One, machine to machine alerting. Folks, quite  
3 frankly, the slowest part of an alert process is the humans. They make a decision.

4           And so as much as this starts to sound like the terminator, NRCan,  
5 Natural Resources Canada, has currently got a very good project, working on -- based  
6 on the work from Peter Anderson and Steve Brahms, which is developing remote  
7 sensors for earthquakes and the resulting tsunamis.

8           And the vision is that because these have threshold events, you  
9 can model them and predict them for an earthquake or tsunami. You would then be  
10 able to directly link those sensors to the Alert Ready system. And from there, potentially  
11 out to fire halls, you open the doors, stop mass transit systems, you could stop  
12 elevators.

13           In that case, you have seconds to react. This gives you that ability,  
14 but you have to take the humans out of the equation.

15           And I know that's really scary for us, but in major specific types of  
16 events, that is possible and NRCan is working on that today. They've announced that.

17           The second thing is the Internet of Things and the IOT. We see  
18 more and more -- your fridge is connected to the internet. There's ways to distribute it  
19 to different endpoints using IOT things.

20           Third is internet-based alerting, and that is we are more and more  
21 connected to the internet as a regular course of business. We don't even think about it.  
22 We just are.

23           Under that, you have -- we just finished a year long project looking  
24 at that. It is possible to use alerts and send them out to the internet through either direct  
25 to device, most people have seen the Amazon Alexas and those sorts of things. They  
26 could very easily be connected. Your Amazon tells you when you have a package  
27 delivered. Why couldn't it talk to you about an alert being delivered? They're always  
28 on. They're always updated. They're ready to go. They're constantly in play.

1                   The second possible alerting there is that the end-to-end quality  
2 control of alerts must improve. We cannot become intrusive into people's lives without  
3 being very thoughtful about what we're doing, and why I talked about being direct, and  
4 germane, and relevant. And that becomes part of it.

5                   Part of this then is, the next phase of that is to develop a  
6 requirements definition. How do we want the devices which are available to us to  
7 behave? Not everything is a hammer. Not everything is a nail. So the SOREM BI list,  
8 which Paul has mentioned a number of times, becomes very important because maybe  
9 some events we do one thing, some events we do another. So those become very  
10 important.

11                   So those are the three sort of major trends that we see, you know,  
12 IOT, internet based, and remote.

13                   **MS. KRISTA SMITH:** Thanks very much.

14                   Anyone else? Yeah, Cheryl.

15                   **MS. CHERYL McNEIL:** Just one comment about the Internet of  
16 Things. And I know this isn't your scope, but our cyber security is going to be an  
17 immense issue. It already is an immense international issue. We cannot forget about  
18 that.

19                   **MR. TIM TRYTTEN:** Yeah, and that's -- as we become -- as the  
20 technology becomes more intrusive -- and I spoke about end-to-end alerting quality.  
21 Security and conscious choice because a very important part of this. We can think  
22 about the mobile app or the subscription-based services like Jennifer has described  
23 very well. Those are based around people making a conscious choice, "I choose to  
24 receive this." And they also have the ability to opt out, "I choose not to receive that."  
25 With radio, T.V., and wireless, that choice is removed. CRTC has said, "These are so  
26 important to life and limb that you must receive the alerts."

27                   And that's -- if you think about it, this is a new field. In the last 10  
28 years, this has blossomed and grown considerably. And the ability to start to be more

1 nuanced in our discussion about when I receive an alert and for what becomes very  
2 important, which leads us directly into the whole issue of cyber security.

3 **MS. KRISTA SMITH:** Thank you. Thank you for flagging it. It is a  
4 huge topic, so it's good to at least be sensitive that it's part -- that it's something we  
5 have to consider as we have these conversations.

6 **MS. CHERYL McNEIL:** I think always -- it's important to always  
7 look out for those unintended consequences ---

8 **MS. KRISTA SMITH:** That's right.

9 **MS. CHERYL McNEIL:** --- in whatever technology choices we  
10 make.

11 **MS. KRISTA SMITH:** Thank you.

12 Okay. Are we good? I'm looking at moving on to a different topic  
13 now. We're going to talk about governance issues.

14 So, Michael, yesterday we heard you talk about directive and  
15 partnership forms of governance, and that Canada has more of a partnership form of  
16 governance.

17 So I just want to spend a little time getting everyone's take on those  
18 concepts and knowing that Canada currently has a partnership form of governance,  
19 how it can work well. What do we need for it to work well?

20 So I think, Michael, maybe we'll start with you, to build off what you  
21 told us yesterday.

22 **MR. MICHAEL HALLOWES:** I have no experience of a  
23 partnership model. I only have the directive. And the way it came about for Australia  
24 was that it was determined that the government would pay for the system, and therefore  
25 it could direct the wireless service providers in how they delivered the service against  
26 the requirements set by the emergency services organizations.

27 A report I wrote in 2015 looked again at the funding. And listening  
28 to what my fellow panelists were saying about how much you pay for 9-1-1, how much



1 you pay for Alert Ready through subscription, in the IPSOS report I talked about  
2 yesterday, the first evaluation review of emergency alert, the question was put to the  
3 population who was surveyed and they all said they would be very happy to pay for the  
4 service. So that changed the mindset that we could not be bound by the limitations of  
5 money, that it had to be always state funded, but the population of Australia could  
6 contribute to all the benefits going forward.

7 But as I said, I only know of the directive model. I have never seen,  
8 other than through Canada, the partnership model. And the governance structure that  
9 I'm experienced in is top down led by governments, with ultimately the minister who is  
10 responsible for public safety federally being the accountable body leading the program.  
11 That's -- and the regulator and the wireless service providers are a long way down the  
12 ladder as influencers, but they are not the decision-makers. The decision-makers are  
13 the emergency services organisations and the emergency management organisations  
14 who are responsible in law for a duty to warn or therefore be the issuers of the -- of the  
15 alerts.

16 **MS. KRISTA SMITH:** Okay, that's a good place for us to sort of  
17 build off off, I think.

18 Paul, can I take it over to you, and from the Nova Scotia experience  
19 what -- what's it been like to be part of the partnership style of governance model at a  
20 national level?

21 **MR. PAUL MASON:** Sure. Though my experience in the rollout,  
22 and what have you, in that governance model initially was through the Governance  
23 Council, which was more of a technical kind of a focussed body, for lack of a better  
24 term, and then of course, in partnership with that, or in conduit with it, is the senior  
25 officials responsible for emergency management, which is co-chaired by Public Safety  
26 Canada. So there's that federal seat, and then of course the various provinces and  
27 territories working together.

28 You know, my experience with SOREM is that it's an emergency

1 management-focussed body. So that's very much been the lens that's been kind of  
2 applied to it, this functionality. And really, the -- my time on Governance Council has  
3 really been about just trying to execute the technology platform to kind of be able, for  
4 lack of a better term, to operationalise those larger emergency management objectives,  
5 which are really kind of encapsulated within the 32 alert types; right? The experience  
6 has been positive in that we've been able to move the project forward, but there is  
7 variation between how the various provinces have deployed the system to some extent  
8 with regard to utilisation and priorities and what have you, and I think that one of the  
9 strengths of the system, or one of the potential values is to really have that national  
10 character. It's always been referred to, and certainly our understanding of it has always  
11 been it's a national public alerting system of which we are a partner and partaking in.  
12 But whether it be alert types, we utilise the national alert types. You know?

13                   So I think to Michael's point, I think there are certainly benefits to  
14 having a -- you know, the federal government have a stronger hand in partnership with  
15 the provinces and territories in outlining what that -- what that functionality will look like.  
16 It is a broad group of stakeholders. I mean, it's not only of course the federal  
17 government, the provinces and the territories, we have partners in industry.

18                   And another thing I would add, once again to go back to the  
19 SOREM piece, that's very much focussed on emergency management. And I know  
20 Michael touched on this yesterday in his presentation and I think it was valid points.  
21 You know, expanding the group of stakeholders who have input into the platform I think  
22 is key. Emergency management will always have, I think, an important role in this  
23 platform, but I think it's evolving past purely what would be thought of conventionally as,  
24 you know, tsunamis, earthquakes, and so on and so forth.

25                   You know, how the governance structure for that is set up, you  
26 know, I'm sure there's people who have better skillsets than myself who can speak to  
27 that, but at the end of the day, I think it's important that all the parties that would be  
28 utilising the system are at the table.

1                   And I know one of the things that's currently underway is looking at  
2 those 32 alert types. You know, it could be condensing the list or even adding to it or  
3 updating definitions, but I think once -- I think we need to have a wholistic group to look  
4 at those alert types so that everyone who could potentially be using them can have  
5 input into what the new list will look like, and then clearly identify who's lead on the  
6 various alert types, and have a governance structure nationally so that we can continue  
7 to refine and continuously improve that. Those would be just my thoughts.

8                   **MS. KRISTA SMITH:** Thank you very much.

9                   Cheryl, I'm thinking about your work with the CACP and the  
10 resolution that was passed about a year ago now.

11                  **MS. CHERYL McNEIL:** (Off mic)

12                  **MS. KRISTA SMITH:** Okay. August 9th, 2021. Can you tell us --  
13 give -- maybe a little background on that would be helpful, your work with that, and how  
14 it ties into this conversation about national governance of alerting.

15                  **MS. CHERYL McNEIL:** The purpose of the Association's  
16 emergency preparedness, emergency management committees were ultimately to  
17 advocate for first responder needs within the emergency management space and realm.  
18 Ontario, because it was just strictly police services, was really focussed on increasing  
19 preparedness for a response. I know in the greater national level, mitigation has been  
20 the area of focus for the last number of years, flood mitigation, et cetera, but responders  
21 will always still need to respond, and they need to do the work in advance and be  
22 prepared in advance to respond. So whether that is developing incident management  
23 systems, preparing for these major events, et cetera, that was a lot of focus of those  
24 committees.

25                  At the national level, on a informal basis, we got to speak with  
26 Public Safety Canada. They would tell us what the policy issues were coming down the  
27 pipe, et cetera. Read all of their documents, their strategy, their plan, their policy, et  
28 cetera, and always -- they've gotten better, but always over the years the responders

1 were left out of the mix. So emergency management was all the governing bodies --  
2 there was acknowledgement that the vast majority of emergencies start on the ground,  
3 they start at the local level, but the municipalities and the responders have been left out  
4 of the mix, they have been left out of the governance. So when it did come to creating  
5 this national system, the originators, who would be on the ground, didn't -- really didn't  
6 have a voice in how -- what their needs were, how the system should roll out, what their  
7 roles and responsibilities would be within that overarching system.

8 I'm just going to draw back to it's -- our whole system is more  
9 focussed towards response because that really difficult planning, thinking out detailed  
10 part, not many people really like to do it because it's hard work. People can think it's  
11 boring, but it's necessary, but it lays out that hard work in advance.

12 Sorry, I'm going off. Do you want to focus me back on to where...

13 So after April 2020, it started with the OACP drafted, and knowing  
14 the issues with interoperability and the -- that was a grassroots attempt by first  
15 responders, emergency management, FPT levels throughout Canada, Tim I think you  
16 were part of that, is to develop that communications interoperability strategy for across  
17 Canada. Public alerting was part, it was part of the action plan of that.

18 After April 2020, it regenerated interest for police to get back in  
19 there and advocate for their role, their responsibility within -- local efforts throughout  
20 Canada started to take shape. I think Ontario Provincial Police led the way in  
21 developing a -- an operational process for police in Ontario to get alerts out. So they  
22 were really quick off the hop to get something underway. They got the support of the  
23 solicitor general in Ontario and started a process within Ontario.

24 One thing that's quite interesting is that they've added another level  
25 of criteria. Within Ontario, there is the urgency, the severity, and certainty of issuing  
26 alert, but they've also added another piece of criteria that the threat can be neither  
27 isolated nor contained. So I understand that comes from Critical Incident Command,  
28 and it creates another marker for getting an alert out.

1                   So again, by their nature, first responders, the problem solvers, I  
2 think that they have a lot of value to add to the governance and the responsibility of who  
3 does what when in this -- in this space.

4                   **MS. KRISTA SMITH:** Thank you very much.

5                   Tim, where would you take all this?

6                   **MR. TIM TRYTTEN:** Well, if I could, I'd like to split up governance  
7 and funding. They're connected but separate issues.

8                   So just a quick history lesson: Governance in Canada is based  
9 upon the EM model, which splits it between the provinces, territories, and the federal  
10 government, so there has always been that shared responsibility. As back as 2014, the  
11 CRTC, when it talked about public alerting, recognized that there are many players who  
12 have a significant role to play in the alerting chain, what I call the alerting chain, from  
13 issuer through delivery to last mile distributor and the public.

14                   So if you look at, in their Decision 21444, when it made mandatory  
15 alerting carriage for radio and T.V., in paragraphs 29 and 30, they specifically reference  
16 the Common Look and Feel Committee, which was the group that was responsible for  
17 setting the standards. And that was a broad-based broadcaster, at that time  
18 broadcaster, and FPT community that worked together to develop common standards,  
19 which no dictate how your alert displays on your radio, T.V., and also on your cellphone.

20                   So there's always been, in the Canadian alerting world, a  
21 recognition that we had to play.

22                   Back in 1992, when Alberta introduced the alerting system, we  
23 partnered with CKUA's first radio station. So we've been doing this for 30 years. So we  
24 worked with the broadcast industry as a matter of course. That was simply part of the  
25 alerting chain. We couldn't do it alone without our partners.

26                   So in terms of governance, there's always been that recognition  
27 that Canada is unique. We have a constitutional situation that has modeled -- forced us  
28 into -- dictated how we proceed. That's simply the way it is. We have to play -- quite

1 frankly, we have to play nice with others and get their cooperation.

2                   So as we move forward, take you to 2018, I can only speak to  
3 2020, August of 2020, I've lost the bubble on that one, but I can tell you as of August  
4 18<sup>th</sup>, 2018, we had developed what we called Impact National Public Alerting Advisory  
5 Council, which was a step forward to improve the governance structure by including all  
6 players. That was presented to Public Safety and where it's gone since August of 2020  
7 -- 2019 -- 2018, sorry. I'm unsure. I've lost that. Twenty twenty (2020). August 2020.

8                   So there has been work to create a, I call it a coalition of the willing,  
9 in which we all get together, we did this with Public Safety Broadband to try to come up  
10 with an improved governance model, recognizing that no one single authority had  
11 absolute authority over the entire alerting chain.

12                   So Public Safety would probably be better, or SOREM would be  
13 better able to speak to where that work has gone. But five of us got together and  
14 drafted a discussion paper for SOREM on the how to roll out. We worked on Michael's -  
15 - based on Michael's guiding principles, rolled those down to six, after much discussion  
16 and debate. And as I say, I can't tell you where that has been since 2020.

17                   **MS. KRISTA SMITH:** Okay. Thank you. Thanks for that context.

18                   So, Jennifer, I'm not sure if you have some comments about  
19 governance -- how governance works in a locally managed system like the one that  
20 you're looking after?

21                   **MS. JENNIFER JESTY:** It was very important to our communities  
22 to own this. So in creating the system and deploying it to our communities, each  
23 individual community has control over the system. So it was myself and the five chiefs  
24 that were able to sit together and come up with the guidelines and protocols of which --  
25 of when to send the alerts. We then came up with the wording. And we gathered  
26 together to do that.

27                   And we were -- so with that, we are able to own the system and  
28 control it without having to involve outside agencies. And that was a very big seller for

1 our communities and it was very important in that respect.

2                   What we concern with ourselves with as well is data. We're very  
3 aware of data sharing and Indigenous communities have, you know, constantly been  
4 studied. There's constant information out there and data collection. And so we were  
5 very concerned about where that data was going to go and who was going to have  
6 access to that data.

7                   Right now, the only person who has access to that data is myself.  
8 The chief -- the only thing they're able to do at the community level is actually send the  
9 alert. And that was by design. And the reason for that was, if the username and  
10 password for sending -- to get access to the system was fallen into the wrong hands,  
11 that data is now going to be available to people that maybe it shouldn't. So we have -- I  
12 have sole control over that.

13                   That is probably going to change moving forward, because it's  
14 becoming to be a lot for one person with so many registerers -- people registered for the  
15 system and the amount of alerts that we're sending out.

16                   So we are very aware of the data collection and protecting that  
17 privacy of that data as well.

18                   **MS. KRISTA SMITH:** Thank you very much. I think that concludes  
19 our discussion on the governance issue, unless there are any follow-ups or anything  
20 anyone wants to add?

21                   So I'd like to turn us to one of the final areas that we will talk about  
22 today, which is really, given all of your deep experience in this area, tell us your dream.  
23 Tell us your ideal. If you could wave a magic wand, and resources weren't an issue,  
24 and all the things that get in the way were not an issue, what would an alerting system  
25 look like, from your perspective?

26                   Jennifer, I think we'll just keep going with you, if that's all right.

27                   **MS. JENNIFER JESTY:** So in my perfect world, and I guess I'm  
28 looking at it through the Indigenous lens, is I was able to develop this system and its

1 effective use for our five Indigenous communities in Cape Breton Island. But in my  
2 perfect world, I would like to take this to every Indigenous community in the entire  
3 country.

4 We've started that process, kind of. There was a virtual emergency  
5 management conference for Indigenous communities held that I myself hosted, but I  
6 also gave the presentation on our use of the Everbridge system and was contacted by  
7 several communities from across the country. There was some in Alberta, and  
8 Manitoba, Quebec, Ontario, and they've asked me to give presentations to their chief  
9 and council about our use of the system and what we've done.

10 I even went so far as to share them with everything that I had, such  
11 as my promotional posters, how we got people to register through a third-party website  
12 link, and all of the information that I had used to develop ours, I was happy to share with  
13 everybody.

14 It's been just so effective for us and it's been so great that, yeah, in  
15 my perfect world, I would even be happy to go into every Indigenous community and do  
16 this, just because it's been so successful.

17 **MS. KRISTA SMITH:** Thank you so much.

18 Cheryl?

19 **MS. CHERYL McNEIL:** So for the short term, I really would like to  
20 advocate for that comprehensive review of the communications interoperability strategy.  
21 I think it's a great strategy.

22 We need to see what's out there and is possible. But the only way  
23 we can do that holistically and comprehensively is all the stakeholders have to be at  
24 the table.

25 In the long run, I would like to see that state of interoperability, that  
26 the right information does get to the right people at the right time when they need it. I  
27 think if we were truly interoperable, we could have a system of systems and that  
28 Jennifer's Everbridge product throughout the entire country can integrate beautifully with



1 whatever other systems that we might end up developing.

2 **MS. KRISTA SMITH:** Thank you.

3 Paul?

4 **MR. PAUL MASON:** I would kind of echo a lot of those comments.

5 You know, for me, my thinking on it would be that the system has really evolved, or is  
6 evolving past its initial kind of reason for being, which was really natural disasters and  
7 other really large-scale events, such as terrorism and civil and what have you. It's  
8 evolving so that it can be used for other things. I think partially that's driven just by the  
9 way technology has evolved over the last 10 years or so.

10 And I agree. I think we need to have a structure of governance that  
11 can take that evolution into account and can make sure that all the relevant  
12 stakeholders that may be using this expanded model, or whatever that new version may  
13 look like, so that they're at the table to have the input on how that continued progression  
14 of the model, the functionality, will develop, and so that they're informed and  
15 comfortable that they're best positioned to utilize it.

16 And I would say that -- and I really liked the comment about system  
17 of systems. It's not just about expanded utilisation of, you know, the Alert Ready  
18 platform, it's about all these various communications. They present a lot of  
19 opportunities, but they're also challenging in events so that you have consistent  
20 messaging going out from different players. You know, events that we work with in the  
21 emergency management realm, we need to make sure that if we're messaging, whether  
22 it be on Alert Ready or one of our social media or what have, that it's complementing  
23 what some of our municipal or CI partners would be saying; right? So it's the Alert  
24 Ready platform, but it's communications I guess generally, is how I would define it.

25 **MS. KRISTA SMITH:** Thank you.

26 Tim?

27 **MR. TIM TRYTTEN:** Yeah, I think, folks, the future is here. COVID  
28 has changed and the pandemic has changed mass communications dramatically. We

1 are now fully in the age of bidirectional communication and government being expected  
2 to provide messaging, notifications and messaging to the public writ large. So that -- it's  
3 not about being there, we are there, that's it. That means that things like end to end  
4 alert quality has to improve. The entire process.

5 I would also say that bidirectional, in other words, we talk, the  
6 public listens; the public talk, we listen, is going to be just taken for granted. That won't  
7 even be a question. The system of systems interconnection, absolutely. Using all  
8 possible means and giving people choices is going to be critical.

9 And then finally, we're talking like this is an end state. This is a  
10 process, and it has evolved from people yelling at each other in caves, to sirens, door-  
11 knocking, through to mass communications where we can reach somewhere around  
12 94-percent of the population in eight to ten seconds. This is constantly evolving. So  
13 whatever we build has to be agile, it has to be ready for the next thing.

14 And I mentioned internet alerting earlier, folks that's here now. How  
15 many of you wear Smartwatches? You could get an alert, or you can get an alert,  
16 displayed directly on your Smartwatch, whether or not you have your phone out. So  
17 these things are here now, and I just use that as one example.

18 So we have to be agile. This is -- this is not, in my opinion, an end  
19 state, but rather, a process, and it will constantly evolve.

20 **MS. KRISTA SMITH:** Thank you.

21 Michael?

22 **MR. MICHAEL HALLOWES:** Yes, thank you. I'm going to use my  
23 three words with people, process, and technology. That's the axiom I follow. The way  
24 we have approached it, and the way I've approached it, and certainly when I have been  
25 coming to Canada, whether it be virtually like this or in person, the conversation began  
26 with "Well, what does success look like for you?" "How do we measure that outcome?"  
27 So let's talk about the outcome which you want.

28 And I remember when I came to Canada in 2015 to support Tim in

1 his excellent work, it was a very clear outcome that I -- that I put to all the delegates  
2 there, which was our outcome back in 2015. I'm just going to look it up on my slide  
3 deck. I've found it here:

4 "In an emergency, we measure the success of  
5 community warnings and information by the ability of  
6 individuals, households, and families to make good  
7 and timely decisions to stay safe." (As read)

8 That was our view, simple as that. Everything else that then  
9 followed was the how? How do we make that happen? And that was all based upon  
10 the collective good of the emergency services organisations as stakeholders, "What are  
11 your requirements to make that happen?" And then as using that very neat phrase that  
12 Cheryl has just used, that you then develop the systems of systems, and that enables  
13 you to go through the requirements to deliver your outcome. And it is technology  
14 agnostic, the outcome.

15 **MS. KRISTA SMITH:** Okay, thank you.

16 So we've talked about a number of sort of broad topics today. I just  
17 want to check in with each of you to ask whether there is anything that you wished to  
18 bring to this conversation that you haven't yet had the opportunity to say.

19 So last time, I called this our short snapper, but we have enough  
20 time, so if there's a -- if there's a -- yeah. Jennifer?

21 **MS. JENNIFER JESTY:** I think right now there is nothing more  
22 important to anybody than information. Information is extremely important in any  
23 situation. What I wanted to mention is about the use of our own system, is that through  
24 all the 102 alerts we have sent out across the five communities, never, not once has  
25 anyone complained and said, "Stop sending me messages." Not once. Why is that?  
26 Because the information has been critical and relevant. There have been certain  
27 communities that are utilising the system significantly more than other communities, and  
28 again, at no point has anybody ever come back and said, "Stop sending me messages."

1                   So I think it's really important that we -- I know we've talked about  
2 that and we've said, you know, we've got to stop sending -- people are going to get  
3 bored of it or they're not going to respond to it. And I think it's important that we realise  
4 the sharing of information, I really don't think gets to the point where it's not relevant.

5                   **MS. KRISTA SMITH:** Thank you.

6                   Cheryl?

7                   **MS. CHERYL McNEIL:** I think the only final thing that I feel the  
8 need to share is to remember who it is that we serve, and it's about public safety, and  
9 keeping the public safe. That's it.

10                  **MS. KRISTA SMITH:** Thank you.

11                  Paul?

12                  **MR. PAUL MASON:** I just echo those comments. I think we've  
13 had a good discussion here today. I think, you know, the evolution of the system and its  
14 expanded utilisation is really the question before, you know, this Commission. So no, I  
15 think we've covered a lot of ground.

16                  **MS. KRISTA SMITH:** Thank you so much.

17                  Tim?

18                  **MR. TIM TRYTTEN:** Yes. I go with Cheryl and Paul here, and I  
19 firmly believe the government's first and primary responsibility is public safety. I think  
20 that's -- if it doesn't do that well, then all the rest becomes irrelevant. So anything that  
21 we do which improves emergency preparedness, mitigation, and response, is critical,  
22 and will become more and more critical.

23                  I'm not a climatologist. I don't understand why, but we know the  
24 frequency and severity of natural events seems to be increasing. Then we have made-  
25 made events of course. So we must be able to play what happens next, and we can  
26 predict that the events are going to continue and they're going to be significant and  
27 we're going to have to respond to them. And the public, I think, has the right to expect  
28 that of their leadership.

1                   **MS. KRISTA SMITH:** Thank you.

2                   Michael?

3                   **MR. MICHAEL HALLOWES:** Thank you, Krista. It's been a huge  
4 privilege for me as a non-Canadian to be invited to come and offer some of the  
5 experience I have had from a worldwide perspective.

6                   And what I would say is there are a number of bodies of knowledge  
7 out there who are just like the emergency services, emergency management  
8 organisations of Canada that want to get this right. And this needs to be tag team as a  
9 knowledge hub. And if you're looking for just one example of that, in Europe, there is  
10 the European Emergency Member Association that operates out of Brussels, and it's  
11 getting a bit like the Eurovision song contest. It's no longer just European, there are  
12 even Australians who go along to its conferences. But they're all -- its membership is  
13 the same people that are sitting here on this panel and are probably watching this  
14 debate going on now. Utilise this. Everybody's seeking to do exactly, as has been said,  
15 do the right thing by the people who are entrusting in us as those with knowledge to get  
16 it right around public safety.

17                   So thank you for bringing me in from the United Kingdom to apply  
18 some international knowledge. There are plenty more people out there like me, who  
19 would love to help. So thank you.

20                   **MS. KRISTA SMITH:** Thanks so much.

21                   I'd like to turn to the Commissioners now and see if there are any  
22 questions.

23                   **COMMISSIONER STANTON:** Thank you.

24                   Mr. Hallowes, it's Commissioner Stanton speaking, if you're not  
25 seeing us on the screen.

26                   Ms. McNeil, I'm interested in a number of things that you touched  
27 upon, and one of them, of course, interoperability. That requires sharing of information  
28 between agencies. It appears from past reports that there are challenges with

1 information sharing between policing agencies in particular. I wonder how barriers to  
2 that sharing could be removed, and if that's something that you're able to comment  
3 upon?

4 **MS. CHERYL McNEIL:** I can't speak on behalf of police agencies.  
5 I can only speak within my own realm. Communication is crucial. We mentioned  
6 earlier, After Action Report processes. And often when it comes to emergencies and  
7 disasters, one of the major comments that will be found, that communications failed.

8 Communication is hard work. It needs to be embedded within the  
9 culture of an organization, a team, an office, it really needs to be elevated in  
10 importance. The message needs to be repeated often. You know, a message needs to  
11 be repeated seven times before it takes hold. Past either public commissions or judicial  
12 findings have held police accountable for not sharing information. The Jane Doe one is  
13 one of note. It needs to be embedded in the culture, the expectations, the training, of  
14 police personnel.

15 You know, I'm even thinking of an anecdote. Working in a 9-1-1  
16 centre, it's a large 9-1-1 centre in Toronto, and we had the luxury of being able to stand  
17 up and shout. But we were also so committed to what the purpose and the goal of our  
18 job was, is to share critical information quickly, that I may absolutely abhor my co-  
19 worker, but my greater role and purpose was to share critical information with that  
20 purpose. So it is important to put your personal animosity aside, what have you, and to  
21 be committed to what our purpose, our goal, our mission is to share that information.

22 That's my recommendation.

23 **COMMISSIONER STANTON:** Thank you. And so your experience  
24 is with Toronto Police Service, if I understand correctly. So does the Toronto Police  
25 Service have a standard operating procedure regarding emergency alerting?

26 **MS. CHERYL McNEIL:** Generally over -- we have an entire media  
27 department. The service has a 24-hour operations centre. We have utilized social  
28 media quite regularly in an operational sense since about 2010/2011. With respect to

1 dialing in or access to alert ready, we would call OPP and -- because OPP has taken on  
2 that function for the province, Toronto, the Operations Centre would call OPP to get that  
3 message out. And that message has been shared through police services throughout  
4 Ontario, so they know that option -- operational option is there for them currently.

5 **COMMISSIONER STANTON:** So all of -- so all alerts that are  
6 issued for Toronto Police Service are issued via the OPP?

7 **MS. CHERYL McNEIL:** They would be. At this point in time, I  
8 don't believe, but I have been gone, it's been six weeks now. There may be a process  
9 of determining alerts, et cetera, but I can't speak to that with any authority.

10 **COMMISSIONER STANTON:** Okay. I'm just thinking about being  
11 in Toronto when an Amber Alert went out at 4:00 o'clock in the morning and it didn't  
12 relate to people in Toronto. But what they did do, people who were angry, ---

13 **MS. CHERYL McNEIL:** Yes.

14 **COMMISSIONER STANTON:** --- phoned 9-1-1 to complain ---

15 **MS. CHERYL McNEIL:** Yes.

16 **COMMISSIONER STANTON:** --- about having been woken up at  
17 4:00 o'clock in the morning. So that made me think about the conversation around the  
18 public good and the fact that if we're paying for 9-1-1, people associate emergency  
19 alerting with 9-1-1. It's an interesting piece. So Alert Ready is actually a separate ---

20 **MS. CHERYL McNEIL:** M'hm.

21 **COMMISSIONER STANTON:** --- system.

22 **MS. CHERYL McNEIL:** They are separate.

23 **COMMISSIONER STANTON:** So with the Toronto Police Service,  
24 if it wants to issue an alert, it -- and it's local to Toronto, it would nonetheless go through  
25 the OPP in order to have that issued? Is that correct?

26 **MS. CHERYL McNEIL:** To use that platform, the capability is there  
27 to geotag the entire municipality. I don't know if it can be more granular. That would be  
28 a question for Ontario Provincial Police. But it is an option that is available. Generally,

1 just in my experience, that alerts would go out or messages would go out via social  
2 media or regular media channels. We have actually quite close relationships with  
3 traditional media and our media response officers.

4 **COMMISSIONER STANTON:** And so is there -- I mean, you  
5 talked -- you spoke about the importance of planning, and the planning stage, and the  
6 hard work for that, which I absolutely agree is critical. And so for preparation and  
7 training, and interoperability, in Toronto then, are there training exercises as between  
8 local agencies if an alert needs to happen? Is there -- are scenarios run that engage  
9 agencies other than the police, but with the police, in order to be doing the advanced  
10 prep that a number of you have referenced today?

11 **MS. CHERYL McNEIL:** I wouldn't have the information to be able  
12 to answer that for you.

13 **COMMISSIONER STANTON:** Okay. Yesterday, Mr. Hallowes,  
14 you mentioned that the involvement of Pelmorex, which is a corporation, I understand,  
15 in the sort of ownership of the Canadian network was extraordinary. And we've heard  
16 today about the sort of connection between governance and funding.

17 Mr. Trytten, you've said they're separate things, but they're clearly  
18 very related in Canada.

19 And there's quite a different approach in other countries, from what  
20 we've heard from Mr. Hallowes.

21 I just wondered if, Mr. Hallowes, you wanted to comment any  
22 further on that, after having heard Mr. Trytten today? Did you have anything further to  
23 say with respect to the partnership or direct model?

24 **MR. MICHAEL HALLOWES:** Nothing in the framework that  
25 Canada has today with Pelmorex is a bad thing. I want to make that very clear. It's just  
26 unusual. The model that other countries use is whereby the owner of the technology, in  
27 this case Pelmorex, would be a contractor with a supplier behaviour to the central  
28 government. So as it is in Australia, the federal government mandates, through a



1 contract, that the telephone company, Telstra, operates the system and it is a managed  
2 service that it must provide that then connects with the other telecom companies. But it  
3 does not have a seat at the board in terms of governance. It is utilized in a  
4 client/contractor relationship and the government directs, through contractual terms,  
5 what that company has to provide. And its evolution is similarly contracted. And it is for  
6 those companies to then find the capabilities they need.

7                   And in Australia, it is integral to it, is where does the money come  
8 from? Because who pays can therefore set the rules, particularly if it affects the bottom  
9 line. And the government has compensated, and now the government is looking at, "Do  
10 we always --" does the government always have to pay or can they find other models?  
11 And the Canadian model of it being by subscription, but the capability as funded is  
12 definitely one that certainly I looked at in 2015. I couldn't tell you today whether that  
13 was followed up, but it has its huge advantages of how you raise the revenue to pay for  
14 the capability so that the state doesn't always fund it.

15                   But coming back to the fact of the client/contractor relationship that  
16 is key, that kept it at arm's distance to make sure that the contractor delivered against  
17 the requirements set by the emergency services for how they wanted them to manage  
18 and run the system.

19                   **COMMISSIONER STANTON:** Thank you.

20                   I can tell Mr. Trytten has something he'd like to say to that, and  
21 then I just have one more question.

22                   **MR. TIM TRYTTEN:** Would it be helpful to review the funding  
23 model in Canada, or has that been covered?

24                   So the funding model in Canada was set forth when alerting went  
25 live; was renewed in 2018 under Decision 342, in which Pelmorex was granted 22 cents  
26 per subscriber per month -- cable subscriber per month to cover national public alerting  
27 under section 9(1)(h) of the CRTC's mandate, which is -- I think there's 13 or 14  
28 services which are -- receive mandatory funding from that.

1                   So, effectively, alerting in Canada in that system is paid, Pelmorex,  
2 by the cable companies, the broadcasters at a rate of 22 cents per subscriber. That  
3 agreement is in place or that licensing requirement is in place till August 31<sup>st</sup>, 2023, and  
4 under which it will be renewed or terminated, depending.

5                   But I would direct the Commission, if you would, to take a look at  
6 paragraph 100 of this document, 2018-342, where they talk -- can I quote? Under that,  
7 the CRTC specifically says:

8   “...pursuant to section 9(1)(h) of the *Broadcasting Act*  
9   may not be the most appropriate vehicle for the  
10    continued support of the NAAD System following this  
11    next licence term for TWN [and MétéoMédia,  
12    Pelmorex’s parent company]. The communications  
13    industry will continue to do its part to support...NPAS  
14    [through the development]...passing through...alerts,  
15    but the operation of the NAAD System and the  
16    development of related policies would be more  
17    appropriately situated with and supported [with]  
18    organizations more directly responsible for public  
19    safety,...”

20                   Et cetera.

21                   So the Commission’s clearly recognized that this was the best  
22 available option at the time and renewed it from seven years to five years. But what the  
23 Commission chooses to do going forward is another question.

24                   **COMMISSIONER STANTON:** Thank you.

25                   I meant to mention, Mr. Hallowes, that it helped me when you  
26 explained that the notice about an alert would go out on an SMS but that the alert itself  
27 would go out on cell broadcast, because I have had that experience where I received  
28 text telling me that there’s going to be an alert, and then I never receive the alert. So in

1 fact, I think that happened last week, or two weeks ago, the last time it was tested.

2 I apologize, Ms. McNeil, I had one more question for you, which  
3 was with respect to -- you mentioned the history of police agencies or first responders  
4 not being included in the discussions around the Alert Ready system, or at least  
5 because, as we've all been learning, many people thought of national alerting as being  
6 really just with respect to natural disasters, and that it's more recent that it has started to  
7 be thought of in other ways.

8 I just wondered if -- when did the Toronto Police Service start  
9 engaging in alerting; do you recall?

10 **MS. CHERYL McNEIL:** I know they've been using Amber Alert for  
11 several years, and I believe in Ontario it is administered by the OPP. So every police  
12 service in Ontario will draft their Amber Alert. It follows a number of criteria, and then I  
13 believe it's submitted to the Police Operations Centre in Orillia. And OPP pushes that  
14 out to the province. Toronto Police doesn't have direct access. It may be in the stages  
15 of seeking direct access but at this point, I'd only be speculating about it.

16 **COMMISSIONER STANTON:** So other than Amber Alerts, there  
17 weren't other policing initiated?

18 **MS. CHERYL McNEIL:** No, I don't believe so.

19 **COMMISSIONER STANTON:** Until at what point?

20 **MS. CHERYL McNEIL:** I don't believe there have been any issued  
21 within Toronto. You know, thinking of the last major disasters; the Danforth shooting,  
22 the van attack on Yonge Street, the Alert Ready system, I believe the Office of  
23 Emergency Management and whether the PEOC of Ontario, I'm not sure if they were  
24 engaged, but consequence management ---

25 **COMMISSIONER STANTON:** Yeah, okay.

26 **MS. CHERYL McNEIL:** --- was more their area of work within that  
27 disaster. So the police would handle on the scene, the investigation, the traffic points,  
28 the evidence collection, every -- the crowd control, all of that.

1                   **COMMISSIONER STANTON:** Sorry, ---

2                   **MS. CHERYL McNEIL:** I don't believe there was an alerting ---

3                   **COMMISSIONER STANTON:** --- what's PEOC?

4                   **MS. CHERYL McNEIL:** --- aspect to it.

5                   **COMMISSIONER STANTON:** What's PEOC?

6                   **MS. CHERYL McNEIL:** Sorry; the Provincial Emergency

7 Operations Centre for Ontario.

8                   **COMMISSIONER STANTON:** Great, thank you.

9                   Okay, thank you.

10                  **MS. KRISTA SMITH:** Great. Thank you so much.

11                  Just a couple of documents that were referred to in our

12 conversation after the break that I want to note.

13                  For ease of reference and for accessibility, a number of CRTC  
14 decisions were mentioned, which I don't believe have been entered as exhibits, as  
15 such, for the Commission, but they can be easily found on the CRTC website or on  
16 CanLII, and the decision numbers, just in case you missed them, are 2018-342; 2014-  
17 244; 2017 -- two zero one seven -- -91.

18                  And then a couple of documents that we do have exhibited that  
19 were referred to is the CACP Resolution; that's Exhibit 1415 COMM Number 0056346.  
20 And, finally, the expert report that we commissioned, I should mention, is Exhibit 1363  
21 COMM Number 005672.

22                  So that's that on the documents.

23                  So, finally, I just want to thank each of you for coming here today  
24 and sharing your knowledge and expertise and giving us your perspectives, which is  
25 helping us to formulate lessons learned so that we can provide -- the Commissioners  
26 can provide recommendations for the way forward.

27                  So your time -- you've given generously of your time, and it is an  
28 act of public service. We thank you so much.

1                   **COMMISSIONER MacDONALD:** And if I could add to that, Krista,  
2 but first thank you so much for your able moderating of this very important session for  
3 us.

4                   Michael, it's -- we can use first names; it's Commissioner  
5 MacDonald speaking.

6                   And in thanking you, I would like, perhaps, to take us all back to the  
7 real reason why we're here, and that is so that the lives taken or harmed, their families  
8 and all the cascading suffering and sorrow throughout our province, our country and  
9 beyond, will not have been in vain.

10                  And as you said, Cheryl, it's fundamentally about keeping us all  
11 safer.

12                  It's about public safety. And you have been such wonderful  
13 contributors to that important challenge. These are very difficult hearings, and they are  
14 most difficult for those most affected, and we begin every day and always want to keep  
15 that in mind.

16                  And two themes have emerged through our work, at least two. One  
17 I would call generosity, and that is it seems that everyone we ask to help us with our  
18 work has enthusiastically stepped up and stepped forward, and you are all wonderful  
19 examples of that. So for that, I thank you.

20                  The other theme is the challenge of balancing competing interests.  
21 And we've certainly seen that today. I've jotted down several, but I'm sure there are  
22 many more. The accuracy of a message versus its timeliness, the proper geography for  
23 the audience, cell broadcasts versus SMS, national versus provincial interests, and of  
24 course private sector and government. All important things to balance. And that's been  
25 a theme in just about every aspect of our work.

26                  But Michael, and Jennifer, and Cheryl, and Paul, and Tim, thank  
27 you so much for helping us with our very important work because when you're helping  
28 us with your work, you're helping all of us and Canada. So thank you.

1                   And our plan, Krista, if I'm not mistaken, is to return at 1:30 for the  
2 next panel. Thank you. We'll break until then.

3 --- Upon breaking at 12:24 p.m.

4 --- Upon resuming at 1:32 p.m.

5                   **COMMISSIONER MacDONALD:** Welcome back, everyone.

6 Following this morning's very important and helpful roundtable, we will have a second  
7 roundtable this afternoon.

8                   Broadening the topic a little bit, it's entitled Public Communications  
9 During Emergency Events, Including Emergency Alerting, Planning for Accessibility and  
10 Equality. It will focus more on the receivers of notifications, and again, beyond the Alert  
11 Ready specific platform. It will deal with issues such as cultural appropriateness and  
12 equality.

13                   And facilitating our panel is Dr. Emma Cunliffe, our Director at the  
14 Mass Casualty Commission, our Director of Research and Policy.

15                   So, Dr. Cunliffe, whenever you're ready.

16                   **DR. EMMA CUNLIFFE:** Thank you, Chief Commissioner.

17                   As Chief Commissioner MacDonald has mentioned, my name is  
18 Emma Cunliffe and I have the honour of serving as Director of Research and Policy for  
19 the Mass Casualty Commissioner.

20                   As facilitator of this afternoon's round table, I'll be directing the  
21 questions, asking follow-ups, and moderating the dialogue.

22                   The Commissioners may choose to pose a question or ask for  
23 clarification at any point.

24                   And as you know, roundtable discussions form part of the  
25 Commission's record. They're being livestreamed now and will be publicly available on  
26 the commission's website.

27                   This afternoon's roundtable will consider matters of accessibility  
28 and equality with respect to the design and use of public warning systems. The core

1 themes of this roundtable including ensuring that planning and implementation factor in  
2 differences in access to cellphones and wireless coverage in remote regions and across  
3 Canadian populations, ensuring that warnings are communicated in both official  
4 languages, and in other languages appropriate to the intended audience, and that  
5 they're culturally appropriate for their intended audience, and that the use of public  
6 warning systems does not reinforce patterns of exclusion or marginalization, for  
7 example, with respect to racialized communities.

8                   Based on these core themes, I'm going to ask a series of open-  
9 ended questions that we hope will give each of you the opportunity to share your unique  
10 perspective, experience, and expertise with us.

11                   The first series of questions is about accessibility to, and the reach  
12 of, emergency alerts and public communications in emergency circumstances.

13                   The second series of questions is about the impact on communities  
14 when inaccurate information is conveyed.

15                   The third series of questions will consider the privacy implications  
16 of public communications during emergency circumstances.

17                   The fourth series of questions will consider language rights.

18                   And finally, we'll ask our roundtable members to consider how to  
19 incorporate their suggestions into the governance and process of issuing public  
20 communications in emergency circumstances.

21                   As with every roundtable discussion, our intention is to provide the  
22 Commissioners and the public with a deeper understanding of the core themes so that  
23 everyone is well positioned to engage in conversation during Phase 3 about lessons  
24 learned and potential recommendations.

25                   As a reminder, our proceedings are being simultaneously translated  
26 into sign language and transcribed, and so I would ask that you please speak slowly  
27 and clearly, if you can remember to do so.

28                   To get us started, I'm going to ask each of the roundtable members

1 to introduce themselves, starting with those who are joining us in person today.

2 Jennifer, if I may ask you to begin?

3 **MS. JENNIFER JESTY:** Pjila'si wel'ta'si pejitaioq. Welcome and  
4 nice to see you all. My name is Jennifer Jesty. I'm the Emergency Management  
5 Coordinator for the Union of Nova Scotia Mi'kmaq. I'm also the first Indigenous woman  
6 to become a member of the Nova Scotia Fire Fighters Association and the only  
7 Indigenous Advanced Care Paramedic female in Nova Scotia as well.

8 **DR. EMMA CUNLIFFE:** Many thanks.

9 Archy, could you please go next?

10 **MR. ARCHY BEALS:** My name is Archy Beals. I am a resident  
11 and adherent of the Community of North Preston in the Preston Township.

12 **DR. EMMA CUNLIFFE:** Many thanks.

13 Commissioner Raymond Th  berge, if you would mind going next?  
14 I'm so sorry, Commissioner Th  berge, I think you may be on mute.

15 **CSMR RAYMOND TH  BERGE:** Yes, I am. Thank you. Good  
16 day. My name is Raymond Th  berge. I'm the Commissioner of Official Languages and  
17 I appreciate the opportunity to have this conversation with you today dealing with some  
18 very important topics around public communications in emergency situations.

19 **DR. EMMA CUNLIFFE:** Many thanks.

20 Deputy Commissioner Gregory Smolyne   and Ian Douglas.

21 Gregory, if you wouldn't mind introducing both of you, that would be fabulous.

22 **D. CMSR GREGORY SMOLYNEC:** Hello, I'm Gregory Smolyne  .  
23 I am a Deputy Commissioner at the Office of the Privacy Commissioner of Canada. I'm  
24 responsible for the OPC's Sector for Policy and Promotion. That includes Technology  
25 Analysis.

26 My colleague, Ian Douglas, is Leading Analyst in this Technology  
27 Analysis Directorate.

28 We also provide government advisory services, business advisory



1 services, and we're responsible for policy development, parliamentary affairs  
2 development and guidance. We also have communications within our sector as well.

3 I mentioned the advisory services we provide because if and when  
4 institutions, federal institutions, or private enterprises are looking to develop -- take a  
5 new initiative, implement a new program, do something that's going to have an impact  
6 on people's privacy, they are more than welcome to come to our office and seek out our  
7 advisory services and we'll be happy to provide advice on specific initiatives.

8 And I'll let Ian introduce himself. He is a very experienced  
9 technology analyst in privacy.

10 Ian?

11 **MR. IAN DOUGLAS:** I am Ian Douglas and I work, as Greg says,  
12 in the Technology Analysis Directorate, just under him.

13 And I work in (inaudible - technical failure) technical issues that  
14 might be (inaudible - technical failure).

15 **DR. EMMA CUNLIFFE:** Many thanks indeed, Ian.

16 We are having some difficulty with your audio, Ian. I wonder if a  
17 member of the Commission team could perhaps reach out to Ian to see if they could  
18 assist with that?

19 And Trishe Colman, last but certainly not least, welcome, and we'd  
20 love to hear a little bit about who you are and the work that you do.

21 **MS. TRISHE COLMAN:** Thank you very much. It's a privilege to  
22 be here.

23 I'm the Senior Safety Coordinator for Cumberland County. I've held  
24 the position for almost three years now. We serve seniors across the county, ages 55  
25 and up, and we are just one of many similar programs across the province. So we offer  
26 in-person services to seniors, as well as advocacy and navigation roles to them.

27 **DR. EMMA CUNLIFFE:** Many thanks indeed.

28 It's our great pleasure to have each of you here for today's very

1 important conversation.

2                   Several of you work with communities that have particular needs  
3 with respect to public communications during emergencies.

4                   This morning we heard quite a lot about the overall design  
5 considerations and implementation considerations with respect to public warning  
6 systems and public alerting systems and at this stage, we'll shift gears a little bit to turn  
7 to a series of questions about how the distinctive needs of particular communities  
8 should be accounted for within the design and implementation of public warning  
9 systems and public communication plans.

10                   And Trishe, if I could please turn back to you, as Senior Safety  
11 Coordinator for Cumberland County, I know that you work closely with the seniors in  
12 Cumberland County to ensure that safety planning takes account of their needs.

13                   What are the most important considerations for this community  
14 when designing an effective public warning system?

15                   **MS. TRISHE COLMAN:** Well, I can't really give numbers, but I can  
16 say that a significant portion of the vulnerable clients that I see in their homes struggle  
17 with poverty issues. They don't have Smartphones. Many of them don't have cell  
18 phones or phones at all, so whatever alert system that operates on that platform isn't  
19 going to reach them at all.

20                   Cumberland County's a very rural county. A lot of my seniors are  
21 isolated. They don't have family. Their neighbours are not close by. A lot of them --  
22 well, it could very well be the case that I'm the only person they see other than perhaps  
23 a VON nurse, so they really are not connected socially.

24                   They're not on Facebook. They don't use Twitter. They don't use  
25 Instagram, any of those kinds of things, so they don't have internet.

26                   So even getting a phone or a table in their hands doesn't solve all  
27 of those issues and, as I said, Cumberland's a very rural county. And I travel all over  
28 making my home visits, and I have discovered that even some of the bigger centres --

1 like Pugwash, for instance, is a town -- there's no cell coverage there, so even if you  
2 have the ability to have a Smartphone, you may not be able to even get service.

3                   So those are some of the things that I see. It's really a question of  
4 having the funds to get the equipment in hands of seniors and then, of course, just in a  
5 broad sense, having the infrastructure to support it.

6                   **DR. EMMA CUNLIFFE:** Many thanks, indeed.

7                   And to make sure that I understand the range of issues that you've  
8 just shared with us, Trishe, I hear you saying that there is an intersection -- it's not  
9 purely a question of seniors. It's an intersection of poverty, of rurality, of access to  
10 infrastructure and of connectedness in other ways. Is that a fair accounting of what  
11 you've just shared with us?

12                   **MS. TRISHE COLMAN:** Yes, I would say the issues that I've  
13 described for seniors would certainly apply to a lot of other residents in our county for  
14 sure, yes.

15                   **DR. EMMA CUNLIFFE:** Thank you very much indeed.

16                   Jennifer, if I could now turn to you, please. We heard a little bit this  
17 morning about the private alerting system that you've implemented.

18                   How has the technology, which is one of disseminating information  
19 to subscribers of an alerting app, helped to facilitate information sharing and to build a  
20 common understanding of important events within and between the First Nations  
21 communities on Cape Breton?

22                   **MS. JENNIFER JESTY:** So I'd like to share a little story about an  
23 alert we just sent recently. There was actually a predator in one of our communities  
24 specifically seeking indigenous girls into the sex trade.

25                   The person approached one of our community members, made the  
26 offer, asked if there were other girls interested in going with him. The police were  
27 contacted immediately and, of course, we were contacted to see if we could send out an  
28 alert.

1                   We felt like we had very limited information about the particular  
2 information, so we didn't have a whole lot to share, but it really wasn't -- that really  
3 wasn't important. What was important to make sure that all of our communities were  
4 fully aware that this was happening.

5                   And what ended up happening was that individual was -- he was  
6 seen in other communities basically just trolling the streets looking for women who were  
7 just walking. Thankfully, we sent out the alert and the alert was given a very generic  
8 description of not so much what the person looked like. They had an accent and the  
9 colour of the car they were driving. That's pretty much all we had. But the -- the  
10 importance of that alert going out and to all five of our communities was that, after that,  
11 it sparked even more interest.

12                   So it seems like every time we send out an alert, it encourages  
13 even more people to register for the system.

14                   So right now, we have just over 3,000 people registered across the  
15 five communities and when that alert went out, we had another 150 people registered  
16 for the system.

17                   What's also happening with the alerts when they go out is people  
18 are taking screenshots and immediately putting them on social media, so it keeps  
19 reaching further and further. You know, we think we're just capturing the people that  
20 are within our registrants of our system, but it's beyond that as well because people are  
21 so anxious to share that information.

22                   I guess the point of that alert was the information got out in a very  
23 timely, rapid manner to a lot of people that were able to be on the lookout for something  
24 that a normal alert wouldn't have been sent for.

25                   **DR. EMMA CUNLIFFE:** Thank you very much for sharing that  
26 important story.

27                   And to pick on some of the themes of Trishe's answer, Jennifer, I  
28 know that you've done a lot of thinking, you and your community has done a lot of

1 thinking, about how to make sure that, for example, Elders are included in both a  
2 culturally-appropriate and a technologically-appropriate way in the messages that they,  
3 too, should receive, and I wonder if you could please speak briefly to that.

4 **MS. JENNIFER JESTY:** So when we decided to go with the  
5 Everbridge platform and activate this as an emergency alert system -- and that is all we  
6 use the alert system for, is emergencies only, so there's no community events,  
7 notifications, that type of thing. We send out things for boil water orders, road closures.  
8 A lot of our communities are isolated. What happens there is sometimes you have  
9 people that are out of community. When the road is closed, they can't get back in. And  
10 thankfully, we were able to get that information to them so they're not sitting in their cars  
11 waiting for sometimes hours to get through.

12 One of the big selling points specifically for the Everbridge platform  
13 was the ability to make it culturally appropriate, and that was very important to us. So  
14 even in the development of the system, the very first people that we told we were doing  
15 this, we had summer students go door to door to every single Elder's house in all five of  
16 our communities, explain what the system is, ask their permission for them to register  
17 for the system.

18 There was not one answer of no. Every single Elder was more  
19 than appreciative that we have done this.

20 The second part to that being culturally appropriate is the  
21 Everbridge platform not only sends out to sources such as cell phones and emails, it  
22 also rings the house phone. And for our Elders in our communities that are much like  
23 other communities, they don't have access to technology, so being able to ring that  
24 house phone was very important.

25 But the big selling point for that was that the Chief is actually able to  
26 record his own voice in his own language. So when there's an alert that is of significant  
27 importance, the Chief is able to record that message in the Mi'kmaq language and send  
28 that out so that when that Elder picks up that phone, they hear my voice. It says,

1 “Please stand by for a very important message from your Chief”, and it’s followed by his  
2 voice in their language.

3 **DR. EMMA CUNLIFFE:** Many thanks, indeed.

4 Archy, if I may turn to you, I’m very conscious of the distinctiveness  
5 of African-Nova Scotian communities from other communities, but also as between one  
6 another. Speaking specifically to the community of North Preston, does some of the  
7 dynamics that Jennifer and Trishe have shared resonate with you? What’s your  
8 experience?

9 **MR. ARCHY BEALS:** They do resonate. Most definitely.

10 In the community, it’s mostly -- very few homes you see a senior  
11 living by themselves. It’s usually a family member living with them, so it’s  
12 intergenerational or multi-generational households.

13 You know, just as an example, my mom, who’s 85 years old, still  
14 lives in her house with her daughter, two of her granddaughters and two of her great-  
15 grandchildren. So there’s, you know, that multi-generational aspect in the community.  
16 And that’s with a lot of households in the community.

17 And you know, we even have grandparents who are raising  
18 grandchildren while, you know, their children are either working or, you know, had to  
19 move away for whatever reason.

20 So multi-generational households in the community. Again, not a  
21 lot of seniors are using technology, but the children in the house have the technology.  
22 And through a program that we did during COVID with the Association of Black Social  
23 Workers and with the Health Association of African Canadians, we were able to provide  
24 tablets to seniors in the community and then have one of their children or grandchildren  
25 teach them to use it so, you know, that aspect of technology is in the household as well.  
26 So you know, it’s -- we’re, you know, just trying to keep our seniors connected as well.

27 **DR. EMMA CUNLIFFE:** Many thanks.

28 Raymond, if I may turn to you. Your October 2020 report points to

1 the dangers of failing to communicate emergency warnings in both official languages.  
2 Can you tell us a little about official language rights and why they're important to factor  
3 into the design and implementation of public communications about emergencies?

4 **CMSR RAYMOND THÉBERGE:** Well, one of the key pieces of  
5 any kind of public communications in Canada is to, in my view, include official  
6 languages. That is, if you put out a message in both official languages, you will reach a  
7 significant number of Canadians.

8 However, there are a number of Canadians who do not speak one  
9 or the other language. So when we send out information that is critically important,  
10 either for security or safety reasons, it is extremely that the people be able to  
11 understand what is being communicated. I understand that communications is the key  
12 to emergency responses; however, we should not sacrifice one language group at the  
13 expense of the other.

14 Too often what we're seeing now is in the initial response we have  
15 a communication in one language only, and we will later on, through translation or other  
16 means, provide that information in the second language. We do have people who are  
17 unilingual, French speakers, unilingual, English speakers. We have a greater number,  
18 for example of Francophones arriving in Canada from other countries who are now  
19 settling all over -- in many provinces and territories, so we have to understand sort of  
20 this demo linguistic makeup.

21 The thing about *Official Languages Act* is it applies to federal  
22 institutions. And maybe later on we can talk more specifically about the alerting  
23 systems which are not solely the responsibility of the federal government, and in that  
24 context, this is where we have issues in terms of putting out messages in both official  
25 languages.

26 But in a survey that we undertook with Canadians with respect to  
27 official languages, what was very clear is that they expect, Canadians expect to be able  
28 to access information, critical information in the official language of their preference.

1                   **DR. EMMA CUNLIFFE:** Thank you very much indeed. And yes,  
2 indeed, we will turn towards the end of the roundtable to questions of governance and  
3 the complex regulatory regime that we are working in in this phase.

4                   Commissioners, is there anything that you'd like to follow up on  
5 before I turn to the next topic? Great.

6                   So I'd now like to turn to the risks of getting public communications  
7 wrong and the circumstances in which incorrect information might be shared.

8                   We heard from some of the roundtable members this morning that  
9 it's more important to get an alert out quickly and then to correct any misinformation as  
10 the issuer becomes aware of it. There is no question that in a fast-moving incident it's  
11 important to move quickly to issue an alert, but there are trade-offs. If the information  
12 that is shared turns out to be wrong, that may impact the incident response, and it may  
13 also have short and long-term impacts on communities. We want to explore those  
14 impacts a little more closely now.

15                   We have included in the roundtable package for today some  
16 information about an emergency alert that was sent on the 8th of April 2022, which  
17 referred to some shootings in East Preston and North Preston and described the  
18 suspects as two black males who were believed to be armed. The alert directed  
19 residents to lock their doors and shelter in place.

20                   Sometime later, it became clear that no one had been shot, and in  
21 fact, there had been no shots fired at all within the community of North Preston. Two  
22 individuals were apprehended and later released without charge. We'll spend a little bit  
23 of time on this example now.

24                   And Archy, if I can please begin with you. You've given some  
25 public statements of course about this alert. I wonder if you could please begin by  
26 sharing your experience of receiving the alert in the first place.

27                   **MR. ARCHY BEALS:** Sure. I distinctly remember April the 8th.  
28 My wife and I were coming home from an event at the Black Cultural Centre, and as we



1 were pulling or getting into our vehicle, we noticed there were police cars coming down  
2 Cherrybrook Road and stopped right in front of the Black Cultural Centre. Unmarked  
3 cars.

4                   And one of the officers got out, and drew a rifle. And I'm like, "Oh,  
5 my God. What's going on?" And then we saw vehicles going down Main Street. Then  
6 we were, you know, told to -- don't come out of the parking lot and just... So we went  
7 into the City of Dartmouth, and as we were going into the City of Dartmouth, we could  
8 still see vehicles coming by.

9                   So we get home, and probably 10-minutes our youngest daughter  
10 calls very frantic and crying, saying that there was a shooting and -- in East Preston,  
11 and her good friend is not answering his phone. She's a little bit of a drama queen, so...  
12 So we said, you know, "Just settle down, and..." So she finally got a hold of her cousin,  
13 and then I was sitting watching TV and saw the alert. And then I, right away, went to  
14 Facebook, and there were posts on Facebook that there were no shootings in North  
15 Preston, the shootings were in East Preston. So, you know, I went to Facebook and  
16 made a post that, you know, there was no shooting in North Preston, so that went...

17                   And you know, it created false fear in the community, especially  
18 with our seniors and our youth. Especially with the youth because of the shooting and  
19 killing of MarMar Simmons, you know, a young 10-year old. And you know, the  
20 students are still afraid to go out to play in their yard, and this only created, again, false  
21 fear in the community amongst the youth, created false fear in the community amongst  
22 the seniors.

23                   So you know, there was no retraction that there was no shooting in  
24 North Preston. You know -- and again, with the alerts that I have seen, it did not identify  
25 race, but this one did, and you know, I think all of the alerts that I've seen involving the  
26 African Nova Scotian community did mention they were African Nova Scotian or black.

27                   So you know, that again is -- you know, not that that's  
28 misinformation, but why not include the race of everyone that you're sending out an alert

1 for? You know, why just specify one community? You know, that negative stigma, that  
2 stereotype again is perpetuated. In a system that is meant to assist us, it's further  
3 stigmatising us as a community.

4 **DR. EMMA CUNLIFFE:** Thank you. I understand that the  
5 community of North Preston mobilised after the alert was issued. And I wonder if you  
6 could please tell us a bit about that.

7 **MR. ARCHY BEALS:** Yeah. There was a community meeting  
8 after that alert. I was not able to attend that meeting, and -- so I'm not sure what  
9 happened at that meeting. But I can probably almost guarantee you that the same  
10 issues that I'm raising today were raised at that meeting. You know, there is a lack of  
11 trust amongst the RCMP in the community. You know, this didn't do anything to repair  
12 that. If anything, it just took us further back with the lack of trust. You know, we're  
13 trying to build relationships. Again, the relationships are -- you know, the gap is getting  
14 wider. So you know -- yeah. I wasn't able to attend that meeting, so I can't speak to the  
15 specifics of that meeting.

16 **DR. EMMA CUNLIFFE:** Of course, and thank you very much for  
17 that.

18 **MR. ARCHY BEALS:** You're welcome.

19 **DR. EMMA CUNLIFFE:** I do have another follow up, which is the  
20 misinformation that there had been a shooting in North Preston as well as East Preston,  
21 I think was attributed by some, and perhaps by you in some of your public comments to,  
22 in part, potentially arising from a lack of understanding of the North and East Preston  
23 communities and the African Nova Scotian communities in general.

24 First, do I have that right; and second, if I do, how might a better  
25 understanding of those communities have helped the emergency services to avoid the  
26 error on this occasion?

27 **MR. ARCHY BEALS:** There -- the communities are distinct  
28 communities, part of the Preston Township, which comprises East and North Preston,

1 Cherrybrook and Lake Loon, but they are distinct communities. So, you know, if they  
2 would have said "Shootings in the Preston Township", that would have been suitable.  
3 But you know, to specify communities, make sure you're getting the communities right  
4 as to what community you're referring to.

5 **DR. EMMA CUNLIFFE:** Thank you very much indeed for sharing  
6 that account of the impact of incorrect information on the community.

7 Jennifer, you've had an opportunity to hear Archy describe the  
8 impact of the alert on the -- in the North Preston community. From your perspective,  
9 how should the needs of and impacts on Indigenous communities be accounted for  
10 when it's not an alert being issued by your community, but rather, one by a national or a  
11 provincial government in emergency situations?

12 **MS. JENNIFER JESTY:** Well, we would hope that our needs are  
13 going to be recognised and met as well. They may not be the same as everyone. They  
14 may not be the same as a non-Indigenous community, but we would hope that our  
15 needs would be recognised. I do believe there has been instances in the past where  
16 they have not been, when alerts maybe should have been sent out and were not.

17 I want to point out that the criteria we have for our alert system and  
18 the current provincial alert system, they're not one better than the other, it's simply there  
19 is different criteria. So it's unfortunate that in cases in the past that our needs, when an  
20 alert maybe should have gone out, those -- we didn't meet the criteria, but that criteria is  
21 the same whether it's an Indigenous or a non-Indigenous community.

22 So we're hoping now that we're able to work with the Alert Ready  
23 system in Nova Scotia. As Indigenous communities, we have been invited to be able to  
24 request an alert be sent. Even though it's a bit of a lengthy process, we are still being  
25 invited to participate, and that's a first. So there is definitely improvements to be made  
26 in that respect.

27 So our communities, our alert system is working for us. Maybe it  
28 doesn't work for everybody, but it is -- it's been very successful for us so far.

1                   **DR. EMMA CUNLIFFE:** Thank you. And part of what I think I hear  
2 you saying, and please tell me if I'm wrong on this, is that your alerting system, the  
3 community alerting system is a very useful supplement to the -- to the national system.  
4 They're not serving quite the same function, perhaps, and that's part of perhaps why it's  
5 so successful in Unama'ki.

6                   **MS. JENNIFER JESTY:** Absolutely. So our alert system, the nice  
7 thing about it is the way people register for the system is that they're registering for that  
8 specific community. So now we have the ability to send out an alert to one community.  
9 So if it's just that one community being affected, we can easily send out the alert just to  
10 them. And the big benefit to that is now we have the ability to not have to involve  
11 outside agencies, maybe ones that are non-Indigenous, in this alerting perspective.

12                   So at the moment, right now, each community controls that. They  
13 own their own access to the system and able to send out the alert. I am the only one  
14 right now that has access to send out alerts to all five communities at the same time,  
15 and we've needed to do that recently in the past. But it's about the ownership as well so  
16 that the Chief and Council of that community can also make their own decisions as to  
17 when an alert is appropriate and we can develop our protocols around our needs.

18                   **DR. EMMA CUNLIFFE:** Many thanks, indeed.

19                   I am going to shift gears a little bit now, and turn to some of the  
20 privacy implications of public communications in emergency circumstances.

21                   Public warnings may have individual privacy implications in a  
22 couple of ways. It's possible that personal information about, for example, a suspect  
23 may be shared in a warning, but privacy implications may also arise with respect to the  
24 access that warning systems potentially give to emergency services or organisations to  
25 data or about cell phone users and their locations.

26                   Gregory, if I may ask you, how does privacy law apply to the design  
27 and use of a public warning system, and what are some of the key privacy concepts that  
28 should be accounted for in the design of public warning systems?

1                   **D. CMSR GREGORY SMOLYNEC:** Thank you. Maybe I'll step  
2 back and give you a little bit of a picture of the privacy landscape in Canada to start. I'll  
3 talk a little bit about a couple of documents that my office has produced relevant to the  
4 issue of alert systems, and then I'll try and zero in on the specific question.

5                   So it's sort of being suggested that we're dealing with a very  
6 complex jurisdictional landscape in Canada. Of course you have federal privacy  
7 regulators, you have provincial and territorial privacy regulators, you have private sector  
8 stakeholders, so -- First Nation stakeholders of course as well, different community  
9 groups who are implicated in these questions as well.

10                  So the Office of the Federal Privacy Commissioner is responsible  
11 for regulations -- regulating pertaining to two federal laws, the *Privacy Act*, which  
12 governs privacy issues pertaining to federal public institutions, and a private sector law  
13 relevant to private sector enterprises, commercial enterprises.

14                  There is a document that we produced in our office in 2013 in  
15 collaboration with our provincial and territorial colleagues, the privacy commissioners of  
16 the -- some national privacy commissioner offices, and it's called the OPC Privacy  
17 Emergency Kit. It's available on our website, and it actually addresses some of the  
18 issues surrounding alerting systems.

19                  Insofar as I think a lot of the questions at hand revolve around  
20 federal public institutions, including institutions such as the RCMP that are subject to the  
21 *Privacy Act*, the *Privacy Act* has specific provisions for public interests disclosures by  
22 federal institutions. And we have very recently published guidelines on public interest  
23 disclosures by federal institutions. This is also available on our website, and I have  
24 provided these documents also to the -- to your Commission.

25                  Essentially, the *Privacy Act* allows federal institutions to disclose  
26 personal information in the public interest or in the interest of the individual to whom the  
27 information relates. This includes cases where there are health issues, safety, or  
28 security — that may be arrest — or as well as other situations related to the individual in

1 question or in the public interest. So there -- the guidelines also provide an  
2 understanding of how these public disclosure measures should work. So those are  
3 available online.

4 In addition to the statutes on the federal level that may be in play,  
5 there are some very important principles. So getting to the questions around accuracy  
6 and information to be provided, among the principles that are very important here are  
7 the information should be limited, if you're disclosing information; it should be necessary  
8 for the purpose, a very specific purpose; and, and going back to an earlier question, all  
9 reasonable steps should be taken to make sure that the information is complete and  
10 accurate.

11 Now, I realise that some of my commentary is very general, if not  
12 generic, but when we come down to a specific system with the specific capabilities, the  
13 specific information for data flows, or a particular alert system, multi-jurisdictional, we  
14 will have assess exactly the parameters of the system, understand the various levels of  
15 government that may be involved in that jurisdiction, and understand specific cases and  
16 scenarios, and then we could provide more precise information or advice on the  
17 development of such systems or policies and privacy policies surrounding the  
18 assistance. But those are some basic points of information that I hope help situate  
19 when problems based on privacy are in existence.

20 **DR. EMMA CUNLIFFE:** Indeed, they do. Thank you. And I am  
21 just going to ask one clarification question, Gregory, before I turn to Ian. In the last  
22 portion of your comments, I understood you to be saying that with respect to the -- if I  
23 can euphemistically call it the backend of the technology and what data the technology  
24 might allow an emergency service or emergency management organization to have  
25 access to, I heard you saying the privacy implications of system design would depend  
26 on the system in play, that the quantity of data and the specificity of data, perhaps, that  
27 an emergency services organization could access would change your advice as privacy  
28 commissioner about the privacy implications.

1                   **MR. GREGORY SMOLYNEC:** You know, it's -- one of the things  
2 we stress in many, many contexts, not just the board existence, is that organizations or  
3 public institutions, or wherever the tween meets, and that's happening more often, and  
4 you have public private partnerships or the interplay of different systems,  
5 telecommunications, enterprises in this case, obviously, that the privacy is built in by  
6 design. So that there is a very high level of consciousness about the need for privacy.  
7 Incidentally, privacy is not just a nice to have thing. It is a fundamental human right, and  
8 it has a very clear relationship to other rights and freedoms as well. I like to say that  
9 privacy is instrumental actually to human liberty, to non-discrimination, to fairness and  
10 so on. So these are important considerations.

11                   When it comes to designing systems, the government programs,  
12 government programs that involve technology, or apps, or whatever you have, it's very,  
13 very important to build upon this by design in the first instance. One way to do that as  
14 well is to conduct a privacy impact assessment. Incidentally, another document that we  
15 produced not long ago is a guide to how to conduct privacy impact assessments to  
16 ensure compliance with federal privacy laws. So it takes you through step-by-step  
17 about how to do these things.

18                   By the way, one of the things I've observed over the years is that in  
19 the conduct of privacy -- systematic privacy impact assessments in the development of  
20 new systems and the development of new programs, it also has ancillary benefits of  
21 making those programs probably more streamlined, better, and works out some of the  
22 problems. So it could highlight, for instance, governance issues, jurisdictional issues.  
23 One of the privacy principles that's important is accountability, and accountability it's  
24 obviously going to be closely related to questions of governance. So it brings to the  
25 foreground all kinds of issues that will hopefully make your -- in this case, a learning  
26 system, or the bureaucracies and mechanisms surrounding a learning system better  
27 overall, while at the same time addressing privacy issues and risks.

28                   So, yes, it's a little bit challenging sometimes to speak in the

1 abstract about systems in general, like, we obviously would like to take a look, and look  
2 under the hood, and my colleagues in technology analysis like nothing better than to  
3 examine everything there is about a new piece of technology, how it works and how  
4 information flows, and the safeguarding of information on those systems and so on. My  
5 policy colleagues at the OPC and our legal services also will look at the legal  
6 compliance and the policy dimensions of systems, but those are some comments.

7                   So I'm hoping to communicate to you, among other things, that in  
8 our office, not only do you have a regulator, but also, a resource that could help provide  
9 advice on the development of privacy mindful, but also write the compliance systems  
10 and regulatory terms.

11                   **DR. EMMA CUNLIFFE:** Thank you very much indeed. That is  
12 very helpful.

13                   Ilan, if I may turn to you, and I do want to unpack the technology  
14 aspect a little further, and I appreciate it as Gregory has quite fairly said, that it's -- it can  
15 be difficult to have this conversation in the abstract.

16                   This morning we've heard quite a lot about alternative technologies,  
17 alternative alerting technologies that are presently available or may become so in the  
18 near future. And so some examples are bidirectional alerting was the term used where  
19 an SMS is sent to a cell phone or it's by some other technology the information is  
20 communicated, and the recipient of the information has the opportunity to communicate  
21 back to the person who sent the alert. The example that Mr. Hallows gave this  
22 morning is one involving what Australians would call bush fires, or forest fires, or  
23 wildfires, where somebody might receive an alert and have the capacity to say I've  
24 received it and I'm taking steps to ensure that I'm safe, or potentially, I've received it and  
25 I actually need help, and with associated capacity there for emergency services to  
26 identify the location from which a message seeking help might have been sent.

27                   So let's begin, rather than send you a pile of hypothesis, let's begin  
28 with that one. How would the privacy -- how would privacy arise with respect to a



1 system of mass distribution to cell phones within a given geographic area, and the  
2 capacity then to shift into a mode of individual feedback from individual cell phone  
3 subscribers? What kinds of considerations would be in play there?

4 **MR. IAN DOUGLAS:** Okay. I guess the easiest way to go here  
5 would be to compare the two systems that we would be talking about. So the one that  
6 you were describing is based on location-based SMS, which requires the tracking of  
7 every single device. And then they take the number from the database, and they format  
8 the alert, and it goes out to everybody one message at a time. So if you have, you  
9 know, a city the size of Toronto, you're sending out a couple million messages, and that  
10 takes a bit of time, but that's not really the problem for privacy. The privacy section is  
11 that all of these phones are now having to be retracked or tracked in a database. So  
12 every minute of every day, they have to know where you are in order to be able to send  
13 it, because they're going to send it based on where you are from the database. So the  
14 database says, yeah, you're within the GeoTrans area, which could be a circle or  
15 something that's drawn on a map, and then they will then send the data to those  
16 phones.

17 The Alert Ready system was kind of built from the old system, I  
18 guess. They used the TV and radio originally, so you had the little broadcasting that  
19 came up, and we all got told by the television set or the radio. That still works. They  
20 have CB, which is one-way communications, that is used for transmitting the data to the  
21 phones. So instead of actually knowing where the phones are, what you do is you draw  
22 your geographic location again, your circle or square, whatever it is on the map, and  
23 you say I want it sent to the people that are in this area. And what happens is they send  
24 the alert to the towers for the cells that are in that area, and then all the devices that are  
25 connected to it get the alert. So they don't know anything about you, your location, or  
26 anything about that. If they want it, they would have to go get that information from the  
27 towers and request it from the providers. The TV and radio still send a signal that they  
28 had before. So now you have -- that's the second system.

1                   Now you have apps, and if you have apps that are doing it, that  
2 means that you really need to have the user register. And if the user's going to register,  
3 well, hopefully, you have a privacy notice, and the privacy notice is what, you know, tells  
4 the individual what the information is that you require in order to be able to send them  
5 messages. So your app or browser, whatever you're using, will register for a push  
6 notification, and that will then be sent to them in the event there is an alert, and your  
7 database, which has their information in it, you don't need to track it anymore, you  
8 already have it, you know whether or not they're in the area, and you can send it to  
9 them, unless, of course, they're travelling, in which case they'll get a message when  
10 they're down in Florida.

11                   In the event you want two-way coms, the idea being that you are  
12 going to respond to the SMS or the alert that comes up on your screen, or you will be  
13 redirected to a website and you'll send something from there. So you could do that too.

14                   But again, those people have already opted in. And for those  
15 systems to work really well, you need smaller amounts of people to be alerting. You  
16 don't really want to be alerting a huge population, I don't think, because if you're getting,  
17 you know, two million answers, I don't know what you're going to be able to do. You're  
18 going to have to be able to answer them all, maybe.

19                   So then there's one other aspect, and that's when you have  
20 software built on another platform. And the platform, in some of the cases I've looked  
21 at, they use a software development kit, which may actually include a service provider,  
22 and then the service provider has a license that says, "Oh, by the way, all of the  
23 information that we collect from your app, we get to aggregate and deanonymize, and  
24 then sell it off to data aggregators, which will then sell it for, you know, processing," and  
25 you end up with your data being shipped out for marketing purposes or some other  
26 purposes.

27                   But so at the end of the day, I guess it really does depend on the  
28 user wanting to be alerted and if they want to be alerted to certain types of alerts,

1 because alerts are, from my understanding, is that they're -- you know, they're broken  
2 up into different types. There are some that are absolute emergencies. Okay. So  
3 we've got a tsunami coming or there's a tornado coming towards your house. So the  
4 people that are in that area, they need to be notified as fast as, you know, possible.

5 Now, the other ones you have, you have the life threatening, where  
6 you have a person going around like we had in the mass casualty issue here, and you  
7 want to be able to, you know, notify people quickly with that. At the same time, are you  
8 going to be looking for responses at that time? I don't know if that's what the police  
9 would be looking for or not. But.

10 So at the end of the day, I guess it's up to the user. But when the  
11 user doesn't really have a choice, like the alerting system which is in place now with the  
12 Alert Ready system, I guess the weighing of things is do you want to be tracked all the  
13 time in order to get an alert? And our office generally falls in the, "Do we really want to  
14 track people all of the time?" And it's usually a no.

15 So I hope that answers your questions.

16 **DR. EMMA CUNLIFFE:** Indeed, it does. Thank you very much.

17 And ---

18 **D. CMSR GREGORY SMOLYNEC:** If you don't mind, Dr. Cunliffe,  
19 I could just supplement ---

20 **DR. EMMA CUNLIFFE:** Please, go ahead.

21 **D. CMSR GREGORY SMOLYNEC:** --- a couple things on a level  
22 of principle, I suppose.

23 So anything that tends towards mass surveillance is strongly  
24 discouraged. And going back to the principles I mentioned earlier, what's necessary for  
25 system option, how can you limit collection and disclosure, and what the specific  
26 purpose is.

27 So those would help, I think, inform system design as well.

28 **DR. EMMA CUNLIFFE:** Thank you, Gregory. That does indeed

1 help. And in fact, I was just about to turn back to you and ask if you could loop back to  
2 something you said in passing earlier, which was your characterization of privacy, I can't  
3 remember quite the phrase you used, but as a right that enables other rights to exist.  
4 And I wonder if you could expand on that?

5 **D. CMSR GREGORY SMOLYNEC:** Don't get me going. I chair an  
6 international working group with the Global Privacy Assembly on Privacy as a Human  
7 Right and its relationship to other rights and freedoms. And again, our website and on  
8 the Global Privacy Assembly's website, there is very long treaties on this issue.

9 But, you know, just to summarize, privacy is a right. We consider it  
10 to be fundamental in exercise of other rights and freedoms. In fact, it's our view that  
11 you can't have a public democratic life without the right of privacy being respected.

12 To be a little more concrete, there are also all kinds of  
13 administrative rights associated with information rights and privacy as well, like access  
14 to your own information being held by government institutions and that sort of thing.

15 But you also see how in the instances where people's personal  
16 information may be disclosed inappropriately, this could lead to discriminatory practices,  
17 this could lead to other violations of other rights.

18 So it's kind of fundamental.

19 Often in the -- personal information, it's used in many ways on a  
20 daily basis. It's used in every commercial transaction. It's used in mundane kind of  
21 things. People are generally aware that they have a right to privacy, but the -- so the  
22 implications of what that right means is maybe not always understood by everyone in  
23 different contexts.

24 So the key is, when we're designing systems -- and of course there  
25 are other rights as well, it works the other way as well, people obviously have a right to  
26 security, to life as well, and there are provisions in our laws that allow for disclosures to  
27 protect people's safety. And in those instances, there's a balancing test that needs to  
28 be undertaken, whether or not the public interest and disclosure outweighs the basis of

1 this -- of what privacy -- our guidelines, our public interest disclosures address exactly  
2 how you go about taking those things into consideration.

3           Yeah, I'm probably, in kind of an abstract and philosophical way,  
4 talking about these things, but I guess the thing I'd like to leave you with is that poorly  
5 designed systems, poorly designed apps that don't consider all these things could lead  
6 to -- put it this way. It's not difficult, in fact, we've seen instances of this and the  
7 potential for this both in the public sector, but there are actual instances in the private  
8 sector, where apps are developed, for instance, there's obscure privacy notices that  
9 don't provide full information, an app could allow for geo-tracking of individuals as they  
10 move around, effectively enabling mass surveillance of individuals as they move  
11 geographically around, but also their connection to various other personal information  
12 that's been collected through the app. So it's not -- technologically, it's not difficult to  
13 get to technologies that enable mass surveillance on the public sector side and on the  
14 private sector side. And sometimes you have instances where the two can intersect  
15 when you're talking about biometric technologies, facial recognition technologies, et  
16 cetera, it is -- there is that potential.

17           And the rest of it, I don't want to leave anything out, the messages,  
18 these things have to be considered in designs of systems, designs of technology, and  
19 that's the kind of thing. So as you head off that potential end, you make sure that  
20 Canadian's rights are respected at the outset of design, right through to  
21 operationalization of these systems.

22           **DR. EMMA CUNLIFFE:** Thank you very much indeed. I'm going  
23 to shift gears again a little bit.

24           And Raymond, if I may turn to the work that you alluded to in your  
25 introductory remarks, in October 2020, you published a report that studied the use of  
26 official languages in emergency communications in Canada. And I'm aware that that  
27 was prompted in part by the nature of public communications at the outset of the COVID  
28 pandemic. And you also alluded in your introductory remarks to the fact that you

1 conducted a public survey of Canadian's expectations with respect to official language  
2 communications.

3 I'm wondering if you could share a little bit more information about  
4 the methodology you used to study the content of public communications and the key  
5 aspects of your findings from that study?

6 **CMSR. RAYMOND THÉBERGE:** Well as you said, the study was  
7 prompted by certain situations around public communications around -- during the  
8 pandemic, where we had, for example, unilingual press conferences, unilingual labeling  
9 of products. And within the public service, we were, for example, receiving messages in  
10 one language only and those kinds of things.

11 So we used that as a premise to broaden our investigation into the  
12 whole question of the impact of emergent situations on official languages.

13 And we look at a period of about a decade, and we had a number  
14 of events involving, for example, the RCMP, involving Amber Alerts, involving other  
15 kinds of communications with the public during a number of emergent situations, but we  
16 also wanted to know what do Canadians think about this.

17 So we set up an online survey and we asked Canadians to tell us  
18 about their experiences in dealing with official languages within an emergency context.  
19 And we received a significant number of responses. Some were extremely lengthy, with  
20 very specific cases, and how they felt about those situations.

21 And I think what's important is, number one, is there's -- there's a  
22 feeling of if I cannot receive information in my own language, it might lead to a  
23 misunderstanding. And I know there is this principle that it's important to get the  
24 information out quickly, but it's also important that it be understood [sic], that people  
25 can comprehend the mission -- the message.

26 So we had many Canadians telling us that it's extremely important  
27 to get the messages.

28 But what we also found in dealing with these situations is that the

1 federal institutions -- we deal with federal institutions who were responsible for providing  
2 the information, that within the institutions they do not have the capacity -- at the time,  
3 and I would probably say to this day, they do not integrate, for example, bilingual -- or  
4 sufficient bilingual capacity in those areas with respect to emergency preparedness.

5           So it always too late once an emergency happens to then say,  
6 "Well, what do we do now?".

7           So what we've looked at is we've suggested to the federal  
8 government, and they've looked at it closely, is that the language -- the Translation  
9 Bureau create a special unit that responds quickly to translation needs of organizations,  
10 but more importantly -- more importantly is, in 2022, after over 50 years of the *Official*  
11 *Languages Act* being implemented in the federal public service, why are we still dealing  
12 with a lack of capacity.

13           And so clearly, there is a lack of understanding within certain  
14 institutions with respect to what their obligations are, they don't have the linguistic  
15 capacity to deliver in both official languages in emergent situations. They can't provide  
16 either written or verbal communications.

17           And that really led to a number of concerns on my part, is that we  
18 are putting at risk the lives of Canadians when we do not communicate with them in the  
19 official language of their choice or their preference. And we could broaden this out to a  
20 much broader conversation in terms of what languages we'd be using, but as the  
21 Commissioner for Official Languages, I sort of focus in on the official language of the  
22 country.

23           I'd like to allude back also to the question of technology in the  
24 sense that we have to make sure that language rights are technologically neutral, that  
25 the *Official Languages Act* is technologically neutral; that is, whatever technology we  
26 choose, it cannot be an excuse for not providing information in both official languages.

27           There's a reason why we use Zoom in Parliament and not Teams.  
28 Zoom is -- provides us the technology to provide simultaneous translation.

1                   There's a new piece of legislation which has been tabled in the  
2 House which is a new *Official Languages Act*, and in that piece of legislation, which is  
3 C-13, we are -- in the preamble, the government is including a saying that the *Official*  
4 *Languages Act* applies in all situations, including emergent situations.

5                   Therefore, I think the message is getting there, but it's taking a  
6 tremendous amount of time for -- for the federal apparatus to put in place the systems,  
7 the directives, the policies to be able to react appropriately in emergent situations.

8                   And again, later we can talk about more specifically public alerting,  
9 but as a general rule, when it comes to emergency preparedness, what we saw is that  
10 government -- federal institutions are not prepared to work in both official languages in  
11 those kinds of situations.

12                   And when we talk about rights, language rights or *Charter* rights,  
13 the *Official Languages Act* is a quasi-constitutional Act and it is a fundamental piece of  
14 legislation which goes back 50 years. It is evolving. The linguistic environment is  
15 evolving, but it's also extremely important for institutions to know what is the linguistic  
16 environment in which they are operating.

17                   And I think what -- too often, we're not aware of the communities  
18 that we work with, that we deal with, and we make assumptions that are not correct. So  
19 I think moving forward, we have to make sure that in our -- in our systems approach, we  
20 have to build capacity to make sure that we can respond appropriately in both official  
21 languages in emergency situations.

22                   **DR. EMMA CUNLIFFE:** Many thanks indeed.

23                   Jennifer, as Raymond said, his focus, of course, is on the official  
24 languages of French and English. You've alluded in your remarks today to the fact that  
25 the public warning system that you've adopted in Unama'ki has the capacity to issue  
26 information in English and Mi'kmaq.

27                   Why is it important to ensure that public warning systems have the  
28 capacity to issue warnings in indigenous languages, and how might this capacity be



1 improved within provincial and federal public communications plans?

2 **MS. JENNIFER JESTY:** Well, a lot of the -- in the indigenous  
3 language, a lot of English words don't exactly translate even remotely the same as they  
4 do in the Mi'kmaq language. I'd also like to point out that the Mi'kmaq language is now  
5 one of the official languages of Nova Scotia, so I think that's even more important when  
6 we're talking about getting into an official capacity.

7 With this, the reason why we chose that particular platform with that  
8 ability was specifically for our Elders and leaning on toward where including the seniors  
9 in this is extremely important, and it really needs to be in a language that they can  
10 understand and they can communicate.

11 The reason why we're communicating them -- with them in the first  
12 place is, obviously, there's something pretty devastating going on within the community,  
13 so there's already going to be a heightened sense of awareness and worry about  
14 whatever's happening, so to try to communicate that in a language that's not their first  
15 language is just going to present even more of a barrier.

16 So having it -- the ability to be able to do that in our system was  
17 very important to us.

18 **DR. EMMA CUNLIFFE:** Many thanks indeed.

19 Commissioners, I'm going to propose that we take our break now.  
20 It's a little earlier than scheduled, but if you're comfortable taking a 15-minute break  
21 now.

22 **COMMISSIONER MacDONALD:** Yes, thank you so much. We  
23 will do just that.

24 We'll break for 15 minutes. Thank you.

25 --- Upon breaking at 2:39 p.m.

26 --- Upon resuming at 2:56 p.m.

27 **COMMISSIONER MacDONALD:** Dr. Cunliffe?

28 **DR. EMMA CUNLIFFE:** Thank you, Chief Commissioner.

1                   So at this point, we're going to turn to some important questions  
2 about governments' governance and accountability in the design and implementation of  
3 public communications plans.

4                   Over the past couple of days, we've heard evidence and dialogue  
5 about how public warning systems can be designed with the needs of end users in  
6 mind, and particularly with respect to the needs of the communities the public warning  
7 systems serve. We've heard that this design has taken a lot of technological  
8 dimensions, and so the capacities that may be embedded within the technology have  
9 significant implications, but we've also heard that there are relational and community  
10 questions that -- and a given alert message is not sent in a void.

11                   And so both Archy and Jennifer, for example, have alluded in their  
12 remarks to the ways in which alerting plays out within a relationship between a  
13 community and emergency services and is received within that context.

14                   Jennifer, this is a challenge that you've particularly navigated, I  
15 think, as you've designed, implemented and tweaked the Everbridge system.

16                   What thoughts do you have about who should be sitting at the table  
17 when a public communications plan for emergency situations is developed to ensure  
18 that communities' needs are well served?

19                   **MS. JENNIFER JESTY:** I do believe it needs to be all inclusive.  
20 And I realize there's not going to be one particular alert system, let's go with, that is  
21 going to meet everybody's needs all the time. That's just not going to be possible.  
22 However, it really needs to be inclusive and include people, not just the people that are  
23 at the higher levels of government or community representation. We need to have  
24 community members at that table. They need to -- you need to hear directly from them.  
25 What are their needs? What are their expectations of when these messages need to be  
26 sent and need not to be sent?

27                   And so I really believe that one of the things we're attempting to do  
28 is -- and we're guilty of this in our communities as well, but sometimes our communities

1 very much work in silos. And each community is so busy trying to take care of their own  
2 needs, it's very difficult for them to get involved in other communities.

3           So I'm trying to bring everybody together and I assume it's going to  
4 be etched on my headstone, I'm trying to mend the bond. And everything I do is about  
5 attempting to mend the bond, whether that's between Indigenous community and  
6 Indigenous community, or Indigenous community and non-Indigenous communities,  
7 between elders and youth, whatever it takes to bring everybody to the same table,  
8 because ultimately, we're all trying to accomplish the same goal.

9           And so I think it's very important that all of the groups that are going  
10 to be affected need to be -- have representation and a voice.

11           **DR. EMMA CUNLIFFE:** Thank you.

12           Trishe, if I can turn to you? How might the design of a public  
13 communications plan ensure that seniors are worked with, particularly vulnerable  
14 seniors, in order to understand their needs and to ensure that those needs are  
15 accounted for in the design of a public communications plan for emergency situations?

16           **MS. TRISHE COLMAN:** Well I certainly think that seniors need to  
17 be heard from, obviously. But also, I think it needs to be considered how much now  
18 they would be not able to access the public communication. And so I was listening to  
19 what Jennifer said in her community where someone went and knocked on every door.  
20 I think that would be a key component to be sure that all seniors are actually heard from  
21 and that their needs are identified. Every senior would have a particular different need.

22           I also think it's really important to know individual communities. So  
23 in my county, for instance, the rural areas, each community does stand on its own and  
24 would have different needs in terms of how communication happens.

25           So outside of the alert system, if we are looking at vulnerable  
26 seniors who are disconnected, who don't have family, and looking at another way to  
27 communicate emergency information, you really need to know what happens in  
28 particular pockets around our counties.

1                   So someone mentioned, I don't know if it was Greg or Ian  
2 mentioned about T.V. and radio are traditional ways of getting, you know, some of this  
3 emergency information out. But where I am, we have a local radio station, it doesn't  
4 reach the whole county. It reaches Amherst and maybe a half an hours drive from  
5 Amherst. A lot of my clients don't have T.V. again, it goes back to -- I mean, there was  
6 a time where folks had a T.V., when the service was free, but just so many gaps in  
7 what's there.

8                   So getting those things into seniors' hands, yes, but then there  
9 needs to be a concerted effort to get the wrap around services matched to whatever  
10 goes out, whether its through senior safety or other agencies that serve seniors.

11                   But I think seniors, in a lot of senses, just operate outside of the  
12 alert system that we're talking about now.

13                   **DR. EMMA CUNLIFFE:** Thank you.

14                   **D. CMSR. GREGORY SMOLYNEC:** Can I make a suggestion?

15                   **DR. EMMA CUNLIFFE:** Yes. I had a follow up question for Trishe,  
16 Gregory, and if you don't mind, I will come to in a couple of minutes.

17                   Trishe, if I may, I did want to follow up on a comment that you made  
18 some time ago with respect to the fact that for many of the seniors that you work with,  
19 you and perhaps a VON worker might be the only person they see in the course of a  
20 week, or some period of time. And I did want to particularly ask you a follow up  
21 question about that.

22                   What thoughts do you have about the needs of care workers and  
23 those who are working directly with seniors, both the role that they might be able to play  
24 with respect to the community safety needs of those relatively vulnerable seniors, but  
25 also the needs of a worker such as you in your own right to ensure that public  
26 communications keep you safe during emergency?

27                   **MS. TRISHE COLMAN:** Well, obviously agencies do need to work  
28 together. I take referrals from a number of other agencies. So Continuing Care, for

1 instance. So care workers, RCMP. And then out of that arises all the privacy issues  
2 that we've raised.

3                   Definitely we need more mental health services, for sure. You  
4 know, some of the dangerous situations that I go into, where I'm taking a police officer  
5 with me, those circumstances often are a result of a mental illness on the part of the  
6 client.

7                   And again, commodity. And I don't know, there's no easy answer  
8 to that. that's just a broad statement I'm drawing out there, but really, that's in order for  
9 us to meet a lot of the issues, it's a question of clients just not have the financial means  
10 to improve their home situation or to get the things that they need. I know I go into  
11 some pretty appalling homes. And actually, I go into places where RCMP are kind of  
12 reluctant to go sometimes and Continuing Care workers or VON nurses would not go  
13 because it's not safe or not clean.

14                   And so more mental health helps would certainly alleviate a lot of  
15 those concerns.

16                   Did I answer your question?

17                   **DR. EMMA CUNLIFFE:** You answered part of my question in a  
18 very public-spirited way. And part of my question was also your safety and your own  
19 interests, and those of, for example, VON workers, and the needs that you might have,  
20 for example, to ensure you have accurate information when you're stepping into a  
21 potentially risky situation.

22                   **MS. TRISHE COLMAN:** Right. So if I can just answer that then.  
23 So I have safety protocols as to VON and Continuing Care workers and I have the right  
24 to refuse service if I determine that it isn't safe for me to go alone into a place. So I do  
25 work with RCMP, our town police. I often will make a two-person visit. But again, I  
26 don't go anywhere without the consent of the client, so I'm a little bit different than some  
27 of the other service providers. So Adult Protection, and RCMP, and town police  
28 certainly have a broader mandate than I do. I would never go without an invitation from

1 the client themselves. I tell people I have a title but no authority. So I would never go in  
2 some place if I wasn't invited or allowed in.

3 But we do have a set of protocols and I'm quite mindful of those  
4 things when I do make visits. And if I choose to bring someone with me for safety, I  
5 would get permission from the client before I did that.

6 **DR. EMMA CUNLIFFE:** Thank you very much indeed.

7 Gregory, thank you for your patience there. Please go ahead.

8 **D. CSMR. GREGORY SMOLYNEC:** All right. It's not privacy  
9 prevention, per say, but we at the OPC, like, elsewhere in the federal public service, are  
10 part of --there's a movement to integrate gender-based analysis plus into our work, in  
11 our case to understand how our privacy activities, policies, and so on affect different  
12 people, perhaps in different ways, to consider different intersectionalities in society  
13 when doing our work.

14 Of course, at the risk of stating the obvious, it sounds like alert  
15 systems and their development need to consider how, obviously, different segments of  
16 the population that would be in receipt of these services or these alerts, you know, their  
17 access to technology, access to information, may vary across the jurisdiction in  
18 question.

19 Anyways, I'm kind of stating the obvious, but the suggestion is that  
20 a systematic gender-based analysis plus overlay to the development of alert systems.

21 **DR. EMMA CUNLIFFE:** Thank you very much, indeed.

22 Archy, if I may turn to you now. What would you hope to see from  
23 a public warning system and associated public communications plan that might be  
24 designed or implemented to incorporate greater governance by and accountability to the  
25 communities it's intended to protect?

26 **MR. ARCHY BEALS:** Wow, that's a loaded question. You know, I  
27 do remember a public alert going out when there was a young child missing in the  
28 community, and that public alert was perfect. You know, it hit the nail on the head with

1 providing the detailed information that was needed. But you know, from a cultural  
2 standpoint, you know, that's something that I'd have to really delve in to. I have not  
3 thought about that in any great detail, but I think there needs to be culture, race, gender,  
4 all of that taken into consideration when making public alerts, and I think, you know,  
5 there needs to be first voice at the table when making those announcements, or you  
6 know, formulating those alerts. So there needs to be authentic first voice. And I'm not  
7 sure if I answered your question or not.

8 **DR. EMMA CUNLIFFE:** Absolutely, you have ---

9 **MR. ARCHY BEALS:** Okay.

10 **DR. EMMA CUNLIFFE:** ---- Archy, thank you. And I want to make  
11 sure that I understand your response. Part of what I heard you to be saying is that first  
12 voice should be at the table, not just in the design of the system, but literally as the alert  
13 is being -- is being designed.

14 **MR. ARCHY BEALS:** Yes. And even the way the alert is  
15 communicated, you know.

16 **DR. EMMA CUNLIFFE:** Thank you very much.

17 **MR. ARCHY BEALS:** You're welcome.

18 **DR. EMMA CUNLIFFE:** Gregory, if I may turn back to you in your  
19 capacity as a representative of the federal Office of the Privacy Commissioner. Of  
20 course in that role, you've already alluded to the fact that you navigate the complexities  
21 of privacy regulation, including questions of jurisdiction as between federal and  
22 provincial privacy officers, for example.

23 How do these jurisdictional complexities affect design and  
24 governance of systems such as Alert Ready?

25 **D. CMSR GREGORY SMOLYNEC:** Well, it necessitates a very  
26 close cooperation with our provincial and territorial colleagues, and indeed the other  
27 stakeholders. I think if people come to the table in the design of the system in good  
28 faith and a willingness to bring those complexities, you know, to the table, understand

1 them, unpack them, and sort out the statutes that are implicated, and the policies that  
2 are in play and getting all the right actors, including too the community actors and the  
3 various representatives in different groups in the same place, that then you could sort  
4 things out.

5                   It is complicated. I think it's increasingly complicated. There's  
6 something going on, I guess, in the march of technology where you increasingly have  
7 public -- private interplay as well, which adds to the further lay out or complexity legally  
8 because we do have sort of old 20th century statutes that apply to the public sector on  
9 one hand and to the private sector on the other. But you know what happens, if a  
10 government office at any level of government is procuring, you know, technologies from  
11 the private sector or is accessing networks run by telecommunications firms and so on.  
12 So it basically -- it requires quite a lot of analysis, sorting legal analysis, not least to sort  
13 out jurisdictional questions to make sure systems are designed, and people are aware  
14 of the regulatory framework.

15                   And I -- my instinct is telling me when you have so many actors,  
16 provincial, federal, RCMP, perhaps different provincial policing or municipal policing in  
17 different places, you know, telecoms firms involved, and so on, the challenge actually  
18 probably comes down to making sure that everyone has a good grasp of what the  
19 statutes are or the policies are and what the relevant regulatory framework is. You  
20 know, it -- it's -- I suppose -- it's tough enough, actually, to fully understand, let's say, a  
21 federal privacy law and its application in a very clean case where you just have a  
22 federal institution subject to one statute and that's it, like there's enough of a challenge  
23 there. But if you have a situation like an alert system with multiple jurisdictions, multiple  
24 private and public sectors, stakeholders, multiple actors, different actors in the system  
25 have to be aware of what the rules are and what the regulations are, and then, not least,  
26 it has to be exercised.

27                   When approaching this appearance for your Commission today, I  
28 kept thinking to myself I used to work in the Department of National Defence, and I kept



1 thinking about the various exercises we have for various scenarios and, you know,  
2 emergency incidents. And you know, not only is it important to have the right people at  
3 the table, but you have to make sure the phones are working and people are answering  
4 and accessible and so on.

5           So there are the legal jurisdictional interplays, but there is also the  
6 pragmatic. "Do people know who to call? Is the person I'm supposed to call, are they  
7 available? Is that, you know, a person who can help inform, like a culturally sensitive  
8 alert, actually available at 3:00 a.m. on, you know, a Sunday?", and all that kind of stuff.

9           Those are a few comments, but we -- just for the -- for your  
10 information, we work increasingly frequently with our provincial and territorial  
11 colleagues. We have monthly meetings at the Commissioner level, we undertake joint  
12 guidance development routinely, and we do joint investigations where those are  
13 appropriate, and we also, less frequently but occasionally, also provide advisory  
14 services that -- where we will provide joint federal or provincial advisory services on  
15 specific things. That has happened for both public and private sector initiatives.

16           **DR. EMMA CUNLIFFE:** Thank you very much.

17           Raymond, you too, of course, navigate a complicated regulatory  
18 space as Commissioner of Official Languages, and in your remarks you have alluded to  
19 the fact that attention to official languages should be built in to the technology, but also  
20 needs to be properly staffed at the -- at the end of implementation and utilisation.

21           How might accountability and governance of these systems attend  
22 to the extent to which official language rights are being upheld in these stages of the  
23 process?

24           **CMSR RAYMOND THÉBERGE:** This is -- this is sort of a  
25 fundamental question, the whole question of governance, and I'll give you an example,  
26 a very concrete case where we investigated a complaint with respect to an English only  
27 alert in 2019. And it is through this investigation of this complaint that we got a greater  
28 understanding of the challenges around jurisdictional issues.

1                   The *Official Languages Act*, as I had mentioned earlier, applies to  
2 federal institutions. It does not apply to provincial and territorial governments.  
3 However, when we investigated a complaint, there was really no federal institution  
4 responsible per se for putting out the alert. CRTC had a role to play with respect to the  
5 *Broadcasting Act*. However, provinces and territories are not, as I mentioned, subject to  
6 the *Official Languages Act*, and at the end of the day, it is people downstream who are  
7 responsible for what goes on in the alert.

8                   And this is where we have a real issue. I had a -- I had a  
9 conversation with the deputy ministers in charge of emergency preparedness across the  
10 country, and they're fully aware of the issues around language. However, every  
11 province or territory approaches it differently. There's an incredible diversity of how we  
12 approach language in various jurisdictions. What I can say is that the federal  
13 government has a wealth of experience when it comes to official languages, and I think  
14 it's important that we leverage that in how we work with other jurisdictions.

15                   And also, there's another level of complexity is that they're a private  
16 institution -- not private institution, but private providers involved. So at the end of the  
17 day, who is responsible for putting out that alert. And I go back to what I said earlier, we  
18 do not have in place at the federal level the capacity within most of our institutions, and I  
19 listen to Gregory, he says at three o'clock in the morning, can we put out a culturally  
20 appropriate alert, can we do it in both official languages. I would say that if we have in  
21 place the appropriate communication plans to do it and the capacity, yes, we can. But  
22 at the end of the day, who is accountable for putting out these alerts? So I think -- so I  
23 recommended to the Privy Council Office and Public Safety Canada that in consultation  
24 with Canadian Heritage, we develop a strategy to encourage, support and work with  
25 various levels of government to integrate both official languages in communications  
26 during emergency and crisis situations.

27                   And I said -- as I mentioned the first part in my first remarks, there  
28 is an incredible amount of diversity right now in the Francophone communities across

1 the country and in the province and territories. Immigration is -- flows are increasing,  
2 and it acts as a diversity to -- and to the need to be able to provide that information in  
3 both official language, whether it's French outside of Quebec or English in Quebec. So  
4 the accountability issue is key, and what we have right now is so many actors and  
5 players, and we have to sort of come to grip with who at the end of it is responsible for  
6 putting out these alerts, and I think there's a serious conversation to be had between the  
7 various jurisdictions to do this.

8 **DR. EMMA CUNLIFFE:** It's extremely helpful. Thank you.

9 Commissioners, I'm now going to turn to my wrap-up question,  
10 unless there's -- okay.

11 Trishe, if I can start with you, I wanted to check in with each of you  
12 in turn, starting with Trishe, to make sure that you've had an opportunity to share the  
13 information that you think the Commissioners should understand about public warning  
14 systems and public communications in emergency circumstances. Trishe, is there  
15 anything you'd like to add to what you've been able to share today?

16 **MS. TRISHE COLMAN:** I think really just to wrap up what I'm  
17 trying to communicate here, I mean, obviously, I'm not at the table because of my  
18 knowledge of technology, but just -- I was just struck by the fact that the folks who might  
19 need the information the most, depending on the nature of the alert, so the vulnerable  
20 who are vulnerable because of isolation, poverty, mental illness, geography, all of those  
21 things, lack of infrastructure, the folks that might need the information the most are the  
22 least likely to get that information. And so the technology or the content of the alert is,  
23 in a lot of ways, irrelevant to the kind of clients that I see on a day-to-day basis because  
24 they're not seeing them anyway. So just -- I mean, my role was just to speak for those  
25 that I think may not otherwise be heard, and that would be the message that I, you  
26 know, want to impart is that we need to find a way to include those folks that right now  
27 are just outside of what's happening.

28 **DR. EMMA CUNLIFFE:** Thank you very much indeed.

1                   Ian, if I may turn to you next, is there anything that you'd like the  
2 Commissioners to understand from your lens and particular specialist -- particular focus  
3 on the technologies, of course, as we continue to move through our work?

4                   **MR. IAN DOUGLAS:** I think it's important to make sure that the  
5 technologies that are used are sourced well. When you're thinking about the system  
6 that you build, make sure that you've only collected the information you need to collect  
7 in order to make the thing work. If you're using third party or purchased software  
8 development kits, make sure that you know the licensing that goes behind those, and  
9 make sure that you know where your data goes in the event you have a third-party  
10 processor. If you are going to collect information, make sure you secure it well,  
11 because we are, you know, constantly seeing more and more data breaches, and when  
12 we have to go look at those, it's frustrating to see the amount of data that can be lost by  
13 just not being properly secured. And probably, you know, the KISS principle, you know,  
14 keep it simple, stupid. It usually works out to be a good one to follow.

15                   **DR. EMMA CUNLIFFE:** Thank you very much. The KISS  
16 principle, very helpful in this moment, I would suggest.

17                   Gregory, is there anything you would add to what Ian shared?

18                   **D. CMSR. GREGORY SMOLYNEC:** What occurred to me just now  
19 is that the -- two of the documents, the principle documents, the privacy emergency kit  
20 that I referred to earlier and the document on public disclosures under the *Privacy Act*,  
21 those refer to current law, but we do anticipate having private and public sector law  
22 reform at the federal level. Within our office, we haven't considered emergency alert as  
23 a topic that needs to be addressed in the context of law reform, and I just wanted to  
24 bring to your attention that -- the Commission's attention that the -- these laws will be  
25 rewritten in the coming months probably, so if the Commission has anything that it  
26 wishes to say on the issue of private and public sector privacy law reform, it would be  
27 an opportune time. That's for your awareness.

28                   **DR. EMMA CUNLIFFE:** Thank you.

1 Archy, if I may turn to you?

2 **MR. ARCHY BEALS:** Yeah, I just think that the information that  
3 goes out needs to be correct information, and it needs to be culturally relevant, because  
4 misinformation can damage not only the individuals impacted but an entire community.  
5 So it's important to ensure that the information that's going out is correct.

6 **DR. EMMA CUNLIFFE:** Many thanks indeed.

7 Raymond, if I may turn to you next?

8 **CMSR RAYMOND THÉBERGE:** I don't want to sound repetitive,  
9 but I -- the message I would like to leave the Commissioners with is that irrespective of,  
10 you know, regional variances in terms of language and majority, many federal  
11 institutions tend to work in one language, mainly in one official language. So by not  
12 having sufficient bilingual capacity, federal institutions leave -- expose themselves to  
13 translation delays, and this could be addressed through better approaches to staffing,  
14 workplace culture and emergency procedures. And finally, we have developed at the  
15 Commissioner's office the tool called the Official Languages Maturity Model, which is a  
16 diagnostic tool that a federal institution can use to get an understanding, to get a picture  
17 of where they're at in terms of their capacity to work in both official languages. And it's  
18 a tool that's available to all federal institutions, and we have dealt with over 40  
19 institutions currently to try to help them get a better handle on their bilingual capacity  
20 and how best they can serve Canadians in both official languages. So that's the  
21 message I'd like to get out.

22 **DR. EMMA CUNLIFFE:** Many thanks.

23 And, Jennifer, last but not least?

24 **MS. JENNIFER JESTY:** I want to go back to kind of what Ian said  
25 there about KISS. When I was sitting around the table with all five chiefs when we  
26 initially decided to implement the system, we had a lot of, oh, but what about this? Oh,  
27 but what if that and what if this. We could have went on for days about the what ifs.  
28 The bottom line was, and that's why the system is the way it is today, is that it was

1 about keeping it simple. The message -- we need to get a message out and here's how  
2 we're going to do it. And so we really were trying very hard not to get bogged down with  
3 too many details, and oh, but what if and what if. The bottom line is -- and we've done  
4 it, we've sent out an alert, and then we've had to follow up and say, oh, okay, well, that  
5 situation is resolved now. The bottom line is the information got out. And I think we  
6 need to keep that and go back to this morning's session when we were talking about the  
7 most important thing here is about public safety.

8 **DR. EMMA CUNLIFFE:** Commissioners, that's completes my  
9 planned questions.

10 **COMMISSIONER STANTON:** It's Commissioner Stanton  
11 speaking. Ms. Colman, I was really struck by the circumstances of many of your clients  
12 and your description of them and the essential irrelevance of whatever technological  
13 solution might make sense for an emergency alerting system. And, you know, text  
14 wouldn't reach them, cell broadcast wouldn't reach them, they don't have social media  
15 because they don't have internet, and they don't even have cell service and they have  
16 you coming out to them and maybe a VON nurse.

17 And I wondered -- I mean, what would reach them? Do -- you  
18 know, do we need to think about what is the reach of landlines? Are they still, you  
19 know, widespread enough for that to be a viable consideration? I'm just trying to think  
20 what work needs to be done to find out what would address the situation. Although, of  
21 course, as you already noted, fundamentally what would address it is the level of  
22 poverty and some mental health supports.

23 So there's systemic issues that obviously need to be addressed,  
24 but I just wondered if there's a way to map onto the outreach that already does occur,  
25 limited though it is, given that you're one person and the systems that do connect with  
26 isolated seniors, is there a way to map onto that? I'm just trying to think of ways to  
27 reach people that are really being forgotten by their communities, essentially, here.

28 **MS. TRISHE COLMAN:** So I think that in some cases there are

1 landlines for those who can afford them because there's not that infrastructure issue.  
2 But other than that, I don't know the answer.

3                   We have talked a little bit about putting together a vulnerable sector  
4 directory at some point, identifying folks who might need help evacuating, you know, if  
5 that were necessary. And then how you would contact them. I mean, old-fashioned  
6 phone trees, knocking on people's doors, but really just identifying those folks that don't  
7 have the contact, and that is a huge undertaking and it's complicated because of  
8 privacy issues and those things.

9                   But I would say if you really needed to get that information out, it's  
10 boots on the ground, it's making calls. It's not as quick as what some emergency alerts  
11 obviously need to be, but, yeah, it's extremely difficult.

12                   And the other thing is, is we don't know what we don't know. Or we  
13 don't know who we don't know. So I could identify a number of very vulnerable clients  
14 who are isolated, who have no-one, who don't have phones, you catch them at home if  
15 you're lucky to, if you need to make a visit. But I don't know who I don't know. I don't  
16 know who else is out there that's not on my radar or Continuing Care's radar. We just  
17 don't know. And they are the most vulnerable and, as I said, they may be the ones that  
18 need the most help.

19                   But certainly the wraparound services dealing with issues of  
20 poverty. So putting a cell phone in someone's hands, but then stepping in to make sure  
21 that the person can afford to keep it, can afford -- or, you know, to know how to use it.  
22 All of those things. So everything has to be looked at in the big picture.

23                   **COMMISSIONER STANTON:** Thanks.

24                   I just want to commend you for the compassionate care that you  
25 offer to people in your community, and for helping us think through those issues today.  
26 It's, I think, an important voice to hear because they're not otherwise going to be heard.  
27 So I really want to thank you for that. And I guess it goes to the broader conception of  
28 community safety, right?

1                   **MS. TRISHE COLMAN:** Yes.

2                   **COMMISSIONER STANTON:** That you have to know that people  
3 are there in order to find ways to keep them safe, and that means having local  
4 knowledge and, as you say, you can contribute to that because you know what you  
5 know. But then the challenge is, who's still falling through the cracks.

6                   So I really appreciate that. Thank you.

7                   **MS. TRISHE COLMAN:** Thank you.

8                   **DR. EMMA CUNLIFFE:** On behalf of the Mass Casualty  
9 Commission, I would like to echo Commissioner Stanton's remarks to Trishe, Ms.  
10 Coleman. But for each of you, I think each of you has brought a very compassionate  
11 lens and a strong appreciation for community and the strength that can be found within  
12 community and the importance of working with community in order to design effective  
13 public communication systems and public warning systems.

14                   And I think each of you has demonstrated, too, that a great deal of  
15 planning, care, and community involvement are necessary to design an effective public  
16 warning system.

17                   But it's not only a matter of technology, although technology is  
18 important. It's also a matter of ensuring that the needs of communities are well  
19 understood, in fact, at every stage, and particularly well in advance of an emergency  
20 arising; that there may be well be competing interests to consider, as one is making  
21 planning decisions.

22                   You've each helped us to understand some of these nuances,  
23 which will assist our later discussions as we move through the process.

24                   Your contributions today are a true act of public service, and we  
25 thank you for your time.

26                   **COMMISSIONER MacDONALD:** And allow me to thank you,  
27 Emma, for not just your wonderful task in facilitating today's roundtable, but for  
28 assembling such a wonderful and stellar group of roundtable participants. On behalf of



1 the Commissioners, it is surely greatly appreciated.

2                   And I would like to echo my thanks as well, just very briefly, to the  
3 members of our roundtable here this afternoon.

4                   You know, the suffering caused by the mass casualty reverberates  
5 and cascades from those most affected right throughout the province, right throughout  
6 the country and beyond, so we are so grateful that you are helping us as  
7 Commissioners, and as a Commission, but you're helping Nova Scotians and  
8 Canadians, and we are greatly appreciative for that. And you've broadened our  
9 perspectives. I think that's the key for us, you've broadened our perspectives when it  
10 comes to the world view of others, culture, equality, privacy, and language;  
11 fundamental values that we all share. And in tackling this difficult issue, you've helped  
12 broaden our perspective and for that we're very grateful, so thank you.

13                   **COMMISSIONER STANTON:** Just continuing on from that, I think  
14 it's important to sort of think about how these roundtable discussions fold into the  
15 broader work of the Inquiry.

16                   This afternoon's panel relates to three -- well, actually, both panels  
17 today, relate to three paragraphs of the Orders in Council that set out the mandate that  
18 we as Commissioners are required to fulfil in the public interest.

19                   We're directed to examine issues, including communications with  
20 the public during and after the mass casualty; including the appropriate use of public  
21 alerting systems established under the Alert Ready programme. We're required, as  
22 well, to consider and examine communications between and within the RCMP,  
23 municipal police forces and other agencies and the Alert Ready programme. And we're  
24 also directed to give particular consideration to any persons or groups that may have  
25 been differentially impacted. And so I just wanted to note that so that it might assist  
26 folks who are wondering, okay, how does this all fit together?

27                   This week, the Commission also shared another Foundational  
28 Document, taking the total number available for the public to read to 16, supported by

1 over 1,000 source materials. These documents reflect our current understanding of the  
2 facts and begin to help answer many of the questions about the mass casualty itself.

3           There are more Foundational Documents and source materials to  
4 come, and we've heard some additional witnesses this week; we'll continue to hear from  
5 more in the coming proceedings, including starting on Monday.

6           This week we have been integrating more Phase 2 activities that  
7 explore these questions of how and why the mass casualty happened, and look into the  
8 related issues of the mandate, including, of course, today's roundtables and the  
9 Commissioned reports that go along with them in order to better understand the causes,  
10 context, and circumstances that may have contributed to the mass casualty, which is  
11 also a requirement of our mandate.

12           As a public inquiry, we're ensuring we're creating opportunities for  
13 members of the public to engage in this work. One reason for this is that we believe the  
14 Commission's findings and recommendations will be stronger if they're informed by a  
15 broad range of experiences and perspectives. So while our work must be grounded in  
16 what happened on April 18<sup>th</sup> and 19<sup>th</sup>, we do need to also understand the broader  
17 context in order to create recommendations that can be implemented. It's a joint  
18 Federal-Provincial inquiry so questions, as we heard today, of legislation and jurisdiction  
19 are important context for us to know about in order to be able to make  
20 recommendations that are implementable.

21           Community safety is a shared responsibility and it's an opportunity,  
22 and I think the panels today have really surfaced that for us in an important way.

23           Once we've completed our work and shared our final report, it'll be  
24 up to all Canadians, including policy makers, public institutions, community groups, and  
25 members of the public, to take the recommendations and make them actions. You can  
26 help shape our work, findings, and recommendations. We invite you to play a role to  
27 help make our community safer. Once this public inquiry is concluded, we hope to  
28 continue hearing from you, members of the public, with your submissions about

1 potential changes you'd like to see or recommendations you think we should include in  
2 our final report.

3 You can find more information about how to make public  
4 submissions on our website. You can also find there, of course, our Foundational  
5 Documents, the source materials, the Commissioned reported, prior proceedings  
6 webcasts, the interim report, and much more information about the Inquiry.

7 We do thank you for your continuing interest and engagement and  
8 support, and we'll see you when public proceedings resume on Monday.

9 Thanks again.

10

11 --- Upon adjourning at 3:39 p.m.

12

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### CERTIFICATION

14

15 I, Sandrine Marineau-Lupien, a certified court reporter, hereby certify the foregoing  
16 pages to be an accurate transcription of my notes/records to the best of my skill and  
17 ability, and I so swear.

18

19 Je, Sandrine Marineau-Lupien, une sténographe officiel, certifie que les pages ci-hauts  
20 sont une transcription conforme de mes notes/enregistrements au meilleur de mes  
21 capacités, et je le jure.

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24 Sandrine Marineau-Lupien

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